



AGENDA

Meeting of the Scotts Valley Planning Commission

Date: April 12, 2018
Time: 6pm

CITY OF SCOTTS VALLEY 1 Civic Center Drive Scotts Valley, CA 95066 831-440-5630	MEETING LOCATION City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	POSTING: The agenda was posted on April 6, 2018, at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .
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Appointed Officials	City Staff Members
Derek Timm, Chair Carlos Arcangeli, Vice Chair Robin Donovan, Commissioner Rosanna Herrera, Commissioner Deborah Muth, Commissioner	Taylor Bateman, Acting Community Development Director Michelle Edwards, Senior Planner Brenda Stevens, Assistant Planner

Notice regarding Planning Commission Meetings:

The Planning Commission meets regularly on the 2nd Thursday of each month (unless otherwise noticed) at 6pm in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066.

Agenda and Agenda Packet Materials:

The Planning Commission agenda is available for review the Friday before the Thursday meeting on the Internet at the City's website: www.scottsvalley.org and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-Noon and 1-5pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvalley.org.

CALL TO ORDER 6pm

(The Planning Commission Chair calls the meeting to order.)

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

(The Planning Commission Chair leads the pledge of allegiance.)

ROLL CALL

(Planning Department staff conduct roll call of the Planning Commission.)

PUBLIC COMMENT TIME

This is the opportunity for individuals to make and/or submit written or oral comments to the Commission on any items within the purview of the Commission, which are NOT part of the Agenda. No action on the item may be taken, but the Commission may request the matter be placed on a future agenda.

ALTERATIONS TO CONSENT AGENDA

(The Commission can remove or add items to the Consent Agenda.)

CONSENT AGENDA

(The Consent Agenda is comprised of items which appear to be non-controversial. Persons wishing to speak on any items may do so raising their hand to be recognized by the Chair. These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission.)

Approve the Action Meeting Minutes from the March 8, 2018, meeting.

ALTERATIONS TO PUBLIC HEARING AGENDA

(Commission can remove or add items to the Regular Agenda.)

PUBLIC HEARING AGENDA

(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

ALTERATIONS TO REGULAR AGENDA

(Commission can remove or add items to the Regular Agenda.)

REGULAR AGENDA

(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

1. **Address:** 4859 Scotts Valley Drive / APN 022-072-41
Applicant / Property Owner: Dene Bustichi / Lawrence Ross
Planning Permit Application No's: Design Review DR17-011
Project Description: Consideration of a Design Review request to construct a 905 square foot habitable space with a restroom at the rear of an existing commercial space for the purpose of art storage.
Staff: Brenda Stevens, Assistant Planner, 440-5635 bstevens@scottsvalley.org

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS

(The Planning Commission or Community Development Director may request to schedule items on future agendas.)

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY

(City Council Minutes or other items are provided if available.)

DIRECTOR UPDATES

(The Acting Community Development Director may provide any department or city updates that are available.)

ADJOURNMENT

(Adjournment shall be no later than 11pm unless extended by a four-fifths vote of all Planning Commission members or a unanimous vote of the members present per City Municipal Code Section 2.21.010.)

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a Planning Commission meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the Community Development Department at 831-440-5630 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a Planning Commission meeting be available in an alternative format consistent with a specific disability, please call the Community Development Department. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.



Minutes

Special Meeting of the Scotts Valley Planning Commission

Date: March 8, 2018

Time: 6:00 PM

CITY OF SCOTTS VALLEY 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5630	MEETING LOCATION City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	POSTING: The agenda was posted at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .
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Appointed Officials	City Staff Members
Derek Timm, Chair Carlos Arcangeli, Vice Chair Robin Donovan, Commissioner Rosanna Herrera, Commissioner Deborah Muth, Commissioner	Taylor Bateman, Acting Community Development Dir. Michelle Edwards, Senior Planner Brenda Stevens, Assistant Planner

CALL TO ORDER: Meeting called to order at 6:12 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE: The Planning Commission Chair led the pledge of allegiance.

ROLL CALL: Present: Arcangeli, Herrera, Muth, Donovan arrived after the minutes were approved and Timm was absent with cause.

PUBLIC COMMENT: None.

ALTERATIONS TO CONSENT AGENDA: None.

CONSENT AGENDA: The Commission approved the minutes in two motions.

A. Action Meeting Minutes from the January 18, 2018 meeting.

M/S: Muth / Herrera

To approve the Consent Agenda.

Carried: 3/0/2 (AYES: Arcangeli, Herrera, Muth; NOES: None ABSENT: Timm, Donovan.

ALTERATIONS TO REGULAR AGENDA: None

PUBLIC HEARING AGENDA:

1. **Project Business:** “The Hangar at Sky Park”

Address: 260 Mount Hermon Road / APN 022-231-03

Applicant / Property Owner: Hangar At Sky Park, LLC / Corbett W. Wright

Planning Permit Application No's: Planned Development PD17-002, Design Review DR17-013, Environmental Assessment EA17-015, Minor Land Division MLD17-002, Specific Plan Amendment SPA17-001, and Use Permits U17-008/9

Project Description: Consideration of a proposed development to subdivide one 1.51 acre parcel into two parcels. Parcel sizes would be 26,463 and 39,457 sq. ft. One parcel would have a 13,282 sq. ft. building for commercial space (restaurant, retail and live entertainment). The second parcel would include a 2,412 sq. ft. building for a restaurant with drive-thru service.

Staff: Taylor Bateman, Community Development Director

M/S: Donovan / Herrera

To approve Resolution No. 1727 with the following revised conditions:

Amend Condition No. 53 as follows: *Developer shall repair and slurry seal the existing paving in the easement area per the recorded document Grant of Easement and Agreement 2017-0039848.*

Amend Condition No. 20 as follows: *Live entertainment shall consist of indoor (inside restaurant building) and outdoor (outside restaurant building on adjacent patios) acoustic and amplified music and projected movies with audio. Hours of live entertainment may occur Monday-Sunday, seven (7) days a week, between 11:30am to 1:00am, subject to the following exception: There shall be no amplified outdoor entertainment after 10pm, **except on New Year's Eve.***

Add the following conditions:

- *All future food and beverage facilities must have separate grease traps for each building.*
- *The project shall include public art in compliance with General Plan Policy 36.1.*

Carried: 4/0/1 (AYES: Arcangeli, Donovan, Herrera, Muth; NOES: None; ABSENT: Timm)

REGULAR AGENDA:

None.

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 7:50pm

**City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT**

Applicant: Dene Bustichi

Property Owner: Lawrence Ross

Application: Design Review No. DR17-011

Location: 4859 Scotts Valley Drive / APN 022-072-41

General Plan / Zoning: Service Commercial / C-S

Environmental Status: Categorically Exempt: Class 3-New construction or convergence of a small structure

Request: Consideration of a Design Review application for the construction of a 905 square foot accessory structure for incidental storage. The structure would be located to the rear of an existing commercial building.

Staff Planner: Brenda Stevens, Assistant Planner

STAFF RECOMMENDATION

It is recommended that the Planning Commission approve Design Review DR17-011, by adoption of the attached resolution, subject to the conditions in Exhibit A.

PROJECT DESCRIPTION

The applicant is requesting to build a 905 square foot accessory structure for incidental storage, including a restroom, located at 4859 Scotts Valley Drive (Attachment 1 - Location Map). The new structure would be located to the rear of the existing commercial building which currently houses personal service establishments and business offices.

PROJECT DISCUSSION

The project site is in the Service Commercial (C-S) zoning district. Per Section 17.20.030 of the Scotts Valley Municipal Code (SVMC), structures in the C-S zoning district require Design Review approval from the Planning Commission. The following is a review of the project's compliance with the General Plan and Zoning Requirements.

Site Layout:

The subject parcel is 12,827 square feet in size. Currently, there is an existing 1,872 square foot commercial building fronting Scotts Valley Drive. This commercial building houses tenants for personal service establishments and office space. The proposed new structure would be located to the rear of the existing commercial building where two small storage sheds currently exist and are proposed to be removed. The C-S zoned site abuts Residential High (R-H) zoning districts to the south and north west, these residential properties are developed with town homes, a single family home and an apartment.

Accessory Structure Use:

Accessory structures are a permitted use in the C-S zoning district per the SVMC 17.20.020.G which states:

“Accessory structures and uses located on the same site with a permitted use which are customarily incidental to the permitted use, including, but not limited to, incidental storage facilities and signs which pertain only to a permitted use on the premises and which are in accordance with the standards of Chapter 17.56 of this title”.

As per the City’s definition, an accessory structure means:

“a detached structure, the use of which is subordinate and incidental to and customarily associated with the main structure of the principal use of the site and which is located on the same site as the main structure or principal use. The term includes, but is not limited to detached garages or carports, cabanas, gazebos, arbors, sheds and buildings connected to a main structure by a breeze way.”

As designed, the proposed accessory structure meets the requirement of being detached from the primary commercial building and being smaller in size, as the existing commercial building is 1,872 square feet and the proposed accessory structure is 905 square feet. If the accessory structure were to increase in size much more, it may reach the threshold of exceeding the definition of incidental or accessory.

Although the structure will be habitable space with both heating and a restroom in place, the incidental accessory structure will not function as a stand alone business now or in the future. An incidental accessory structure cannot be used, rented or leased as a separate stand alone facility in which to operate a business. It is simply a storage space associated with the existing commercial spaces. Condition No. 7 requires that any future use be limited to accessory and incidental storage.

Given that the storage structure cannot be used for commercial purposes, it is anticipated that there would be minimal impact to the neighboring residential properties with regards to traffic, parking, noise, lighting, etc.

Parking:

The SVMC does not require any parking for incidental storage use. If the use were warehouse, the parking requirement would be one space for each 1,000 square feet of floor area. The existing commercial building requires nine spaces and 10 spaces are provided. Therefore, the project is in conformance with the parking regulations.

Materials:

The building is designed with a composition roof and stucco exterior with paint and trim colors to match the existing commercial building. A single entrance double door with two wall mounted lights on either side of the door are proposed. A redwood sloped trellis would be located on one side of the building. The building would be windowless.

Landscaping:

Landscaping requirements in the C-S zoning district requires that:

“Where a site adjoins any residential zoning district, a solid wall or a fence, vine-covered fence or compact evergreen hedge six feet in height shall be located on the property line except in a required front yard and permanently maintained. In addition, a minimum of five feet adjoining the shared property line shall be landscaped with plant material and permanently maintained when such landscaping is necessary to insure privacy or to screen views, as determined by the Planning Commission (SVC 17.20.040)”.

Currently, the project site is moderately landscaped with a single tree and several evergreen shrubs planted along the rear and side yard fences abutting the two-story residential dwellings. Nearby residents have windows with a direct line of site to the subject site. In an effort to maintain neighbor privacy and screen views of the proposed storage structure, as required by the SVMC, the project has been conditioned to install additional landscaping. New landscaping would be a mixture of tall shrubs (plant species height would grow to fence height or taller) and two 15 gallon sized trees. The new trees would be planted in the open area and the shrubs would be planted in a row to provide contiguous fence line coverage. The Community Development Director’s approval of the final landscaping plans would be required (Condition No. 6).

Signage:

There will be no signage for this structure. Since the operation of any business is prohibited within the accessory structure, no identification signage is needed.

ATTACHMENTS

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Resolution No. 1707 to Approve Design Review DR17-011 (Action Item)	
1. Location Map.....	8
2. Project Plans	

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY APPROVING DESIGN REVIEW DR17-011 TO CONSTRUCT A 905 SQUARE FOOT ACCESSORY STRUCTURE FOR STORAGE. THE BUILDING WOULD BE LOCATED TO THE REAR OF AN EXISTING COMMERCIAL BUILDING AT 4859 SCOTTS VALLEY DRIVE / APN 022-072-41.

WHEREAS, the Planning Department of the City of Scotts Valley has received an application filed by Dene Bustichi, for Design Review DR17-011 to construct a 905 square foot accessory structure for storage, at the rear of an existing commercial building, located at 4859 Scotts Valley Drive / APN 022-072-41.

WHEREAS, the project is determined to be categorically exempt from CEQA, Class 3-New construction or convergence of a small structure (Section 15303); and,

WHEREAS, the project was reviewed by the Planning Commission at a duly noticed public hearing on Thursday, April 12, 2018.

NOW THEREFORE, the Planning Commission of the City of Scotts Valley hereby resolves as follows:

SECTION 1: The environmental determination represents the independent judgement of the City.

SECTION 2: The categorical exemption is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the Planning Commission staff report dated Thursday, April 12, 2018:

1. *The materials, colors, proportion, mass, and detail of the exterior improvements are in good proportion, have simplicity of mass and detail, and are compatible with the appearance of the surrounding structures.* The materials, colors, proportion, mass, and details of the structure are in good proportion and are compatible with the appearance of the surrounding commercial structure.
2. *The size, location and arrangement of on-site parking and paved areas.* Based on a review of the parking plan, the size, location and arrangement of on-site parking and paved areas are in compliance with City parking requirements.
3. *The landscaping is in keeping with the character and design of the proposed development.* As proposed and conditioned the landscaping shall include a mixture of tall shrubs (plant species height would grow to fence height or taller) and two 15 gallon sized trees). The new trees shall be planted in the open area and the shrubs shall be planted in a row to provide contiguous fence line coverage. The plants shall be properly irrigated and maintained.

SECTION 4: After careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley does hereby approve Design Review DR17-011 to construct a 905 square foot incidental accessory structure for storage, at the rear of an existing commercial space located at 4859 Scotts Valley Drive / APN 022-072-41 subject to the conditions set forth in the attached Exhibit A, which are attached hereto and incorporated herein by this reference.

SECTION 5: Design Review DR17-011 shall lapse and shall become void two (2) years from the date of this resolution unless prior to the expiration date, a building permit is issued by the Building Division and construction has commenced and diligently pursued toward completion, or an extension of this approval is granted by the Planning Commission.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 12th day of April, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Derek Timm
Planning Commission Chair

Taylor Bateman
Community Development Director

EXHIBIT A
CONDITIONS OF APPROVAL
(Numbers 1 - X)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After Planning Commission approval, the property owner shall sign the Conditions of Approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, whichever occurs first.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.

PLANNING DEPARTMENT

4. Paint and trim colors shall match the existing commercial building.
5. The color, materials, size, location, and design of the improvements shall match the approved plans. Modifications to the approved project may require approval by the Planning Commission at the discretion of the Community Development Director.
6. Prior to issuance of the building permit, the Community Development Director shall review and approve a landscaping plan submitted by the applicant including: plant/tree species, size, quantity and location, of the required additional new landscaping to be added on site. The plan shall include a mixture of tall shrubs (plant species height would grow to fence height or taller) and two 15 gallon sized trees. The new trees shall be planted in the open area and the shrubs shall be planted in a row to provide contiguous fence line coverage. The plants shall be permanently irrigated and maintained.
7. The accessory structure shall be used for incidental storage associated with a permitted use in the main commercial building. The accessory structure shall not be used, rented or leased for the purpose of operating a business.

Design Review DR17-011
04-12-18 P.C. Mtg.
Dene Bustichi

Resolution No. -----
4859 Scotts Valley Drive
APN 022-072-41

WATER DISTRICT

8. The applicant shall submit a Service Application along with the required items and deposit fee to the Scotts Valley Water District.

Property Printed Owner Name & Signature

Date