

ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING

City Council Chambers
809 Center Street
Santa Cruz, Ca 95060

April 21, 2010
10:00 A.M. SESSION

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

Other: Thirty-one members of the audience.

Eric Marlatt, 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 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 APRIL 7, 2010

1. **207 Church Street CP10-0017 APN 005-072-33, 47, 50**
Boundary Adjustment/Lot Consolidation and Minor Subdivision to combine three existing lots and create four commercial condominium units within an existing commercial building and a common parking area in the CBD (Central Business District) Zoning District. (Environmental Determination: Categorical Exemption) (FPA Sentinel Associates, LP, owner/filed: 2/4/2010) **DL**
ACTION: That the Zoning Administrator continue the project to the Zoning Administrator meeting of May 5, 2010.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator **CONTINUED** the item to the **Zoning Administrator** meeting of **May 5, 2010, no noticing.**

CONTINUED FROM THE ZONING ADMINISTRATOR MEETING OF MARCH 17, 2010

2. **100 Alamo Ave.** **CP09-0034** **APN 002-541-02**
Design Permit for a second-story addition to an existing single-story dwelling with basement resulting in a dwelling that exceeds 3,000 square feet in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (David & Lori Bell, owners/filed: 10/13/2009) **NC**
ACTION: That the Zoning Administrator acknowledge the environmental determination and approve the Design Permit based on the findings and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

David Bell

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 subject to the findings and conditions contained in the staff report; revised conditions 9 and 15.

REVISED CONDITIONS 9 & 15:

9. The project shall meet all the requirements of the Fire Department. ~~including but not limited to: submittal of plans and installation of an approved residential fire sprinkler system; installation of smoke detectors; and addressing with four inch letters to be visible from street. Roofing and siding material shall be class "B" or better.~~
15. Prior to application for a building permit, revised plans shall be submitted for review and approval by the Zoning Administrator. These plans shall include the following changes to insure continuity in the Spanish-inspired architectural detailing of the dwelling: a) the second-story deck railing shall be either wrought iron or wood railings, or a combination of glass with wrought iron, wood or stucco posts. ~~and b) bay window: utilize a smaller, rectangular bay window element.~~

CONTINUED FROM THE ZONING ADMINISTRATOR MEETING OF APRIL 7, 2010

3. **1207 Pacific Ave.** **CP10-0016** **APN 005-075-04**
Administrative Use Permit to serve beer and wine (Type 41) in an existing restaurant (Joe's Pizza and Subs) and Revocable License to establish a 220 square foot extension area along Pacific Avenue and a 144 square foot extension area in the alley for property located in the CBD zone district. (Environmental Determination: Categorical Exemption) (Russo Sandra E. M./W S/S et al TC, owner/filed: 2/4/2010) **NC**

ACTION: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use Permit based on the findings and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Jim Hammana

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 subject to the findings and conditions contained in the staff report; with revised condition 8 and added condition 38.

REVISED CONDITION 8:

8. The hours of operation, and sales, service, and consumption of alcoholic beverages within the restaurant shall be permitted from 9:00 a.m. to 12:00 ~~p.m.~~ **a.m.** daily. The hours of operation for the extension areas limited to 9:00 a.m. to 10:00 p.m. Alcoholic beverages cannot be sold or consumed in either of the extension areas, nor sold for offsite use.

ADDED CONDITION 38:

38. The extension area shall maintain at least eight (8) feet of unobstructed sidewalk width on Pacific Avenue between the outer edge of the enclosure and the building.

New Business

4. **712 Third Street** **CP10-0011** **APN 005-204-08**
Administrative Use Permit, Design Permit, Slope Modification Permit and Coastal Permit to construct a new single-family dwelling in the RT(B) zoning district, SP-O (Shoreline Protection Zone Overlay) and CZ-O (Coastal Zone Overlay). (Environmental Determination: Categorical Exemption) (JP Morgan Chase Bank NA, owner / filed: 1/25/2010) **MA**

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

ACTION: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use Permit, Design Permit, Slope Modification Permit and Coastal Permit based on the findings and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Doug Silveira

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 subject to the findings and conditions contained in the staff report; revised conditions 18, 19, 20, 22 and deleted 21.

REVISED CONDITIONS 18, 19, 20, 22 and DELETED 21:

18. The applicant shall provide detailed information on the plans regarding the proposed fence treatment on all property lines. All fences must be approved by the Zoning Administrator prior to issuance of building permit. Any fence located on top of or near the Laurel Street cliff wall must be ~~see through, black, and of a~~ **wrought iron high quality** material. ~~Chain link fencing or the like will not be supported.~~ The fence along this wall may not be higher than five feet in height.
19. The applicant shall provide detailed information on the plans submitted for building permit regarding depth of window and door insets prior to issuance of building permit. The window depths must be at minimum of ~~four~~ **two** inches and the doors must be inset a minimum of ~~six~~ **four** inches and must be consistent with the Mediterranean style. The window and door depths and window and door detailing must be approved by the Zoning Administrator prior to issuance of building permit.
20. ~~The applicant shall provide a series of windows on the east elevation overlooking the river which are more consistent with Mediterranean design and which shall incorporate a wrought iron railing. The selection of these windows must be approved by the Zoning Administrator prior to issuance of building permit.~~ **Final building plans shall indicate that the window trim is either wood or wood clad.**
21. ~~The applicant may be required to reduce the width of other windows on the east elevation, depending on the changes submitted above, in order to provide a design which is more consistent with Mediterranean style.~~
22. ~~The applicant shall submit a sample of clay terra cotta roofing material which is consistent with Mediterranean design.~~ **Final building plans indicate that an S-tile or barrel tile clay or cement terra cotta colored roof material will be constructed on the residence.**

5. 890 West Cliff Dr. 08-161.0 APN 004-381-20
Demolition Authorization, Coastal and Design Permits to demolish and reconstruct 18 residential condominiums located in the RM/CZ-O/SP-O zone district. (Environmental Determination: Categorical Exemption) (Owners of Monterey Towers Tr. 1, owner/filed: 9/25/2008) **JL**

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

ACTION: That the Zoning Administrator acknowledge the environmental determina-

tions and approve the Design, Coastal Permits based on the findings and the Conditions of Approval listed in Exhibit “A”.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Joe Quigg

SPEAKING FROM THE FLOOR WITH CONCERNS:

Mark Polite

Ken Johnson

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 subject to the findings and conditions contained in the staff report; with added conditions 34 and 35.

ADDED CONDITIONS 34 & 35:

34. **Final building plans shall either relocate three parking spaces from the east side of the driveway off West Cliff Drive to an alternate location on the site subject to the review and approval of the Fire and Planning Departments or, provide a pedestrian pathway along the outer edge of these parking spaces. This pathway may be constructed using an alternate material such as a crushed decomposed granite so as to discourage use by skateboarders and does not have to connect to the sidewalk on West Cliff Drive.**
35. **Final building plans shall include a pedestrian pathway from the interior courtyard of the building to the sidewalk on Columbia Street.**

6. **Pelton Street from CP10-0027 APNs 004-301-13, -14;
West Cliff Drive to Eucalyptus Street 004-571-02, -04, -05, -06**

Coastal Permit to re-sign the no parking signs from “No Parking - 10:00 PM to 6:00 AM” to “No Parking - Midnight to 5:00 AM” on Pelton Street between West Cliff Drive and Eucalyptus Street in the R-1-5/PK/OFR zone district. (Environmental Determination: Categorical Exemption) (City of Santa Cruz, owner/filed: 2/23/2010) **MF**

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

ACTION: That the Zoning Administrator acknowledge the environmental determination and approve the Coastal Permit based on the Findings listed below.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Marlin Granlund

SPEAKING FROM THE FLOOR WITH CONCERNS:

Shelley Tsuji

CORRESPONDENCE RECEIVED WITH CONCERNS:

Jennifer Graham

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 subject to the findings and conditions contained in the staff report.

- 7. 916 Ocean Street CP10-0030 APN 008-331-27**
Administrative Use Permit and Sign Permit for a used car sales lot in the CC zone district. (Environmental Determination: Categorical Exemption) (Bei-Scott Company LLC, owner/filed: 2/25/2010) **MF**

ACTION: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use and Design Permits based on the findings and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Ken Potts

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 subject to the findings and conditions contained in the staff report.

Adjournment-- 11:13 a.m.

The next Zoning Administrator meeting will be held on May 5, 2010 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR