



A G E N D A

Meeting of the Scotts Valley City Council

Date: September 5, 2018

Time: 6:00 pm

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	The agenda was posted 8-31-18 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .

ELECTED OFFICIALS	CITY STAFF MEMBERS
Jim Reed, Mayor Jack Dilles, Vice Mayor Stephany E. Aguilar, Council Member Randy Johnson, Council Member Donna Lind, Council Member	Jenny Haruyama, City Manager Kirsten Powell, City Attorney Steve Walpole, Chief of Police Taylor Bateman, Community Development Director Tony McFarlane, Administrative Services Director Jessica Kahn, Acting Public Works Director Troy Adams, Acting Public Works Director Tracy Ferrara, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS

Notice regarding City Council Meetings:

The City Council meets regularly on the 1st and 3rd Wednesday of each month at 6:00 pm in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066.

Agenda and Agenda Packet Materials:

The City Council agenda and the complete agenda packet are available for review by 5:00 pm the Friday before the Wednesday meeting on the Internet at the City's website: www.scottsvalley.org and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvalley.org.

Televised Meetings:

City Council meetings are cablecast "Live" on Community Television of Santa Cruz County on Comcast Channel 25.

CALL TO ORDER 6:00 PM

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

SPECIAL SET MATTER

Presentation of Mayor's Proclamation honoring Jacob's Heart Children's Cancer Support Services and Childhood Cancer Awareness Month – September 2018.

COMMITTEE REPORTS

Council members are appointed to committees which are either City committees or committees dealing with other jurisdictions. This portion of the agenda allows the committee member to present oral or written reports to the Council regarding their committee assignments. It also allows the Council to make comments and give the committee member direction, as required.

CITY MANAGER REPORT

PUBLIC COMMENT TIME

This is the opportunity for individuals to make and/or submit written or oral comments to the Council on any items within the purview of the Council, which are NOT part of the Agenda. No action on the item may be taken, but the Council may request the matter be placed on a future agenda.

ALTERATIONS TO CONSENT AGENDA

Council 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 Mayor.

- A. Approve City Council minutes of 8-15-18
- B. Approve check registers dated 8-10-18, 8-17-18, 8-24-18
- C. Approve amendment to Affordable Housing Agreement for "The Grove" development, a 50-Unit Townhouse Subdivision Planned Development on Polo Ranch Road
- D. Approve Resolution No. 1882.1, authorizing the City Manager, Administrative Services Director, and Senior Accountant as authorized signers on the City's LAIF account
- E. Approve Resolution No. 1954 opposing Proposition 6 – Voter Approval for Future Gas and Vehicle Taxes and 2017 Tax Repeal Initiative

ALTERATIONS TO REGULAR AGENDA

Council 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 Mayor.

1. Consideration of Exclusive Negotiation Agreement (ENA) between the City of Scotts Valley and Scotts Valley Town Green Land, LLC (City Manager Haruyama)

PUBLIC HEARING(S) (To be heard at 6:30 p.m.)

2. Consider approval of a General Plan Amendment, Zone, Change, Planned Development Zoning/Permit and Design Review application for 19 new residential apartment units in two buildings on a 0.93 acre site, currently developed as a parking lot, at 4627 Scotts Valley Drive (Community Development Director Bateman)
 - Open public hearing
 - Close public hearing
 - Approve Resolution No. 1953
 - Approve Resolution No. 1119.33
 - First reading and introduction of Ordinance No. 16-ZC-228
 - First reading and introduction of Ordinance No. 16-ZC-228.1
 - Approve Resolution No. 1953.1

REGULAR AGENDA (resumed)

3. Consider approval of agreement with Carollo Engineers, Inc. in the amount of \$375,000 for the Sanitary Sewer Master Plan Study and Sanitary Sewer Management Plan, and authorize the City Manager to execute the agreement (Public Works Civil Engineer Kahn)
4. Future Council agenda items
(This portion of the Regular Agenda allows the Council to determine items to be placed on a future agenda and to choose a date, if so desired.)

CONVENE TO CLOSED SESSION

CLOSED SESSION SUBJECT(S)

- | | |
|-----|---|
| (1) | Conference with legal counsel regarding liability claim. |
| | Legal Authority: Government Code Section 54961 |
| | Name of Case: Christen Aceves |
| | Staff Present: City Manager, City Attorney, Administrative Services Director, Chief of Police |

RECONVENE TO OPEN SESSION

REPORT ON ACTION TAKE DURING CLOSED SESSION

ADJOURNMENT

ADA NOTICE

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 City Council 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 City Clerk's office at (831) 440-5602 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. 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.

PROCEDURAL INFORMATION FOR THE PUBLIC

**THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN
APPROVAL OF A RESOLUTION:**

1. Move the Resolution number for approval.
2. Second the motion.
3. Vote by body, a roll call vote is not required.

**THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN
INTRODUCTION/ADOPTION OF AN ORDINANCE:**

1. Move the Ordinance number for introduction (or adoption).
2. Move the Ordinance be introduced by title only and waive the reading of the text.
3. Read the Ordinance title.
4. Second the motion.
5. Vote by body, a roll call vote is not required.

**THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN
PUBLIC COMMENT/PUBLIC HEARINGS:**

Unless otherwise determined by the presiding officer of the meeting:

1. Three minutes allowed per individual to speak.
2. Five minutes allowed per individual representing a group of three or more.



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MINUTES

Meeting of the Scotts Valley City Council

Date: August 15, 2018

Time: 6:00 p.m.

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	The agenda was posted 8-10-17 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:05 pm.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT:

Jim Reed, Mayor
Jack Dilles, Vice Mayor
Stephany E. Aguilar, Council Member
Randy Johnson, Council Member
Donna Lind, Council Member

CITY STAFF MEMBERS PRESENT:

Jenny Haruyama, City Manager
Kirsten Powell, City Attorney
Tony McFarlane, Administrative Services Director
Jessica Kahn, Acting Public Works Director
Troy Adams, Acting Public Works Director
John Wilson, Police Lieutenant
Michelle Edwards, Senior Planner
Tracy Ferrara, City Clerk

CITY STAFF MEMBERS ABSENT:

Steve Walpole, Chief of Police
Taylor Bateman, Community Development Director

SPECIAL SET MATTERS

Mayor Reed made the following presentations:

- (1) Presentation of Certificates to 2018 Bocce Tournament Winners; and
- (2) Introduction of new Public Works Employees: Phil Thomas, Maintenance Worker I and Justin Granados, by Maintenance Worker I, by Acting Public Works Director Troy Adams; and
- (3) Presentation of gift and flowers to Donna Lind in recognition of her 50 years of service to Scotts Valley.

COMMITTEE REPORTS

VM Dilles reported that the Seniors Advisory Council met and announced that AARP (American Association of Retired Persons) will be making a presentation to the Seniors Council on September 19, 2018 to help in evaluating what cities can do to be more age friendly.

CM Aguilar announced that the League of California Cities is working on its campaign in opposition to Proposition 6, which would repeal SB 1, and negatively impact local transportation funding. She stated that additional information is available at www.cacities.org/2018BallotMeasures.

CM Lind reported that funding from SB 1 has allowed the Santa Cruz Metropolitan Transit District Board to replace out of date buses and has helped pay for many road improvements throughout the County, including Green Hills Road and the Mt. Hermon Road intersection.

CM Lind stated that she attended a presentation from Santa Clara County concerning a possible roundtable to look at and have a voice on flight path noise.

CITY MANAGER REPORT

Green Hills Road Project: The Green Hills Road/Glen Canyon Road rehabilitation project is (visually) complete, one week early! This was the City's first project funded with SB 1 funds, in conjunction with Measure D and grant funding. The project consisted of paving and slurry seal and improvements consisting of a combination of bike lanes, signage, sharrows, and green lane treatments. South Navarra work is scheduled for Monday, September 24 and Tuesday, September 25, 2018.

Art, Wine, and Beer Festival: The Chamber will be hosting its 19th Annual Art, Wine, and Beer Festival on Saturday, August 18 and Sunday, August 19, 2018 at Skypark.

Senior Center Annual Tri-Tip Dinner: The annual Tri-Tip dinner will be held at the Senior Center on Friday, August 17, 2018 at 5:00 pm. Jessica Kahn, Troy Adams and I will be behind the grill cooking up a storm! Cost is \$12 for members and \$14 for guests.

Welcome Back Breakfast: The Scotts Valley Unified School District will be hosting its annual Welcome Back Breakfast on Friday, August 17, 2018 at 7:45 am at the Scotts Valley High School Student Union.

PUBLIC COMMENT TIME

CM Aguilar acknowledged Civil Engineer Jessica Kahn for the SB 1 grant she applied for and received, in the amount of approximately \$1 million, for improvements to Glenwood Drive.

Lisa J. Arthur, 30 year resident of Scotts Valley, stated that she has been working with low income for seniors for many years and as a member of the Aging in Place Workgroup, formed as part of the Seniors Council Solutions Summit, that was formed in November 2017. She stated that this Summit included approximately 100 senior service providers, advocates, and policy makers, that came together to develop real solutions to some of the emerging needs in our community. She stated that since 2011, in Santa Cruz County, residents 60 and over increased by 49%.

Gus Ceballos, Program Director for Seniors Council of Santa Cruz County, distributed flyer developed by Solutions Summit Aging in Place Workgroup, sponsored by www.seniorscouncil.org, which includes infographics that pertain to "Aging in Place" in Santa Cruz County. He asked that the City Council support and prioritize services and funding for older adults.

ALTERATIONS TO CONSENT AGENDA

CM Johnson requested that Item D be moved to the regular agenda for discussion.

M/S: Aguilar/Lind

To approve the Consent Agenda as amended moving Item D to the regular agenda for discussion.

Carried 5/0 (AYES: Aguilar, Dilles, Johnson, Lind, Reed)

CONSENT AGENDA

- A. Approve City Council minutes of 8-1-2018
- B. Approve check registers dated 7-27-18, 7-30-18, 8-3-18, 8-6-18
- C. Approve and ratify Vice Mayor Jack Dilles' appointment of Martin Spierings to the Parks and Recreation Commission
- E. Approve the following documents regarding vacation and relocation of a 10 foot Sanitary Sewer Easement for APN 024-152-22:
 - (1) Adopt Resolution No. 1936 approving the Summary Vacation of the existing 10 foot Sanitary Sewer Easement, APN 024-152-22; and
 - (2) Adopt Resolution No. 1936.1 accepting a new 10 foot Sanitary Sewer Easement, APN 024-152-22

ALTERATIONS TO REGULAR AGENDA

M/S: Aguilar/Lind

To approve the Regular Agenda as amended moving Item D from the consent agenda to the regular agenda for discussion.

Carried 5/0 (AYES: Aguilar, Dilles, Johnson, Lind, Reed)

- D. **Approve Resolution No. 638.1 amending the Fiscal Year 2018/19 Annual Budget and authorizing the City Manager to execute the cost sharing agreement between the City of Scotts Valley and the University of California Santa Cruz Police Department for CLETS services**

PL Wilson presented the written staff report and responded to questions from Council.

M/S: Johnson/Dilles

To approve Resolution No. 638.1 amending the Fiscal Year 2018/19 Annual Budget and authorizing the City Manager to execute the cost sharing agreement between the City of Scotts Valley and the University of California Santa Cruz Police Department for CLETS services.

Carried 5/0 (AYES: Aguilar, Dilles, Johnson, Lind, Reed)

PUBLIC HEARING(S) (To be heard after 6:30 p.m.)

1. **Consider Planning Commission's recommendation of approval of a vesting tentative map to split an existing parcel into two new parcels for future residential development, plus a remainder parcel for the existing single-family residence and detached garage in the High Density Zoning District at 350 Bean Creek Road, APN 022-212-09**

SP Edwards presented the written staff report and responded to questions from Council.

CM Aguilar asked if a variance could be granted for garage size if the applicant applies for permits to remodel. SP Edwards stated that applicants are always able to apply for variances, and the decision making body would determine if the findings could be met for a variance at the time of application. CM Aguilar stated that she wants to be sure that undue burden is not put on property owners.

Joel Panzer, with Maureen Wruck Planning Consultants, LLC, spoke on behalf of the applicant and reviewed the Conditions of Approval that they are requesting changes to:

Condition 16: This condition was deleted, as the sidewalks are scheduled to be installed as part of the City's Capital Improvement Program.

Condition 21: City staff has agreed that a minor edit for consistency will be made by changing "applicant" to "future developer" in the first sentence.

Condition 25: The applicant asked that this condition be changed to read, "Before issuance of ~~a future building permit~~ *new residential construction* on the Remainder Parcel..."

SP Edwards stated that Condition 25 is a standard condition of approval for all minor land divisions.

Wayne Thompson stated that upon recordation of the MLD, it is their plan to make improvements on the property to bring the house up to code, and responded to questions from Council.

PUBLIC HEARING OPENED – 6:55 PM

Toby Craft, Scotts Valley resident, questioned the allowable density of the property.

SP Edwards stated that a total of two units per parcel would be allowed on the new parcels.

PUBLIC HEARING CLOSED – 6:57 PM

M/S: Aguilar/Lind

To approve Resolution No. 1952, approving a Minor Land Division Vesting Tentative Map (MLD18-002) to split an existing parcel (26,777 sq. ft.) into two new parcels (7,230 sq. ft. and 7,231 sq. ft.) for future residential development, plus a remainder parcel (12,316 sq. ft.) for the existing single-family residence and detached nonconforming garage in the High-Density Multi-Family Residential (R-H) Zone located at 350 Bean Creek Road / APN 022-212-09, amending Condition 21 to change the word “applicant” to “future developer”.

Carried 5/0 (AYES: Aguilar, Dilles, Johnson, Lind, Reed)

ADJOURNMENT

The meeting adjourned at 7:03 p.m.

Approved: _____
Jim Reed, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

AGENDA ITEM B

DATE: 9-5-2018

SCOTTS VALLEY ACCOUNTS PAYABLE
08/10/2018 17:59:27 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.08 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 081018 COMMENT... A/P AS OF AUGUST 10 2018

DATA-JE-ID DATA COMMENT

W-08102018-213 A/P AS OF AUGUST 10 2018

Run Instructions:

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003497	ALVAREZ INDUSTRIES, INC	114174	08/10/18	1,111.00
000627	ALVAREZ/JOSE F.	114175	08/10/18	98.07
000097	AT&T	114176	08/10/18	9.36
000614	BATTERIES PLUS	114177	08/10/18	513.46
000021	BOWMAN & WILLIAMS	114178	08/10/18	2,643.75
000437	BRASS KEY LOCKSMITH	114179	08/10/18	272.20
000018	BRINK'S TROPHY SHOPPE	114180	08/10/18	58.04
001566	BUSINESS WITH PLEASURE	114181	08/10/18	11.28
000235	CIVIL CONSULTANTS GROUP	114182	08/10/18	1,922.50
003299	CIVINOMICS	114183	08/10/18	1,176.00
003588	CONDUENT BUSINESS SVCS,	114184	08/10/18	1,734.47
001103	CREATIVE FORMS & CONCEPT	114185	08/10/18	763.56
000037	CRYSTAL SPRINGS WATER CO	114186	08/10/18	36.60
000037	CRYSTAL SPRINGS WATER CO	114187	08/10/18	25.85
000389	DASSEL'S PETROLEUM INC	114188	08/10/18	5,455.10
000207	DEPARTMENT OF JUSTICE	114189	08/10/18	96.00
001597	ENVIRONMENTAL INNOVATION	114190	08/10/18	720.00
000054	EWING IRRIGATION PRODUCT	114191	08/10/18	331.29
001967	FLO-LINE TECHNOLOGY INC	114192	08/10/18	1,073.13
001782	FLORES/CARLOS	114193	08/10/18	316.00
000895	GRANITE CONSTRUCTION CO	114194	08/10/18	822,314.50
001239	HAYASHI DDS/ARTHUR K	114195	08/10/18	763.00
001856	HUB INTERNATIONAL	114196	08/10/18	258.92
000275	IFLAND ENGINEERS INC	114197	08/10/18	3,783.50
003142	KELLY-MOORE PAINT CO INC	114198	08/10/18	89.05
001660	KING/KATI	114199	08/10/18	49.07
000066	KING'S PAINT & PAPER	114200	08/10/18	71.29
001333	LARA/JESUS D	114201	08/10/18	103.55
000078	LLOYD'S TIRE SERVICE INC	114202	08/10/18	1,265.35
.15292	MALECKI/MARCIE	114203	08/10/18	35.17
000218	MID VALLEY SUPPLY	114204	08/10/18	1,130.80
003685	MONTEREY BAY ANALYTICAL	114205	08/10/18	470.00
000967	MONTEREY BAY SYSTEMS	114206	08/10/18	1,199.10
001418	MONTEREY REGIONAL	114207	08/10/18	1,027.25
000939	NATIONAL COMTEL NETWORK	114208	08/10/18	15.43
003702	NORCAL TRANSPORTATION CO	114209	08/10/18	1,200.00
000089	OLIVE SPRINGS QUARRY INC	114210	08/10/18	354.87
000101	PACIFIC GAS & ELECTRIC C	114211	08/10/18	15.69
002063	PATEL-CROSKREY/DARSHANA	114212	08/10/18	174.27
000382	PETE'S OUTFLOW TECHNICIA	114213	08/10/18	510.00
001787	PETRINI'S GARDENING SERV	114214	08/10/18	75.00
001857	PHOENIX GROUP	114215	08/10/18	143.70
001876	POLITO/BRANDON	114216	08/10/18	132.00
000127	SANTA CRUZ SENTINEL	114217	08/10/18	259.20
000497	SANTA CRUZ-APTOS TOWING	114218	08/10/18	96.00
000129	SCOTTS VALLEY BANNER	114219	08/10/18	133.00
.15293	SILVIA/DONNA	114220	08/10/18	36.99
000143	SUMMIT UNIFORMS	114221	08/10/18	2,559.74

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	001589 TELECOMMUNICATIONS	114222	08/10/18	21,521.11	
	003330 TERRELL/ELLIOTT	114223	08/10/18	160.00	
	003330 TERRELL/ELLIOTT	114224	08/10/18	337.63	
	003699 THOMAS/PHILIP	114225	08/10/18	87.19	
	000153 THOMSON REUTERS-WEST	114226	08/10/18	305.00	
	001366 U.S. BANCORP OFFICE	114227	08/10/18	1,260.35	
	001366 U.S. BANCORP OFFICE	114228	08/10/18	342.81	
	000646 UNDERGROUND SERVICE ALER	114229	08/10/18	3,810.07	
	002021 ZOOM	114230	08/10/18	17.09	
	001880 ZUMAR INDUSTRIES INC	114231	08/10/18	976.87	
	GENERAL CHECKING ACCOUNT			885,452.22	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				885,452.22

RECORDS PRINTED - 000092

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	26,399.65
004	RECREATION	1,919.55
010	WASTEWATER OPERATIONS	7,634.42
011	TERTIARY TREATMENT PLANT	1,543.13
012	WASTEWATER CAPITAL RESERVE	259.20
028	SENIOR CENTER	1,228.34
031	STP EXCHANGE PROJECTS	822,314.50
112	DENTAL INS INTERNAL SERV	1,079.00
123	COMMUNITY FACILITY CENTER	15.69
312	POLICE - BUDGET ACT OF 2016	1,537.63
316	HOMELAND SECURITY GRANT	21,521.11
TOTAL ALL FUNDS		885,452.22

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	885,452.22
TOTAL ALL BANKS		885,452.22

SCOTTS VALLEY ACCOUNTS PAYABLE
08/17/2018 17:58:32 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.08 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 081718 COMMENT... A/P AS OF AUGUST 17 2018

DATA-JE-ID DATA COMMENT

W-08172018-221 A/P AS OF AUGUST 17 2018

Run Instructions:

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BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
003216	ADVANTAGE DRIVING SCHOOL	114232	08/17/18	1,137.50
001219	ALHAMBRA	114233	08/17/18	72.11
001219	ALHAMBRA	114234	08/17/18	102.99
003690	ALLIANT	114235	08/17/18	164.00
001670	AT & T	114236	08/17/18	3,977.59
000097	AT&T	114237	08/17/18	158.34
003703	BAKER & CADRA	114238	08/17/18	182.40
000614	BATTERIES PLUS	114239	08/17/18	17.42
001963	BELLVILLE/WAYNE	114240	08/17/18	80.00
003054	BIRLEY/MICHAEL	114241	08/17/18	87.80
003603	BLAVIN/AMBER	114242	08/17/18	159.60
003237	BOWEN/TIMOTHY D	114243	08/17/18	3,430.00
000018	BRINK'S TROPHY SHOPPE	114244	08/17/18	32.70
001017	C.W.E.A.	114245	08/17/18	102.00
001553	CARD SHARK INC/THE	114246	08/17/18	157.94
003211	CARNU DDS/OANA	114247	08/17/18	460.50
003005	CHALLENGER SPORTS CORPOR	114248	08/17/18	2,961.00
002091	COMCAST	114249	08/17/18	275.24
002091	COMCAST	114250	08/17/18	323.23
002091	COMCAST	114251	08/17/18	167.58
000753	CONFLICT RESOLUTION CENT	114252	08/17/18	787.00
001546	CRAIG/ROBERT J	114253	08/17/18	375.00
000207	DEPARTMENT OF JUSTICE	114254	08/17/18	32.00
001362	DUNCAN AUTO TECH	114255	08/17/18	90.19
001257	EBRAHIMIAN DDS/MARK	114256	08/17/18	411.50
000426	ENTENMANN-ROVIN CO	114257	08/17/18	127.45
001597	ENVIRONMENTAL INNOVATION	114258	08/17/18	90.00
003673	GORDON/CHLOE	114259	08/17/18	240.00
003467	GRISWOLD INDUSTRIES	114260	08/17/18	610.80
000057	HACH COMPANY	114261	08/17/18	51.23
003444	HART/CYNTHIA S	114262	08/17/18	1,159.20
001819	HARTFORD/THE	114263	08/17/18	100.00
000801	HINDERLITER, DE LLAMAS &	114264	08/17/18	1,881.15
001660	KING/KATI	114265	08/17/18	620.00
000077	LADD'S TOWING INC	114266	08/17/18	380.00
003105	LAFCO	114267	08/17/18	6,291.71
000284	LOGAN & POWELL, LLP	114268	08/17/18	13,220.00
003011	LOPEZ/PAUL	114269	08/17/18	220.00
003403	MAR-KEN INTERNATIONAL PO	114270	08/17/18	260.00
000195	MESITI-MILLER ENGINEERIN	114271	08/17/18	9,595.32
003171	MICHALAK/GENE	114272	08/17/18	110.00
003009	MONTEREY BAY MANAGERS' A	114273	08/17/18	10.00
000101	PACIFIC GAS & ELECTRIC C	114274	08/17/18	24.75
000196	ROSS RECREATION EQUIPMEN	114275	08/17/18	511.73
.15294	ROSS/DOUG	114276	08/17/18	64.00
001894	S.V. WATER DISTRICT - BU	114277	08/17/18	47.65
000201	SAFETY-KLEEN CORP	114278	08/17/18	915.83
001533	SANTA CRUZ COUNTY BANK	114279	08/17/18	4,145.48

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
001533	SANTA CRUZ COUNTY BANK	114280	08/17/18	90.13	
003658	SANTA CRUZ OCCUPATIONAL	114281	08/17/18	106.00	
000130	SCOTTS VALLEY FIRE DISTR	114282	08/17/18	1,135.63	
000405	SILVERSTEIN/THOMAS	114283	08/17/18	1,626.40	
003674	SLOAN SAKAI YEUNG & WONG	114284	08/17/18	8,713.44	
003330	TERRELL/ELLIOTT	114285	08/17/18	80.00	
003548	TORO PETROLEUM CORP	114286	08/17/18	2,872.97	
001106	VERIZON WIRELESS	114287	08/17/18	1,078.26	
000952	WILSON/JOHN	114288	08/17/18	207.77	
002021	ZOOM	114289	08/17/18	809.55	
	GENERAL CHECKING ACCOUNT			73,142.08	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				73,142.08

RECORDS PRINTED - 000097

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	43,164.18
004	RECREATION	11,234.85
010	WASTEWATER OPERATIONS	2,095.72
011	TERTIARY TREATMENT PLANT	2,822.01
028	SENIOR CENTER	211.65
031	STP EXCHANGE PROJECTS	9,293.00
112	DENTAL INS INTERNAL SERV	1,674.40
123	COMMUNITY FACILITY CENTER	39.25
150	GENERAL CAPITAL IMPROVEMENTS	302.32
306	SUPPL LAW ENFORCEMENT SRVS	1,682.14
312	POLICE - BUDGET ACT OF 2016	622.56
TOTAL ALL FUNDS		73,142.08

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	73,142.08
TOTAL ALL BANKS		73,142.08

Report Selection:

RUN GROUP... 082418 COMMENT... A/P AS OF AUG 24TH 2018

DATA-JE-ID DATA COMMENT

W-08242018-237 A/P AS OF AUG 24TH 2018

Run Instructions:
Jobq Banner Copies Form Printer Hold Space LPI Lines CPI CP SP RT
L 01 CASCPT01 Y S 6 066 10

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	000182 A SIGN ASAP	114290	08/24/18	109.00	
	001631 ART CLEANERS	114291	08/24/18	1,225.84	
	002031 ASTRO EVENTS OF SAN JOSE	114292	08/24/18	225.00	
	003695 BAKER/CORREY JAMES	114293	08/24/18	2,749.29	
	001593 BENEDICT DDS/NANETTE	114294	08/24/18	251.20	
	001216 C & N TRACTORS	114295	08/24/18	152.41	
	003088 CALIFORNIA COAST UNIFORM	114296	08/24/18	1,067.12	
	000773 CENTRAL COAST LANDSCAPE	114297	08/24/18	383.00	
	001656 CHRISTENSEN DDS/SAM	114298	08/24/18	169.00	
	001051 COASTAL EVERGREEN CORP	114299	08/24/18	1,400.00	
	002091 COMCAST	114300	08/24/18	146.20	
	003705 EL ROSAL BAKERY	114301	08/24/18	225.00	
	000202 FEDERAL EXPRESS	114302	08/24/18	712.13	
	000666 HOUSING AUTHORITY OF SC	114303	08/24/18	134.00	
	003266 INTERGRITY AUTOMOTIVE	114304	08/24/18	87.69	
	003142 KELLY-MOORE PAINT CO INC	114305	08/24/18	6.09	
	003565 MANAGEMENT PARTNERS	114306	08/24/18	6,301.78	
	001815 MC GRATH/TRISH	114307	08/24/18	36.83	
	000195 MESITI-MILLER ENGINEERIN	114308	08/24/18	11,347.80	
	001130 MIRACLE PLAYSYSTEMS, INC	114309	08/24/18	1,485.61	
	003685 MONTEREY BAY ANALYTICAL	114310	08/24/18	470.00	
	000967 MONTEREY BAY SYSTEMS	114311	08/24/18	130.65	
	001536 PAPA	114312	08/24/18	60.00	
	000918 PETTY CASH-JEANETTE ROLA	114313	08/24/18	211.19	
	000723 PIED PIPER INC./THE	114314	08/24/18	61.50	
	003346 SAN LORENZO	114315	08/24/18	844.10	
	000135 SAN LORENZO VALLEY WATER	114316	08/24/18	28.27	
	003704 SCM PERFORMANCE	114317	08/24/18	750.00	
	001535 SKIP'S TIRE & AUTO CENTE	114318	08/24/18	348.67	
	002053 STEPFORD	114319	08/24/18	5,240.00	
	000146 U.S. POSTMASTER	114320	08/24/18	800.00	
	001877 WATER ENVIRONMENT FEDERA	114321	08/24/18	255.00	
	002021 ZOOM	114322	08/24/18	12.38	
	GENERAL CHECKING ACCOUNT			37,426.75	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				37,426.75

RECORDS PRINTED - 000046

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	17,107.18
004	RECREATION	596.20
010	WASTEWATER OPERATIONS	5,581.57
011	TERTIARY TREATMENT PLANT	470.00
012	WASTEWATER CAPITAL RESERVE	36.83
019	AFFORDABLE HOUSING	134.00
028	SENIOR CENTER	800.00
050	PINEWOOD EST LNDSCP MAINT DT	411.27
077	SKYPARK MAINT ASSESS DIST	500.00
112	DENTAL INS INTERNAL SERV	420.20
123	COMMUNITY FACILITY CENTER	21.70
150	GENERAL CAPITAL IMPROVEMENTS	11,347.80
TOTAL ALL FUNDS		37,426.75

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	37,426.75
TOTAL ALL BANKS		37,426.75

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: September 5, 2018

TO: Honorable Mayor and City Council

FROM: Michelle Edwards, Senior Planner

APPROVED: Jenny Haruyama, City Manager

SUBJECT: **CONSIDERATION OF AN AMENDMENT TO THE AFFORDABLE HOUSING AGREEMENT FOR “THE GROVE” DEVELOPMENT, A 50-UNIT TOWNHOUSE SUBDIVISION PLANNED DEVELOPMENT ON POLO RANCH ROAD**

SUMMARY OF ISSUE

In March 2016, the City Council approved a 50-unit townhouse-style condominium subdivision and planned development, subject to conditions including the requirement to provide deed-restricted affordable housing. In July 2016, the City executed an affordable housing agreement with City Ventures, the developer. At that time, legal descriptions for the seven designated (7) affordable units were not yet available. Therefore, the existing agreement encumbers all of the 50 units. However, the proposed amendment will only encumber the designated units, which allow these units to be sold in the near future. This is the only change to the agreement.

Affordable housing agreements are legally-binding deed-restricted documents that specify all the restrictions and obligations to the City and run with the land for a 45-year period. Each time an affordable unit is sold, the Agreement is transferred from the developer or initial property owner to a buyer.

FISCAL IMPACT

The proposed amendment will not have a fiscal impact on the City.

STAFF RECOMMENDATION

It is recommended that the City Council approve the proposed amendment to the Affordable Housing Agreement for “The Grove” development, a 50-unit Townhouse Subdivision Planned Development on Polo Ranch Road.

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--	---

RECORDED AT THE REQUEST OF:

City of Scotts Valley

WHEN RECORDED MAIL TO:

City of Scotts Valley - Planning Dept.

One Civic Center Drive

Scotts Valley, CA 95066

(Space above this line for recorder's use only)

Exempt from Recording Fees per GC 27383
City of Scotts Valley

First Amendment to Covenants, Restrictions and Option to Purchase

**Between City of Scotts Valley and
City Ventures Homebuilding, LLC, as successor in interest to
CV Scotts Valley 2 Investment, LLC (the "Developer")**

Tentative Map LD15-001

This page added to provide adequate space for recording information (Cal. Gov. Code §27361.6)

4791BC

Recording Requested By:

City of Scotts Valley

When Recorded Return To:
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066
Attention: Community Development Director

**NOTE: RESTRICTED OPTION
AND SALES PRICE**

*TO BE RECORDED WITHOUT FEE PER
GOVERNMENT CODE §§6103 AND 27383*

**FIRST AMENDMENT TO COVENANTS, RESTRICTIONS
AND OPTION TO PURCHASE**

Owner: City Ventures Homebuilding, LLC
Affordable Unit(s): 21, 22, 23, 24, 27, 41, and 42
Units: 50 Tentative Map LD15-001

This First Amendment to Covenants, Restrictions and Option to Purchase ("First Amendment") is entered into as of this _____ day of September, 2018 by and between the City of Scotts Valley, a public body corporate and politic (the "City"), and City Ventures Homebuilding, LLC, a Delaware limited liability company (the "Developer").

RECITALS

A. The City and CV Scotts Valley 2 Investment, LLC, a Delaware limited liability company ("CV Scotts Valley 2"), Developer's predecessor-in-interest, are parties to those certain Covenants, Restrictions and Option to Purchase dated June 28, 2016 and recorded July 27, 2016 as Instrument No. 2016-0027200 in the Official Records of Santa Cruz County (the "Covenants").

B. Each of the Terms used in this First Amendment and not otherwise defined in this First Amendment shall have the meaning given to it in the Covenants.

C. Section 2 of the Covenants provides, inter alia, that the legal description of the Affordable Units is set forth on Attachment "A".

D. It was the intent of the City and the Developer that the Covenants burden only the Affordable Units and not the other residential units to be constructed within Tract Map entitled

“Tract No. 1593 The Grove” (the “Tract Map”). However, at the time the Covenants were recorded, the condominium plans which established the legal descriptions of the Affordable Units had not as yet been recorded. As a result, Attachment “A” to the Covenants described all of the real property then owned by CV Scotts Valley 2 within the Tract Map rather than only the seven (7) Affordable Units as contemplated by Section 2 of the Covenants.

E. The City and Developer desire to amend the Covenants for the sole purpose of correcting the legal description of the Affordable Units.

NOW, THEREFORE, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Developer and the City hereby agree as follows:

1. **Legal Description.** The legal description of the Affordable Units attached to the Covenants as Attachment “A” is hereby replaced by the legal description of the Affordable Units set forth in Attachment “A” attached hereto and incorporated herein.

2. **Miscellaneous.** Except as expressly amended in this First Amendment, the Covenants shall remain in full force and effect and are hereby ratified and reaffirmed. This First Amendment may be signed in counterparts with the same effect as if the parties had each executed the same instrument.

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date first written above.

CITY:

CITY OF SCOTTS VALLEY

By: Jim Reed
Title: Mayor

DEVELOPER:

CITY VENTURES HOMEBUILDING, LLC,
a Delaware limited liability company

By: City Ventures Communities, LLC,
a Delaware liability company,
its sole member

By: _____

Name: _____

Its: _____

[NOTE: Signatures must be notarized.]

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____)
) SS
COUNTY OF _____)

On _____ before me, _____ , a Notary Public,
personally _____ appeared
_____, who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____)
) SS
COUNTY OF _____)

On _____ before me, _____, a Notary Public,
personally _____ appeared
_____, who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

ATTACHMENT "A"

First Amendment to Covenants, Restrictions and Option to Purchase
(between the City of Scotts Valley and City Ventures Communities, LLC)

Legal Descriptions of the Seven (7) Deed-Restricted Affordable Units

PHASE 1

Parcel 1:

A one-sixth (1/6th) undivided fractional fee interest in and to all of the property located in the City of Scotts Valley, County of Santa Cruz, State of California, described and/or depicted as Module "B" (Common Area) on that certain Condominium Plan for Phase 1 of The Grove recorded on June 22, 2017, as Instrument No. 2017-0020567, in the Official Records of Santa Cruz County, California ("Condominium Plan").

Parcel 2. The Condominium Unit:

Unit 41 located on a portion of Lot 1 of Tract No. 1593, filed for record on June 22, 2016, in Book 125 of Maps, at Page 18, and amended pursuant to that certain Certificate of Correction recorded on September 15, 2016, as Instrument No. 20016-0034865 filed in the Office of the County Recorder of said County, depicted and/or described as a portion of Module "A" on the Condominium Plan, and as defined in the "Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for The Grove" recorded on June 22, 2017, as Instrument No. 2017-0020566, together with any amendments, modifications, or re-recordations thereto, as may occur from time to time, all in the Official Records of Santa Cruz County, California (the "Declaration").

RESERVING THEREFROM UNTO THE GRANTOR, the right to enter the "Condominium Estate" (defined below) for ten years following recordation date of this Grant Deed, to complete and repair any improvement or landscaping located thereon as determined necessary by Grantor, in its sole discretion, in order to correct any deficiencies in the construction, design, specifications, surveying, planning, associated with the Condominium, and/or to comply with the requirements of applicable governmental agencies or requirements of law. The Condominium Estate is also subject to a right of entry by Grantor and its agents until the expiration of all applicable statutes of limitations for the filing of a complaint or suit or other legal remedies against Grantor in any way relating to or arising out of the development, construction, sale and/or transfer of the Condominium Estate by Grantor. Such entry by Grantor shall be preceded by reasonable notice to Grantee. If this reservation of right of entry is not complied with by Grantee, Grantor may enforce this right of entry in a court of law. Grantee may be responsible for all damages arising out of said breach (e.g., refusing to allow entry) including attorneys' fees, costs, and expenses.

Parcel 3. Easement For Exclusive Use Corporation Property:

Exclusive Use Corporation Property easements appurtenant to the afore-described Condominium Unit as more particularly described and/or depicted in the Condominium Plan and/or Declaration (e.g., deck, porch, patio, solar panels, air conditioning pad, etc.) - "Exclusive Use Corporation Property").

Parcel 4. Nonexclusive Easements Over Corporation Property:

Subject to the restrictions set forth in the Declaration, a nonexclusive easement appurtenant to the afore-described Condominium Unit for ingress, egress, use, and enjoyment in, on, over, across, and through all portions of the Corporation Property of the Project (as defined in the Declaration), except therefrom those portions described therein as Exclusive Use Corporation Property, and across all portions of any Corporation Property subsequently annexed into the Project, if any, which are not described as Exclusive Use Corporation Property.

(Parcels 1 through 4, inclusive, are collectively referred to herein as the "Condominium Estate").

PHASE 2

Parcel 1:

A five-twelfths (5/12ths) undivided fractional fee interest in and to all of the property located in the City of Scotts Valley, County of Santa Cruz, State of California, described and/or depicted as Module "B" (Common Area) on that certain Condominium Plan for Phase 2 of The Grove recorded on June 22, 2017, as Instrument No. 2017-0020569, in the Official Records of Santa Cruz County, California ("Condominium Plan").

Parcel 2. The Condominium Unit:

Units 21, 22, 23, 24 and 27 located on a portion of Lot 3 of Tract No. 1593, filed for record on June 22, 2016, in Book 125 of Maps, at Page 18, and amended pursuant to that certain Certificate of Correction recorded on September 15, 2016, as Instrument No. 20016-0034865 filed in the Office of the County Recorder of said County, depicted and/or described as a portion of Module "A" on the Condominium Plan, and as defined in the "Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for The Grove" re-corded on June 22, 2017, as Instrument No. 2017-0020566, and the "Notice of Annexation for Phase 2 of The Grove" recorded on June 22, 2017, as Instrument No. 2017-0020568, together with any amendments, modifications, or re-recordations thereto, as may occur from time to time, all in the Official Records of Santa Cruz County, California (collectively, the "Declaration").

RESERVING THEREFROM UNTO THE GRANTOR, the right to enter the "Condominium Estate" (defined below) for ten years following recordation date of this Grant Deed, to complete and repair any improvement or landscaping located thereon as determined necessary by Grantor, in its sole discretion, in order to correct any deficiencies in the construction, design,

4791BC

specifications, surveying, planning, associated with the Condominium, and/or to comply with the requirements of applicable governmental agencies or requirements of law. The Condominium Estate is also subject to a right of entry by Grantor and its agents until the expiration of all applicable statutes of limitations for the filing of a complaint or suit or other legal remedies against Grantor in any way relating to or arising out of the development, construction, sale and/or transfer of the Condominium Estate by Grantor. Such entry by Grantor shall be preceded by reasonable notice to Grantee. If this reservation of right of entry is not complied with by Grantee, Grantor may enforce this right of entry in a court of law. Grantee may be responsible for all damages arising out of said breach (e.g., refusing to allow entry) including attorneys' fees, costs, and expenses.

Parcel 3. Easement For Exclusive Use Corporation Property:

Exclusive Use Corporation Property easements appurtenant to the afore-described Condominium Units as more particularly described and/or depicted in the Condominium Plan and/or Declaration (e.g., deck, porch, patio, solar panels, air conditioning pad, etc.) - "Exclusive Use Corporation Property").

Parcel 4. Nonexclusive Easements Over Corporation Property:

Subject to the restrictions set forth in the Declaration, a nonexclusive easement appurtenant to each of the afore-described Condominium Units for ingress, egress, use, and enjoyment in, on, over, across, and through all portions of the Corporation Property of the Project (as defined in the Declaration), except therefrom those portions described therein as Exclusive Use Corporation Property, and across all portions of any Corporation Property subsequently annexed into the Project, if any, which are not described as Exclusive Use Corporation Property.

(Parcels 1 through 4, inclusive, are collectively referred to herein as the "Condominium Estate").

PHASE 3

Parcel 1:

A one-thirteenth (1/13th) undivided fractional fee interest in and to all of the property located in the City of Scotts Valley, County of Santa Cruz, State of California, described and/or depicted as Module "B" (Common Area) on that certain Condominium Plan for Phase 3 of The Grove recorded on August 21, 2017, as Instrument No. 2017-0027688, in the Official Records of Santa Cruz County, California ("Condominium Plan").

Parcel 2. The Condominium Unit:

Unit 42 located on a portion of Lot 1 of Tract No. 1593, filed for record on June 22, 2016, in Book 125 of Maps, at page 18, and amended pursuant to that certain Certificate of Correction recorded on September 15, 2016 as Instrument no. 20016-0034865 filed in the Office of the County Recorder of said county, depicted and/or described as a portion of Module "A" on the 4791BC

Condominium Plan, and as defined in the "Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for The Grove" recorded on June 22, 2017, as Instrument No. 2017-0020566, and the "Notice of Annexation for Phase 3 of The Grove" recorded on August 21, 2017, as Instrument No. 2017-0027689, together with any amendments, modifications, or re-recordations thereto, as may occur from time to time, all in the Official Records of Santa Cruz County, California (collectively, the "Declaration").

RESERVING THEREFROM UNTO THE GRANTOR, the right to enter the "Condominium Estate" (defined below) for ten years following recordation date of this Grant Deed, to complete and repair any improvement or landscaping located thereon as determined necessary by Grantor, in its sole discretion, in order to correct any deficiencies in the construction, design, specifications, surveying, planning, associated with the Condominium, and/or to comply with the requirements of applicable governmental agencies or requirements of law. The Condominium Estate is also subject to a right of entry by Grantor and its agents until the expiration of all applicable statutes of limitations for the filing of a complaint or suit or other legal remedies against Grantor in any way relating to or arising out of the development, construction, sale and/or transfer of the Condominium Estate by Grantor. Such entry by Grantor shall be preceded by reasonable notice to Grantee. If this reservation of right of entry is not complied with by Grantee, Grantor may enforce this right of entry in a court of law. Grantee may be responsible for all damages arising out of said breach (e.g., refusing to allow entry) including attorneys' fees, costs, and expenses.

Parcel 3. Easement For Exclusive Use Corporation Property:

Exclusive Use Corporation Property easements appurtenant to the afore-described Condominium Unit as more particularly described and/or depicted in the Condominium Plan and/or Declaration (e.g., deck, porch, patio, solar panels, air conditioning pad, etc.) - "Exclusive Use Corporation Property").

Parcel 4. Nonexclusive Easements Over Corporation Property:

Subject to the restrictions set forth in the Declaration, a nonexclusive easement appurtenant to the afore-described Condominium Unit for ingress, egress, use, and enjoyment in, on, over, across, and through all portions of the Corporation Property of the Project (as defined in the Declaration), except therefrom those portions described therein as Exclusive Use Corporation Property, and across all portions of any Corporation Property subsequently annexed into the Project, if any, which are not described as Exclusive Use Corporation Property.

(Parcels 1 through 4, inclusive, are collectively referred to herein as the "Condominium Estate").

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: September 5, 2018

TO: Honorable Mayor and City Council

FROM: Laurie Grundy, Senior Accountant

APPROVED: Jenny Haruyama, City Manager

SUBJECT: **APPROVE RESOLUTION AUTHORIZING INVESTMENT OF MONIES
IN THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND
AUTHORIZING THE CITY MANAGER, ADMINISTRATIVE SERVICES
DIRECTOR, AND SENIOR ACCOUNTANT AS AUTHORIZED SIGNERS
ON THE CITY’S LAIF ACCOUNT**

SUMMARY OF ISSUE

The City invests monies with the State Local Agency Investment Fund (LAIF). The City needs to add Administrative Services Director, Tony McFarlane, as an authorized signer on the LAIF account. To make changes to the authorized signers on the City’s account, LAIF has requested that the City approve a new resolution by the City Council to effectuate this change.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STAFF RECOMMENDATION

It is recommended that the City Council approve Resolution No. 1882.1, authorizing the investment of monies in the Local Agency Investment Fund (LAFI) and authorizing the City Manager, Administrative Services Director, and Senior Accountant as authorized signers on the City’s LAIF account.

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RESOLUTION NO. 1882.1

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
1 CIVIC CENTER DRIVE, SCOTTS VALLEY, CA 95066, 831-440-5600**

**AUTHORIZING INVESTMENT OF MONIES
IN THE LOCAL AGENCY INVESTMENT FUND**

WHEREAS, The Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the City Council hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interests of the City of Scotts Valley;

NOW THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the deposit and withdrawal of City of Scotts Valley monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein.

BE IT FURTHER RESOLVED, as follows:

Section 1. The following City of Scotts Valley officers holding the title(s) specified hereinbelow **or their successors in office** are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the

Jenny Haruyama

Anthony McFarlane

Laurel J. Grundy

City Manager

Admin Services Director

Senior Accountant

(Signature)

(Signature)

(Signature)

Section 2. This resolution shall remain in full force and effect until rescinded by City Council by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

PASSED AND ADOPTED, by the following vote of the City Council of the City of Scotts Valley, Santa Cruz County, State of California on September 5, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

By: _____
Jim Reed, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: September 5, 2018

TO: Honorable Mayor and City Council

FROM: Jessica Kahn, Civil Engineer

APPROVED: Jenny D. Haruyama, City Manager

SUBJECT: **APPROVE RESOLUTION NO. 1954 OPPOSING PROPOSITION 6
– VOTER APPROVAL FOR FUTURE GAS AND VEHICLE TAXES
AND 2017 TAX REPEAL INITIATIVE**

SUMMARY OF ISSUE

In April 2017, the Governor signed SB 1, which is funded by the newly established Road Maintenance and Rehabilitation Account (RMRA) and receives four sources of new revenue to address basic road maintenance, rehabilitation, and critical safety needs on both the state highways and local streets and road system. RMRA fund sources include increases to the per gallon, fuel excise taxes; diesel fuel sales taxes, and vehicle registration fees; and it provides for inflationary adjustments to tax rates in future years. The City anticipates receiving \$200,000 in Fiscal Year 17/18, and approximately \$275,000 in future years because of this funding.

Proposition 6 is an initiative constitutional amendment that repeals a 2017 transportation law's tax and fee provisions that pay for repairs and improvements to local roads, state highways, and public transportation. Prop 6 requires the Legislature to submit any measure enacting specified taxes or fees on gas or diesel fuel, or on the privilege to operate a vehicle on public highways, to the electorate for approval. If passed by voters in November, Proposition 6 will eliminate the SB1 funding dedicated to transportation infrastructure improvements including the local return received by the City.

Council adopted Resolution 1945 on March 21, 2018 opposing efforts to repeal RMRA and listing the City as a member of the Coalition to Protect Local Transportation Improvements. The Fix Our Roads Coalition (No on Prop 6), is requesting coalition members oppose the repeal of SB 1. The California Association of Councils of Governments, California State Association of Counties, League of California Cities and many other members of the coalition have taken this position to oppose Proposition 6 which would repeal of SB 1.

FISCAL IMPACT

There are no fiscal implications to adoption of the resolution. Passage of Proposition 6 would eliminate recently enacted road repair and transportation funding by repealing revenues dedicated for those purposes and result in the loss of all allocated funding (approximately \$275,000 annually) to the City’s annual street maintenance/resurfacing program. The City would also lose \$1 million in grant funding awarded to rehabilitate Glenwood Drive and construct the Glenwood Open Space Preserve East Trails.

STAFF RECOMMENDATION

It is recommended that the City Council consider approving Resolution No. 1954 opposing Proposition 6, which would repeal Senate Bill 1 (SB 1), also known as the “Road Repair and Accountability Act.”

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RESOLUTION NO. 1954

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY OPPOSING PROPOSITION 6 – VOTER APPROVAL FOR FUTURE GAS AND VEHICLE TAXES AND 2017 TAX REPEAL INITIATIVE

WHEREAS, the City is responsible for the operation, repair and maintenance of approximately 32 centerline miles of streets with a pavement replacement value of over \$53 million dollars; and,

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment, which provides critical analysis and information on the local transportation network's condition and funding needs, indicates that the condition of the local transportation network is deteriorating at an increasing rate; and

WHEREAS, California has more than 1,600 bridges and overpasses that are structurally deficient and unsafe and 89% of counties have roads that are in 'poor' or 'at-risk' condition; and

WHEREAS, according to the National Highway Traffic Safety Association, there were more than 3,600 fatalities on California roads in 2016, with poor road conditions as a major factor in vehicle collisions and accidents; and

WHEREAS, Proposition 6 has qualified for the November 2018 ballot and if passed would eliminate more than \$52 billion over the next 10 years in existing transportation funding, including the \$15 billion in direct apportionments, and \$11 billion in available competitive grant funding, to cities and counties statewide; and

WHEREAS, Proposition 6 would stop funding for more than 6,500 transportation improvement projects currently underway or planned in every California community; and

WHEREAS, Proposition 6 would eliminate over \$200,000 in annual SB1 funds dedicated to the maintenance and rehabilitation of City streets.

WHEREAS, voters overwhelmingly passed Prop 69 in June thereby ensuring transportation funds can only be used for transportation purposes and the State and local governments are accountable to taxpayers; and

WHEREAS, Proposition 6 would eliminate transportation revenues that are accountable to taxpayers, can't be diverted or borrowed, and that voters overwhelmingly dedicated to fixing our roads.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED as follows:

1. The City of Scotts Valley hereby opposes Proposition 6; and
2. The City of Scotts Valley can be listed as a member of the No on Proposition 6 coalition, a diverse coalition of local governments, public safety organizations, business, labor, environmental leaders, transportation advocates and other organizations throughout the state.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 5th day of September, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jim Reed, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: September 5, 2018

TO: Honorable Mayor and City Council

FROM: Jenny D. Haruyama, City Manager

SUBJECT: **CONSIDERATION OF EXCLUSIVE NEGOTIATION AGREEMENT
BETWEEN THE CITY OF SCOTTS VALLEY AND SCOTTS
VALLEY TOWN GREEN LAND, LLC**

SUMMARY OF ISSUE

In 2007, the Scotts Valley City Council approved the Scotts Valley Town Center Specific Plan (TCSP), which encompasses approximately 58 acres from Mt. Hermon Road northward to Blue Bonnet Lane, and between Kings Village Road and Skypark Drive. The heart of the Town Center is located between Mt. Hermon Road and Bluebonnet Lane, in which a portion of the land is owned by the City of Scotts Valley and City of Santa Cruz. The TCSP is a document designed to guide mixed-use development that will become the focal point of the City, establishing a unique, cohesive identity.

Scotts Valley Town Green Land, LLC (“Developer”), formerly referred to as Palisade Builders, Inc., is a California based developer who through a competitive process, was selected by the Council in Spring 2018 to develop the Town Center project. Palisade Builders (PBI) has been building in the greater San Francisco area for over 35 years, and has a diversified portfolio of development and construction experience, including commercial, retail, historic building renovation projects, and multiple forms of housing.

Attached for Council consideration is an Exclusive Negotiation Agreement (ENA) between the City and Scotts Valley Town Green Land, LLC. The purpose of the ENA is to establish procedures and standards regarding the negotiation of a development agreement between the City and the Developer concerning the purchase of City Land and development of the Site. Under the ENA, the City is prohibited from discussing other options for the property’s use or sale during the negotiating period. The negotiation period between the City and Developer for 180 days. After that time, upon written request of the Developer, the City Manager at her sole discretion, may extend the exclusive negotiation period for two successive periods of 30 days each.

Within 120 days of the effective date of the ENA, the developer shall be required to provide the City Manager the following:

1. Project Description: Developer shall provide a detailed description of the proposed project.

2. Conceptual Plans and Program: Developer shall provide a conceptual plans and programs, including but not limited to, (i) a site plan showing the proposed demolition of some or all of the existing improvements on the Site, reuse of some or all of the existing improvements on the Site, and/or new construction proposed for the Site, (ii) the type of uses and proposed square footage of each building proposed, and points of pedestrian and vehicular ingress and egress from the Site, (iii) potential tenant users and (iv) and phasing plan if applicable.
3. Proposed Financial Model: Developer shall provide a proposed financial model for the project and possible sources and uses of funds and financial pro forma for the development.

In addition, Developer, at its cost, shall, at the request of the City Manager, make periodic oral progress reports on all matters and all studies being made related to Developer's acquisition and development of the Site and other matters under negotiation to the extent that they do not include confidential matters. Developer, at its cost, shall coordinate and participate in workshops, meetings, or presentations concerning the Site at the request of the City Manager.

The Developer has scheduled a community open house on Saturday, September 8, 2018 from 11:00 am – 2:00 pm at the Community Center. It is anticipated that additional outreach meetings will be scheduled over the next 5-6 months. In addition, the Developer created a website (www.scottsvalleytowngreen.com) to provide updated information about the project and enable interested community members to sign up for electronic notifications about future meetings.

The Developer recently negotiated purchase terms with the City of Santa Cruz for its parcels. The proposed purchase agreement will be considered by the Santa Cruz City Council on Monday, September 25, 2018.

FISCAL IMPACT

The ENA requires the Developer to pay a negotiation fee of \$25,000 to cover costs associated with the execution and performance of the attached agreement.

STAFF RECOMMENDATION

Staff recommends the City Council approve the Exclusive Negotiation Agreement with Scotts Valley Town Green Land, LLC.

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EXCLUSIVE NEGOTIATION AGREEMENT

THIS EXCLUSIVE NEGOTIATION AGREEMENT (this "Agreement") is entered into as of September 5, 2018 ("Effective Date"), between the **CITY OF SCOTTS VALLEY**, a California municipal corporation ("City"), and **SCOTTS VALLEY TOWN GREEN LAND LLC**, a California limited liability company ("Developer"), with reference to the following facts:

WHEREAS, City and Developer are hereinafter sometimes referred to collectively as the "Parties" or individually as a "Party".

WHEREAS, the City is the owner of the property located at the Northwest intersection of Kings Village Road and Mt. Hermon Road (the "City's Land") as more specifically described in Exhibit A, attached hereto and incorporated by reference; and

WHEREAS, adjacent to the City's Land is property owned by the City of Santa Cruz (the "Santa Cruz Land") as more specifically described in Exhibit A, attached hereto and incorporated by reference; and

WHEREAS, Developer has expressed interest in the development of the City's Land and the Santa Cruz Land (collectively, the "Site") into the City's Town Center.

NOW, THEREFORE, CITY AND THE DEVELOPER HEREBY AGREE AS FOLLOWS:

I. NEGOTIATIONS

The Site is proposed to be developed as a mixed use retail and housing project known as the Scotts Valley Town Center (the "Project").

Developer is interested in developing the Project. Pursuant to the terms of this Agreement, City and Developer shall negotiate in good faith, for the period stated in Section II below, the terms of a Development Agreement or other form of agreement or agreements ("DA") to be entered into between City and Developer concerning Developer's purchase of the City Land and development of the Site. City agrees, for the period stated in Section II below, not to negotiate with any other person or entity regarding the sale or development of the Site without the prior written consent of Developer. Nothing in this Agreement shall be deemed a covenant, promise, or commitment by Developer, City or any City or department of City or City, with respect to Developer's acquisition of the Site or any portion thereof, or the approval of development thereon. Developer's and City's acceptance of this Agreement is merely an agreement to enter into a period of exclusive negotiations according to the terms hereof, reserving full and final discretion and approval by City as to any actions required of it. No project is defined by this Agreement.

II. NEGOTIATION PERIOD

City and Developer agree to negotiate the terms of a DA for a period of one hundred eighty (180) calendar days from the Effective Date; provided however that, upon written request of Developer, the City Manager may in her sole and absolute discretion extend the exclusive negotiation period for two (2) successive periods of 30 days each. The first 180-day period plus any extension(s) as provided herein, to the extent such extension(s) is (are) granted, shall hereinafter be defined as the "Negotiation Period". If, upon the expiration of the Negotiation Period, City and Developer have not each approved and executed a DA, then this Agreement shall automatically terminate and Developer shall have no further rights regarding the subject matter of this Agreement or the Site, and City shall be free to negotiate with any other persons or entities with regard to the Site and each and every portion thereof.

III. OBLIGATIONS OF CITY

City shall provide to Developer the following documents (to the extent such documents are in the possession or control of the City): (1) preliminary boundary and topographic survey for the property, (2) reports related to the environmental condition of the Site, and (3) all other reports, surveys and other materials in the possession or control of the City relevant to the Property.

IV. OBLIGATIONS OF DEVELOPER

Within one hundred twenty (120) days of the Effective Date, Developer, at its sole cost, shall provide the City Manager with the following documents and information:

- A. Project description - Developer shall provide a detailed description of the proposed project.
- B. Conceptual Plans and Program - Developer shall provide a conceptual plans and programs, including but not limited to, (i) a site plan showing the proposed demolition of some or all of the existing improvements on the Site, reuse of some or all of the existing improvements on the Site, and/or new construction proposed for the Site, (ii) the type of uses and proposed square footage of each building proposed, and points of pedestrian and vehicular ingress and egress from the Site, (iii) potential tenant users and (iv) and phasing plan if applicable.
- C. Proposed Financial Model - Developer shall provide a proposed financial model for the project and possible sources and uses of funds and financial pro forma for the development.

In addition, Developer, at its cost, shall, at the request of the City Manager, make periodic oral progress reports on all matters and all studies being made related to Developer's acquisition and development of the Site and other matters under negotiation to the extent that they do not include confidential matters. Developer, at its cost, shall coordinate and participate in workshops, meetings, or presentations concerning the Site at the request of the City Manager. All fees and expenses for engineers, architects, financial consultants, legal, planning or other consultants retained by Developer to

perform Developer's obligations set forth in this Agreement shall be the sole responsibility of Developer. The City shall not be obligated to pay or reimburse any such fees and expenses incurred by Developer whether or not this Agreement is eventually terminated or extended, or whether or not a DA is entered into between the City and Developer in the future. Nothing herein reduces or eliminates any requirements of City or any other governmental entity with jurisdiction over the Site

V. DUE DILIGENCE

During the Negotiation Period, Developer may undertake all due diligence it deems necessary, including, without limitation, the right to conduct a survey, and, at Developer's option, tests of soil and ground water and boring, percolation, and other soil and water tests and/or such other investigations or tests commonly performed as part of a Phase I or Phase II environmental study, at its sole cost and expense, to determine whether or not to enter into a DA for the Site. Developer is granted the right to enter the City Land subject to the terms of Section XI below. Copies of any reports prepared or results of the investigation shall be provided to the City.

VI. NEGOTIATION FEE

Within ten (10) days from the mutual execution of this Agreement, the Developer shall deliver to the City, in cash, a fee of Twenty-Five Thousand Dollars (\$25,000.00) (the "Negotiation Fee"). The Negotiation Fee is the amount which has been bargained for and agreed to as consideration for the City's execution and delivery of this Agreement, the City's time in performing under this Agreement and for the rights and privileges granted to Developer herein, including any and all rights granted to Developer to terminate this Agreement.

VII. ACKNOWLEDGMENTS AND RESERVATIONS

1. If this Agreement expires or is terminated for any reason, or a future DA is not executed by both City and Developer for any reason, neither City nor Developer shall be under any further obligation to each other regarding the disposition of the Site or the development thereof.

2. Developer acknowledges and agrees that no provision of this Agreement shall be deemed to be an offer or proposal by City to Developer, nor an acceptance by City of any offer or proposal from Developer, for City's conveyance of any interest in the Site, or any portion or parcel thereof, to Developer or for City to provide any financial or other assistance to Developer for redevelopment of the Site.

3. Developer acknowledges and agrees that neither Developer nor any affiliate of Developer has acquired, nor will acquire, by virtue of the terms of this Agreement, any legal or equitable interest in real or personal property from City.

VIII. DEVELOPER FINANCIAL DISCLOSURE

City reserves the right to obtain further information, data, and commitments to ascertain the ability and capacity of Developer to develop the Site. Developer

acknowledges that it may be requested to make certain confidential financial disclosures to City, its staff or legal counsel, as part of the financial due diligence investigations of City relating to the potential disposition of the Site and its development. City and Developer recognize that such financial disclosures may contain sensitive information relating to other business transactions of Developer, that the disclosure of such information to third parties could impose commercially unreasonable and/or anti-competitive burdens on Developer and, correspondingly, diminish the value or fiscal benefit that may accrue to City upon the disposition of the Site and redevelopment thereof by Developer, if a future DA is entered into between City and Developer. Accordingly, City agrees to maintain the confidentiality of any business records of Developer disclosed to City, except as the City Attorney reasonably determines must be disclosed pursuant to the California Public Records Act or other applicable law. The defense of any action seeking disclosure of protected business records shall be at Developer's expense and handled, at City's option, either by the City Attorney, or legal counsel selected by Developer and reasonably acceptable to the City Attorney.

VIII. REMEDIES

1. Default and Breach

a. Failure or delay by either Party to perform any material term or provision of this Agreement shall constitute a "default" under this Agreement. If the Party who is claimed to be in default by the other Party commences to cure, correct or remedy the default within five (5) calendar days after receipt of written notice specifying such default and diligently completes such cure, correction or remedy within ten (10) calendar days after the expiration of the five (5) day period (for a total of fifteen (15) calendar days to cure the default), such Party shall not be in default under this Agreement. In no event shall any time to cure, correct or remedy a default extend the Negotiation Period.

b. The Party claiming that a default has occurred shall give written notice of default to the Party claimed to be in default, specifying the alleged default. Delay in giving such notice shall not constitute a waiver of any default nor shall it change the time of default. However, the injured Party shall have no right to exercise any remedy permitted for a "breach" (as defined below) under this Agreement, without first delivering written notice of the default.

c. Any failure or delay by a Party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any rights or remedies associated with a default. Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the Parties are cumulative and the exercise by either Party of one or more of such rights or remedies shall not preclude the exercise by such Party, at the same or different times, of any other rights or remedies for the same default or any other default by the other Party.

d. If a Party in default fails either (i) to commence to cure, correct or remedy the default within five (5) calendar days following written notice of such default, or (ii) to complete such cure, correction or remedy within ten (10) calendar days after the expiration of the five (5) day period (for a total of fifteen (15) calendar days to cure the default), a "breach" of this Agreement by the defaulting Party shall be deemed to have

occurred. In no event shall City's or City's disapproval or conditional approval of the Plans, the DA, any CEQA review, or any other matters that require City's or City's approval pursuant to this Agreement or applicable law constitute a default or breach under this Agreement by City.

2. Remedies for Breach and Release of Claims

a. In the event of a breach of this Agreement, the Party who is not in breach shall have the right to terminate this Agreement by serving written notice of termination on the other Party. City and Developer each acknowledge and agree that their respective *sole and exclusive remedy* upon the breach of this Agreement by the other is to terminate this Agreement, without cost, expense, or liability to either Party.

b. Each Party acknowledges that it is aware of the meaning and legal effect of California Civil Code section 1542, which provides:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him would have materially affected his settlement with the debtor."

c. California Civil Code section 1542 notwithstanding, it is the intention of both City and Developer to be bound by the limitation on damages and remedies set forth in this Subsection, and City and Developer hereby release any and all claims against each other for monetary damages or other legal or equitable relief related to any breach of this Agreement, whether or not any such released claims were known or unknown to either City or Developer as of the Effective Date. City and Developer each waive the benefits of California Civil Code section 1542 and all other statutes and judicial decisions (whether state or federal) of similar effect with regard to the limitations on damages and remedies and waivers of any such damages and remedies contained in this Subsection.

d. Surviving Clause

This Section VII shall survive the expiration of the Negotiation Period and any termination of this Agreement for whatever reason.

X. INDEMNIFICATION

Developer shall defend, indemnify and hold harmless the City and their respective officers, officials, members, employees, agents, representatives, and volunteers, from and against all damages and liability, including but not limited to any and all claims, demands, expenses, fees, costs, liabilities, suits, causes of action, litigation, relocation benefits or expenses, attorney's fees, and expert witness fees (all of the foregoing, collectively, "Claims") caused by the acts or omissions of Developer or its principals, directors, managers, shareholders, joint venturers, partners, employees, agents, or representatives in connection with this Agreement, including but not limited to Developer's Due Diligence Investigations and the Right of Entry. Specifically, but without limiting the scope of the foregoing sentence, if Developer, during the Negotiation Period, seeks to

acquire any parcels owned by third parties, City expressly disclaims any responsibility or liability for such Developer negotiations or acquisitions and Developer shall defend, indemnify and hold harmless the City and the City and their respective officers, officials, members, employees, agents, representatives, and volunteers, from and against all damages and liabilities, including but not limited to Claims (as defined above), caused by or resulting from the acts or omissions of Developer or its principals, directors, managers, shareholders, joint venturers, partners, employees, agents, or representatives in connection with the negotiation or acquisition of any parcel owned by third parties, except to the extent such damage or liabilities are caused by the negligence or willful misconduct of City or its officers, officials, members, employees, agents, representatives, or volunteers acting in an official capacity, and City shall indemnify, defend, and hold Developer harmless to, but only to, such extent. The provisions of this Section shall survive the expiration or early termination of this Agreement for any reason whatsoever.

XI. RIGHT OF ENTRY

1. In connection with Developer's due diligence investigations of the Site, City hereby grants to Developer, and its affiliates, agents, contractors and employees, a license (the "License") to enter upon those parcels owned by City in order to conduct any and all inspections, investigations, tests and studies (including, without limitation, architectural inspections, engineering tests, soils, seismic and geologic reports and environmental testing) with respect to the Site ("Developer's Due Diligence Investigations") as Developer may reasonably elect to make, all at Developer's sole cost and expense. Developer shall notify the City Manager, which may be by written or telephonic notice, prior to a planned entry on the Site and provide information to the City Manager as to the purpose of the planned entry and the estimated time for completing the particular Due Diligence Investigation. All Due Diligence Investigations performed on or adjacent to the Site shall be undertaken in conformance with all City requirements, including obtaining any and all permits. For those properties not owned by the City, Developer shall obtain the prior written consent of those property owners before entering and/or conducting any tests on those properties. The City shall assist Developer in obtaining such consent.

2. City may revoke this License (i) upon written notice to Developer if, in the reasonable judgment of the City Manager (or acting as the City Manager of City) such revocation is necessary to protect the public health, safety, or welfare pursuant to the exercise of City's or the City's police powers; or (ii) upon two (2) business days' written notice to Developer that Developer is in violation of the terms of this Agreement or of any applicable law, statute, ordinance, rule, or regulation pertaining to the Due Diligence Investigations or Developer's entry upon the Site pursuant to this Agreement, and Developer has failed to cure such violation within that period of two (2) business days following Developer's receipt of notice from City.

3. Unless the License is terminated prior to the expiration of this Agreement, the License shall terminate and be void as of the expiration or earlier termination of this Agreement.

4. Developer shall cause to have its Due Diligence Investigations conducted in accordance with all laws applicable thereto, and in a good and workmanlike manner. All information, other than matters of public record, furnished to, or obtained through,

Developer's Due Diligence Investigations of the Site shall be treated by Developer as confidential and shall not be disclosed to anyone other than Developer's representatives who agree to maintain the confidentiality of such information; provided that the foregoing shall not apply to any disclosures made by Developer as required by law, court order, or in connection with any subpoena or similar instrument served upon Developer, or to any documents which become a public record pursuant to the California Public Records Act. The provisions of this Subsection shall survive the expiration or early termination of this Agreement for any reason whatsoever.

5. Developer shall keep the Site free and clear of any mechanic's or materialmen's liens arising out of Developer's Due Diligence Investigations. The provisions of this Subsection shall survive the expiration or early termination of this Agreement for any reason whatsoever.

6. Upon the earlier of (i) the termination of the License, or (ii) the expiration or early termination of this Agreement, Developer shall promptly (a) repair any damage to the Site caused by Developer's or any of its representatives' entry thereon, and (b) remove Developer's or any of its representatives' personal property from the Site. The provisions of this Subsection shall survive the expiration or early termination of this Agreement for any reason whatsoever.

7. Without limiting Developer's indemnification obligations as set forth in this Agreement, Developer, prior to any entry on the Site by Developer or its employees, agents, representatives, consultants, or contractors, shall procure and maintain, at its sole cost and expense, for the period of such entry, the following policies of insurance:

a. Commercial General Liability insurance written on a per occurrence basis in an amount not less than \$1,000,000 per occurrence.

b. Business Auto Coverage, written on a per accident basis, in an amount not less than \$1,000,000 per accident. If Developer or Developer's employees use personal autos in connection with the performance of work under this Agreement, Developer shall provide evidence of personal auto liability coverage for each such person.

If applicable, Worker's Compensation insurance providing statutory benefits as required by California law.

c. All of the insurance policies required hereunder, except the worker's compensation insurance, shall comply with the following requirements:

i. All insurance shall be written by insurers that are authorized to do business in the State of California and with A.M. Best's rating of B++ or better and a minimum financial size VII.

ii. The policies shall be endorsed to name the City and the City and their respective officers, officials, members, employees, agents, and volunteers as additional insureds.

iii. All of Developer's insurance: (a) shall contain no special limitations on the scope of protection afforded to the additional insureds; (b) shall be primary insurance and any insurance or self-insurance maintained by the additional insureds or any of them shall be in excess of Developer's insurance and shall not contribute with it.

iv. The policies shall be "occurrence" rather than "claims made" insurance.

v. The policies shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

vi. The policies shall prohibit Developer from waiving the right of subrogation prior to a loss.

vii. The policies shall not contain any provision or definition that would serve to eliminate so-called "third party action over" claims, including any exclusion for bodily injury to an employee of the insured.

viii. City reserves the right at any time during the term of this Agreement to reasonably change the amounts and types of insurance required by giving Developer not less than thirty (30) days advance written notice of such change.

d. Prior to any entry onto the Site by Developer or its employees, agents, representatives, consultants, or contractors, Developer shall provide the City Manager with Certificates of Insurance evidencing the above insurance coverages and said Certificates of Insurance are reasonably approved by City. Certificates are to reflect that the insurer will provide 30 days written notice to City of any cancellation of coverage and if the Accord certificate form is used the word "endeavor to" shall be stricken from the insurer's written notification section. In the event any of said policies of insurance are reduced in limits or cancelled for any reason, Developer shall, prior to the cancellation date, submit new evidence of insurance, in conformance with this Section.

e. Developer shall not enter upon the Site for the purpose of the Due Diligence Investigations until Developer has provided the City Manager with the required Certificate of Insurance and the City Manager has approved same.

f. The provisions of any workers' compensation or similar act shall not limit the obligations of Developer under this Agreement. Developer expressly agrees not to use any statutory immunity defenses under such laws with respect to City or the City, or its officers, officials, members, employees, agents, representatives, or volunteers acting in an official capacity.

g. Developer agrees to provide immediate notice to City of any claim or loss against Developer arising out of any acts or omissions of Developer under this Agreement. City assumes no obligation or liability by such notice, but has the right to monitor the handling of any such claim or claims if they are likely to involve the City or the City or any officer, official, member, employee, agent, representative, or volunteer acting in an official capacity.

XII. MISCELLANEOUS

1. No Broker or Finder

Neither the City nor Developer shall be responsible for any real estate commission or brokerage fees resulting from this sale. Both parties shall represent and warrant that no brokers have been involved and each party shall indemnify the other for any commissions or fees in violation of such representation. The City shall not be responsible for any real estate commission or brokerage fees resulting from the Developer's acquisition of the Santa Cruz Land, and Developer shall indemnify the City for any violation of the foregoing.

2. Governing Law: Venue: Attorneys' Fees

City and Developer agree that this Agreement shall be governed by, interpreted under, and construed and enforced in accordance with, the internal laws of the State of California without application of principles of conflicts of law. City and Developer acknowledge and agree that this Agreement was negotiated and entered into in the City of Scotts Valley, California. Any legal action brought under this Agreement must be instituted in the Superior Court of the County of Santa Cruz, or in the Federal District Court of the applicable federal district of California. In the event of any litigation between the parties hereto, the prevailing party shall be entitled to receive, in addition to the relief granted, its reasonable attorneys' fees and costs and such other costs incurred in investigating the action and prosecuting the same, including costs for expert witnesses, costs on appeal, and for discovery.

3. Partial Invalidity

If any term or provision or portion thereof of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision or portion thereof to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

4. Waivers

No waiver of any breach of any covenant or provision contained in this Agreement shall be deemed a waiver of any preceding or succeeding breach or such provision, or of any other covenant or provision contained in this Agreement. No extension of the time for performance of any obligation or act or any waiver of any provision of this Agreement shall be enforceable against City or Developer, unless made in writing and executed by both City and Developer.

5. Notices.

All notices under this Agreement shall be delivered by personal delivery, by a reputable same-day or overnight courier service, or by mailing in the U.S. mail by prepaid certified mail, or by facsimile transmission provided the sender receives written

confirmation of receipt of the transmission and delivers the original of such transmission to the other Party within one (1) business day thereafter by one of the other means described herein. Notices shall be directed to the respective Parties as follows:

If to City:

City of Scotts Valley
City Manager
One Civic Center Drive
Scotts Valley, CA 95066
831-440-5600 (tel)
831-438-2793 (fax)

With a copy to:

Logan & Powell, LLP
15466 Los Gatos Blvd., Suite 109
Los Gatos, CA 95032
Attention: Kirsten M. Powell

If to Developer:

Scotts Valley Town Green Land LLC
810 7th Street
San Francisco, California 94107
Attention: Doug Ross

With a copy to:

VLP Law Group LLP
369 Pine Street, Suite 506
San Francisco, California 94104
Attention: Stephen M. Wright

A Party may change the address for delivery of notices to it as such Party may from time to time designate in writing to the other Party by a written notice conforming to the requirements of this section. Notices delivered by personal delivery, or same-day or overnight courier service, or facsimile transmission, shall be effective upon receipt (provided that any notices received after 5:00 p.m. on a business day shall not be deemed received until 9:00 a.m. the next business day). Notices delivered by mail shall be effective as of Noon on the third business day following deposit with the United States Postal Service.

6. Construction

Headings at the beginning of each section and subsection of this Agreement are solely for the convenience of reference of City and Developer and are not a part of this Agreement. Whenever required by the context of this Agreement, the singular shall include the plural and the masculine shall include the feminine and vice versa. This Agreement shall not be construed as if it had been prepared by one or the other of City or Developer but rather as if both City and Developer prepared this Agreement. Unless otherwise indicated, all references to sections are to this Agreement. If any exhibits are referred to in this Agreement, such exhibits are either attached to this Agreement or incorporated into this Agreement by reference.

7. Nonliability of City Officials. Officers. And Employees

No officer, official, member, employee, agent, representative, or volunteer of the City or of the City shall be personally liable to Developer, or any successors in interest, in the event of any default or breach by City of this Agreement, or for any amount which may become due to Developer or to any successors under this Agreement, or for breach of any obligation of the terms of tills Agreement.

8. Time of the Essence

Time is of the essence in this Agreement and of each and every term and provision hereof, it being understood that the Parties hereto have specifically negotiated the dates or time limits for the completion of each obligation herein.

9. Entire Agreement: Amendment.

This Agreement sets forth the entire agreement between the Parties with respect to the subject matter set forth herein and supersedes all prior discussions and negotiations between the Parties with respect thereto. No amendment to this Agreement shall be effective unless set forth in a writing signed by an authorized signatory of each Party.

10. Counterparts.

This Agreement may be executed in any number of duplicate originals, all of which shall be of equal legal force and effect upon all of the Parties hereto signing this Agreement.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed and entered into this Agreement as of the Effective Date:

“DEVELOPER”

SCOTTS VALLEY TOWN GREEN LAND LLC,
a California limited liability company

By: _____
Name: _____
Title: _____

“CITY”

THE CITY OF SCOTTS VALLEY

By: _____
Jenny D. Haruyama, City Manager

ATTEST:

By: _____
Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

By: _____
Kirsten Powell, City Attorney

EXHIBIT "A"
SITE MAP

[SEE FOLLOWING PAGE]

TOWN CENTER PROJECT AREA

City of Scotts Valley
APN 022-721-06
1.91 Acres

City of Santa Cruz
APN 022-721-07
2.47 Acres

City of Scotts Valley
APN 022-212-19
1.07 Acres

City of Scotts Valley
APN 022-601-01
2.91 Acres

City of Santa Cruz
APN 022-721-08
2.76 Acres

City of Santa Cruz
APN 022-721-09
2.73 Acres

K-Mart

Library

Post Office

Mount Hermon Road

Kings Village Road



City of Scotts Valley **CITY COUNCIL STAFF REPORT**

DATE: September 5, 2018

TO: Honorable Mayor and Members of the City Council

FROM: Scott Harriman, Consulting Planner

APPROVED: Jenny Haruyama, City Manager

SUBJECT: **A PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL FOR A GENERAL PLAN AMENDMENT, ZONE CHANGE, PLANNED DEVELOPMENT ZONING/PERMIT AND DESIGN REVIEW APPLICATIONS FOR 19 NEW RESIDENTIAL APARTMENT UNITS IN TWO BUILDINGS ON A 0.93-ACRE SITE, CURRENTLY DEVELOPED AS A PARKING LOT, AT 4627 SCOTTS VALLEY DRIVE**

SUMMARY OF ISSUE

The project proposes the construction of 19 residential apartment units; four units in two-story Building A, and 15 units in three-story Building B. The site is zoned C-S, Service Commercial, is 0.93-acre in size, and is currently developed as a surface parking lot, located at 4627 Scotts Valley Drive. The project requires a General Plan Amendment, Zoning Change, Planned District Zoning/Permit and Design Review to accommodate the proposed residential development.

The project site slopes downward from the access driveway on Civic Center Drive to the Scotts Valley Drive frontage and is situated between two existing commercially developed sites. The site has and will maintain vehicle access to both these public streets. The 19 residential apartment units would be served by 40 parking spaces, perimeter and foreground landscaping, designated bicycle storage, and a trash and recycling building.

The issues associated with the project relate to the project's compliance with the General Plan and zoning development standards. The project proposes a 100-percent residential development on a site with a General Plan designation of Service Commercial. The Service Commercial General Plan designation, along the Scotts Valley Drive corridor, provides for commercial land uses that front on Scotts Valley Drive and allows residential uses behind or above a commercial building. The project is requesting a General Plan Amendment and Planned District Rezoning to allow the proposed residential development.

PLANNING COMMISSION REVIEW

The project was reviewed by the Planning Commission on May 10 and June 14, 2018. A complete analysis of the project's General Plan and zoning compliance is contained in the Planning Commission staff reports for the May 10th and June 14th hearings (see attachments).

On May 10, 2018, the Planning Commission held a study session to review the proposed project and requested General Plan Amendment. During the public hearing portion of the meeting, the Planning Commission received comments from the neighboring property owner expressing concern that the proposed residential zoning would increase the required setback on his property. Another speaker, a member of a housing advocacy group, expressed the need for more housing and support for the project. During their deliberations the Planning Commission discussed the timing of the requested land use change (from commercial to residential) given the General Plan update process currently underway, and the existing commercial and mixed use development pattern on Scotts Valley Drive. The Commission also discussed project specific details including the proposed use of palm trees, site coverage, parking stall size and quantity, close proximity of Building A to Scotts Valley Drive and Building B to the neighboring commercial property, the proposed height, mass and scale of B, the location of the trash collection area, and the lack of an elevator in the three story building. Following their review, the Planning Commission directed the applicant to consider revisions to the project.

In response to comments received at the May 10th Planning Commission, the applicant identified plan revisions including:

- Replacing palm trees as the primary replacement tree with Italian Cypress, Crepe Myrtle, and Water Gum trees
- Reducing the building height of Building B by three feet
- Revising the balcony railing design to improve privacy
- Increasing the balcony setback on Building B by one-foot
- Increasing the planter width at the rear of Building B by one-foot
- Offering four affordable units

On June 14, 2018 the Planning Commission reviewed the revised project. Following discussions and receiving public comment in support of providing housing, the Commission voted to recommend City Council approval of the project.

AFFORDABLE HOUSING

Title 14 of the City's Municipal Code governs the affordable housing requirements for new residential projects. The project site is located within the City's Redevelopment Plan Area, which requires at least 15% of the housing units to be designated as affordable units. Therefore, of the proposed 19 apartments, the project is required to provide two (2) units and pay in-lieu fees of 0.85 of a unit.

Rents for the designated affordable apartments would be restricted for a 55-year period to provide housing opportunities to qualifying households. The income-levels of the units require review and recommendation by the City Council Affordable Housing Subcommittee. Project conditions will require an agreement between the developer and City to specify the terms of the restrictions. Bay Tree Apartments and Acorn Court Apartments are examples of existing apartment complexes that have restricted affordable rental units and market-rate units.

On July 18, 2018, the Affordable Housing Subcommittee, comprised of Mayor Jim Reed and Council Member Stephany Aguilar met with the applicant and City staff to discuss the 2.85 unit requirement. The applicant proposed meeting this requirement by providing 4 moderate-income units or 2 moderate-income units and 1 low- or very-low-income unit, for mostly Bay Photo employees. A mix of 1 low- and 1 very-low-income units were also discussed to which the applicant was amenable. The Subcommittee requested additional information regarding monthly rental amounts and in-lieu fee calculations for discussion a subsequent scheduled for September 4, 2018. Staff will provide a written status update to the City Council for the public hearing on the proposed development, which will be held on September 5, 2018.

CEQA REVIEW

An Initial Study/Negative Declaration (IS/ND) was prepared for the proposed project. The IS/ND was circulated for a 20-day public review period from April 16, 2018 to May 7, 2018. A public notice was posted on the project site and the IS/ND was posted on the City's website. Notices about the proposed project were mailed to surrounding property owners within 300 feet, pursuant to State law. No significant project related environmental impacts were found to be present that were not reduced to less than significant levels.

The City received one written comment letter on the IS/ND from the Monterey Bay Unified Air Pollution Control District recommending minor revisions to the IS/ND. The Air Quality section of the IS/ND has been amended to reflect to address the Air District comments. The City determined that the comment did not result in the identification of a new or previously unidentified significant adverse impact to the environment.

PUBLIC COMMENT

The site was posted and public notice was posted in three (3) public places and mailed to property owners within 300 feet pursuant to State law. Public comments were received at the Planning Commission hearings from the neighboring property owner and a housing advocate. To date, no written correspondence has been received on the project, other than the letter from the air district identified above.

FISCAL IMPACT

Fiscal impacts associated with the project relate to the potential loss of sales tax revenues should the land use designation of the site change from commercial to residential.

STAFF RECOMMENDATION

The Planning Commission recommends approval of the Negative Declaration, approval of the General Plan Amendment, Zoning Ordinance Amendment, Planned Development District, Planned Development Permit and Design Review as listed below:

1. Adopt Resolution No.1953 to approve the Negative Declaration
2. Adopt Resolution No. 1119.33 to change the General Plan Land Use Designation
3. Introduce for first reading Ordinance 16-ZC-228 to change the Zoning District
4. Introduce for first reading Ordinance 16-ZC-228.1 to approve the Planned Development District; and,
5. Adopt Resolution No. 1953.1 to approve the Planned Develop Permit and the Design Review.

ATTACHMENTS

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All documents are available at City Hall and electronically at:

<http://www.scottsvally.org/212/Planning-Department>

RESOLUTION NO. 1953

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE NEGATIVE DECLARATION FOR THE DEVELOPMENT OF A 19-UNIT RESIDENTIAL APARTMENT PROJECT ON A 0.93-ACRE SITE AT 4627 SCOTTS VALLEY DRIVE // APN 022-082-34 and 35

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Larry Abitbol for a General Plan Amendment No. GPA17-001, Zone Change No. ZC17-001, Planned Development No. PD17-001, and Design Review No. DR16-006 for a 19-unit residential apartment development on a 0.93-Acre site currently developed as a surface parking lot located at 4627 Scotts Valley Drive; and,

WHEREAS, Larry Abitbol, (referred to as “applicant”) has presented substantial evidence which supports the application; and

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, a Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held two public hearings on May 10 and June 14, 2018, to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on September 5, 2018, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated September 5, 2018:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City staff conducted an Initial Study for the project and prepared a Negative Declaration and found that there were no significant adverse environmental impacts as a result of the proposed redevelopment of the site.
2. ***The Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 20-day period from April 16 to May 7, 2018.
3. ***The environmental determination represents the independent judgment of the City.*** The Negative Declaration was prepared by City staff. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.
4. ***Documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public for review at City Hall, the Planning Department, and the City's website.
5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** The project site has been a fully development and used as an urbanized paved parking lot for at least the past two decades with landscape areas limited to the site's perimeter and landscape strips separating rows of vehicle parking stalls. The project site does not contain any significant fish and/or wildlife resources or habitat.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves the Negative Declaration for the 19 residential apartment units in two buildings, and related property improvements, subject to conditions of approval, on a 0.93-acre site currently developed and currently being used as paved parking located at 4627 Scotts Valley Drive // APN 022-082-34 and 35.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 5st day of September, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: _____
Jim Reed, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

RESOLUTION NO. 1119.33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A GENERAL PLAN LAND USE DESIGNATION AMENDMENT (GPA17-001) FOR A 0.93-ACRE SITE AT 4627 SCOTTS VALLEY DRIVE FROM SERVICE COMMERCIAL TO RESIDENTIAL, VERY HIGH // APN 022-082-34 AND 35

WHEREAS, the Planning Department of the City of Scotts Valley has received the application for General Plan Amendment No. GPA17-001, Zone Change No. ZC17-001, Planned Development No. PD17-001, and Design Review No. DR16-006 to amend the land use designation of a 0.93-acre site currently developed as a surface parking lot located at 4627 Scotts Valley Drive from Service Commercial to Residential, Very High for a 19-unit residential apartment project; and,

WHEREAS, Larry Abitbol, (referred to as “applicant”) has presented substantial evidence which supports the application; and

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, a Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project has been determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the City Council certified the Negative Declaration for the project by adoption of Resolution No. 1953; and

WHEREAS, the Planning Commission held two public hearings on May 10 and June 14, 2018, to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the application, the Planning Commission recommended approval of the application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on September 5, 2018, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated September 5, 2018:

1. ***The change in the General Plan land use designation is consistent with the General Plan.*** The project meets the requirements of this finding in that although the project will change the existing General Plan Land Use Designation from Service-Commercial to Very High-Density Residential to accommodate the proposed residential development, the site's current Service-Commercial General Plan designation allows for Very High-Density residential development as a site component. Although the project does not include any commercial land use, the proposed residential development is consistent with the allowable residential density range for lands designated Service Commercial in the General Plan. The project proposes to dedicate affordable rental-housing units for a term of 55-years consistent with General Plan Housing goals, which encourage the production of affordable housing units available to all income levels.
2. ***That the density is compatible with adjacent uses and densities.*** The allowable residential density range in Service-Commercial General Plan areas is 15.1 to 20 units per acre. The proposed 19-unit residential apartment development on a 0.93-acre site results in a density of 20 units per acre consistent with the proposed Very High-Density Residential density range and the existing Service-Commercial residential density range. Therefore, the proposed density is compatible with adjacent uses and densities.

SECTION 2: The Land Use Map of the General Plan is hereby amended to change the Land Use designation for the property at 4627 Scotts Valley Drive from Service Commercial to Residential, Very-High Density.

NOW THEREFORE, BE IT RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves General Plan Amendment No. GPA17-001 to change the zoning of the 0.93-acres site located at 4627 Scotts Valley Drive from Service Commercial to Residential, High-Density // APN 022-082-34 and 35, subject to the General Plan Amendment Map in Exhibit A, attached hereto and incorporated herein.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 5th day of September, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Approved: _____
Jim Reed, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

ORDINANCE NO. 16-ZC-228

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS
VALLEY APPROVING ZONE CHANGE NO. ZC17-001 FOR A 0.93-
ACRE SITE AT 4627 SCOTTS VALLEY DRIVE FROM SERVICE
COMMERCIAL TO RESIDENTIAL, VERY HIGH //
APN 022-082-34 AND 35**

WHEREAS, the Planning Department of the City of Scotts Valley has received the application for General Plan Amendment No. GPA17-001, Zone Change No. ZC17-001, Planned Development No. PD17-001, and Design Review No. DR16-006 to rezone a 0.93-acre site currently developed as a surface parking lot located at 4627 Scotts Valley Drive from Service Commercial to Residential, Very High for a 19-unit residential apartment project; and,

WHEREAS, substantial evidence which supports the application has been presented; and

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, a Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held two public hearings on May 10 and June 14, 2018, to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on September 5, 2018, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

WHEREAS, the City Council certified the Negative Declaration for the project by adoption of Resolution No. 1953; and

WHEREAS, the City Council approved the General Plan Amendment for the project by adoption of Resolution No. 1119.33.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated September 5, 2018:

1. ***The change in the zoning district is consistent with the General Plan and the densities are compatible with adjacent uses and densities.*** The allowable residential density range in Service-Commercial General Plan areas is 15.1 to 20 units per acre. The proposed 19-unit residential apartment development on a 0.93-acre site results in a density of 20 units per acre consistent with the proposed Very High-Density Residential density range and the existing Service-Commercial residential density range. Therefore, the proposed density is compatible with adjacent uses and densities. Very high-density residential land uses are permitted in Service-Commercial General Plan areas, which will remain in place on adjacent parcels. Therefore, the proposed zone change from commercial to residential will remain consistent with the land use permitted in the General Plan and will provide a residential density compatible with those permitted on adjacent sites.

NOW THEREFORE, BE IT RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Zone Change No. ZC17-001 to change the zoning of the 0.93-acres site located at 4627 Scotts Valley Drive from Service Commercial to Residential, High-Density // APN 022-082-34 and 35, subject to the Zone Change Map in Exhibit A, attached hereto and incorporated herein.

This ordinance was introduced on the 5th day of September, 2018, and was passed and adopted by the City Council of the City of Scotts Valley on the 19th day of September, 2018, by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Jim Reed, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

Kirsten Powell, City Attorney

ORDINANCE NO. 16-ZC-228.1

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT DISTRICT OVERLAY (PD17-001) FOR THE DEVELOPMENT OF A 19-UNIT RESIDENTIAL APARTMENT PROJECT ON A 0.93-ACRE SITE LOCATED AT 4627 SCOTTS VALLEY DRIVE
// APN 022-082-34 AND 35**

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Larry Abitbol for General Plan Amendment No. GPA17-001, Zone Change No. ZCO17-001, Planned Development No. PD17-001, and Design Review No. DR16-006 for a 19-unit residential apartment project on a 0.93-acre site located at 4627 Scotts Valley Drive (collectively referred to as “Application”); and,

WHEREAS, Larry Abitbol, (referred to as “applicant”) has presented substantial evidence which supports the Application; and

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, a Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held two public hearings on May 10 and June 14, 2018, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on September 5, 2018, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Negative Declaration for the project by adoption of Resolution No. 1953; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated September 5, 2018:

1. ***The proposed Planned Development zoning is consistent with the underlying zoning designation and the City of Scotts Valley General Plan.*** The proposed project meets the requirements of this finding in that the PD district overlay utilizes the residential very-high land use, per the General Plan. Further, the proposed residential density of the project, 20-units per acre, is consistent with the permitted General Plan density range of 15.1 to 20 units per acre.
2. ***The proposed Planned Development District Overlay (PD) is consistent with the underlying land use designation of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the new base residential zoning district. The resulting R-VH/PD zone allows specific development standards to address the unique nature of the site and constraints such as the site's slope and existing access and parking easements.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Planned Development District (PD17-001) for the development of a 19-unit residential apartment project on a 0.93-acre site currently developed as a surface parking lot located at 4627 Scotts Valley Drive// APN 022-082-34 and 35, subject to the Zone Change Map in Exhibit A, attached hereto and incorporated herein

This ordinance was introduced on the 5th day of September, 2018, and was passed and adopted by the City Council of the City of Scotts Valley on the 19th day of (September), 2018, by the following votes:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED: _____
Jim Reed, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

Kirsten Powell, City Attorney

RESOLUTION NO. 1953.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING PD PERMIT (PD17-001) AND DESIGN REVIEW (DR16-006) FOR THE “BAY RESIDENTIAL APARTMENTS” PLANNED DEVELOPMENT CONSISTING OF 19 RESIDENTIAL APARTMENT UNITS IN TWO BUILDINGS AND RELATED PROPERTY IMPROVEMENTS, ON A 0.93-ACRE SITE LOCATED AT 4627 SCOTTS VALLEY DRIVE // APN 022-082-34 AND 35

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Larry Abitbol for General Plan Amendment No. GPA17-001, Zone Change No. ZC17-001, Planned Development No. PD17-001 and Design Review No. DR16-006 for the Bay Residential Apartments located at 4627 Scotts Valley Drive (collectively referred to as “Application”); and,

WHEREAS, Larry Abitbol (referred to as “applicant”) has presented substantial evidence which supports the Application; and

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, a Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held public hearings on May 10 and June 14, 2018, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on September 5, 2018, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Negative Declaration for the project by adoption of Resolution No. 1953; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following Planned Development Permit findings, as further clarified in the staff report dated September 5, 2018:

1. ***The planned development permit, as issued, furthers the policies of the general plan.*** The proposed project is consistent with the Very High-Density Residential land use prescribed in the General Plan. The proposed 19-unit residential apartment development on a 0.93-acre site results in a density of 20 units per acre consistent with the proposed Very High-Density Residential density range and the Service-Commercial residential densities on adjacent properties. The project proposes to dedicate affordable rental housing units, consistent with General Plan Housing Objectives. Therefore, the proposed zone change from commercial to residential will remain consistent with the land use permitted in the General Plan and will provide a residential density compatible with those permitted on adjacent sites.

2. ***The planned development permit, as issued, conforms in all respects to the planned development zoning of the property.*** The Planned Development Permit will implement the PD Zoning and the proposed R-VH base zoning districts. The project design meets the requirement of this finding in that approval of the Planned Development Permit will allow the project to vary from some of the development standards of the R-VH zone, while still allowing for the underutilized parking lot to be developed for workforce housing for nearby businesses. The R-VH/PD zone includes exceptions to: side yard setback of 10-feet (where 14.5-feet or 10% of the lot width is required), building heights of approximately 37-feet (where 35 feet is allowed); reduced drive aisle dimension of 24-feet (where the standard is 26-feet); parking stall depth of 18-feet (where the standard is 20-feet), and site coverage of approximately 74% (where 55% is allowed).

3. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional siding and roofing, and window and door trim. The 3-story design will have increased building heights of 37+/- feet, which steps up the site's slope reducing site grading, consistent with the General Plan Action OSA-387. The PD will allow a variety of exceptions to provide workforce housing opportunities on the site. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project, consistent with OSA-388 which requires critical review of visual resource areas designated on General Plan Figure OS-1.

4. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Negative Declaration EA17-001 does not identify any potentially significant impacts. The project will not have the potential to significantly degrade the

quality of the environment, including effects on animals or plants. The long and short-term environmental effects associated with this project will be less than significant.

SECTION 2: The City Council of the City of Scotts Valley does hereby make the following Design Review findings, as further clarified in the staff report dated September 5, 2018:

1. ***The siting of the structure on the site as compared with the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirement of this finding in that the commercial and residential buildings will be sited appropriately in relation to the existing neighborhood and streets, given the building orientations and landscape buffers. The overall siting of residential buildings are suited to the property, setting, and zoning context.

2. ***The materials, colors, proportion, mass, and detail of the exterior improvements are in good proportion, have simplicity of mass and detail, and are compatible with the appearance of the surrounding structures.*** The project meets the requirements of this finding in that the proposed residential apartment buildings are compatible with the massing, architectural style and materials of other nearby residential projects. The proposed rooflines, building forms, materials, and architectural details will provide visual interest. The variety of quality materials, exterior treatments, finishing details and exterior colors building colors are appropriate and consistent with the City's design review criteria.

3. ***The landscaping is in keeping with the character and design of the proposed development. Existing trees shall be preserved whenever possible.*** The project, with tree and landscape revisions as depicted on landscape plans, The project, with tree and landscape revisions as depicted and described in the applicant schematic revisions dated May 22, 2018, would meet the requirements of this finding in that the project will provide new site landscaping for the two residential apartment buildings. Connection to recycled water will be required. Preliminary landscaping details have been reviewed. A condition of approval requires that fully developed landscape plans consistent with the applicant's proposed revisions be prepared and submitted for staff review prior to the City Council hearing.

4. ***The size, location, and arrangement of on-site parking and paved areas shall be appropriate.*** The project meets the requirements of this finding in that the project will provide a total of 40 surface on-site parking spaces to serve the 19-unit residential apartments. An additional nine parking stalls are reserved through an existing easement in favor of the adjacent Water District office building. The project's request for a two guest space parking reduction is accommodated through the site's existing driveway access onto Civic Center Drive which is a public street with sufficient street parking to serve guest overflow parking.

5. ***For ingress, egress and internal traffic circulation, all of the above factors shall be related to the setting or established character of the neighborhood or***

surrounding area. The project meets the requirement of this finding in that the site has vehicle access from two existing driveways, which allows through access and circulation onto both Scotts Valley Drive and Civic Center Drive. In addition, the on-site circulation plan has been engineered to accommodate the turning radius of the City Fire Department emergency vehicles.

6. For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief. The project meets the requirements of this finding in that the project is not located across from Hwy 17 and no fence is proposed over eight feet in height.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves PD Permit No. PD17-001 and Design Review No. DR16-006 for the Bay Residential Apartments located at 4627 Scotts Valley Drive APN 022-082-34 and 35, subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 5th day of September 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Jim Reed, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

Exhibit A

Conditions of Approval (#1 - #68)

Legal

1. The 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. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all appropriate required fees before starting any grading/earth disturbance on the property.

Planning Department

4. The approved planning permits include a General Plan Amendment, Planned Development District Zoning and Permit, and Design Review to construct a total of 19 new residential apartment units in two buildings on a 0.93-acre site. Building A, two stories in height, would contain four apartment units; and Building B, three stories in height, would contain 15 apartment units, five units per floor, and related property improvements, as shown in the plans prepared by David Zumlim, Inc., Roper Engineering, and Gregory Lewis Landscape Architect, received dated January 18, 2018, and as described in writing and depicted on schematic plan revisions dated May 22, 2018, which are on file in the Planning Department.
5. A complete set of revised plans shall be submitted to the Planning Department for review prior to project being forwarded to City Council for review and action. Revised plans shall include all revisions as described in writing and depicted on schematic plans dated May 22, 2018 as submitted to the Planning Commission, including revisions: lowering the height of Building B; increasing the setback of Building B to a minimum of ten-feet; increasing the planter strip width adjacent to the sidewalk on the north side of Building B; revising the balcony railings and perimeter fence design, and revising the tree replacement plan and eliminating palm trees.

6. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
7. The applicant shall submit an application for lot merger and receive approval prior to the issuance of any grading or building permit.
8. The project shall incorporate artistic elements and/or treatments into structures, landscaping, common areas, or open space consistent with General Plan Objective LA-13.3.
9. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

Grading

10. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Cultural Resources

11. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.
 - a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities;
 - b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis;

- c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring;
 - d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present; and,
 - e. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.
12. The applicant and construction contractor ensure that paleontological resources are not destroyed during project grading, the project proponent will include the following measures:
- a. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;
 - b. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;
 - c. Allow for the recovery of any discovered paleontological resources according to a recovery plan/methods specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);
 - d. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,
 - e. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.
13. If human remains are unexpectedly encountered during project grading, the actions required as identified in Condition 10 shall be implemented to effectively preserve any human remains for proper burial.

Noise

14. All recommendations in the Acoustic Engineering Study, prepared September 22, 2017, by Alan Goldwater, Acoustical Engineer, are incorporated as conditions of project approval.

15. All fences shall be designed and constructed with over-lapping fence boards with no air gaps to reduce noise levels on adjacent properties.

Trees

16. All recommendations in the Arborist Report dated December 2016 and revised August 31, 2017, are incorporated as conditions of project approval.
17. No tree removal shall occur until grading/building permit issuance.
18. The project developer shall place a surety bond in an amount equal to the value of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.
19. Prior to the issuance of any grading or building permits, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments.
20. The project arborist shall routinely inspect the development site through the term of the project.

Landscaping

21. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District.
22. The landscaping improvements shall be permanently maintained and irrigated.

Lighting

23. The final exterior lighting plan shall comply with regional dark sky policies and shall be reviewed and approved by the CDD prior to issuance of building permit.
24. Any pole lights installed within the project site shall use shielded light fixtures with pole heights not to exceed 12 feet, consistent with City policies and design guidelines. Exterior light levels are to be at the lowest level and carefully controlled for security, aesthetics, safety and identification without interfering with nearby land uses.
25. All exterior building lighting, including balcony lighting, shall be designed to integrate into the building architecture with shielded and recessed light sources with final light fixture approval prior to the issuance of any building or grading permit.

26. All exterior lighting shall be the minimum necessary for security and all lighting shall be down directed with the light source not directly visible from adjacent properties. Where deemed necessary by the CDD light cutoffs/shields shall be installed.

Affordable Housing

27. Prior to the issuance of any building or grading permit, the developer shall work with the City and execute all applicable affordable housing agreements.

Building Department

28. The developer shall obtain any required grading and/or building permit(s) and pay applicable fees.
29. Winter grading shall require prior review and approval by the City.
30. The location of all soil to be exported shall be reviewed and approved by the Building Department prior to issuance of a grading or building permit.
31. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
32. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
33. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee).
34. All buildings shall be designed to comply with the current codes in effect at the time of building permit issuance.
35. The building permit plans must comply with the current California Building Code (CBC) 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.
36. All structures shall comply with the most current California Energy Commission Standards (Title 24).
37. All new construction shall comply with the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.
38. Structural calculations shall be submitted and wet-signed by the Engineer of record.
39. Provide names of Special Inspectors with certifications as required.

40. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits.
41. All new utilities shall be installed underground.
42. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
43. Site drainage erosion control and foundation plans must be reviewed and approved by a soils engineer.
44. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.
45. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.
46. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

City Public Works Department- Engineering Division

47. Engineered Improvement Plans shall be submitted for all on site and off site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
48. The project shall connect to the City's recycled water system.
49. Pursuant to City Council action on March 3, 2010, the Applicant shall modify the Traffic Impact Study to address the Mount Hermon Road/Scotts Valley Drive and Mount Hermon Road /La Madrona Drive intersections to determine the additional peak hour trips through the intersections. Specifically AM and PM peak hour trips for

Mount Hermon Road /Scotts Valley Drive and PM only peak hour trips for Mount Hermon Road /La Madrona Drive. The study will also determine if the additional trips will degrade the Level of Service (LOS) of the intersections. The findings of the study will determine the amount owed for the Mount Hermon Road traffic mitigations fair share contribution. The Applicant shall conclude this study and pay any associated fees prior to the issuance of a Building or Grading permit.

50. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.
51. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
52. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection..
53. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material Bond, to the satisfaction of the Public Works Director/City Engineer.
54. Pre-Construction Meeting: In order to ensure that project details are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property, with the exception of installation of temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing, the developer shall convene a pre-construction meeting on the site. The following parties shall attend: the developer, the grading contractor supervisor, the project architect, the project arborist, the project civil engineer, City of Scotts Valley Planning staff, City Engineer and Building Inspector. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing will be inspected at that time.
55. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
56. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.
57. Stormwater Management Plan: A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria

contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity. See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

58. Impervious area must be shown on cover sheet.
59. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.
60. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

City Public Works Department- Parks & Recreation Division

61. The developer shall comply with City Municipal Code Chapter 16.35, Dedication of Land for Park and Recreational Purposes.

City Public Works Department - Wastewater Division

62. Every sewer lateral crossing a curb line shall be marked with an "S" stamped in the face of the curb.

Scott Valley Fire Protection District

63. All development must comply with the California Fire Code as amended by the Scott Valley Fire Protection District.

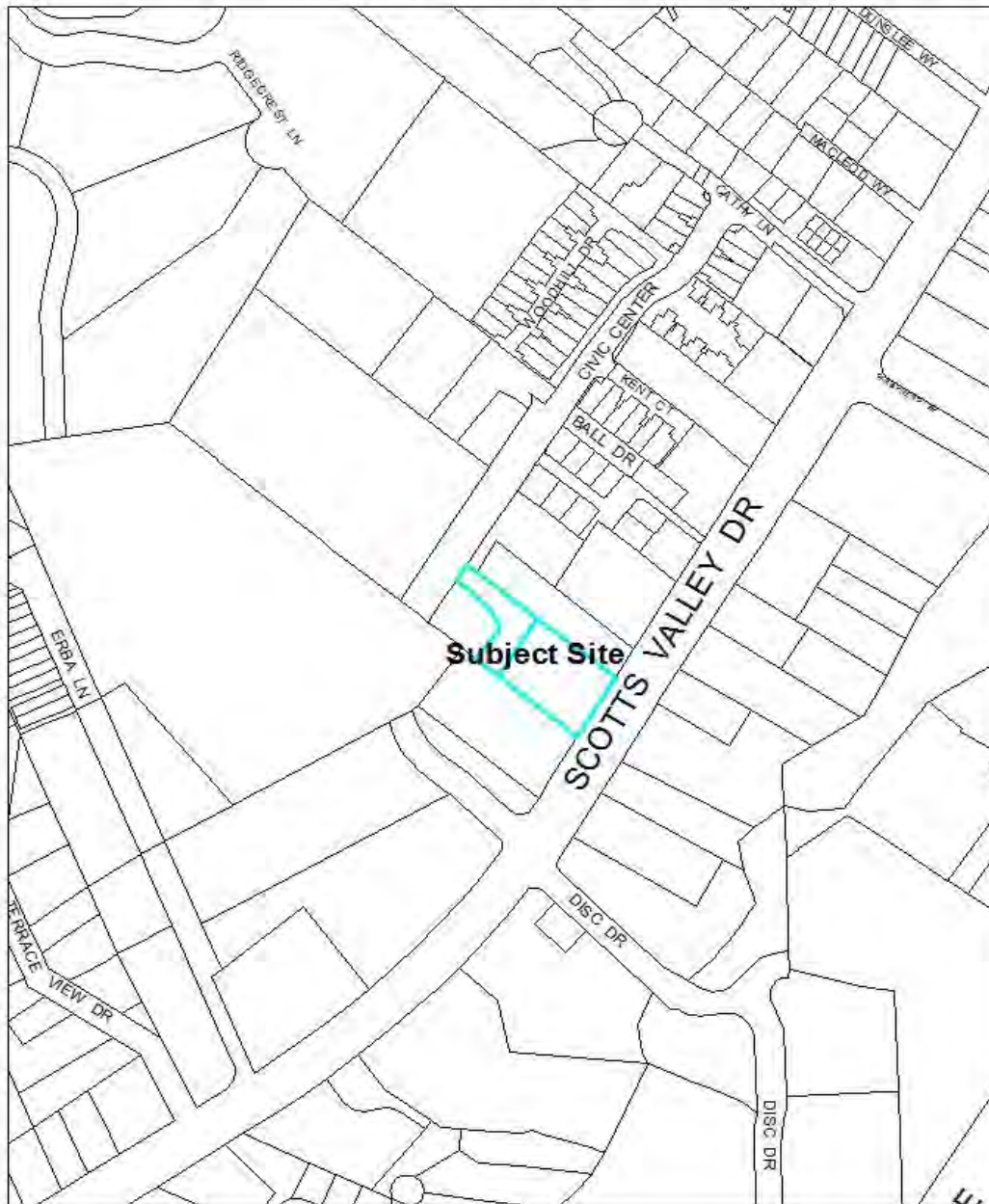
Scott Valley Water District (SVWD)

64. The existing 5/8" meter serving the property must be abandoned and a credit will be applied to the properties account for a future meter purchase.
65. Plans submitted for building permit shall show the location of the existing 5/8" meter to be abandoned.

66. Every potable water meter will require a backflow device SVWD Detail 8, behind the meter.
67. Plans submitted for building permit shall include the following SVWD plan details: Detail 1-Service connections; Detail 2-Meter box installation; Detail 5-Gate value two-inch service connection; Detail 9-Fire service installation; Detail 11-Gate value installation; Detail 12-Value box lid markings; and Detail 13-Value box installation.
68. All recycled water systems must be designed according to the SVWD Rules and Regulations and must conform to the [Recycled Water Irrigation Systems Standard Notes and Details](#).

Name and Signature of Property Owner Date

Location Map



Subject Site – 4627 Scotts Valley Drive

HOUSING PROJECT for:
BAY PHOTO LAB
4627 Scotts Valley Drive, Scotts Valley

PROJECT DESCRIPTION

Bay Photo intends to convert an existing 92 space parking lot into a multi-residential development.

The development consists of two Buildings.

Building A along Scotts Valley Drive has 2 live/work apartments on the Ground Floor and 2 apartments on the Second Floor.

The rear Building (Building B) has 15 apartments, 5 apartments per floor.

The primary purpose for this project is to provide much needed affordable housing for Bay Photo employees. This location is close to the Bay Photo Manufacturing Facility on Disc Drive, allowing employees easy access to work.

PROJECT DATA

APN: (2 parcels to be combined into 1 parcel)	022-082-34, 35
Site Area:	40,637 s.f. ±
Proposed Zoning:	R-VH, Very High Density Residential
Maximum Residential Lot Density	= 2,100 s.f. Lot Area / Dwelling Unit
40,637 s.f. / 2,100 s.f. lot area per unit	= 19 Maximum Residential Units
Residential Units Proposed:	= 19 Units Proposed
One	3 bedroom, 2 bath unit at 1,368 s.f./unit,
Two	3 bedroom, 2 bath units at 1,364 s.f./unit,
Two	2 bedroom, 2 bath units at 1,120 s.f./unit,
Two	1 bedroom / 1 office, 2 bath units at 1,120 s.f./unit,
Two	2 bedroom, 2 bath units at 984 s.f./unit,
Ten	2 bedroom, 2 bath units at 930 s.f./unit.

Building Areas:			
Building A:			
Ground Floor	=	2,240 s.f.	
Second Floor	=	2,240 s.f.	
Total Area Building A	=	4,480 s.f.	
Building B:			
Ground Floor	=	5,196 s.f.	
Second Floor	=	5,084 s.f.	
Third Floor	=	5,084 s.f.	
Total Area Building B	=	15,364 s.f.	
Trash Building:	=	651 s.f.	
Gross Floor Area for Buildings A, B and Trash	=	20,495 s.f.	

