

**ACTION MINUTES  
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers  
809 Center Street  
Santa Cruz, CA 95060

July 6, 2016  
10:00 A.M. SESSION

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

Audience: Approx. 50 members of the public

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:01 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 \$514, 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.

**1541 Pacific Ave. #B**

**CP16-0092**

**APN 005-041-09**

Design Permit, Sign Permit, and Administrative Use Permit to establish a low risk alcohol outlet and make exterior improvements to an existing commercial building located within the CBD zone district and within the Downtown Recovery Plan Area. (Environmental Determination: Categorical Exemption) (HUFFMAN JOHN S & KAREN B TRUST, owner/filed: 4/28/16) SH

**Recommendation: That the Zoning Administrator acknowledges the environmental determination and approves the Design Permit, Sign Permit, and Administrative Use Permit per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".**

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Brian Friel

Elan Emerson

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 1541 Pacific Avenue #B, subject to the findings and conditions contained in the staff report with revised condition No. 30 (Bullet No. 1).

**REVISED CONDITION No. 30 (BULLET NO. 1):**

30. The restaurant use shall comply with the following requirements of the Police Department:

- To ensure patron and staff safety, lighting and cameras ~~should~~ **shall** be properly maintained and in working order in the interior and exterior areas of the business. Camera(s) that record activity are also ~~recommended~~ **required** for the exterior areas of the business. All security footage needs to be available to the Santa Cruz Police Department within 24 hours for review. Alcohol service shall not commence until security lighting and cameras are installed and in working order.

**820 Swift St. # A & #B**

**CP16-0041**

**APN 003-043-19**

Administrative Use Permit to establish a low risk alcohol outlet (Humble Sea Brewery) with beer manufacturing, beer and food service, and outdoor seating on a parcel located within the IG/PER-2 zone district. (Environmental Determination: Categorical Exemption) (ALIBERTI JOSEPH B TRUSTEE, owner/filed: 3/2/16) SH

**Recommendation:** That the Zoning Administrator acknowledges the environmental determination and approves the **Administrative Use Permit** per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

**SPEAKING FROM THE FLOOR:**

Frank Scott Krueger

Christian Nielson

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 820 Swift St., #A & #B, subject to the findings and conditions contained in the staff report with added condition No. 33.

**ADDED CONDITION NO. 33:**

33. Approval of this application allows a brewpub to occupy 800 square feet of Suite A of a multi-tenant, commercial/Industrial building which has a high parking requirement (1 space for each 120 square feet) and may limit the ability for low parking uses in other suites in the complex (i.e. B, C, D and H) to be replaced with other uses allowed in the zone district due to the parking requirement.

**506 West Cliff Drive**

**CP15-0221**

**APN 006-473-15**

Design, Coastal, and Conditional Fence Permit for a two-story addition to a one-story single-family home resulting in a 3,540 square foot residence in the R-1/CZ-O/SP-O/WCD zone district. (Environmental Determination: Categorical Exemption)(Al Ramadan, owner/filed 12/23/15) RB  
*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 Zoning Administrator acknowledges the environmental determination and approves the **Design, Coastal, and Conditional Fence Permit** per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Al Ramadan  
Christine Ramadan  
Anthony Lombardi  
Ralph Meyberg

SPEAKING FROM THE FLOOR WITH CONCERNS:

Gillian Greensite

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 506 West Cliff Drive, subject to the findings and conditions contained in the staff report with added condition No. 15.

**ADDED CONDITION NO. 15:**

15. Final building plans shall include a demolition plan consistent with what is shown on Sheet A2.1 of the approved plans. If demolition goes beyond that which is shown on the approved plans, then work shall be stopped and the applicant shall submit a Modification Permit application with plans showing elimination of the legal nonconforming exterior side yard setback encroachment.

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**118 Echo Street**

**CP16-0047**

**APN 002-083-45**

Design Permit for a two story addition to an existing single family dwelling on a substandard lot in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (Kenneth and Annouschka Collins, owner/filed: 3/8/16) CC

**Recommendation:** That the Zoning Administrator acknowledges the environmental determination and approves the Design Permit per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

**SPEAKING FROM THE FLOOR:**

Peter Bagnall

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 118 Echo Street, subject to the findings and conditions contained in the staff report; with revised conditions No. 5; and 9 and added condition No. 14.

**REVISED CONDITIONS NO. 5 & 9; ADDED CONDITION NO. 14:**

5. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the approved plans. **Plans may include additional glazing on the front (south) elevation.** All approved exterior finishes and materials shall be clearly notated on the building permit plans.
9. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. **Plans may include additional glazing on the front (south) elevation.** 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.
14. **Final building plans shall include the metal roof material throughout the entire taller single story roof element and may be included on the lower single story roof element at the applicant's option.**

**799 Western Drive**

**CP15-0186**

**APN 002-041-26**

Design Permit to allow for the construction of a single family dwelling (required per the conditions of approval of MLD 05-256) and a Map Correction to alter the recorded building envelope of a parcel located within the R-1-10 zone district. This project includes the removal of seven Heritage

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trees. (Environmental Determination: Categorical Exemption) (Daryl Mossman, owner/filed: 10/29/15) CC

**Recommendation:** That the Zoning Administrator acknowledges the environmental determination and approves the **Design Permit** per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Gabriel Cervantez

Bob Hoffman

Peter Johnson

SPEAKING FROM THE FLOOR WITH CONCERNS:

Gillian Greensite

John Bergwall

CORRESPONDENCE RECEIVED WITH CONCERNS:

Daryl Mossman

Rosie Brady, Coastal Commission Analyst

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

The Zoning Administrator indicated that he thoroughly reviewed the issues raised in the Coastal Commission correspondence. While the site in its pre-subdivided state included a mapped sensitive habitat, the newly created parcel upon which development is proposed does not. Further, there was a biotic report proposed in conjunction with the land division confirming that there are no sensitive habitats on this site. The project therefore qualifies for a Coastal Permit Exclusion.

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator acknowledged the environmental determination and approved the project at 799 Western Drive, subject to the findings and conditions contained in the staff report.

**815 Ocean Street**

**CP16-0096**

**APN 008-323-87**

Administrative Use Permit for a fast food restaurant within an existing commercial structure in the CC zone district. (Environmental determination: categorical exemption) (John McKelvey, agent/filed: 05/10/2016) MF

**Recommendation:** That the Zoning Administrator acknowledges the environmental determination and approves the **Administrative Use Permit** per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

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SPEAKING FROM THE FLOOR:

John McKelvey

Jonathan DeGeneres

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 815 Ocean Street, subject to the findings and conditions contained in the staff report with revised condition No. 12.

**REVISED CONDITION NO. 12:**

**12.** No windows facing Ocean or Water streets may be blocked with shelving, equipment or other opaque improvements. The north elevation window may include a tinted transparent treatment subject to review and approval of the Zoning Administrator to allow shelving along hat interior wall.

**Adjournment—11:07 a.m.**

The next Zoning Administrator meeting will be held on, July 20, 2016 at 10:00 a.m. in the City Council Chambers.

**APPROVED:**

**ERIC MARLATT, ZONING ADMINISTRATOR**

Any writing related to an agenda item for the open session of this meeting distributed to the Zoning Administrator 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 Zoning Administrator meeting in the public review binder at the rear of the Council Chambers.

Appeals must be received by the Planning Department 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 California Coastal Commission, 725 Front St., Suite 300, Santa Cruz, CA 95060 in which case there is no fee.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, we ask that you attend fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the City Clerk's Department at 420-5030 at least five days in advance so that we can arrange for such special assistance, or email [CityClerk@cityofsantacruz.com](mailto:CityClerk@cityofsantacruz.com). The Cal-Relay system number: 1-800-735-2922.