

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, CA 95060

July 7, 2010
10:00 A.M. SESSION

Staff Present: Eric Marlatt, Zoning Administrator
Maggie Schwarb, Recording Secretary

Other: Approximately 15 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.

Public Hearings

Old Business — None

New Business

1. **303 Beach Street** **CP09-0025** **APN 007-215-05**
Six-month review of the 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: Review the Conditions of Approval regarding the Administrative Use Permit and Coastal Permit allowing the sale of beer, wine and distilled spirits in conjunction with a restaurant based on the attached Findings and Revised Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

Andrew Bruno, Applicant spoke regarding the project.

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Rick Martinez, Deputy Police Chief, spoke supporting Applicant's request for longer food service hours.

The public hearing was opened.

No one wished to speak.

The public hearing was closed

ZONING ADMINISTRATOR ACTION: The Zoning Administrator reviewed the Conditions of Approval and modified conditions 11 and 22.

REVISED CONDITIONS 11 & 22:

11. Hours of operation are to be limited from 11:00 a.m. to ~~11:00 p.m.~~ **12:00 a.m.**, five **seven** days a week. ~~and from 11:00 a.m. to 12:00 a.m. (midnight) on Friday and Saturday nights.~~
22. The first review ~~shall be~~ **was** held by the Zoning Administrator at its first meeting ~~in July on~~ **July 7, 2010** at which time the hours of operation ~~shall be considered~~ **were increased to midnight seven days a week.** ~~This~~ **The second** review will take place **at the first meeting in December, 2010,** in consultation with the Police Department, who will report on calls for service and any other issues related to alcohol service on the site.

2. **1225 Shaffer Road CP10-0001 APN 003-321-04**
Design and Coastal Permits to construct a 35,130 square foot, 52-unit storage facility with an office in the IG/CZ-O/SP-O/MS-O zone district (Environmental Review: Negative Declaration/Initial Study) (Stillwater Investments LLC, owner/filed: 1/4/2010)**JL**
This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Recommendation: Adopt the Negative Declaration and approve the Design and Coastal Permits based on the findings and Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report and cited the communications received in support and with concerns.

Jon Lee, Representative for Barry Swenson Builder, spoke supporting the project and noted that the conditions were acceptable.

The public hearing was opened.

SPEAKING FROM THE FLOOR WITH CONCERNS:

Kim Saldavia
Ted French
Frances Huddle
Steve Booth
Bordon Pilocinski
Steven Elliot

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Jon Lee iterated that the project is a unique storage opportunity with larger than usual spaces designed to appeal to small businesses and contractors, classic car collectors, RV or boat owners or hobbyists with a lot of equipment.

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

ZONING ADMINISTRATOR ACTION: The Zoning Administrator adopted the Negative Declaration and approved the Design and Coastal permits based on the findings and Conditions of Approval.

- 3. 101 “B” Cooper Street CP10-0068 APN 005-051-11**
Administrative Use Permit to serve beer and wine and establish an outdoor eating area at a new restaurant (Laili Restaurant) located in an existing commercial building in the CBD zone district. (Environmental Determination: Categorical Exemption) (Green Valley-Ross Partnership, owner/filed: 5/3/2010) **JL**
Recommendation: 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.

Wafi Amin, Applicant, spoke regarding his new restaurant.

The public hearing was opened.

No one wished to speak.

The public hearing was closed

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the Administrative Use Permit based on the findings and modified Conditions of Approval.

REVISED CONDITIONS 8, 9, 10 & 20:

8. The hours of operation for both the restaurant and outdoor dining area shall be limited to 11:00 a.m. to ~~10:00~~ **11:00** p.m., seven days a week, unless a modification of this Use Permit is approved.
9. ~~Alcohol service shall be limited to the interior restaurant only.~~ Any sale of alcohol for off-site consumption is prohibited.
10. The applicant shall **may be required** to provide surveillance camera(s) to monitor exterior areas of the restaurant **as if** required by the Police Department. The location and number of cameras shall be subject to review and approval by the Police Department.
20. No “incidental live entertainment,” as defined in Section 24.22.341 of the Zoning Ordinance, shall be permitted without first obtaining an Entertainment Permit from the Police Department and shall not include any amplification. No “live entertainment,” as

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defined in Section 24.22.340 of the Zoning Ordinance, shall be permitted without first ~~modifying this Administrative~~ **obtaining a Special** Use Permit.

4. **418 Front St** **CP10-0078** **APN 005-151-39**
Administrative Use Permit for low-risk alcohol service in new restaurant (India Joze) in existing commercial building in CBD/CZ zone district. (Environmental Review: Categorical Exemption) (Coastal Permit Exemption) (Environmental Determination: Categorical Exemption) (418 Front Street LLC, owner/filed: 5/11/2010) **MF**
Recommendation: 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.

Joseph Schultz, Applicant, spoke regarding the new business.

The public hearing was opened.

SPEAKING FROM THE FLOOR IN SUPPORT:

Ana Marden
Laura Bishop
Ann Simonton

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 administrative use permit, subject to the findings and modified conditions of approval.

REVISED CONDITIONS 11, 13 AND ADDED CONDITION 21:

11. To ensure staff can monitor the interior and exterior areas of the restaurant, surveillance camera(s) are ~~recommended, but not~~ required.
13. The hours of operation shall be limited to between the hours of ~~11:00~~ **10:00** a.m. to ~~10:00~~ **12:00 a.m.** seven days a week, unless a modification of this Use Permit is approved.
21. **A six month administrative review of the Permit shall be conducted by Police and Planning Department staff. If there are an inordinate amount of calls for service this Permit may be scheduled for a public hearing to consider a modification to the Conditions of Approval (in accordance with Condition number 3).**

Adjournment — 11:25 a.m.

The Zoning Administrator adjourned the meeting at 11:25 a.m. to next regularly scheduled meeting of Wednesday, July 21, 2010 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR