

**City of Scotts Valley
PLANNING COMMISSION
MEETING MINUTES**

MEETING DATE/TIME: Thursday, March 12, 2009 @ 6:00 p.m.

DATE APPEAL PERIOD ENDS: March 26, 2009 at 5:00 p.m.

LOCATION:
City Hall
One Civic Center Drive, Scotts Valley

POSTING: The agenda for
this meeting was posted at City
Hall on 3/3/09 by Planning staff.

CALL TO ORDER: Chair Muth called the meeting to order at 6:05 p.m.

ROLL CALL Present: Commissioners Muth, Bassett, Bowen, Patterson and Heald
Staff: ICDD Westman, SP Fodge, AS Schwartz

ORAL COMMUNICATIONS:

Chair Muth and the other Commissioners requested to have full paper staff reports put in their packets, as opposed to reviewing documents from the City web site.

ALTERATIONS TO CONSENT AGENDA: None.
(Commission may remove or add items on the Consent Agenda)

CONSENT AGENDA:

- 1) Planning Commission Minutes: February 26, 2009, Regular Meeting

M/S Heald/Bowen

To approve the Consent Agenda Minutes as presented.

5/0 Carried

ALTERATIONS TO PUBLIC HEARING , REGULAR OR DISCUSSION AGENDA:
None. (Commission may remove, add or re-arrange items on the Public Hearing or Regular agenda)

REGULAR AGENDA:

- 2) **1500 Green Hills Road/APN 024-261-06; Application #U09-001**
Applicant: Calvary Chapel Santa Cruz
Property Owner: Idevco
Consideration of a Use Permit to allow a church to occupy a vacant building in the Light-Industrial zoning district.
Staff Planner: Michelle Fodge (831) 440-5632

SP Fodge gave the staff presentation.

Commissioner Bassett asked if there are week long activities, throughout the week. SP Fodge replied that page 13 in the report lists the various activities that will occur throughout the week. The largest events will occur Saturday, Sunday and mid-week (Wednesday evening).

Commissioner Bassett asked about the Youth group activities - will they be strictly inside, or also outside at night in the parking lot? SP Fodge replied that the applicant indicated all activity will be inside building. Commissioner Bassett inquired about possible amplified music. SP Fodge stated that amplified sound will occur within the building, and there are currently no proposals for outdoor amplified sound. A condition could be added to restrict amplified sound outside of building.

Commissioner Patterson asked if staff had been contacted at all by new tenants of the building. SP Fodge replied that she had received one phone call from an adjacent tenant, but no calls from tenants in the building itself.

Commissioner Bassett asked if this will be a permanent relocation of the church. SP Fodge replied that staff recommends a 10-year temporary use permit to secure the City's light-industrial base, while giving the church sufficient time to establish. Regarding permanence, it would probably be best to have the applicant answer that question.

Commissioner Bowen inquired into street parking on Green Hills Road. SP Fodge stated that there is currently street parking on Green Hills. However, the City's Municipal Code requires projects to provide required parking on site. Commissioner Bowen asked if the owner owns the subject building and the adjacent building to the north. SP Fodge stated that she was not sure, but Matt Shelton, realtor with J.R. Parrish, in the audience may know. Permit conditions include an agreement with the adjacent property owner for overflow parking.

Vice Chair Heald asked does the church wish to provide shelter for the homeless? SP Fodge replied that they have not discussed that issue; it was not part of the applicant's project description. Commissioner Bassett asked if the Use Permit Conditions address parking, storage and overnight parking, and what about tents or campers? SP Fodge replied that temporary housing is allowed in this location. ICDD Westman noted that a separate permit would be required for that type of use. Commissioner Bassett said that he wanted to know more about the church's intentions in this regard, and had a concern that the woods may become temporary sleeping places. Vice Chair Heald said that she was aware that the County's homeless program involved the homeless being dropped off and picked up, with no overnight activities.

Chair Muth noted that about a year ago another church wanted to move into the Light Industrial District, and the City Council denied it. SP Fodge recalled that there was a previous project proposed on El Pueblo Drive. That project was twice the size as the currently proposed project, and she seemed to recall that the applicant had withdrawn that application. It may not have gone to the Council for review. There was more concern with tenants in the El Pueblo area and possible conflict of uses. The office and high-tech uses around this project appear more compatible, and the 10-year Use Permit allows for possible future renewals.

Commissioner Bassett asked if this permit could be reviewed and renewed every five years. SP Fodge replied that yes, that could be done at the staff level. Commissioner Bassett stated that he would propose that the permit be reviewed and renewed every five years. SP Fodge pointed out that Condition #9 addresses possible problems that could cause the use to be called back for review with the Commission. ICDD Westman noted that if staff became aware of any problems or complaints, they would bring it back before the Commission. Commissioner Bowen pointed out that the Planning and Building Departments always have compliance authority.

Chair Muth noted that the plans indicate a daycare, junior and senior high. SP Fodge replied that no formal daycare facility is proposed. That would require its own Use Permit. Labels on the plans indicate the relative ages of kids in those rooms.

Vice Chair Heald stated concerns about the kitchen facilities and required permits for those activities. SP Fodge stated that those uses are considered accessory to the primary use of the church.

Chair Muth asked if we need to discuss a parking formula. SP Fodge noted when the Municipal Code doesn't specify a parking formula (manufacturing uses), the Commission may specify a formula or parking requirement. Staff believes that the parking will balance out because of the different hours of operation of the church and existing tenants in the building. Staff doesn't think that parking was a significant issue.

Chair Muth said that, looking at the sanctuary space, she wondered if any thought had been given to allowing shared use of that facility. SP Fodge noted that the proposal is for 700 seats and that staff evaluated the request for a use permit for a church. Staff did not discuss with the applicant the possibility of sharing the sanctuary with the City or other potential users. ICDD Westman noted that Borland has a similar facility.

Vice Chair Heald asked about the opportunity of future reviews regarding signage. SP Fodge that only if it is an exterior wall-mounted sign on the building. Vice Chair Heald asked if staff were comfortable with the proposed lighting. SP Fodge replied yes, this is not identified as a concern. Also, no new signage is proposed at this time. Low-level lights would probably be okay. Vice Chair Heald asked if ingress and egress signage exists now. SP Fodge said she didn't believe so. For light industrial use, existing circulation and signage exists, as appropriate. Vice Chair Heald expressed a concern about people showing up all at once, and not throughout the day, as with typical usage. SP Fodge replied that staff believes that the existing patterns are adequate. Commissioner Bowen felt that there would probably be less cars with the church use than with light industrial. The existing use is designed for major traffic/parking uses.

Chair Muth opened the public hearing at 6:42 p.m.

Dave Johnston, pastor with the church, spoke on the project. He stated that the church will allow shared use of the sanctuary. He felt that parking should be no problem. The church wants to be a support to the City, not a drain.

Chair Muth asked if this will be a permanent home for the church. Mr. Johnston said that they would not mind that, depending on future growth.

Vice Chair Heald asked if they had a desire to create an outreach program. Mr. Johnston said that they don't have that in mind right now, but can consider it in the future. Vice Chair Heald asked if they are considering renting the facility for weddings for people outside of congregation? Mr. Johnston replied that they don't envision that now, but if the City wants that they will consider it. Commissioner Bassett wondered if they envision outside use of amplified sound. Mr. Johnston said no - all activities will take place inside.

Vice Chair Heald asked if they are sure that the kitchen is big enough? Mr. Johnston replied that he felt it will be adequate.

Chair Muth closed the public hearing at 6:50 p.m.

Chair Muth wondered about extended hours. ICDD Westman stated that staff was not limiting hours. They can change hours as they feel the need, but they were not limiting them. Chair Muth asked about overnight parking conditions. SP Fodge stated that a use permit would be required for "transitional housing", for people operating a homeless shelter and allowing long-term parking or sleeping outdoors. Under this permit, the church can bring homeless to the church for overnights, and this would not require a separate use permit or formal use permit amendment. A Condition #10 could be added that addresses people staying in vehicles overnight. Chair Muth asked if the consensus is that we add a permit condition to address this? Chair Muth asked if there is anything in this permit that would preclude other uses within the building? SP Fodge said there was not. Chair Muth stated that she was in favor of a 10-year use agreement.

Commissioners Bassett and Patterson both said that they were okay with that, as long as the proposed permit allows staff to bring it back for review if necessary.

SP Fodge noted a proposed change to page six of the staff report; to add a signature line for Dave Johnston, the main pastor.

Chair Muth stated that the Resolution before them was number 1582, and would include the changes as proposed; not allowing occupied vehicles overnight, and the change to the signature page.

M/S Vice Chair Heald/Commissioner Bassett

To approve Resolution #1582 with proposed changes to Conditions of Approval.

5/0 motion passed.

Discussion Items:

ICDD Westman gave an historical summary and status report on the current update to the City's Housing Element. No new re-zoning is required. The process should be much easier than the last time. One new requirement is for an zoning district where transient occupancy is a permitted use. Permits would still be required. This zoning designation applies to a typical homeless shelter. We will recommend that this be permitted in the Light Industrial zoning areas.

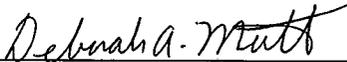
A discussion between the Commissioners and staff followed, addressing potential future permit requirements and zoning issues for this type of use. The discussion also included existing facilities in the City that are of this nature. ICDD Westman informed the Commissioners about the forthcoming review and approval process, and associated time lines.

Melanie Freitas, the new executive director of Habitat for Humanity spoke on this matter. She stated that she supports the proposed language in the updated Housing Element. Habitat for Humanity is very eager to build affordable homes throughout Scotts Valley.

Vice Chair Heald noted that the Ducky Derby is coming soon!

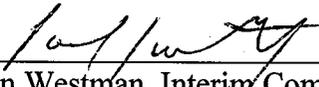
Chair Muth adjourned the meeting at 7:22 p.m.

Approved:



Deborah Muth, Chair

Attest:

 For:

Susan Westman, Interim Community Dev. Director