



Draft Action Minutes
Planning Commission
Regular Meeting
7:00 p.m. - Thursday, January 21, 2016
CIVIC AUDITORIUM, 307 CHURCH ST.

The following is an unofficial representation of the Planning Commission's Actions. Minutes are official upon approval.

Call to Order — 7:02 pm

Roll Call —

Present: J. Conway; M. Mesiti-Miller; C. Nielsen; M. Primack; M. Tustin; P. Spellman, Vice-Chair; P. Kennedy, Chair.

Absent: None.

Staff: Planning Director, J. Rebagliati; Principal Planner, E. Marlatt; Senior Planner, M. Ferry; Assistant Public Works Director, C. Schneider; Parks and Recreation Director, D. Shoemaker; Superintendent of Parks, M. Garcia; Parks Planner, Noah Downing.

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.

Public Hearings —

1. DeLaveaga Park, 495 UPPER PARK RD CP15-167 APN 009-301-06
Design Permit, Slope Variance, Watercourse Development Permit and Variance for construction of an outdoor theater at DeLaveaga Park, in the vicinity of the 911 Call Center and the former Stroke Center, for use by Santa Cruz Shakespeare and other limited similar day-uses, for a trial period of two years. (Environmental Determination: Mitigated Negative Declaration) (SANTA CRUZ CITY OF, owner/filed: 10/6/2015) MF
RECOMMENDATION: That the Planning Commission recommend to the City Council adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and approval of the Design Permit, Slope

Modification and Variance and a Watercourse Development Permit and Variance for the construction of an outdoor theater at DeLaveaga Park for use by Santa Cruz Shakespeare and other limited, similar day uses, for a trial period of two years based on the findings listed in the staff report and the conditions in Exhibit "A".

Senior Planner Ferry presented the staff report. Deputy Public Works Director Schneider discussed the traffic analysis and Superintendent of Parks Garcia spoke about the mission of the Parks Department. Mike Ryan, artistic director of Santa Cruz Shakespeare, introduced Rick Wright, president of Shakespeare Santa Cruz, and Audrey Stanley, founder, and the principals who conducted the biotic study, traffic study and sound studies. He outlined the benefits to the City of relocating Shakespeare Santa Cruz to this location. Kathy Lyons of Biotic Resources Group addressed concerns regarding butterfly habitat and bird nesting.

The Public Hearing was opened. Speaking from the audience:

- Louisa Capp, with concerns about wildlife;
- Abby Young, in support;
- Lora Lee Martin, with concerns about roads;
- Ian McRae, in support;
- Karl Auerbach, in support;
- Julie Fraser, in support;
- Unhae Langis, in support;
- Kirsten Griesz, in support;
- Chris Wellens, in support;
- Nancy Abrams, in support;
- Carolyn Reynolds, with concerns about noise;
- Harold Cartwright, with concerns about roads;
- Bill Richter, reading a letter from Jamie and Tim Loustalot of DeLaveaga Golf Course, in support;
- Michael Warren, in support;
- Theodore Meyer, with concerns about traffic;
- Liz Pollock, with concerns;
- Ellen McCarthy, with concerns about wildlife;
- Ed Silveira, with concerns;
- Sandi Lewis, with concerns about parking and traffic;
- Elaine Rohlfes, with concerns about traffic.

The Public Hearing was closed.

Chair Kennedy called for a break at 9:35 pm and the Planning Commission reconvened at 9:52 pm.

Rick Wright, President of Santa Cruz Shakespeare, made some comments regarding the neighborhood concerns

Commissioners asked questions and made comments regarding:

- Setbacks;
- Riparian setbacks and mitigations;
- Storage of materials at old stroke center;
- Schedule of construction and effect on wildlife;
- Signage to collector streets;
- Emergency access to the site;
- Exploration of alternate sites;
- Traffic issues and mitigations;
- Heritage tree removal;
- Eucalyptus tree debris;
- Monarch butterfly habitat;
- Cost of improvements;
- Remoteness excludes bicycles and pedestrians.

ACTION: Commissioner Tustin moved, and Commissioner Primack seconded, that the Planning Commission **RECOMMEND** to the City Council adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and approval of the Design Permit, Slope Modification and Variance and a Watercourse Development Permit and Variance for the construction of an outdoor theater at DeLaveaga Park for use by Santa Cruz Shakespeare and other limited, similar day uses, for a trial period of two years based on the findings listed in the staff report and the conditions in Exhibit "A". The motion carried on a vote of 5-2 with Commissioners Tustin, Spellman, Nielsen, Conway and Kennedy in favor, Commissioners Mesiti-Miller and Primack opposed and with an additional condition requiring Santa Cruz Shakespeare to establish a dedicated phone line or email contact for any issues that may arise. Commissioner Primack wanted the record to show that his no vote did not imply disapproval for the project, but wanted to note his approval of a longer term for the trial period.

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 — 10:35 pm

The next Planning Commission meeting will take place on February 4, 2016 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. 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 fourteen dollar (\$514) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee.