



Action Minutes
Planning Commission
Regular Meeting
7:00 p.m. - Thursday, September 6, 2012
City Council Chambers, 809 Center Street

Call to Order — 7:03 p.m.

Roll Call —

Present: Commissioners B. Schultz, Chair; R. Quartararo, Vice Chair; P. Kennedy; M. Mesiti-Miller; M. Primack; T. Goncharoff; M. Tustin

Absent: None

Staff: J. Rebagliati, Planning Director; Alex Houry, Assistant Planning Director; E. Marlatt, Principal Planner; S. Strelow, Consultant; C. Schneiter, Assistant Director of Public Works; Steve Clark, Deputy Police Chief; M. Schwarb, Recorder; L. Camarie, Timer.

Audience: 40-50

Statements of Disqualification — None.

Oral Communications — None.

Announcements — Commissioner Mark Primack was welcomed.

Approval of Minutes — Minutes of June 21, 2012.

ACTION: Commissioner Tustin moved and Commissioner Kennedy seconded to **APPROVE** the Minutes of June 21, 2012 as submitted. The motion carried on a vote of 6-0-1 with Commissioner Primack abstaining.

Public Hearing —

1. **140 Front Street** **CP12-0101** **APN 007-033-01, -02, -03**
Special Use Permit, Coastal Permit and Design Permit to construct a 33,648 square foot quasi-public building and supporting structures in the RH zone district. The building is proposed to be used for a period of five to seven years at which time it is planned that all structures will be removed. Planned Development Permit to allow variations to setbacks, building height, parking, and to allow sale of alcohol at events. Boundary Adjustment to shift approximately 5,000 square feet of one lot (APN 007-033-02) into 140 Front Street lot (APN 007-033-01). The remainder portion of APN 007-033-02 (1,000 square feet) will be added to 203 Laurel Street (APN 007-033-03) to provide driveway access to the apartments at 203 Laurel Street. One heritage tree will be removed for the project. (Environmental Determination: Categorical & Statutory Exemptions) (Santa Cruz Seaside Company, owner/filed: 6/25/2012) **AK**
This project requires a Coastal Permit which is not appealable to the California Coastal Commission.
RECOMMENDATION: That the Planning Commission hold a public hearing, discuss project details and make recommendations to the City Council regarding:
 - Acknowledging the environmental determination; and
 - Approving Planned Development, Special Use, Coastal and Design Permits, and Boundary Adjustment for the proposed project.

Commissioner Schulz introduced A. Khoury who presented the staff report.

Commissioners asked questions regarding:

- Parking;
- Signage;
- Lighting;
- Noise;
- Street trees.

Jim Weyerman, President of the Santa Cruz Warriors, gave a Power Point presentation outlining the benefits of approving the arena project and the potential additional uses other than Warriors games. He thanked staff for their help throughout the process.

Steve Clark, Deputy Police Chief, spoke about the Police roll in the events that will take place in the arena. He noted that the Santa Cruz Police Department is no stranger to traffic and crowd control and that his research had convinced him that the venue would be safe and likely improve this area of Santa Cruz. He contacted many cities that claimed that the addition of a sports venue had changed their community personality.

Chris Schneiter, Assistant Public Works Director, spoke regarding lighting, parking permits and the Laurel Street extension.

The Commissioners recessed for a break at 8:25 and reconvened at 8:45.

The Public hearing was opened.

The following members of the public spoke:

- Bob Williamson, in support of the project;
- Joe Quigg, local developer, in support of the project, objects to the speed of the development;
- Don Webber, president of Beach Hill Neighbors Association, in opposition to the project, citing noise, traffic, parking, and land use issues;
- Ed Davidson, in opposition, citing violation of Coastal Act and land use;
- Bob Griffon, in support of the project, but with concerns;
- Nanette Grimes, resident of Beach Hill, with concerns about location and noise, thinks it is a good project, but in the wrong place;
- Frank Della Corte, in opposition due to parking issues;
- Amelia Conlen, Director of People Power, wants a condition requiring monitored bicycle parking;
- Dick Perez, resident of Beach Hill, in support;
- Ron Pomeranz, supports concept, but has concerns regarding lighting on the levee, financing, and aesthetics;
- Paul Burns, not opposed, but project needs more planning;
- Robyn Marshall, good Idea, but not in my back yard;
- Pat Powers, totally in favor;

Action Minutes

- Reed Searle, not in favor or against, but this project will generate many car trips per year;
- Steve Pleich, feels we should just press pause;
- Jim Sandoval, Beach Hill resident, likes the project, but in the wrong place;
- Ralph Meyburg, feels a housing project belongs on the site, needs thorough vetting;

Kirk Lacob, of the Golden State Warriors, working with City of Santa Cruz staff and City Council has been terrific, studies were done independently, and the work has been non-stop.

Chris Ford, of VRW Architects, noted that this is a challenging project and answered questions from the Commissioners. HVAC system is suspended inside the building. Liquefaction, seismic and wind loads concerns have been addressed. The building is insulated for sound and thermal. Materials are recyclable when building is demolished. Ceiling is PVC tensile product and sound is directed to the center of the court and is absorbed by the geometry of the building. Project will be LEED certified. 50 bicycle spaces will be offered but placement is not yet determined.

Peter MacDonald, of Smith, Fause & McDonald Inc., Principal Engineer and Dennis Mill, who did the sound study and on site work, answered questions regarding the sound study completed and the design efforts to contain noise emanating from the building.

Commissioner Primack commented that he understands the concerns about noise since he had experienced living downtown near the Civic Auditorium. He noted that this project is an experiment and he is in favor of experiment. He said that the tents set up in downtown after the 1989 earthquake were also an experiment, and a good one. He noted that he is generally in favor of this project for its positive impact and thinks we should be open to unexpected opportunities. He added that he is not in favor of planting new sidewalk trees to rip them out in seven years when the building is demolished.

Commissioner Quartararo noted that they are being asked to approve the Environmental Determination and he agrees with that determination. He said he came tonight with some of the same concerns expressed by the neighborhood and felt his questions were answered. He said he lives near the downtown and deals with the noise and that traffic and parking issues have been addressed in a way that he thinks will work with the parking downtown only a short walk. He said he believes there will be a significant number of people who will walk to this venue rather than drive. He commented that he doesn't think that this project is "fast tracked" but rather the way things should be done. He also said he thinks folks will not chose to park in the Beach Hill area more than once. He agreed that this is a work in progress and that if there is a delay, a generation of parents and kids will miss out on a very positive experience.

Commissioner Tustin stated her first choice would be to have housing on this site, but that possibility is in the distant future. She agreed with Commissioner Primack that this is a civic experiment and for seven years would like to try it. She said if it was a building to last for 60 years she would be against it. She noted that she lives nearby the neighborhood and also experiences noise but has learned to live with it. She thinks the venue needs more bicycle parking and protected bicycle parking. She also thinks it needs trees, and landscaping because the building is ugly. She added that we need to do a very good job on the signage guiding people from parking to the downtown and we need to discourage parking at the Boardwalk parking lot. She thinks traffic management will not be an issue and that our police do a good job and thinks a sports venue is a great idea.

Commissioner Kennedy said he tends to support the project as well. He first addressed the concerns expressed by neighbors that they are not being heard. He noted that when people come to express their concerns that the Commissioners listen and there are no back-room deals. He has concerns about parking but feels that the City will be responsive in addressing the neighbor's concerns regarding permit parking. He is favor of trees and landscaping to improve the building and he is a huge supporter of Green Building. He also believes the event venue is great and we need a space this size. He noted that when we push pause in this town, we frequently wind up at stop and he would not like that to happen with this project.

Commissioner Mesiti-Miller said he was encouraged by some of the things he heard tonight, particularly the police officer who spoke. He noted that changing the personality of this area is crucial to the community. He echoed the idea of adding trees and adding secure bike parking. He agreed with Commissioner Tustin that housing would be a better choice for this site, but that it is not going to happen for many years so he thinks a civic experiment is a worthy endeavor. He said he believes parking will work itself out and that the city staff will work with the Beach Hill community to address their parking concerns. He felt that this project would be a jobs creator and that is a real benefit to the community.

Commissioner Goncharoff complimented staff and applicant on the thorough plan they put together in a relatively brief time. He noted that many of his questions regarding the plan were answered as he read the report. There are some aspects of the project that are incomplete, and he is troubled by the fact that the Commissioners won't be looking at final details, but he trusts staff and the City Council to do a good job. He said he appreciates the limitations of a temporary structure, but encouraged applicant to make the building as architecturally beautiful as possible, and he liked the idea of a mural and hoped that logos would be inside, rather than outside the building. He noted that recently cities have been rethinking the idea of providing lots of parking for commercial projects and that we have realized like many cities that less parking can encourage alternative transportation, walking and biking and this is an ideal location to explore that experiment. He expressed his concerns for the Beach Hill neighborhood parking issues, but felt it would be unfair to burden the applicant with a condition regarding parking since it is a City problem. He added that he

Action Minutes

supports a recommendation to the City Council to consider expanding the permit parking areas on Beach Hill.

