

PLANNING COMMISSION – June 8, 2022
REQUIRED FINDINGS FOR:

465 N. Santa Cruz Avenue
Conditional Use Permit U-22-001

Requesting Approval of a Mixed-Use Project with One Dwelling Unit in an Existing Commercial Building, with Shared Parking on Property Zoned C-1. APN 410-16-004.
PROPERTY OWNER: Jamie Pfister
APPLICANT: Marcie MacDonough

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to Section 15301 of the State Environmental Guidelines as adopted by the Town. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

Required findings for a Conditional Use Permit:

- As required by Section 29.20.190 (a) of the Town Code for granting a Conditional Use Permit:

The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of this chapter if it finds that:

1. The proposed use is essential and desirable to the public convenience because it would provide a housing opportunity within an existing commercial building that is within walking distance to Downtown and other amenities; and
2. The proposed use would not impair the integrity of the zone, in that the proposed mixed-use project would be developed within an existing commercial building; and
3. The proposed use would not be detrimental to public health, safety, or general welfare, as the conditions placed on the permit and existing regulations would maintain the welfare of the community; and
4. The proposed use is in conformance with the Town Code and General Plan as the mixed-use project would provide a new housing unit, the proposed use would reduce vehicle miles traveled as the site is located within walking distance to the Downtown and amenities, and the proposed office use would provide employment opportunities in the C-1 zone.

Required findings for a Granting Less Visitor Parking:

- As required by Section 29.10.150 (b) of the Town Code for granting less visitor parking:

The Planning Commission, may make the finding that less visitor parking is necessary due to the size or type of housing unit(s).

The proposed mixed-use project will not make the parking burden worse as they are proposing to utilize a Shared Parking Agreement between the residential and office uses on site.

Required findings for a granting a Shared Parking Agreement:

- As required by Section 29.10.150 (e) of the Town Code for granting a Shared Parking Agreement:

Where uses are required by this division to be served by off-street parking spaces, and where some of the uses generate parking demands primarily during hours when the remaining uses are closed, shared parking is allowed, but only if specifically authorized by the Community Development Director. Issuance of a shared parking permit must be supported by findings that the shared parking spaces will not result in the effective provisions of fewer off-street parking spaces than required by this division. The permit may contain such conditions as are necessary to assure the facts found will continue to exist, including:

- (1) Submission of satisfactory statements by the party or parties providing the proposed shared parking, describing the users and their times of operation where applicable, and showing the absence of conflict between them;
- (2) Written agreements between the parties setting forth the terms and conditions under which the shared parking spaces will be operated including: location, number of spaces, and times of operation where applicable;
- (3) Documents showing maintenance provisions; and
- (4) Other documents or commitments deemed necessary.

Whenever shared parking spaces are authorized to serve multiple uses, the number of spaces required shall be based upon the use which generates the largest number required.

The applicant has proposed the following shared parking hours:

Proposed Shared Parking Agreement Hours	
Office	9:00 a.m. to 5:00 p.m. - Monday through Friday
Residential Dwelling Unit	5:00 p.m. to 9:00 a.m. - Monday through Friday 24 hours - Saturday and Sunday

A Shared Parking Agreement will allow the office use to utilize the existing parking spaces during office hours and the residential use to utilize the parking spaces during non-office hours (Condition of Approval #6, Exhibit 3).