

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, Ca 95060
February 18, 2009
10:00 A.M. SESSION

Staff Present: Eric Marlatt, Zoning Administrator
Linda Miranda, Recording Secretary

Other: Twelve members of the audience.

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:02 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

Announcements – No action shall be taken on these items.

Public Hearing

Old Business - None

New Business

1. **636 Pacific Ave. 08-193 APN 005-184-10**
Administrative Use Permit to establish a low-risk alcohol outlet for a bed-and-breakfast inn in the CBD-E/CZO zone district. (Environmental Determination: Categorical Exemption) Pacific Garden Inn, LLC, owner/filed: 11/19/08) **DL**
Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:
Joe Quigg, Applicant

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 636 Pacific Ave., subject to the findings and conditions contained in the staff report; adding condition 12.

The Zoning Administrator added condition 12 as follows:

ADDITION OF CONDITION 12.

12. Appropriate permits shall be approved by the Planning and/or Police Department prior to any live entertainment occurring on the premises.

2. **105 San Jose Ave. 08-163 APN 003-272-42**
Design and Coastal Permits to construct a new two-story, single-family dwelling in the R-1-5/ CZO/SPO zone district and a variance to reduce the garage from a standard size space to a compact space. (Environmental Determination: Categorical Exemption) (T. Walters, owner/filed: 10/7/08) **MF**
This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Terry Walters, Applicant

SPEAKING FROM THE FLOOR WITH CONCERNS:

Martha Nitzberg
Richard Walter Smith

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 105 San Jose Ave., subject to the findings and conditions contained in the staff report, modifying condition 6.

The Zoning Administrator modified condition 6 as follows:

MODIFIED CONDITION 6:

- 6.** The development of the site shall be in substantial accordance with the approved plans prepared by James Lloyd Design revision date December 16, 2008 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. Major modifications to plans or

exceptions to completion may be granted only by the City authority which approved the project. **The applicant may make minor changes to the second floor south elevation windows to address privacy issues on the adjacent lot subject to the review and approval of the Zoning Administrator through the plan check process.**

- 3. 1001 Center St. 08-211 APN 005-045-06**
Administrative Use Permit to establish a low-risk alcohol establishment and serve beer and wine (Type 47 license) in an existing restaurant in the CBD zone district. (Environmental Determination: Categorical Exemption) (Cowell Beach Partners, LLC, owner/filed: 12/18/08) **NC**
Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Nick Voutos, Applicant

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 1001 Center St., subject to the findings and conditions contained in the staff report; with modified condition 8.

The Zoning Administrator modified condition 8, as follows:

MODIFIED CONDITION 8:

- 8.** The hours of operation, and sales, service, and consumption of alcoholic beverages within the restaurant and in the patio area shall be permitted only between the hours of are Tuesday thru Saturday: 9:00 a.m. to ~~9:00~~ **10:00** p.m.; and 9:00 a.m. to ~~2:30~~ **9:00** p.m. Monday and Sunday.

Adjournment

The Zoning Administrator adjourned the meeting at **10:18 a.m.** to the next meeting on March 4, 2009 at 10:00 a.m. in the City Council Chambers.

APPROVED:

Eric Marlatt, Zoning Administrator