



## ACTION MINUTES

### Planning Commission Regular Meeting

7:00 p.m. - Thursday, January 5, 2011  
City Council Chambers, 809 Center Street

Call to Order – 7:02 P.M

#### Roll Call –

Present: Commissioners D. Foster, P. Kennedy, M. Mesiti-Miller, R. Quartararo, and Chair M. Tustin.

Absent: Commissioner B. Schultz (without notice).

Staff: Principal Planner, E. Marlatt; Associate Planner, M. Ferry; Public Works Assistant Director, C. Schneiter; Recorder, M. Schwarb.

Audience: 8

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

Election of Officers –

**ACTION: This item was POSTPONED pending City Council appointment of new Planning Commissioners.**

## Public Hearings —

1.     **410 Locust Street**                    **CP11-0170**                                    **APN 006-405-09**  
Variance and Slope Modification to construct retaining walls and a cantilever walkway on portions of private lots in the RL and R-1-5 zone districts and within the public right-of-way on Chestnut Street between Locust and Mission Streets. (Statutory Exemption (15269) Emergency Projects.) (Hagler, James F. & Donna L. Trust, owner/filed: 11/17/2011)  
**RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and approve the Variance and Slope Modification based on the Findings listed and the Conditions of Approval.**

MF

Principal Planner Marlatt introduced Associate Planner M. Ferry who presented the staff report. Deputy Director of Public Works Schneiter described the project and answered questions from the Commissioners.

The Public Hearing was opened.

Speaking from the audience in support of the project:

- Sean Wilson;
- Donna Hagler;
- Larkin Wilson.

The Public Hearing was closed.

The Commissioners made comments and asked questions regarding:

- The stairway;
- ADA access;
- Costs of the various proposed retaining walls;
- Tree removal;
- Liability for homeowner's abutting the project;
- Easements or taking of private properties;
- Time lines for the project.

**ACTION: Commissioner Foster moved, and Commissioner Quartararo seconded, that the Planning Commission ACKNOWLEDGE the environmental determination and APPROVE the Variance and Slope Modification. The motion carried on a vote of 5-0-1 with Commissioner Schultz absent.**

**Action Minutes**

**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

Principal Planner, E. Marlatt discussed the 2012 Planner's Institute and Mini Expo which will be held in San Jose March 20-March 22. Planning Commissioners are invited to attend, though it's fairly expensive, so, if Commissioners are interested in attending, they should send staff an e-mail so that it can be confirmed that there is adequate money in the budget to cover the costs. He noted upcoming items of interest on the January 20<sup>th</sup> City Council agenda, including an organizational review of City operations, a mid-year budget presentation by the City Manager and an update on Redevelopment by the Economic Development and Redevelopment Director. There will be a Climate Action Plan workshop scheduled for the January 24<sup>th</sup> City Council agenda with a subsequent focused workshop for the Planning Commission in February. He indicated that there will be an overview of the General Plan update process at a special meeting of the City Council on February 7<sup>th</sup>. He also noted that the scheduled Meeting for January 19, 2012 is cancelled.

**Items Referred to Future Agendas** — None

**Adjournment** — 7:45 P.M.

The next Planning Commission meeting will take place on February 2, 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.

Action Minutes

**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.