

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

MEETING DATE/TIME: Thursday, August 13, 2009 at 6:00 p.m.

DATE APPEAL PERIOD ENDS: Thursday, August 27, 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 8/4/09 by Planning staff.

CALL TO ORDER: Chair Muth called the meeting to order at 6:03 p.m.

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

ORAL COMMUNICATIONS: None.

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

CONSENT AGENDA:

1. Planning Commission Minutes: June 25, 2009.

M/S Heald/Bassett

To approve the Minutes as presented.

4/0 Carried. Patterson abstain (due to absence).

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 ITEMS: None.

PUBLIC HEARING AGENDA ITEMS:

2. **Address:** 1300/1350 Green Hills Road / APN 024-261-07
Applicant/Property Owner: Paul Broughton
Planning Permit Applications: LD09-001 & U09-004
Project Description: Consideration of a Planning Commission recommendation to the City Council for a Land Division and Use Permit for the condominium

conversion of two new industrial buildings currently under construction.

Staff Planner: SP Taylor Bateman, (831)440-5633

SP Bateman gave the project presentation.

Discussion:

Chair Muth asked if this would be a Homeowners Association (HOA), or what it will be named. SP Bateman responded that perhaps it will be named a Business Owners Association. Chair Muth asked how this would be legally set-up. ICDD Westman commented that it is probably termed a Property Owners Association. SP Bateman said this would be similar to a condominium association, in that the individual owners own the air space, and share ownership of common areas and the land.

Commissioner Bassett asked what type of use would not be allowed, such as food service. SP Bateman responded that the project will be subject to the Light Industrial zoning regulations. One could not have retail food service, no strictly office use, no restaurant, perhaps a catering type of business.

Chair Muth noted that the plans show spaces in front of each unit that will be dedicated to each unit, yet unit number nine does not appear to have a dedicated space. SP Bateman responded that the plans do show a dedicated space for unit nine - it is mislabeled on the plans. The plans show a patio area and trellis. Chair Muth asked where the plans show parking for unit nine. SP Bateman said it is the cross-hatched area, directly in front of the roll-up door.

Commissioner Bassett said that he feels the site is somewhat isolated, and he is interested in night time lighting. Will it exist, what will it be like? Will the owners' regulations address security after hours, such as an alarm system? SP Batman noted that in the project review of 2007, the Planning Commission approved a lighting plan. The Police Department looked at site security as well. A fencing plan was considered, but ultimately it was concluded that a proper lighting system should suffice. Commissioner Bassett asked if there were discussions with the Police Department for security issues other than lighting, such as an alarm system. SP Bateman responded that there were no other discussions about that.

Chair Muth opened the Public Hearing at 6:13 p.m.

Randy Parker spoke on the matter. He is part owner and real estate broker for the sale of the units. The owner's association will be very similar to a residential condominium complex. It will consist of the unit owners, and their charge will be to maintain the project, primarily through monthly dues. Chair Muth asked if there will be a Board of Directors. Mr. Parker responded that there are a total of nine units, so a fairly small Association. The Association will be formal and it will be recorded, but he expects fairly intimate interactions. Chair Muth asked if it will be subject to standard owners association real estate laws. Mr. Parker stated that he believes it is a little bit different, because it is commercial and not residential.

Commissioner Bowen commented that the more units one owns, the more say one would have in the Association.

Commissioner Heald asked if the units will be owner-occupied only, or rented to tenants? Mr. Parker responded that they currently intend to have the units occupied by the owners, but may rent them out in the future. The Association regulations will give them that option.

Chair Muth closed the Public Hearing at 6:16 p.m.

There was no further discussion of the matter.

M/S Bassett/Heald

**To approve Resolution #1591 and the proposed Conditions of Approval.
5/0 motion carried.**

DISCUSSION ITEMS:

3. Cancellation of August 27th Planning Commission meeting.
4. CEQA process.

ICDD Westman noted that years ago Scotts Valley City adopted its own CEQA rules, separate from the State. They are going to do away with these rules, to better conform with the State's rules, which are constantly changing. This change will occur after the Gateway South Retail project is completed. The Planning Commission will hold a public hearing to receive comments during the draft EIR 45-day comment period. The rule is that the Commission can receive comments, but cannot provide responses or comments. The first comment meeting will probably occur in October.

ICDD Westman commented on the foreclosure process of the Gateway South property. It takes about nine months to go through this process. It will not impact the processing of the EIR, or consideration of the project for approval. The applicant, Title Two, has paid application fees to continue application processing. The application is for the use of the site, and not for a particular development project, such as a Target store. If property ownership changes, staff would stop long enough to determine if the new owner wanted to proceed with application processing.

Commissioner Bassett asked if Target is still interested in developing the site. ICDD Westman replied that she doesn't know the current status of Target's commitment.

Chair Muth asked about other projects or applications that are in the works. ICDD Westman mentioned the Polo Ranch Subdivision going to the City Council next week, the Glenwood Open Space Management Plan approval process and status, and noted that the Holiday Inn Express project owner has yet to apply for construction permits.

Chair Muth asked about the status of a Jack-In-The-Box restaurant project. ICDD Westman replied that a Planning Application has been made. The project is proposed on the old Denny's restaurant location.

ICDD Westman mentioned that Bethany University is working on replacing a burned down building. They are currently providing temporary facilities for kitchen and dining services. They hope to build a new replacement building in the near future.

There was also a brief mention of the Town Center project, the Suburban Propane relocation project and the Wescosa property on Mt. Hermon Road, that may involve a health club development project, although no formal development application has been submitted.

The next Planning Commission meeting will be September 10th.

FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS - FOR INFORMATION ONLY: City Council Minutes if available

The hearing adjourned at 6:31 pm.

Approved: Deborah A. Muth
Deborah A. Muth, Planning Commission Chair

Attest: Susan Westman
Susan Westman, Interim Community Development Director