Commissioner Schultz noted that the City has been talking for years about creating a bridge between the beach and downtown and specifically about improving the South of Laurel area. He said that in his opinion this is the boldest plan he has seen so far, but it is an experiment and we don't know if it will work, but he is inclined to support the project because we need something to improve the economic vitality of our City. He also emphasized that this is a temporary use and if it doesn't work, it can be taken down. He pointed out that this is a Planned Development they are being asked to approve a Use Permit with variations. He noted that when they approve a Planned Development they are asked to weigh the benefits and the impacts to the public. He went on to express that the impacts of noise, traffic, parking and lighting are fairly localized to the immediate neighborhood, specifically Beach Hill. He noted that he had not heard anyone say that the project would be detrimental to the City of Santa Cruz as a whole, but just that they objected to the location. He pointed out that the benefits to the community as a whole were the use of a public gathering space of a size not currently available that could host conventions, trade shows and local sports activities and provide an economic shot in the arm for the downtown, and add life and vitality to the South of Laurel area. He wanted to recommend that the Council add a condition for secure bike parking, and that the Council to improve parking conditions for Beach Hill residents. Finally, he noted that, in his opinion, this project is a model for the speed at which projects in the City should be approved.

The Commissioners then asked a few more questions regarding:

- Trash containers;
- Changes to the parking permit process;
- Removal of parking meters;
- Secure bicycle parking;
- Sidewalks.

Commissioner Schultz pointed out that tonight's action is not the final action on this project and that it will go before City Council at which time they can again speak regarding any concerns.

ACTION: Commissioner Goncharoff moved and Commissioner Primack seconded that the Planning Commission RECOMMEND that the City Council ADOPT a resolution with findings to ACKNOWLEDGE the environmental determination and APPROVE the Planned Development, Special Use, Coastal and Design Permits, and the Boundary Adjustment, with the following revisions and additions to the Conditions of Approval:

12. Secure bike parking shall be provided for 50 bicycles in a manner and location subject to the approval of the Zoning Administrator and the Bicycle Coordinator. During the first season the City will monitor the bicycle demand for the arena and if additional racks are needed then the applicant

- will be required to increase that number appropriately prior to the opening of the 2013 basketball season.
28. Landscape plans for the bioswales shall be submitted for review by both the Planning Department and Water Department. The landscape plans shall comply with all requirements of the City's landscape water conservation ordinance and be installed prior to issuance of the Certificate of Occupancy. Additional landscape opportunities, such as planters, vines, and street trees (if possible) to provide partial screening of the building, shall be provided reviewed after the first year of operation possibly along Spruce and Front Streets where possible. once the operational characteristics of the use are better known.
31. The Public Works Department shall review and approve the trash enclosure and final details regarding refuse and recycling collection.
37. ... (Alcohol Sales)
- The selected vendor will obtain the appropriate ABC license for the sales of alcohol (~~type 47~~ for stadiums, sporting events). The vendor will comply with all terms and conditions of the license including regulations on hawking alcohol.
- ... (Traffic Impacts)
- ~~Any closure~~ Traffic management of Spruce Street shall be coordinated with the Public Works and Police Departments. ~~Any closure of Spruce Street beyond Santa Cruz Warriors games shall require notification to the Beach Hill Residents' Association. Closure of Spruce Street during the summer months, May through September, will be discouraged.~~
43. That the Department of Public Works shall meet with the Beach Hill Residents' Association prior to the start of the Santa Cruz Warriors' basketball season to determine if they support changing their Beach Area Residential Permit Program from "No Parking 9:00 a.m. to 9:00 p.m., Every Day, Monday through Sunday, except by permit from May 15 to September 30" to a year-round program with the same hours of enforcement and/or expanding the permit parking program area.
46. That alcohol sales shall be limited to on-site beer and wine sales.
47. That ushers/arena security shall ensure that patrons do not congregate on or adjacent to arena property in such a manner that impacts the neighboring residential properties before, during and after events.

The motion carried on a vote of 7-0 with all Commissioners in favor.

Informational Items — None.

Subcommittee/Advisory Body Oral Reports — None.

Items Referred to Future Agendas — None.

Adjournment — 11:15 p.m.

The next Planning Commission meeting will take place on **October 4, 2012** in the City Council Chambers.