



[Action Minutes](#)
Planning Commission
Regular Meeting
7:00 p.m. – Thursday – April 16, 2009
City Council Chambers, 809 Center Street

Call to Order: 7:00 PM

Roll Call:

Present: Rod Quartararo, Chair; Scott Daly; David Foster; Larry Kasparowitz; Mari Tustin; Bill Schultz; Judy Warner
Absent: None
Staff: Assistant Director A. Khoury; Associate Planner M. Ferry; Public Works Engineering Technician A. Becker; Associate Planner N. Concepcion; Principal Planner K. Thomas; Senior Planner M. King; Administrative Analyst L. Alamos-Bisbee; Recorder S. Randolph
Audience: 6

Statements of Disqualifications: None

Oral Communications: None

Announcements: None

Approval of Minutes: April 2, 2009

ACTION: Commissioner Schultz moved, and Commissioner Tustin seconded, that the Planning Commission APPROVE the minutes of April 2, 2009 as presented. The motion passed by a vote of 6-0-1, Commissioners Quartararo, Daly, Foster, Kasparowitz, Schultz and Tustin in favor and Commissioner Warner abstaining.

Public Hearing —

- 1. 404 San Juan Ave. 09-027 APN 009-265-09**
Minor Modification to application No. 08-158 to remove the condition to construct sidewalks in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (S. & C. Maleti, owners/filed: 2/26/09) MF
RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and deny the Minor Modification, upholding the Zoning Administrator's approval of a Design Permit based upon the Findings and the Conditions of Approval.

Associate Planner Mike Ferry presented the staff report.

Aaron Becker, from the Public Works Department, responded to Commissioners' questions.

The public hearing was opened.
Property Owner Sal Maleti spoke.

The public hearing was closed.

Commissioners asked questions and made comments in regard to the following:

- Whether attached or detached garages make a difference to the Code
- The flexibility of the Public Works Department regarding the Code
- The cost burden to property owners for sidewalk improvements
- The shortage of sidewalks in this particular neighborhood
- The vision ideal of the General Plan versus practical reality
- Safety and handicap access issues
- The distinct situation of this property being a corner lot
- Responsibility of the City in fairly enforcing this Code across the board

ACTION: Commissioner Warner moved, and Commissioner Tustin seconded, that the Planning Commission DENY the Minor Modification, and requested that the Public Works Department work with the applicant to minimize the sidewalk's impact on the property. The motion passed by a vote of 4-3, Commissioners Foster, Kasparowitz, Tustin and Warner voting in favor, and Commissioners Daly, Quartararo and Schultz voting against.

**2. 104 Bronson St. 06-006 APNs 011-164-06
011-171-41, 46**

Review of Major Modification and Master Use Permit to Seabright Cannery to convert manufacturing use (Producer Milk) to storage facility, modify tenant spaces and establish a mixture of permitted uses for multi-tenant site in the I-G General Industrial zone district as required by Condition #5. (Environmental Review: Categorical Exemption) NB

RECOMMENDATION: That the Planning Commission hold a public hearing to receive testimony on the Major Modification and Master Use Permit to Seabright Cannery as required by Condition #5.

Associate Planner Nancy Concepcion presented the staff report.

Richard Novak, Applicant and owner of NHS, was available for questions from the Commission.

The public hearing was opened.

Albert Stuebing spoke.

The public hearing was closed.

Commissioners asked questions and made comments in regard to the following:

- Restrictions on the loading dock
- Storage, signage and hours of operation for the site
- Success of the process; the lack of new complaints
- Idea of documenting the history of the Cannery in Santa Cruz

ACTION: The Commission conducted a public hearing, received public comment, and found NO ACTION was necessary.

The Planning Commission adjourned for a break at 8:22 pm and reconvened at 8:26 pm.

General Business —

3. Review and acceptance of the 2007-2014 Housing Element for the purpose of the CEQA review.

RECOMMENDATION: That the Planning Commission receive public comment, review and accept the draft Housing Element for CEQA purposes.

Senior Planner Michelle King presented the staff report.

Commissioners reviewed Chapters 4, 5 & 6 of the Housing Element, asked questions and made comments in regard to the following:

- Regional Housing Needs Production goals and the change in number from planning period to planning period
- What happens when homes fall out of their respective categories for affordability
- Water constraints and how they affect new site proposals
- The planning time span of the Housing Element vs. the General Plan
- Deed restrictions and the affordability of building Accessory Dwelling Units
- The status of the Pacific Station Project
- The Home Mortgage Disclosure Act (HMDA) database and how numbers are vastly understated
- Mortgage Credit Certificates and deed restrictions

ACTION: The Commissioners REVIEWED the Housing Element and RECEIVED public comment. Commissioner Foster moved, and Commissioner Warner seconded, that the Planning Commission ACCEPT the draft Housing Element for CEQA purposes. The motion passed by a vote of 7-0, Commissioners Quartararo, Daly, Foster, Kasparowitz, Schultz, Tustin and Warner in favor.

Information Items: None

Subcommittee/Advisory Body Oral Reports:

- **Chairperson's Report (R. Quartararo):** None
- **Planning Department Report:** Assistant Director Alex Khoury advised that the City Council approved the La Bahia project at their April 14th meeting. There will be an Earth Day celebration at the San Lorenzo Park on Sunday with presentations from the Planning Department on the Green Building and Climate Action Programs. The May 7th meeting Agenda will include more Housing Element discussion and the CIP review.

Items Referred to Future Agendas: None

Future Absences: Commissioners Foster and Tustin advised that they would not be able to attend the May 7th meeting.

Adjournment: 9:25 pm

The next Planning Commission meeting will take place on **May 7, 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.