

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, CA 95060

December 4, 2013
10:00 A.M. SESSION

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

Audience: Six members of the public

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.

1. **711 Park Way** **CP13-0118** **APN 009-062-11**
Design Permit and Heritage Tree Removal Permit for a new two-story single-family residence on a vacant, substandard lot in the R-1-5 zone district (Environmental Determination: Categorical Exemption) (Susan Waller, owner/filed: 9/3/2013) **MF**
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Design Permit and Heritage Tree Removal Permit based on the findings noted in the staff report and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Ron Powers, Representative
Steve Wolfman, Public Works Dept.

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SPEAKING FROM THE FLOOR WITH CONCERNS:

Corey Monteith
Susan Pearson
Virginia Barrington

CORRESPONDENCE RECEIVED WITH CONCERNS:

Rob and Donna Pio
Mark and Virginia Barrington

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and APPROVED the project at 711 Park Way, subject to the findings and conditions contained in the staff report; with revised conditions 3, 20 and 21 (bullet item 4).

REVISED CONDITIONS 3, 20 & 21 (bullet item 4):

3. Prior to issuance of the building permit, provide a copy of the approved Streambed Alteration Permit **Agreement** issued by the California Department of Fish and Wildlife (**CDFW**) **or other documentation from CDFW if a Streambed Alteration Agreement is not required.**
20. The applicant shall obtain a Heritage Tree Removal Permit from the Parks and Recreation Department and provide 12 replacement trees or pay the appropriate fee **or equivalent mitigation authorized per the City Urban Forester,** or pay the appropriate fee to the City Heritage Tree Fund under the direction of the City Urban Forester.
21. The Department of Public Works requires plan revisions to include the following:
 - Install a 5-foot wide sidewalk along the entire frontage of Park Way per City standard detail. Include notes and City Standard Detail 8 of 23 on the plans **or pay the equivalent in lieu fee to the City Sidewalk Fund.**

2. 2117 Mission Street CP13-0161 APN 003-051-34
Administrative Use Permit for a fast-food use (Yogurtland) to occupy a commercial space in a multi-tenant shopping center (Almar Center) in the CC zone district. (Environmental Determination: Categorical Exemption) (Almar Center Inc., owner/ filed: 10/15/2013) MF
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use Permit based on the findings noted in the staff report and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

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No one was present to speak.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 2117 Mission St., subject to the findings and conditions contained in the staff report.

3. **517 Beach Street** **CP13-0145** **APN 007-261-12**
Coastal Permit and Nonresidential Demolition Authorization Permit to demolish an existing two-story office building located in the RTC/CZO/SPO zoning district. (Environmental Determination: Categorical Exemption) (Santa Cruz Seaside Company, Inc., owner/filed: 9/27/2013) **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: That the Zoning Administrator acknowledge the environmental determination and approve the Commercial Demolition Authorization and Coastal Permits based on the findings noted in the staff report and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Karl Rice

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

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 517 Beach St., subject to the findings and conditions contained in the staff report; with revised condition 11.

REVISED CONDITION 11:

11. Prior to demolition of the building, a building permit shall be obtained from the Building Division. Plans shall demonstrate compliance with current codes adopted by the City of Santa Cruz. ~~Prior to issuance of the demolition permit~~, the applicant shall obtain a Design Permit for the expanded parking lot area proposed for the project site and any required building permits.

4. **120 Cliff Street** **CP13-0146** **APN 007-261-01**
Coastal Permit to demolish an existing one-story garage/storage building located in the RTC/CZO/SPO zoning district. (Environmental Determination: Categorical Exemption) (Santa Cruz Seaside Company, Inc., owner/filed: 9/27/2013) **JL**

This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

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Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Coastal Permit based on the findings noted in the staff report and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Karl Rice

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

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at, subject to the findings and conditions contained in the staff report; with revised condition 11.

REVISED CONDITION 11:

11. Prior to demolition of the building, a building permit shall be obtained from the Building Division. Plans shall demonstrate compliance with current codes adopted by the City of Santa Cruz. ~~Prior to issuance of the demolition permit,~~ the applicant shall obtain a Design Permit for the expanded parking lot area proposed for the project site and any required building permits.

5. **711 Pacific Avenue CP13-0026 APN 007-021-06**
Administrative Use Permit to establish a low-risk alcohol establishment (restaurant/sports bar with a Type 47 license) in a two-story building previously occupied by a high-risk alcohol establishment on the first floor (bar with a Type 48 license) and hotel rooms on the second floor, and to re-establish a non-conforming parking demand in accordance with Section 24.18.070.1 of the Zoning Ordinance. Property is located in the CB-D(E) zone district. (Environmental Determination: Categorical Exemption) (Coastal Permit Exclusion) (Lee, Calvin Quon, Jr. & Tina Yim, owner/filed: 3/11/2013) NC
Recommendation: That the Zoning Administrator continue this item to the Zoning Administrator meeting of February 19, 2014.

ACTION: That the Zoning Administrator CONTINUED the item to the Zoning Administrator meeting of February 19, 2014; this item will not be re-noticed or re-advertised.

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Adjournment—10:51am

The next Zoning Administrator meeting will be held on December 18, 2013 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, we ask that you attend fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the City Clerk's Department at 420-5030 at least five days in advance so that we can arrange for such special assistance, or email CityClerk@cityofsantacruz.com. The Cal-Relay system number: 1-800-735-2922.

Any writing related to an agenda item for the open session of this meeting distributed to the Zoning Administrator 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. These writings will also be available for review at the Zoning Administrator meeting in the public review binder at the rear of the Council Chambers.

Appeals must be received by the Planning Department 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.