



ACTION MINUTES
Planning Commission
Regular Meeting
7:00 p.m. – Thursday – May 7, 2009
City Council Chambers, 809 Center Street

Call to Order — 7:00 P.M.

Roll Call — R. Quartararo, Chair; S. Daly; D. Foster; L. Kasparowitz;
B. Schultz; M. Tustin; J. Warner

Present — R. Quartararo; S. Daly; L. Kasparowitz; B. Schultz; J. Warner

Absent — D. Foster (with notice); M. Tustin (with notice)

Staff — J. Rebagliati, Director of Planning; K. Thomas, Principal Planner; E. Marlatt, Principal Planner; M. Ferry, Associate Planner; M. King, Senior Planner; L. Alamos-Bisbee, Administrative Analyst; M. Schwarb, Recorder

Audience — 15±

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

Approval of Minutes — April 16, 2009

ACTION: Commissioner Warner moved, and Commissioner Schultz seconded, that the minutes be approved as submitted. The motion was approved by a vote of 5-0 with Commissioners Quartararo, Daly, Kasparowitz, Schultz and Warner voting in favor of the motion.

Consent Agenda —

Items on the consent agenda are considered to be routine in nature and will be acted upon in one motion. Specific items may be removed by members of the Planning Commission or members of the public for separate consideration and discussion. Items removed will be considered in the order they appear on the agenda.

1. **2010-2012 Capital Improvement Program Consistency with the General Plan**
RECOMMENDATION: That the Planning Commission by motion find the 2010-2012 Proposed Capital Improvement Program is consistent with the General Plan.

Principal Planner, Ken Thomas, presented a brief update on the Capital Improvement Program.

ACTION: Commissioner Schultz moved, and Commissioner Warner seconded, that the Capital Improvement Program is consistent with the General Plan. The motion was approved by a vote of 5-0 with Commissioners Quartararo, Daly, Kasparowitz, Schultz and Warner voting in favor of the motion.

Public Hearings —

2. **1104 Ocean St. 09-046 APN 008-253-18**
Appeal of the Zoning Administrator's approval of an Administrative Use Permit (Appl #09-023) to allow outdoor seating for an existing coffee shop (Finns) in the CC (Community Commercial) zone district. (Environmental Determination: Categorical Exemption) (B. Neuschwander, owner/filed: 3/27/09) MF
RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and deny the appeal, upholding the Zoning Administrator's approval of the Administrative Use Permit based upon the Findings listed below and the Conditions of Approval listed in Exhibit A.

Associate Planner, Mike Ferry, presented the staff report.

Mark Radovan, appellant, spoke against outdoor seating and the need for a concrete block wall.

Brian Neuschwander, owner of Fin's Coffee, related the reasons for desiring outdoor seating.

The Public Hearing was opened.

The following members of the public spoke in support of the project:

John Brayten
Stan Lieberman
Michael Bethke
Margaret Sanders

The Public Hearing was closed.

The Commissioners discussed the item and noted the following:

- Concrete walls are often subject to graffiti.

- The current ivy covered fence looks good and is to code.
- The considerable noise from traffic at Ocean Street.
- Parking and handicapped clearances appear to be adequate.

ACTION:

Commissioner Warner moved, and Commissioner Kasparowitz seconded, to acknowledge the environmental determination and deny the appeal upholding the Zoning Administrator's approval of the Administrative Use Permit. The motion was approved by a vote of 5-0 with Commissioners Quartararo, Daly, Kasparowitz, Schultz and Warner voting in favor of the motion.

- 3. Draft 2007-2014 Housing Element of the General Plan 09-059 City-wide**
Amendment to the General Plan/Local Coastal Plan to adopt the 2007-2014 Housing Element. (Environmental Determination: Negative Declaration) (City of Santa Cruz, applicant / filed: 4/15/09)

RECOMMENDATION: That the Planning Commission hold a public hearing and recommend to the City Council: 1) adoption of the Negative Declaration and; 2) approval of the draft Housing Element as an amendment to the General Plan/Local Coastal Plan.

Senior Planner, Michelle King, presented the staff report.

The Public Hearing was opened.

The following members of the public spoke:

John Swift spoke regarding the Golf Club Drive area plan.

Peter Pethoe spoke regarding the need for low cost visitor accommodations.

The Public Hearing was closed.

The commissioners asked questions of staff and made comments regarding:

- Low cost transient accommodations were not relevant to the Housing Element, but would be addressed in the new General Plan.
- The purpose of the Housing Element is to comply with State law and obtain funding.
- Golf Club Drive was included in the Housing Element narrative but not possible housing sites because it cannot be developed without a specific plan for the whole area.

ACTION:

Commissioner Schultz moved, and Commissioner Kasparowitz seconded, that the Planning Commission recommend that the City Council adopt the Negative Declaration and approve the draft Housing Element as an amendment to the General Plan/Local Coastal Plan. The motion was approved by a vote of 5-0 with Commissioners Quartararo, Daly, Kasparowitz, Schultz and Warner voting in favor of the motion.

General Business — None

Informational Items —

Commissioner Daly noted that Police Officer Rick Sanchez is offering police ride-alongs for Commissioners.

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 (R. Quartararo) — None
- Planning Department Report

Planning Director J. Rebagliati noted that the La Bahia project passed at City Council and staff will be preparing the packet for the Coastal Commission hearing likely in three or four months.

Additionally, all Planning Commission members will need to take an ethics training on line and send staff the Certificate of Completion.

Finally, Director Rebagliati updated the Commissioners regarding the dire budge situation.

Items Referred to Future Agendas — None

Adjournment — 8:20 P.M.

The next Planning Commission meeting will take place on May 21, 2009 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.ci.santa-cruz.ca.us. 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 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.