

CITY OF SAND CITY

RESOLUTION SC 20-06, 2020

**RESOLUTION OF THE CITY COUNCIL OF SAND CITY
DISAPPROVING A TIME EXTENSION OF CUP 594 FOR MAX KAMMERER AT
836 AFTON AVENUE WITHIN THE SOUTH OF TIOGA AREA AND
ALLOWING SAID PERMIT TO EXPIRE**

WHEREAS, various conditional use permits and coastal development permits were issued by the City of Sand City (hereinafter “the City”) over the years as temporary interim uses within the Sand City General Plan’s (2002 ed) identified South of Tioga Planning District until such time as revitalizing development of that area was ready to proceed to address blighted conditions and promote economic revitalization; and

WHEREAS, Conditional Use Permit 594 (hereinafter “CUP 594”) was issued to Max Kammerer on July 21, 2015 authorizing a metal workshop at 836 Afton Avenue (APN 011-123-004) (hereinafter the “Subject Property”) as an interim use for a temporary period of one (1) year with the possibility of ninety (90) day time extensions thereafter, at the discretion of the City Council, until such time as the South of Tioga redevelopment project was ready to proceed; and

WHEREAS, the Environmental Impact Report, the Vesting Tentative Map, and the Mitigation Monitoring Program for the South of Tioga Project was approved by the City Council on June 5, 2018 with further land entitlement public hearings and Council consideration for this Project ongoing thereafter; and

WHEREAS, the South of Tioga Project is now close to initiating demolition and grading activities in early 2020 for Phase I of this project to prepare the individual development pads, installation of new utilities, and construction of new public infrastructure and amenities; and

WHEREAS, redevelopment to revitalize the South of Tioga area is essential to the City in meeting State mandated affordable housing, the removal of blighted conditions, improvement of utility services and public infrastructure, diversifying City revenue sources, and promoting economic growth; and

WHEREAS, CUP 594 was granted multiple 90-day time extensions at the discretion of the City Council after its initial expiration of June 31, 2016, with the last 90-day time extension granted by the City in January of 2019 (Resolution SC 19-02) that expired on April 30, 2019, where after CUP 594 was not renewed or extended by the City; and

WHEREAS, Mr. Kammerer would like to continue his use at the Subject Property; however, his continued operation and occupancy of the Subject Property are an impediment to the commencement of utility removal, demolition and grading activities, and new public improvement construction that are necessary for the South of Tioga Project to proceed;

and

WHEREAS, when a public agency rejects or disapproves a project, it is statutorily exempt and not subject to CEQA per CEQA Guideline section 15270(a).

NOW , THEREFORE, BE IT RESOLVED, that the City Council of the City of Sand City does hereby disapprove any further time extensions of CUP 594, and CUP 594 shall henceforth be expired.

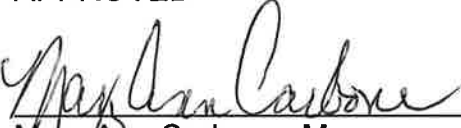
PASSED AND ADOPTED, by the City Council of Sand City this 21st day of January, 2020, by the following vote:

AYES: Council Member Blackwelder, Hawthorne, Sofer, Carbone
NOES: None
ABSENT: None
ABSTAIN: Council Member Cruz

ATTEST



Linda K. Scholink, City Clerk

APPROVED


Mary Ann Carbone, Mayor