

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: March 16, 2016**

**POSTING:**

The agenda was posted on 3-11-16  
at City Hall, the SV Senior Center, and  
the SV Library, by the City Clerk.

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**CALL TO ORDER**                      6:00 p.m.

**PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

**ROLL CALL**

Present:

Mayor Lind  
Vice Mayor Johnson  
Council Member Aguilar  
Council Member Bustichi  
Council Member Reed

Interim City Manager Comstock  
City Attorney Powell  
Public Wks Director Hamby  
Police Chief Weiss  
Acting Community Development Director Bateman  
Senior Planner Fodge  
City Clerk Ferrara

**COMMITTEE REPORTS**

CM Aguilar reported that the Affordable Housing Subcommittee met and their recommendation for affordable housing for the City Ventures project, which is included as a part of agenda item 2 on this agenda, is for 3 low income, and 4 moderate units.

Mayor Lind reported that she attended a meeting that was coordinated by Congress Member Eshoo and Congress Member Sam Farr with the FAA. This meeting also included several local citizens and representatives of Save Our Skies to address the flight path change and the noise complaints that have been received. She stated that a report is expected from the FAA in mid-April, and after receipt of the report, a select committee will be appointed that will include representatives from local government, Congress Member Eshoo, and the FAA in order to follow through on recommendations to mitigate the issues that have been a problem over the past year.

Mayor Lind reported that the planning committee for Scotts Valley's 50 Year Anniversary met. She stated that the committee is working on several activities for 4<sup>th</sup> of July, and on August 2, the City's actual anniversary.

## **CITY MANAGER REPORT**

PC Weiss reported that the Scotts Valley Police Department recently put out a press release on their voluntary camera surveillance program, where people can register their cameras on the Police Department website so that in the event of a crime, investigators may contact the registrant to determine if useful information was captured by their cameras. Captured footage may also be relevant to other types of non-criminal cases, such as Missing Persons cases.

## **PUBLIC COMMENT**

Jack Dilles, SV resident, announced that the Annual Scrabble Tournament will be held this Saturday, March 19 at 8:30 a.m. at the County Building, 701 Ocean Street, Santa Cruz, to benefit the Law Library and the Teen Peer Court Program.

Wendy Brannan, SV resident, expressed concerns regarding the City giving funding to another agency.

## **ALTERATIONS TO CONSENT AGENDA**

VM Johnson requested that Item D be moved to the regular agenda for discussion.

***M/S: Aguilar/Reed***

***To approve the Consent Agenda as amended moving Item D to the regular agenda for discussion.***

***Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)***

## **Consent Agenda:**

- A. Approve City Council meeting minutes of 3-2-16
- B. Approve check register – 3-4-16
- C. Authorize the recruitment, hiring, and training of a Police Officer to replace retiring Police Officer Chris Culwell
- E. Approve appointment of Ellen Campos to the Library Advisory Commission to represent the City of Scotts Valley

## **ALTERATIONS TO REGULAR AGENDA**

***M/S: Reed/Aguilar***

***To approve the Regular Agenda as amended moving Item D from the consent agenda to the regular agenda for discussion.***

***Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)***

## **REGULAR AGENDA**

**D. Approve Agreement for Professional Services between the City of Scotts Valley and Mesiti-Miller Engineering for design and construction administration services for the Mt. Hermon Road/Scotts Valley Drive/Whispering Pines Drive Intersection Operations Improvement Project**

PWD Hamby presented the written staff report and responded to questions from Council.

***M/S: Johnson/Aguilar***

***To approve the agreement for professional services between the City of Scotts Valley and Mesiti-Miller Engineering for design and construction administration services for the Mt. Hermon Road/Scotts Valley Drive/Whispering Pines Drive Intersection Operations improvement Project.***

***Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)***

**1. Consider reallocation of \$10,000 in Polo Ranch funds to be used for the resurfacing of the Scotts Valley High School tennis courts, and an additional allocation of \$2,000 for the Scotts Valley High School tennis courts**

CM Comstock presented the written staff report and responded to questions from Council.

CM Aguilar recommended the reallocation of \$10,000 but not the additional allocation of \$2,000. She also recommended that the City and the Scotts Valley Unified School District enter into a joint use agreement for use the Scotts Valley High School tennis courts.

Wendy Brannan, SV resident, stated that she feels the City should repair the City courts and facilities before providing assistance to another agency.

Mike Shulman, Scotts Valley Unified School Board Member, spoke in support of this item.

CM Aguilar questioned if the City was required to have a joint use agreement with another agency before they could provide funding to that agency.

CA Powell responded that the City is not required to have a joint use agreement if the facilities are open to the public, which they are on the weekends and evenings during the week.

***M/S: Bustichi/Johnson***

***To approve the reallocation of \$10,000 in Polo Ranch funds to be used for the resurfacing of the Scotts Valley High School tennis courts, and an additional allocation of \$2,000 for the Scotts Valley High School tennis courts.***

***Carried 4/0/1 (AYES: Bustichi, Johnson, Lind, Reed; NOES: Aguilar)***

## **PUBLIC HEARING**

2. **Consideration of Planning Commission recommendation to approve the proposed "Enterprise Way" project, consisting of a Final Environmental Impact Report and planning permits to build 50 residential townhouse-style condominiums, a 120-room hotel, and related property improvements on a vacant 6.80-acre parcel located on the former "Borland Phase II" site at the end of Santa's Village Road, APN 024-031-17**

SP Fodge presented the written staff report and responded to questions from Council. She stated that the following City consultants were available at the meeting for questions: Lee Trujillo, Hatch Mott MacDonald; and Bill Wiseman, Frederik Venter, and Jonathan Carey from Kimley-Horn.

Bill Wiseman, Kimley-Horn, presented project information regarding traffic and responded to questions from Council.

Frederik Venter, Kimley-Horn, responded to questions from Council regarding peak traffic delay times.

Samantha Hauser, City Ventures, gave a PowerPoint presentation regarding the residential project site and responded to questions from Council.

Bijan Patel, representing Coast Redwood Hospitality and SV resident, gave a PowerPoint presentation regarding the hotel portion of the project and responded to questions from Council.

Bob Sauvageu, Principle at RYS Architects, gave a PowerPoint presentation regarding the site presentation and architecture, and responded to questions from Council.

CM Aguilar expressed concerns regarding the lighting and recommended different lighting fixtures and lower poles for aesthetic reasons to augment the architectural relief and design of the building.

CM Aguilar stated that the Affordable Housing Subcommittee met regarding the required affordable housing for this project and they are recommending incorporating 3 low income units and 4 moderate income units, with the City contributing \$260,000 toward the low income units.

## **PUBLIC HEARING OPENED - 7:35 PM**

Neil Schaeffer, Scotts Valley resident and UCSC Professor, spoke in support of the affordable housing component, however, he believes there should be 8 units and not 7 units.

Joan Lowe, Scotts Valley resident, spoke regarding affordable housing and expressed concerns that people cannot afford to live in the community that they work in. She spoke in support of the hotel.

Tim Willoughby, Boulder Creek resident and Chairperson for Affordable Housing Now, spoke in support of affordable housing and this project, however, he expressed concerns regarding the contribution from the City.

Jack Dilles, Scotts Valley resident, recommended that the developer provide some 1 or 2 bedroom units instead of all 3 and 4 bedroom units to make the housing more affordable, reduce traffic congestion, parking and water impacts.

Chris Monroe, Scotts Valley resident, recommended adding an 8<sup>th</sup> affordable housing unit due to the need for affordable housing in Scotts Valley.

David Foster, Executive Director for Habitat for Humanity Santa Cruz County, spoke in favor of affordable housing for this project.

Robert Aldana, Scotts Valley resident, spoke in support of the project and stated that he would like to see 8 affordable housing units instead of the 7 affordable housing units that are proposed.

Corey Spadaccini, Scotts Valley resident, spoke in support of the project and stated that she would like to see 8 affordable housing units instead of the 7 affordable housing units that are proposed.

Mike Shulman, Scotts Valley resident, expressed concerns regarding the time that this project has been under review, recommended smaller units, and redesigning this project to meet more of Scotts Valley's needs.

Gretchen Regenhardt, Legal Aid Office of Santa Cruz County, spoke regarding the legal requirements of providing affordable housing and recommended providing very low income housing.

Joy Hinz, Scotts Valley resident, spoke in support of the affordable housing and recommended a larger variety in the number of bedrooms that are offered.

Mary Blessing, Scotts Valley resident, spoke in support of affordable housing in Scotts Valley.

Wendy Brannan, Scotts Valley resident, expressed concerns regarding the parking for the project.

Linda Kerner, Affordable Housing Now, spoke in support of affordable housing in Scotts Valley for all of the income levels.

**PUBLIC HEARING CLOSED - 8:09 PM**

CM Aguilar requested the following amendments to the project approvals and conditions of approval: (1) Under Mitigation and Monitoring Program, Resolution No. 1916, clarify that each unit will have air conditioning; (2) Page 55, Resolution No. 1916.2, Condition 17, clarify

that sound attenuation should be a wall, not a fence; (3) Page 68, Resolution No. 1916.3, Condition 18, clarify that sound attenuation should be a wall, not a fence; (4) Page 69, Resolution No. 1916.3, Condition 25, include agreed upon affordable housing; and (5) Page 82, Resolution No. 1916.4, Condition 23, include that developer will work with City staff regarding height of light poles in parking lot.

**M/S: Aguilar/Bustichi**

**To approve Resolution No. 1916 certifying a Final Environmental Impact Report EIR15-001 and adopting a statement of overriding considerations for the "Enterprise Way" project consisting of 50 townhouse-style condominiums, a 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II site), APN 024-031-017, as amended to clarify that each unit will have air conditioning .**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Aguilar/Bustichi**

**To approve Resolution No. 1916.1 approving General Plan Amendment GPA15-001 to change the General Plan land use designation from research & development to high-density residential and commercial service for the "Enterprise Way" project consisting of 50 townhouse-style condominiums, 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II site), APN 024-031-017.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Aguilar/Bustichi**

**To approve first reading and introduction of Ordinance No. 16-ZC-225 approving Zone Change ZC15-001 and Planned Development (PD) District overlays PD15-001 and PD15-002 to change the existing zoning district from I-RD(PD) (Industrial-Research & Development / Planned Development) to R-H/PD (High-Density Residential / Planned Development) and C-S/PD (Commercial-Service/Planned Development) for the "Enterprise Way" project consisting of 50 townhouse-style condominiums, a 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II site), APN 024-031-017, and waive the reading thereof.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Aguilar/Bustichi**

**To approve Resolution No. 1916.2 approving Land Division LD15-001 for the "Enterprise Way" project consisting of 50 townhouse-style condominiums, a 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II site), APN 024-031-017, amending condition #17 as follows:**

- Condition #17. The fencing located along the property line with Highway 17 (behind units 41 & 42 and the common outdoor) shall be an acoustic design with no air gaps **a wall** to reduce noise. Fence **Wall** specifications shall be reviewed and approved by the Community Development Director prior to installation.

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Aguilar/Bustichi**

**To approve Resolution No. 1916.3 approving Planned Development Permit PD15-001, Use Permit U15-002, Design Review DR15-001, and Cultural Resource Alteration CRA15-001 for the residential part of the Enterprise Way project and related property improvements on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II), APN 024-031-017, amending conditions #18 and #25 as follows:**

- Condition #18. The fencing located along the property line with Highway 17 (behind units 41 & 42 and the common outdoor) shall be ~~an acoustic design with no air gaps~~ **a wall** to reduce noise. Fence **Wall** specifications shall be reviewed and approved by the Community Development Director prior to installation; and
- Condition #25. The developer shall comply with Title 14 of the City's Municipal Code **and shall provide four (4) moderate-income units and three (3) low-income units and in-lieu fees for 0.50 of a unit, given the project requirement of 7.5 units.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Aguilar/Bustichi**

**To approve Resolution No. 1916.4 approving Planned Development Permit PD15-002, Use Permit U16-001, Design Review DR15-009 and DR16-001, and Cultural Resource Alteration CRA15-001 for the Hotel of the Enterprise Way project and related property improvements on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II), APN 024-031-017, amending conditions #21 and #23 as follows:**

- Condition #21. Sign lighting shall be minimized to reduce light leakage beyond sign perimeters and to minimize ambient light pollution. To the extent feasible light sources shall not be directly visible. **The developer shall remove the wall-mounted channel letter sign facing the townhouses and may relocate the wall-mounted channel letter sign facing the pool to the main entry tower of the building (as shown in the "Entry View" graphic emailed on March 11, 2016, on file).; and**
- Condition #23 The final lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of building permit. **The developer shall work with staff to reduce the heights of project light poles LBA, LBA1, and LBB shown on Project Plans Sheet E0.1.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**REGULAR AGENDA**

(Resumed)

**3. Future Council agenda items**

None.

Wendy Brannan, Scotts Valley resident, commented regarding Item 1 on the closed session agenda.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 9:17 p.m. to discuss the following items:

- (1) Pursuant to Government Code Section 54956.8, the City Council met in closed session to confer with their legal counsel regarding real property negotiations, APN 056-28-112.
- (2) Pursuant to Government Code Section 54957, the City Council met in closed session to confer with their legal counsel regarding City Manager Employment.

**RECONVENE TO OPEN SESSION**

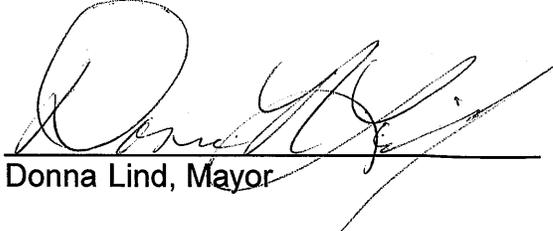
The City Council reconvened to open session at 9:55 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Lind announced that there was nothing to report.

**ADJOURNMENT**            The meeting adjourned at 9:55 p.m.

Approved:

  
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Donna Lind, Mayor

Attest:

  
\_\_\_\_\_  
Tracy A. Ferrara, City Clerk