



Action Minutes  
**Planning Commission**  
**Regular Meeting**  
7:00 p.m. - Thursday, July 7 - 2011  
City Council Chambers, 809 Center Street

**Call to Order** — 7:02 P.M.

**Roll Call** —

Present: Commissioners D. Foster; M. Whatley; M. Mesiti-Miller; R. Quartararo; Vice-Chair B. Schultz; Chair M. Tustin  
Absent: P. Kennedy (with notice)  
Staff: Assistant Director, A. Khoury; Associate Planner, J. Lum; Associate Planner, M. Alsip; Recorder, M. Schwarb  
Audience: Approximately 25

**Statements of Disqualification** — None

**Oral Communications** — None

*No action shall be taken on these items.*

*The Chair may announce and set time limits at the beginning of each agenda item.*

**Announcements** — None

**Approval of Minutes** — Meeting of April 21, 2011

**ACTION: Commissioner Quartararo moved and Commissioner Foster seconded approval of the minutes of April 21, 2011 as submitted. The motion carried on a vote of 6-0-1 with Commissioner Kennedy absent.**

**Approval of Minutes** — Meeting of May 5, 2011

**ACTION: Commissioner Quartararo moved and Commissioner Whatley seconded approval of the minutes of May 5, 2011 as submitted. The motion carried on a vote of 5-1-1 with Commissioner Foster abstaining and Commissioner Kennedy absent.**

**Approval of Minutes** — Meeting of May 19, 2011

**ACTION: Commissioner Foster moved and Commissioner Schultz seconded approval of the minutes of May 19, 2011 with a correction by Commissioner Mesiti-Miller noting that he spoke with Planning Director Rebagliati and she spoke with the City Attorney. The motion carried on a vote of 5-1-1 with Commissioner Whatley abstaining and Commissioner Kennedy absent.**

**Public Hearings** —

- 1. 2351 Mission Street CP11-0072 APN 003-042-17**  
Special Use Permit for a fitness studio and cooperative parking arrangement in a multi-tenant commercial complex in the CC zoning district. (Environmental Determination: Categorical Exemption) (2335 Mission Center, owner/ filed: 5/25/2011) JL  
**RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and approve the Special Use Permit, based on the findings in the report and the Conditions of Approval.**

Assistant Director Khoury introduced Associate Planner Janice Lum who presented the staff report.

Paige Nutt, applicant, spoke about the project describing the studio and parking arrangements.

The Public Hearing was opened.

Speaking from the audience in support of the project:

- Benjamin Ow, family owner of the Center
- William Ow, family owner of the Center
- John Harker
- Heidi Fish
- Collin Ferguson
- Niall Menken
- Janice Serilla
- Alice Colby
- John Golder

The Public Hearing was closed.

The Commissioners asked questions and made comments regarding:

- Parking;
- Hours of operation;
- What other businesses have needed a Use Permit;
- Whether bikes could remain on display in parking area.

**ACTION: Commissioner Schultz moved and Commissioner Mesiti-Miller seconded approval of the Special Use Permit removing condition #15 relating to hours of operation. The motion carried on a vote of 6-0-1 with Commissioner Kennedy absent.**

- 2. 305 Beach Street CP11-0054 APN 007-215-05**  
Special Use Permit, Design Permit and Coastal Permit to reconfigure an existing restaurant to establish a new fast-food ice cream store and to allow outdoor seating for both uses, and new signage in the RTC/CZO/SP-O (Tourist Residential, Subdistrict C Beach Commercial, Coastal Zone Overlay, Shoreline Protection Zone Overlay) zone districts. (Environmental Determination: Categorical Exemption) (Bruno, Andrew R. Trustee, owner/filed: 4/26/2011) 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: That the Planning Commission acknowledge the environmental determination and approve the Special Use Permit, Design Permit and Coastal Permit based on the Findings in the report and the Conditions of Approval.**

Assistant Director Khoury introduced Associate Planner Mary Alsip who presented the staff report.

Andrew Bruno, Applicant, answered a question regarding the paint.

The Public Hearing was opened.

Speaking from the audience:

- John Golder regarding design guidelines.

The Public Hearing was closed.

The Commissioners asked questions and discussed:

- Beach & South of Laurel design guidelines;
- Incremental development.

**ACTION: Commissioner Mesiti-Miller moved and Commissioner Foster seconded approval of the Special Use Permit, Design Permit and Coastal Permit. The motion carried on a vote of 6-0-1 with Commissioner Kennedy absent.**

**General Business — None**

**Informational Items — None**

*No action shall be taken on these items.*

**Subcommittee/Advisory Body Oral Reports — None**

*No action shall be taken on these items.*

- Chairperson's Report — None
- Planning Department Report — None

**Items Referred to Future Agendas — None**

**Adjournment — 8:20 P.M.**

The next Planning Commission meeting will take place on July 21, 2011 in the City Council Chambers.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City Planning Department, 809 Center Street, Room 107 or on the City's website [www.cityofsantacruz.com](http://www.cityofsantacruz.com). These writings will also be available for review at the Planning Commission meeting in the public review binder at the rear of the Council Chambers.

**APPEALS** - Any person who believes that a final action of this advisory body has been taken in error may appeal that decision to the City Council. Appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk.

Appeals must be received by the City Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee.