



Action Minutes

Planning Commission Regular Meeting

7:00 p.m. - Thursday, December 15, 2011
City Council Chambers, 809 Center Street

Call to Order — 7:10 PM

Roll Call —

Present: Commissioners D. Foster; M. Mesiti-Miller; R. Quartararo; B. Schultz;
M. Tustin, Chair

Absent: Commissioner P. Kennedy (with notice)

Staff: Director, J. Rebagliati; Principal Planner, E. Marlatt; Associate Planner,
J. Lum; Recorder, M. Schwarb

Statements of Disqualification — Commissioner Schultz recused himself on item number 1, 1010 Fair Avenue.

Oral Communications —

No action shall be taken on these items.

The Chair may announce and set time limits at the beginning of each agenda item.

Ed Davidson spoke regarding the recent Coastal Commission hearings of the La Bahia hotel project and the Arana Gulch Master Plan.

Announcements — None

Approval of Minutes — Minutes of December 1, 2011.

ACTION: Commissioner Foster moved, and Commissioner Mesiti-Miller seconded, approval of the minutes of December 1, 2011, as submitted. The motion carried on a vote of 5-0-1 with Commissioners Foster, Mesiti-Miller, Quartararo, Schultz and Tustin in favor and Commissioner Kennedy absent.

Public Hearings —

1. 1010 Fair Ave. CP11-0154 APN 003-101-29
Special Use Permit for a 10-percent reduction in the required off-street parking with a cooperative parking arrangement at a multi-tenant industrial site; Administrative Use Permit for a restaurant use with beer and wine service in the IG/PER2 zone district. (Environmental Determination: Categorical Exemption) (1010 LLC, owner/filed: 10/20/2011) JL

RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and approve the Administrative and Special Use Permits, based on the findings and the Conditions of Approval listed in Exhibit "A".

Principal Planner Marlatt introduced Associate Planner Lum who presented the staff report, noting that the Police Department had added conditions 39, regarding emergency contact information, and 40, requiring six month and one year administrative reviews of the Use Permit by the Planning and Police Departments.

John McKelvey, Applicant, spoke in favor of the project.

Benjamin Sims, Owner Applicant, spoke, describing the restaurant he proposes.

Nancy MacAllister, Property Manager of the shopping center, spoke regarding the mix of tenants and the staggered peak hours of each, which cancels the need for additional parking.

The Public Hearing was opened.

Speaking from the audience in favor of the project:

- Hollis Molloy;
- Joe Collins;
- Michael Luffman;
- Stephen Beaumier;
- Ed Davidson;
- John Roevekamp;
- Susan Goldstein;
- Mike Rotkin.

Speaking from the audience with concerns regarding parking and noise:

- Jane Reid;
- Ray Chapman;
- Allan Allwardt.

The Public Hearing was closed.

The Commissions made comments and asked questions of staff and the applicant regarding:

- Alternative transportation;
- Bicycle parking;
- Restaurant acoustics;
- Number of employees;
- Number of parking spaces;
- Types of tenants in the center;
- Permit parking for the neighborhood.

ACTION: Commissioner Quartararo moved, and Commissioner Foster seconded, that the Planning Commission approve the environmental determination and the Administrative and Special Use Permits adding Conditions 39 and 40. The motion carried on a vote of 4-0-1-1 with Commissioners Foster, Mesiti-Miller, Quartararo and Tustin in favor, Commissioner Kennedy absent and Commissioner Schultz recused.

The Planning Commission called a break at 8:35 pm and reconvened at 8:40 pm.

- 2. 350 Ocean Street CP11-0005 APNs 010-551-04, 06, 08**
Demolition Authorization Permit, Planned Development Permit, Design Permit, and Tentative Map to construct a four-story, mixed-use development with 58 residential apartments and 5,269 square feet of commercial space on a 1.44-acre site in the RM/FP-O zone district. Tree Removal Permit to allow the removal of 14 Heritage Trees. (Environmental Determination: Mitigated Negative Declaration) (Santa Cruz Pacific Associates, owner/filed: 1/5/2011) JL

RECOMMENDATION: That the Planning Commission recommend to the City Council adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of the Demolition Authorization Permit, Planned Development Permit, Design Permit, and Tentative Map to construct a four-story, mixed-use development with 58 residential apartments and 5,269 square feet based on the findings and the conditions listed in Exhibit "A".

Principal Planner Marlatt introduced Associate Planner Lum who presented the staff report.

Owen Lawler, representative for the applicant, noted that the replacement of the current use is long overdue.

Jan Hochhouser, architect, described the project.

Caleb Roope, applicant, spoke about his company which has a long history in affordable housing.

The Public Hearing was opened.

Speaking from the audience with concerns:

- Nic Brunnell;
- Asa Murphy;
- Karen Carlson;
- Corbin Schneider;
- Scott Ruble;
- Kathleen Hilger;
- Chris Erickson;
- Ed Silveira;
- Ed Davidson;
- Danielle Uharriet;

Speaking from the audience in support:

- Mike Rotkin;
- Erik Larsen;
- J. D. Sotelo;
- Ricardo de la Cruz.

The Public Hearing was closed.

The Commissioners asked questions of the applicant and made comments regarding:

- Setbacks;
- Trash enclosure and removal;
- Parking garage;
- Bicycle parking;
- Commercial spaces;
- Ceiling heights on ground floor commercial spaces;
- Floor plans for the 2nd and 3rd floors;
- Relocation and vacancy rate;
- Activities in the Community Room;
- Handicap accessibility;
- Roof equipment;
- Control of the park area;
- Sunlight in open spaces;
- Left hand turns.

The Commissioners generally agreed that this is a necessary and well-designed in-fill project that needs to move forward with some changes and more outreach to the immediate neighborhood.

ACTION: Commissioner Foster moved, and Commissioner Schultz seconded, that the Planning Commission recommend adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of the Demolition Authorization Permit, Planned Development Permit, Design Permit and Tentative Map to the City Council with the following modifications:

- Condition 17 to be modified as follows:

Prior to issuance of a building permit, the applicants shall incorporate the following modifications into the building and site plans, subject to review and approval by the Planning and Community Development Director:

- ~~Modify the southwest corner of the building to remove the proposed turret. The final corner design may feature a rectangular void with additional windows and/or balconies to articulate the inset/notched corner; a one or two story rectangular form to continue the commercial tenant space along the Ocean Street frontage; or a one or two story rounded element in which the wall plane of the rounded corner is flush with the walls it intersects.~~
- ~~Modify the color scheme of the central archway along Ocean Street to feature a monolithic masonry finish or a monochromatic design with reveals to create the banding effect.~~
- ~~Remove the single stone column along the Ocean Street elevation and redesign the proposed supports for the second-story cube element so that it appears well-supported.~~
- Provide additional architectural enhancement of the north and west elevations adjacent to the parcel at the northwest corner of the project site with windows, additional balconies, and/or decorative wall treatments.
- If vinyl windows are used, the frame color should be almond or other non-white color; alternatively, metal or wood frame windows may be used.
- Provide substantial trim and sill details on all windows and doors.
- Provide typical cross section details of exterior walls, balconies, windows, awnings, knee-braces, roof elements, trim elements, detailing; and other architectural features. Wall thicknesses, lumber sizes, and trim thicknesses shall be subject to review and approval by the Planning and Community Development Director.
- ~~Use a single wrought iron railing design for all balcony guardrails on all elevations.~~
- Provide one additional parking space in the garage such that a total of 129 off-street parking spaces are provided.

- Condition 56 to be modified as follows:

~~Bike parking shall be provided in accordance with Section 24.12.250-252 of the City's Zoning Ordinance.~~ Plans submitted for building permits shall demonstrate compliance with the following requirements, subject to review and approval by the City's Transportation Coordinator:

- Residential bicycle parking (~~58 spaces~~ a minimum of 1.5 spaces per unit) shall be individual bicycle lockers or supervised locked enclosures, clustered in lots not to exceed 16 spaces each.
- Commercial bicycle parking (6 spaces) shall be two individual bicycle lockers and two inverted U bike racks accommodating two bicycles per each rack.

- Condition 69 to be modified as follows:

All residential units of the development shall remain affordable ~~in perpetuity for 55 years~~ except for the manager's unit. ~~Ten of the 57 affordable units shall be designated as low income units as replacement housing units for the 20 multi residential units to be demolished, subject to review and approval by the Housing Division of the Redevelopment Agency.~~ All residential units of the development shall remain rental units in perpetuity except for the manager's unit. As required by Section 24.16.220(1) of the Zoning Ordinance, the developer shall enter into an enforceable restriction to ensure that no subdivision map will be recorded and no converted community apartment or stock cooperative will be created resulting in parcels containing single dwelling units. The applicant shall enter into and record an Affordable Housing Development Agreement in accordance with these requirements prior to issuance of a building permit for any structure in the development as required by any public affordable housing financing the project receives (including local redevelopment agency funds). The income-level restrictions shall be limited as follows:

<i>Unit Type (percent of Area Median Income)</i>	<i>Number</i>	<i>Percent of Units</i>
30%	6	10.5%
45%	15	26.3%
50%	23	40.4%
60%	13	22.8%
Total	57	100.0%

- Investigate adding a requirement for clear zone striping on Ocean Street in front of the driveway access to the development to accommodate left turns into the development for southbound traffic.
- Add condition of approval that if property adjacent to and northwesterly of the development is acquired by the applicant and incorporated into the development, the modifications shall be heard by the Planning Commission at a public hearing.
- Add condition of approval stating that all commercial uses in the development shall be consistent with the Community Commercial (CC) zone district regulations.
- Further direction was given to the applicant to work with the adjacent neighborhood to mitigate height of the east elevation.
- Further direction was given to the applicant to explore the possibility of providing bus passes for the residents.
- Recommend that the City Council provide incentives to applicant include employment of local laborers/contractors to the greatest extent feasible during construction of the development.
- Strike any reference in the findings to use by the public of the podium courtyards as quasi-public park space.

The motion was approved on a vote of 5-0-1 with Commissioners Foster, Mesiti-Miller, Quartararo, Schultz and Tustin in favor and Commissioner Kennedy absent.

General Business — None

Informational Items — None

No action shall be taken on these items.

Subcommittee/Advisory Body Oral Reports — None

No action shall be taken on these items.

- Chairperson's Report — None
- Planning Department Report — None

Items Referred to Future Agendas — None

Adjournment — 12:10 AM

The next Planning Commission meeting will take place on January 5, 2011 in the City Council Chambers.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City Planning Department, 809 Center Street, Room 107 or on the City's website www.cityofsantacruz.com. These writings will also be available for review at the Planning Commission meeting in the public review binder at the rear of the Council Chambers.

APPEALS - Any person who believes that a final action of this advisory body has been taken in error may appeal that decision to the City Council. Appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk.

Appeals must be received by the City Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee.