ORDINANCE NO. 2011-07

AN ORDINANCE OF THE CITY OF SANTA CRUZ APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA CRUZ AND PARK PACIFIC L.L.C. FOR THE CONSTRUCTION OF A MIXED TWO UNIT COMMERCIAL CONDOMINIUM/66-UNIT RESIDENTIAL CONDOMINIUM PROJECT, IN THE CITY OF SANTA CRUZ

This ordinance approves adevelopment agreement with respect to the Park Pacific development project at 1547-1549 Pacific Avenue/1110 Cedar Street. Key provisions of the agreement are as follows:

* The developer is granted a vested right to build a project with 60-70 residential units, 66 parking spaces and not less than a total of 5,000 square feet of commercial space fronting both streets, unless a planned development permit variation results in a lesser amount of commercial space.
* The project building design is not approved by the development agreement and is subject to revised plans which meet Downtown Recovery Plan development standards as determined by the City Council. Such plans would require the review of Design and Planned Unit Development Permits and Tentative Subdivision Map by the Planning Commission and and approval by the City Council.
* The term of agreement is five years, unless otherwise terminated, modified or extended. The developer is required to obtain zoning and subdivision permits within two years of approval of the development agreement, and a building permit within five years of the effective date of the agreement. The permitted residential and commercial uses, and 60-70 unit density are guaranteed throughout the life of the agreement.
* Any subsequent changes to the General Plan or Zoning Ordinances, that may affect the development during the term of the agreement must be mutually agreed to by the City and Developer.

The development agreement has been found: consistent with the objectives, policies, general land uses and programs specified in the General Plan and the DRP; compatible with the uses authorized in and the regulations prescribed for the land use district in which the project is located; and, in conformity with public convenience, general welfare and good land use practice. Staff has determined that nothing contained therein is inconsistent with the General Plan. The development agreement allows for a project that includes uses that are consistent with the General Plan and DRP. The development agreement has been reviewed and approved by the City Attorney.

PASSED FOR PUBLICATION on this 12th day of July, 2011, by the following vote: AYES: Councilmembers Robinson, Beiers, Madrigal, Terrazas, Bryant; Vice Mayor Lane; Mayor Coonerty. NOES: None. ABSENT: None. DISQUALIFIED: None. APPROVED: ss/Ryan Coonerty, Mayor. ATTEST: ss/Bren Lehr, City Clerk Administrator. This Ordinance is scheduled for further consideration for further consideration at the Council meeting of July 26, 2011.