

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, Ca 95060
May 6, 2009
10:00 A.M. SESSION

Staff Present: Eric Marlatt, Zoning Administrator
Norma Ellis, Recording Secretary

Other: Four members of the audience

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:00 a.m. in the Council Chambers of City Hall. He welcomed members of the public to the meeting and read a list of the items to be heard at this morning's meeting, describing the procedures to be followed for the public hearing. He also informed those in attendance of their right to appeal any of the decisions of the Zoning Administrator, noting that appeals must be filed within ten calendar days of the meeting date. He noted all appeals must be filed in the Planning Department along with the appeal fee of \$500, unless the project is appealable to the California Coastal Commission.

Call to Order by Zoning Administrator Eric Marlatt

Oral Communications -- None

Announcements – No action shall be taken on these items.

Public Hearing

1. **30 Bella Rose Terrace** **09-026** **APN 009-061-38**
Design Permit and Slope Modification Permit to construct a 186 square foot addition which will create a house with 3,218 square feet in an R-1-5 zone district. (Environmental Determination: Categorical Exemption) (J. & K. Fiorenza, owner/filed: 2/26/09) JL
RECOMMENDATION: That the Zoning Administrator acknowledge the environmental determination and approve the Design Permit and Slope Modification Permit based on the Findings contained in the staff report and the Conditions of Approval attached in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Bert Lemke, Architect for the project, stated there were several minor errors to the staff report with respect to the findings and conditions of approval. He noted that on page 2, under **Background/Analysis**, third paragraph, second sentence should read. . . “The total existing floor area of the residence is 3,218 sq. ft”. He noted that figure is the total amount including the proposed addition.

The existing total is 3,032 sq. ft. The next sentence should read ... “The study is existing and the addition is to enlarge the existing study on the first floor. The next minor change is to Findings No. 5.: “The proposed addition will **not** require removal of any significant trees or shrubs or the alteration of natural land forms”; and, Finding No. 19, second sentence should read: “The project will add 136 square feet on the first floor to accommodate ~~a new~~ **an expanded** study and 50 square feet to the second floor to expand the existing master bedroom closet”.

No one wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and APPROVED the project at 30 Bella Rose Terrace, subject to the findings and conditions contained in the staff report, with the following modified findings 5 and 19 and modified conditions 6 and 11.

MODIFIED FINDINGS 5 and 19:

- 5. The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and preserve solar access of adjacent properties, and minimize alteration of natural land forms, building profiles, location, and orientation must relate to natural land forms.**

The proposed addition will **not** require removal of any significant trees or shrubs or the alteration of natural land forms. There is an existing deck in the location of the addition. Because the addition will maintain the existing roofline and setbacks and will not add significantly to the bulk of the residence, the project will preserve solar access of adjacent properties. The overall building profile as viewed from adjacent properties on Bella Rose Terrace will be maintained.

- 19. Long uninterrupted exterior walls shall be avoided on all structures. For sloped roofs, both vertical and horizontal articulation is encouraged.**

The proposed addition will add additional projections at the northwest corner of an existing residence toward the front and side yards. The project will add 136 square feet on the first floor to accommodate ~~a new~~ **an expanded** study and 50 square feet to the second floor to expand the existing master bedroom closet. The addition incorporates new windows to prevent long uninterrupted exterior walls. The first floor expansion is articulated with a new gable roof element and the minor second story addition continues the existing roof line. Overall, the addition features a high level of articulation but is designed to blend in with the exterior materials and massing of the existing residence.

MODIFIED CONDITIONS 6 and 11:

- 6. The development of the site shall be in substantial accordance with the approved plans prepared by Bert Lemke, submitted on February 26, 2009, and on file in the Department of Planning and Community Development of the City of Santa Cruz.**

All aspects of construction must be completed prior to occupancy final inspection of the building permit. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.

11. The applicant shall submit a soils investigation and structural analysis, to (if required by the Building Department) with plans submitted for building permits.

2. 421 Poplar Ave. 09-031 APN 009-241-01
Design Permit to construct a 540 square foot first-floor addition and an 824 square foot second-story addition to a dwelling on a substandard lot in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (M. Evans, owner/filed: 3/9/09)NC
RECOMMENDATION: That the Zoning Administrator acknowledge the environmental determination and approve the Design Permit based on the Findings contained in the staff report and the Conditions of Approval listed in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

John Craycroft, Architect for the project

No one wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and APPROVED the project at 421 Poplar Ave., subject to the findings and conditions contained in the staff report, deleted conditions 22 and 24; modified condition 27.

DELETED CONDITIONS 22 & 24:

- ~~**22.** Handicap access shall be provided in accordance with California Building Code.~~
- ~~**24.** Applicant shall submit revised plans prior to submittal of the building permit application that include the addition of shingles/similar material or an exterior treatment for the second floor to provide further articulation of the wall plane for review and approval by the Zoning Administrator.~~

MODIFIED CONDITION 27:

27. A land use agreement shall be recorded prior to ~~final clearance~~ issuance of a building permit clarifying the use of that the detached garage/recreation room shall not be used as a separate dwelling unit.

- 3. 1121 Soquel Ave. 09-033 APN 010-042-37**
Administrative Use Permit for beer and wine sales at an existing restaurant in the CC zone district. (Environmental Determination: Categorical Exemption) (Perry Hopkins, American Mortgage, owner/filed: 3/11/09) MA
RECOMMENDATION: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use Permit based on the Findings contained in the staff report and Conditions of Approval in Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Katelin Brightman

Patricia Bowers

No one else wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and APPROVED the project at 1121 Soquel Ave., subject to the findings and conditions contained in the staff report, with the following modifications as follows:

MODIFIED CONDITIONS 3; 9 & 11:

- 3.** This permit shall be exercised within ~~one~~ **three** (3) years of the date of final approval or it shall become null and void.
- 9.** The issuance of this permit revokes all rights to previous use approvals. This permit does not include any rights to entertainment and specifically prohibits the use of live or amplified music for entertainment purpose, **unless otherwise approved by the Planning and/or Police Departments(s).**
- 11.** Hours of operation are to be limited to 7:00 a.m. to ~~9 p.m.~~ **10:00 p.m.** seven days a week.

Adjournment

At 10:20 a.m. the Zoning Administrator adjourned to the next regular of May 20, 2009 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR