

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, CA 95060

May 5, 2010
10:00 A.M. SESSION

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

Other: Twenty-one members of the audience.

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:00 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.

The Zoning Administrator announced that 824 Pine St. would be continued to the Zoning Administrator meeting of June 2, 2010, to allow the Historic Preservation Commission to take action at its meeting on May 19, 2010.

Public Hearing

Old Business – Continued from the Zoning Administrator meeting of April 21, 2010.

1. **207 Church Street** **CP10-0017** **APN 005-072-37, 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**
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Tentative Subdivision Map based on the Findings and Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Joe Appenrodt

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 conditions 10; 12; 16 and 19.

REVISED CONDITIONS 10; 12; 16 & 19:

10. The ~~final~~ **parcel** map of the subdivision shall be submitted showing compliance with all the provisions of Title 23 of the Santa Cruz Municipal Code, or with approved exceptions thereto. The ~~Final~~ **parcel** Map shall clearly and logically identify the common area.
12. All necessary easements shall be acquired prior to City acceptance of the ~~final~~ subdivision **parcel** map.
16. All plans and profiles of improvements shall be approved by the Director of Public Works prior to the filing of the ~~final~~ **parcel** map, and the construction of said improvements shall be in accordance with the City specifications and shall be inspected by the Director of Public Works or his authorized agent.
19. Prior to the approval of the ~~final~~ **parcel** map, Covenant, Conditions and Restrictions (CC&Rs), containing the provisions set forth in Section 23.50.020 of the Subdivision Ordinance, shall be filed with the Planning Director.

New Business

2. **300 Columbia Street CP10-0026 APN 004-261-15**
Coastal Permit to remove a heritage eucalyptus tree on property in the R-1-5/Coastal Zone Overlay zone district. (Environmental Review: Categorical Exemption) (Leslie A. Minkus & Mary Payton, owner/filed: 2/25/2010) **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: That the Zoning Administrator acknowledge the environmental determination and approve the Coastal and Heritage Tree Removal Permits based on the Findings and Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Leslie Minkus
Francis Lucas

SPEAKING FROM THE FLOOR WITH CONCERNS:

John Bergwall

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.

- 3. 824 Pine Street CP10-0043 APN 010-071-58**
Design Permit to construct a two-story addition to a one-story, single-family dwelling and a 196 square foot shed on a substandard lot within an RL zone district. (Environmental Determination: Categorical Exemption) (Cynthia Elliot, owner/filed: 3/16/2010) **JL**
Recommendation: That the Zoning Administrator continue this item to the June 2, 2010 Zoning Administrator meeting.

ACTION: The Zoning Administrator CONTINUED the meeting to the Zoning Administrator meeting of June 2, 2010.

- 4. 328 Ingalls Street, #A CP10-0045 APN 003-095-06**
Administrative Use Permit to allow wine tasting on an outdoor patio adjacent to an existing winery ("MJA Vineyards") in the IG/PER2 zone district. (Environmental Determination: Categorical Exemption) (Ingalls Street Partners, LLC, owner/filed: 3/18/2010) **NC**
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use Permit based on the Findings and Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Deidre Hamilton

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 deleted condition 14.

DELETED CONDITION 14:

~~14. The applicant shall obtain and submit a copy of the required permit from the Monterey Air Pollution Control District for the coffee roasting use.~~

- 5. 1129 Pacific Avenue CP10-0041 APN 005-141-01**
Revocable license to establish an extension area for an ice cream parlor in the CBD zone district. (Environmental Determination: Categorical Exemption) (Dong Ventures LLC, owner/filed: 3/17/2010) **NC**
Recommendation: 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:

Rafik Abelian

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.

- 6. 50 Chestnut Street CP10-0039 APN 004-331-05**
Coastal Permit to remove up to 1,200 cubic yards of sediment bi-annually during summer and fall periods through the 2012. (Environmental Determination: Mitigated Negative Declaration) (City of Santa Cruz, owner/filed: 3/17/2010) **MF**
This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Recommendation: That the Zoning Administrator adopt the Mitigated Negative Declaration (Exhibit "B") and approve the 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:

Suzanne Healey
Andy Schiffrin

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. **228 Gharkey Street CP10-0060 APN 004-232-18**
Design Permit to approve a 3,175 square foot house on a vacant lot in the R-1-5 Zone District. (Coastal Exclusion) (Environmental Determination: Categorical Exemption) (Stagnar, Gilda J., owner/filed: 4/13/2010) **MF**
Recommendation: That the Zoning Administrator acknowledge the environmental determination of a Categorical Exemption and approve the Design Permit based on the Findings and Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Jeff Soncrant

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.

8. **806 Pine Street CP10-0037 APN 010-071-41**
Design Permit for construction of a first-floor addition and a new second floor on a single-family residence on a substandard lot in the RL zoning district. (Environmental Determination: Categorical Exemption) (Netro, Joseph H. H/W JT et al, owner/filed: 3/15/2010) **MA**
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Design Permit based on the Findings and Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Diana Newcomb

Jim Stroupe

Will Sandford

Joe Netro

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 revised conditions 6; 9; 10 and deleted condition 12.

REVISED CONDITIONS 6; 9; 10 & DELETED CONDITION 12:

6. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz, **including the revised side elevations submitted by James Stroupe at the May 5, 2010 Zoning Administrator meeting.** All aspects of construction must be completed prior to occupancy. Major modifications to plans or exceptions to completion may be granted only by the City authority, which approved the project.
9. ~~Prior to issuance of building permit the applicant shall submit a plan which shows that the large gabled dormer on the west elevation facing Pine Street shall be reduced in width and centered over the two lower windows.~~
10. ~~Prior to issuance of building permit the applicant shall submit a plan which shows that the front dormer contains matching dual windows centered over the lower floor matching windows.~~
12. ~~The applicant shall submit a plan for a Building Permit which includes new single hung windows on the second story of the south and north side elevations which match the double hung windows found on the first floor elevations. New windows on the side elevations shall be comprised of a 10 over one lite pattern, with wood windows, no cladding, exterior muntins and the same ratio of height to width of the windows on the front elevation. Wood trim shall match the lower windows in size, width and depth. The size of the windows may be different; however the height/width ratio must be similar.~~

Adjournment – 10:45 a.m.

The next Zoning Administrator meeting will be held on May 19, 2010 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR