



Action Minutes  
**Planning Commission**  
**Regular Meeting**  
7:00 p.m. - Thursday, October 20, 2016  
City Council Chambers, 809 Center Street

**Call to Order** — 7:02 pm

**Roll Call** —

**Present:** Commissioners A. Blizinski; J. Conway; P. Kennedy; C. Nielsen; G. Pepping; Vice-Chair, M. Mesiti-Miller; Chair, P. Spellman.  
**Absent:** None.  
**Staff:** Assistant Director, A. Khoury; Principal Planner, E. Marlatt; Associate Planner, Clara Stanger, Recorder, M. Schwarb.  
**Audience:** 17

**Statements of Disqualification** —

Commissioners Pepping and Nielsen disqualified themselves from Item 1.

**Oral Communications** —

*No action shall be taken on these items.*

*The Chair may announce and set time limits at the beginning of each agenda item.*

- John Bergwall urged that the Planning Commission meetings be televised.

**Announcements** — None.

**Approval of Minutes** — Minutes of August 18, 2016.

**ACTION:** Commissioner Mesiti-Miller moved, and Commissioner Nielsen seconded, approval of the minutes of August 18, 2016 with a minor correction. The motion carried on a vote of 4-0-3, with Commissioners Blizinski, Kennedy, Nielsen and Mesiti-Miller in favor, none opposed, and Commissioners Conway, Pepping and Spellman abstaining.

## Public Hearings —

1. 400 Beach Street CP16-0114 APN 007-321-04  
Special Use Permit, Design Permit, and Coastal Permit for two new amusement rides that exceed zoning district height standards at an amusement park in the CB /CZ-O Appeal zone district. (Environmental Determination: Categorical Exemption) (Santa Cruz Seaside Co., owner/filed 6/08/16) CS  
*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 Planning Commission acknowledge the environmental determination and approve the Special Use Permit, Coastal Permit, and Design Permit based on the Findings in the staff report and the Conditions of Approval listed in Exhibit "A".

Commissioners Pepping and Nielsen left the meeting.

Principal Planner Marlatt introduced Associate Planner Stanger who presented the staff report. Chris Reyes, representative of the Seaside Company, briefly described the new rides and was available for questions.

The Public Hearing was opened. Speaking from the audience:

- Gillian Greensite.

The Public Hearing was closed.

The Commissioners asked questions and made comments regarding:

- Ambient noise;
- Increased traffic;
- Lights on the rides.

**ACTION:** Commissioner Mesiti-Miller moved, and Commissioner Kennedy seconded, that the Planning Commission acknowledge the environmental determination and approve the Special Use Permit, Coastal Permit, and Design Permit modifying Condition 14 to add that ride lights shall be turned off when the park is closed. The motion carried on a vote of 5-0-2, with Commissioners Blizinski, Kennedy, Mesiti-Miller, Conway and Spellman in favor, none opposed, and Commissioners Pepping and Nielsen recused.

2. 2015 Mission Street CP16-0146 APN 004-432-28  
Design and Sign Permits to remodel an existing fast food restaurant (Burger King), including enlargement of the kitchen, reduction of the indoor dining area, and addition of a second drive-thru window, as well as exterior modifications and new signage on a property located in the CC/Mission Street Overlay zoning districts.

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(Environmental determination: Categorical Exemption)(HKM II, owner/filed 7/26/16)  
CS

**RECOMMENDATION:** That the Planning Commission open the public hearing, take testimony, and continue the Design Permit and Sign Permit for redesign.

Principal Planner Marlatt provided some background explaining why this item was before the Planning Commission and introduced Associate Planner Stanger who presented the staff report. The applicant, Steven Thomas of HKM II, spoke regarding the need for renovations to the building and the desire to update the kitchen and storage area for the restaurant as a necessity for his employees and improvement for the customers. Alan Chambers, architect for the project, also answered questions.

The Public Hearing was opened. No one wished to speak and the Public Hearing was closed.

The Commissioners asked questions and made comments regarding:

- Intensification of a non-conforming use;
- Mission Street Urban Design Plan;
- Legal, non-conforming drive-through;
- Patio dining possibility;
- Second drive-through window;
- Second story on the building;
- Demolition of the building;
- Pedestrian experience;
- Improved landscaping;
- Windows in front;
- Public benefit;
- Storage building square footage;
- Saving fifty percent of the walls;
- Remodeling in harmony with the Mission Street plan.

**ACTION:** Commissioner Kennedy moved, and Commissioner Nielsen seconded, that the Planning Commission continue the item for redesign to an indefinite date. The motion carried on a unanimous vote of 7-0.

**General Business** — None.

**Informational Items** — None.

*No action shall be taken on these items.*

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### Subcommittee/Advisory Body Oral Reports —

*No action shall be taken on these items.*

- Chairperson's Report
- Planning Department Report

Assistant Director Khoury noted that next meeting will have the electric vehicle and bike parking amendments and the tiny houses discussion presented at the City Council meeting. He also mentioned that the Wharf Master Plan would be coming to the Commission soon for environmental review and that the Downtown Plan would be heard to move forward the environmental review at the meeting of October 25.

Commissioner Pepping asked about the possibility of televising Planning Commission meetings. Assistant Director Khoury stated that staff would return with a verbal report on the issue at a future date.

**Items Referred to Future Agendas — None.**

**Adjournment — 9:05 pm**

The next Planning Commission meeting will take place on November 3, 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](http://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.