

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, CA 95060

10:00 A.M. SESSION

Staff Present: Alex Khoury, Zoning Administrator
Norma Ellis, Recording-Secretary

Audience: Approximately 10 persons from the public

Alex Khoury, 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 Alex Khoury

Oral Communications

Announcements - No action shall be taken on these items.

1. **845 Almar Ave. CP12-0205 APN 003-051-35**
Administrative Use Permit to allow for sale of alcoholic beverages in an existing restaurant (Wingstop) located in a multi-tenant shopping center in the C-C zone district.

The Zoning Administrator continued this item to the next regularly scheduled meeting of April 17, 2013.

2. **130 Bethany Curve CP12-0214 APN 003-303-05**
Coastal and Design Permits to construct a 1,491 square foot addition to an existing 2,046 square foot single-family dwelling totaling 3,537 square feet in the R-1-5/CZ-O/SP-O zone district. (Environmental Determination: Categorical Exemption) (Jagdish Kumar, owner/filed: 12/18/2012)

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:
Rudy Parra, Building Designer
Jagdish Kumar, owner

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SPEAKING FROM THE FLOOR WITH CONCERNS:

Mark Llewellyn, 217 Oxford Way, stated his property was located directly behind the fence on the south side. He stated that their property has become an echo chamber. He was concerned that this house may become a rental, with students partying late at night. He noted that the house directly next door has been one of the infamous party houses in Santa Cruz, with noise issues and intoxicated persons. He noted issues with drainage as the fence from the driveway has rotted out at its post and has to be repaired.

Bob Kolpak, 303 Woodrow Ave., had concerns about the development and the scale of the building. He further mentioned that the average house on the block is about 2300 habitable square feet. He stated this house is a 40% increase from other homes on the existing block. He concurred with the previous speaker on the noise issues from the party house.

SPEAKING IN REBUTTAL

Rudy Parra, building designer for 130 Bethany Curve, stated that under the new building codes they will have to maintain the water runoff on the property and that will be done through downspouts in the front lawn area.

Jagdish Kumar, owner, stated that this property will never be a rental. He stated that this property is almost a foot lower than other properties in the area. He further stated that he was willing to work with the neighbors and they will be treated like family.

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

A.Khoury noted that the large house code amendment in the Zoning Ordinance was written in 1993. The intent of the code amendment is to protect the character and identity as well as to promote a variable streetscape and building mass and to limit intrusion of impacts on neighboring property. The design permit process is designed to address design criteria and not necessarily restrict the building of large houses. The design of this home seemed well thought-out meeting those requirements. He stated the applicant is not raising the grade so the drainage issues will be controlled on the property. He also noted that the owner is willing to work with the neighbors on the fencing issues.

He also noted that the City could not control whether this property becomes a rental or not, however, the City has enacted the rental inspection ordinance and the party house ordinance, to help deal with issues mentioned by the neighbors. The owner has stated a family member will be living on the property, so hopefully, there will not be a problem.

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ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 130 Bethany Curve, subject to the findings noted in the staff report and the conditions listed in Exhibit "A".

2. **533 Seabright Avenue** **CP13-0016** **APN 010-212-07**
Administrative Use Permit to establish a specialty retail pet store in an existing commercial building in the CN zone district. (Environmental Determination: Categorical Exemption) (Bei-Scott Company, LLC, owner/filed: 2/14/2013)

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR

Aaron King, owner

Aaron King was available to answer any questions. He noted that the backflow device has been installed and is ready for inspection.

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, subject to the findings noted in the staff report and the conditions listed in Exhibit "A".

Adjournment

At 10:30 a.m. the Zoning Administrator adjourned to the next regularly scheduled meeting on April 17, 2013, in the Council Chambers of City Hall.

APPROVED:

ALEX KHOURY, ZONING ADMINISTRATOR