



Action Minutes
Planning Commission
Regular Meeting
7:00 p.m. - Thursday, April 6, 2017
City Council Chambers, 809 Center Street

Call to Order — 7:00 pm

Roll Call —

Present: Commissioners A. Blizinski; P. Kennedy; C. Nielsen; G. Pepping, Chair, M. Mesiti-Miller.
Absent: (with notice) Commissioners P. Spellman and J. Conway.
Staff: Acting Director, A. Khoury; Principal Planner, R. Powers; Senior Planner, R. Bane; Senior Planner K. Donovan, Associate Planner S. Haschert; Recorder, M. Schwarb
Audience: 20±

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 —

This item was continued from the March 16, 2017 meeting.

1. 225 Meder Street CP17-0006 APN 002-272-01
Residential Demolition Authorization Permit, Planned Development Permit, Minor Land Division, Design Permit, and Heritage Tree Removal Permit to demolish an existing single-family dwelling and to construct two duplexes mapped as townhouses on a parcel located in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (ROSS JAMES D & JENNY N, owner/filed: 1/5/2017) SH
RECOMMENDATION: That the Planning Commission acknowledge the Environmental Determination and approve the Residential Demolition Authorization Permit, Planned Development Permit, Minor Land Division, Design Permit, and Heritage Tree Removal Permit to demolish an existing single-family dwelling and to construct two duplexes mapped as townhouses within the R-1-5 zone district based on the findings listed in the staff report and the conditions listed in Exhibit "A".

Associate Planner Haschert presented the staff report. Applicant's architect, John Wharton spoke briefly regarding the project.

The Public Hearing was opened. Speaking from the audience:

- Michael Usher;
- Ernest Keller;
- Clair Schneiberger;

The Public hearing was closed.

The Commissioners made comments and asked questions regarding:

- Saving the heritage maple tree;
- Insulation in garages;
- Limiting on street parking passes;
- Preserving the trees.

ACTION: Commissioner Pepping moved, and Commissioner Nielsen seconded, that the Planning Commission acknowledge the Environmental Determination and approve the Residential Demolition Authorization Permit, Planned Development Permit, Minor Land Division, Design Permit, and Heritage Tree Removal Permit to demolish an existing single-family dwelling and to construct two duplexes mapped as townhouses within the R-1-5 zone district based on the findings listed in the staff report and the conditions listed in Exhibit "A". The motion carried on a vote of 5-0-2 with Commissioners Pepping, Nielsen, Kennedy, Blizinski, and Mesiti Miller in favor, none opposed, and Commissioners Spellman and Conway absent, with the following changes to the Conditions of Approval:

- Prior to building permit issuance, the project arborist shall evaluate the health and structure of the six inch diameter maple tree at the south west corner of the parcel and shall determine if the tree can be preserved as a part of the project. If the tree can be preserved, the arborist shall provide recommendations for preservation during construction and the applicant shall submit revised landscaping plans for review and approval by the City Arborist and Planning Department.
- The CC&R's shall include provisions that require the parking spaces within the garage to be maintained clear of storage and as usable parking areas.

2. 1013 Pacific Avenue Project#: 08-115.0 APN 005-142-13
Tentative Subdivision Map and Design Permit to construct a four-story mixed-use building consisting of ground floor retail, and 17 residential condominium units on a property located in the CBD (Central Business District) zone district.

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(Environmental Determination: Categorical Exemption) (Santa Cruz Hotel Corporation, owner/filed: 4/15/2015) RB

RECOMMENDATION: That the Planning Commission recommend that the City Council acknowledge the environmental determination and approve a Residential Demolition Authorization Permit to demolish a mixed-use building and a Tentative Subdivision Map and a Design Permit to construct a four-story building with 4,342 square feet of ground floor commercial space and 17 residential condominiums above based on the findings in the staff report and the conditions listed in Exhibit "A".

Senior Planner Bane presented the staff report, and Applicant, Eric Miller, architect, spoke briefly regarding the project. Lieutenant Warren Berry spoke regarding the noise complaints and calls for service.

Chair Mesiti-Miller opened the Public Hearing. Speaking from the audience:

- John Mills;
- Igor Gavrz;
- David Farling;
- Cynthia Berger;
- Ernest Keller;
- Paul Gerhardt;
- Eric Miller.

The Public Hearing was closed.

The Commissioners asked questions and made comments regarding;

- Noise from the Catalyst;
- Who takes out the trash;
- 1010 Pacific noise disclaimer in CC&Rs;
- Parking in Downtown Parking District;
- Traffic impact fees;
- Building code controls efficiency requirement;
- What might go into retail space;
- Venting for a restaurant;
- Equipment platform;
- Architectural walls;
- Inclusionary units;
- Detailing of street façade;
- Noticing of neighbors;
- Acoustic engineers.

ACTION: Commissioner Kennedy moved, and Commissioner Blizinski seconded, that the Planning Commission recommend that the City Council acknowledge the environmental determination and approve a Residential Demolition Authorization Permit to demolish a mixed-use

building and a Tentative Subdivision Map and a Design Permit to construct a four-story building with 4,342 square feet of ground floor commercial space and 17 residential condominiums above based on the findings in the staff report and the conditions listed in Exhibit "A". The motion carried on a vote of 5-0-2 with Commissioners Kennedy, Nielsen, Pepping, Blizinski, and Mesiti-Miller in favor, none opposed, and Commissioners Conway and Spellman absent, and adding to Condition 33 and adding condition 41:

- The applicant shall retain the services of an acoustic engineer and work with the Catalyst in developing mitigations to reduce adverse noise impacts to the extent feasible. The acoustic engineer shall have a minimum of 10 years of experience. The applicant shall provide a report of the acoustic engineer to the city prior to the matter being considered by the City Council.

41. A subcommittee of the Planning Commission shall work with the applicant and staff on street level material and architectural details as needed.

3. **Ordinance Amendment** **FP17-0001** **City-wide**
Amendments to Title 24 (Zoning Ordinance) of the Santa Cruz Municipal Code regarding requirements for Alcoholic Beverage Sales in Chapter 24.12 Part 12 (Alcoholic Beverage Sales) and Chapter 24.10 Part 8 (C-C Community Commercial District) (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, Applicant) SH
RECOMMENDATION: That the Planning Commission recommend to the City Council approval of an amendment to the Zoning Ordinance that would clarify the requirements for tasting rooms, and allow for the Zoning Administrator to make Use Determinations of "low-risk" or "high-risk" alcohol outlets.

Associate Planner Haschert presented the staff report and Deputy Chief Martinez added some information regarding types of alcohol licenses (i.e. high-risk, low-risk).

The Public Hearing was opened. Speaking from the audience:

- Mary James;
- Margie Ackerman;
- Lane Jonnet.

The Public Hearing was closed.

The Commissioners asked questions and made comments regarding:

- Types of alcohol licenses;
- Size of pours;

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- Beer size pours as opposed to wine or spirits;
- Size of tasting rooms;
- Distance from public facilities;
- Alcohol issues as a percentage of calls for service;
- Incidental entertainment.

ACTION: Commissioner Nielsen moved, and Commissioner Blizinski seconded, that the Planning Commission recommended to the City Council approval of an amendment to the Zoning Ordinance that would clarify the requirements for tasting rooms, and allow for the Zoning Administrator to make Use Determinations of “low-risk” or “high-risk” alcohol outlets. The motion carried on a vote of 5-0-2 with Commissioners Kennedy, Nielsen, Pepping, Blizinski, and Mesiti-Miller in favor, none opposed, and Commissioners Conway and Spellman absent and changing item 10 d. of 24.12.1104 to say:

- d. Tastings shall not be served in greater than ~~one and a half~~ four ounce pours and shall be limited to one taste of each product/variety per guest. unless ABC licensing is different in which case ABC limits apply.

General Business —

- 4. General Plan Annual Progress Report and Advance Planning Division FYs 2017-2019 Work Program
RECOMMENDATION: Information only.

ACTION: The Planning Commission heard the report and took no action.

- 5. Annual Housing Element Progress Report to HCD
RECOMMENDATION: Information only.

ACTION: The Planning Commission heard the report and took no action.

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
- Planning Department Report

Acting Director Khoury announced there will be a Special Meeting on June 29 to discuss Short Term Vacation Rentals.

Items Referred to Future Agendas — None.

Adjournment — 10:10 pm

The next Planning Commission meeting is scheduled for April 20, 2017 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.