

AGENDA

Meeting of the Scotts Valley Planning Commission

Date: January 18, 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 January 12, 2018, at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvally.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.scottsvally.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.scottsvally.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.)

ELECTION OF OFFICERS: *The Planning Commission elects a Chair and Vice-Chair for the calendar year.*

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.)

- A. Approve the Action Meeting Minutes from the December 14, 2017, meeting.
- B. Approve Resolution No. 1724 denying an appeal of the Acting Community Development Director's determination of the Oak Creek Park Application located at 3640 Glen Canyon Road/APN 022-162-76, from the December 14, 2017, 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.)

- 1. **(This item was re-agendized from the October 12, 2017 meeting.)**
Title: Shell Gasoline Station
Address: One Hacienda Drive
Applicant / Property Owner: Peninsula Petroleum, LLC
Planning Permit Application Nos.: U16-005, DR16-014 & 015
Project Description: Consideration of Use Permit and Design Review applications to demolish an existing convenience store, build a new store, build a new self-serve drive-thru car wash, remove the high-rise pylon sign and include new signage.
Staff: Brenda Stevens, Asst. Planner, 831-440-5635, bstevens@scottsvalley.org

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.)

None.

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.)

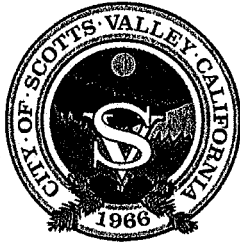
DIRECTOR UPDATES

(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: December 14, 2017

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 6:05 p.m.

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

ROLL CALL: Present: Timm, Herrera, Muth, (Arcangeli, arrived at 8:05) Absent: Donovan with cause.

PUBLIC COMMENT: None.

ALTERATIONS TO CONSENT AGENDA: None.

CONSENT AGENDA: The Commission approved the minutes in one motion.

Action Meeting Minutes from the November 9, 2017 meeting.

M/S: Herrera/Muth

To approve the Consent Agenda.

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

ALTERATIONS TO REGULAR AGENDA: None

PUBLIC HEARING AGENDA:

M/S: Herrera/Muth

To hear items 2 and 3 before item 1.

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

2. Project Name: Hertz Car Rental

Address: 5500-5520 Scotts Valley Drive / APN 022-042-17

Applicant: Karl Ryan with "Professional Touch Auto Body"

Property Owner: Vincent & JoAnne Cimera Revocable Trust

Planning Permit Application No: U17-006

Project Description: Consideration of a Use Permit application to locate an existing "Hertz" car rental business in the former "Ferrell's Donuts" building located on the same property as the "Professional Touch Auto Body" business in the Service-Commercial (C-S) zone. Staff: Michelle Edwards, Sr. Plnr., (831) 440-5632, medwards@scottsvalley.org

M/S: Herrera/Muth

To approve Use Permit No. U17-006, subject to amended Conditions by adding Condition #9 regarding parking, via Resolution No. 1723.

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

REGULAR AGENDA:

3. Project Name: Oak Creek Park Application Appeal

Address / APN: 3640 Glen Canyon Road / 022-162-76

Appellant: Charlie Eadie of Eadie Consultants

Property Owner: Granum Partners

Project Description: Consideration of an appeal of the Acting Community Development Director's determination that a submitted development application for residential and commercial uses is inconsistent with the City's General Plan.

Staff Planner: Taylor Bateman, Acting Community Planning Director, (831) 440-5630, tbateman@scottsvalley.org

M/S: Muth/Herrera

To deny the appeal.

(The Planning Department will prepare a Resolution for Planning Commission approval at the next Planning Commission meeting.)

Carried: 3/0/0

(AYES: Muth, Herrera, Timm; NOES: None; ABSENT: Arcangeli and Donovan)

The Planning Commission took a break and resumed the meeting at 8:05pm. Chair Timm recused himself from item No. 1 due to a potential conflict and left the meeting. Commissioner Arcangeli arrived at 8:05pm.

PUBLIC HEARING AGENDA:

- 1. Project Name:** Bay Mountain Mixed-use
Address / APN: 4803 Scotts Valley Drive / 022-082-76
Applicant / Property Owner: Robert Kim
Planning Permit Application Nos.: U17-002, DR17-003, DR17-004,
Project Description: Consideration of a Use Permit, Design Review, Sign Design Review, and reduced (shared) parking to allow a mixed-use development on a 0.41-acre site in the C-S Service Commercial Zone. The project proposes a new three-story building with approximately 1,800 square feet of ground floor retail space; 2,530-square feet of second floor office space; and six apartment units on the third floor. Site improvements and amenities include: 19 parking stalls, landscaping, enclosed trash, recycling area, bicycle parking, and a public art feature.
Staff: Scott Harriman, Contract Planner, skharriman@sbcglobal.net

M/S: Arcangeli/Herrera

To approve Resolution No. 1725 amending conditions of approval to delete Condition No. 36 (deleting the EV charging station requirement) and adding a condition to limit the one bedroom units to one vehicle parking per unit and granting a two year approval for the Use Permit (Per Section 17.50.020 (F) (1) of the SVMC) to run concurrent with the Design Review approval.

Carried: 2/1/2 (AYES: Arcangeli, Herrera; NOES: Muth; ABSENT: Timm and Donovan)

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 9:05

**City of Scotts Valley
PLANNING COMMISSION
FOLLOW-UP STAFF REPORT**

Date: January 18, 2018

Appellant: Charlie Eadie of Eadie Consultants

Property Owner: Granum Partners

Location / APN: 3640 Glen Canyon Road / 022-162-76
(and all C-S zoned lots in the City)

General Plan / Zoning: Service Commercial / Service-Commercial (C-S)

Staff Planner: Taylor Bateman, Acting Community Planning Director, at
(831) 440-5630, or tbateman@scottsvalley.org

SUMMARY OF ISSUE

At a public meeting on December 14, 2017, the Planning Commission considered an appeal of the Acting Community Development Director's determination that a submitted development application for residential and commercial uses ("Oak Creek Park") was inconsistent with the City's General Plan. The Commission heard the appellant's and public testimony and upheld the determination of the Acting Community Development Director, and denied the appeal. In the January 18, 2018, Planning Commission Agenda packet, a copy of the Planning Commission Action Meeting Minutes is provided in Agenda Item No. A. of the agenda packet.

Pursuant to the City's Municipal Code, findings of the denial via a resolution are required. Therefore, the attached resolution provides those findings.

STAFF RECOMMENDATION

It is recommended that the Planning Commission approve the attached resolution via the consent agenda.

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1. Resolution No. 1724 (Action Item) denying the appeal2
2. Planning Commission Action Meeting Minutes, 12/14/17..... See agenda packet

RESOLUTION NO. 1724

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SCOTTS VALLEY DENYING THE APPEAL OF THE
ACTING COMMUNITY DEVELOPMENT DIRECTOR'S DECISION
THAT A PROPOSED RESIDENTIAL AND COMMERCIAL
DEVELOPMENT APPLICATION WAS NOT CONSISTENT WITH
THE CITY OF SCOTTS VALLEY GENERAL PLAN AND COULD NOT
BE ACCEPTED BY THE CITY, FOR THE "OAK CREEK PARK"
APPLICATION LOCATED AT 3640 GLEN CANYON ROAD /
APN 022-162-76**

WHEREAS, Granum Partners is the property owner of that certain vacant property located at 3640 Glen Canyon Road / APN 022-162-76 (the "Property"); and

WHEREAS, the Property has a Scotts Valley General Plan land use designation of Commercial Service; and

WHEREAS, the Property is zoned Service Commercial (C-S); and

WHEREAS, the Property was included in the Scotts Valley 2002-2007 Housing Element as an opportunity site on which mixed use is permitted by right; and

WHEREAS, pursuant to the Scotts Valley General Plan and Zoning Ordinance, mixed use development in the Commercial Service zoning district may include residential uses, provided that the residential uses are secondary to the commercial uses; and

WHEREAS, on May 3, 2017, on behalf of Granum Partners, Charlie Eadie submitted a planning permit applications to build a residential and commercial development consisting of approximately 74,100 square feet of residential space, 24,841 square feet of commercial space, and related property improvements on the Property; and

WHEREAS, on June 22, 2017, the Acting Community Development Director informed the applicant that he could not accept the application because the residential use of the Property as proposed was not secondary to the commercial use on the Property, which is inconsistent with the City's General Plan or Zoning Ordinance; and

WHEREAS, on October 26, 2017, the applicant appealed the decision of the Acting Community Development Director pursuant to Scotts Valley Municipal Code ("SVMC") Section 17.50.060, Appeals; and,

WHEREAS, on December 14, 2017, at a regularly scheduled meeting, the Planning Commission considered the appeal, heard the appellant's and public testimony, and upheld the determination of the Acting Community Development Director and denied the appeal.

NOW THEREFORE, be it resolved by the Planning Commission as follows:

The decision of the Acting Community Development Director is hereby affirmed and the appeal is denied based on the following findings:

The subject property is designated for Service Commercial uses in the City's General Plan and it is zoned Service-Commercial. Per General Plan Land Use Element Page Land Use-8, very-high density mixed use residential is permitted, providing adjacent uses are compatible and the residential use is secondary to the retail use. In this case, the residential use is not secondary to the commercial use because the amount of residential use far outweighs the amount of commercial use of the property.

THE ABOVE AND FOREGOING RESOLUTION NO. 1724 was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 18th day of January, 2018, by the following vote:

AYES: Herrera, Muth, and Timm

NOES:

ABSTAIN:

ABSENT: Arcangeli, Donovan

Approved: _____

Derek Timm,
Planning Commission Chair

Attest: _____

Taylor Bateman,
Acting Community Development Director