

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, CA 95060

May 15, 2013
10:00 A.M. SESSION

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

Audience: Approx 30 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. 334 Ingalls Street, D

CP13-0019

APN 003-095-06

Administrative Use Permit to allow a restaurant with beer and wine service and outdoor seating in an existing multi-tenant industrial building in the IG/PER-2 zone district. (Environmental Determination: Categorical Exemption) (Ingalls Street Partners LLC, owner/filed: 2/26/2013)JL

The Zoning Administrator summarized the report.

The public hearing was opened.

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SPEAKING FROM THE FLOOR:

Quinn Cormier

John Swift

Jeff Emery

IN SUPPORT OF THE PROJECT:

Patrice Keet

Geri Zaballos

Lois Sones

Mary Fox

Louis Jamison

Caylin Tardif

Perry Samios

Bill Cunningham

CORRESPONDENCE RECEIVED IN SUPPORT:

Abby Arnott

Amy Harmount

Benjamin Ow

Bonnie Keet

Caylin Tardif

Geoffrey

George Ow Jr. and Gail Michaelis-Ow

Janice Manabe

Jerald O'Brien

Julie & Nathan Atkinson

Kaley and Jeff Roth

Kathy Marini for the Marini Family

Kendra Wolfe

Louis Jamison

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Mayra Alvarez

Mimi Snowden

Mr. & Mrs. Patrick M. Sullivan

Norman Tardif

Patrice Keet

Robin Cunningham

Robin Karlstrand

Sherry & Charles Perry

Willow Miller

SPEAKING FROM THE FLOOR WITH CONCERNS:

Fallin Steffen

Tony Fleig

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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, 334 Ingalls St., Ste. D, subject to the findings and conditions contained in the staff report; with revised conditions, 13; 19; 21; 25; 27; 38 and striking condition 15.

REVISED CONDITIONS 13; 19; 21; 25; 27; 38 & STRIKING CONDITION 15:

13. The proposed patio enclosure shall be narrowed by three feet to dimensions of 13 feet by 20 feet in order to increase the drive aisle width and turning clearance at the northwest corner of the building. **Alternatively, the northeast corner of the patio (16'x20') may be cut off by a 45-degree angle if approved by the Fire and Public Works Departments, for purposes of ensuring adequate fire and garbage truck access, respectively.**
15. ~~All requirements of the Building, Fire, Police, and Water Departments shall be completed prior to occupancy and continuously maintained thereafter.~~
19. Prior to installation of the outdoor patio, 18 parking spaces shall be striped and made available for vehicle parking along the northern side of the building in the area currently utilized by *Bonny Doon Vineyard* for storage. **These parking spaces may be striped and made available for parking in phases with a portion of the patio (not to exceed 8'x20') constructed after 9 spaces are provided and the balance of the approved outdoor seating area constructed only after all 18 spaces are provided.** The parking lot shall provide a total of 80 vehicle parking spaces. All vehicle parking spaces shall be unobstructed and available for vehicle parking at all times and shall not be used for storage or wine production activities.
21. An **administrative** review of this permit shall be conducted in six months and one year by Planning and Police Department staff to ensure conformity with conditions of approval.
25. The hours of operation for the restaurant, including alcoholic beverage service and use of the outdoor patio, shall be limited to 8:00 a.m. to 10:00 p.m., seven days a week, **unless otherwise approved by the Police Department in the form of a memorandum to the Zoning Administrator.** ~~Unless a modification of this Use Permit is approved.~~
27. Any sale of alcohol for off-site consumption is prohibited, **unless otherwise approved by Department of Alcoholic Beverage Control (ABC) and the Police Department.**
38. After parking spaces are provided per **in accordance with the parameters established in Condition 17 ~~18~~**, the outdoor patio can be established and shall operate per the following conditions:
 - The patio area shall be permitted only in conjunction with the restaurant which is operating in the adjacent building and to which the patio area is appurtenant.

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- The applicant shall take actions to ensure that the use of the patio area in no way interferes with pedestrians or limits their free and unobstructed passage and that defined patio area boundaries are maintained.
- The patio area and all its contents shall at all times be maintained in a clean and attractive condition.
- Recycling and trash receptacles shall be provided within the patio area. The applicant shall be responsible for the disposal of trash and storage of recyclable materials within private canisters/dumpsters.
- All movable barriers and furniture used in patio area shall be removed and stored inside the restaurant during non-operating hours.
- The applicant shall be responsible at all times during operating hours for keeping outdoor furniture within patio area as shown on the approved site plan.

Adjournment—10:39am

The next Zoning Administrator meeting will be held on June 5, 2013 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR