

## **EXCERPT OF JUNE 1, 2021 'UNADOPTED' M I N U T E S**

### **REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE**

#### **TELECONFERENCE/REMOTE**

**June 1, 2021**

**6:02 PM**

*In accordance with City policy, all Planning Commission meetings are recorded on audio and video in their entirety and are available for review in the Community Development Department (CDD). These minutes are a brief summary of action taken.*

#### **1. ROLL CALL**

Chair Jenni Veitch-Olson, Vice-Chair Veronica Dorantes-Pulido and Commissioners Ed Acosta, Gina Cole, Daniel Dodge, Anna Kammer, and Lucy Rojas were present.

Staff members present were City Attorney Alan Smith, Community Development Director Suzi Merriam, Principal Planner Justin Meek, Housing Manager Carlos Landaverry, Associate Planner Ivan Carmona, Assistant Planner Sarah Wikle, Administrative Assistant II Maria Elena Ortiz.

#### **5. PUBLIC HEARINGS**

##### **B. RECOMMENDATION TO CITY COUNCIL FOR ADOPTION OF A MITIGATED NEGATIVE DECLARATION, GENERAL PLAN MAP AMENDMENT, ZONING MAP AMENDMENT, PLANNED DEVELOPMENT, MAJOR SUBDIVISION, SPECIAL USE PERMIT WITH DESIGN REVIEW & SPECIFIC DEVELOPMENT PLAN (PP2018-11) TO ALLOW THE CONSTRUCTION OF 21 TOWNHOMES ON A 1.57± ACRE SITE LOCATED AT 547 AIRPORT BOULEVARD (APN 015-321-01) FILED BY RAOUL ORTIZ, APPLICANT & PROPERTY OWNER**

##### **1) Staff Report**

Presentation was given by Principal Planner Justin Meek and Jeff Hamilton of Moore Iacofano Goltsman, Inc. (MIG).

##### **2) Planning Commission Clarifying & Technical Questions**

Commissioner Kammer thanked Mr. Meek for his very thorough and informative presentation. She commended Mr. Hamilton for the explanation of the Mitigative Negative Declaration (MND).

Commissioner Dodge commented that this is not an affordable housing project but instead a for-profit housing project with three affordable units (15%) and shared his personal opinion that the proportion of affordable units should be increased to 25%. In response to his request for confirmation that his characterization of the project is accurate, Mr. Meek replied yes.

Commissioner Dodge commented that this project would help alleviate some of the RHNA numbers but not necessarily some of the affordable housing numbers.

Commissioner Dodge inquired about hazardous materials onsite and whether the rebar facility may have resulted in contaminated soils. Commissioner Dodge further inquired about fence height restrictions.

Mr. Meek referred to the project Site Plan and Landscape Plan and noted the 6-foot wood fence (shown in the upper right-hand corner) that extends along the property line to the back of sidewalk must be reduced in height to 3'-6" because it is in the clear vision area of the property (see Condition of Approval No. 13).<sup>1</sup>

Mr. Meek further noted that the wrought iron fence along the exterior side of the property facing Airport Boulevard is equivalent to an over-height fence in an appropriate location and includes landscaping.

Regarding the question concerning hazardous materials, Mr. Meek noted that a Phase 1 has been prepared for the site and identified potential hazardous material impacts related to lead-based paint and asbestos. Mr. Hamilton drew attention to page 69 of the IS/MND regarding the potential upset or release of hazardous materials and noted a Phase 1 Environmental Site Assessment (ESA) has been prepared for the project site and that construction of the project would require the use and possible release of hazardous materials, such as paints and other solvents.<sup>2</sup> However, the project would be required to comply with construction practices and mitigation measures to prevent, contain and/or clean up potential spills and contamination from fuels, solvents, concrete wastes, and other potentially hazardous substances. Mr. Hamilton summarized the conclusions that the Phase 1 ESA did not find significant hazards, construction activities would require a fair amount of grading and scraping involving the removal of dirt, and the site would be appropriately cleaned up as part of the construction process.

Commissioner Dodge commented that the effects are described as "less than significant" and asked how impacts are determined to be less than significant.

