



AGENDA

Scotts Valley Planning Commission Special Meeting

REMOTE ACCESS ONLY

December 9, 2021

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 on December 3, 2021 at City Hall and on the Internet at www.scottsvalley.org .
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PUBLIC ADVISORY REGARDING COVID-19

On September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), an urgency measure effective upon adoption, amending the Brown Act to allow legislative bodies to continue teleconferencing during a proclaimed State of Emergency, and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees. In accordance with AB 361, the Scotts Valley City Council adopted Resolution No. 2007.1 on November 17, 2021, authorizing the continued use of teleconferenced meetings pursuant to AB 361. City Council and City Staff Members will be participating remotely via videoconference.

Public Participation

The meeting will be available on Zoom. For those wishing to participate via Zoom, you can join from a PC, Mac, iPad, iPhone or Android device by entering or clicking on the following URL: <https://us02web.zoom.us/j/88671741298>

You will be given an opportunity to provide public comment at the appropriate times throughout the meeting via Zoom.

How to comment via Zoom:

1. At the appropriate times during the meeting for public comment on items not on the agenda and on specific agenda items, the Planning Commission Chair will announce that public comment will be accepted. Our usual time limits of three minutes per individual, or five minutes for an individual who is representing a group of three or more, will apply. Please note that per our standard practice, this is not a question and answer time, but simply a time for you to provide comments to the Planning Commission.
2. There is an option on Zoom to raise your hand. Please click on this option when the Chair announces that public comments will be taken. If you are participating via dial-up only, use *9 to raise your hand at the requested time. Zoom places

people in line automatically. When it is your turn, you will be un-muted and you will be able to make your comments based on the above time frames. Once your time is up, you will once again be muted and the next person in line will be given their opportunity to speak.

Appointed Officials	City Staff Members
Lori Gentile, Vice Chair David Hodgin, Commissioner Chuck Maffia, Commissioner Steven Horlock, Commissioner Shawn Mosley, Commissioner	Taylor Bateman, Community Development Director Jonathan Kwan, Contract 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 and the complete agenda packet are available for review by 5pm the Friday before the Thursday meeting on the Internet at the City's website: www.scottsvally.org/AgendaCenter, City Hall is closed to the public therefore, the agenda is only available for viewing online.

CALL TO ORDER

(The Planning Commission Chair calls the meeting to order.)

ROLL CALL

(Planning Department staff conduct roll call of the Planning Commission.)

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.)

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. **Location:** 262 Mount Hermon Road, Suite 101 / APN 022-231-28
Planning Permit Application: Use Permit U21-003
Applicant & Property Owner: David Elliot, David Elliot & Associates, Inc.,
Hanger at Skypark LLC
Project Description: Consideration of a Use Permit application for a fitness
studio use at 262 Mount Herman Road, Suite 101.
Staff Planner: Jonathan Kwan, Contract Planner, jonathank@csgengr.com

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.)

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 DIRECTOR UPDATES

(The 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.

STAFF REPORT

Applicant: David Elliot, David Elliot & Associates, Inc.

Property Owner: Hangar at Skypark LLC

Application: Use Permit U21-003

Location: 262 Mount Hermon Road, Suite 101
APN 022-231-28

General Plan/Zoning: Scotts Valley Town Center Specific Plan /
C-S (Commercial Service)

Environmental Status: CEQA Categorical Exemption, Class I
Section 15301, Existing Facilities

Request: Consideration of a Use Permit application for a fitness studio
use at 262 Mount Hermon Road, Suite 101.

Staff Planner: Jonathan Kwan, Consultant Planner

STAFF RECOMMENDATION

It is recommended that the Planning Commission review the proposed application and approve Use Permit application U21-003 by adoption of the attached resolution with the conditions in Exhibit A.

BACKGROUND

The proposed project is located in the Scotts Valley Town Center Specific Plan (TCSP) area that was adopted by the City Council in December of 2008. The TCSP is designed to guide the development of a mixed-use node that will become the “heart of the City”. The Specific Plan articulates the vision for the TCSP Area, identifies economic goals, traffic and circulation patterns, regulatory tools, and provides development standards and design guidelines for new development and redevelopment. The TCSP establishes a framework for development with a logical system of circulation and parking and a landscape and streetscape that will help establish a unique pedestrian-friendly environment, sense of place, and destination for Scotts Valley. The TCSP recommends a mix of land uses, design concepts, and architectural design guidelines to guide implementation. The vision for the Scotts Valley Town Center (SVTC) is to create a

“Downtown” or “Town Center” for Scotts Valley that is a destination. Such a town center would foster a sense of community by integrating common open spaces in the form of plazas and a town green would provide places for people to relax, play, and interact.

The TCSP is available on the City's website at: <https://www.scottsvally.org/263/Town-Center>

PROJECT DESCRIPTION

The project site is located within the Hangar at Sky Park commercial building at 262 Mount Hermon Road (Attachment 1 – Location Map). The Hangar is a 12,178 square foot includes four separate tenant spaces of various sizes. Existing tenants include a retail store, restaurant and an ice cream shop. The proposed project requests approval of a fitness studio use within the remaining, vacant tenant space, suite 101.

DISCUSSION

The project site is in the Commercial - Service (C-S) zoning district and within the TCSP area. Fitness studios are considered commercial recreation uses. Per Section 3.5 of the TCSP and Section 17.20.030 of the Scotts Valley Municipal Code, commercial recreation uses may be permitted upon with the approval of a use permit. The proposed project does not include any changes to the exterior of the building, proposed signage shall be subject to the property's approved sign program and City approval.

Staff has reviewed the project for compliance with the City's regulations and requirements. An analysis of the issues for the Planning Commission's consideration are provided in the following sections.

Proposed Use

The proposed project requests approval of a fitness studio use at 262 Mount Hermon Road Suite 101. All proposed fitness studio operations would be indoors, within the tenant space. The proposed hours of operation are from 5:30am to 7:30pm Monday through Friday and 8am-12pm Saturday and Sunday. Hour long classes would be held between 5:30 am to 9:30 am, 12:00 pm to 1:00 pm, 3:30 pm to 4:30 pm, 5:00 pm to 6:00 pm and 6:30 pm to 7:30 pm Monday through Friday and 8:00 am to 12:00 pm Saturday and Sunday. The business would have 4 employees with a maximum of 2 during each shift. The proposed fitness studio would hold exercise classes with music.

Parking

The Hangar at Sky Park shares a common parking area with the commercial building to the south that is currently occupied by Starbucks. Per the TCSP, the parking

requirements for commercial buildings is one parking space for each 300 sf of floor area (1/300). The parking requirement for the two buildings is 49 parking stalls (based on 14,590 sf of floor area). As designed, the site includes 69 parking spaces, 20 more than required. Parking in the TCSP area is based on a shared parking concept, which is utilized in areas with a mix of land uses that have offsetting peak demand needs. For example, the peak demand of the fitness studio use is in the mornings, which would not conflict with the peak demand of the restaurant uses whose peak demand typically is during lunch hours and the evening on the weekdays. On the weekends, the last fitness studio class would end at 12pm, allowing more parking for the retail and restaurant uses.

The TCSP requires one parking space for every 300 sf of floor area. The fitness studio holds hour long workout sessions with a maximum of 20 participants per class, potentially resulting in a larger number of vehicles on site during classes and less outside of the fitness class hours. The applicant anticipates that a portion of the participants would carpool, walk, or bike to the classes which reduces the impact to parking availability. After the morning classes, 9:30am on weekdays and 12pm on weekends, all classes are spaced out with a minimum 30 minute gap to reduce the parking impact of overlapping customers. With the greatest parking demand in the morning, the proposed use would pair well with uses that have a greater parking demand in the afternoon or evening. Given the excess parking provided to serve the Hangar at Sky Park and commercial building to the south and the scheduling of classes, it is anticipated that the proposed fitness studio would not create a significant parking impact at the project site.

<u>ATTACHMENTS</u>	<u>PAGE</u>
Resolution (Action Item)	
1. Location Map	9
2. Madabolic Fitness Studio Narrative	10
3. Proposed Project Plans	11

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY APPROVING CONDITIONAL USE PERMIT U21-003 TO ALLOW A FITNESS STUDIO USE AT 262 MOUNT HERMON ROAD SUITE 101 // APN 022-231-28

WHEREAS, the application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, the project is categorically exempt from CEQA [Class15301]; and,

WHEREAS, the project was reviewed by the Planning Commission in a duly noticed public hearing on Thursday, December 9, 2021.

NOW THEREFORE, the Planning Commission of the City of Scotts Valley hereby resolves as follows:

SECTION 1: The environmental determination represents the independent judgment of the City.

SECTION 2: The categorical exemption [Class15301] is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the staff report dated Thursday, December 9, 2021:

1. ***The location of the fitness studio is in accordance with the objectives of the zoning ordinance and the purposes of the zoning district in which the site is located.*** The project meets the requirements of this finding in that the fitness studio will provide an amenity to the community, consistent with the broad purpose and objectives of the Town Center Specific Plan (TCSP) and the C-S zone.
2. ***The establishment, maintenance, or operation of the fitness studio will not, under any circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.*** The proposed fitness studio use meets the requirements of this finding in that there are no residential properties in close proximity to the project site. In addition, the proposed use is not anticipated to have a significant parking impact.

SECTION 4: After careful consideration of the application and related materials, plans, maps, facts, exhibits, staff reports, minutes, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley does hereby approve Use Permit U21-003 to allow a fitness studio at 262 Mount Hermon Road Suite 101 // APN 022-231-28, subject to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

SECTION 5: Use Permit U21-003 shall lapse and shall become void two years from the date of this resolution unless prior to the expiration date, a building permit is issued by the Building Division and construction has commenced and diligently pursued toward completion, or the commercial use has commenced, or an extension of this approval is granted by the Planning Commission.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regular meeting held on the 9th day of December 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Lori Gentile, Chair

Taylor Bateman, Community Development Director

EXHIBIT A
CONDITIONS OF APPROVAL

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. Property owner shall sign below (at the end of these conditions) agreeing to the Conditions of Approval noted above prior to issuance of the building permit.
3. A copy of these conditions of approval shall be printed and attached to the final building construction plans prior to the issuance of permits.
4. Applicant shall obtain a building permit(s) and pay appropriate fees prior to commencement of work on the subject property. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee).
5. All construction within the City shall be limited to the hours between 8 AM and 6 PM, Monday through Friday, and 9 AM through 5 PM on Saturday. No construction activity is allowed on Sundays.

PLANNING DEPARTMENT

6. All proposed fitness operations shall be indoors within the existing building at 262 Mount Hermon Road, Suite 101.
7. All signs proposed signage shall comply with the approved sign program for the Hangar at Skypark.

BUILDING DEPARTMENT

8. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.

9. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.
10. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.
11. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.
12. All structures shall comply with the most current California Energy Commission Standards (California Energy Code).
13. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.
14. Structural calculations shall be submitted when required and wet-signed by the Engineer of record.
15. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided if required.
16. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.
17. The project shall comply with all California Building Code Accessibility requirements and showing the required features as they apply to this project.

Site Specific

18. Prior to building permit submittal, the Designer shall update the plans to include fixture counts for plumbing facilities according to the Plumbing Code. These fixtures shall include restrooms required, mop sink and drinking fountains.
19. Prior to building permit submittal, the Designer shall update the plans to indicate Accessibility requirements for the locker room.

20. Prior to building permit submittal, the floor plan shall be updated to define areas as B1,G1,X1 and T1.

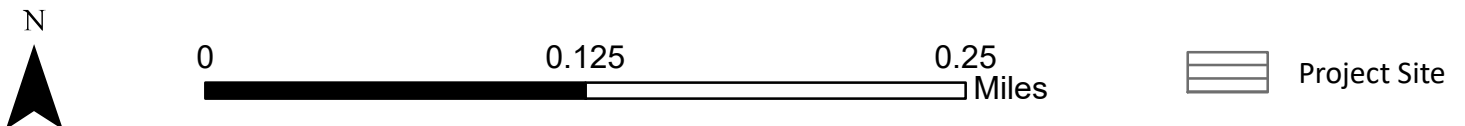
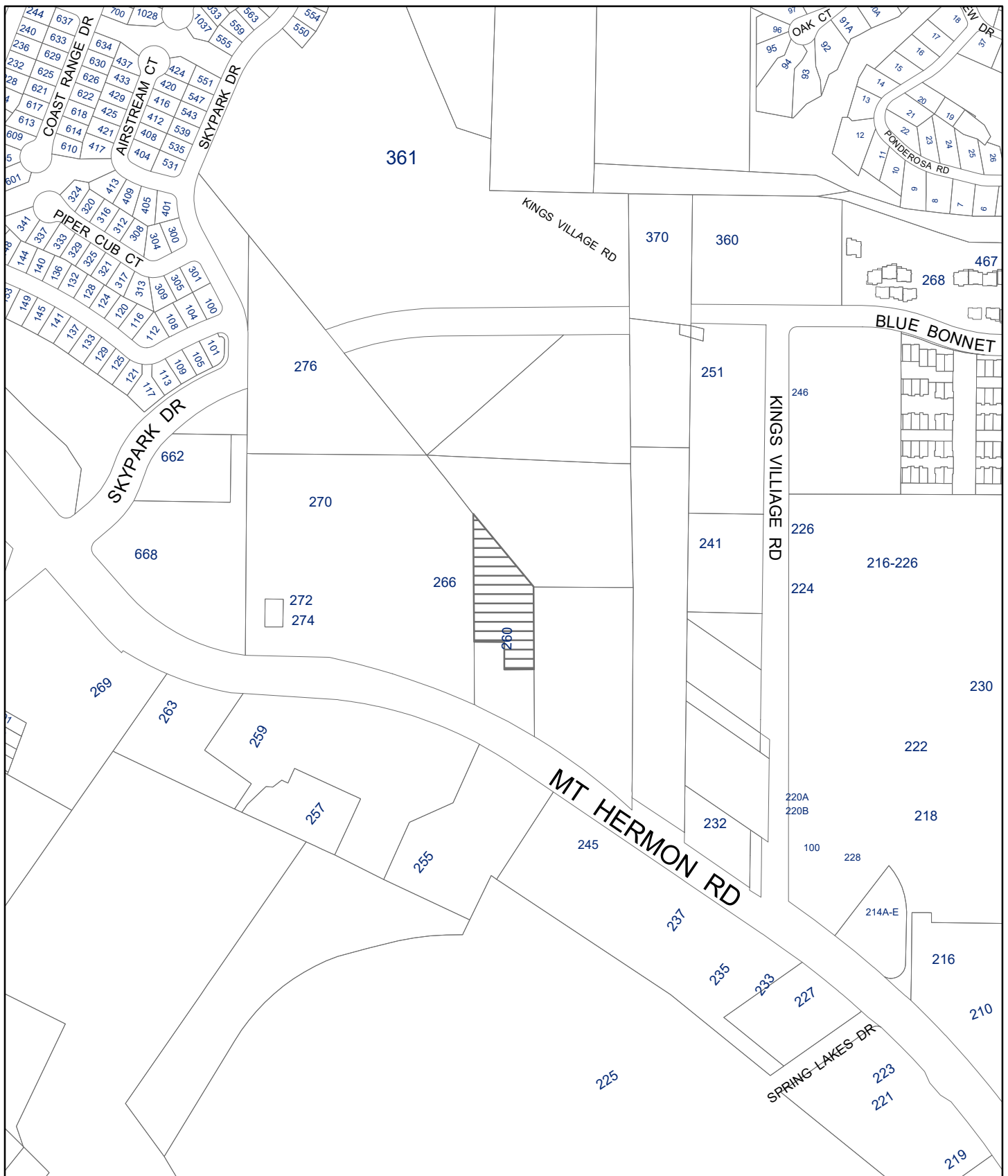
SCOTTS VALLEY FIRE DISTRICT

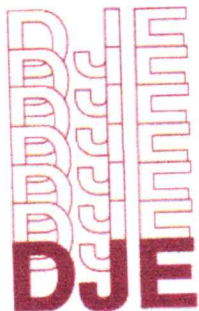
21. Prior to building permit issuance, the applicant shall submit all applicable fees, including fire plan check fees, to the Scotts Valley Fire District.

Name and Signature of Property Owner

Date

Location Map





**David J. Elliott
& Associates, Inc.**

Planning
Architecture
Interiors
17800 Cunha Lane
Salinas, California 93907
Tel.: 831/663-1418
Fax: 831/663-6385

September 30, 2021

Mr. Taylor Batement,
Community Development Director
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Subject: Project Description-Conditional Use Permit
MADabolic Fitness Studio
The Hangar at Sky Park
262 Mount Herman Road, Suite 101
Scotts Valley, CA 95066

Dear Mr. Bateman,

We are pleased to present to the City of Scotts Valley through the Community Development Department our application for a Conditional Use Permit to approve the use of a fitness studio to be located at the aforementioned address located at the Hangar at Sky Park. The owner, Peter Malek is a local Santa Cruz resident. The project is part of a previous application Resolution No. 1527.4. The business will be an asset to the city bringing quality fitness for the citizens to enjoy. Please see the Project Description below in answer to the application herewith:

- Proposed activities include a fitness studio to be operated in interior, only of the tenant space.
- The hours of operation are as follows:
Saturday and Sunday: 8am-12pm
Monday through Friday: 5:30am-9:30am, 12pm-1pm, 3:30pm-4:30pm, 5pm-6pm and 6:30pm-7:30pm.
- Total number of employees are 4 with no more than 2 at any one shift.
- The project is designed for 4.7 cars per 1,000SF though only 3 cars per 1,000 SF is required. There are 69 spaces provided though only 44 are required. This should mitigate any time overlap for customers coming and going at peak times of other tenants. Many of the customers will ride share, ride bikes or walk to their fitness appointment. There is never more than 20 customers in a class.
- Music will be played during the sessions.
- There are no unusual water consumption conditions.
- There are no unusual sewer discharge conditions.
- There are no unusual energy requirements proposed during the operation of the classes. (Except Exercise)
- The construction schedule will not require more than 60 days and all will be simple interior work. We are hoping to be open by January 1, 2022
- A separate sign permit will be forthcoming.

Uses and areas of all spaces are shown on the floor plan, A2.1.

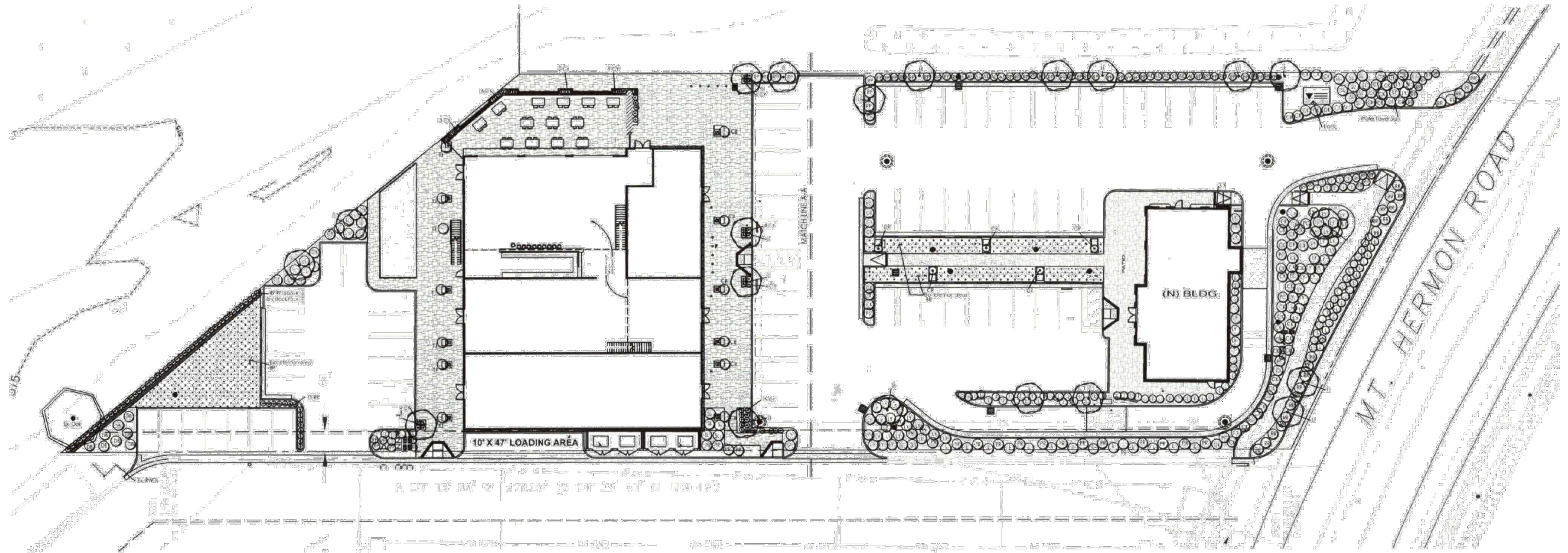
We welcome any additional questions you may have to complete the process.

Sincerely,

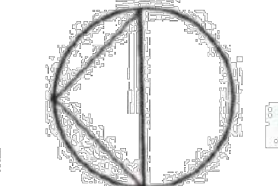
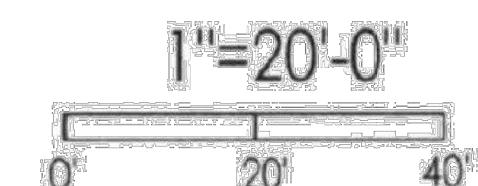
David J. Elliott, CEO/Principal Architect
California License No. C11776

David J. Elliott & Associates, Inc.
17800 Cunha Lane
Salinas, CA 93907

Cc: Peter Malik, Corbett Wright, Jonathan Kwan

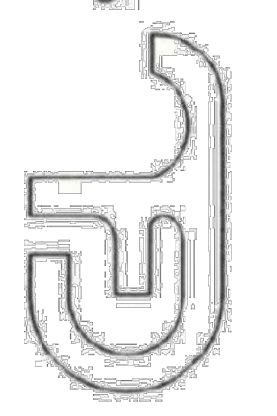


Overall Site/Planting Plan



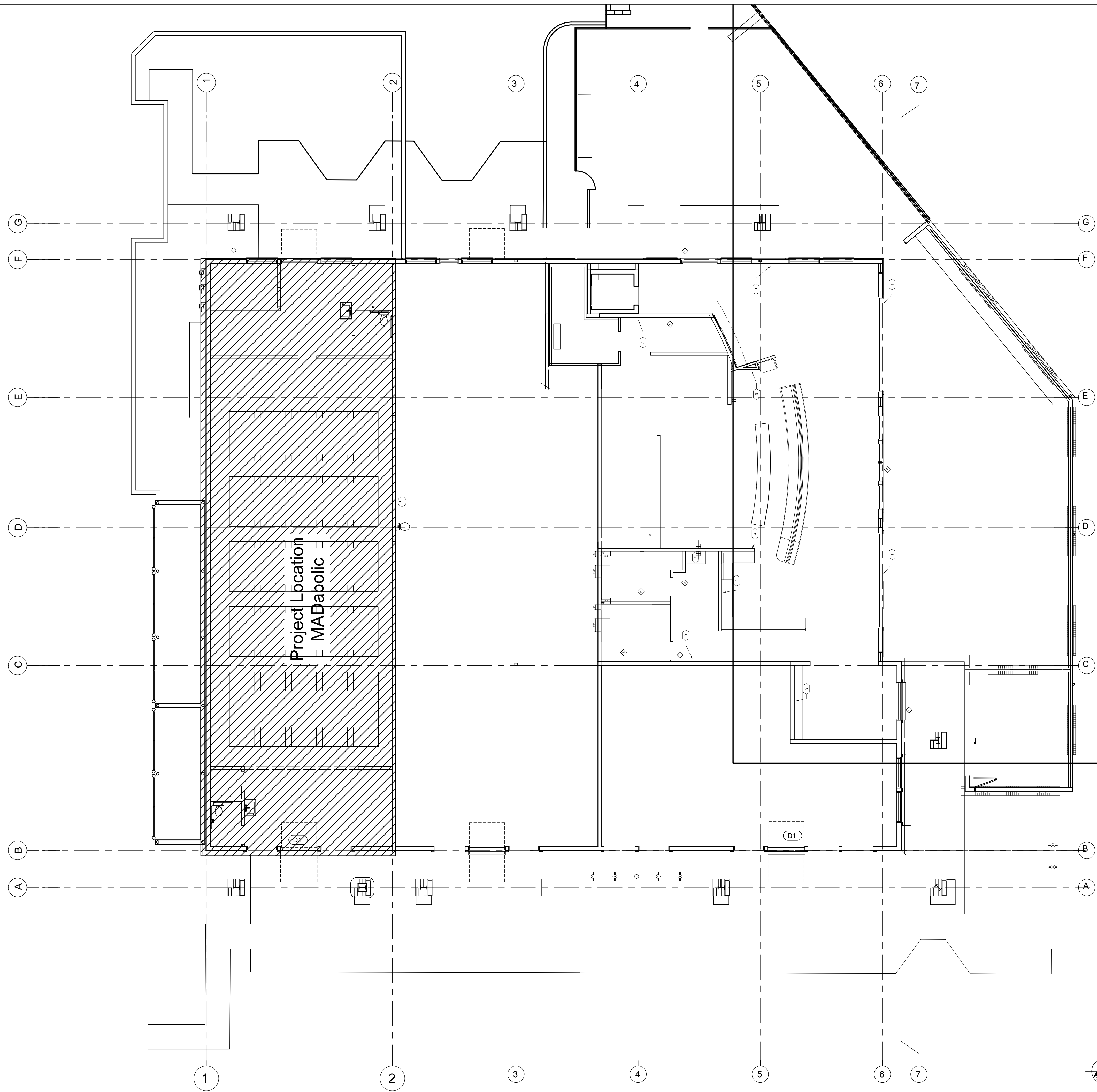
The Hangar at Sky Park
 260 Mount Hermon Rd., Scotts Valley
 APN: 022-231-03

Date:	11/27/21
Scale:	As Shown
Drawn:	T. Gies
Job:	
Sheet:	L0



GREGORY LEWIS LANDSCAPE ARCHITECT
 #2176
 738 Park Way / Santa Cruz, CA 95065 (831) 425-4747

Revision



David J. Elliott & Associates
Planning
Architecture
Interiors
17800 Cunha Lane
Salinas, CA 93907
Tel. 831/663-1418
Fax 831/663-6385
david@djelliott.net

Use Permit



MADabolic
Fitness Studio

UNIT 101 TENANT IMPROVEMENT

262 MT. HERMON RD.
SCOTTS VALLEY, CA 95066
APN: 022-231-028

Use of these plans and specifications is restricted to the original site for which they were prepared and publication thereof is expressly limited to such use. Reuse, reproduction or publication by any method in whole or in part is prohibited. Title to plans and specifications remain with the architect, and visual contact with them constitutes prima facie evidence of the acceptance of these restrictions.

Revisions		
No.	Description	Date
1	-	09/30/21

Issue Date 09/30/2021

Drawn By JANA/DJE

Project Number 2144

Sheet Title
Site Plan Layout
Unit 101

Sheet Number A1.1



1. 4'-0" HIGH F.R.P.