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<sup>1</sup> Condition #13: Fencing Details. Prior to the issuance of building permits, the plans shall be revised so that the height of the wooden fence along the western property line is reduced to comply with the site visibility requirements of [WMC § 14-32.070](#).

<sup>2</sup> The purpose of the Phase I ESA is to assist in identifying potential RECs associated with the presence of any hazardous substances or petroleum products, their use, storage, and disposal at and in the vicinity of the subject property. A Recognized Environmental Condition (REC) is defined by the ASTM Standard Practice E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. Property assessment activities focus on: (1) a review of federal, state, tribal, and local databases that identify and describe underground fuel tank sites, leaking underground fuel tank sites, hazardous waste generation sites, and hazardous waste storage and disposal facility sites within the ASTM approximate minimum search distance; (2) a property and surrounding site reconnaissance, and interviews with the past and present owners and current occupants and operators to identify potential environmental contamination; and (3) a review of historical sources to help ascertain previous land use at the site and in the surrounding area.

Mr. Hamilton provided an explanation of how impacts are evaluated in general and if found to be significant, must be mitigated to a less than significant level. For instance, any iron filings left in the ground from the rebar facility must demonstrate a health hazard. Bill Spain with MIG, who also helped with preparing the IS/MND, corroborated Mr. Hamilton's explanation.

In response to Commissioner Dodge's question about asbestos being present and request for reassurance before making a recommendation to City Council, Mr. Hamilton noted that asbestos is typical in older homes—in the insulation and vinyl flooring—and there are common techniques and a service industry to clean this up.

Commissioner Cole asked what types of businesses are located to the west of the project site.

Mr. Meek replied that there are light industrial and warehousing businesses west of the site located off Hangar Way.

Looking at Google Maps, Commissioner Cole asked what are Grow Stuff Garden Center and Specialty Garden Supply.

Mr. Meek replied that he is not familiar with these businesses.

Commissioner Cole inquired whether they were cannabis related.

Mr. Meek noted that there are nearby cannabis facilities in the industrial zone.

Ms. Merriam replied that there are no permitted facilities in the immediate vicinity of the site.

Commissioner Cole recalled that there was going to be a cannabis facility adjacent to the mobile home park and noted that there was a question concerning the wall between these two properties. She asked if this facility is near the project site and whether a wall needs to be considered.

Ms. Merriam replied that she recalled this facility was located on the other side of Hangar Way.

Mr. Meek clarified that an existing cannabis facility would share a property boundary with the project site. He further noted that a new masonry wall is required, which would deter trespassing, and that cannabis facilities have security measures in place and lack signage to not draw attention to their location.

Commissioner Cole asked if residents located to the east of the project were notified and if staff received public comments.

Mr. Meek replied that residents and property owners located within the 300-foot radius of the project were notified and staff did not receive any public comments.

Commissioner Cole expressed her concern regarding the 24-foot height of the development and the effect to the mobile home park residents. She asked if any special restrictions apply to new building projects located near the Airport.

Mr. Meek replied the project is located in Airport Safety Zone 6 which is the least restricted of the six safety zones. There are no limitations on density for residential development in Safety Zone 6.

Commissioner Cole expressed her concern for the residents exiting the development and if a center turn lane exists on Airport Boulevard. Her other concern is the increase of 99 daily vehicle trips and there is only one way in and one way out of the development. She asked if bike lanes are on Airport Boulevard.

Ms. Merriam replied a center turn lane does exist on Airport Boulevard. In response to Commissioner Cole's concern regarding the buildings 24 feet in height, Ms. Merriam noted that nearest townhouse will be over 20 feet away from the mobile home park.

Mr. Meek noted a Traffic Study was prepared by W-Trans and staff required a site distance analysis to be included. The analysis determined that there is adequate site distance. Ninety-nine daily vehicle trips are anticipated for a 21 townhomes development and they would not be all at once but distributed throughout the day. Bike lanes are on both sides of Airport Boulevard and were installed by the Public Works and Utilities Department.

Commissioner Cole asked where will residents store their additional vehicles if their garage is filled with personal items.

Mr. Meek replied that the garage is to be used solely for parking of vehicles. This requirement shall be included in the development's CC&Rs per the Conditions of Approval.

Commissioner Cole expressed concern regarding stormwater runoff.

Mr. Meek explained how the stormwater runoff would be addressed.

Commissioner Dorantes-Pulido asked how does this development reduce the City's carbon footprint; whether there will be composting on site; are recycling materials used in the infrastructure; and how many units are handicap accessible.

Mr. Hamilton replied that all new construction is required to meet the new green building code. The roofs will have solar panels and there will be enhanced interior insulation. He deferred the questions regarding composting, use of recycling materials, and the number of handicap accessible units to the applicant to answer.

**3) Applicant Presentation**

Mr. Meek confirmed neither the Applicant nor their Representative was present.

**4) Planning Commission Clarifying & Technical Questions**

None.

**5) Public Hearing**

Chair Veitch-Olson opened the public hearing.

Hearing no public comments, Chair Veitch-Olson closed the public hearing.

**6) Appropriate Motion(s)**

**MAIN MOTION:** It was moved by Commissioner Kammer, seconded by Commissioner Cole, to approve the following resolution:

**RESOLUTION NO. 6-21 (PC):**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL ADOPT:**

- 1. A RESOLUTION CERTIFYING A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT (PP2018-11), IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA);**
- 2. A RESOLUTION APPROVING A GENERAL PLAN MAP AMENDMENT TO CHANGE THE LAND DESIGNATION OF SANTA CRUZ COUNTY ASSESSOR'S PARCEL NUMBER 015-321-01 FROM INDUSTRIAL TO RESIDENTIAL HIGH DENSITY;**
- 3. AN ORDINANCE TO CHANGE THE ZONING MAP DISTRICT OF SANTA CRUZ COUNTY ASSESSOR'S PARCEL NUMBER 015-321-01 FROM IP (INDUSTRIAL PARK) TO RM-3/PD (MULTIPLE RESIDENTIAL HIGH DENSITY WITH A PLANNED DEVELOPMENT OVERLAY DISTRICT);**
- 4. A RESOLUTION APPROVING THE TENTATIVE MAP FOR THE SUBDIVISION OF THE 1.57± ACRE SITE INTO 21 RESIDENTIAL LOTS AND ONE COMMON AREA PARCEL; AND**
- 5. A RESOLUTION APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW AND SPECIFIC DEVELOPMENT PLAN (PP2018-11) FOR THE CONSTRUCTION OF 21 DWELLING UNITS ON INDIVIDUAL PARCELS, CONSISTING OF 21 TOWNHOME UNITS ON A 1.57± ACRE SITE LOCATED AT 547 AIRPORT BOULEVARD, WATSONVILLE, CALIFORNIA**

**7) Deliberation**

Commissioner Dodge expressed his concerns regarding emergency vehicle access and having only one way in and one way out access for the residents. He asked when the project would go to the City Council and how many housing units are allowed per acre.

Mr. Meek replied plans are reviewed by Building, Engineering, Public Works and Fire prior to coming before the Planning Commission. The fire access was reviewed by the Fire Department and the Fire Inspector supported the project as designed. The project would go to the City Council at the earliest opportunity which could be as early as June 22, 2021. The size of this development allows only one way in and one way out access. He explained how the number of residential units per net acre are determined per the City's General Plan.

**8) Chair Calls for a Vote on Motion(s)**

**MAIN MOTION:** The above motion failed by the following vote:

AYES:	COMMISSIONERS:	Acosta, Kammer, Rojas, Veitch-Olson,
NOES:	COMMISSIONERS:	Cole, Dodge, Dorantes-Pulido
ABSENT:	COMMISSIONERS:	None

Chair Veitch-Olson asked why the motion failed.

Ms. Merriam replied that approval of the project requires a super-majority vote which would be five affirmative votes.

Commissioner Kammer asked what happens now with the project since the motion failed.

Ms. Merriam replied that the project would be going to the City Council with a recommendation of Planning Commission's denial.