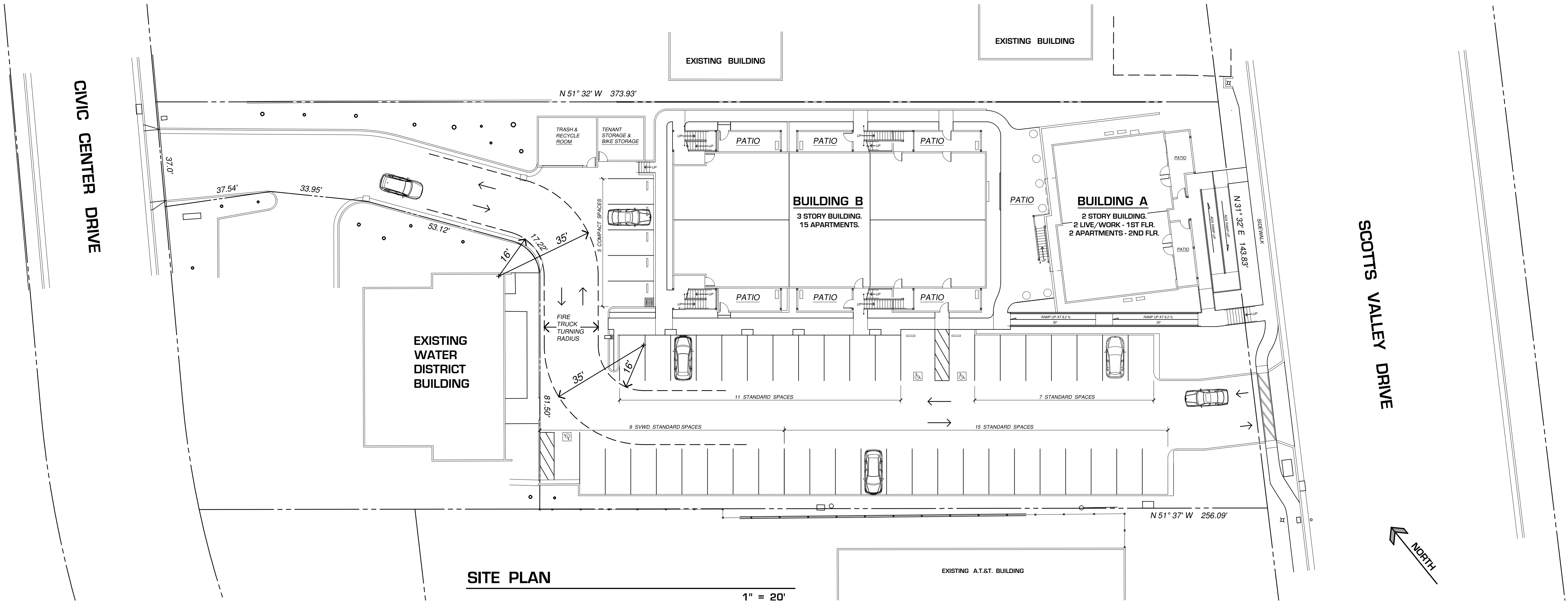
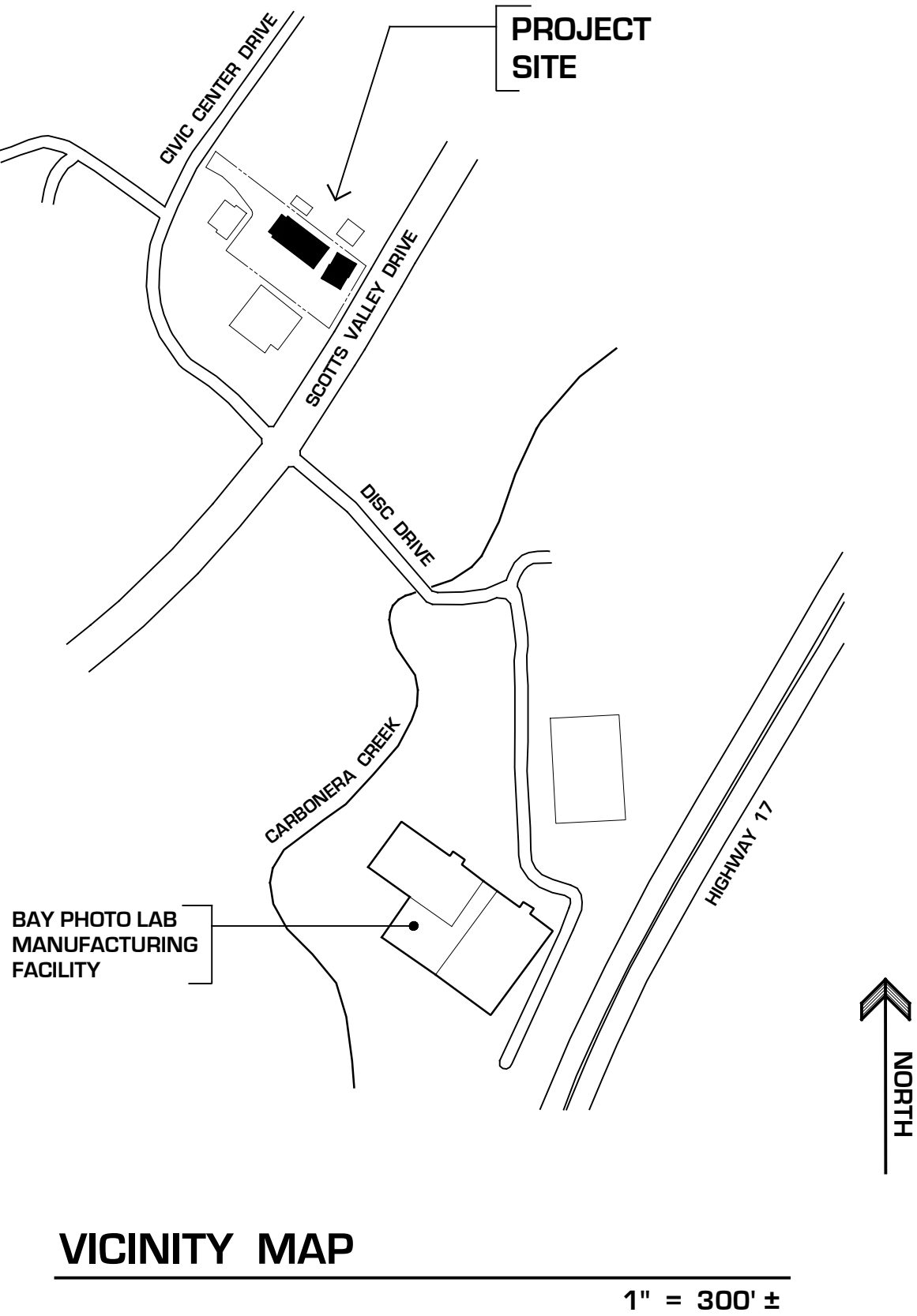
Site to Building Coverage:			
2,240 + 5,196 + 651 / 40,637 s.f.	=	19.9 %	
Private Patio Areas	=	1,560 s.f.	3.8 % site
Common Patio Area	=	910 s.f.	2.2 % site
Landscape Areas	=	8,105 s.f.	20 % site
Paved Parking Areas	=	5,190 s.f.	12.8 % site
Permeable Parking Areas	=	2,300 s.f.	5.7 % site
Driveway Areas	=	11,167 s.f.	27.5 % site
Walkway Areas	=	2,900 s.f.	7.1 % site
ADA access ramp from sidewalk to Building A	=	418 s.f.	1 % site
Site Coverage (Impervious)	=	74.3 %	
Areas for Public Works Department per PW comments dated 11-30-17.			
Areas provided by Site Civil Engineer, Jeff Roper:			
New Impervious Area	=	3,102 s.f.	
Replaced Impervious Area	=	26,426 s.f.	

Parking Analysis per City Standards:			
19 units x 2 spaces per unit	=	38 spaces	
plus 1 space per 5 units = 19/5	=	4 spaces	
Existing Water District Parking	=	9 spaces	
Total Required Parking	=	51 spaces	
Proposed Parking On-Site:			
Standard	=	41 spaces	
Compact	=	5 spaces	
ADA Parking	=	3 spaces	
Total Provided	=	49 spaces	

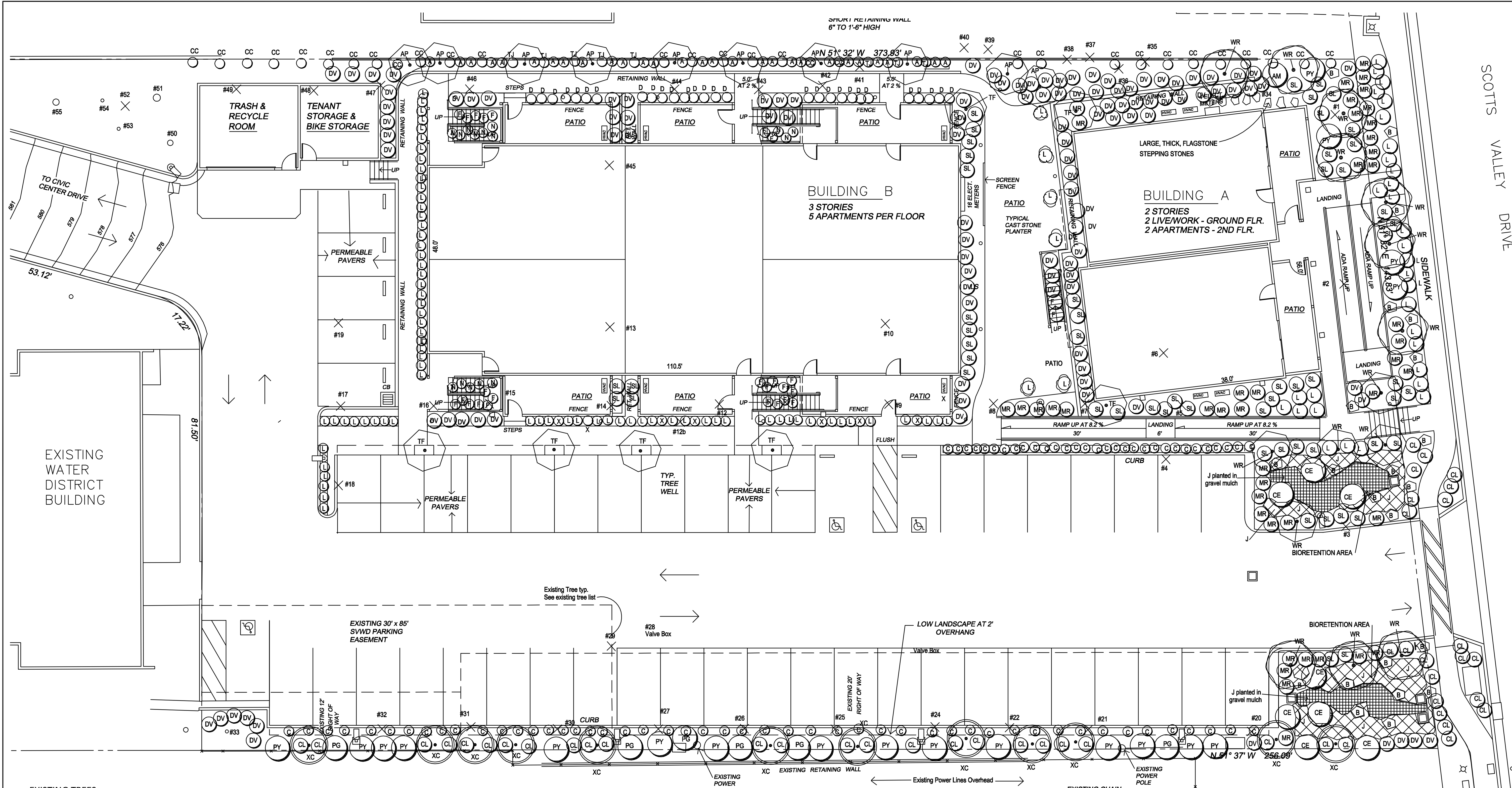
- NOTES:
- Use these Plans ONLY for Planning Approvals.
 - Do not use these Plans for Construction.
 - Scotts Valley Water District has rights to 9 parking spaces per official records document, volume 4374 - page 345 recorded August 19, 1998. The 9 spaces are shown on the site plan.

SCHEDULE OF DRAWINGS

T1	TITLE SHEET
L1	LANDSCAPE PLAN
A1	SITE PLAN
A2	BUILDING A - EXTERIOR ELEVATIONS
A3	BUILDING A - FLOOR PLANS
A4	BUILDING B - EXTERIOR ELEVATIONS
A5	BUILDING B - FLOOR PLANS
A6	BUILDINGS A AND B - ROOF PLANS AND SECTIONS
A7	TRASH BUILDING, EXTERIOR LIGHTING FIXTURES, BUILDING CODE ANALYSIS, ACCESSIBILITY ANALYSIS
C1	EXISTING SITE CONDITIONS
C2	PRELIMINARY GRADING PLAN
C3	PRELIMINARY UTILITY PLAN
ARB1	ARBORIST PLAN



REVISIONS	BY
10/4/17	LC
1/4/18	LC
6/28/18	LC
DAVID B. ZULIM INC. 150 FELKER ST. SUITE F SANTA CRUZ, CALIFORNIA 95060 831-425-8769 DESIGN DRAWING PLANNING DAVID ZULIM P.E. 31047 CALIFORNIA	
Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.	
TITLE SHEET HOUSING PROJECT for: BAY PHOTO LAB 4627 Scotts Valley Drive, Scotts Valley, California	
Date	1/10/17
Scale	1" = 20'
Drawn	LC
Job	631-16A
Sheet	T1
Of	1 Sheets



EXISTING TREES

KEY #	DIA @ BH	BOTANICAL NAME	COMMON NAME	REMOVE	28
1	9	Cercis canadensis	Eastern Redbud	REMOVE	28
2	11	Cercis canadensis	Eastern Redbud	REMOVE	29
3	10	Cercis canadensis	Eastern Redbud	REMOVE	30
4	6	Liquidambar sp.	Sweet Gum	REMOVE	31
5	8	Liquidambar sp.	Sweet Gum	REMOVE	32
6	9	Liquidambar sp.	Sweet Gum	REMOVE	33
7	5	Liquidambar sp.	Sweet Gum	REMOVE	34
8	8	Liquidambar sp.	Sweet Gum	REMOVE	35
9	6	Liquidambar sp.	Sweet Gum	REMOVE	36
10	6	Liquidambar sp.	Sweet Gum	REMOVE	37
11	8	Liquidambar sp.	Sweet Gum	REMOVE	38
12	8	Liquidambar sp.	Sweet Gum	REMOVE	39
13	6	Liquidambar sp.	Sweet Gum	REMOVE	40
14	7	Liquidambar sp.	Sweet Gum	REMOVE	41
15	7	Liquidambar sp.	Sweet Gum	REMOVE	42
16	9	Liquidambar sp.	Sweet Gum	REMOVE	43
17	7	Liquidambar sp.	Sweet Gum	REMOVE	44
18	6	Liquidambar sp.	Sweet Gum	REMOVE	45
19	5	Liquidambar sp.	Sweet Gum	REMOVE	46
20	12	Quercus agrifolia	CA Live Oak	REMOVE	47
21	5	Quercus agrifolia	CA Live Oak	REMOVE	48
22	6	Quercus agrifolia	CA Live Oak	REMOVE	49
23	12	Cupressus macrocarpa	Monterey Cypress	REMOVE	50
24	6	Quercus agrifolia	CA Live Oak	REMOVE	51
25	5	Quercus agrifolia	CA Live Oak	REMOVE	52
26	10	Quercus agrifolia	CA Live Oak	REMOVE	53
27	6	Quercus agrifolia	CA Live Oak	REMOVE	54
					55

Valve Box		
Liquidambar sp.	Sweet Gum	REMOVE
Quercus agrifolia	CA Live Oak	REMOVE
Quercus agrifolia	CA Live Oak	REMOVE
Quercus agrifolia	CA Live Oak	SAVE
Quercus agrifolia	CA Live Oak	REMOVE
Cupressus macrocarpa	Monterey Cypress	REMOVE
Cupressus macrocarpa	Monterey Cypress	REMOVE
Cupressus macrocarpa	Monterey Cypress	REMOVE
Cupressus macrocarpa	Monterey Cypress	REMOVE
Cupressus macrocarpa	Monterey Cypress	REMOVE
Cupressus macrocarpa	Monterey Cypress	REMOVE
Acacia		REMOVE
Quercus agrifolia	CA Live Oak	REMOVE
Quercus agrifolia	CA Live Oak	REMOVE
Liquidambar sp.	Sweet Gum	REMOVE
Quercus agrifolia	CA Live Oak	REMOVE
Quercus agrifolia	CA Live Oak	REMOVE
Quercus agrifolia	CA Live Oak	REMOVE
Sequoia sempervirens	Coast Redwood	SAVE
Sequoia sempervirens	Coast Redwood	SAVE
Sequoia sempervirens	Coast Redwood	REMOVE
Sequoia sempervirens	Coast Redwood	SAVE
Sequoia sempervirens	Coast Redwood	SAVE
Sequoia sempervirens	Coast Redwood	SAVE

Plant Legend

KEY	SIZE	BOTANICAL NAME	COMMON NAME
TREES			
WR	15 gal	Tristania laurina Elegant	Swamp Myrtle
TF	15 gal	Lagerstroemia l. Tuscarora	Crape Myrtle
XC	15 gal	Tristania laurina Elegant	Swamp Myrtle
AP	15 gal	Acer palmatum Sango Kaku	Coral Bark Jap. Maple
VINES			
X	5	Dieteticis buccinatoria	Bloodred Trumpet Vine
CC	5	Clytostoma callistigoides	Lavender Trumpet Vine
TJ	5	Trachelospermum jasminoides	Star Jasmine
MEDIUM SHRUBS			
DV	5	Dietes vegeta	Fortnight Lily
PY	5	Phormium Yellow Wave	Flax
PG	5	Phormium Guardsman	Flax
AM	5	Agave americana	Century Plant
N	5	Nephrolepis cordifolia	Boston Sword Fern
F	5	Dryopteris erythrosora	Autumn Fern
CE	5	Chondropetalum elephantum	Large Cape Rush
GROUND COVER			
CL	1	Rosmarinus Irene or Huntington Carpet	Low Rosemary
MR	1	Cotoneaster Lowfast	Deer Grass
A	1	Muhlenbergia rigens	Lily of the Nile
D	1	Agapanthus Queen Anne	Native Iris
SL	1	Iris douglasiana Canyon Snow	Mexican Sage
L	1	Salvia leucantha	Berkeley Sedge
C	1	Lomandra Breeze	Gray Rush
J	1	Carex divulca	
	1	Juncus patens	

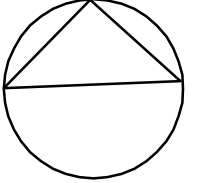
● Sonoma Fieldstone Boulder - minimum 3'x3'x2.5' tall set into soil to appear stable

Landscape Notes

- 1) Final building permit drawings to include a detailed irrigation plan that meets the requirements of the Scotts Valley Water Department
- 2) Exact location of plants on site to be adjusted so as to best coordinate with sprinkler head locations, lights, drainage features, and swales
- 3) Don't put plants in bottom of swales
- 4) Don't mulch flow lines of swales such that mulch blocks flow of water
- 5) Use 3 inch deep mulch in all planting areas. Provide owner with different mulch samples and prices including Mahogany colored Wonder Mulch from Vision Recycling, Golden Nugget Bark from Central Home Supply, Premium Redwood Chips from Vision Recycling at the County Landfill in Watsonville and medium fir bark.
- 6) Install plants for all plant circles shown on the plan even if they aren't labeled. Call for clarification. For bidding purposes, if no one is available to answer questions, assume that any plant circle scaled less than 8" wide is 5 gal. size and any circle scaled larger is 24" box size
- 7) The plan is schematic. Don't install plants too close to edges of paving or buildings. Be sure plants are not blocking sprinkler spray excessively. Keep valves and quick couplers away from trees.
- 8) The plants will do much better if efforts are made to dig up any compacted soils with slow percolation at least 12" deep. Grade planter areas as necessary for removal of any excess water that puddles in the planters and does not percolate in a reasonable period of time.
- 9) See specs. concerning soil amendments and fertilizer. For bidding purposes until the soil fertility test is done, bid 6 cubic yards of nitrilized redwood sawdust and 16 pounds of 12-12-12 fertilizer filled into the top 6" to 8" of soil after ripping soil to 12" deep, except under existing tree or on steep slopes.
- 10) B - Boulders are 1500 to 2000 pound each. Bid Sonoma Fieldstone Boulders. Set boulders to appear stable with most attractive sides facing up.
- 11) When there is an option concerning materials get a written choice or signed red line decision on a plan from the owner for the final decision.
- 12) There are a few existing multistem Arbutus unedo large shrubs that were not shown on the survey and are not shown on this plan or in the existing tree list. They are all being removed.
- 13) Stepping stones for access to utilities and meters are to be large, thick, natural flagstone laid dry on compacted soil or base rock in such a way that they will not wobble

Planting Plan

1"=10'-0"
0' 10' 20'



Revision

1

6/15/18

Tree species

2

7/3/18

Tree species

GREGORY LEWIS LANDSCAPE ARCHITECT

#2176

Santa Cruz, CA 95062 (831) 425-4747

lewislandscape@sagglobal.net

LANDSCAPE PLAN

HOUSING PROJECT for:

BAY PHOTO LAB

4627 Scotts Valley Drive, Scotts Valley, California

Date

9/20/17

Scale

As Noted

Drawn

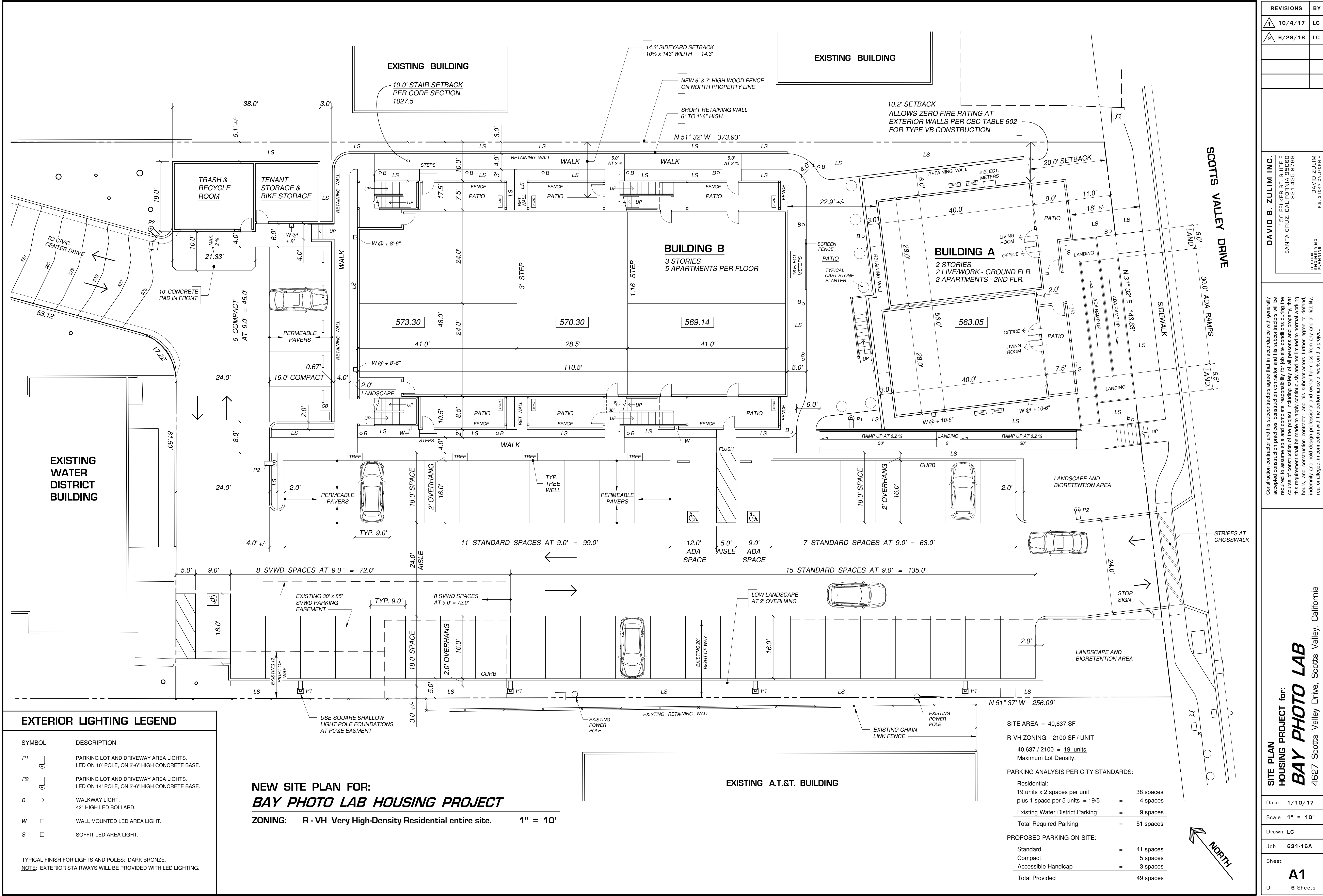
Greg

Job Sheet

L1

of

1



EXTERIOR LIGHTING LEGEND

SYMBOL	DESCRIPTION
P1	PARKING LOT AND DRIVEWAY AREA LIGHTS. LED ON 10' POLE, ON 2'-6" HIGH CONCRETE BASE.
P2	PARKING LOT AND DRIVEWAY AREA LIGHTS. LED ON 14' POLE, ON 2'-6" HIGH CONCRETE BASE.
B	WALKWAY LIGHT. 42" HIGH LED BOLLARD.
W	WALL MOUNTED LED AREA LIGHT.
S	SOFFIT LED AREA LIGHT.

TYPICAL FINISH FOR LIGHTS AND POLES: DARK BRONZE.
NOTE: EXTERIOR STAIRWAYS WILL BE PROVIDED WITH LED LIGHTING.

NEW SITE PLAN FOR:
BAY PHOTO LAB HOUSING PROJECT

ZONING: R - VH Very High-Density Residential entire site. 1" = 10'

SITE AREA = 40,637 SF	
R-VH ZONING: 2100 SF / UNIT	
40,637 / 2100 = 19 units	
Maximum Lot Density.	
PARKING ANALYSIS PER CITY STANDARDS:	
Residential:	
19 units x 2 spaces per unit	= 38 spaces
plus 1 space per 5 units = 19/5	= 4 spaces
Existing Water District Parking	= 9 spaces
Total Required Parking	= 51 spaces
PROPOSED PARKING ON-SITE:	
Standard	= 41 spaces
Compact	= 5 spaces
Accessible Handicap	= 3 spaces
Total Provided	= 49 spaces

REVISIONS

BY

10/4/17

LC

6/28/18

LC

DAVID B. ZULIM INC.

150 FELKER ST. SUITE F

SANTA CRUZ, CALIFORNIA 95060

831-425-8769

DAVID ZULIM

DESIGN

PLANNING

P.E. 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

SITE PLAN

HOUSING PROJECT for:

BAY PHOTO LAB

4627 Scotts Valley Drive, Scotts Valley, California

Date

1/10/17

Scale

1" = 10'

Drawn

LC

Job

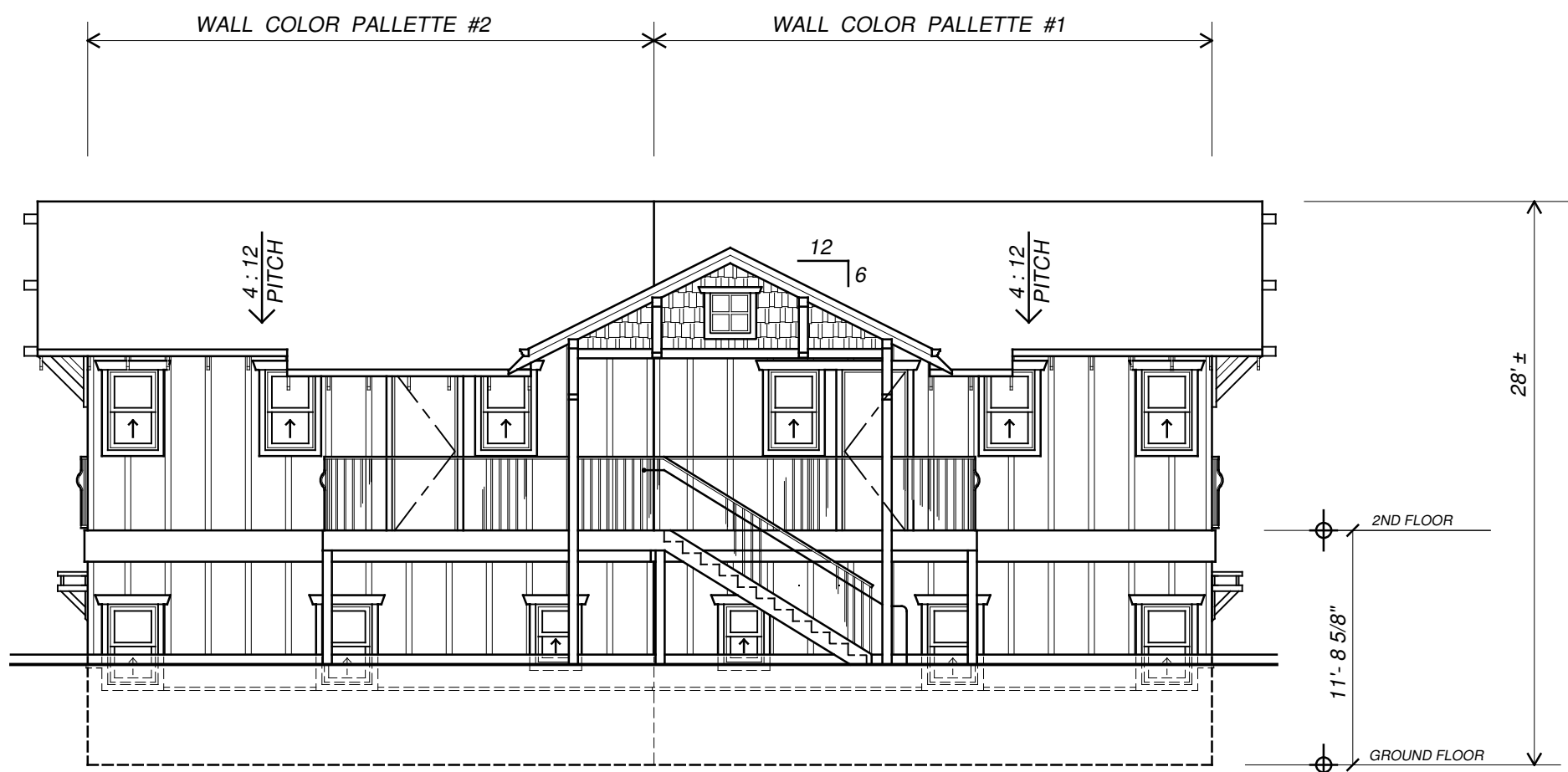
631-16A

Sheet

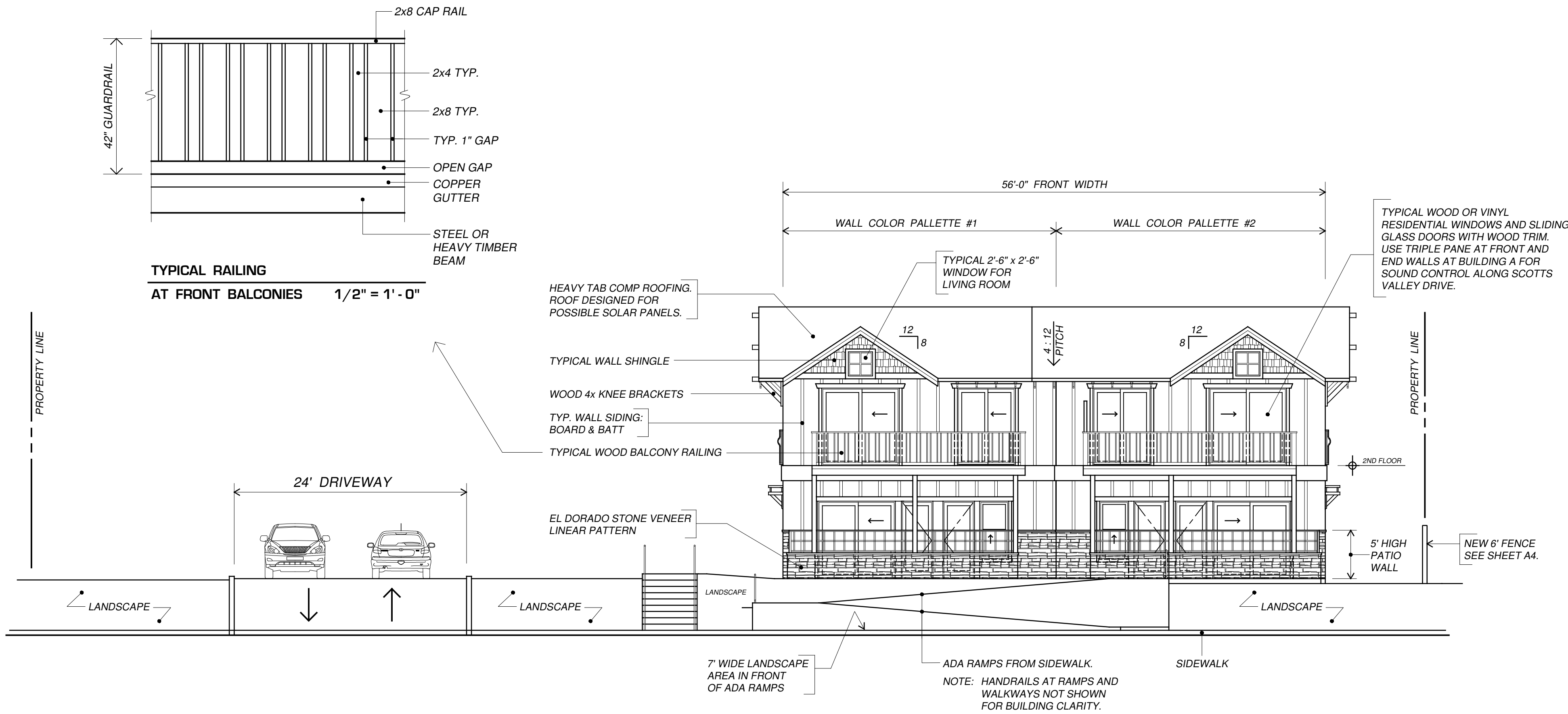
A1

Of

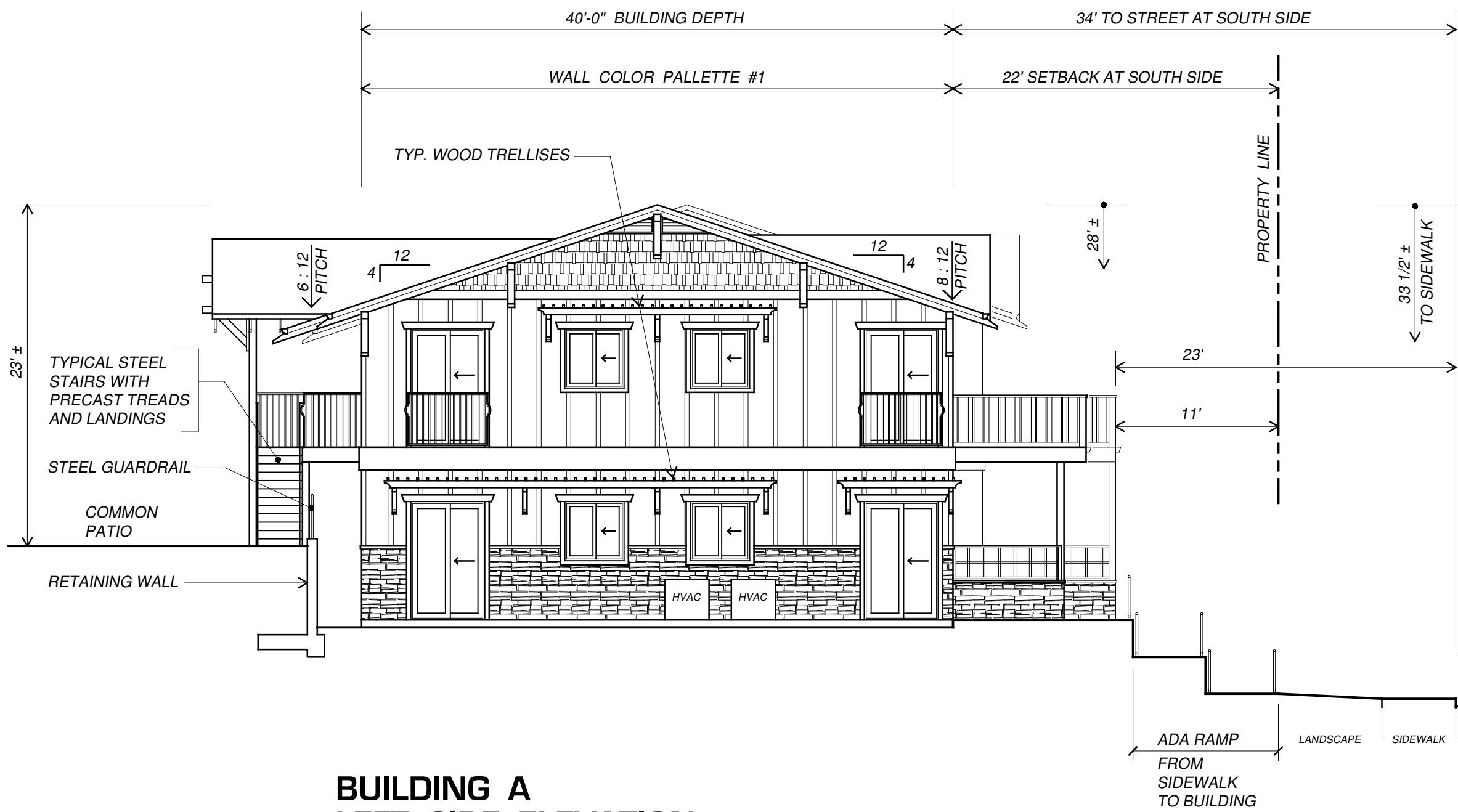
6 Sheets



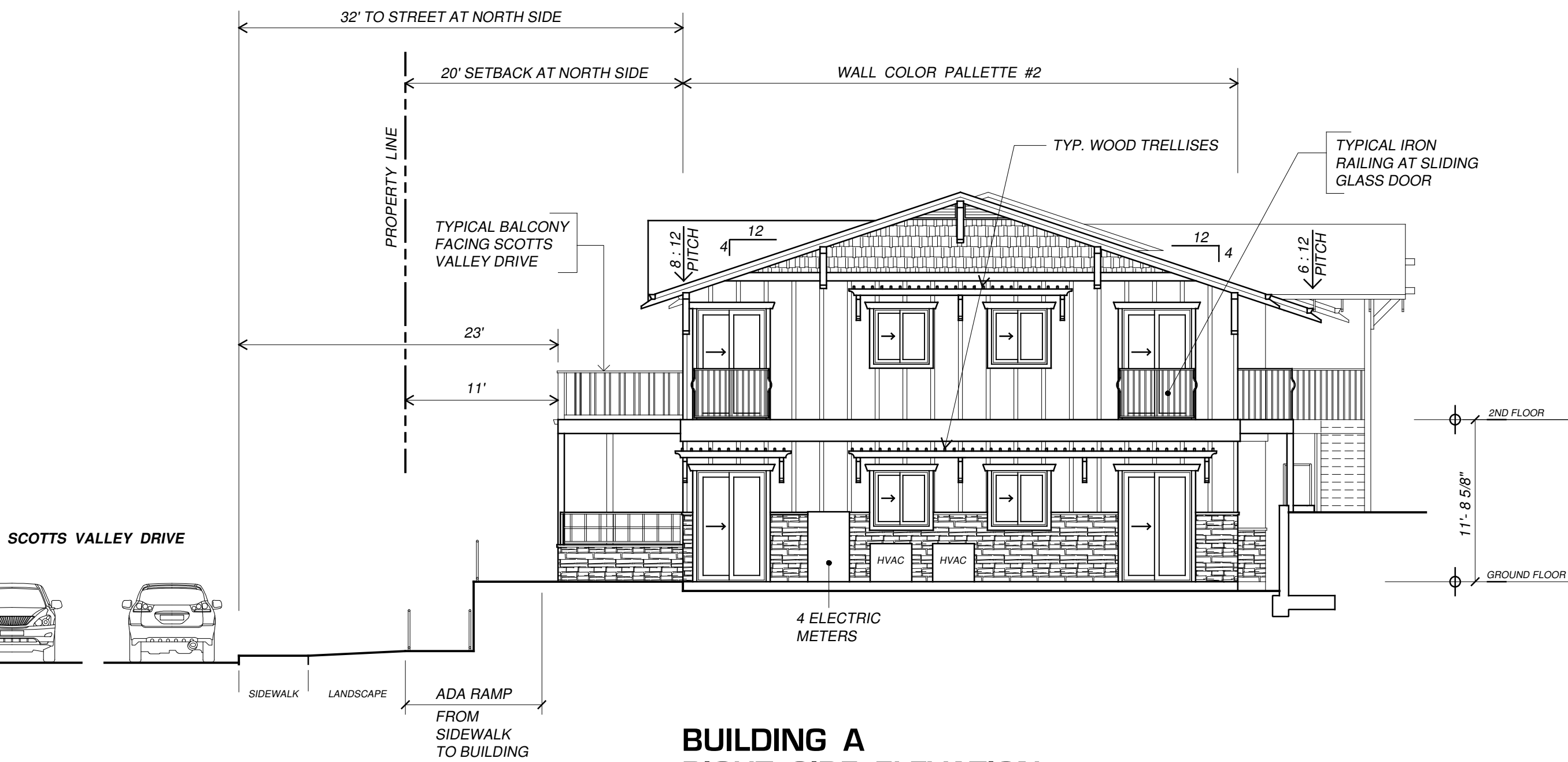
**BUILDING A
REAR ELEVATION**
WEST ELEVATION 1/8" = 1'-0"



**BUILDING A
FRONT ELEVATION - FACING SCOTTS VALLEY DRIVE**
EAST ELEVATION 1/8" = 1'-0"



**BUILDING A
LEFT SIDE ELEVATION**
SOUTH ELEVATION 1/8" = 1'-0"



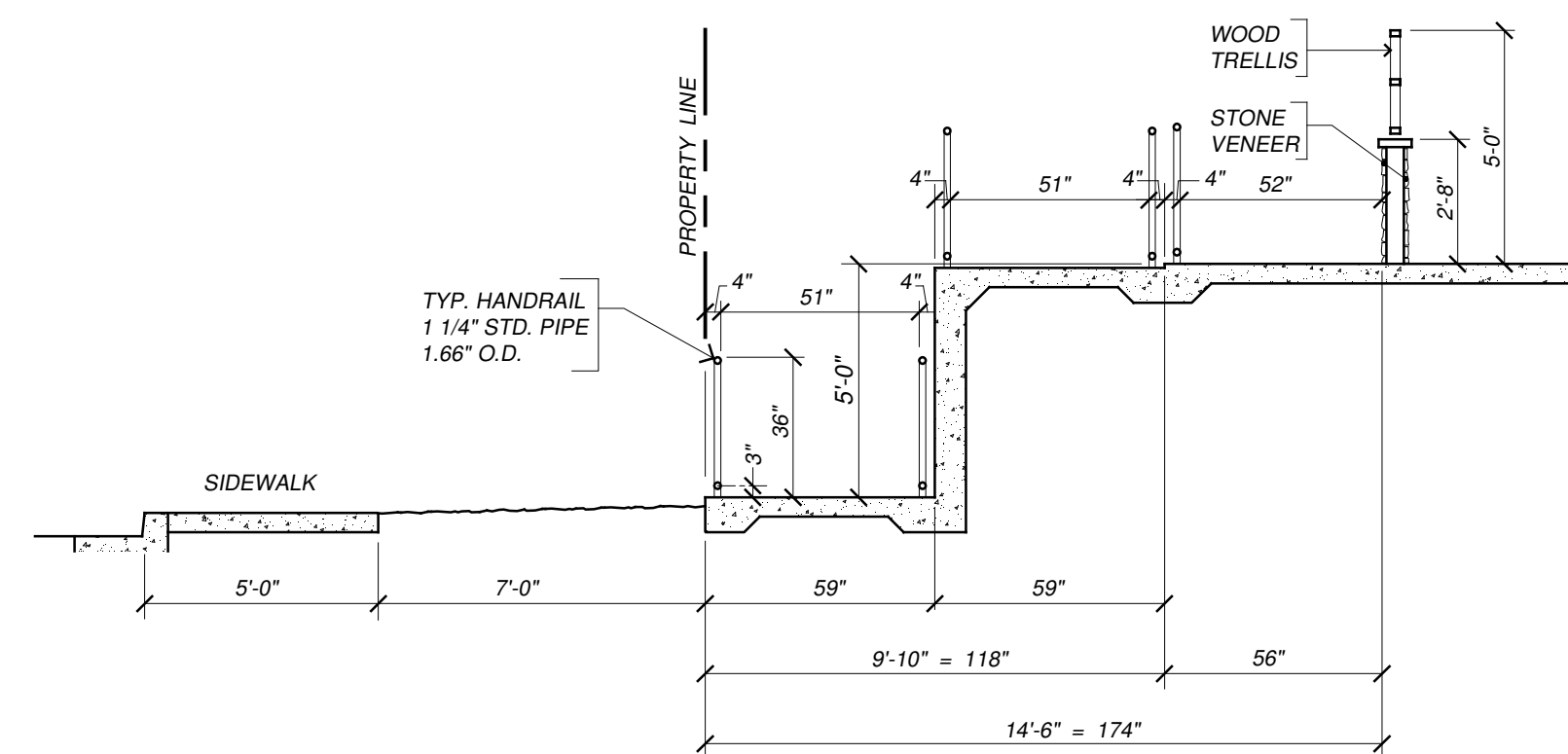
**BUILDING A
RIGHT SIDE ELEVATION**
NORTH ELEVATION 1/8" = 1'-0"

COLOR SCHEDULE	
BUILDING A:	
ROOFING:	Medium Dark Brown Heavy Tab Comp Shingle
COLOR PALETTE #1:	
Wall Shingles under Gable Roof:	Rugged Tan N190-4
2nd Floor Walls and Balcony Railing:	Inheritance M280-5
1st Floor Walls:	Livingston N330-5
COLOR PALETTE #2:	
Wall Shingles under Gable Roof:	Rugged Tan N190-4
2nd Floor Walls and Balcony Railing:	Curly Willow HDC-NT-12
1st Floor Walls:	Burnt Almond 280F-4
Roof Facias, Roof Soffits, Band Boards, Window and Door Trims, Metal Railings, Cap and Base Rail and Corner Posts at Front Balcony, Wood Grids at 1st Floor Decks, Stair Stringers, Columns and Railings:	Linen White 70
WOOD TRELLISES, WOOD KNEE BRACES, WOOD RAFTERS, GUTTERS:	Mission Brown N250-7
WINDOW and DOOR FRAMES:	Off-White
STONE at BASE:	El Dorado Stone Yukon, Mountain Ledge Medium Tan
NOTES:	
1. Sample areas of all colors will be painted for review and approval by Owner, Designer and City Planning.	
2. All Paint Color numbers are BEHR Paints.	

**BUILDING A
EXTERIOR ELEVATIONS**

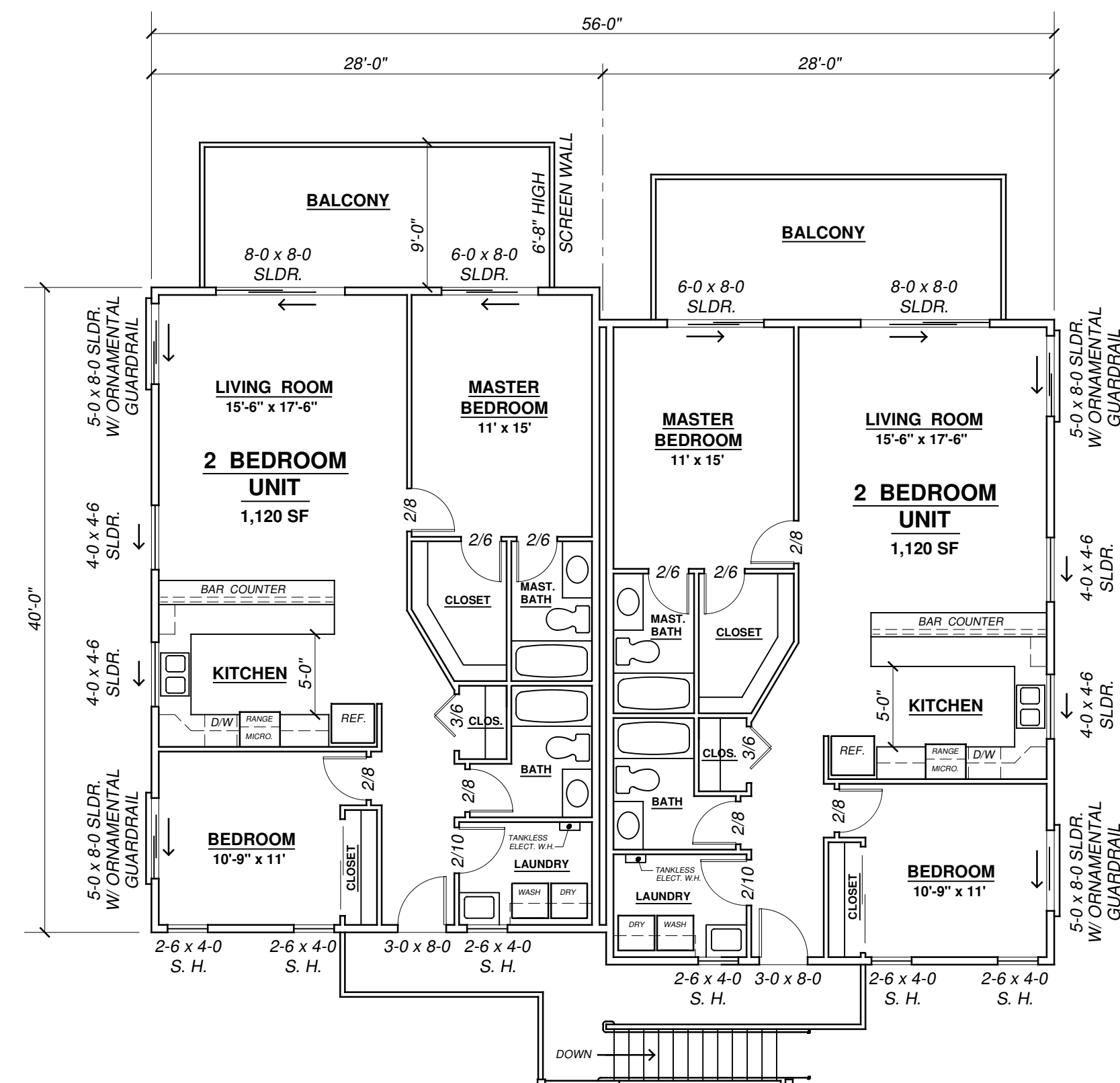
1/8" = 1'-0"

REVISIONS	BY
10/4/17	LC
12/11/17	LC
DAVID B. ZULIM INC. 150 FELKER ST. SUITE F SANTA CRUZ, CALIFORNIA 95060 831-425-8769 DESIGN PLANNING DAVID ZULIM P.E. 31047 CALIFORNIA	
Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.	
BUILDING A - EXTERIOR ELEVATIONS HOUSING PROJECT for: BAY PHOTO LAB 4627 Scotts Valley Drive, Scotts Valley, California	
Date	1/10/17
Scale	1/8" = 1'-0"
Drawn	LC
Job	631-16A
Sheet	A2
Of	6 Sheets

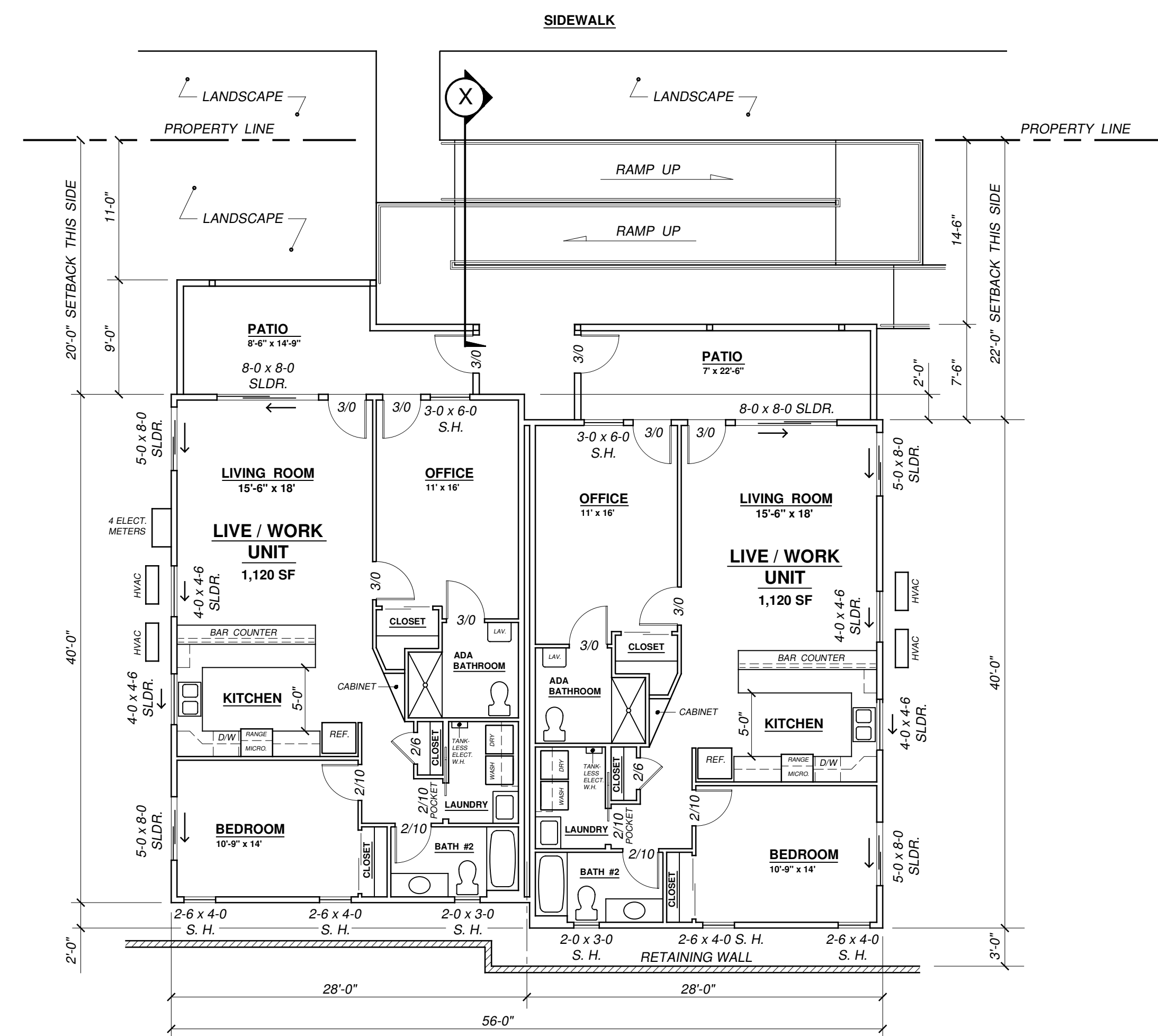


X SECTION AT RAMP

$1/4'' = 1' - 0''$



BUILDING A SECOND FLOOR PLAN

$$1/8'' = 1' - 0''$$


BUILDING A GROUND FLOOR PLAN

$1/8'' = 1' - 0''$

BUILDING A FLOOR PLANS

$$1/8'' = 1' - 0''$$

REVISIONS	BY
1 10/4/17	LC

DAVID B. ZULIM INC.
 150 FELKER ST. SUITE F
 SANTA CRUZ, CALIFORNIA 95060
 831-425-8769

DAVID ZULIM
 P.E. 31047 CALIFORNIA

**DESIGN
 ENGINEERING
 PLANNING**

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

BUILDING A - FLOOR PLANS
HOUSING PROJECT for:
BAY PHOTO LAB
44627 Scotts Valley Drive, Scotts Valley, California

Date	1/10/17
Scale	AS NOTED
Drawn	LC
Job	631-16A
Sheet	A3
Of	6 Sheets

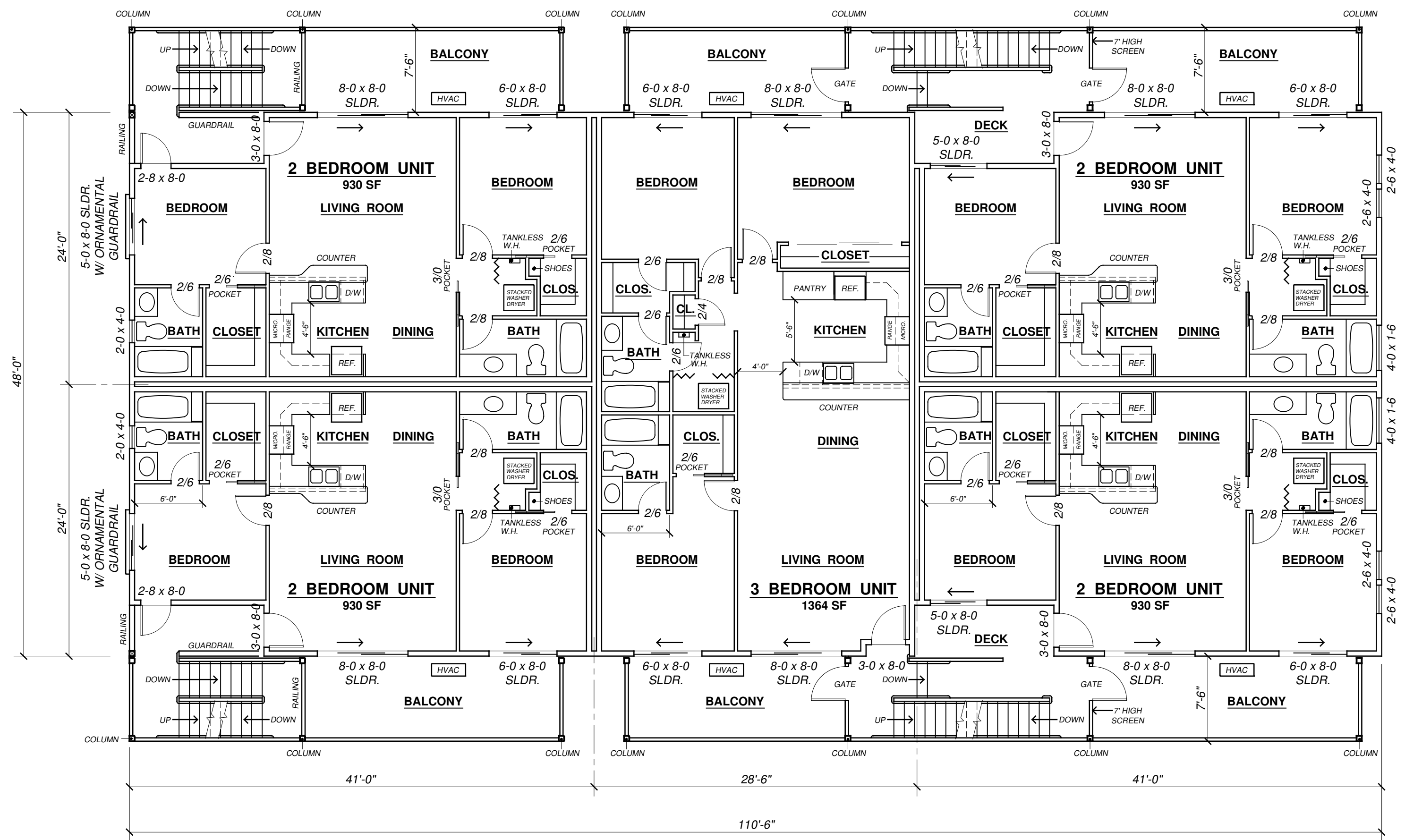
REVISIONS	BY
1	10/4/17 LC
2	6/28/18 LC

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DESIGN
BUILDING
PLANNING
DAVID ZULIM
P.E. 31047 CALIFORNIA

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BUILDING B - FLOOR PLANS
HOUSING PROJECT for:
BAY PHOTO LAB
4627 Scotts Valley Drive, Scotts Valley, California

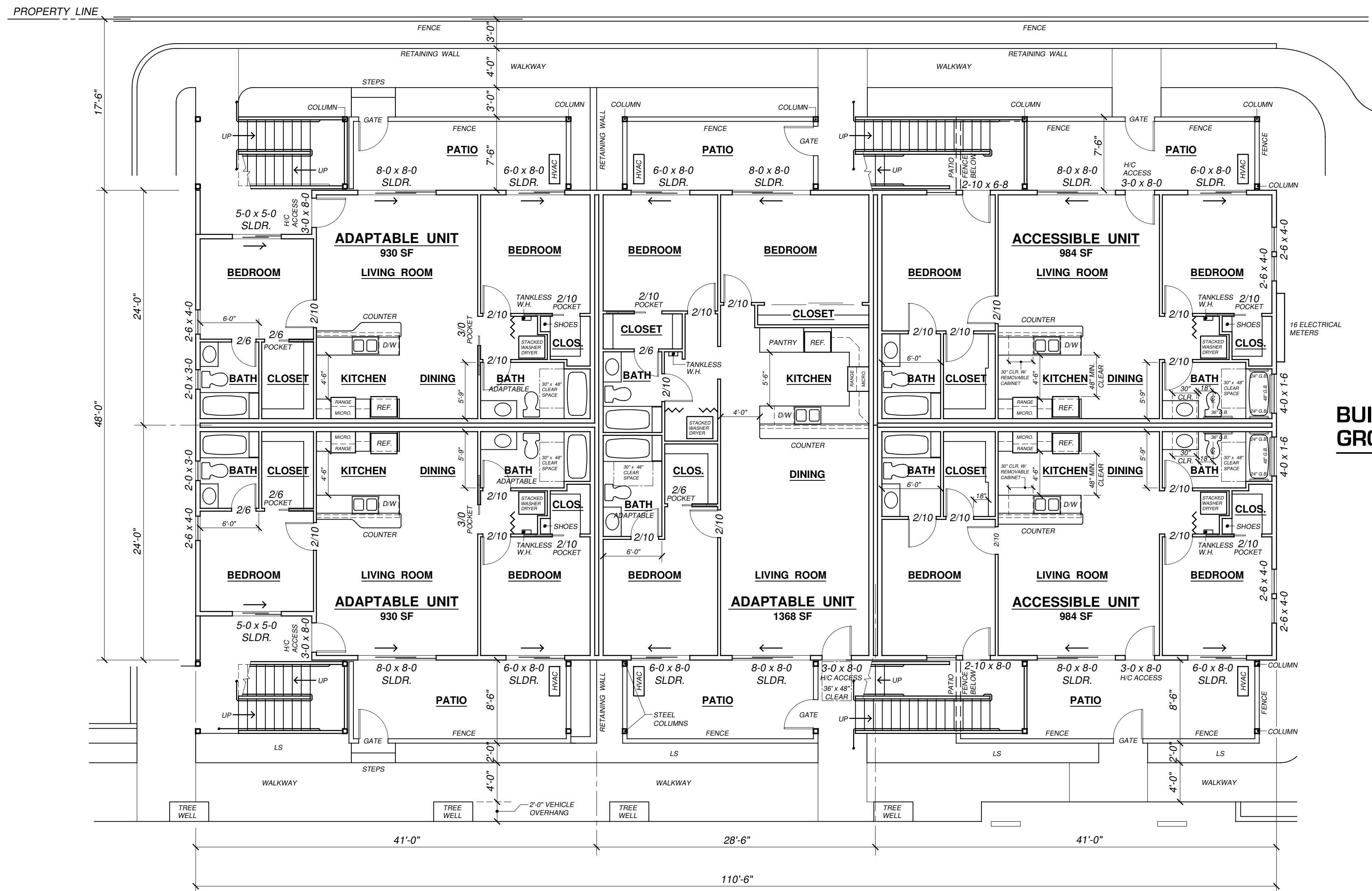
Date	1/10/17
Scale	1/8" = 1'-0"
Drawn	LC
Job	631-16A
Sheet	A5
Of	6 Sheets



BUILDING B
SECOND AND THIRD FLOOR PLANS

1/8" = 1'-0"

NOTE: ON THIRD FLOOR, USE 6'-8" HIGH
DOORS AND WINDOWS ON
NORTH AND SOUTH WALLS
DUE TO 8 FOOT WALL HEIGHT.



BUILDING B
GROUND FLOOR PLAN

1/8" = 1'-0"

BUILDING B
FLOOR PLANS

1/8" = 1'-0"



REVISIONS	BY
1 10/4/17	LC
2 6/28/18	LC

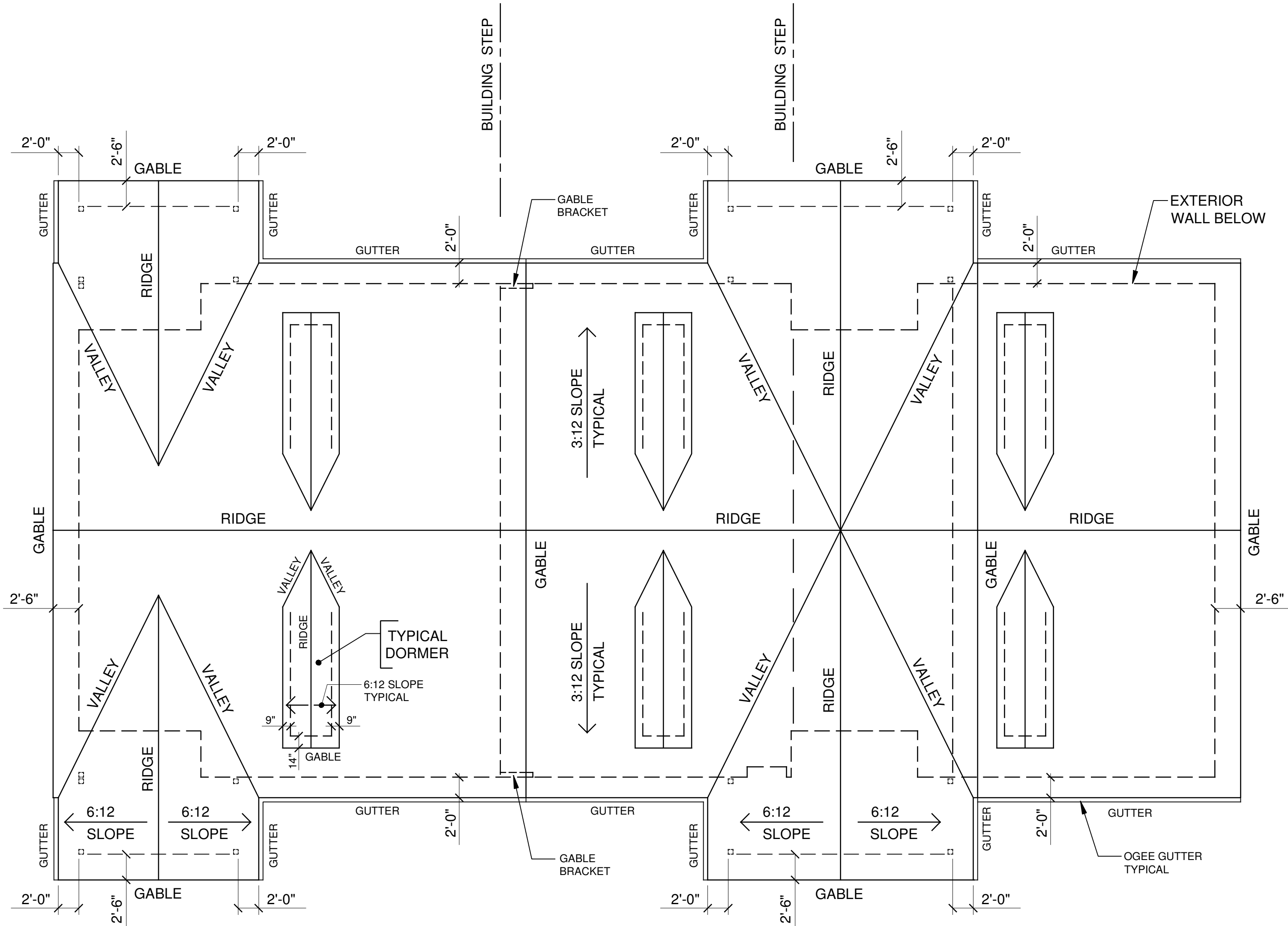
DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769

DAVID ZULIM
DESIGN ENGINEERING
PLANNING
P.E. 31047 CALIFORNIA

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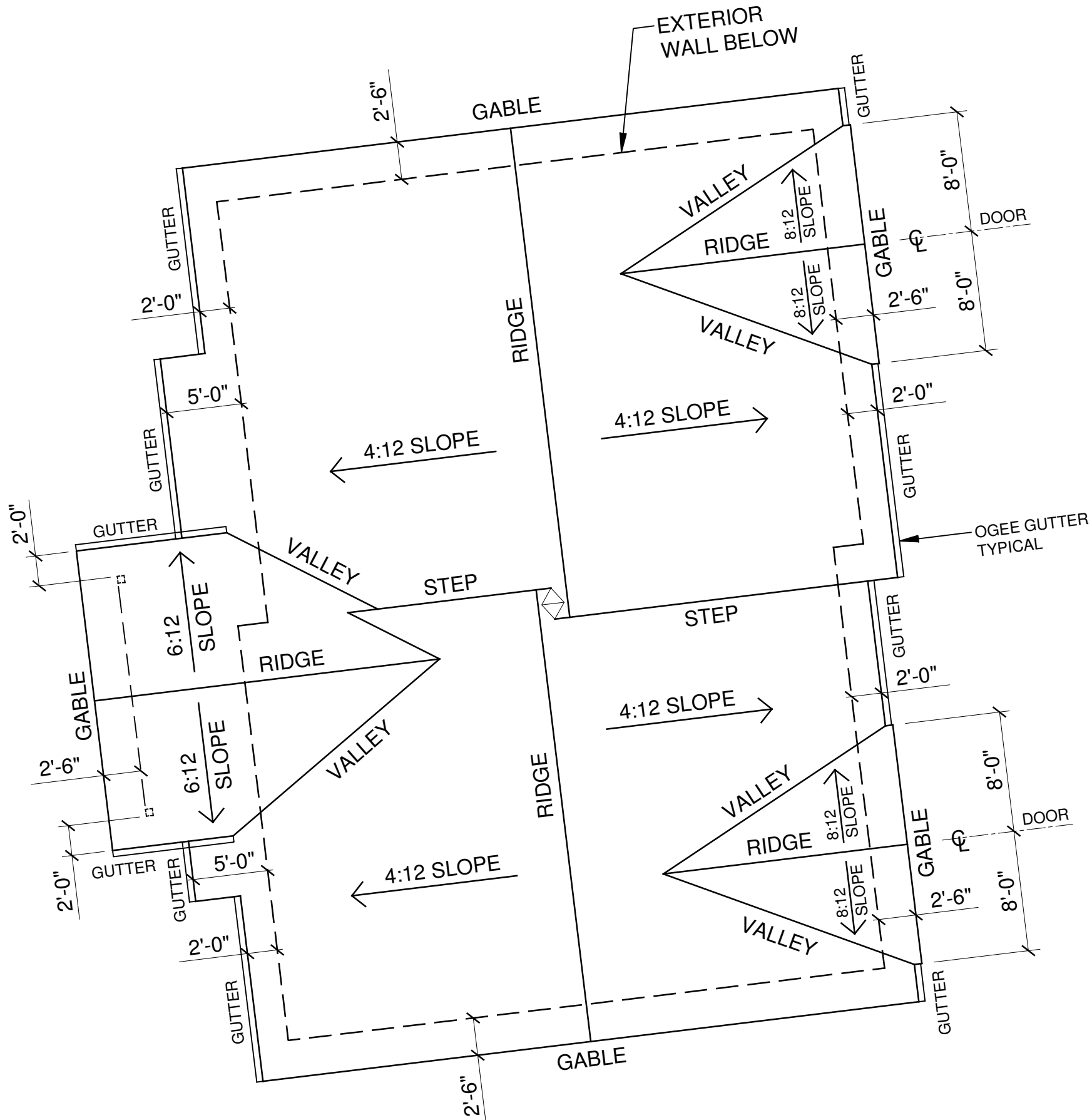
BUILDINGS A AND B - ROOF PLANS AND SECTIONS
HOUSING PROJECT for:
BAY PHOTO LAB
4627 Scotts Valley Drive, Scotts Valley, California

Date	1/10/17
Scale	1/8" = 1'-0"
Drawn	LC
Job	631-16A
Sheet	A6
Of	6 Sheets



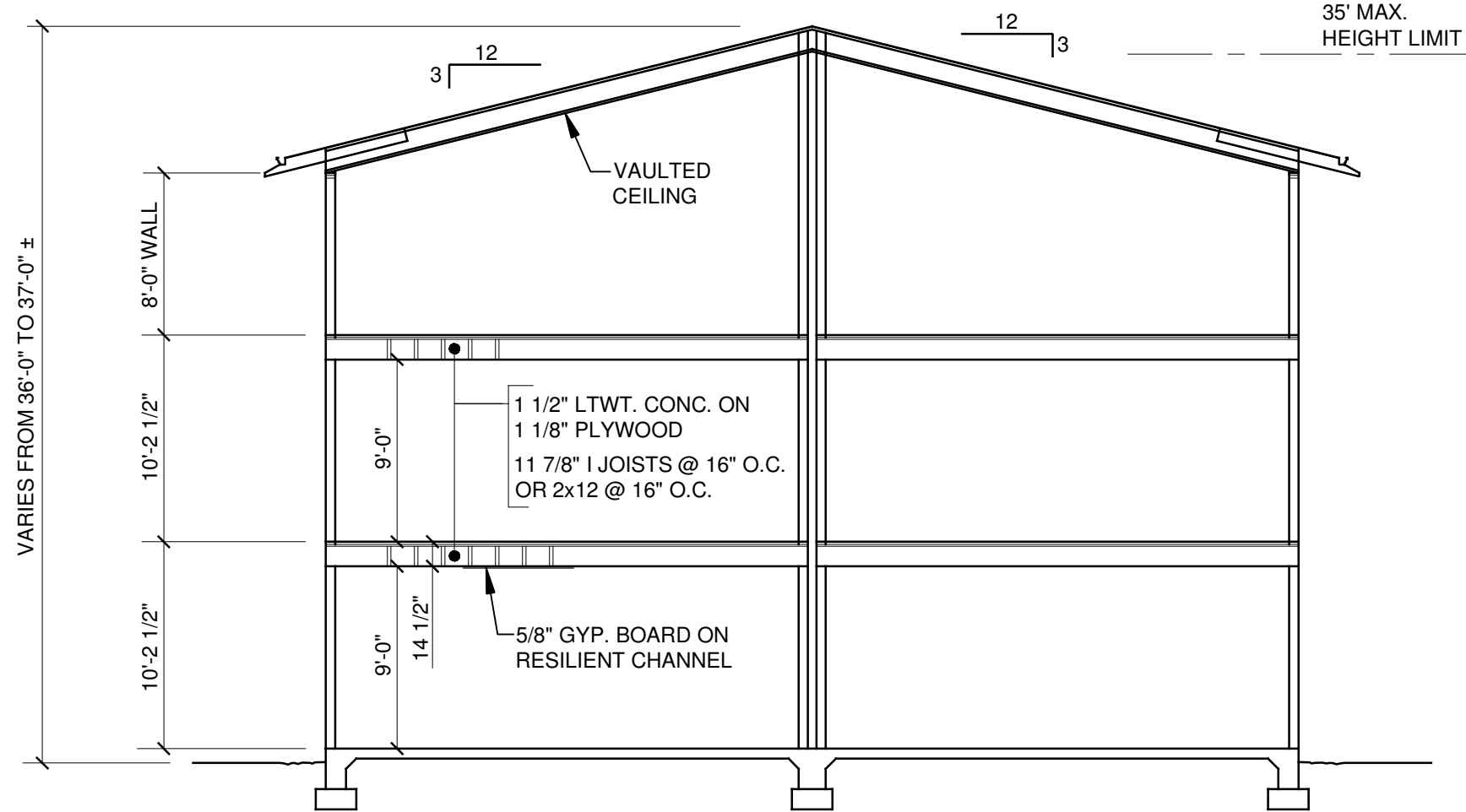
BUILDING B - ROOF PLAN

1/8" = 1'-0"



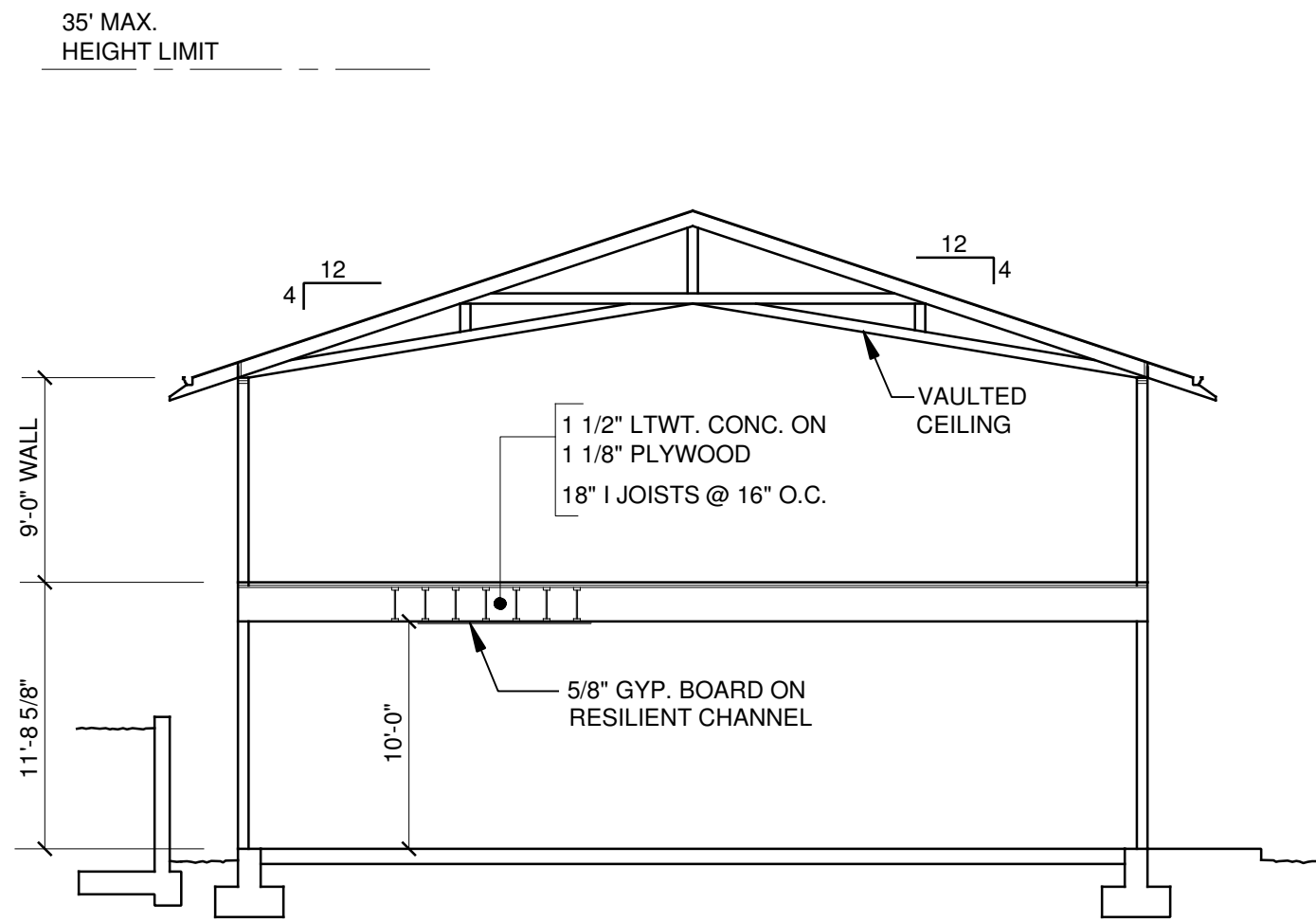
BUILDING A - ROOF PLAN

1/8" = 1'-0"



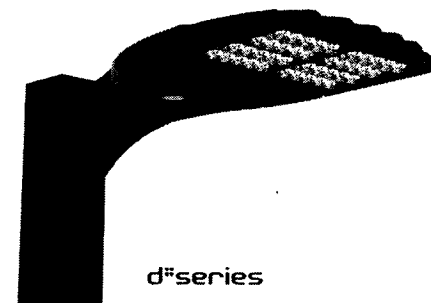
BUILDING B - SECTION

1/8" = 1'-0"



BUILDING A - SECTION

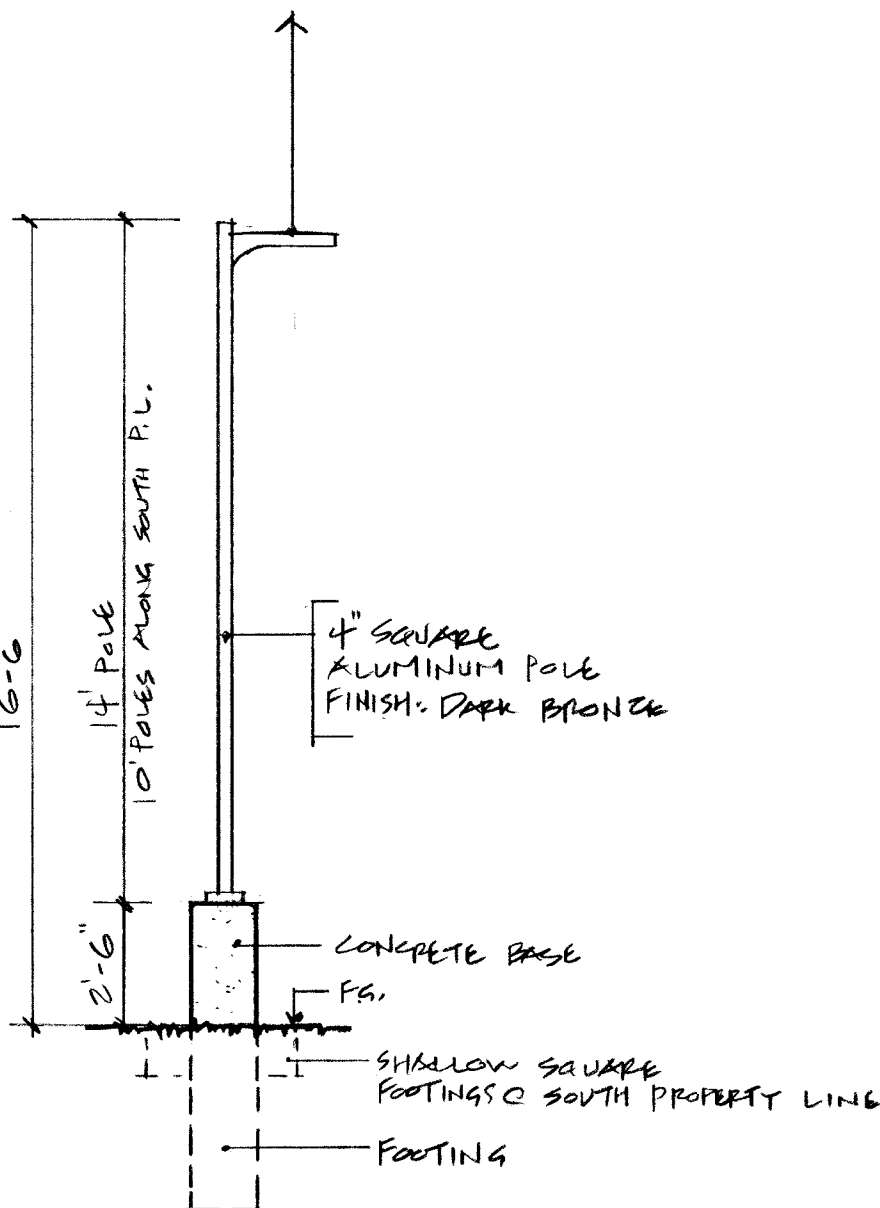
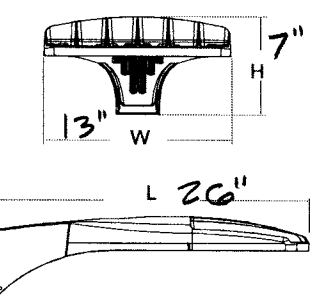
1/8" = 1'-0"



D-Series Size 0
LED Area Luminaire

Specifications

EPA: 0.8 fcd
(0.4 ft)
Length: 26"
(0.66m)
Width: 13"
(0.33m)
Height: 7"
(0.18m)
Weight (max): 16 lbs
(0.34kg)



TYP. LED LIGHT AND POLE
LED Fixture on Aluminum Pole

1/4" = 1' - 0"



D-Series Size 1
LED Wall Luminaire

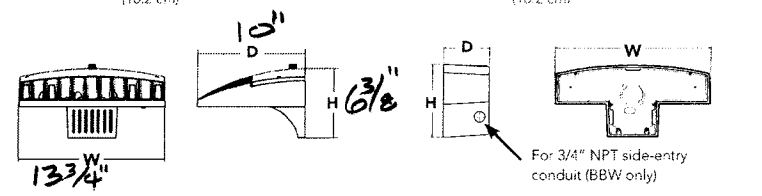


d-series

Specifications Luminaire

Width: 13-3/4"
(34.9 cm)
Depth: 10"
(25.4 cm)
Height: 6-3/8"
(16.2 cm)

Back Box (BBW, ELCW)
Width: 13-3/4"
(34.9 cm)
Depth: 4"
(10.2 cm)
Height: 6-3/8"
(16.2 cm)



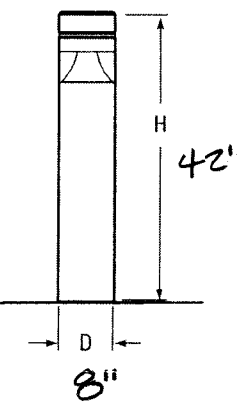
TYP. WALL MOUNTED LED AREA LIGHT



KBC8 LED
LED Specification Bollard

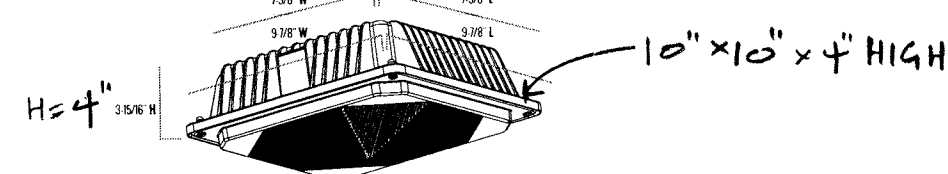
Specifications

8" Round
(20.3 cm)
Height: 42"
(106.7 cm)
Weight (max): 27 lbs
(12.2 kg)



TYP. LED WALKWAY BOLLARD
42" high LED Fixture

ECCS Series



TYP. LED SOFFIT LIGHT

EXTERIOR LIGHTING FIXTURES

Typ. Finish for Light Fixtures and Poles: Dark Bronze

BUILDING CODE ANALYSIS

OCCUPANCY: R-2 Multi-Residential per CBC 310.4

TYPE OF CONSTRUCTION: V-B

FIRE SPRINKLERS: YES.

Fire Sprinkler Systems for both Buildings A and B shall meet NFPA 13. This is required as Buildings are using CBC Section 1019 exception 4 which allows for open exterior stairways that are not enclosed or separated from the Building Interiors.

BUILDING ALLOWABLE HEIGHT:

Per CBC Table 504.3, maximum height for Type V-B, Occupancy R-2, S (without area increase) = 60 feet > proposed 35 foot height as measured per CBC definition. OK.

BUILDING ALLOWABLE NUMBER OF STORIES:

Per CBC Table 504.4, maximum number of stories for Type V-B, Occupancy R-2, S (without area increase) = 3 stories = 3 stories at Building B. OK.

BUILDING ALLOWABLE SQUARE FOOTAGE: Combined Areas for Buildings A and B.

Per CBC Table 506.2, allowable area factor for Type V-B, Occupancy R-2, SM (without height increase) = 21,000 sf.
Eq 5-2: Allowed Individual Story SF: Aa = 21,000 x 1.0 = 21,000 sf (A) + 5,196 sf (B) = 7,436 sf. OK.
Total Allowed Building SF: Aa = 21,000 x 2.0 = 42,000 sf > 4,480 sf (A) + 15,356 sf (B) = 19,836 sf. OK

REQUIRED SEPARATION BETWEEN EACH R-2 DWELLING UNIT:

- Per CBC Section 420.2, Separation Walls and Section 708: 1/2 hour fire partitions are required between each apartment extending from floor to ceiling above and thru attics to underside of roof sheathing. 1/2 hour minimum requirement is per 708.3 exception 2 for automatic fire sprinkler system.
- Per CBC Section 420.3, Horizontal Separation and Section 711: 1/2 hour fire rated floor assembly is required per exception in 711.2.4.3 for automatic fire sprinkler system.
- Nevertheless, these units will essentially have a 1 hour rating between units (except 1/2 hour separation will be used in attic area) because standard construction is 5/8" type X gypsum wallboard each side on walls and one layer on ceilings for sound control and higher quality construction.

STAIR WIDTH and RISE/RUN:

Per CBC Section 1011.2, exception 1, since occupant load for any single stair is less than 50, minimum stair width = 36 inches. Also, 48 inch minimum width is not required per CBC Section 1009.3, exception 2 because buildings are equipped with automatic sprinkler system.
Per CBC Section 1011.5.2: Maximum rise = 7 inches. Minimum run = 11 inches.

EXIT ACCESS STAIRWAYS CODE INTERPRETATIONS:

- 10-foot minimum from property line to stairs on north side of Building B is required per CBC Section 1027.5. This has been provided on the Plans, therefore OK.
- 10-foot minimum from Building A stairs to Building B is required per CBC Section 1027.5. This has been provided on the Plans, therefore OK.
- Buildings A and B: Fire Separation between Stairs and Building Interior and Stair Enclosure is not required per CBC Section 1019 exception 4. The Buildings are less than 4 stories and is equipped with an automatic sprinkler system designed to meeting NFPA 13.

NON-FIRE RATED CONSTRUCTION for

1) ROOF GABLE OVERHANGS above Stairs on North side of Building B and
2) BALCONIES on 2nd and 3rd Floors on North side of Building B in relation to property line:
Roof overhang construction above stairs is a non fire-resistant combustible projection with fire sprinkler protection and extends to within 7.5 feet from the North Property Line. Balconies extend to within 9 feet of the North Property Line.
The intended balcony construction is concrete filled metal deck on steel beams and steel columns for structural safety.

However, this may change to wood construction due to cost constraints.
This analysis demonstrates how non fire-resistant combustible construction for the roof overhangs and balconies are allowed by the Code:
A non-fire resistant combustible projection is allowed per Section 705.2.3 "Combustible Projections. Combustible projections...or as required by Section 1406.3".
Per Section 1406.3, "Balconies and similar projections of combustible construction shall be fire-resistance rated where required by Table 601 for floor construction".
Table 601 allows unrated floor construction and unrated roof construction for Type VB construction, therefore, the balcony and roof projections are not required to have a fire-resistance rating requirement.

FIRE RESISTANT RATING FOR BUILDING ELEMENTS = 0 PER CBC Table 601 for Type VB construction.

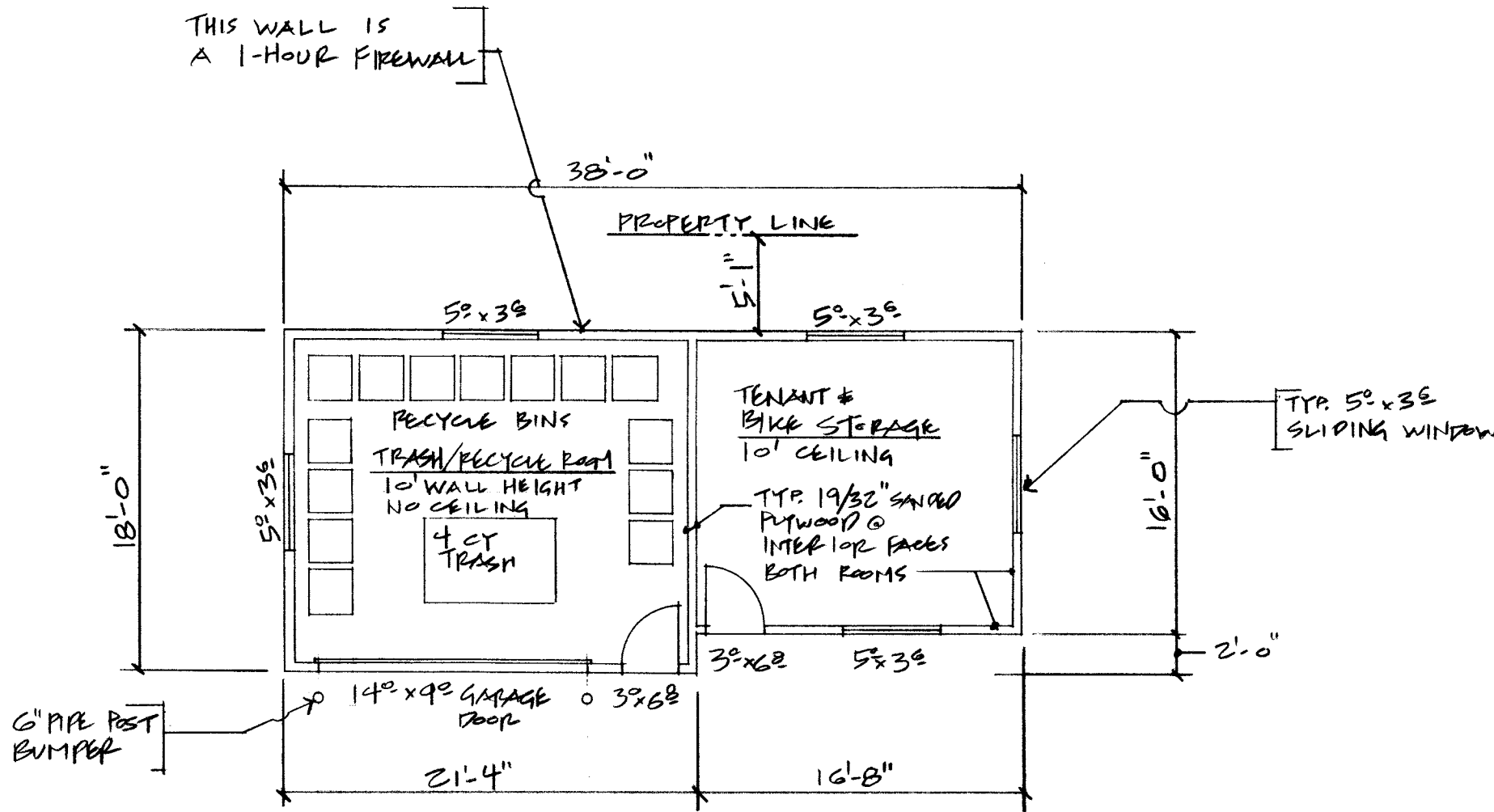
FIRE RESISTANT RATING FOR EXTERIOR WALLS = 0 per CBC Table 602 for Type VB construction
for R Occupancy as our governing fire separation distance is 10.2 feet from Building A wall to north property line and 17.5 feet from Building B wall to north property line.
In addition, since fire rating requirement equals zero for exterior walls, per Section 705.8.1 exception 2, Buildings A and B walls are permitted to have unlimited unprotected openings.

EXITS:

- Each individual apartment is only required to have one exit door.
Per Table 1006.2.1, R-2 occupancy spaces with one exit may have a maximum occupant load of 10.
Table 1004.1.2 lists the maximum floor area allowance per residential occupant as 200 s.f. gross. Largest apartment with one exit has 1,120 sf.
1,120 s.f./200 s.f. per occupant = 6 occupants. Therefore, 1 exit door is allowed.
Building B: 3 stories, R-2 occupancy. Per floor plan, Building B has 4 exterior exit stairways serving the 2nd and 3rd floors.
The governing condition is where one exit stairway serves 2 apartments on 2nd floor and 2 apartments on 3rd floor. Section 1006.3.2(1) allows for a single exit from a story if: (1) the number of dwelling units and exit access travel distance does not exceed the values in Table 1006.3.2(1).
Per Table 1006.3.2(1) a second or third story R-2 occupancy can have just one exit from that story if there are no more than 4 dwelling units per story exiting onto 1 stairway and the maximum exit access travel distance does not exceed 125 feet. An automatic sprinkler system throughout is also required, as are emergency escape and rescue openings per Section 1030.
This Building complies with all requirements.
- Building A, 2nd floor: The 2 apartments on the 2nd floor exit onto the exterior exit stairway meeting the exiting requirements of the Code.
- Buildings A and B, Ground Floor Units: Each apartment has an exit meeting the exiting requirements of the Code.

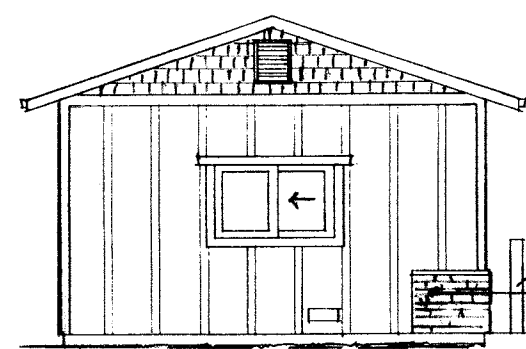
TRASH & TENANT STORAGE BUILDING

1/8" = 1' - 0"



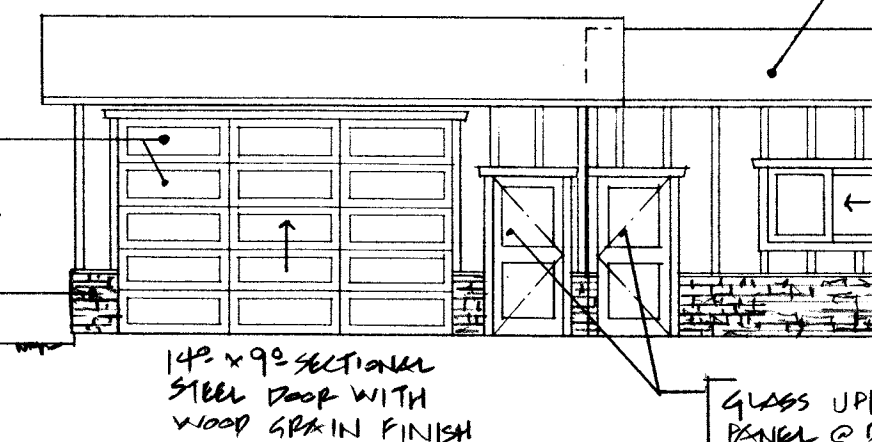
PLAN VIEW

651 S.F. 1/8" = 1' - 0"



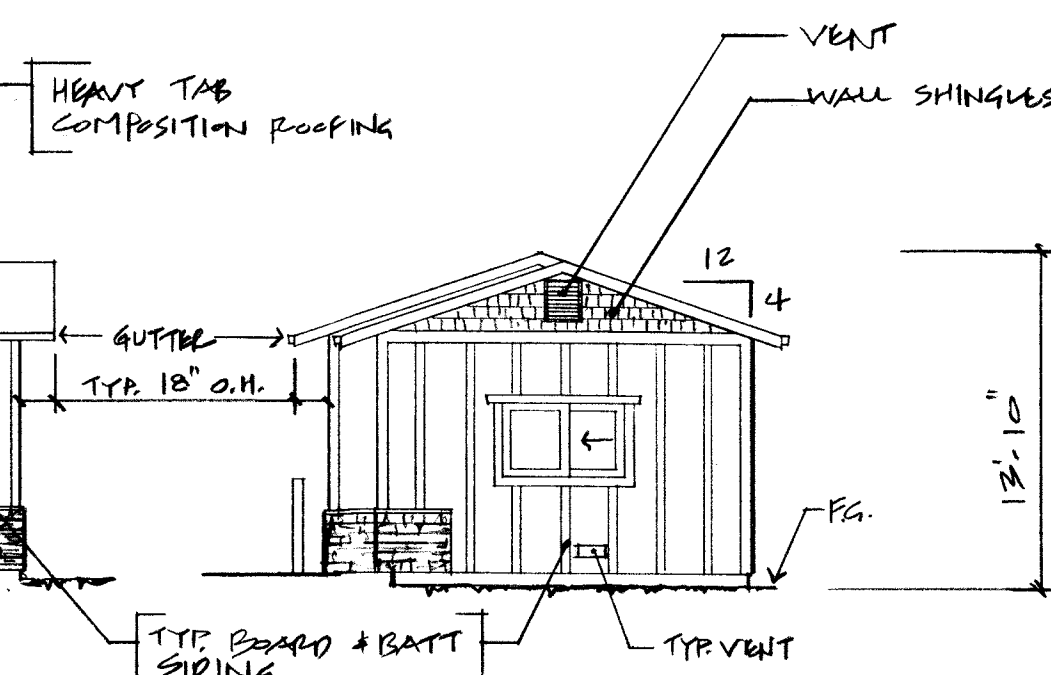
LEFT SIDE ELEVATION

1/8" = 1' - 0"



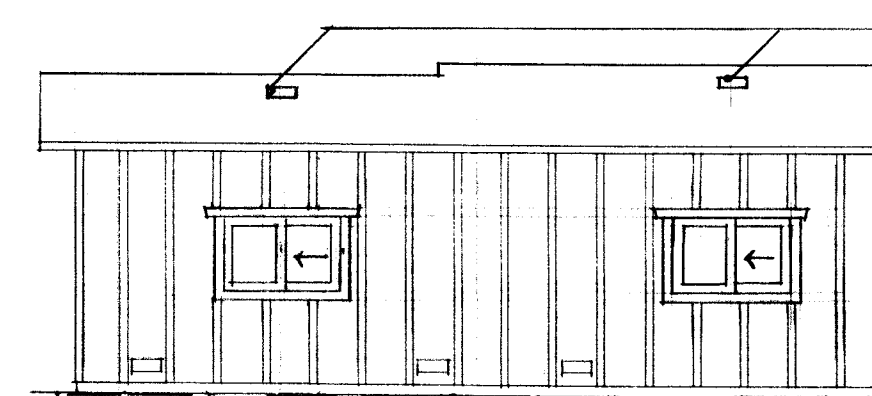
FRONT ELEVATION

1/8" = 1' - 0"



RIGHT SIDE ELEVATION

1/8" = 1' - 0"



REAR ELEVATION

Facing Property Line

1/8" = 1' - 0"

ACCESSIBILITY ANALYSIS

SITE ACCESS:

Path of travel is designed to be accessible from Scotts Valley Drive sidewalk to Building A via ADA ramps and continues to Building B via ADA ramps and to all ground floor apartments in Building B.
Buildings A and B have two accessible parking spaces.

APARTMENT ANALYSIS FOR ACCESSIBILITY:

- Building A has a total of 4 apartments.
The 2 ground floor units have ADA access.
The 2 units on the 2nd floor have stairway access.
- Building B is 3 stories with 5 apartments per floor for a total of 15 apartments.
The 5 ground floor units have ADA access.
The units on the 2nd and 3rd floors have stairway access.
- Buildings A and B do not have elevators.
- Per CBC Section 1102A.3.1 Multistory apartment or condominium dwellings in buildings with no elevator, at least 10 percent of total number of all multistory dwelling units in buildings on site shall comply with listed requirements.
10 percent x 19 total apartments on site = 2 apartments are required to meet accessibility standards of Section 1102A.3.1.
This requirement is met by 2 apartments on the ground floor of Building B. The 2 apartments are designed to fully satisfy the accessibility standards.
In addition, the 2 ground floor units in Building A are provided with accessible entrance doors and each unit has one fully compliant ADA restroom with a roll-in shower.
- Per CBC Section 1104A.1, All ground floor dwelling units in nonelevator buildings shall be adaptable and on an accessible route.
The remaining 3 apartments on the ground floor of Building B are adaptable and are on an accessible route.

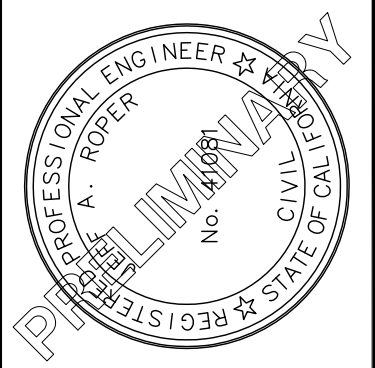
REVISIONS	BY

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-485-8769
DESIGN
ENGINEERING
PLANNING
DAVID ZULIM
P.E. 31057 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project. Design professional shall be named as additional insureds on contractor's insurance policy.

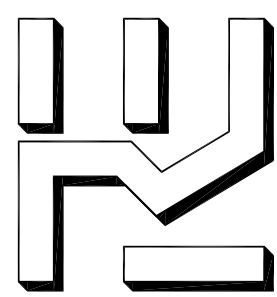
TRASH BUILDING, EXTERIOR LIGHTING, BUILDING CODE, ACCESSIBILITY ANALYSIS FOR HOUSING PROJECT FOR: BAY PHOTO LAB
4627 Scotts Valley Drive, Scotts Valley, California

Date	
Scale	NOTED
Drawn	PC
Job	631-17A
Sheet	A7
Of	Sheets



UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

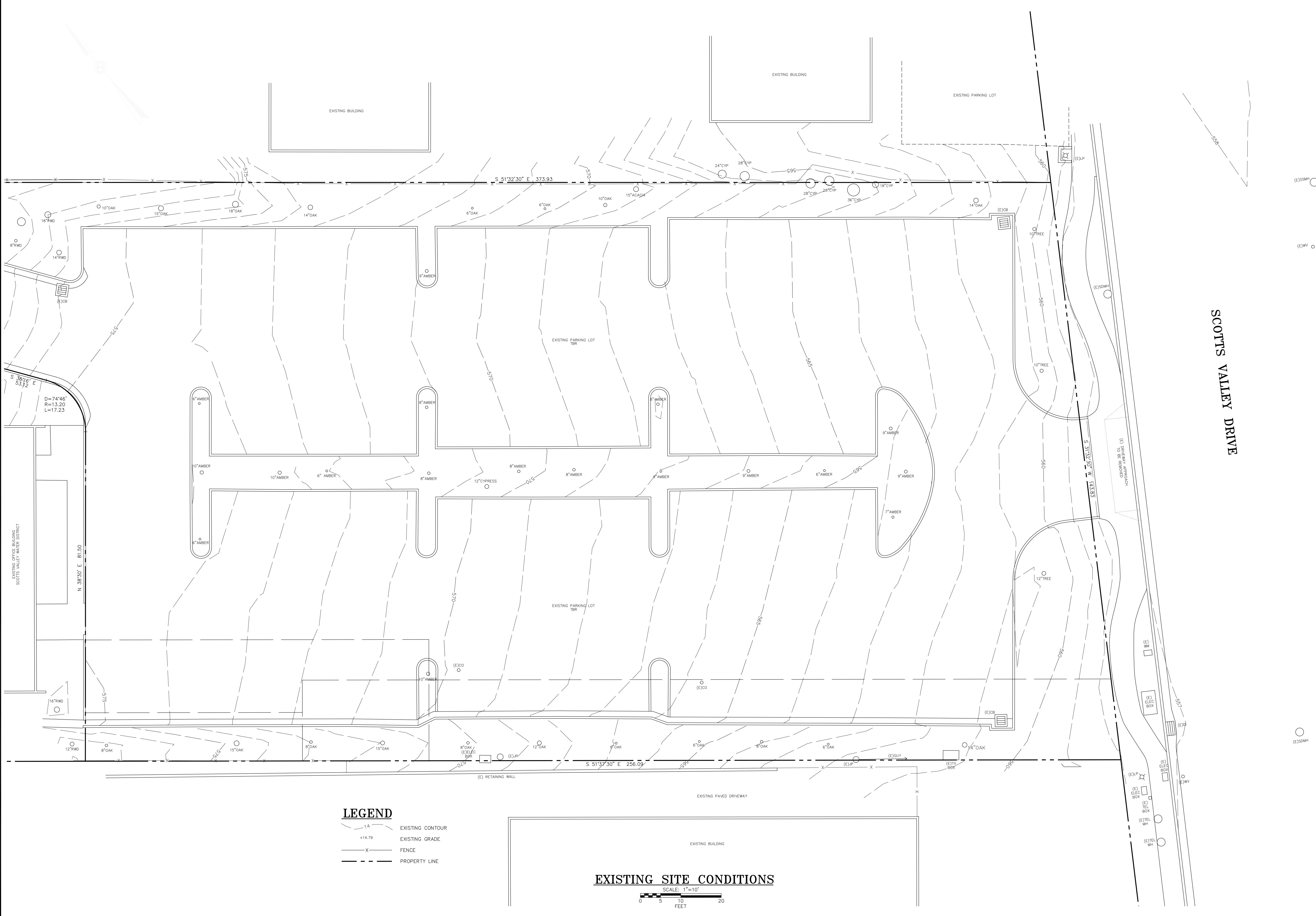
ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
64 PENNY LANE, SUITE A WATSONVILLE, CA 95076
(831) 724-5300 jeff@roperengineering.com



**NEW HOUSING DEVELOPMENT FOR
LARRY ABITBOL**
4627 SCOTTS VALLEY DRIVE APN 022-082-34 & 35
EXISTING SITE CONDITIONS

SCALE: AS NOTED
DESIGNED BY: JR
DRAWN BY: JR
DATE: DEC. 21, 2015
REVISED: JAN. 3, 2018
JOB NO.: 15020

SHEET
C1
OF 3 SHEETS

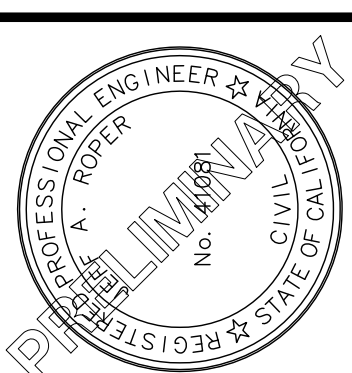
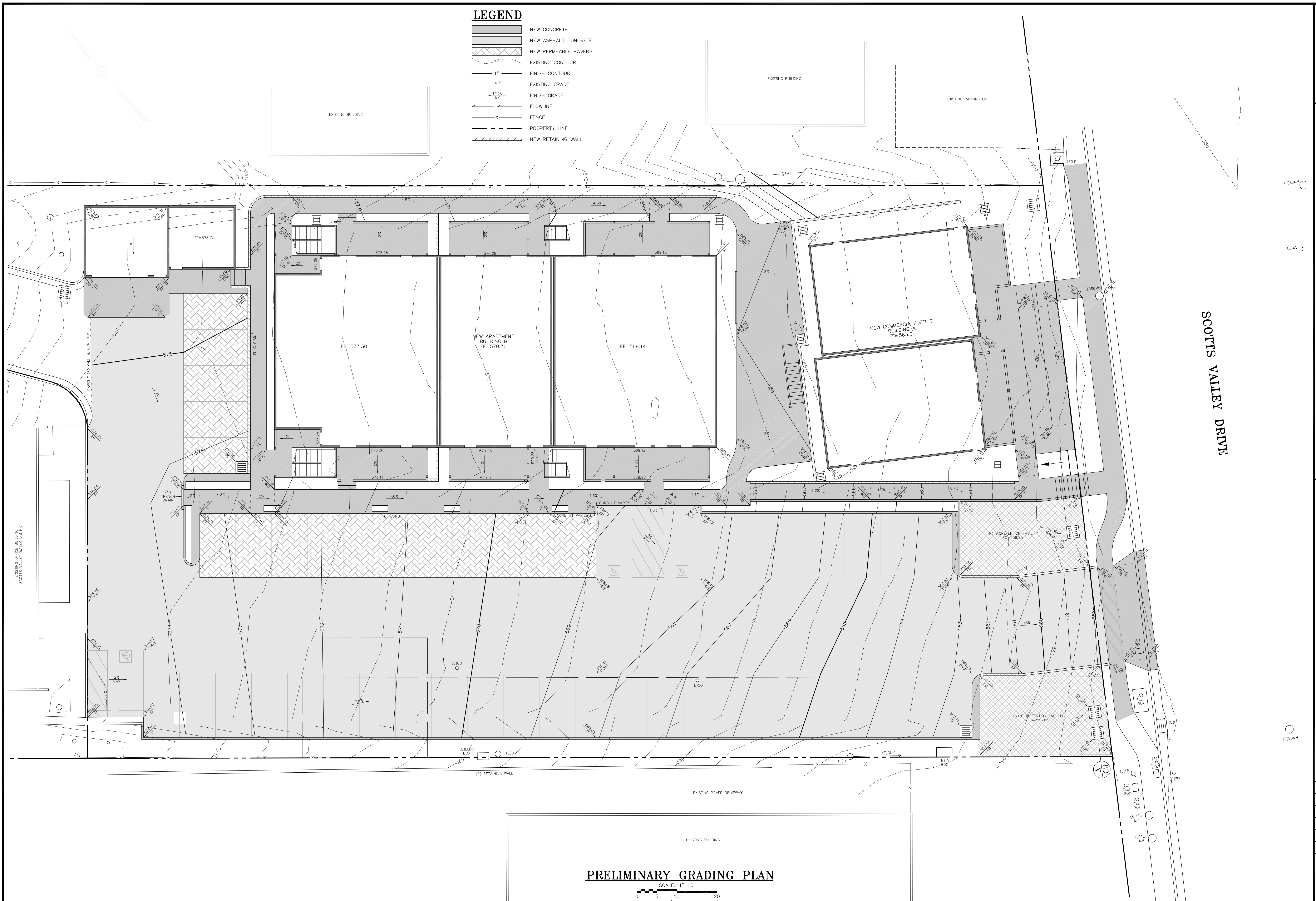


LEGEND

- EXISTING CONTOUR
- EXISTING GRADE
- FENCE
- PROPERTY LINE

EXISTING SITE CONDITIONS

SCALE: 1"=10'
0 5 10 20
FEET

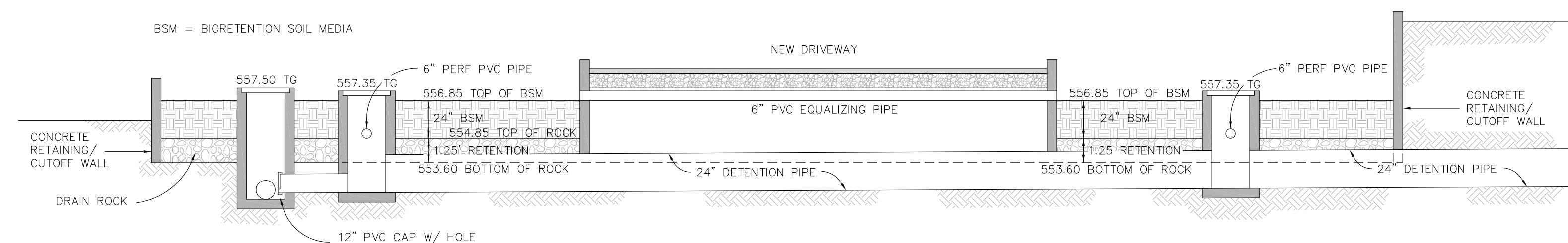


ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
64 PENNY LANE, SUITE A WATSONVILLE, CA 95076
(831) 724-5300 jef@operengineering.com

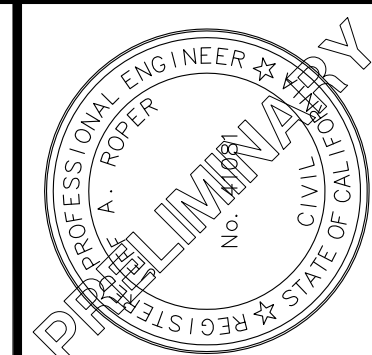
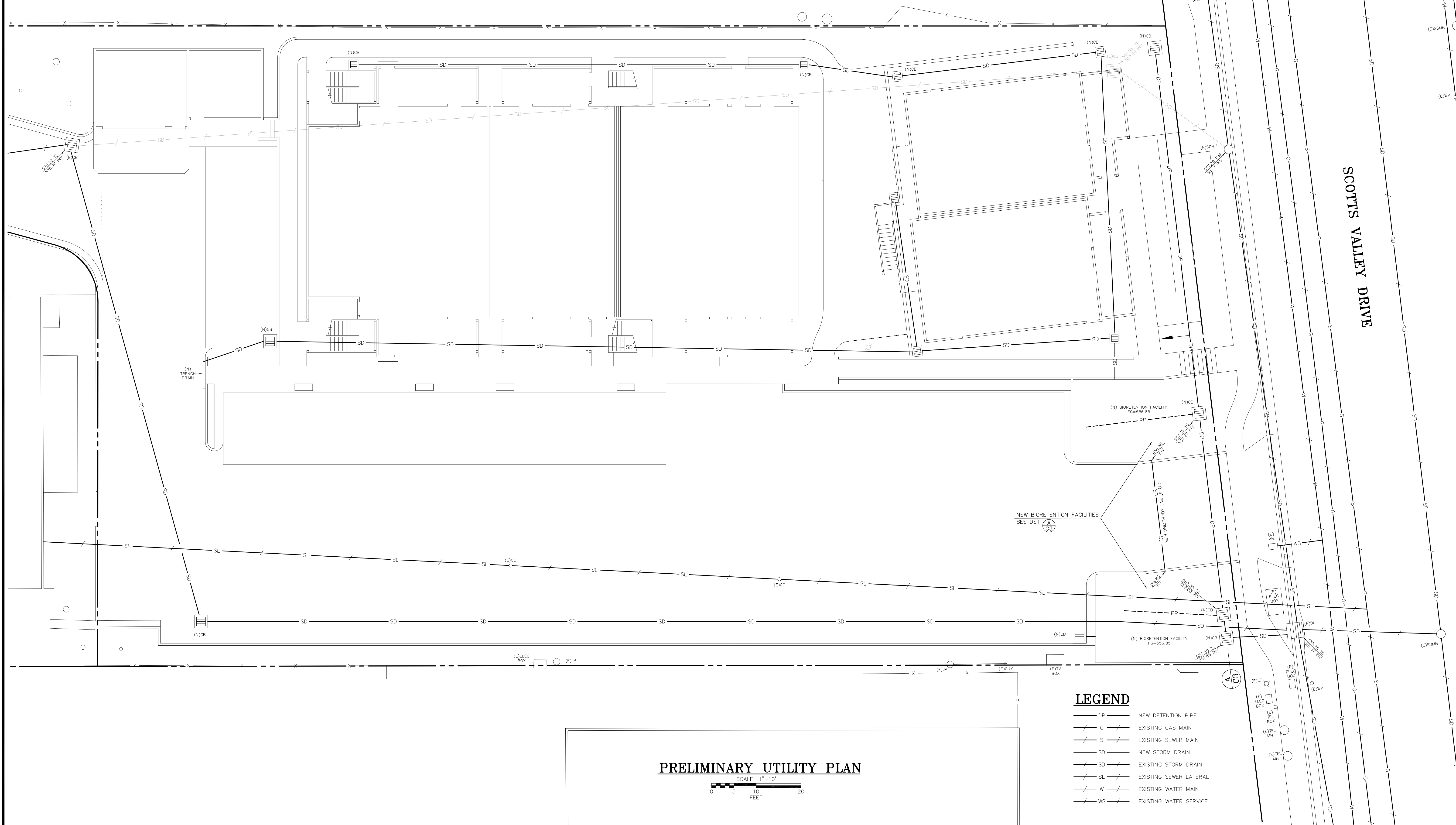
**NEW HOUSING DEVELOPMENT FOR
LARRY ABITBOL
4627 SCOTTS VALLEY DRIVE APN 022-082-34 & 35
PRELIMINARY GRADING PLAN**

C2

OF 3 SHEETS

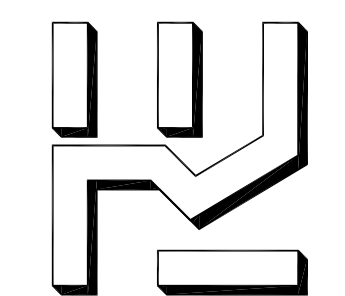


BIORETENTION FACILITY DETAIL SCALE: 1"=5'



UNLESS SIGNED BY THE ENGINEER, THIS
PLAN IS FOR REFERENCE ONLY. THE
SIGNED PLAN IS THE ONLY PLAN TO BE
USED FOR CONSTRUCTION.

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CIVIL ENGINEERING & LAND SURVEYING
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**NEW HOUSING DEVELOPMENT FOR
LARRY ABITBOL
4627 SCOTTS VALLEY DRIVE APN 022-082-34 & 35
PRELIMINARY UTILITY PLAN**

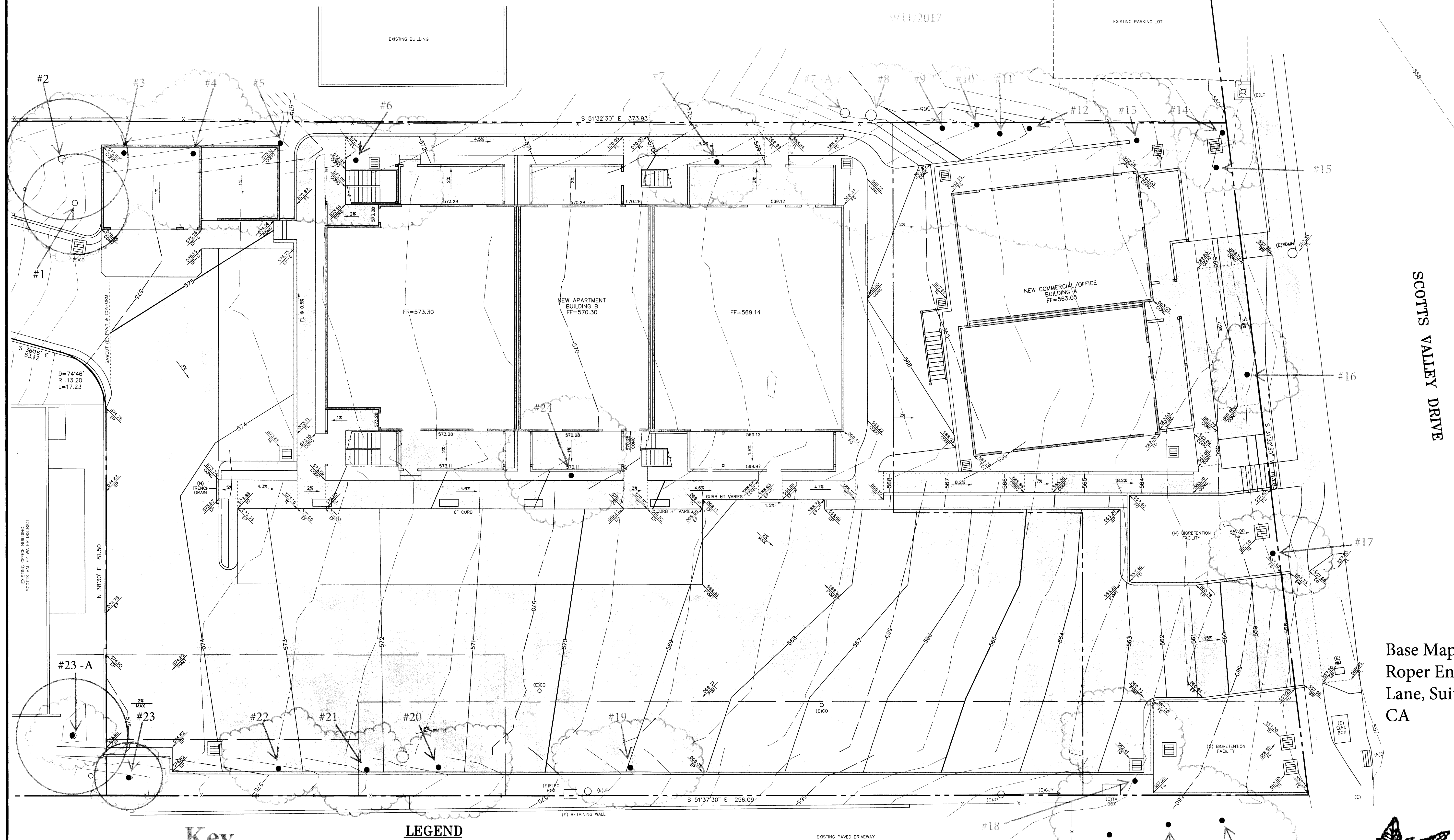
SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	DEC. 21, 2015
REVISED:	JAN. 3, 2018
JOB NO.:	15020
SHEET	

C3

OF 3 SHEETS

Tree Location Map

9/11/2017



SCOTTS VALLEY DRIVE

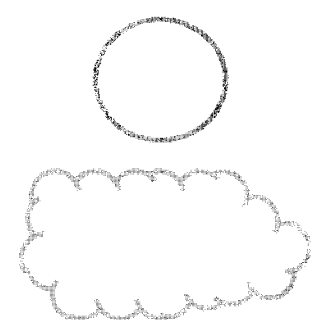
Base Map Provided By:
Roper Engineering 64 Penny
Lane, Suite A, Watsonville,
CA

Key

- Remove Tree
- Retain Tree
- Tree Protection Zone
- Canopy Extents

Red #'s

Blue #'s



LEGEND

- NEW CONCRETE
- NEW ASPHALT CONCRETE
- EXISTING CONTOUR
- FINISH CONTOUR
- EXISTING GRADE
- FINISH GRADE
- FLOWLINE
- FENCE
- PROPERTY LINE
- NEW RETAINING WALL

SCALE: 1"=10'
0 5 10 20
FEET



Kurt Fouts
Arboreal Consultant

826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com



Minutes

Meeting of the
Scotts Valley Planning Commission

Date: May 10, 2018
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 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvally.org .
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Appointed Officials	City Staff Members
Derek Timm, Chair Carlos Arcangeli, Vice Chair Robin Donovan, Commissioner Rosanna Herrera, Commissioner Deborah Muth, Commissioner	Taylor Bateman, Community Development Dir. Michelle Edwards, Senior Planner Brenda Stevens, Assistant Planner

CALL TO ORDER: Meeting called to order at 6:05 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE: The Planning Commission Chair led the pledge of allegiance.

ROLL CALL: Present: Arcangeli, Donovan, Herrera, Muth, and Timm.

PUBLIC COMMENT: None.

ALTERATIONS TO CONSENT AGENDA: None.

CONSENT AGENDA: The Commission approved the minutes.

A. Action Meeting Minutes from the April 12, 2018 meeting.

M/S: Muth/Herrera

To approve the Consent Agenda.

Carried: 5/0/0 (AYES: Arcangeli, Donovan, Herrera, Muth, and Timm **NOES: None;**
ABSENT: None

ALTERATIONS TO REGULAR AGENDA: The Commission decided to rearrange the order of the items being heard to the following order: Item #6, Item #1, Item #2, Item #3, Item #5 and Item #4.

REGULAR AGENDA:

6. **Address/APN:** 2980 El Rancho Drive
Applicant /Property Owner: Jeff Bettencourt / Michael Coulson
Planning Permit Application Nos: DR18-004, EA-18-004
Project Description: Consideration of a Design Review application to allow one new monument sign for a commercial business known as Sutter health Palo Alto Medical Foundation.
Staff: Brenda Stevens, Assistant Planner, bstevens@scottsvalley.org, 440-5635

Commissioner Arcangeli recused himself due to a possible conflict of interest.

M/S: Muth/Donovan

To approve Resolution No.1729 to allow for one new monument sign.

Carried: 4/0/1 AYES: Donovan, Herrera, Muth, and Timm; **NOES:** None;

ABSENT: Arcangeli (recused)

PUBLIC HEARING:

1. **Project Name:** "Four Points by Sheraton - Restaurant and Bar"
Address: 5030 Scotts Valley Drive / APN 022-091-61
Applicant: Katki Patel, Lotus Management Inc.
Property Owner: Scotts Valley Hotel LP, Atascadero Hotel LP, Judy Jacobson
Planning Permit Application No.: U18-001
Project Description: Consideration of a Use Permit to allow a restaurant and bar in the Four Points (hotel) by Sheraton (formerly Lexington Hotel), which are a required guest amenity of the hotel brand. Restaurant hours will be 6:00-10:00AM and 4:00-10:00PM daily, while the bar will be open 4:00-10:00PM daily. The proposed restaurant kitchen (480 sq. ft.), lobby eating area (1,830 sq. ft.), and bar (237 sq. ft.) will be primarily intended for hotel guests, but open to the public.
Staff: Michelle Edwards, Sr. Planner, medwards@scottsvalley.org, 440-5632
- M/S: Arcangeli/Herrera**
To approve Resolution No.1730 to allow a restaurant and bar in the Four Points hotel, subject to conditions of approval.
Carried: 5/0/0 (AYES: Arcangeli, Donovan, Herrera, Muth, and Timm **NOES:** None; **ABSENT:** None

2. **Project Name:** “Chapman Annexation”
Addresses: 54 Cumbre Lane / APN 023-161-04 (City of Scotts Valley), and 374 Hacienda Drive / APN 070-331-09 (County of Santa Cruz)
Applicant: Ken Hart, Swift Consulting
Property Owners: Chapman Family Trust (City of Scotts Valley) and Boetzer Family Trust (County of Santa Cruz)
Planning Permit Application Nos: GPA17-002, PRE-ZC17-002, A17-001
Project Description: Consideration of a Planning Commission recommendation of approval to the City Council of a General Plan Amendment, Pre-zoning, and Annexation of vacant land (1.52 acres) from a developed County residential parcel (20 acres) into an adjacent developed City residential parcel (0.849 acre).
Staff: Michelle Edwards, Sr. Planner, medwards@scottsvalley.org, 440-5632

M/S: Donovan/Muth

To approve Resolution No. 1731 to recommend approval to the City Council for a General Plan Amendment, Pre-zoning and annexation of vacant land, subject to conditions of approval and amended Condition #5.

Carried: 5/0/0 (AYES: Arcangeli, Donovan, Herrera, Muth, and Timm **NOES:** None; **ABSENT:** None

3. **Address/APN:** Nashua Drive and Grace Way
Applicant /Property Owner: David Dauphin (C2G Consultants)/David Bergman
Planning Permit Application Nos: MLD17-001, EA-17-009
Project Description: Consideration of a Minor Land Division requesting to subdivide two existing lots in the R-M-6 zoning district into three lots.
Staff: Brenda Stevens, Assistant Planner, bstevens@scottsvalley.org, 440-5635

M/S: Herrera/Arcangeli

To approve Resolution No. 1732 for recommendation to the City Council to approve a request to subdivide two existing lots in the R-M-6 zoning district into three lots.

Carried: 5/0/0 (AYES: Arcangeli, Donovan, Herrera, Muth, and Timm **NOES:** None; **ABSENT:** None

REGULAR AGENDA:

5. **Title:** Capital Improvement Program for 2018 - 2022 Consistency Report with the City's General Plan
Address: City-wide
Applicant: City of Scotts Valley
Property Owner: City of Scotts Valley
Project Description: State law requires cities to adopt a Capital Improvement Program (CIP) to implement the City's General Plan. The CIP is a list of the proposed public works projects. The City's Public Works Department develops the CIP as a 5-year program and updates the program each year. By law, the Planning Commission must review the CIP for consistency with the General Plan.

Staff Contact: Steve Hammack, Interim Public Works Director,
shammack@scottsvally.org, 438-5854

M/S: Muth/Donovan

The Commission reviewed the CIP and determined it was consist with the City's General Plan.

Carried: 5/0/0 AYES: Arcangeli, Donovan, Herrera, Muth, and Timm; **NOES:** None; **ABSENT:** None

PUBLIC HEARING:

4. **Address/APN:** Scotts Valley Drive / 022-082-34, 35
Applicant /Property Owner: Larry Abitbol
Planning Permit Application Nos: GPA17-001, ZC17-001, PD17-001, DR16-006, and EA17-002
Project Description: Consideration of a General Plan Amendment, Zone Change, Planned Development Zoning and Permit, and Design Review application proposing the construction of 19 new residential apartment units in two buildings on a 0.93-acre site in the C-S, Service Commercial General Plan and Zoning District. The project proposes four units in a two-story building facing Scotts Valley Drive and 15 units in a three-story building centrally located on site.
Consulting Planner: Scott Harriman, sharriman@rqs.ca.gov 650-587-7300x66

Action: The item was continued to the next regularly scheduled Planning Commission meeting for further discussion and action.

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 9:30 p.m.



Minutes

Scotts Valley Planning Commission and Cultural Resources Preservation Commission Special Meeting

Date: June 14, 2018

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 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .
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Appointed Officials	City Staff Members
Derek Timm, Chair Carlos Arcangeli, Vice Chair Robin Donovan, Commissioner Rosanna Herrera, Commissioner Deborah Muth, Commissioner Eric Taylor, Cultural Resource Commissioner	Taylor Bateman, Community Development Dir. Michelle Edwards, Senior Planner Brenda Stevens, Assistant Planner

CALL TO ORDER: Meeting called to order at 6:05p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE: The Planning Commission Chair led the pledge of allegiance.

ROLL CALL: Present: Arcangeli, Donovan, Herrera, Muth, Taylor and Timm.

PUBLIC COMMENT: None.

ALTERATIONS TO CONSENT AGENDA: None.

CONSENT AGENDA: The Commission approved the minutes.

A. Action Meeting Minutes from the May 10, 2018 meeting.

M/S: Arcangeli/Muth

To approve the Consent Agenda.

Carried: 5/0/0 (AYES: Arcangeli, Donovan, Herrera, Muth, and Timm **NOES: None;**
ABSENT: None

ALTERATIONS TO REGULAR AGENDA: None

PUBLIC HEARING AGENDA:

1. **Address/APN:** 4627 Scotts Valley Drive / 022-082-34 and 35
Applicant /Property Owner: Larry Abitbol
Planning Permit Application No: CRA17-001
Project Description: Consideration of a Cultural Resource Alteration Application for the proposed 19 unit Bay Apartments project.
Project Planner: Taylor Bateman, Community Development Director

M/S: Taylor/Herrera

To approve the Cultural Resource Alteration application, subject to conditions of approval, attached to the staff report.

Carried: 6/0/0 (AYES: Arcangeli, Donovan, Herrera, Muth, Taylor and Timm
NOES: None; ABSENT: None

2. **Address / APN:** 350 Bean Creek Road / 022-212-09
Applicant / Property Owner: Maureen Wruck PIng. Cons./ Thompson Trust
Planning Permit Application Nos: MLD18-002, EA18-003
Project Description: Consideration of recommendation of approval to the City Council for a Minor Land Division of a Vesting Tentative Map to split an existing parcel (26,777 square feet) into two new parcels (7,230 and 7,231 square feet) for future residential development, plus a remainder lot (12,316 square feet) for the existing single-family residence and detached garage in the High-density Multi-family Residential (R-H) zone.
Project Planner: Michelle Edwards, Senior Planner

Chair Timm recused himself from item No. 2 due to a potential conflict of interest.

M/S: Herrera/Muth

To approve Resolution No. 1733 to recommend approval of the lot split to the City Council, subject to the "revised" Conditions of Approval dated 06/14/18.

Carried: 4/0/1 (AYES: Arcangeli, Donovan, Herrera and Muth **NOES: None;**
ABSENT: Timm (recused).

Chair Timm returns to the meeting.

3. **Address/APN:** 4627 Scotts Valley Drive / 022-082-34 and 35
Applicant /Property Owner: Larry Abitbol
Planning Permit Application Nos: GPA17-001, ZC17-001, PD17-001, DR16-006, and EA17-002

Project Description: Consideration of a General Plan Amendment, Zone Change, Planned Development Zoning and Permit, and Design Review application proposing the construction of 19 new residential apartment units in two buildings on a 0.93-acre site in the C-S, Service Commercial General Plan and Zoning District. The project proposes four units in a two-story building facing Scotts Valley Drive and 15 units in a three-story building centrally located on site.
Consulting Planner: Scott Harriman

M/S: Arcangeli/Herrera

To approve the project, via Resolution No.1734 subject to conditions of approval.

Carried: 4/1/0 (AYES: Arcangeli, Donovan, Herrera and Timm **NOES:** Muth;

ABSENT: None

ALTERATIONS TO REGULAR AGENDA: None

REGULAR AGENDA

4. **Address/APN:** 99 Mount Hermon Road / 021-021-26

Applicant /Property Owner: Conoco Phillips

Planning Permit Application Nos: DR18-002 and EA18-007

Project Description: Consideration of a Design Review to revise existing signs with new corporate color and design changes to the fuel pump canopies and fuel pumps of the existing '76' gasoline service station. The existing illuminated monument sign will undergo copy and color/design changes only.

Project Planner: Brenda Stevens, Assistant Planner,

M/S: Muth/Arcangeli

To approve Resolution No. 1735 to allow revisions to the existing Planned Sign Program for the 76 gasoline service station subject to conditions of approval.

Carried: 5/0/0 (AYES: Arcangeli, Donovan, Herrera, Muth, and Timm **NOES:** None; **ABSENT:** None

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 7:35 p.m.

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date: June 14, 2018

**Applicant /
Property Owner:** Larry Abitbol

Applications: General Plan Amendment GPA17-001, Zone Change ZC17-001, Planned Development PD17-001, Design Review DR16-006, and Environmental Assessment EA17-002

Location: 4627 Scotts Valley Drive / APN 022-082-34 and 35

General Plan / Zoning: Service Commercial / C-S

Environmental Status: Negative Declaration.

Request: Consideration of a General Plan Amendment (GPA), Zone Change, Planned Development Zoning and Permit, and Design Review application proposing the construction of 19 new residential apartment units in two buildings on a 0.93-acre site in the C-S, Service Commercial General Plan and Zoning District. The project proposes four units in a two-story building facing Scotts Valley Drive and 15 units in a three-story building centrally located on site.

Staff Planner: Scott Harriman, Consulting Planner, (650) 587-7300 x66
sharriman@rgs.ca.gov

SUMMARY OF ISSUE

On May 10, 2018, the Planning Commission held a public hearing study session to review the proposed project, which is requesting a General Plan Amendment and Planned Development zoning to redevelop an existing surface parking lot and construct two residential apartment buildings with a total of 19 units, and associated parking and landscape improvements on the 0.93-acre site.

As presented at the May 10th hearing, the residential project did not meet the Very High-Density Residential base zoning standards requiring exceptions to: increase building height and site coverage, and reduce the side yard setback, drive aisle dimension, and number of required parking stalls. Additional items of concerns identified at the hearing was the project's

extensive use of palm trees through out the site, perimeter fence design, visually open balcony railings, and if the one trash enclosure was conveniently located. The May 10th Planning Commission staff report is attached (Attachment 6).

Public comments were received supportive of Bay Photo and their efforts to provide workforce housing and from a neighboring property owner concerned about privacy and the increased setback requirement on their adjacent commercial property as a result of the proposed residential development.

The applicant team indicated they would consider revisions to the project to address the concerns identified. In addition, the applicant team stated they would provide four affordable units as a public benefit for consideration of the requested zoning exceptions, where 2.85 affordable units are required for a 19-unit project.

Following the public hearing, the Planning Commission provided comments and expressing some concerns on the proposed development and took a straw poll with a majority of Commissioners agreeing to direct staff to prepare a resolution of approval for their consideration. As directed by the Planning Commission, a draft approval resolution is included with this report (Attachment 1).

PLANNING COMMISSION REVIEW

On May 10, 2018, the Planning Commission reviewed the project at a public hearing. The hearing was conducted as a study session to review the proposed General Plan amendment to change the land use designation of the project site from commercial and requested zoning exceptions.

The following is a summary of topics discussed by the Planning Commission and applicant responses, where applicable.

- General Plan Update: The Planning Commission Chair provided a brief status update on the General Plan Update process currently underway, indicating that future land use policies and goals for Scotts Valley Drive have not been finalized and that entire General Plan update process would likely take a year or more to complete. The Commission discussed whether this project should be considered on its own merits within the context of existing policies and not have to wait for a new General Plan.
- Lot consolidation: The concept of consolidating adjoining properties was briefly discussed as a way to increase the development potential of one larger site as opposed to two smaller sites. The neighboring property was present at the hearing and stated he was already preparing an independent development proposal.
- Setbacks and relationship to neighboring parcel to the north: Changing the land use and zoning designation of the project site from Commercial to Residential would subject neighboring commercial property to a larger side yard setback.

- **Building Massing and Slopes:** The applicant has stated that the extensive slope of the site has been challenging and that the three-story building has been designed to step with the site grades. In response to building massing concerns, the applicant has is proposing to reduce the building height by three feet. See Project Revision section below for further discussion on this point.
- **Site coverage:** The project exceeds the Residential Very High-Density standards by 19.5%. The applicant is proposing to increase a landscape buffer by one foot adjacent to Building B, which will improve site coverage calculation and increase pervious landscape area. See Project Revision section below for further discussion on this point.
- **Tree Replacement Plan:** The Commission expressed concern about the appropriateness of palm trees as the predominant replacement trees. The applicant has consulted with the project's Landscape Arborist who is proposing a variety of alternative trees and eliminating palm trees from the landscape plan. See Project Revision section below for further discussion on this point.
- **Future of Scotts Valley Drive and smaller scale commercial uses:** As stated above, the community vision for Scotts Valley Drive is being reviewed through the General Plan Update process. However, a number of Commissioners did express concern about the future of commercial development given the increasing presence and pressures as a result of on-line marketing and shopping.
- **Mixed use developments:** Several Planning Commissioners recognized the existing Service Commercial land use pattern that exists on Scotts Valley Drive with commercial uses on the front one-third of the site and residential uses occurring on the rear two-thirds of the site. The Commission also heard the applicant's stated difficulties maintaining employees due to the lack of workforce housing, and the advantage of the project site given its close proximity to the Bay Photo offices and operations.
- **Parking count and aisle/stall dimensions:** The Commission generally supported a two stall guest parking reduction given that the site has vehicle access onto the Civic Center Drive which provides additional guest and overflow parking opportunities. The Commission also felt the reduced drive aisle width and stall depth would not create a long-term adverse impact on residents of the apartments or guests in that the proposed aisle and stalls dimensions were similar to other local jurisdictions.
- **No elevator and tenant circulation:** Several Planning Commissioners felt the three-story building should have an elevator. The applicant has stated in their design response letter that the building was designed specifically to allow private or semi-private stairway access to each unit, not through a central core. The applicant states further that the apartments are intended to be affordable and that site's slope and stepped building design is another limiting factor to a central core and elevator.

PROJECT REVISIONS

In response to Planning Commission comments and discussions at the May 10th hearing, the applicant team has provided a written description and schematic graphic depicting a number of proposed project revisions, included with this report as Attachments 3 & 4. Typically an applicant would provide a complete set of revised plans or at least individual plan sheets showing revisions. In this case, the applicant is requesting the Commission consider and recommend concepts without the benefit of fully developed plans. Staff is recommending that fully revised plans be required for staff review prior to review by the City Council. If the proposed revisions, described and depicted here, caused unforeseen impacts that resulted in a substantial revision to the project, the project may have to return to the Planning Commission for further review and recommendation.

The following is a summary and analysis of the proposed written and schematic revisions.

1. Elimination of palm trees and alternative tree selections: Staff supports the revised tree selections in concept, subject to review of full landscape plans including the number, size and location of proposed trees.
2. Building Massing: Third floor plate height of Building B has been lowered by one foot and roof pitch changed to 3 and 12. These revisions reduce the overall height of Building B by three feet and results in a maximum building height of 37-feet, which still exceeds the residential height limit of 35-feet and would be an exception for consideration as part of the requested Planned Development zoning.
3. Privacy and noise on neighboring parcel: Patios and balconies on Building B adjacent to the neighboring parcel have been pulled back by one-foot, creating a ten-foot side yard setback. Balcony guardrails will be solid wood 42-inches high to reduce visibility into and out of the balconies. Perimeter fencing has been redesigned with solid wood construction with no air gaps. Staff supports these revisions, however notes that a ten-foot side yard setback remains below the required 14.7-foot setback and would be an exception for consideration as part of the requested Planned Development zoning.
4. Planter along Building B side yard sidewalk has been increased in width by one-foot as a result of the balconies being pulled back (per comment above). Staff supports the increased planter width, however notes that the increased pervious area will not likely result in a significant change to the project's 74.5-percent site coverage which exceeds the maximum 55-percent coverage maximum and would be an exception for consideration as part of the Planned Development rezoning.
5. Elevator: Applicant feels strongly that the project does not need, nor is required to have, an elevator. Staff concerns regarding the elevator was in part about convenient access to upper floors, but also about the building's design without a sense of entry, design hierarchy, or a focal point. Stairways have reduced maintenance costs over that of an elevator.

6. Public benefit of additional affordable unit: The applicant is offering to dedicate four units to the City of Scotts Valley affordable housing stock. The project is subject to the City's affordable housing ordinance, which requires 15-percent of units (2.85 units or two units and an in-lieu fee for the 0.85% balance) to be dedicated as affordable units for a term of 55 years. The applicant's offer of four units may be considered a public benefit to justify the requested General Plan Amendment and zoning exceptions.

ENVIRONMENTAL DETERMINATION

A Negative Declaration was prepared for the proposed development consistent with the requirements of the California Environment Quality Act. No significant project related environmental impacts were found to be present that were not reduced to less than significant levels. The Negative Declaration was circulated for 20 days as required, from April 16, 2018 through May 7, 2018. One comment letter from the Monterey Bay Air Resources District was received recommending minor revisions to the Initial Study and Negative Declaration. The Initial Study has been amended to address the Air District comments (Attachment 6).

PUBLIC NOTICE & COMMENT

On May 10, 2018, the Planning Commission, at a noticed public hearing, continued review of this development proposal to June 14, 2018. No written public comments have been received regarding the project since the May 10, 2018 Planning Commission meeting.

As previously stated, the neighboring property owner to the north expressed support for residential development but expressed concern that a portion of his site which will remain commercially zoned will be subject to an increased side yard setback if located next to a residential zoning district as proposed with this development.

ATTACHMENTS

1.	Draft Resolution.....	6
2.	Project Plans*	Attached
3.	Developer Letter Regarding Revised Plans (received 05/22/18).....	20
4.	Revised Plans* (received 05/22/18)	22
5.	Planning Commission Staff Report (05/10/18)	23
6.	Erratum Sheet – Air Quality Section Initial Study (06/07/18).....	171

**Please note that the project plans are provided in the Planning Commission packets. However, the project plans and file are available for public review in the Planning Department Monday-Thursday 8AM-12PM, or by appointment, at City Hall, One Civic Center Drive, Scotts Valley. Please call the Planning Department at (831) 440-5630 if you have any questions.*

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF A NEGATIVE DECLARATION (EA17-002) AND APPROVAL OF GENERAL PLAN AMENDMENT (GPA17-001), ZONE CHANGE (ZC17-001), PLANNED DEVELOPMENT OVERLAY & PERMIT (PD17-001), AND DESIGN REVIEW (DR16-006), FOR THE “BAY PHOTO RESIDENTIAL APARTMENTS” PLANNED DEVELOPMENT CONSISTING OF 19 RESIDENTIAL APARTMENT UNITS IN TWO BUILDINGS, AND RELATED PROPERTY IMPROVEMENTS, SUBJECT TO CONDITIONS OF APPROVAL, ON A 0.93-ACRE SITE CURRENTLY DEVELOPED AND BEING USED AS PAVED PARKING LOCATED AT 4627 SCOTTS VALLEY DRIVE / APN 022-082-34 AND 35

WHEREAS, the City of Scotts Valley has received an application and technical reports from Larry Abitbol, applicant and property owner, to merge two parcels currently developed as a surface parking lot for a 19-unit, very high-density residential apartment development and related property improvements on a 0.93-acre site at 4627 Scotts Valley Drive, as shown on project plans on file with the Planning Department / APN 022-082-34 and 35; and

WHEREAS, the applicant has presented substantial evidence which supports the application; and

WHEREAS, the application is a “project” pursuant to the California Environmental Quality Act (“CEQA”), which requires environmental review; and

WHEREAS, the City conducted an Initial Study and prepared a Negative Declaration (IS/ND), in accordance with the State CEQA Guidelines and requirements. The IS/ND was duly noticed, published, and distributed for a 20-day public review period from April 16, 2018 through May 7, 2018 (5:00PM), and was made available for public review at City Hall, Planning Department, and City’s website; and

WHEREAS, the Planning Commission held duly published and noticed public hearings on May 10 and June 14, 2018, to review and consider the proposed development and the requested planning permits (entitlements), hear public testimony, and provide comments and recommendations to the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Scotts Valley (“Commission”), that the Commission hereby recommends to the City Council:

SECTION 1: That the IS/ND has been completed in compliance with the requirements of CEQA and that the Planning Commission has reviewed and considered the information within the IS/ND.

SECTION 2: That the IS/ND represents the independent judgment and analysis of the City.

SECTION 3: That the City Council certify the ND based on the following findings pursuant to CEQA and the CEQA Guidelines Section 15074:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City staff conducted an Initial Study for the project and prepared a Negative Declaration and found that there were no significant adverse environmental impacts as a result of the proposed redevelopment of the site.
2. ***The Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 20-day period from April 16 to May 7, 2018.
3. ***The environmental determination represents the independent judgment of the City.*** The Negative Declaration was prepared by City staff. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.
4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public for review at City Hall, the Planning Department, and the City's website.
5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** The project site has been a fully development and used as an urbanized paved parking lot for at least the past two decades with landscape areas limited to the site's perimeter and landscape strips separating rows of vehicle parking stalls. The project site does not contain any significant fish and/or wildlife resources or habitat.

SECTION 4: That the City Council approve General Plan Amendment based on the following findings and as shown in the Proposed General Plan Designation map shown on Project Plan Sheet A1 of the submitted plans on file with the Planning Department and posted on the City's website, referenced hereto and incorporated herein:

6. ***The change in the General Plan land use designations are consistent with the General Plan.*** The project meets the requirements of this finding in that although the project will change the existing General Plan Land Use Designation from Service-Commercial to Very High-Density Residential to accommodate the proposed residential development, the site's current Service-Commercial General Plan designation allows for Very High-Density residential development as a site component. Although the project does not include any commercial land use, the proposed residential development is consistent with the allowable residential density range for lands designated Service Commercial in the General Plan. The project proposes to dedicate four affordable rental-housing units for a term of 55-years consistent with General Plan Housing goals, which encourage the production of affordable housing units available to all income levels.
7. ***That the density is compatible with adjacent uses and densities.*** The allowable residential density range in Service-Commercial General Plan areas is 15.1 to 20 units per acre. The proposed 19-unit residential apartment development on a 0.93-acre site results in a density of 20 units per acre consistent with the proposed Very High-Density Residential density range and the existing Service-Commercial residential density range. Therefore, the proposed density is compatible with adjacent uses and densities.

SECTION 5: That the Planning Commission recommends approval to the City Council of the requested Zone Change based on the following findings and as shown in the Proposed General Plan Designation map on Project Plan Sheet A1, as revised pursuant to the applicant's schematic graphic and written description dated May 22, 2018, of the submitted plans on file with the Planning Department and posted on the City's website, referenced hereto and incorporated herein:

8. ***The change in the zoning districts are consistent with the General Plan and the densities are compatible with adjacent uses and densities.*** As stated in 'G' above, very high-density residential land uses are permitted in Service-Commercial General Plan areas, which will remain in place on adjacent parcels. Therefore, the proposed zone change from commercial to residential will remain consistent with the land use permitted in the General Plan and will provide a residential density compatible with those permitted on adjacent sites.

SECTION 6: Approve the Planned Development District Overlay and Permit based on the following findings, subject to Conditions of Approval (Exhibit B) attached hereto and incorporated herein:

9. ***That the Planned Development Zoning District Overlays and Permits (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes to dedicate four affordable rental housing units as a public benefit, consistent with Housing Element of the General Plan.
10. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of***

the City of Scotts Valley General Plan. The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning

districts. The resulting R-VH/PD zone allows specific development standards to address the constraint of the sloped parcel.

11. ***That the PD conforms in all respects to the planned development zoning of the property.*** The “PD” will be an overlay zone to the proposed R-VH base zoning districts. The project design meets the requirement of this finding in that approval of the Planned Development and Permit will allow the project to vary from some of the development standards of the R-VH zone, while still allowing for the underutilized parking lot to be developed for workforce housing for nearby businesses. The R-VH/PD zone includes exceptions to: side yard setback of 10-feet (where 14.5-feet or 10% of the lot width is required), building heights of approximately 37-feet (where 35 feet is allowed); reduced drive aisle dimension of 24-feet (where the standard is 26-feet); parking stall depth of 18-feet (where the standard is 20-feet), and site coverage of approximately 74% (where 55% is allowed).
12. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional siding and roofing, and window and door trim. The 3-story design will have increased building heights of 37+/- feet, which steps up the site’s slope reducing site grading, consistent with the General Plan Action OSA-387. The PD will allow a variety of exceptions to provide workforce housing opportunities on the site. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project, consistent with OSA-388 which requires critical review of visual resource areas designated on General Plan Figure OS-1.
13. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project’s Initial Study and Negative Declaration EA17-001 does not identify any potentially significant impacts. The project will not have the potential to significantly degrade the quality of the environment, including effects on animals or plants. The long and short-term environmental effects associated with this project will be less than significant.

SECTION 7: Approve Design Review based on the following findings, subject to Conditions of Approval (Exhibit B) attached hereto and incorporated herein:

14. ***The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirement of this finding in that the commercial and residential buildings will be sited appropriately in relation to the existing neighborhood and streets, given the building orientations and landscape buffers. The overall siting of residential buildings are suited to the property, setting, and zoning context.

15. ***The materials, colors, proportion, mass and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials. Colors shall be appropriate within the context of use and should blend with surrounding structures.*** The project meets the requirements of this finding in that the proposed residential apartment buildings are compatible with the massing, architectural style and materials of other nearby residential projects. The proposed roof lines and forms will provide visual interest. The variety of quality materials, exterior treatments, finishing details and exterior colors building colors are appropriate, consistent with the City's design review criteria.
16. ***Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible.*** The project, with tree and landscape revisions as depicted and described in the applicant schematic revisions dated May 22, 2018, would meet the requirements of this finding in that the project will provide new site landscaping for the two residential apartment buildings. Connection to recycled water will be required. Preliminary landscaping details have been reviewed. A condition of approval requires that fully developed landscape plans consistent with the applicant's proposed revisions be prepared and submitted for staff review prior to the City Council hearing.
17. ***The size, location and arrangement of on-site parking and paved areas shall be appropriate.*** The project meets the requirements of this finding in that the residential part will provide a total of 40 surface parking spaces on site to serve the 19-unit apartment development. An additional nine parking stalls are reserved by an existing easement in favor of the adjacent Water District office building. The project's request for a two guest space parking reduction is accommodated through the site's existing driveway access onto Civic Center Drive which is a public street with sufficient street parking to serve guest overflow parking.
18. ***For ingress, egress and internal traffic circulation, all the above factors shall be related to the setting or established character of the neighborhood or surrounding area.*** The project meets the requirement of this finding in that the site has vehicle access from two existing driveways, which allows thorough access and circulation onto both Scotts Valley Drive and Civic Center Drive. In addition, the on-site circulation plan has been engineered to accommodate the turning radius of the City Fire Department emergency vehicles.
19. ***For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and***

visual relief. The project meets the requirements of this finding in that the project is not located across from Hwy 17 and no fence is proposed over eight feet in height.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley recommends City Council certify a negative declaration EA17-002 and approve General Plan Amendment GPA17-001, Zone Change ZC17-001, Planned Development Overlay and Permit PD17-001, and Design Review DR16-006, for the “Bay Photo Residential Apartments” planned development consisting of 19 residential apartment units in two buildings, and related property improvements, subject to conditions of approval, on a 0.93-acre site currently developed and being used as paved parking located at 4627 Scotts Valley Drive / APN 022-082-34 and 35, subject to the Proposed General Plan Amendment and Zone Change (as shown as Proposed General Plan Designation map in Project Plans Sheet A1), and Conditions of Approval (Exhibit A), which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the Planning Commission of the City of Scotts Valley at a meeting held on the 14th day of June 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Approved: _____
Derek Timm
Planning Commission Chair

Attest: _____
Taylor Bateman
Acting Community Development Director

Exhibit A

Conditions of Approval (#1 - #68)

Legal

1. The 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. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all appropriate required fees before starting any grading/earth disturbance on the property.

Planning Department

4. The approved planning permits include a General Plan Amendment, Planned Development District Zoning and Permit, and Design Review to construct a total of 19 new residential apartment units in two buildings on a 0.93-acre site. Building A, two stories in height, would contain four apartment units; and Building B, three stories in height, would contain 15 apartment units, five units per floor, and related property improvements, as shown in the plans prepared by David Zumlim, Inc., Roper Engineering, and Gregory Lewis Landscape Architect, received dated January 18, 2018, and as described in writing and depicted on schematic plan revisions dated May 22, 2018, which are on file in the Planning Department.
5. A complete set of revised plans shall be submitted to the Planning Department for review prior to project being forwarded to City Council for review and action. Revised plans shall include all revisions as described in writing and depicted on schematic plans dated May 22, 2018 as submitted to the Planning Commission, including revisions: lowering the height of Building B; increasing the setback of Building B to a minimum of ten-feet; increasing the planter strip width adjacent to the sidewalk on the north side of Building B; revising the balcony railings and perimeter fence design, and revising the tree replacement plan and eliminating palm trees.

6. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
7. The applicant shall submit an application for lot merger and receive approval prior to the issuance of any grading or building permit.
8. Prior to the City Council Review the applicant shall incorporate artistic elements and/or treatments into structures, landscaping, common areas, or open space consistent with General Plan Objective LA-13.3.
9. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

Grading

10. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Cultural Resources

11. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.
 - a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities;
 - b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis;
 - c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring;
 - d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present; and,
 - e. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building

Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

12. The applicant and construction contractor ensure that paleontological resources are not destroyed during project grading, the project proponent will include the following measures:
 - a. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;
 - b. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;
 - c. Allow for the recovery of any discovered paleontological resources according to a recovery plan/methods specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);
 - d. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,
 - e. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.
13. If human remains are unexpectedly encountered during project grading, the actions required as identified in Condition 10 shall be implemented to effectively preserve any human remains for proper burial.

Noise

14. All recommendations in the Acoustic Engineering Study, prepared September 22, 2017, by Alan Goldwater, Acoustical Engineer, are incorporated as conditions of project approval.
15. All fences shall be designed and constructed with over-lapping fence boards with no air gaps to reduce noise levels on adjacent properties.

Trees

16. All recommendations in the Arborist Report dated December 2016 and revised August 31, 2017, are incorporated as conditions of project approval.
17. No tree removal shall occur until grading/building permit issuance.
18. The project developer shall place a surety bond in an amount equal to the value of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, the

funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

19. Prior to the issuance of any grading or building permits, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments.
20. The project arborist shall routinely inspect the development site through the term of the project.

Landscaping

21. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District.
22. The landscaping improvements shall be permanently maintained and irrigated.

Lighting

23. The final exterior lighting plan shall comply with regional dark sky policies and shall be reviewed and approved by the CDD prior to issuance of building permit.
24. Any pole lights installed within the project site shall use shielded light fixtures with pole heights not to exceed 12 feet, consistent with City policies and design guidelines. Exterior light levels are to be at the lowest level and carefully controlled for security, aesthetics, safety and identification without interfering with nearby land uses.
25. All exterior building lighting, including balcony lighting, shall be designed to integrate into the building architecture with shielded and recessed light sources with final light fixture approval prior to the issuance of any building or grading permit.
26. All exterior lighting shall be the minimum necessary for security and all lighting shall be down directed with the light source not directly visible from adjacent properties. Where deemed necessary by the CDD light cutoffs/shields shall be installed.

Affordable Housing

27. Prior to the issuance of any building or grading permit, the developer shall work with the City and execute all applicable affordable housing agreements for the dedication of four affordable rental units as offered by the applicant.

Building Department

28. The developer shall obtain any required grading and/or building permit(s) and pay applicable fees.
29. Winter grading shall require prior review and approval by the City.

30. The location of all soil to be exported shall be reviewed and approved by the Building Department prior to issuance of a grading or building permit.
31. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
32. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
33. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee).
34. All buildings shall be designed to comply with the current codes in effect at the time of building permit issuance.
35. The building permit plans must comply with the current California Building Code (CBC) 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.
36. All structures shall comply with the most current California Energy Commission Standards (Title 24).
37. All new construction shall comply with the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.
38. Structural calculations shall be submitted and wet-signed by the Engineer of record.
39. Provide names of Special Inspectors with certifications as required.
40. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits.
41. All new utilities shall be installed underground.
42. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
43. Site drainage erosion control and foundation plans must be reviewed and approved by a soils engineer.
44. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.
45. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a

pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

46. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

City Public Works Department- Engineering Division

47. Engineered Improvement Plans shall be submitted for all on site and off site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
48. The project shall connect to the City's recycled water system.
49. Pursuant to City Council action on March 3, 2010, the Applicant shall modify the Traffic Impact Study to address the Mount Hermon Road/Scotts Valley Drive and Mount Hermon Road /La Madrona Drive intersections to determine the additional peak hour trips through the intersections. Specifically AM and PM peak hour trips for Mount Hermon Road /Scotts Valley Drive and PM only peak hour trips for Mount Hermon Road /La Madrona Drive. The study will also determine if the additional trips will degrade the Level of Service (LOS) of the intersections. The findings of the study will determine the amount owed for the Mount Hermon Road traffic mitigations fair share contribution. The Applicant shall conclude this study and pay any associated fees prior to the issuance of a Building or Grading permit.
50. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.
51. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
52. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection..

53. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material Bond, to the satisfaction of the Public Works Director/City Engineer.
54. Pre-Construction Meeting: In order to ensure that project details are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property, with the exception of installation of temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing, the developer shall convene a pre-construction meeting on the site. The following parties shall attend: the developer, the grading contractor supervisor, the project architect, the project arborist, the project civil engineer, City of Scotts Valley Planning staff, City Engineer and Building Inspector. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing will be inspected at that time.
55. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
56. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.
57. Stormwater Management Plan: A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity. See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.
58. Impervious area must be shown on cover sheet.
59. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This undergrounding of utilities to remove utility poles comes in addition to the state required undergrounding of transmission for the project and any new service connections.
60. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction.

Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

City Public Works Department- Parks & Recreation Division

61. The developer shall comply with City Municipal Code Chapter 16.35, Dedication of Land for Park and Recreational Purposes.

City Public Works Department - Wastewater Division

62. Every sewer lateral crossing a curb line shall be marked with an “S” stamped in the face of the curb.

Scott Valley Fire Protection District

63. All development must comply with the California Fire Code as amended by the Scott Valley Fire Protection District.

Scott Valley Water District (SVWD)

64. The existing 5/8” meter serving the property must be abandoned and a credit will be applied to the properties account for a future meter purchase.
65. Plans submitted for building permit shall show the location of the existing 5/8” meter to be abandoned.
66. Every potable water meter will require a backflow device SVWD Detail 8, behind the meter.
67. Plans submitted for building permit shall include the following SVWD plan details: Detail 1-Service connections; Detail 2-Meter box installation; Detail 5-Gate valve two-inch service connection; Detail 9-Fire service installation; Detail 11-Gate valve installation; Detail 12-Value box lid markings; and Detail 13-Value box installation.
68. All recycled water systems must be designed according to the SVWD Rules and Regulations and must conform to the [Recycled Water Irrigation Systems Standard Notes and Details](#).

BAY APARTMENTS
4627 SCOTTS VALLEY DRIVE
SCOTTS VALLEY CA, 95066

Below is a list of comments and concerns that we heard at the May ,10, 2018 Planning Commissions meeting. We have addressed item as discussed and off the following changes for your approval once approved we will update all plans and specification before going to city council.

1. Palm Trees at Scotts Valley drive and trees at south side yard were considered inappropriate for Scotts Valley drive and the narrow planter area at side yard. Greg Lewis- Landscape Architect has suggested the following combinations of trees. Italian Cypress, Crape Myrtle, and Tristania Laurina Elegant. Palm Trees have been eliminated from the plan and all trees are appropriate for the climate as well as side yard concerns.

2. Concerns of Massing were addressed in the following manner. The original plans had a 3 story building which we lowered to a 2 story building at Scotts Valley Drive Building A. We have now lowered third floor plate height by 1 foot now 8 foot with vaulted ceiling we also have lowered pitch from 4 and 12 to a 3 and 12 we have now lowered the peak height by 3 feet.

3. There were concerns regarding privacy and noise by the neighbors at the south side yard. We have made the following changes. Move patios and balconies creating at 10 foot set back. from property line. Guardrails at balconies and patios will now be solid wood 42" high Good neighbor fence between project and south neighbor has been changed to 2 x material solid wood doubling the thickness and increasing height by 6".

4. There were concerns regarding set backs. Set back at south side of building B we moved balconies and porches creating 10 set back and increasing planter size.

5. Concerns regarding the lack of elevator. We feel very strongly that this project does not need and we know by code does not require an elevator, Please consider the following.

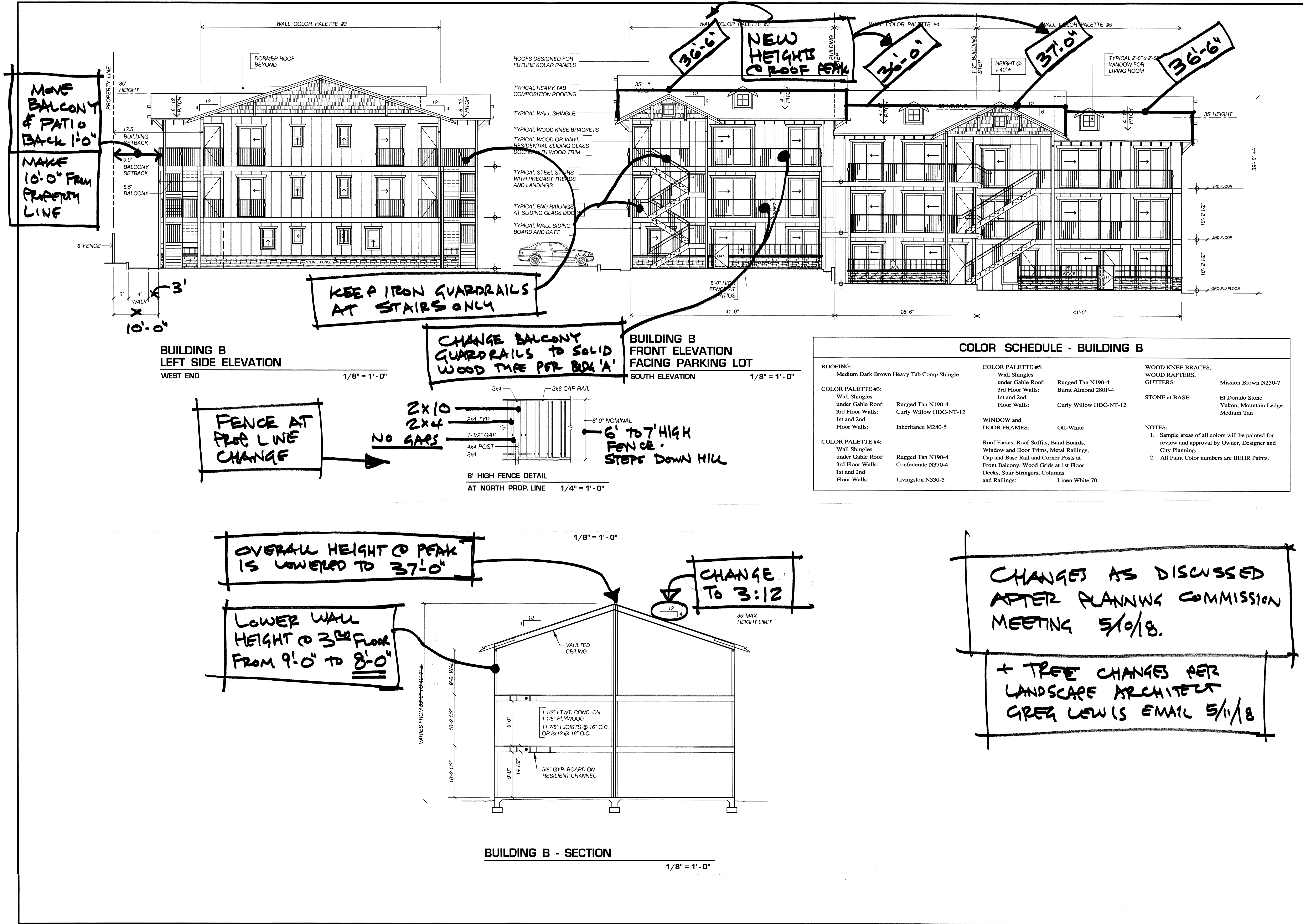
A, We are trying to build a unique apartment complex that dose not feel like an apartment complex we are building apartments homes. We want individual tenants to be able to have privacy that an elevator type configuration would not allow.

B, Elevation of the current site would make a central corridor or elevator extremely difficult if not impossible or would require more then one elevator.

We are offering an extra affordable unit above and beyond the current code or standards we can not do this if we redesign project and add cost for elevators. With Building A being reduced to 2 stories two thirds of the project is under 2 story and a total of 7 units are ADA accessible. There are only 5 units on third story.

We thank you for your consideration and comments and feel that your input has created a better project for all. We look forward to its approval as we need workforce housing greatly in our community.

Thank you
Bay Apartment Team



REVISIONS

BY

10/4/17

LC

12/11/17

LC

DAVID B. ZULIM INC.

150 FELKER ST. SUITE F

SANTA CRUZ, CALIFORNIA 95060

831-425-8769

DAVID ZULIM

P.E. 31257 CALIFORNIA

DESIGN

ENGINEERING

PLANNING

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction and the project, including safety of persons and property that may be affected by the project. The contractor and his subcontractors shall be held harmless and indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

BUILDING B - EXTERIOR ELEVATIONS

HOUSING PROJECT for:

BAY PHOTO LAB

4627 Scotts Valley Drive, Scotts Valley, California

Date

1/10/17

Scale

1/8" = 1'-0"

Drawn

LC

Job

631-16A

Sheet

A4

Of

6 Sheets

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date: May 10, 2018

**Applicant /
Property Owner:** Larry Abitbol

Applications: General Plan Amendment GPA17-001, Zone Change ZC17-001, Planned Development PD17-001, Design Review DR16-006, and Environmental Assessment EA17-002

Location: 4627 Scotts Valley Drive / APN 022-082-34 and 35

General Plan / Zoning: Service Commercial / C-S

Environmental Status: Negative Declaration.

Request: Consideration of a General Plan Amendment (GPA), Zone Change, Planned Development Zoning and Permit, and Design Review application proposing the construction of 19 new residential apartment units in two buildings on a 0.93-acre site in the C-S, Service Commercial General Plan and Zoning District. The project proposes four units in a two-story building facing Scotts Valley Drive and 15 units in a three-story building centrally located on site.

Staff Planner: Scott Harriman, Consulting Planner, (650) 587-7300 x66
sharriman@rgs.ca.gov

STAFF RECOMMENDATION

Staff recommends that the Planning Commission provide comments and direction on the proposed residential development, including: 1) the requested General Plan Amendment and Zone Change from Service-Commercial to Residential, Very-High for a 100% residential development, 2) the proposed Planned Development Zoning and requested exceptions to parking aisle dimensions and number of stalls, building height, building setbacks and site coverage, and 3) Design Review for the project's site and architectural design.

BACKGROUND

This development proposal represents over a year of preliminary review by the City. The project site, owned by Larry Abitbol, the applicant and owner of Bay Photo, whose international headquarters is located nearby, across Scotts Valley Drive. A formal application for the site, in the C-S, Service Commercial General Plan and zoning district, was first submitted in January 2017.

The original project proposed two three-story buildings; Building A, facing onto Scotts Valley Road with commercial and office on the first and second floor, and three residential units on the second and third floors. Building B, proposed 15 residential apartment units.

In October 2017, a revised project was submitted reducing Building A from three stories to two stories providing four apartment units and eliminating all of the commercial and office components. Building B remains substantially unchanged with 15 apartment units. The applicant is requesting a General Plan Amendment and Zone Change to allow a 100% residential development.

The applicant has indicated that the objective of the project is to create housing opportunities for Bay Photo employees. The applicant has expressed difficulties in attracting and retaining employees due to the lack of housing, particularly affordable workforce housing. According to the applicant, the close proximity of Bay Photo operations to the project site, makes it an ideal location for workforce housing.

The project site is located within the City's Redevelopment Plan Area, which requires at least 15% of the housing units to be designated as affordable units. Therefore, of the proposed 19 units, the project is required to provide two (2) units and pay in-lieu fees of 0.85 of a unit. The sale and resale prices are restricted over a 55-year period to provide housing opportunities to qualifying first-time-buyer households.

The income-levels of the units requires review and recommendation by the City Council affordable Housing Subcommittee. Before City Council review, the applicant shall submit the proposed income-levels for the proposed two (2) and 0.85 of a unit for review by the City Council Affordable Housing Subcommittee for recommendation to the City Council.

SITE AND PROJECT DESCRIPTIONS

The project proposes to redevelop a 0.93-acre site, currently used as a fully paved and landscaped parking lot, for a residential apartment development totaling 19 units within two buildings, and associated parking and landscape site improvements.

Building A, is a proposed two-story, four-unit residential building, 28-feet in height, with front facing patios/balconies projecting approximately 11-feet from the front Scotts Valley Drive property line.

Building B is a proposed three-story, 15-unit residential building, centrally located on the site. Building B is approximately 40-feet in height, requiring a height exception from the 35-foot

height limit, with ground level patios and second and third floor balconies on the north and south elevations. Second and third floor balconies on the rear elevation are setback nine feet from the northern property line, which requires an exception for reduced side yard setbacks.

Proposed site improvements include 40 parking stalls, a detached trash/recycling storage building behind Building B, irrigated landscaping, and storm water retention basins. An exception to the parking aisle dimension standards and a reduction of two parking stalls is requested as part of the PD Zone and Permit. The proposed development and site improvements result with an impervious site coverage of 74.5-percent, which requires an exception to the 55-percent residential site coverage standard.

The site contains two existing driveways; one along the Scotts Valley Drive frontage and one onto Civic Center Drive to the west. The site has a moderate slope of approximately six-percent along the central portion of the site, with steeper slopes of approximately 15-percent on the driveway leading up from Scotts Valley Drive. The driveway up to Civic Center Drive would be retained as existing. Pedestrian access to Civic Center Drive would be difficult due to the site's slope, narrow flag lot style configuration and significant tree coverage.

The project site is encumbered with a parking and access easement in favor of the Scotts Valley Water District office, which is located at the northwest corner of the site. The project site also has a number of utility easements along the southern property line.

Existing land uses on adjacent parcels include a public utility switching facility to the south, the Scotts Valley Water District building to the west, and an existing commercial dive shop to the north. All public utilities necessary to serve the proposed development are available to the site.

PROPOSED ENTITLEMENTS

The project requires the following planning permits:

1. General Plan Amendment – to amend the property from Commercial to Residential
2. Zone Change – to change the property from Commercial to Residential
3. Planned Development Zoning – to establish specialized development standards that reflect exceptions from the proposed R-VH residential zoning regulations
4. Design Review / Planned Development – to evaluate the architecture and related site improvements.

DISCUSSION AND ANALYSIS

The project is requesting a General Plan Amendment (GPA) and Zone Change (ZC) from Service Commercial to Residential, Very-High Density, a Planned Development Zoning and Permit (PD), Design Review (DR), and Environmental Review. The following sections provide

an analysis of the relevant planning, entitlement and environmental issues associated with the proposed project.

General Plan Amendment

The project site is located on Scotts Valley Drive which is one of two primary commercial corridors in the City of Scotts Valley. A majority of the properties along Scotts Valley Drive are designated Service Commercial (C-S). The site is currently designated Service Commercial (C-S) which provides for retail stores and shops, food and motel/hotel establishments, services such as printing shops and electrical repair shops, heating and ventilating shops. Mixed use (Commercial with Residential) is also permitted in the C-S district, provided that adjacent uses are compatible and the residential use is secondary to the retail use. The project is requesting a General Plan Amendment to allow the site to be developed solely as residential.

The project is requesting a GPA to R-VH, Residential Very High-Density. The General Plan density range for R-VH, Residential Very High-Density development is 15.1 - 20 units per acre. The proposed 19-unit project represents a residential density of 20 units per acre.

Overtime a development pattern has emerged along the west side of Scotts Valley Drive as parcels have changed their land use designation from Commercial to Residential. The pattern typically maintains a Commercial presence along Scotts Valley Drive and the area behind the Commercial property is converted to Residential. The project as proposed would introduce residential uses directly onto the Scotts Valley Drive commercial corridor that would represent a change that may not be consistent the existing development pattern established in areas designated C-S, Service Commercial in the General Plan. Implications of the proposed changes on neighboring properties are discussed in the Zone Change section below.

Residential land uses are sensitive to noise and privacy and require additional buffering and setback from commercial parcels. Placing a residential development with a reduced side yard setback, between two commercial parcels could potentially create land use conflicts with any future development or redevelopment on the neighboring commercial sites, unless particular attention is provided through a careful site planning process.

The General Plan states that when considering a General Plan Amendment, the City Council must find that the project is in the public interest. In considering the requested General Plan Amendment, a fundamental determination to be reached is whether a multi-family residential use is appropriate in close proximity to a major commercial corridor. If not, then the existing General Plan and land use pattern would apply with commercial uses fronting and taking access from the commercial corridor and residential use, being secondary, and taking access from Civic Center Drive. If it is determined that multi-family, very high-density uses are appropriate in close proximity to the commercial corridor, then the question becomes what development and design standards should apply.

Zone Change

The existing zoning on the project site is C-S, Service Commercial. This district is designed to create and maintain areas accommodating city-wide and regional services that may be

inappropriate in neighborhood or pedestrian-oriented shopping areas and which generally require automotive access for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles. C-S zoning district also allows for multiple-family dwellings located either above the ground-level commercial use or at ground level at the rear of a commercial space.

The project proposes to change the zoning of the site to Residential Very High-Density (R-VH). The R-VH zoning classification is designed to provide areas for apartments, townhouses, condominiums and similar developments with open space and other amenities which will enhance the living qualities of the development and promote the housing goals of the General Plan.

The C-S, Service Commercial and the Residential, Very High-Density zoning districts have different development standards relating to allowable land uses, building placement, setbacks and site coverage. The following section is a discussion of their interrelationship when adjacent to one another.

Effect of Zone Change: The minimum front yard setback in the C-S zoning district is 20-feet, which is intended to provide adequate setback from major roadways that provide vehicle and truck access to the site. Multi-family residential is conditionally permitted in the C-S zoning district, if there are located above and behind the primary commercial use and are set back a minimum of 20-feet from the commercial corridor.

The minimum front yard setback in the R-VH zone is ten feet, which is intended to preserve as many of the desirable characteristics of one-family residential districts as possible while permitting higher densities. As currently proposed, the project would locate residential patios and balconies of the Building A units approximately 11-feet from the property line with Scotts Valley Drive. An acoustical study was prepared for the proposed development that analyzed vehicle noise levels of Scotts Valley Drive, and proposes construction materials and techniques that reduce interior noise levels within the units to less than significant levels. However, locating multi-family residences with front doors and balconies facing and in close proximity to Scotts Valley Drive may not be a desirable condition for residences nor consistent with the existing development pattern of the area. Typically R-VH properties are located in residential areas and front onto residential streets that do not have elevated noise levels.

Neighboring commercial properties would retain the existing C-S, Service Commercial zoning designation, which allows commercial structures, with building heights up to 35-feet, to be located with no side yard setback, except when located next to a residential land use. Where a C-S zone adjoins any residential zoning district, a solid wall or a fence, vine-covered fence or compact evergreen hedge six feet in height is required be located on the property line (except in a required front yard). In addition, a minimum of five feet adjoining the property line shall be landscaped with plant material and permanently maintained when such landscaping is necessary to insure privacy or to screen views.

If the requested zone change were approved, the proposed residential development would cause the imposition of an increased side yard setback on the neighboring commercial properties and a five-foot landscape-screening requirement. In comparison, the proposed

residential project, as currently designed, provides less than three-feet for landscape area adjoining the property line to insure privacy for future residents from the existing neighboring commercial property to the north.

PLANNED DEVELOPMENT ZONING

According to the General Plan, the purpose of Planned Development Zoning is to “provide the means to tailor zoning regulations and to apply specific standards for the development of a particular site. This process enables the City Council to consider the unique characteristics of a site and its surroundings to better implement the citywide objectives, goals and policies of the General Plan and to provide site-specific development standards. Anytime Planned Development zoning is utilized, the standards established for the zoning district, which reflects the General Plan designation are tailored as part of a General Development Plan. Tailored zoning regulations include, but are not limited to, site intensities, location, height, coverage and appearance of structures.”

The Zoning Code requires every Planned Development District to be combined with an alternative base zoning district. In this case, the alternative base zone requested for this development is the Very High Density Residential District (R-VH). The project is requesting a Planned Development to establish specialized development standards that reflect exceptions from the proposed R-VH residential zoning regulations to accommodate the proposed residential development.

The project is requesting development exceptions through the PD, Planned Development permit process for: 1) increased building height; 2) increased site coverage; 3) reduced side yard setback; 4) reduction in the drive aisle dimension; and 5) reduced number of parking stalls.

The following table describes the projects compliance with the R-VH, zoning standards and the requested development exceptions.

R-VH, Very High-Density Residential Standards			
Standard	Required	Proposed	Compliance
Density	1 unit per 2,100sf of lot area	40,637 / 2,100=19 units	Yes
Setbacks - Front	10-feet	11-feet	Yes
- Rear	25-feet	45-feet (from Bldg B to adjacent Water District property line)	Yes
- Side	14.5-feet (10% of lot width)	9-feet	No
Site Coverage	55% max	74.5%	No
Height	35-feet	40-feet	No
Fence	6-foot adjacent to residential	6-foot redwood fence	No*

Trash Disposal	Adequate/Screened/Accessible	One trash collection area, uphill, at rear of site. Conveniently accessible to Building A subject to review.	See trash collection section below
Parking: Count	42	40	No
Dimension	20-feet x 9-feet	18-feet x 9-feet	No
Aisles	26	24	No

* Easily corrected with revised fence detail.

As shown in the table above, the project does not comply with all of the base R-VH zoning standards and therefore the applicant is requesting Planned Development approval to provide adjustments from the base zoning standards to accommodate the proposed development. The requested exceptions are discussed in the Design Review / Planned Development Permit section below.

DESIGN REVIEW / PLANNED DEVELOPMENT PERMIT

The Design Review process requires architectural and site plan review for all structures by the Planning Commission. The Design Review process is established to carry out the objectives of the City's General Plan and related zoning regulations and to ensure that permits for construction as set out hereinafter will be carried out in a manner which is not detrimental to the surrounding uses and is consistent with the overall planning goals of the city. The building design is finalized at the Planned Development permit stage.

Architectural and Site Plan Design Review is required for all (new) structures in the R-VH zoning district and as part of the Planned Development rezoning subject to design criteria specified in Section 17.50.030. A project's architectural and site details must be found to be consistent with the following design review criteria:

1. The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood;
2. Materials, colors, proportion, mass and detail. All structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials; colors shall be appropriate within the context of use and should blend with surrounding structures;
3. The size, location, design, color, number, lighting and materials of all signs and outdoor advertising structures. No sign shall be approved in excess of the maximum limits set by this title, but the size or number of signs in any area subject to design control may be reduced below this maximum number or limit;
4. Landscaping and Irrigation. Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible.

5. The size, location and arrangement of on-site parking and paved areas;
6. Ingress, Egress and Internal Traffic Circulation. All the above factors shall be related to the setting or established character of the neighborhood or surrounding area.
7. Height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief for fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy. 17.
8. Arbors in front yards, over twenty square feet in roof area or between eight and ten feet in height: the design compatibility with the main structure and structures in the neighborhood, the mass and scale of the arbor, line of sight visibility for pedestrians and motorists in addition to other applicable standards of this section.

Building architecture and site design: Both buildings, A and B, incorporate vertical board and batt wood exterior siding with natural earth tone body colors. Medium dark brown, heavy trim tab, composition roof shingles are proposed on both buildings. Medium tan Eldorado stone base is proposed along ground level patio walls and as wainscot on each building. Both buildings incorporate roof dormers, eave brackets, and wall shingles on gable roof ends. Residential wood or vinyl windows and doors are proposed with wood trim.

Steel stairway systems with precast treads and landings are proposed on the exterior of both buildings. Second and third floor balconies utilize open-rail steel guardrails and columns. The open-rail system allows views from off-site into balconies that may reduce privacy for residents as well as visual concerns from off-site locations if balconies are used for storage. A semi-solid second floor wood balcony railing is proposed on the front of Building A to increase residential privacy and reduce views of items on balconies from Scotts Valley Drive.

Building A is oriented with front doors, patios and balconies facing directly onto Scotts Valley Drive. Covered patios and second floor balconies are located 11-feet from the front property line. The building pad for Building A is cut into the site and includes perimeter landscaping and a retaining wall of approximately 6-feet in height located three feet behind the rear of Building A. The site's front slope along the Scotts Valley Drive frontage creates the need for an accessible ADA ramp to achieve the five to six-foot elevation change from the public sidewalk up to the ground floor level of Building A. The ADA ramp is screen by a seven-foot wide landscape strip within the public right-of-way. Cross-sections of Building A, the ADA ramp, and the public sidewalk are shown on the project plans, Sheet A2.

Building B would be located on the central portion of the site, which has a moderate slope of approximately four and one half percent (4.5%). To accommodate the slope without significant site grading, Building B is designed with three grade breaks that step the building up the site totaling approximately five feet across the buildings 110-foot length. Cross sections of Building B are included on Sheet A4 of the project plans.

Building B provides two ADA accessible apartment units and three adaptable units on the ground floor. Therefore, an elevator is not required for access to the ten units on the second and third floors. Exterior, ground level patios and, second and third floor balconies are situated on the north and south elevations. Building B does not have a distinctive front

architectural façade or design feature that provides a primary focal point or building entry. The two major façades of the building look and function the same with four sets of precast stairways and balcony systems that attach to the building's rectilinear exterior. The ground level facades that face the parking area and rear walkway, feature five-foot high patio screen walls composed of a matching Eldorado stone base, topped with decorative lattice. Projecting gable roof elements provide cover for the four attached steel stairway systems on the front and rear elevations providing articulation to the exterior elevations.

The applicant team has indicated that the four exterior stairways limits access to units vertically, increasing privacy and eliminates the motel-style access that has tenants walking past neighboring units. The applicant also indicated that the four exterior stairways provide efficient access to upper floors and eliminates the need for an elevator.

Staff has expressed concern throughout the review process that a three story building of this scale would benefit from having a front entry feature, lobby or central core and has recommended including an elevator in the proposed development. As currently proposed, access to the rear stairways is along a narrow and isolated walkway that some tenants must take to get to their front door. The walkway behind building B is nine-feet wide, flanked on both sides with landscape strips, with a six-foot high property line fence on one side and five-foot patio screen walls and three-story building on the other.

In addition, the width of the stairway treads are three feet wide, with a stacked switch-back design, which may be difficult to navigate to upper floors with larger or heavy items, or for two-way use. The stairway-access design may also isolate tenants and reduce interaction with neighbors. Neighboring second and third floor tenants would have to descend two or three flights of stairs and then ascend another set of stairs two or three floors up to meet.

Staff is requesting Planning Commission input and direction on the project's architectural design.

Additional Design Note: Plans for Building A show the two ground floor units labeled "live/work" and include a front office space and full bathroom, which could also be used as bedrooms. Scotts Valley does not have specific zoning or design standards for live/work units, such as parking, signage, use regulations, etc., nor does the project propose such standards, therefore, for the purpose of this review, the live/work rooms are considered bedrooms and limited to those activities permitted as a home occupation.

Height: Building A is two stories and 28 feet in height, which is consistent with the R-VH, Very High-Density Residential height limitation. Building B is three stories and has a proposed ridge height of 40-feet, which exceeds the 35-foot height limit of the R-VH zoning district. The two north-facing exterior stairway gabled roofs on Building B are approximately 35 and 38-feet in height and extend approximately seven and one half-feet from the north property line. The increased building height would be an exception and require City Council authorization through the Planned Development Permit.

The applicant has stated that the additional height is necessary to allow for nine-foot interior ceiling heights for the apartment units and to maintain a 4:12 roof pitch. Apartment units on the third floor would have vaulted ceilings that extend from nine feet at the exterior walls to

17-feet along the interior central ridgeline. The applicant has stated that the additional interior room height and vaulted ceilings will create a more open and desirable interior than the minimum ceiling height. In review of proposed floor plans, much of the interior space on the third floor that would have 17-foot ceiling heights are shown as bathrooms, kitchens, and closets, which are typically smaller scale rooms (with features within arms reach) that would not necessarily benefit from 17-foot tall vaulted ceilings.

Staff is seeking Planning Commission input on the proposed building height exception.

Front yard Setback: The minimum front yard setback in the C-S zone is 20-feet, which is intended to provide adequate setback from major roadways that provide vehicle and truck access to the site.

The minimum front yard setback in the R-VH zone is ten feet, which is intended to preserve as many of the desirable characteristics of one-family residential districts as possible while permitting higher densities. When implemented in the C-S zone, mix-use projects are intended to be above and behind the primary commercial uses, set back a minimum of 20-feet from the commercial corridor; not necessarily utilizing a residential front yard setback of ten-feet, as currently proposed. Typically R-VH properties are located in residential areas and front onto residential streets.

Staff is requesting Planning Commission input and direction on the project's proposed front yard setback from Scotts Valley Drive.

Side yard Setback: The minimum side yard setback in the R-VH district is ten (10) feet or ten-percent (10%) of the lot width, whichever is greater. In this case, the project site has a lot width of 147-feet, therefore the side yard setback is 14.7-feet. The project proposes covered patios and balconies on Building B that extend into the required side yard with a proposed setback of nine feet from the north side property line. Establishing a reduced side yard setback would be an exception and require authorization through the Planned Development approval.

Staff is seeking Planning Commission input and direction on the request for reduced side yard setback.

Site Coverage: Site coverage is defined as the percentage of site area that may be covered by impervious surfaces, including all structures, open or enclosed or projections of structures.

The maximum allowable impervious site coverage in the R-VH zoning district is 55-percent, which allows landscaping and other open space areas to occupy the remaining 45-percent of the lot. Project plans indicate a site coverage of 74.5-percent, which exceeds the maximum allowable site coverage. Project plans also identify 5.7% of the site area for permeable parking lot pavers. Effectively increasing the area of the lot that is not available for landscape planting to 80.2% of the site. The project proposes a landscape area of 19.8-percent. Establishing the higher site coverage would be an exception and require approval through the PD permit process.

Staff is seeking Planning Commission input and direction on the request for increased site coverage.

Landscaping: The project proposes irrigated landscaping interspersed throughout the site including a variety of ground covers, vines, and medium height bushes. Planting areas surround the two residential buildings and along the perimeter of the site. Many of these landscape areas are narrow, in the range of three to five feet. Planter edges along parking stalls are also used vehicle overhangs, which reduce the possibility of these areas for shrubs or screening. Two bioretention swales would be located on both sides of the driveway from Scotts Valley Drive.

Overall, the project proposes approximately 20-percent of the site area for landscaping, which is a result of the request to increase impervious areas on site from 55-percent to 74.5-percent.

Staff is seeking input from the Planning Commission on the proposed landscape plan.

Lighting: The project proposes five 12.5-foot pole light fixtures along the southern property to illuminate the parking areas. Three 16.5-foot light poles are proposed at the front and rear driveways. Wall-mounted area light fixtures and soffit lighting is proposed on Building A; and 42" bollard walkway lighting and wall-mounted area lights are proposed surrounding Building B. Preliminary plans do not yet include photometric studies or detailed specification sheets for proposed light fixtures. Exterior lighting details will be reviewed as part of a future design review.

Private outdoor space: Pursuant to Section 17.09.040(F), each dwelling shall have private, usable outdoor space, i.e. decks, balconies, yards, or patios of one hundred square feet per residential unit. If the design is not suitable for private open space, usable common open space may be provided two hundred square feet per residential unit if approved by the Planning Commission.

In this case, each unit in Building B includes a useable outdoor deck space that exceeds the minimum 100-square foot requirement. Building A's front facing balconies and ground level patios have been identified in the project's noise study to exceed the maximum 60 dBA noise limit for useable outdoor areas. However, a 910-square foot common outdoor area is provided behind Building A, which exceeds the minimum 200-foot area for each of the Building A units. Therefore, the project can be considered in compliance with the residential useable outdoor space requirements.

Trash Enclosure: A single trash and recycling building is proposed to serve all 19 residential units. The trash enclosure would be located behind Building B, which may not be conveniently situated for tenants of Building A. The trash building has been enlarged in size following the initial staff review, however an alternative, more centralized, or a second trash collection area has not been included in the proposed plan.

Staff is seeking Planning Commission input on the adequacy of the trash enclosure location.

Perimeter Fencing: A new six-foot high wood fence is proposed along the north property line separating the new residences from the existing commercial property. The fence detail shown on Sheet A4, depicts a wood fence with 1-1/2 inch air gaps between vertical fence boards. The open wood fence design may be proposed to increase the visual openness within the narrow walkway behind Building B. A typical fence detail for use between a commercial and residential boundary includes a six or eight-foot high solid wood design with over-lapping fence boards and no air gaps to provide greater sound attenuation and privacy. Revisions to the fence plan, if so determined, can be easily accomplished.

Trees: An arborist report, dated December 2016 and amended on August 31, 2017, was prepared for the proposed development which evaluates 29 “protected” trees associated with the proposed development including 12 Coast Live Oaks, 6 Coast Redwoods, 7 Monterey Cypress, 3 Eastern Redbuds and 1 Strawberry tree. 22 of the 29 protected trees are located on the project site and six protected trees are located on immediately adjacent properties with canopies that over-hang the project site.

The arborist report, included in Attachment 3, states that of the 29 “protected” trees evaluated for the proposed project, 22 are rated suitable for retention in a development project, exhibiting any combination of fair or good health and structure. Seven trees were rated not suitable for retention due to poor health or containing significant structure defects. The project proposes to remove a total of 23 protected trees, including the seven trees rated in poor condition and 16 trees rated in fair or good health and condition that would be removed due to construction impacts associated with the proposed development. The arborist report provides an appraised valuation of \$71,410 for the six trees (five Coast Redwoods and one Coast Live Oak) that would be retained and protected during any construction activities.

Preliminary landscape plans propose a total approximately 44 replacement 15-gallon trees; approximately 34 of which are Mexican Fan, Windmill and Dracaena palm trees. Palm trees are not listed in the City’s “Trees species that perform well in Scotts Valley” reference document. Preliminary staff comments to the applicant have expressed concerns that the size, scale and appearance of the various palms trees proposed throughout the project site are not consistent with the community’s natural mountain character or suitable as the primary replacement species for the loss of nine healthy Live Oak trees and five Monterey Cypress trees. The use of few larger-scale accent palm trees may be appropriate, however staff is concerned that 34 15-gallon palms trees will not create significant visual appearance, provide significant shade coverage or provide any air filtration benefit afforded by other native tree species.

Ten coral bark Japanese maple trees are also proposed along the north property line behind Building B in the three-foot perimeter planter strip adjacent to the perimeter fence line. Staff is concerned that the Japanese maple trees, although listed as a tree that performs well in Scotts Valley, are noted for their broad, 15 to 30-foot wide, branch structure. A three-foot wide planter adjacent to narrow nine-foot wide walkway, as proposed, may not be sufficiently wide to accommodate this tree species. Additional, Japanese maple trees are deciduous and may not be ideal to provide year-round screening separating the proposed residential property from the existing adjacent commercial property.

Staff is requesting Planning Commission input and direction on the proposed tree removal and replacement plan.

Traffic Analysis: In January 2017, a Traffic Impact Analysis (TIA) was prepared by Pinnacle Traffic Engineering for the original project that proposed commercial and residential uses on the site. As part of the project's current proposal, Pinnacle Traffic Engineering has prepared a supplemental trip generation and parking analysis, dated September 26, 2017. The supplemental traffic analysis provides updated information based on the current project proposing 19 residential apartment units, with no commercial or office uses proposed. The report also provides an analysis of the number of parking stalls proposed, and the proposed parking stall and drive aisle dimensions, which vary from the city's parking standards. The supplemental TIA is attached to this report.

Trip Generation: The 19 residential apartments, based on data contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition), is anticipated to generate 10 - A.M. peak hour trips (2 in, 8 out) and 12 - P.M. peak hour trips (8 in, 4 out), and a total of 126 daily trips. The report concludes that the proposed residential apartment project will not significantly impact local traffic.

Parking: The project proposes 40 on-site parking stalls for the 19-unit development. The City of Scotts Valley parking standards for the 19 unit multi-family residential development requires 42 parking stalls - 2 per unit (38 stalls), plus one guest stall for each 5 units (4 stalls). Therefore, as proposed, the residential project has a deficit of two (2) stalls. The project site contains a parking easement in favor of the Scotts Valley Water District that preserves nine stalls along the southern property line for exclusive use by the Water District. These nine stalls are not included as available or shared in the parking evaluation of the 19-unit project.

The project TIA provides an evaluation of parking standards from other public agencies of similar size, which indicates that not all agencies require guest parking and that the number of stalls required per bedroom also varies. For example, the TIA reports that the parking requirements for the Cities of Santa Cruz and Salinas, are 38 stalls for a 19 unit multi-family development made up of 2 and 3 bedroom units (no guest stalls required); and the City of Gilroy, which would require 35 total stalls, based on a standard of 1.5 stalls per 2 bedroom unit, 2 stalls per 3-bedroom units and 4 guest stalls.

While evaluating the project it was noted that the project has several unique characteristics that could affect the number of needed parking spaces. The first is that the site has access to Civic Center Drive which allows for some overflow parking onto a public street, second is that Bay Photo and other workplaces are nearby, and third is the site's location along a major bus corridor and the presence of secured on-site bicycle parking provides additional alternative transportation options to potentially reduce a resident's dependence on vehicle ownership. These site characteristic and project features may be sufficient to allow a reduction of two parking stalls.

Staff is seeking Planning Commission input on the requested parking reduction.

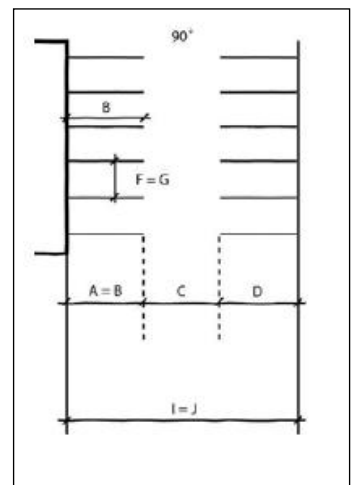
Parking Dimensions: The project also requests modifications from the City of Scotts Valley parking stall and aisle dimension standards. The City's full size parking stall dimensional

standard is 20-feet in length and nine-feet in width, exclusive of aisles and access drives. City code allows for a 17-foot stall depth with a three-foot vehicle overhang. Compact parking spaces shall not be less than 16-feet in length and nine-feet in width. 20-percent of the stalls may be compact. The two-way drive aisle width requirement between rows of parking stalls is 26-feet. Therefore, the City standard parking “module” for two parking rows and travel aisle is 66-feet ($20' + 26' + 20' = 66'$).

The project proposes full size parking stall dimensions of 18-feet in depth ($16' + 2'$ overhang) and nine feet in width. The two-way travel aisle is proposed with a width of 24-feet. The parking “module” for the projects two parking rows and travel aisle, as proposed, would be 60-feet ($18' + 24' + 18' = 60'$).

The image at the right shows the basic 90-degree, two-way parking lot design. The parking “module” is represented in this graphic as the total width of the two parking rows and the aisle width.

The TIA provides parking stall and aisle dimension standards from other similarly sized cities, as examples on how jurisdictional standards vary based on community trends and expectations. Many cities utilize a parking dimension standard of 18-foot deep and 8.5-feet in width with travel aisle widths from 24 to 26 feet. The TIA notes that a wider parking stall dimension, such as nine-feet as required in Scotts Valley, facilitates earlier back out turning movements, which may allow a narrower drive aisle.



Scotts Valley parking stall dimensions were designed intentionally to accommodate larger vehicles, which have inherently larger maneuvering requirements. Hence, the 20-foot deep, nine-foot wide parking stall dimensions with a 26-foot travel aisle standard. Also, Scotts Valley parking lot design criteria discourage the use of “wheel stops” stating a preference for continuous curbs and expanded width sidewalks or planter beds to accommodate vehicle overhang areas. The applicant should consider widening the sidewalk by two-feet at west end of Building B to accommodate the vehicle overhang for the five compact stalls shown there and eliminating the wheel stops.

The TIA notes that the 19-unit project has relatively low trip generation and can be accommodated with the proposed parking stall and aisle dimensions. It should be noted that any increase in the parking stall depth or aisle dimension would result in a proportional decrease in the side yard landscaping or building size. Staff also notes that proposed parking lot, with a reduced drive aisle dimension, could be noticeably smaller than other parking lots in the community, and require slower and more precise turning movements. Larger vehicles that extend into the drive aisle, by virtue of a vehicles size or operator error, would further reduce the drive aisle width, which could result in restricted vehicle maneuverability. Residents of the development would have to adapt to the proposed parking design.

Staff is requesting Planning Commission comments on the proposed parking plan, including the reduction of two spaces and reduced stall depth and aisle width.

ENVIRONMENTAL DETERMINATION

A Negative Declaration was prepared for the proposed development consistent with the requirements of the California Environment Quality Act. No significant project related environmental impacts were found to be present that were not reduced to less than significant levels. The Negative Declaration was circulated for 20 days as required, from April 16, 2018 through May 7, 2018. No public comments have been received.

PUBLIC NOTICE & COMMENT

A public notice was posted on site and mailed to surrounding property owners within 300 feet pursuant to State law. No comments have been received.

FINDINGS AND CONCLUSION

As a study session, this report does not include a resolution and request for action other than to provide input and direction on the proposed project. Staff will come back to the Planning Commission at a subsequent hearing with a formal recommendation, which will be forwarded to the City Council for action on the requested General Plan Amendment and PD, Planned Development Zoning and Permit.

In summary, the project is requesting a General Plan Amendment that would change the use of the site from commercial to residential. As part of the land use change, the project is also requesting a number of exceptions through the Planned Development Permit process to increase the building height and allowable impervious site coverage; and reduce the side yard setback, parking drive aisle dimensions and the number of parking stalls required. Individually, any one of these requested exceptions may be considered acceptable within a particular design scenario. However, all these requested exceptions in the context of a project at the high end of the density range, may be seen as exceeding the site's development potential.

In addition, the project's three story building design with access to upper floors limited to narrow exterior stairways and no elevator and a narrow walkway at the rear of the building may not be considered ideal design features.

Development Options and Alternatives: The City of Scotts Valley is currently in the process of updating its General Plan. An option would be to direct the applicant to participate in the General Plan update process and submit a development proposal that conform to policies, programs or actions that may be adopted with the General Plan update. It should be noted that a General Plan update is typically a lengthy process.

If it is determined that the project could be redesigned or reduced in scale to better address the existing development pattern of the area, such as placing the commercial uses within front portion of the with residential uses on the back portion of the site, the Planning Commission could provide input and direction on the project and continue the item allowing the applicant an opportunity to prepare revised plans.

If it is determined that project's proposed multi-family, high density residential land use along with the proposed site and architectural design, and development standards are appropriate for the site and surrounding neighborhood as proposed, the Planning Commission could direct staff to prepare a resolution for approval. The recommendation would then be forwarded to the City Council for consideration.

If it is determined that the issues associated with the proposed project are not adequately addressed; or that the General Plan Amendment or Zone Change is not appropriate for the site; or that the development is not well designed for the location, the Planning Commission could direct staff to prepare a recommendation of denial. The recommendation would then be forwarded to the City Council for consideration.

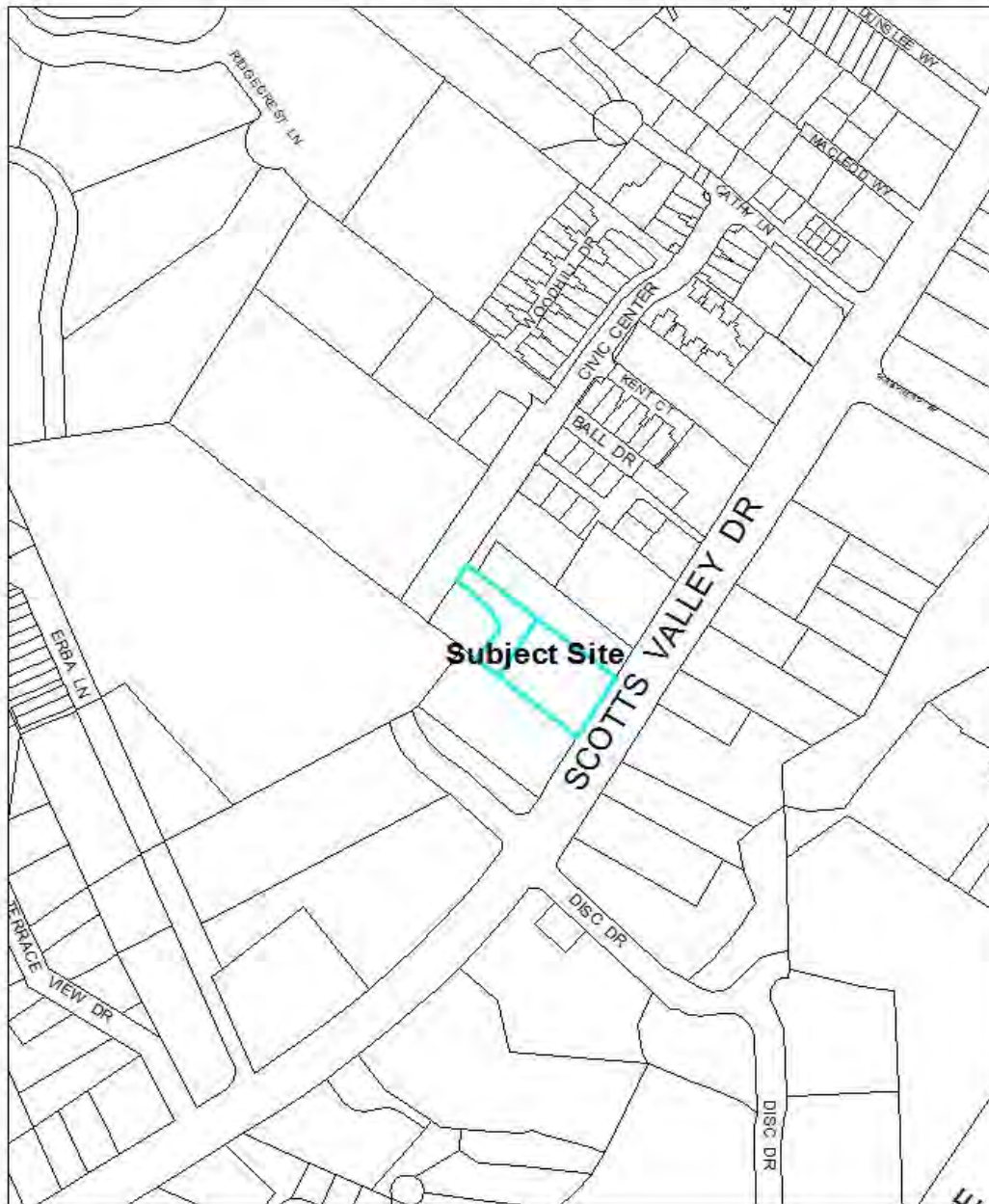
Staff is seeking Planning Commission input and direction on the proposed project and requested General Plan Amendment, Zone Change, Planned Development District and Permit, and Design Review.

ATTACHMENTS

1.	Location Map.....	17
2.	Project Plans*.....	Attached
3.	Arborist Report (08/31/17).....	18
4.	Acoustical Engineering Study (09/22/17)	57
5.	Preliminary Stormwater Control Plan (09/13/17)	69
6.	Traffic Impact Analysis (01/4/17) & (09/26/17)	80
7.	Draft Initial Study (04/16/18).....	114
8.		

**Please note that the project plans are provided in the Planning Commission packets. However, the project plans and file are available for public review in the Planning Department Monday-Thursday 8AM-12PM, or by appointment, at City Hall, One Civic Center Drive, Scotts Valley. Please call the Planning Department at (831) 440-5630 if you have any questions.*

Location Map



Subject Site – 4627 Scotts Valley Drive

ARBORIST REPORT- Amended Version- 8/31/17
Preliminary Tree Inventory & Assessment for:

Mixed Use Housing Project – Scotts Valley
SCOTTS VALLEY DRIVE – APN 022-081-34 &35

December 2016



Prepared for:
Larry Abitol
Scotts Valley Housing LLC
505 Ironwood Drive
Soquel, CA 95



Note: This report was amended to in response to City Comments Letter dated 8/24/2017.

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Attachments:

- Appendix A - Tree Assessment Chart
- Tree Location Map
- Appendix B - Appraised Value of Retained Trees – ADDED TO AMENDED VERSION
- Subject Tree Images
- Aerial Image Tree Inventory
- Assumptions & Limiting Conditions

INTRODUCTION and OVERVIEW

Scotts Valley Properties LLC is proposing to develop a property currently utilized as a commercial use parking lot. The property is located along Scotts Valley Drive in Scotts Valley. As an element of the development, the developers requested certified arborist services for a preliminary tree inventory and assessment. The purpose of this report is to inventory and evaluate the health and structural condition of the trees and assess their suitability for preservation.

A **"tree resource evaluation"**, sometimes called a "tree inventory", or "tree survey report" is the first step in documenting the existing trees on a proposed development or building project site. This survey is used to aid in planning and project review, for the identification and location of existing trees on the site during the design of the project, placement of structures, driveways, utilities, and landscape components.

It also is used to identify trees of designated size and species that are protected under the municipal or county code that is applicable for the site location.

Suitability for preservation of individual trees is included in this evaluation, with the criteria for retention based on an evaluation of the health, structural condition and the specific development features impacting each tree.

Preliminary development parameters such as grading, paving, retaining walls, building construction footprint, and the proposed distance each of these elements are to be located from individual trees is evaluated.

Tree protection zones based on tree species, size and condition are prescribed for those trees recommended for retention.

When final plan sets have been completed, protective fencing and tree protection treatments will be prescribed by the arborist consultant. Tree replacement numbers will be calculated when a final tree removal count is established.

ASSIGNMENT/SCOPE OF SERVICES

Kurt Fouts an independent certified arborist, has been contracted by Scotts Valley Properties LLC, to inventory and evaluate the condition of the existing "Protected Trees" on this site. Additionally, to make recommendations to retain or remove each tree, based on tree condition and proposed site improvements.

The inventory is oriented to trees that are protected under the City of Scotts Valley Municipal Code – Section 17.44.080 *Tree Protection Regulations* & Section 17.44.080(7) *"Protected Tree"*.

To complete this assignment, the following services were performed:

- **Plan Review:** Reviewed provided plans including: Preliminary Grading Plan provided by Roper Engineering, Dated 12/13/16. Building A & B Exterior Elevations & Floor Plans provided by David B Zulim Inc, Civil Engineering, dated 11/3/16 & Landscape Plan provided by Gregory Lewis, Landscape Architect, Dated 11/7/16.
- **Ordinance Review:** Reviewed the City of Scotts Valley Municipal Code, Section 17.44.080 *Tree Protection Regulations*.
- **Tree Preservation Evaluation:** Site visits by the arborist for orientation and tree inspection. Visually examining each tree and measuring as necessary to confirm City of Scotts Valley, 'protected' tree status. Measuring and evaluating each city protected tree for health and structural condition. Assessing each tree for suitability for preservation.
- **Mapping:** Tagged tree numbers were plotted and overlaid onto preliminary grading plan provided by Jeff Roper engineer. For reference, an aerial map of tagged tree locations is also provided.

Unless expressed otherwise, the information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. The inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees in questions may not arise in the future.

TREE EVALUATION AND RECORDING METHODS

Site evaluations were made on December 28th and Jan 1st. *The assessments included all protected trees, located within the dripline of the project limits.* The trees were tagged with numbered metal tags. The health and structural condition of each tree was assessed and recorded. Based on the trees health and structural condition, each trees suitability for preservation was rated and recorded.

The recorded data is included in the *Tree Assessment Chart, Appendix A*, of this report. Tree numbers were plotted on the attached *Tree Location Map*. **To correlate the data in the Tree Assessment Chart to the tree's location on the site, refer to the Tree Location Map.**

Twenty-nine trees were evaluated, representing five species. All trees are "protected" under City of Scotts Valley ordinance.

SUMMARY TREE AND SITE DESCRIPTION

The proposed development site of approximately $\frac{3}{4}$ of an acre, is currently a landscaped parking lot. The property is sloped from the Scotts Valley Water District Building to the west down to Scotts Valley Drive to the east. Trees are located along the perimeter of the lot and in parking islands towards the center of the property.



View of parking lot area, looking west from Scotts Valley Drive.

PROTECTED TREES IN THE CITY OF SCOTTS VALLEY

Protected Tree List*

A	Any size tree located within five (5) feet of a public right-of-way or street.
B	Any single-trunk <u>oak tree</u> greater than or equal to eight (8) inch diameter (25-inch circumference). **
C	Any multi-trunk <u>oak tree</u> with any trunk greater than or equal to four (4) inches diameter (12-inch circumference). **
D	Any tree greater than or equal to eight (8) inch diameter (25-inch circumference) ** if located within 20 feet of a moderate slope (greater than 20% slope).
E	Any single-trunk tree greater than or equal to 13-inch diameter (40-inch circumference). **
F	Any multi-trunk tree with any trunk greater than or equal to eight (8) inch diameter (25-inch circumference). **
G	Any tree, regardless of size, required as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree.
H	Any <u>Heritage Tree</u> , as specified in Municipal Code Section 17.44.080 and Exhibit A. A list and map of Heritage Trees are available at the Planning Department. Fees for removal of Heritage Trees are higher than other protected tree removals and applications must be approved at a public hearing before the Planning Commission.
	* <u>Note:</u> No tree removal permit is required to remove: • Monterey Pine trees that are infected with pitch canker; <i>proof of infection is required;</i> • Blue Gum Eucalyptus or Acacia trees; • Bay Laurel trees <i>if</i> they are growing under the drip-line of an established oak tree; or, • Fruit trees. ** T r e e measurement shall be taken 4½ feet (54 inches) above the ground.

The following table represents a list of all “Protected” tree species found at the proposed Scotts Valley Housing Development.

Table 1 – Protected Tree Inventory Summary
Scotts Valley – New Housing Development

Common Name	Botanical Name	Quantity
Coast Live Oak	<i>Quercus agrifolia</i>	12
Coast Redwood	<i>Sequoia sempervirens</i>	6
Monterey Cypress	<i>Hesperocyparis macrocarpa</i>	7
Eastern Redbud	<i>Cercis canadensis</i>	3
Strawberry Tree	<i>Arbutus undeo</i>	1
Total Trees		29

TREE CONDITON

The condition of each tree was evaluated in the field and given a health condition rating and a structure condition rating.

Condition Rating Methods

Below is a description of the criteria utilized to evaluate and rate the health and structure of the trees:

Health and Structural Rating Description:

Health and structure ratings reflect relative conditions such as vigor, the extent of decay, structure, and insect or disease problems. Good and fair ratings indicate limited structural problems, acceptable vigor, and an absence of significant disease issues. Poor ratings indicate serious health or structural problems. Trees rated as poor are often a moderate to high risk of structural failure.

Health Ratings:

Good: A healthy, vigorous tree, reasonably free of signs and symptoms of disease.

Fair: Moderate vigor, moderate twig and small branch dieback, crown may be thinning leaf color may be poor.

Poor: Tree in severe decline, dieback of scaffold branches and/or trunk, most of foliage from epicormics (indicates last stage of foliar push from stored moisture and nutrients in stems).

Structure Ratings:

Good: No significant structural defects. Growth habit and form typical of the species.

Fair: Moderate structural defects that are not at risk of failure, and might be mitigated with management practices.

Poor: Extensive structural defects that cannot be abated.

SUITABILITY FOR PRESERVATION

Suitability for Preservation Criteria

Before evaluating the impacts that will occur during development, it is important to consider the quality of the tree resource itself and the potential for individual trees to function well over an extended period. Trees that are preserved must be carefully selected to make sure they perform favorably in the landscape and will be an asset to the site over time. The arborist goal is to identify trees that have a potential for long term health, structural stability and longevity.

Below is a description of the criteria utilized in assessment of suitability for preservation:

Suitability for Preservation Ratings:

Rating factors:

Tree Health: Healthy vigorous trees are more tolerant of construction impacts such as root loss, grading and soil compaction, then are less vigorous specimens.

Structural integrity: Preserved trees should be structurally sound and absent of defects or have defects that can be effectively reduced, especially near structures or high use areas.

Rating Scale:

Good: Trees in good health and structural condition with potential for longevity on the site.

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures.

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment. Trees can be expected to decline or fail regardless of construction impacts or management.

Suitability for Preservation Based on Tree Condition Summary

Based on its health and structural condition, each tree was given a suitability for preservation rating.

Of the **29** “protected” trees evaluated for the proposed project, **22 (amended 8/31/17)**, are rated suitable for retention in a development project. These trees exhibit any combination of fair or good health and fair or good structure, indicating they have potential for longevity on the site. These trees would be expected to function well over an extended period and should prove to be an asset to any proposed project.

Of the remaining trees, **7 (amended 8/31/17)**, were rated not suitable for retention. These trees are in poor health or contain significant defects in structure that cannot be abated with treatment indicating they would be poor candidates for retention in the proposed project.

Suitability for Preservation Based on Anticipated Construction Impacts

The final working drawings for this project will be completed pending review of the initial plan sets. Therefore, tree management recommendations are based on current *preliminary* information. Table 2 below lists the number of trees recommended for removal due to construction impacts. These trees cannot be retained based on the anticipated impacts indicated on the current plan sets. Also, listed in Table 2 are the number of trees recommended for removal due to poor condition. The *Tree Assessment Chart – Appendix A* lists the reasons for removal of each individual tree.

Table 2 - Tree Removal Summary (“Protected Trees”)
Scotts Valley – New Housing Development

Number of ‘protected’ trees inventoried	Trees recommended for removal due to poor condition	Trees recommended for removal due to anticipated construction impacts	Trees to be preserved and protected
29	7	Original quantity: 15 Updated quantity: 16 8/31/17	Original quantity: 7 Updated quantity: 6 8/31/17

Total trees to be removed is increased from 22 to 23 (8/31/17).

Tree Protection Zones

Data has been entered in the *Tree Assessment Chart – Appendix A*, which indicates the Tree Protection Zone for each tree.

To prevent inadvertent encroachment by heavy machinery, fencing should be installed either at the edge of the Tree Protection Zone (TPZ), the crown drip line (whichever is further from the trunk), or at the edge of the construction zone, if the construction zone protrudes into the TPZ. The Project Arborist, should approve the location of the fencing. All fencing should be in place prior to any site grading.

Once the TPZ is delineated and fenced, essentially prior to any site work, landscape construction, equipment and materials move in, construction activities are only to be permitted within the TPZ if allowed for and specified by the project arborist. **The fenced TPZ areas are considered "non-intrusion zones" and should not be altered or breached.**

Tree Protection Zone fencing locations are documented on the attached map (Tree Location & Protection Map)

Tree Removals

All tree work, removal, pruning, planting, shall be performed using industry standards of workmanship as established in the Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI A 300 series), and safety (ANSI Z133.1).

During tree removal and clearance, sections of the Tree Protection Fencing may need to be temporarily dismantled to complete removal and pruning specifications. After each section is completed, the fencing is to be re-installed.

Trees requiring removal are listed in the attached *Tree Assessment Chart – Appendix A*

Trees to be removed shall be cut into smaller manageable pieces consistent with safe arboricultural practices, and carefully removed so as not to damage any surrounding trees or structures. The trees shall be cut down as close to grade as possible. Tree removal is to be performed by a qualified contractor with valid City Business/State Licenses and General Liability and Workman's compensation insurance.

Tree Replacement Recommendations (new section added to amended report)

The removal of trees can be offset by replacement planting. A preliminary landscape plan for the new project has been submitted. lists the number of trees proposed to be replanted in the preliminary landscape plan.

The number and species of replacement trees or shrubs shall be determined by the City of Scotts Valley Community Development Director Department. Typical replacement ratios are one 15-gallon tree planted for every tree removed. They should be placed in areas where ample light for establishment can be found and where they do not present safety concerns.

Below is a summary of total trees removed, retained and proposed for replanting.

Total Protected Trees Removed:	23
Total Protected Trees Retained:	6
Total Trees To be Replanted:	44 (proposed landscape plan)

The proposed replanting ratio is very close to two trees replanted for every tree removed.

Tree Protection Guidelines and Restrictions

The following restrictions and guidelines apply to the designated tree protection zones:

- (1) Before the start of site work, equipment or materials move in, clearing, excavation, construction, or other work on the site, every tree to be retained shall be securely fenced- off as delineated in approved plans. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.

2) If the proposed development, including any site work, will encroach upon the tree protection zone, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.

(3) Underground trenching shall avoid the major support and absorbing tree roots of protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated to service as many units as possible. Boring/tunneling under roots should be considered as an alternative to trenching.

(4) Concrete or asphalt paving shall not be placed over the root zones of protected trees, unless otherwise permitted by the project arborist.

(5) Artificial irrigation shall not occur within the root zone of native oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.

(6) Compaction of the soil within the tree protection zone shall be avoided.

(7) Any excavation, cutting, or filling of the existing ground surface within the tree protection zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed to minimize their impact on protected trees.

(8) Burning or use of equipment with an open flame near or within the tree protection zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the tree.

(9) Oil, gas, chemicals, paints, cement, stucco or other substances that may be harmful to trees shall not be stored or dumped within the tree protection zone of any protected tree, or at any other location on the site from which such substances might enter the tree protection zone of a protected tree.

(10) Construction materials shall not be stored within the tree protection zone of a protected tree.

Project Arborist Duties and Inspection Schedule

Inspection of site: Prior to equipment and materials move in, site work, demolition, landscape construction and tree removal: The project arborist will meet with the general contractor, architect / engineer, and owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

Inspection of site: After installation of TPZ fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection.

Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

Development Site Tree Health Care Measures

RECOMMENDED TO PROVIDE OPTIMUM GROWING CONDITIONS, PHYSIOLOGICAL INVIGORATION AND STAMINA, FOR PROTECTION AND RECOVERY FROM CONSTRUCTION IMPACT.

Establish and maintain TPZ fencing, trunk and scaffold limb barriers for protection from mechanical damage, and other tree protection requirements as specified in the arborist report.

Project arborist to specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

Soil, water and drainage management is to follow the ISA BMP for "Managing Trees During Construction" and the ANSI Standard A300(Part 2)- 2011 Soil Management (a. Modification, b. 'Fertilization, c. Drainage.)

Fertilizer / soil amendment product(s), amounts and method of application to be specified by certified arborist.

Additional Tree Protection Specifications Required

This is a preliminary tree resource evaluation only.

When final architectural and civil plans are completed, and decisions are made by the Scotts Valley planning department and the developer about which trees are to be retained and protected, then further tree protection measures can be specified.

Respectfully submitted,

Kurt Fouts

Kurt Fouts ISA Certified Arborist WE-0681A



Commercial & Housing Project - 4627 Scotts Valley Drive

Tree Assessment Chart - Appendix A

Suitability for Preservation Ratings:

Good: Trees in good health and structural condition with potential for longevity on the site

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment

Retention or Removal Code:

RT: Retain Tree

RI: Remove Due to Construction Impacts

R.C. Remove Due to Condition

Tree #	Species	Trunk Diameter @ 4.5'	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Retention or Removal Code	Comments
1	coast redwood (<i>Sequoia sempervirens</i>)	13	37'X12'	Fair	Fair	Fair	10'	RT	Requires pre-construction treatments. Branching structure absent in mid canopy. Drought stressed. Increase irrigation if ordinance allows.
2	coast redwood	17	43'X13'	Fair	Fair	Fair	13'	RT	Requires pre-construction treatments. Branching structure absent in mid canopy and 1/2 of lower canopy. Drought stressed. Increase irrigation if ordinance allows.
3	coast live oak (<i>Quercus agrifolia</i>)	10	24'X15'	Fair	Poor	Poor	8'	RC	Co-dominant trunks at 8' above grade. Suppressed growth habit (from adjacent trees). Unbalanced canopy growth to North. Limited branching structure.
4	coast live oak	17	24'X32'	Good	Fair	Fair	13'	RI	Site plan change. Remove due to ammended site plan 8/31/17. Good specimen. Requires crown cleaning, clearance pruning and end weight reduction.
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com						Page 1 of 5			12/28/2016

Commercial & Housing Project - 4642 Scotts Valley Drive

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5'	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Retention or Removal Code	Comments
5	coast live oak (<i>Quercus agrifolia</i>)	17"	23'X30'	Good	Good	Good	13'	R.I.	Tree is immediately adjacent to new retaining wall. Good specimen. Requires crown cleaning, clearance pruning and end weight reduction.
6	coast live oak	13"	19'X28'	Good	Good	Good	10'	R.I.	Tree is immediately adjacent to new walkway. Good specimen. Requires crown cleaning, clearance pruning and end weight reduction.
7	coast live oak	12"	14'X14'	Good	Fair	Fair	9'	R.I.	Tree is within footprint of new walkway and retainer. Suppressed growth habit (from adjacent trees). Unbalanced canopy and significant lean to west. Requires end weight reduction.
7-A	Monterey cypress (<i>Hesperocyparis macrocarpa</i>)	22" (approx.)	43'X14'	Fair	Fair	Fair	28'	R.I.	Tree cannot be effectively clearance pruned without significantly damaging tree structure. Located on adjacent property. Topped at 35' above grade. Crowded growing conditions has created uneven canopy growth.
8	Monterey cypress	27"	43'X35'	Fair	Fair	Fair	34'	R.I.	Tree cannot be effectively clearance pruned without significantly damaging tree structure. Trunk appears to straddle property line., which indicates co-ownership of tree. Co-dominant trunks at 22' above grade. Topped at 35' above grade. Crowded growing conditions has created uneven canopy growth.
9	Monterey cypress	24"	48'X35'	Fair	Fair	Fair	30'	R.I.	Tree is immediately adjacent to new retaining wall. Tip dieback of terminal (top of tree). Crowded growing conditions has created uneven canopy growth.
10	Monterey cypress	22"	40'X35'	Fair	Fair	Fair	28'	R.I.	Tree is immediately adjacent to new retaining wall. Crowded growing conditions has created uneven canopy growth.
						Page 2 of 5		12/28/2016	

Commercial & Housing Project - 4642 Scotts Valley Drive

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5'	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Retention or Removal Code	Comments
11	Monterey cypress (<i>Hesperocyparis macrocarpa</i>)	42"	46'X38'	Fair	Poor	Poor	53'	R.C.	Tree is within 5' of new retaining wall. Co-dominant trunks at 8' and again at 22' above grade. Large limb tear-out at 23' above grade. Tree was topped at 30' above grade. Significant lean to southeast. Crowded growing conditions has created uneven canopy growth.
12	Monterey cypress	20"	36'X23'	Fair	Poor	Poor	25'	R.C.	Tree is within 5' of new retaining wall. Suppressed growth habit. Thinning canopy & low live crown ratio. Lean to southeast that has self -corrected. Crowded growing conditions with un-balanced canopy. Limb structure on east side of trunk only.
13	coast live oak (<i>Quercus agrifolia</i>)	21"	18'X26'	Fair	Good	Good	16'	R.I.	Tree is within 1' of new retaining wall. Additionally, tree cannot be effectively clearance pruned without significantly damaging s tree structure. Requires crown cleaning, clearance pruning and end weight reduction.
14	strawberry tree (<i>Arbutus unedo</i>)	1",1",1",1"	5'X5'	Good	Fair	Good	5'	R.I.	Within 5' of R.O.W. qualifies as street tree. Not complementary with proposed landscape scheme. Suppressed growth habit, to southeast.
15	Eastern redbud (<i>Cercis canadensis</i>)	12"	15'X15'	Poor	Fair	Poor	19'	R.C.	Within 5' of R.O.W. qualifies as street tree. Buttress and other roots damaged (cracking & deadwood), due to foot traffic. Short lived species nearing end of useful life.
16	Eastern redbud	14"	15'X15'	Poor	Fair	Poor	19'	R.C.	Branch dieback with fungal fruiting bodies. Short lived species nearing end of useful life.
17	Eastern redbud	13"	15'X15'	Poor	Fair	Poor	19'	R.C.	Branch dieback .Short lived species nearing end of useful life.
 104 Kurt Fouts Arborist Consultant 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com						Page 3 of 5		12/28/2016	

Commercial & Housing Project - 4642 Scotts Valley Drive

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5'	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Retention or Removal Code	Comments
17-A	coast redwood (<i>Sequoia sempervirens</i>)	17"	33'X15'	Poor	Poor	Poor	17'	R.C.	On adjacent property. Tree is nearly dead. Less than 5% live crown remains.
17-B	coast redwood	24",18"	27'X22'	Fair	Fair	Fair	14'	R.T.	On adjacent property. Co-dominant trunks at 2 feet above grade. Drought stressed. Thinning branch structure. Needle dieback throughout canopy. Increase irrigation if ordinance allows.
17-C	coast redwood	28"	33'X21'	Fair	Fair	Fair	21'	R.T.	On adjacent property. Drought stressed. Needle dieback throughout canopy. Increase irrigation if ordinance allows.
18	coast live oak (<i>Quercus agrifolia</i>)	17"	20'X20'	Good	Fair	Fair	13'	R.I.	Tree is immediately adjacent to new retaining wall. Suppressed growth habit has created uneven canopy . Significant lean to north. Evidence of boring insects at trunk base. Requires clearance pruning.
19	coast live oak	12"	15'X17'	Fair	Good	Good	9'	R.I.	Tree is immediately adjacent to new retaining wall and in footprint of new parking area. Thinning canopy. Live crown ratio is less than typical for species.
20	coast live oak	15"	18'X21'	Fair	Good	Good	11'	R.I.	Tree is in footprint of new parking area.
21	coast live oak	8"	15'X15'	Fair	Fair	Fair	6'	R.I.	Tree is in footprint of new parking area.
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com						Page 4 of 5		12/28/2016	

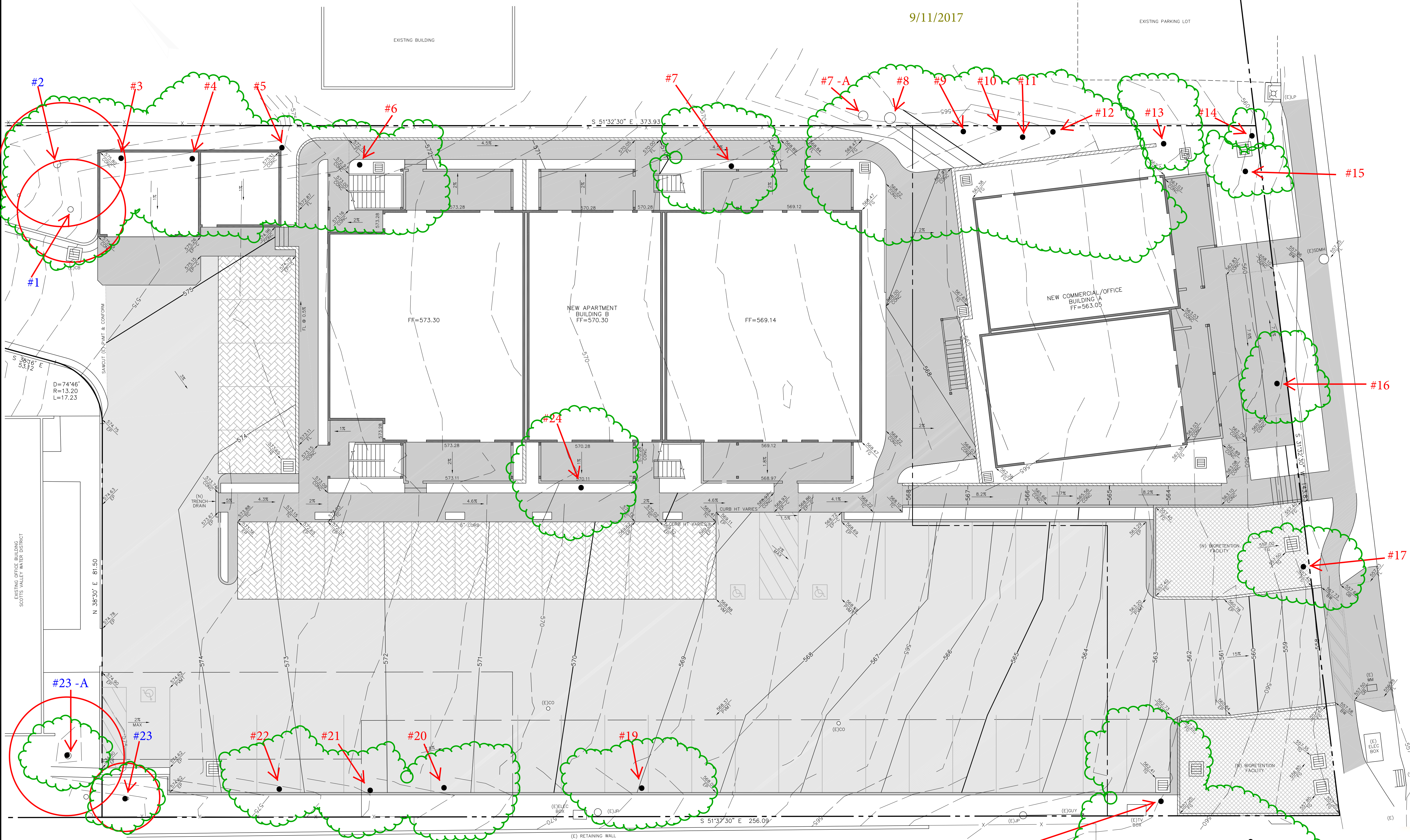
Commercial & Housing Project - 4642 Scotts Valley Drive

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5'	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Retention or Removal Code	Comments
22	coast live oak (<i>Quercus agrifolia</i>)	18"	17'X22'	Fair	Good	Good	14'	R.I.	Tree is in footprint of new parking area. Thinning canopy.
23	coast live oak	9"	16'X12'	Fair	Fair	Fair	7'	R.T.	Suppressed growth habit causing unbalanced canopy. Small twig dieback.
23-A	coast redwood (<i>Sequoia sempervirens</i>)	17"	33'X12'	Fair	Fair	Fair	13'	R.T.	On adjacent property, (water dept.). Drought stressed. Thinning canopy. Increase irrigation if ordinance allows.
24	Monterey cypress (<i>Hesperocyparis macrocarpa</i>)	14"	29'X21'	Good	Good	Good	14'	R.I.	Located within footprint of Building B.
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com						Page 5 of 5		12/28/2016	

Tree Location Map

9/11/2017

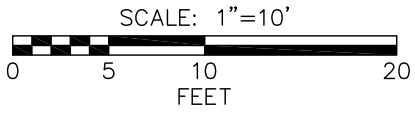


Key

- Remove Tree
 - Retain Tree
 - Tree Protection Zone
 - Canopy Extents
- Red #'s
- Blue #'s
-

LEGEND

- NEW CONCRETE
- NEW ASPHALT CONCRETE
- EXISTING CONTOUR
- FINISH CONTOUR
- EXISTING GRADE
- FINISH GRADE
- FLOWLINE
- FENCE
- PROPERTY LINE
- NEW RETAINING WALL



SCOTTS VALLEY DRIVE

Base Map Provided By:
Roper Engineering 64 Penny
Lane, Suite A, Watsonville,
CA



826 Monterey Avenue
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#17 - C #17 - B #17 - A

#18



Kurt Fouts
Arborist Consultant

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Scotts Valley Drive -APN 022-081-34 &35
Appendix B

Appraised Value of Retained Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
1	coast redwood (<i>Sequoia sempervirens</i>)	13"	\$16,202	85%	61%	76%	75%	75%	\$6,300
2	coast redwood	17"	\$26,448	85%	61%	76%	75%	70%	\$10,100
17-B (141)	coast redwood (<i>Sequoia sempervirens</i>)	24",18"	\$50,973	85%	55%	76%	75%	55%	\$16,200
							8/31/2017		

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
17-C (140)	coast redwood	28"	\$68,740	85%	61%	76%	75%	60%	\$24,900
23	coast live oak (Quercus agrifolia)	9"	\$10,560	90%	59%	76%	75%	55%	\$3,810
23-A	coast redwood	17"	\$26,448	85%	66%	76%	75%	55%	\$10,100
				Total Value of Appraised Trees					\$71,410
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com							8/31/2017		



Image #1 – Trees #1 & 2 (redwoods, red circles) - 3 & 4 (oaks, blue circles)



Image # 2 – Tree #1, coast redwood, (on right, red circle). Tree #2, coast redwood (on left, blue circle). Both trees are in fair health (thinning growth) with fair structure (many limbs absent from branch structure).



Image #3 – Tree #3, coast live oak (circled). Tree has poor structure, note limited branching arrangement.



Image #4 – Trees #4,5, & 6 (coast live oaks). All are in good health with good or fair structure.



Image #5 – Coast live oak. Good health, but significant lean to west and unbalanced canopy.



Image #6 – Row of Monterey cypress. Numbers 7-A through 12, left to right. Note broad canopy extending into parking bays. All have fair health and fair or poor structure (#11 & 12).



Image # 7 – Row of Monterey cypress. Numbers 7-A through 12. Note significant lean on Tree # 11 (arrow).



Image #8 – Tree #13, coast live oak, fair health and good structure.



Image #9 – Tree #14, strawberry tree in good condition.



Image #10 – Tree #15, eastern redbud. Short lived species, in poor condition with damaged surface roots and branch dieback.



Image #11 – Tree #16, eastern redbud. Short lived species, in poor condition with branch dieback.



Image #12 – eastern redbud. Short lived species in poor conditon with extensive branch dieback.



Image #13 – Tree # 17-A, coast redwood (on adjacent property, circled). Tree is nearly dead.



Image #14 – Tree #17-B, coast redwood, (on adjacent property, circled). Drought stressed with needle dieback throughout canopy, tree is in fair condition. Thinning canopy.



Image #15 – Tree #17-C, coast redwood, (on adjacent property, circled.) Drought stressed with needle dieback throughout canopy, tree is in fair condition.



Image #16 – Tree #18, coast live oak. Good health and fair structure. Trunk has significant lean over parking bays (arrow).



Image #19 – Tree #19, coast live oak. Fair health (thinning canopy), and good structure.



Image #20 – Tree #20, coast live oak. Fair health and good structure.



Image #21 – Tree #21, coast live oak. Fair health and fair structure.



Image #22 – Tree #22, coast live oak. Fair health, thinning canopy and good structure.



Image #23 – Tree #23, coast live oak. Fair health (small twig dieback) and fair structure (suppressed growth habit with unbalanced canopy).



Image #24 – Tree #23-A, coast redwood (on adjacent property, circled) . Fair health (drought stressed with thinning canopy), and fair structure.



Image #25 – Tree #24, Monterey cypress, (circled). Young cypress in good health with good structure.

Bay Photo Lab - Tree Inventory

Commercial and Housing Project

Scotts Valley, CA

12/28/16



Legend

- Remove Tree
- Retain Tree



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ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided by the appraiser/consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as the quality of any title.
2. The appraiser/consultant can neither guarantee nor be responsible for accuracy of information provided by others.
3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of this appraiser/consultant.
6. This report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches. Diagrams. Graphs. Photos. Etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise stated. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

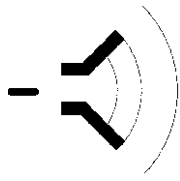
CONSULTING ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education. Knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees, Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.





Acoustical Engineering Study - Bay Photo Housing

1. Summary

This acoustic study is offered in support of a pending Building Permit application by Bay Photo Lab for two multi-unit residential buildings at APN# 022-082-34, 35 (two parcels to be combined into one), 4627 Scotts Valley Drive. Measurement of ambient noise and specification of building details sufficient to meet requirements of the City of Scotts Valley Municipal Code Noise Element regarding environmental noise are included.

It will be shown that the exterior noise environment at 4627 Scotts Valley Drive will not exceed a Day-Night Level (Ldn) of 63 dBA by year 2027. The proposed building design will meet the requirement of 45 dBA maximum interior Ldn until at least 2027, provided windows and doors with an OITC rating of 18 dBA or more, and a wall construction yielding OITC 18 dBA or more are used.

This report studies only the front side of Building A, closest to Scotts Valley Drive. Environmental noise impacting Building B is largely blocked by Building A, and is expected to be less than 60 dBA.

2. Code Provisions

From the Scotts Valley General Plan Chapter V: Noise (Adopted October 20, 1993)

Exterior noise levels measured at the property line of proposed new residential development shall be limited at or below an average annual day-night level of 60 dBA (NA-454).

If the on-site exterior noise level is found to exceed 60 dBA, the following provision applies:

In areas where the annual day-night noise level exceeds 60 dBA, the City shall require an acoustical engineering study for proposed new construction or renovation of structures(s). Each acoustical analysis should recommend methods to reduce the interior day-night annual average noise level to below 45 dBA for private dwellings, motels, hotels, offices and noise sensitive uses (NA-452).

The General Plan adopts the requirement in the Uniform Building Code of 45 dBA, applying to both residential and private office spaces. California Building Code Title 24 1207.4 applies the 45 dB standard to “any habitable room”.

Ldn is the preferred metric in the General Plan for implementing these standards. The higher of current or future predicted noise levels will be used as the basis for determining compliance with this section. Future noise levels will be predicted for a period of 10 years forward from the time of this study.

3. Measurement of Exterior Noise Level

3.1 Site Description and Sources of Ambient Noise

The project is situated adjacent to Scotts Valley Drive, a major four-lane street, with proposed setback of approximately 32 feet from the nearest traffic lane. Local vehicle traffic is the predominant noise source, particularly during the day.

The adjoining property has a small commercial building currently housing a dive shop. No exterior noise from that activity was detected during two site visits, and none would be expected other than occasional retail traffic.

Other potential sources of background ambient noise such as wind, wildlife, and pedestrians are minimal and are not considered in this report.

3.2 Measurement Procedure

Past versions of the California Building Code (CBC) specified “*Measurement of outdoor sound levels shall generally follow the guidelines in ASTM E-1014*” (*Standard Guide for Measurement of Outdoor A-Weighted Sound Levels*).

The most recent (2016) revision of the CBC does not include a standard for measurement of outdoor sound level, but ASTM E-1014 has been followed in preparation of this report, in keeping with past practice. Refer to Appendix 1 for detailed discussion of the instruments and protocol used.

3.3 Measurements and Test Conditions

The exterior noise level at this location was measured over a 24-hour period on September 11-12, 2017. This data was used to calculate the equivalent Day-Night Level Ldn, as specified by ASTM E-1014. The 24-hour measurements showed **61.3 dBA at location 1 and 61.9 dBA at location 2, for a composite Ldn of 61.6 dBA.**

The measurements were made at a height of 10 feet above grade, at two locations along the front boundary of the proposed building envelope, rather than at the property boundary as stated in NA-454. This was done to facilitate compliance with the requirement of NA-452 for specification of the building’s required noise attenuation. The measurement locations are shown on the site plan in Appendix 2. A graphical plot of each data set is in Appendix 3.

Approximate weather conditions during the data collection period were: mixed overcast and clear, air temperature 64-92 degrees, humidity 32-93%, and wind speed 0-5 mph with occasional gusts to 12 mph. A trace of rain was reported for about 10 minutes on the afternoon of Sept.11. One or two possible thunder events at that time would not have appreciably affected the measurement of Ldn.

4. Traffic Data and Projections

Traffic data from 2012 show Average Daily Traffic (ADT) of 16,382 vehicles. For the purposes of this study, an annual increase of ADT by 1% per year is used. The traffic at the time of this study is therefore estimated to be 17201 vehicles per day, or 717 per hour.

4.2 Projected Increase in Traffic Count

In past years the City of Scotts Valley has predicted a 1% per year increase in traffic. To meet the requirement for continued compliance until 2027, the traffic count data must therefore be increased by an additional 10%, to 788 per hour. The result of this calculation as shown in Appendix 4 predicts a 1 dBA increase in Ldn by 2027

4.3 Inclusion of Buses and Other Vehicles in Traffic Data

Santa Cruz Metro has one scheduled bus route (#35A) on Scotts Valley Drive. The schedule shows two buses per hour from 7 AM to 10 PM. Metro bus traffic is included in the traffic noise calculation, and has minimal impact on the noise level. The current bus schedule is shown in Appendix 5.

Traffic count data for heavy trucks and motorcycles is not available. Casual observation suggests that the relative frequency of these types of vehicle is not enough to have a significant effect on the calculation of traffic-induced noise at this site.

5. Acoustic Performance of the Building

The code requires that the building must attenuate exterior noise such that the interior Ldn is 45 dBA or lower. In the previous section, the 2027 predicted Ldn was found to be 63 dBA, and the building must therefore attenuate this sound by at least 18 dBA to meet the code requirement.

5.1 Terminology

Sound attenuation of building materials and structures is commonly measured for manufacturers by a specialist laboratory, over a wide range of frequencies. The measurements are usually combined into a single-number rating, such as Sound Transmission Class (STC), to make it possible to rank products.

Although STC is widely used to rate internal partitions, it is not appropriate for rating sound insulation used to combat outdoor noise because of the strong and sometimes dominant low-frequency content of exterior sound. Instead, the Outdoor-Indoor Transmission Class or OITC (defined in ASTM E1332) is used to rank sound insulation ratings of building envelope components according to their effectiveness as judged by occupants.

5.2 Proposed Building Exterior Wall Construction

The applicant proposes the following structure for the front wall of Building A:

0.3" Hardi-panel or equal over housewrap over 1/2" exterior shear plywood on 2 x 6 studs @ 16" o.c. with R-19 insulation with 5/8" interior GWB

This construction closely matches #6 (rated OITC=36 dB) in a list of example wall constructions provided by Hardie Building Products. That example was tested to show OITC=36 dB, and the requirement of at least OITC=18 dB will thus easily be satisfied by the proposed exterior wall construction. The Hardie document is attached as Appendix 6.

5.3 Windows and Doors

The applicant proposes to use **Milgard Quiet Line** windows and exterior sliding doors. The acoustic performance of these products will easily satisfy the requirement of OITC=18 dB or more. The manufacturers OITC ratings for this product line are shown in Appendix 7, and equal or exceed 30 dB for each style.

6 . Summary Conclusion

The exterior noise environment at 4627 Scotts Valley Drive will not exceed Ldn = 63 dBA by year 2027. The proposed building design will meet the requirement of 45 dBA maximum interior Ldn until at least 2027, provided the proposed wall construction, and proposed windows and exterior doors are used.

Respectfully submitted September 22, 2017



Alan Goldwater
Acoustical Engineer

Appendix 1. Calculation of Ldn

Leq is defined as the constant sound level that will generate acoustic energy equal to the energy represented by a set of varying measurements over a period of time. Ldn is defined as the Leq of a 24-hour data set after increasing by 10 dB the measurements made between 10 PM and 7 AM.

ASTM Standard E-1014 defines a procedure for measurement of outdoor sound levels:

- a) E-1014 requires a set of many measurements at fixed time intervals for each location. The number of measurements in a data set is dictated in E-1014 by the range of variation of the sound level during the test. In current practice, a sound level meter with logging capability enables the collection of more data points than required by the standard, and the minimum specified interval between measurements of five seconds is commonly used.
- b) The sound level for the measurement period is defined as the average of the data set. The precision of this technique is described by the ASTM document as “ ± 2 dB for the arithmetic mean”. However, E-1014 does not tell how to calculate Ldn, or Leq from which it is derived, and standard industry practice follows the definition of these levels as equal energy averages. Accuracy with this technique is limited by the accuracy of the measuring instrument, and careful calibration can further reduce the error band to around ± 0.5 dB.

c) Measurement protocol and details

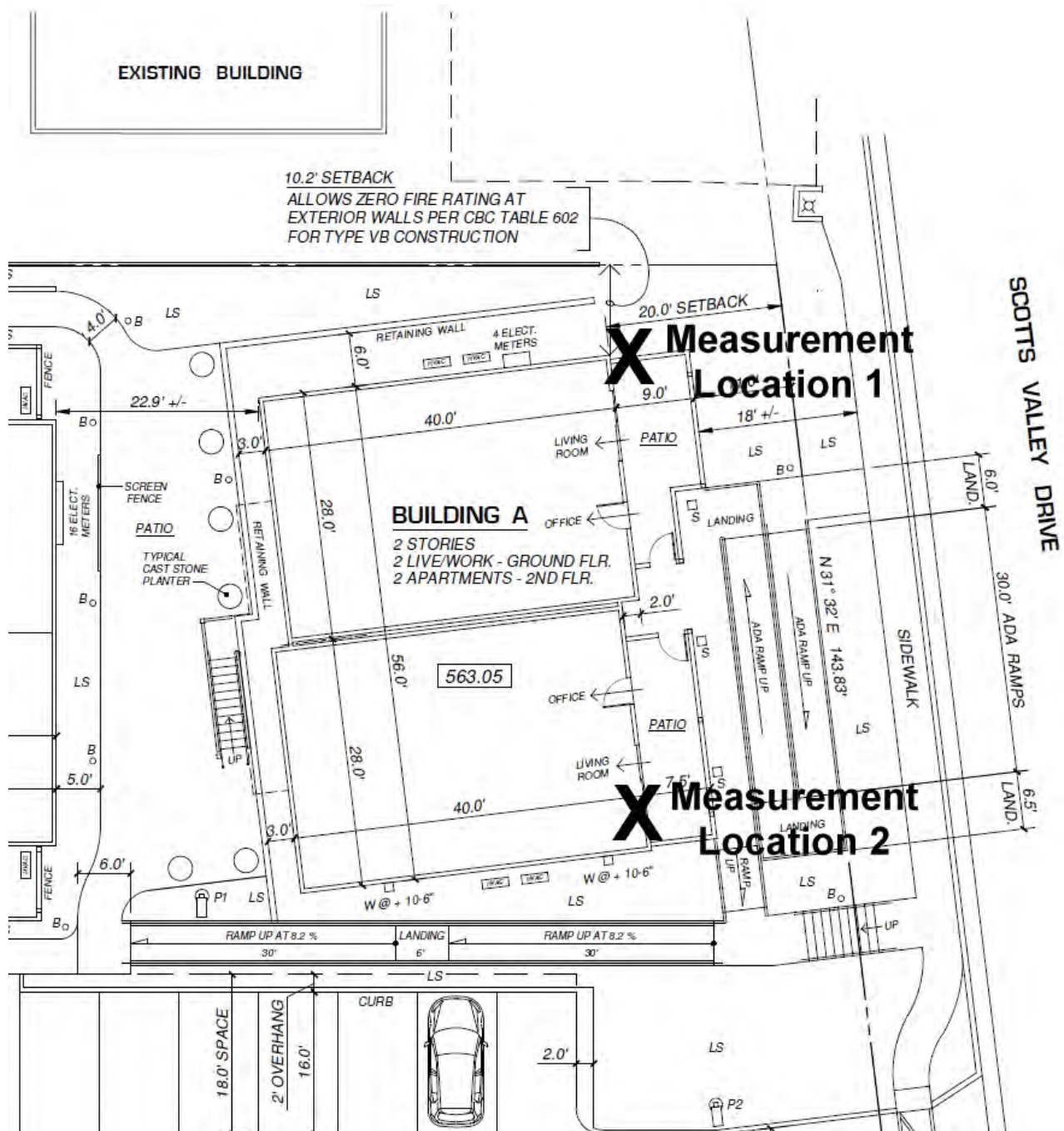
Measurement of Ldn normally requires collection of data throughout a 24-hour period. For this report, 24-hour sound level data was collected from 11 AM on 9/11/17 to 11 AM 9/12/17, using two identical Center 322 Data Logging Sound Level Meters. These are Class 2 instruments, with a rated accuracy of ± 1 dB. The manufacturer-supplied windscreens were used during the entire data collection period. Calibration with a source of 114 dBA was done at the beginning and checked at the end of the data collection period, and was found to vary less than 0.5 dB. Accuracy of the calibration tone source was confirmed using a Bruel & Kjaer 2203 Class 1 Sound Level Meter, with a rated accuracy of ± 0.3 dB.

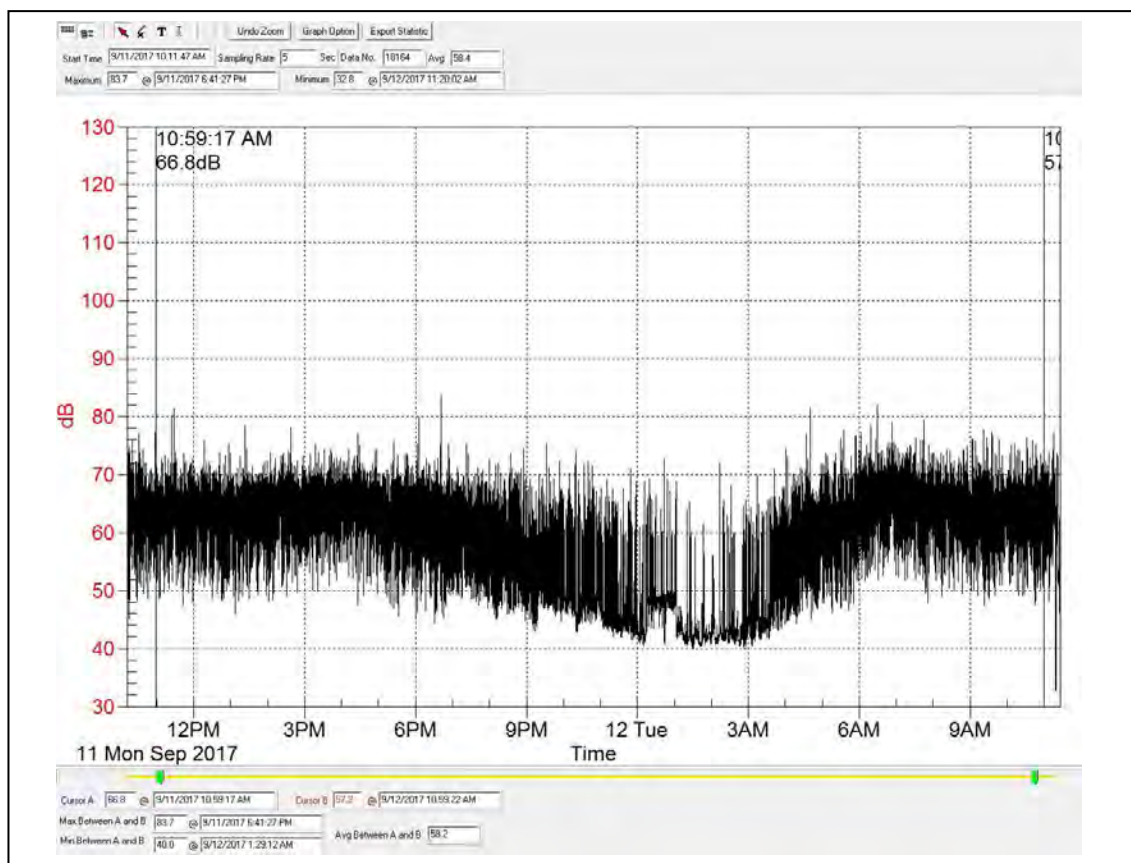
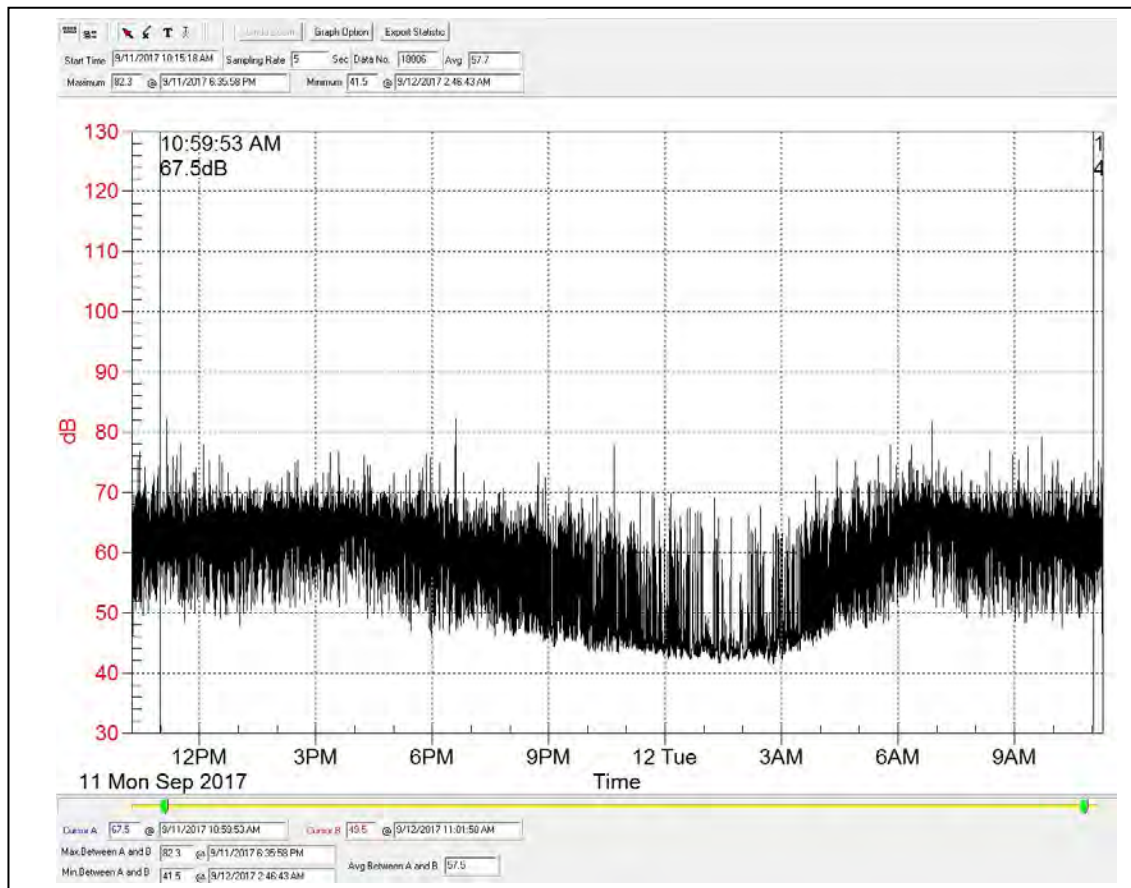
The Data Logging meters were positioned near the approximate corners of the front wall of the proposed Building A, about 35 feet from the nearest curb of Scotts Valley Drive and about 10 feet above ground level. The meters were not moved during the entire data collection period. There were no audible nearby sources of noise other than those noted in Section 3.1 above.

The collected data was transferred to a numeric computer file containing the A-weighted sound level at 5 second intervals during the entire measurement period, totaling 17,280 individual measurements. The collected data was then analyzed using an Excel spreadsheet program, implementing the Ldn calculation described in section 1(b) above.

Data from the two meters used differed by about 0.6 dB, due to possible variations of sound path and the effects of air turbulence and temperature drift. For this report, the average of the two Ldn results is used.

Appendix 2. Measurement Location



Appendix 3. Graphical Data Display: Measurement 1 and 2

Appendix 4. Calculation of Traffic-Induced Noise

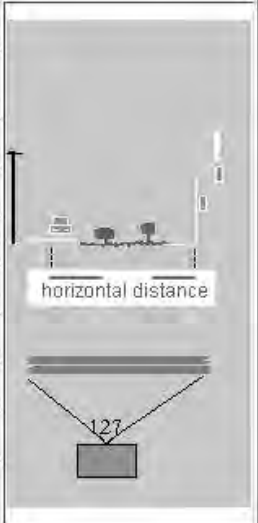
These calculations are based on projected traffic densities for 2027, and on current Santa Cruz Metro bus schedules. Parameters are first adjusted so that the calculation approximates the measured Ldn. Then the traffic counts are increased by 10% to reflect the expected 10-year density. The resulting calculation predicts the 2027 Ldn level to be 1 dBA higher than the current on-site measured level.

The frequency of Metro bus traffic is not expected to increase appreciably from the current two per hour during the daytime and one per hour during evening.

Calculation for current (2017) traffic density:

Data on road				
Road traffic input data help	Day: 7.00-22.00	Night: 22.00-7.00		
Motorcycles per hour	0	0		
Cars per hour	948	180		
Speed cars	40	40	☐ kilometers per hour	☒ miles per hour
Number of buses/hr	2	0		
Number of heavy trucks/hr	4	0		
Speed trucks	40	40		
Road surface help	Twinlay asphalt ▼			

Data On Geometry - All Distances in Meters help	
Height of road	0
Horizontal distance in meters from center of road <i>Fill in 0 (zero, not blank!) when you want to calculate the distance for a given noise level</i>	20
Height of house or observer	3
View angle (127 grad= full view)	127
Fraction sound absorbing soil (0=all hard, non absorbing; 1= all absorbing)	0
Percentage reflection from opposite side (0=no surface; 1= all reflective).	0
Distance to reflective surface on opposite side	0
Height of reflecting object (must be at least 5 m)	0
Distance to intersection	0
Calculated Noise Level (Ldn) <i>(Or fill in (>40) if you want to calculate distance; distance must be set to zero)</i>	61
Night LAeq is	52



Appendix 4 (ctd) Calculation of Traffic-Induced Noise

Calculation for projected 2027 traffic density:

Data on road			
Road traffic input data help	Day: 7.00-22.00	Night: 22.00-7.00	
Motorcycles per hour	0	0	
Cars per hour	1043	198	
Speed cars	40	40	☐ kilometers per hour ☒ miles per hour
Number of buses/hr	2	0	
Number of heavy trucks/hr	4	0	
Speed trucks	40	40	
Road surface help	Twinlay asphalt ▼		

Data On Geometry - All Distances in Meters help	
Height of road	0
Horizontal distance in meters from center of road <i>Fill in 0 (zero, not blank!) when you want to calculate the distance for a given noise level</i>	20
Height of house or observer	3
View angle (127 grad= full view)	127
Fraction sound absorbing soil (0=all hard, non absorbing; 1= all absorbing)	0
Percentage reflection from opposite side (0=no surface; 1= all reflective).	0
Distance to reflective surface on opposite side	0
Height of reflecting object (must be at least 5 m)	0
Distance to intersection	0
Calculated Noise Level (Ldn) <i>(Or fill in (>40) if you want to calculate distance; distance must be set to zero)</i>	62
Night LAeq is	53



Appendix 5. Santa Cruz Metro bus routes passing 4627 Scotts Valley Drive

Bus Route	Scotts Valley Dr & Granite Creek	
35A	6:45am	-
35A	7:15am	-
35A	7:45am	-
35A	8:15am	-
35A	8:45am	-
35A	9:15am	-
35A	9:45am	-
35A	10:15am	-
35A	10:45am	-
35A	11:15am	-
35A	11:45am	-
35A	12:15pm	-
35A	12:45pm	-
35A	1:15pm	-
35A	1:45pm	-
35A	2:15pm	-
35A	2:45pm	-
35A	3:15pm	-
35A	3:45pm	-
35A	4:15pm	-
35A	4:45pm	-
35A	5:15pm	-
35A	5:45pm	-
35A	6:15pm	-
35A	6:45pm	-
35A	8:15pm	-
35A	9:45pm	-
35A	11:15pm	-

Appendix 6. Acoustic Performance of Wall Structures - Cement Siding



JAMES HARDIE BUILDING PRODUCTS, INC.

10901 Elm Avenue, Fontana, California 92335
Telephone: (714) 356-6300 (800) 426-4051 Fax: (714) 355-4907

INTER-HOUSE LETTER

Date: 20 August 1992
To: L. Gries cc: P. Collins
File
From: J. Mulder
Subject: Sound Transmission Characteristics (STC) and
Outside/Inside Transmission Characteristics (OITC)
Ratings of Fiber-Cement Wall Assemblies

The following eight wall assemblies have been tested to establish sound transmission characteristics (STC) and outside/inside transmission characteristics (OITC) ratings in accordance with ASTM Test Methods (E90-85, C423-84a, and E413-73). The ratings achieved are shown in bold type.

1. 1/4" Harditex® Baseboard|Wood Stud/No Cavity Insulation|1/2" Thick Regular Gypsum Wallboard (GWB) - STC 38 - OITC 26;
2. 1/4" Harditex® Baseboard|Wood Stud/Fiberglass Cavity Insulation|1-2" Thick Regular GWB - STC 39 - OITC 27;
3. HardiPlank™ Lap Siding|Wood Stud|No Cavity Insulation|1/2" Thick Regular GWB - STC 36 - OITC 25;
4. HardiPlank™ Lap Siding|Wood Stud/Fiberglass Cavity Insulation|1/2" Thick Regular GWB - STC 40 - OITC 28;
5. 1/4" Harditex® Baseboard|1/2" Thick Type "X" GWB/Metal Stud|No Cavity Insulation|5/8" Thick Type "X" GWB - STC 45 - OITC 29;
6. 1/4" Harditex Baseboard|1/2" Thick Type "X" GWB|Metal Stud|Fiberglass Cavity Insulation|5/8" Thick Type "X" GWB - STC 49 - OITC 36;
7. 7/16" Hardibacker® Underlayment|Metal Stud/Mineral Fiber Cavity Insulation|5/8" Thick Type "X" GWB - STC 43 - OITC 29;
8. 7/16" Hardibacker® Underlayment w/ceramic tile|Wood Stud|Mineral Fiber Cavity Insulation|5/8" Thick Type "X" GWB - STC 39 - OITC 32.

Please contact me if you have any questions concerning this information.

JLM/jlm
082092B

A member of the
JAMES HARDIE INDUSTRIES GROUP

Appendix 7. Windows and Doors

Quiet Line® Series**STC Ratings**

Clearly the best.

Rev: 1/5/17

Operating Style	Series Number	Test Number	Glass 1	Glass 2	Glass 3	STC	EWR	OITC
Horizontal Slider	7120	99-296	1/8	1/8	1/8	41	40	30
		99-295	1/8	1/8	3/16	44	44	33
		99-294	1/8	1/8	7/32 LAM	45	45	35
		99-291	7/32 LAM	1/8	3/16	46	47	37
		99-290	3/16	1/8	1/4	46	47	37
		99-289	3/16	1/8	3/16	46	46	36
		99-293	7/32 LAM	7/32 LAM	7/32 LAM	47	48	38
		99-292	7/32 LAM	1/8	7/32 LAM	47	47	38
Double Hung	7220	99-307	1/8	1/8	1/8	41	40	30
		99-308	1/8	1/8	3/16	44	44	33
		99-313	3/16	1/8	3/16	45	45	33
		99-311	7/32 LAM	1/8	3/16	45	46	34
		99-309	1/8	1/8	7/32 LAM	45	45	33
		99-314	3/16	1/8	1/4	46	47	34
		99-310	7/32 LAM	1/8	7/32 LAM	46	47	36
Picture Window	7320	99-297	1/8	1/8	1/8	40	39	30
		99-298	1/8	1/8	3/16	42	41	32
		99-318	1/8	1/8	3/16	44	44	35
		99-299	1/8	1/8	7/32 LAM	44	43	32
		99-320	3/16	1/8	1/4	45	45	37
		99-317	7/32 LAM	1/8	3/16	45	44	36
		99-316	7/32 LAM	1/8	7/32 LAM	47	46	37
		99-315	7/32 LAM	7/32 LAM	7/32 LAM	48	47	38
Awning	7420	01-287	1/8	1/8	1/8	40	40	31
		01-288	1/8	1/8	3/16	42	42	31
		01-289	1/8	1/8	7/32 LAM	42	42	31
		01-293	3/16	1/8	3/16	43	43	33
		01-294	3/16	1/8	1/4	43	44	34
Casement	7520	99-300	1/8	1/8	1/8	40	39	31
		99-301	1/8	1/8	3/16	43	43	34
		99-306	3/16	1/8	1/4	44	45	37
		99-305	3/16	1/8	3/16	44	44	35
		99-304	7/32 LAM	1/8	3/16	44	45	37
		99-302	1/8	1/8	7/32 LAM	44	44	36
		99-303	7/32 LAM	1/8	7/32 LAM	45	46	37

Preliminary Stormwater Control Plan
for

New Housing Development

4627 Scotts Valley Drive

Scotts Valley, CA

APN 022-082-34 & 35

Owner:

Larry Abitbol

5005 Ironwood Drive

Soquel, CA 95073

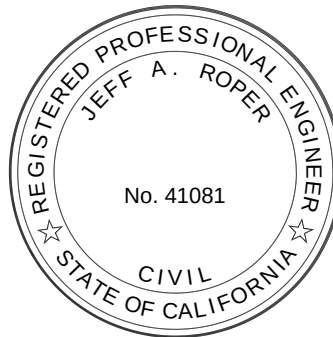
Prepared by:

Roper Engineering

64 Penny Lane, Suite A

Watsonville, CA 95076

(831) 724-5300



A handwritten signature in black ink that reads "Jeff Roper". The signature is stylized with a large, looping "J" and a cursive "Roper".

Job No. 15020

December 3, 2018

Revised January 3, 2018

I. Project Data:

Project Name:	New Housing Development for Larry Abitbol
Application Submittal Date:	
Address:	4627 Scotts Valley Drive, Scotts Valley
APN:	022-082-34 & 35
Project Phase:	N/A
Project Type & Description:	19 unit residential apartment complex consisting of two buildings, a 3 story and a 2 story.
Project Tier:	Tier 4

II. Setting:

II.A. Project Location & Description

Site is located at 4627 Scotts Valley Drive. Currently the property consists of 2 parcels. These parcels will be combined into one with this development. Planned land use is residential. The current zoning is CS-Commercial Service. The requested zoning is RVH-Residential Very High Density. Minimum setbacks provided are 20' front, 17.5' side and 46'± rear. Open space is provided throughout the project as shown on the site plan. The project will be built in one phase. 19 residential units are proposed. Required parking is 42 spaces. Provide parking is 40 spaces. Shared parking with Water District is 9 spaces. The neighborhood character is commercial and residential.

II.B. Existing Site Features & Conditions

The existing site consists of two parcels with a total combined size of 0.93 acres (40,480 sf). The majority of the parcel is rectangular fronting on Scotts Valley drive with a narrow strip in the rear with frontage on Civic Center Drive. The property slopes towards Scotts Valley Drive. The site currently consists of a parking lot that was developed for the Seagate Technology project across Scotts Valley Drive on Disc Drive. Since the full site has been previously developed, there are no natural areas. There are existing landscaped strips along the boundary lines and between the parking spaces. Site is drained by a storm drain system that connects to the City of Scotts Valley storm drains in Scotts Valley Drive.

II.C. Opportunities & Constraints for Stormwater Control

Due to the site being previously developed, there are no natural areas on the site. The project will be providing landscaping along the perimeter as well as around the buildings. Due to the steepness of the site, bioretention is not feasible along the side or rear property lines. Bioretention is possible along the site frontage at the low side of the project. Due to anticipated high ground water, the proposed bioretention areas will be underlain with 12" of permeable material with a 4" perforated pipe at the top.

III. Low Impact Development Design Strategies

III.A. Optimization of Site Layout

III.A.1. Limitation of development envelope

The entire site has been previously developed. The proposed development will also encompass the entire site. Landscaping will be provided along the boundaries of the project as well as around the proposed buildings.

III.A.2. Preservation of natural drainage features

No natural drainage features existing on the site due to the previous development. The site is drained by use of storm drain pipes.

III.A.3. Setback from creeks, wetlands & riparian areas

No creeks, wetlands or riparian areas exist on the site or in the vicinity.

III.A.4. Minimization of imperviousness

Imperviousness has been minimized with the use of permeable pavers for some of the parking spaces. Landscaping is also provided throughout the project.

III.A.5. Use of drainage as a design element

The bioretention facilities on each side of the entrance driveway off Scotts Valley Drive will be landscaped to provide design elements at the entrance.

III.B. Use of Permeable Pavements

Permeable pavers are proposed for the parking spaces that don't exceed 5% slope.

III.C. Dispersal of Runoff to Pervious Areas

Site drainage will be collected and dispersed in the bioretention facilities at the low side of the project along the Scotts Valley Drive frontage.

III.D. Stormwater Control Measures

Tier 2 – Water Quality Treatment Facility

Water quality treatment will be accomplished with the bioretention facilities along the Scotts Valley Drive frontage.

Tier 3 – Runoff Retention Facility

Runoff retention will be accomplished with the bioretention facilities along the Scotts Valley Drive frontage.

Tier 4 – Flow Control Facility

Flow control will be provided with the detention pipe along the Scotts Valley Drive.

IV. Documentation of the Drainage Design

IV.A. Descriptions of each Drainage Management Area

A Drainage Management Area Plan is included in Attachment B to accompany the descriptions herein.

IV.A.1. Table of Drainage Management Areas

DMA Name	Surface Type	Area (square feet)
DMA1	Roof	7543
DMA2	Concrete/Asphalt	21985
DMA3	Landscaping	4319
DMA4	Permeable Pavers	2295
SCM1	Bioretention Facility	1237

IV.A.2

DMA1, totaling 7543 square feet consists of the roof areas of the two buildings and drains to bioretention facility SCM1.

DMA2, totaling 21985 square feet consists of concrete and asphalt in the parking lot, walkways and patios, and drains to the bioretention facility SCM1.

DMA3, totaling 4319 square feet consists of the landscaping throughout the project and is self-treating.

DMA4, totaling 2295 square feet consists of the permeable paver parking spaces and is self-treating.

SCM1, totaling 1237 square feet consists of the bioretention facilities and treats the drainage from DMA 1 & DMA2.

IV.B. Tabulation and Sizing Calculations

IV.B.1 Information Summary for BMP Facility Design

Total Project Area	35379 square feet
Design Storm Depth	95 th Percentile 24-hour rainfall depth = 2.6"
Applicable Requirements	Tier 4

Design calculations are included in Attachment C. Design Calculations include Hydrologic Calculations, Stormwater BMP Facility Sizing, and Hydraulic Calculations.

IV.B.2. Self-Treating Areas

DMA Name	Surface Type	Area (square feet)
DMA3	Landscaping	4319
DMA4	Permeable Pavers	2295

IV.B.3. Self-Retaining Areas

None

IV.B.4. Areas Draining to Self-Retaining Areas

None

IV.B.5. Areas Draining to Bioretention Facilities

DMA Name	DMA Area (sq ft)	Post-Project Surface Type	DMA Runoff Factor	DMA Area x Runoff Factor	SCM Name		
					SCM1 Bioretention Facility		
DMA1	7543	Roof	1.0	7543	SCM Rough Sizing Factor	Minimum SCM Size	Proposed SCM Size
DMA 2	21985	Conc/AC	1.0	21985			
Total				29528	0.04	1181	1237

V. Design of BMP Facilities

Details for BMP facility construction is included on the preliminary civil plans.

VI. Source Control Measures

VI.A. Site activities and potential sources of pollutants

See Source Control Table below.

VI.B. Source Control Table

Potential source of runoff pollutants	Permanent source control BMPs	Operational source control BMPs
Onsite storm drain inlets	Mark all inlets with the words "No Dumping! Flows to Bay"	Maintain and replace inlet markings.
Refuse areas	Post sign "Do not dump hazardous materials here"	Provide adequate number of receptacles. Inspect regularly.
Patios, sidewalks & parking lots		Sweep patios, sidewalks & parking lots

VII. Stormwater Facility Maintenance

VII.A. Ownership and Responsibility for Maintenance in Perpetuity

Owners shall commit to execute any necessary agreements and accept responsibility for operation and maintenance of facilities until that responsibility is formally transferred.

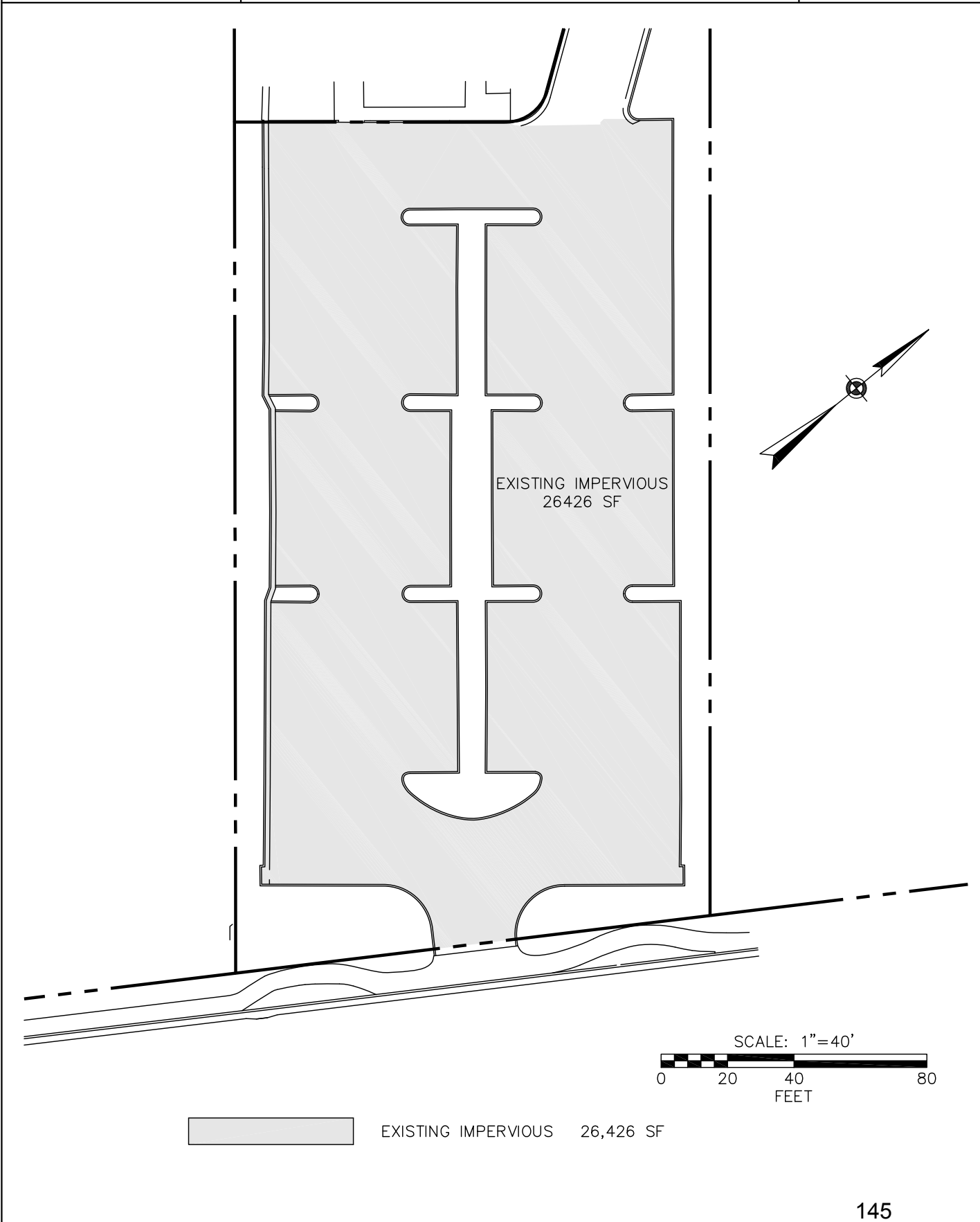
VII.B. Summary of Maintenance Requirements for Each Stormwater Facility

Recommended BMP Maintenance		
BMP	Action	Frequency
Catch Basins & Outlet Structures	Inspect Inlets, outlets, grates & covers	Prior to rainy season, monthly during rainy season & after heavy rains
	Repair of above	As needed
	Sediment removal	As needed
Permeable Pavers	Inspect at surface	Prior to rainy season, monthly during rainy season & after heavy rains
	Sediment removal & rock replenishment	As needed
Curb Drains & Downspout Drains	Inspection	Prior to rainy season, monthly during rainy season & after heavy rains
	Flushing, sediment removal	As needed
Bioretention Facilities	Inspection	Prior to rainy season, monthly during rainy season & after heavy rains
	Maintenance	As needed
Entire Storm Drain System	Perform inspection	Prior to rainy season
	Maintenance	As needed

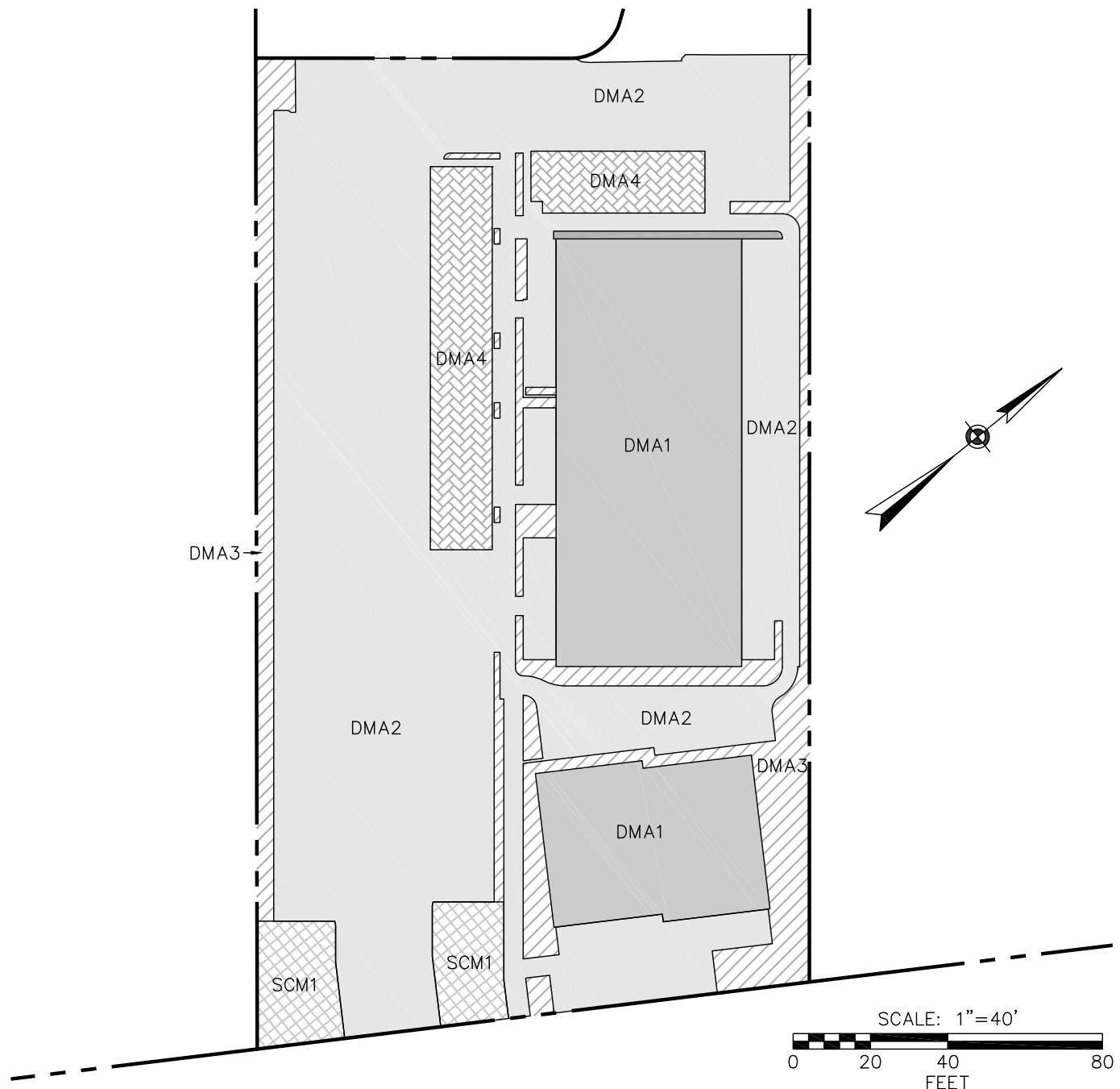
VIII. Certifications

The preliminary design of stormwater treatment facilities and other stormwater pollution control measures in this plan are in accordance with the current edition of city of Scotts Valley Stormwater Technical Guide.

CLIENT: ABITBOL	 ROPER ENGINEERING CIVIL ENGINEERING & LAND SURVEYING 64 PENNY LANE, SUITE A WATSONVILLE, CA 95076 (831) 724-5300	JOB NO.: 15020
LOCATION: 4627 SCOTTS VALLEY DR		DATE: JAN. 3, 2018
EXISTING IMPERVIOUS AREAS		SHEET: 1 OF 2



CLIENT: ABITBOL	 ROPER ENGINEERING CIVIL ENGINEERING & LAND SURVEYING 64 PENNY LANE, SUITE A WATSONVILLE, CA 95076 (831) 724-5300	JOB NO.: 15020
LOCATION: 4627 SCOTTS VALLEY DR		DATE: JAN. 3, 2018
PROPOSED IMPERVIOUS AREAS		SHEET: 2 OF 2



DRAINAGE MANAGEMENT AREAS

	DMA1 – ROOFS	7,543 SF
	DMA2 – CONC & ASPHALT	21,985 SF
	DMA3 – LANDSCAPING	4,319 SF
	DMA4 – PERMEABLE PAVERS	2,295 SF
	SCM1 – BIORETENTION FACILITIES	1,237 SF
TOTAL DRAINAGE AREA		35,379 SF

Central Coast Region Stormwater Control Measure Sizing Calculator

Version: 2/26/2014

1. Project Information

Project name:	Housing Development for Larry Abitbol
Project location:	4627 Scotts Valley Drive, Scotts Valley
Tier 2/Tier 3:	Tier 3 - Retention
Design rainfall depth (in):	2.6
Total project area (ft2):	35379
Total new impervious area (ft2):	3102
Total replaced impervious in a USA (ft2):	0
Total replaced impervious not in a USA (ft2):	26426
Total pervious/landscape area (ft2):	6614

2. DMA Characterization

Name	DMA Type	Area (ft2)	Surface Type	New, Replaced?	Connection
DMA1a	Drains to SCM	4441	Roof	Replaced	SCM1
DMA1b	Drains to SCM	3102	Roof	New	SCM1
DMA2	Drains to SCM	21985	Concrete or asphalt	Replaced	SCM1
DMA3	Self-Treating	4319			
DMA4	Self-Treating	2295			

DMA Summary Area

Total project impervious area (ft2):	29528
New impervious area (ft2):	3102
Replaced impervious within a USA (ft2):	0
Replaced impervious not in a USA (ft2):	26426
Total pervious/landscape area (ft2):	0

3. SCM Characterization

Name	SCM Type	Safety Factor	SCM Soil Type	Infiltr. Rate (in / hr)	Area (ft2)
SCM1	Bioretention	1	Site-Specific	4.17	1237

4. Run SBUH Model

5. SCM Minimum Sizing Requirements

SCM Name	Min. Required Storage Vol. (ft3)	Depth Below Underdrain (ft)	Drain Time (hours)
SCM1	597	1.21	0.0

6. Self-Retaining Area Sizing Checks

Self-Retaining DMA Name	Self-Retaining DMA Area (ft2)	Tributary DMA Name	Tributary DMA Area (ft2)	Tributary / SRA Area Ratio

RUNOFF DETENTION BY THE MODIFIED RATIONAL METHOD**Data Entry:** PRESS TAB & ENTER DESIGN VALUES

SS Ver: 1.0

Site Location P60 Isopleth: 1.80 Fig. SWM-2 in County Design Criteria
 Rational Coefficients Cpre: 0.74 See note # 2
 Cpost: 0.81 See note # 2
 Impervious Area: 35379 ft² See note # 2 and # 4

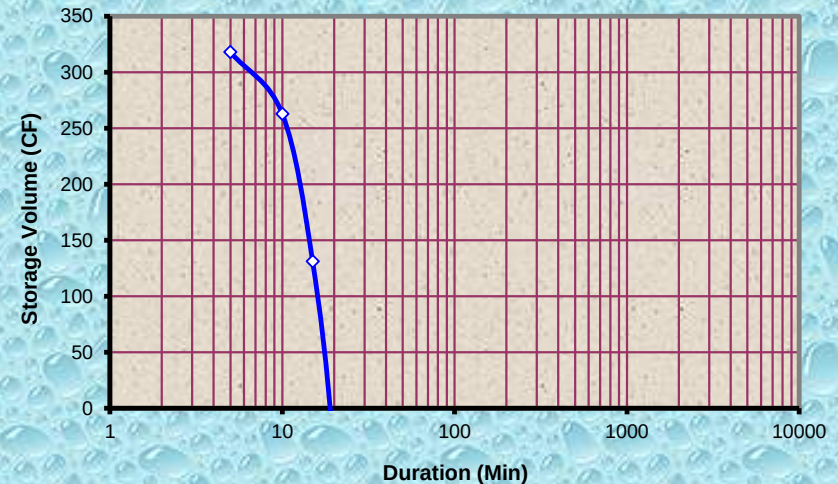
STRUCTURE DIMENSIONS FOR DETENTION318 ft³ storage volume calculated100 % void space assumed318 ft³ excavated volume needed

Structure Ratios	Length	Width*	Depth*	*For pipe, use the square root of the sectional area
	<u>128.00</u>	<u>1.77</u>	<u>1.77</u>	
Dimen. (ft)	118.47	1.64	1.64	

10 - YEAR DESIGN STORM**DETENTION @ 15 MIN.**

Storm Duration (min)	10 - Year Intensity (in/hr)	10 - Yr. Release Qpre (cfs)	10 - Year Qpost (cfs)	Detention Rate To Storage (cfs)	Specified Storage Volume (cf)
1440	0.34	0.204	0.223	-1.009	-109012
1200	0.36	0.219	0.240	-0.993	-89347
960	0.39	0.239	0.262	-0.971	-69890
720	0.44	0.268	0.293	-0.939	-50720
480	0.52	0.314	0.344	-0.888	-31984
360	0.58	0.352	0.385	-0.847	-22872
240	0.68	0.413	0.452	-0.780	-14046
180	0.76	0.463	0.506	-0.726	-9801
120	0.90	0.543	0.594	-0.638	-5744
90	1.00	0.608	0.666	-0.567	-3826
60	1.18	0.714	0.781	-0.451	-2032
45	1.32	0.799	0.875	-0.358	-1207
30	1.55	0.938	1.026	-0.206	-463
20	1.82	1.100	1.204	-0.028	-42
15	2.03	<u>1.232</u>	1.349	0.117	131
10	2.39	1.446	1.583	0.350	263
5	3.14	1.901	<u>2.080</u>	0.848	<u>318</u>

**10-Yr Post-Development Detention Storage Volume
@ 10-Yr Pre-Development Release Rate**

**Notes & Limitations on Use:**

- 1) The modified rational method, and therefore the standard calculations are applicable in watersheds up to 20 acres in size.
- 2) Required detention volume determinations shall be based on all net new impervious area both on and off-site, resulting from the proposed project. Pervious areas shall not be included in detention volume sizing; an exception may be made for incidental pervious areas less than 10% of the total area.
- 3) Gravel packed detention chambers shall specify on the plans, aggregate that is washed, angular, and uniformly graded (of single size), assuring void space not less than 35%.
- 4) A map showing boundaries of both regulated impervious areas and actual drainage areas routed to the hydraulic control structure of the detention facility is to be provided, clearly distinguishing between the two areas, and noting the square footage.
- 5) The EPA defines a class V injection well as any bored, drilled, or driven shaft, or dug hole that is deeper than its widest surface dimension, or an improved sinkhole, or a subsurface fluid distribution system. Such storm water drainage wells are "authorized by rule". For more information on these rules, contact the EPA. A web site link is provided from the County DPW Stormwater Management web page.
- 6) Refer to the County of Santa Cruz Design Criteria, for complete method criteria.

COMMERCIAL AND HOUSING PROJECT

- 4627 Scotts Valley Drive -
City of Scotts Valley

“TRAFFIC IMPACT ANALYSIS”

Prepared for:

SV HOUSING LLC
5005 Ironwood Drive
Soquel, CA 95073



A handwritten signature in black ink, appearing to read "L.D. Hail", positioned below the two professional engineer seals.

Larry D. Hail, CE, TE, PTOE
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PinnacleTE.com

January 4, 2017

EXECUTIVE SUMMARY

The Traffic Impact Analysis (TIA) presents an evaluation of the potential traffic impacts associated with the proposed Commercial and Housing project in the City of Scotts Valley. The project site is located on the west side of Scotts Valley Drive, north of Civic Center Drive (4627 Scotts Valley Drive). The project site is occupied with a surface parking lot (92 stalls). The parking lot has been used for over 20 years under an existing entitlement. The project will remove the existing surface parking lot and construct two (2) new buildings, which will accommodate various commercial retail (2,128 SF) and office (1,064 SF) uses, and 18 residential apartments. On-site parking will be provided for 49 vehicles. Access for the proposed uses will continue to be provided via one (1) driveway on Scotts Valley Road and one (1) driveway on Civic Center Drive. The project will generate approximately 226 daily trips (two-way trip ends); with 11 trips during the AM peak hour (4 inbound & 7 outbound) and 19 trips during the PM peak hour (10 inbound & 9 outbound).

A parking survey was conducted on the project site prior to the collection of new PM peak period count data (around 3:45 PM), which indicated that 32 vehicles were parked in the existing surface lot (approximately 35% occupancy). Traffic count data was also collected at the existing driveway on Scotts Valley Drive. Based on the parking survey and count data, it was concluded that the proposed project uses will generate fewer PM peak hour trips than the existing parking lot use especially if the occupancy is greater than 35-40%.

The TIA scope was developed in consultation with City staff, and includes a focused analysis of the potential project impacts to PM peak hour operations at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection. Information in various reference documents was reviewed and referenced while conducting the traffic impact analysis (e.g. Town Center EIR, Gateway South Transportation Impact Analysis, Scotts Valley Townhomes Traffic Impact Study, and Dunslee Way and Scotts Valley Drive Development Traffic Impact Analysis).

The evaluation of existing operations was conducted using new turning movement traffic count data collected during the afternoon peak commuter period (4:00-6:00 PM). The new PM peak hour traffic count data was compared to data published in the various reference documents. The comparison demonstrated that existing PM peak hour traffic volumes along Scotts Valley Drive are slightly lower than the 2008-09 data, but have remained relatively stable over the past 12-18 months. The evaluation of existing conditions indicated that average vehicle delays at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection are within acceptable limits during the PM peak hour, as defined by the City of Scotts Valley (LOS C or better). The analysis of existing conditions is consistent with the data presented in the Town Center EIR.

The evaluation of existing plus project conditions indicated that average delays at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection will remain within acceptable limits during the PM peak hour with the addition of the project traffic. Therefore, based on the City's level of significance criterion it was concluded that the project will not significantly impact local traffic

operations. It was noted that the analysis of buildout conditions presented in the Town Center EIR concluded that long-range LOS at the Scotts Valley Drive and Civic Center Drive intersection will remain within acceptable limits. Therefore, the project traffic will not significantly impact long-range operations at the study intersection. The City of Scotts Valley has various Development Impact Fees (DIF). It is the project applicant's responsibility to negotiate and pay all applicable development fees as required by the City. Since the proposed project uses are anticipated to generate fewer PM peak hour trips than the existing parking lot use, the project applicant would like the City to consider waiving the DIF for Streets & Thoroughfares.

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APPENDIX MATERIAL

- 2016 Traffic Count Data (Scotts Valley Drive / Civic Center Drive - Disc Drive)
- 2016 Traffic Count Data (Scotts Valley Drive / Project Site Driveway)
- Level of Service (LOS) LOS Value Descriptions
- Intersection LOS-to-Vehicle Delay Criterion
- HCM Level of Service (LOS) Worksheets

1.0 INTRODUCTION

The Traffic Impact Analysis (TIA) presents an evaluation of the potential traffic impacts associated with the proposed Commercial and Housing project in the City of Scotts Valley. The project site is located on the west side of Scotts Valley Drive, north of Civic Center Drive (4627 Scotts Valley Drive). The project site is currently occupied with a surface parking lot. The project will remove the existing parking lot, and construct two (2) new buildings to accommodate various commercial retail and office, and residential uses. Access for the proposed uses will continue to be provided via one (1) driveway on Scotts Valley Road and one (1) driveway on Civic Center Drive. The general location of the project site is illustrated on Figure 1.

TIA Scope and Reference Documents

The TIA has been prepared in response to a request from the City's Community Development Director. The TIA scope was developed in consultation with City staff, and includes an estimate of the project trip generation and an evaluation of the potential impacts to the local street network. The potential sphere of impact is defined using the estimated trip generation and acknowledge of existing/future operations at other local intersections. Based on the estimated trip generation, City staff agreed that a focused analysis of the potential impacts to PM peak hour operations at the Scotts Valley Drive / Civic Center Drive - Disc Drive intersection would be appropriate.

Information in the following documents has been reviewed to fully understand the traffic analysis requirements and was referenced while conducting the analysis:

- Town Center Specific Plan EIR, Sec. 4.11 Transportation and Circulation; Oct. 2008
- City of Scotts Valley "Guidelines for Preparing Traffic Impact Studies"; Updated Feb. 2009
- Gateway South: Scotts Valley Target, Final Transportation Impact Analysis; Sept. 2009
- Mt. Hermon Road Traffic Mitigations and Fair Share Contribution Policy; March 2010
- City of Scotts Valley Bicycle Transportation Plan; March 2012
- Scotts Valley Townhomes (Terrace), Traffic Impact Study; March 2015
- Development at Dunslee Way and Scotts Valley Drive, Traffic Impact Analysis; April 2015
- Enterprise Way Project EIR (Transportation & Circulation); Dec. 2015
- Draft Highway 17 Access Management Plan (Caltrans); Oct. 2016



LEGEND

 = Project Site



2.0 EXISTING CONDITIONS

The regional and local street networks serving the project site include State Route 17 (SR 17), Mt. Hermon Road, Scotts Valley Drive and Civic Center Drive. The following is a brief description of the local network and an evaluation of existing traffic operations.

Network Description

SR 17 provides access between the Monterey Bay area and freeway network serving the San Francisco Bay. SR 17 extends north from SR 1 in the City of Santa Cruz to SR 9, SR 85, and Interstate 280 (I-280). SR 17 has two (2) travel lanes in each direction, with local grade separated interchanges at Granite Creek Road and Mt. Hermon Road. SR 17 has a posted 65 miles per hour (mph) speed limit through the City of Scotts Valley. As listed in the reference documents, Caltrans has published a Draft Highway 17 Access Management Plan for the conventional highway corridor between Granite Creek Road and Summit Road. The Highway 17 Access Management Plan is a long-range planning document that recommends access management strategies to address access, mobility, and safety needs through the study corridor.

Mt. Hermon Road is a primary east-west arterial through the City of Scotts Valley, extending between SR 17 and Graham Hill Road. Mt. Hermon Road between the SR 17 interchange and Skypark Drive - Lockwood Lane has two (2) travel lanes in each direction with a posted 35 mph speed limit. Mt. Hermon Road is signalized at local intersections, including La Madrona Drive - SR 17 southbound off-ramp, Glen Canyon Road, Scotts Valley Drive, Spring Lakes Drive, Kings Village Road, etc.

Scotts Valley Drive is a primary north-south arterial in the City, extending between Mt. Hermon Road (opposite Whispering Pines Drive) and Vine Hill School Road. A majority of Scotts Valley Drive has two (2) travel lanes in each direction, with a posted speed limit of 35 mph near Civic Center Drive. Scotts Valley Drive south of Civic Center Drive has a raised median, while north of Civic Center Drive there is a two-way left turn lane. Scotts Valley Drive is signalized at local intersections, including Mt. Hermon Road, Bean Creek Road, Erba Lane, Civic Center Drive - Disc Drive, Carbonero Way, El Pueblo Road, Victor Square, Granite Creek Road, etc. Scotts Valley Drive has Class II bike lanes as designated in the City's Bicycle Transportation Plan.

Civic Center Drive is a local collect street that extends west of Scotts Valley Drive (opposite Disc Drive). Civic Center Drive has a single lane in each direction, and serves local commercial office and residential uses. The City of Scotts Valley Administrative offices are located at 1 Civic Center Drive. Civic Center Drive is signalized at Scotts Valley Drive.

Transit Service - The Santa Cruz Metropolitan Transit District (SCMTD) operates various transit routes throughout the City of Scotts Valley. Routes 17, 30 and 35 provide local transit service along Scotts Valley Road, with stops adjacent to the Civic Center Drive - Disc Drive intersection.

Traffic Volumes

New turning movement traffic count data was collected during the afternoon peak commuter period (4:00-6:00 PM) to document existing conditions at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection. The existing PM peak hour traffic volumes (highest hour between 4:00 and 6:00 PM) at the study intersection are illustrated on Figure 2. A copy of the PM peak period traffic count data is included with the Appendix Material.

The PM peak hour traffic count data collected for this TIA was compared to data published in the various reference documents (e.g. Town Center EIR, Gateway South Transportation Impact Analysis, Scotts Valley Townhomes Traffic Impact Study, and Dunslee Way and Scotts Valley Drive Development Traffic Impact Analysis). The comparison demonstrates that existing PM peak hour traffic volumes along Scotts Valley Drive are slightly lower than the 2008-09 data, but have remained relatively stable over the past 12-18 months.

Level of Service Analysis

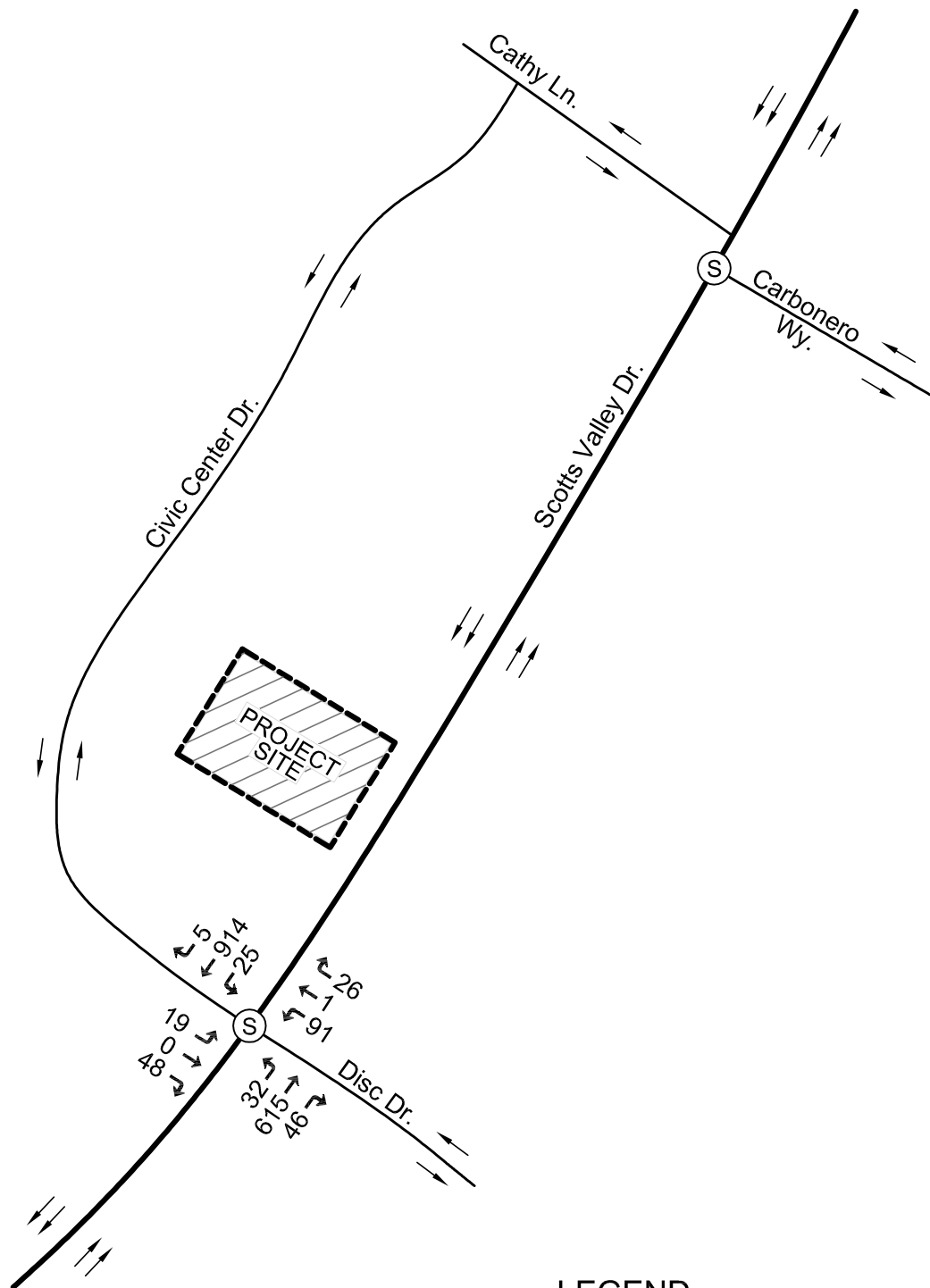
Various “level of service” (LOS) methodologies are used to evaluate traffic operations. Operating conditions range from LOS “A” (free-flowing) to LOS “F” (forced-flow). The City’s General Plan has established the LOS C standard as the lower limit for acceptable intersection operations, except at the Scotts Valley Drive intersections with Mt. Hermon Road and Granite Creek Road where LOS D is considered acceptable. A description of the LOS values is included with the Appendix Material.

Per the City’s “Guidelines for Preparing Traffic Impact Studies,” the PM peak hour operations at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection have been evaluated using the methodologies in the 2010 Highway Capacity Manual (HCM). The 2010 HCM methodologies analyze operations based on vehicle “control” delay (e.g. delay seconds per vehicle). Vehicle delays at a signalized intersection are reported for the overall peak hour operations as an “average.” The Synchro 8 software was used for the 2010 HCM analysis. The results of the existing PM peak hour intersection LOS analysis are presented in Table 1. The LOS vehicle delay criterion and LOS worksheets are included with the Appendix Material.

Table 1 - Existing PM Peak Hour Intersection LOS Analysis

Study Intersection	Traffic Control	Average Delay - LOS
Scotts Valley Dr. / Civic Ct. Dr. - Disc Dr.	Signal	10.3 - B

The data in Table 1 indicates that average delays at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection are within acceptable limits during the PM peak hour (LOS C or better). This analysis is consistent with the data presented in the Town Center EIR (LOS B). The Town Center EIR analysis documented vehicle delays in the LOS A range during the AM peak hour.



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- ← 00 = PM Peak Hour Volume
- (S) = Traffic Signal Control
- = Travel Lane



3.0 PROJECT CONDITIONS

The following is a description of the existing site use, proposed project uses, an estimate of the trip generation quantities, an assignment of the project trips to the local street system, and an evaluation of the potential project impacts on existing operations.

Description

As previously stated, the project site is occupied with a surface lot that has 92 parking stalls. The parking lot has been used for over 20 years under an existing entitlement by the property owner (project applicant). The Scotts Valley Water District currently has parking rights for 9 of the existing parking stalls. A layout of the existing parking lot is provided on Figure 3A. A parking survey was conducted around 3:45 PM, which indicated that 32 vehicles were parked in the existing lot. During the 2-hour PM peak period (4:00-6:00 PM), 21 of the vehicles were counted exiting the existing driveway on Scotts Valley Road (17 going south and 4 going north). The remaining 11 vehicles exited the existing Civic Center Drive driveway and proceeded to the signal at the Scotts Valley Drive intersection. A copy of the Scotts Valley Drive driveway count data is included with the Appendix Material.

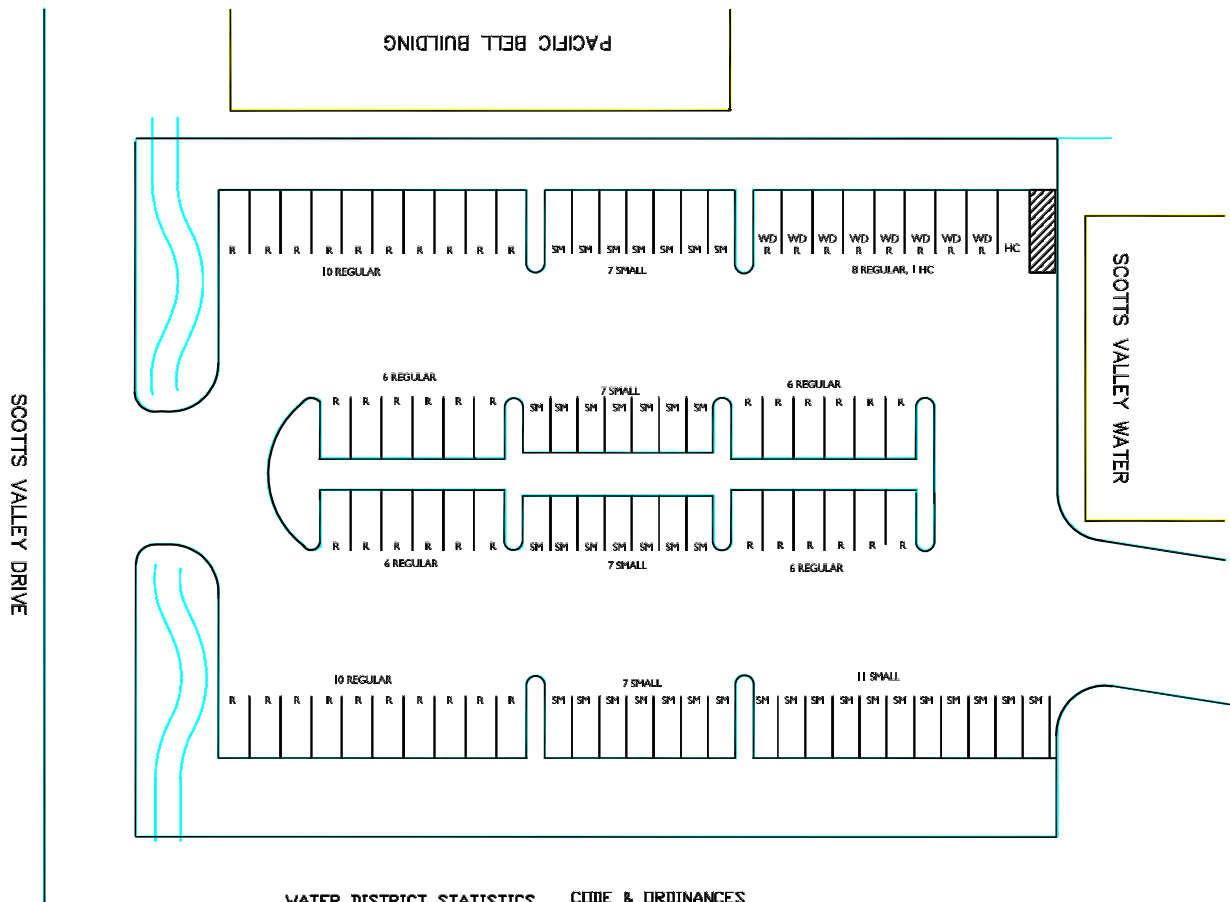
The project will remove the existing surface parking lot and construct two (2) new buildings. Building A will accommodate commercial retail and office uses, and residential apartments. Building B will also accommodate residential apartments. On-site parking will be provided for 49 vehicles. Access to the site will continue to be provided via one (1) driveway on Scotts Valley Road and one (1) driveway on Civic Center Drive. The Scotts Valley Drive driveway will be relocated south closer to the southerly property line. A summary of the proposed project uses is presented in Table 2 and a copy of the Project Site Plan is provided on Figure 3B.

Table 2 - Proposed Project Uses

Land Uses	
<u>Building A:</u>	
Commercial Retail (1 st Floor)	2,128 SF
Commercial Office (2 nd Floor)	1,064 SF
Residential Apartments (2 nd & 3 rd Floors)	3 Units
<u>Building B:</u>	
Residential Apartments	15 Units

Project Trip Generation Estimates

The project trip generation estimates have been derived using data contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition). The applicable ITE trip generation rates are presented in Table 3.



LEGEND
 SH = SMALL STALL
 R = REGULAR STALL
 WD = WATER DISTRICT PARKING
 HC = HANDICAP
 SMALL STALLS ARE 7'-6" WIDE
 REGULAR STALLS ARE 8'-6" WIDE

WATER DISTRICT STATISTICS

MAIN PARKING LOT
 53 SEAGATE
 30 SUBLET TO PAC
 8 WATER DISTRICT
 1 HC
 92 TOTAL

UPPER CUSTOMER PARKING LOT (NOT SHOWN)
 5 WATER DISTRICT
 1 HC
 6 TOTAL

GRAND TOTAL
 99 STALLS
 2 HANDICAP
 101 TOTAL

GROSS SQUARE FOOTAGE
 UNKNOWN

CODE & ORDINANCES

PARKING SPACES REQUIRED
 SCOTT'S VALLEY TITLE 17 ZONING
 CHAPTER 17.44.030
 BUSINESS FACILITY REQUIRES TWO SPACES FOR EACH FIVE HUNDRED SQUARE FEET OF GROSS FLOOR AREA.

ACCESSIBLE PARKING REQUIRED
 CALIFORNIA BUILDING CODE
 CHAPTER 11B, SECTION 1129B
 TABLE 11B-6 SPACES REQUIRED
 101-150 TOTAL NUMBER OF PARKING SPACES IN LOT
 REQUIRES A MINIMUM OF 5 ACCESSIBLE PARKING SPACES.

STANDARDS OF COMMERCIAL OFF-STREET PARKING FACILITIES
 17.44.030 (AS OF 1/31/12)
 FULL SIZED PARKING SPACES SHALL BE NO LESS THAN 20' LONG AND 9' WIDE.
 COMPACT PARKING SPACES SHALL BE NO LESS THAN 16' LONG AND 9' WIDE.

NOTE THAT THE CITY ORDINANCE ADDRESSES TOTAL REQUIRED PARKING SPACES BASED ON TOTAL GROSS BUILDING SQUARE FOOTAGE. ON THIS INSTANCE THE WATER DISTRICT BLDG, AND DEFERS THE ACCESSIBLE PARKING REQUIREMENTS TO STATE LAW (CBC). THE CBC ADDRESSES HANDICAP REQUIREMENTS THAT ARE BASED ON TOTAL NUMBER OF PARKING SPACES (WHICH IS DETERMINED BY CITY ORDINANCE), AND IS INTENDED TO PROVIDE EASE OF ACCESS FROM THE PARKING LOT AND INTO THE ASSOCIATED BUILDING.

IN THE CASE OF SHARED PARKING, IT COULD BE SHOWN THAT OWNER/OCCUPANT OF THE ASSOCIATED BUILDING (WATER DISTRICT) WOULD BARE THE RESPONSIBILITY FOR MAINTAINING THE REQUIRED NUMBER OF ACCESSIBLE PARKING SPACES. IT IS, HOWEVER, UNKNOWN IF THE REQUIREMENT SHOULD BE BASED ON TOTAL NUMBER OF STALLS (SEAGATE plus W.D.) OR JUST THE ALLOTTED SHARE (W.D. only).

Updated on 1/31/12 by KB



Table 3 - Applicable ITE Trip Generation Rates

ITE Code - Land Use	Number of Vehicle Trips				
	AM Peak Hour		PM Peak Hour		Daily
	In	Out	In	Out	
#220 - Apartment Unit (a)	0.10	0.41	0.40	0.22	6.65
#710 - General Office (b)	1.37	0.19	0.25	1.24	11.03
#826 - Specialty Retail (b)	0.00	0.00	1.19	1.52	44.32

(a) Number of vehicle trips per residential dwelling unit

(b) Number of vehicle trips per 1,000 SF

Information in the ITE Trip Generation Handbook demonstrates that a significant portion of retail related trips are pass-by and/or diverted-link trips coming from traffic already on the adjacent street system. In addition, mixed-use developments typically have some interaction between the uses, which are considered internal “captured” trips. These trips are internal to the project development, and do not exit or re-enter the site. The City’s “Guidelines for Preparing Traffic Impact Studies” allow a 15% reduction to account for retail related pass-by trips and a 5% reduction to account for internal captured trips. The project the trip generation estimates have been derived using the trip generation rates in Table 3. A 5% reduction has been applied to the total trip generation to account for internal captured trips and a 15% pass-by reduction has been applied to the retail related trips. The project trip generation estimates are presented in Table 4.

Table 4 - Project Trip Generation Estimates

Proposed Project Use	Number of Vehicle Trips				
	AM Peak Hour		PM Peak Hour		Daily
	In	Out	In	Out	
Commercial Retail - 2,128 SF	0	0	3	3	94
Commercial Office - 1,064 SF	2	0	0	2	12
Residential Apartments - 18 Units	2	7	7	4	120
Total Project Trips:	4	7	10	9	226
Internal Captured Trips (5%):	0	0	-1	0	-12
Retail Pass-By Trips (15%):	0	0	0	0	-14
Project New Primary Trips:	4	7	9	9	200

The data in Table 4 indicates that the project will generate a total of approximately 226 daily trips (two-way trip ends); with 11 trips during the AM peak hour (4 inbound & 7 outbound) and 19 trips during the PM peak hour (10 inbound & 9 outbound). Due to the relatively small size of the retail and offices uses, the internal and pass-by trips will only account for a small portion of the project trips generated during the PM peak hour. The project trip generation estimates demonstrate that the proposed uses will result in approximately 200 new “primary” (single purpose) trips.

As previously indicated under the project description (Page 6), 32 of the 92 stalls in the existing parking lot on the project site were occupied prior to the traffic count (around 3:45 PM). The property owner (project applicant) has indicated that the 35% occupancy (32/92) appears relatively low based on historic use. A review of the Scotts Valley Drive driveway count data indicates that during the highest hour between 4:00 and 6:00 PM (4:30-5:30 PM), a total of 13 vehicles were counted using the driveway (2 inbound and 11 outbound). This represents about 62% of the total driveway trips during the 2-hour period data was collected. In addition, it is anticipated that about 6-7 trips also exiting the Civic Center Drive driveway during the same peak hour period (4:30-5:30 PM). Therefore, it is highly likely that the proposed project uses will generate fewer PM peak hour trips than the existing parking lot especially if the occupancy is greater than 35-40%.

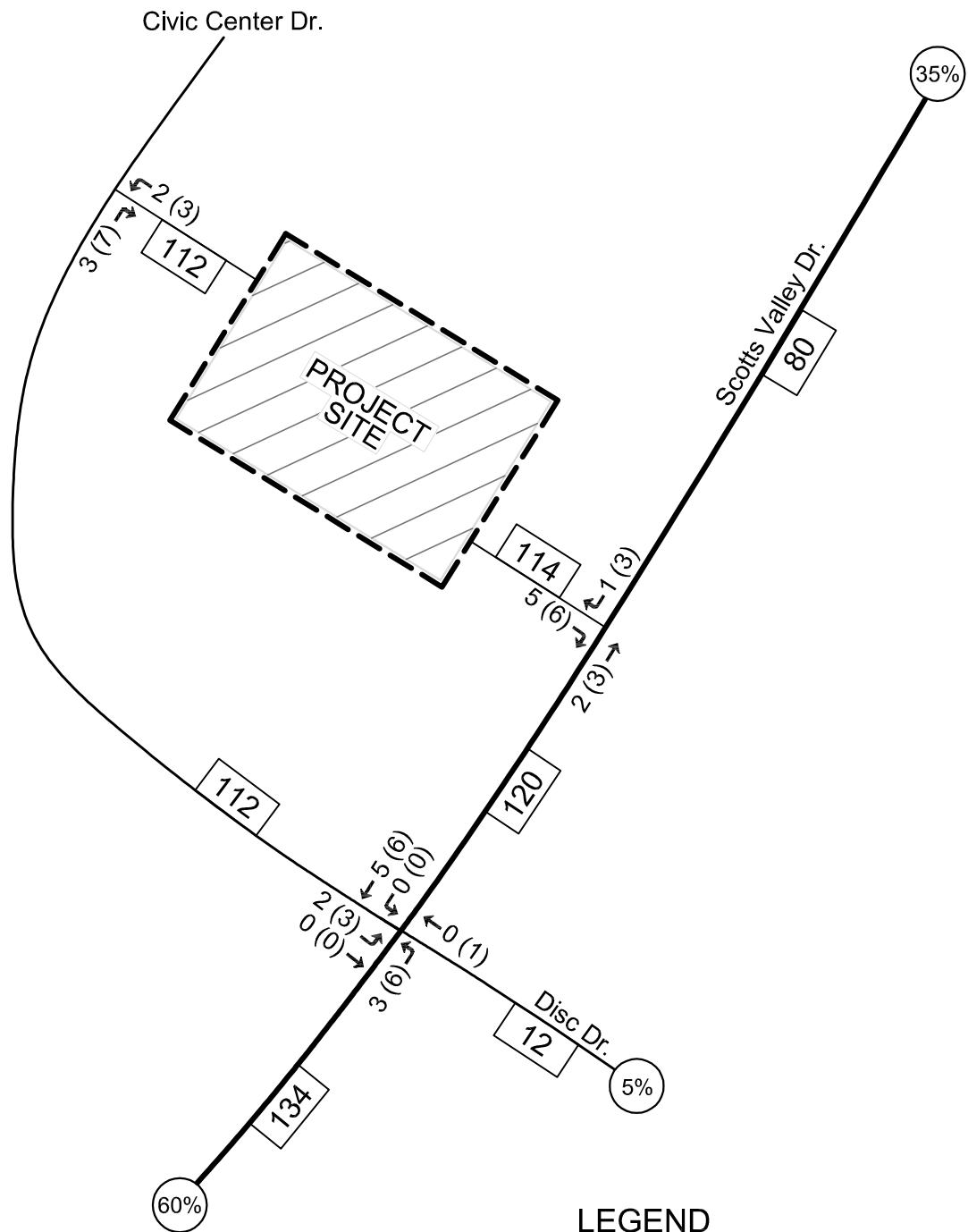
Project Traffic Volumes

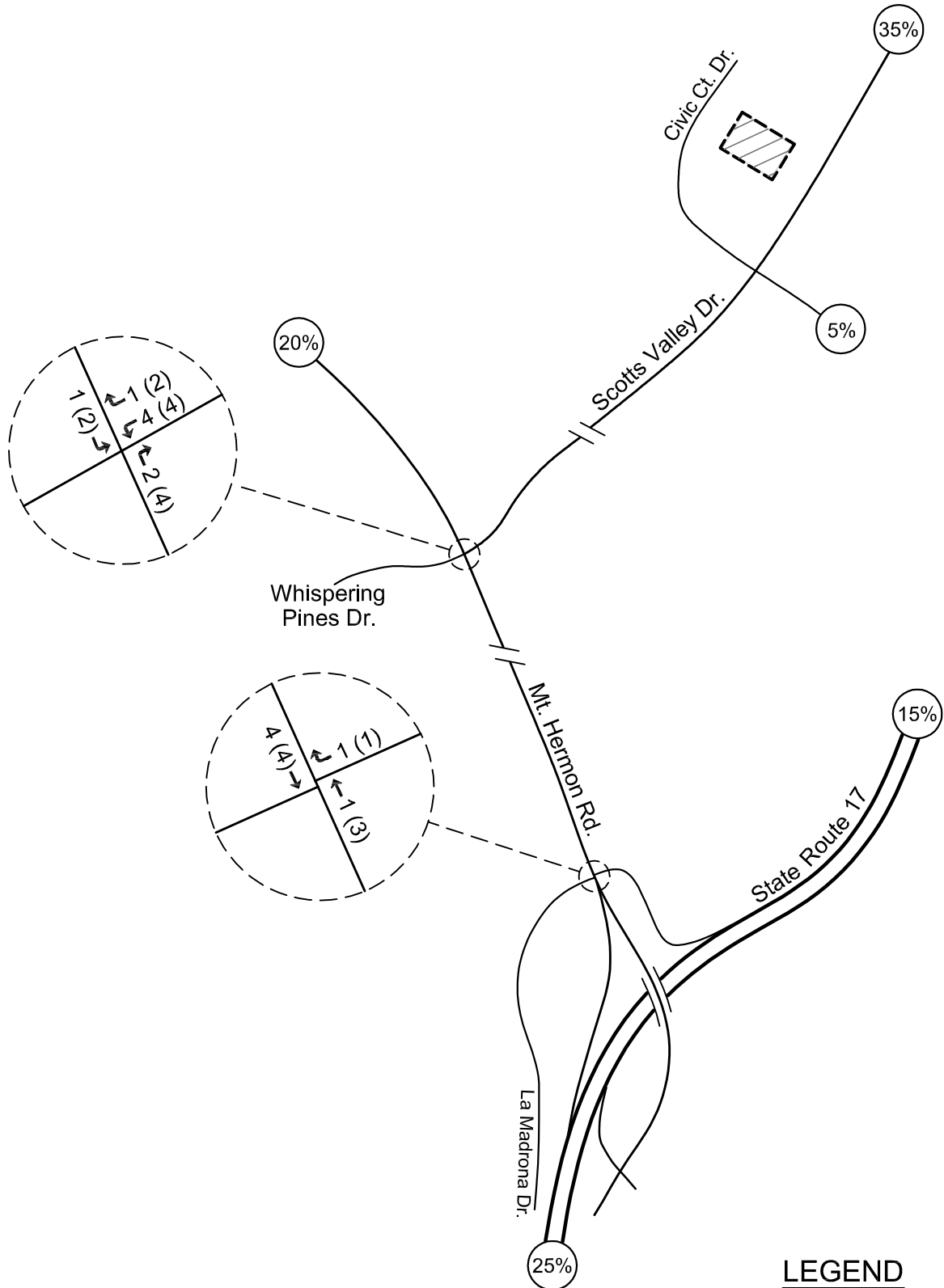
The project total trip generation estimates in Table 4 were assigned to the local street system based on the project location, a review of local peak hour travel patterns and data presented in the various reference documents. Currently, the existing project site driveway on Scotts Valley Drive has posted signs which indicate “no left turns”. Therefore, all project trips exiting the site with a destination to the north on Scotts Valley Drive were assigned to the Civic Center Drive driveway. In a similar situation, since the Scotts Valley Drive driveway will be moved closer to the southerly property line (and the Civic Center Drive signalized intersection) all northbound ingress project trips were assigned to turn left at the Civic Center Drive - Disc Drive signalized intersection. Driveway access on Scotts Valley Road should be restricted to right turns only (in and out).

As directed by City staff, the assignment of project trips to the local street system also includes the number of trips that could go through the Scotts Valley Drive / Mt. Hermon Road and Mt. Hermon Road / La Madrona Drive - SR 17 southbound off ramp intersections. These intersections are included in the assignment of trips to address the City’s Mt. Hermon Road Traffic Mitigation / Fair Share Contribution policy. Typically, the assignment of housing and employment base trips would be more regional in nature while the commercial retail trips would be more local. However, due to the relatively low trip generation it was deemed reasonable to assign all project trips using the same distribution percentages. The overall trip assignment percentages are provided in Table 5. The distribution percentages and project traffic volumes are shown on Figures 4A and 4B.

Table 5 - Project Trip Distribution Percentages

Project Component	Route and Distribution Percentage					
	Scotts Valley Drive	Disc Drive	Mt. Hermon Road	SR 17		Total
	North	East	West	North	South	
Retail, Office & Residential	35%	5%	20%	15%	25%	100%





LEGEND

- ← 00 (00) = AM (PM) Peak Hour Volume
- (xx%) = Trip Assignment Percentages (%)



It is noted that the project applicant has stated that one of the primary purposes of the project is to provide much needed affordable housing for employees at the Bay Photo Manufacturing facility located at 920 Disc Drive (owned by the applicant). Therefore, the actual percentage of residential trips with a destination to Disc Drive could be higher than listed in Table 5 (only 5%). In addition, it is anticipated that the opportunity to walk or bike to work will reduce the total trip generation associated with the residential component.

Existing Plus Project Traffic Volumes

The existing plus project PM peak hour traffic volumes at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection have been derived by summing the existing traffic volumes on Figure 2 and the project traffic volumes on Figure 4A. The existing plus project PM peak hour traffic volumes are provided on Figure 5.

Level of Significance Criterion

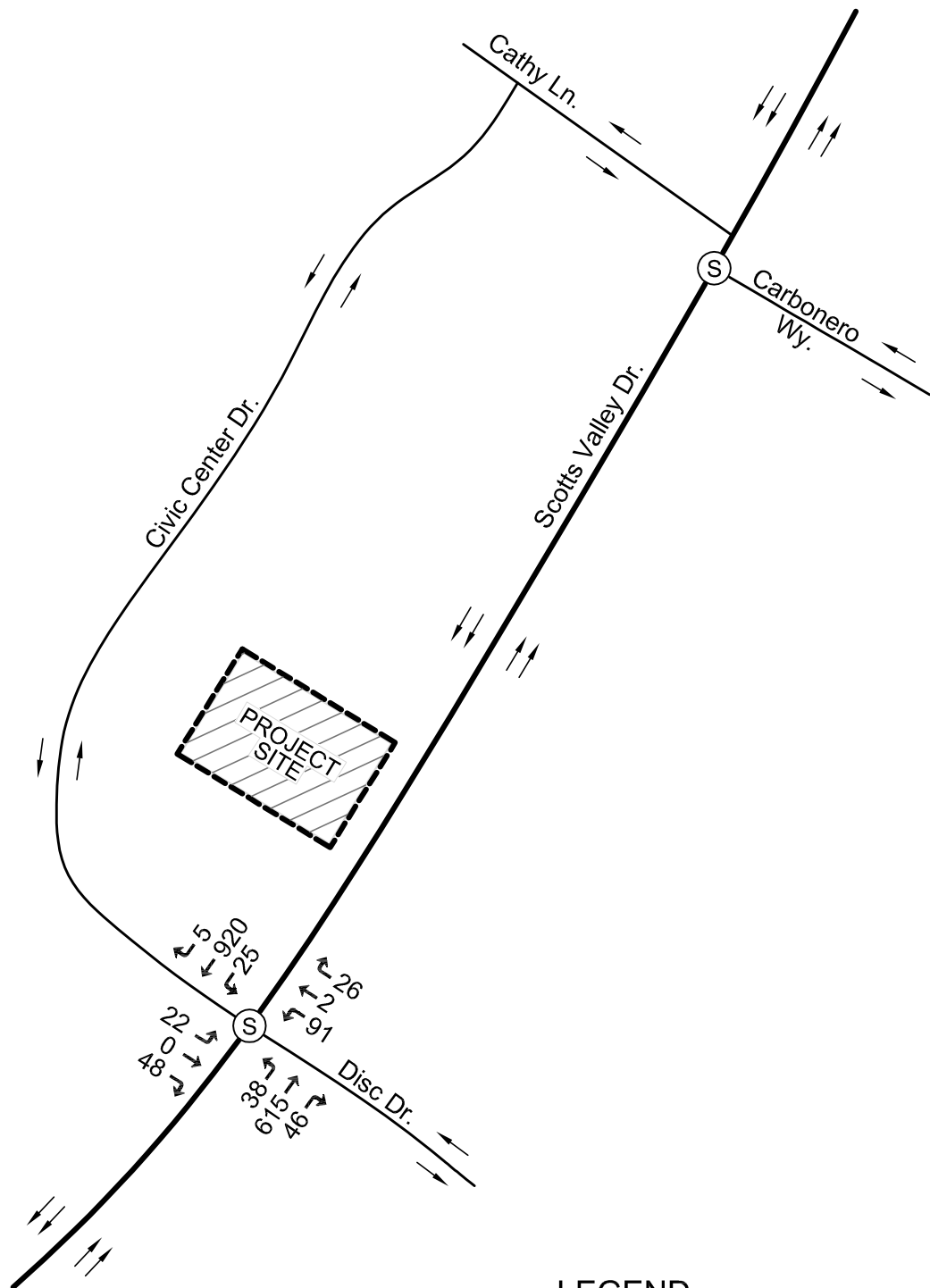
Project specific impacts have been evaluated using standard LOS and level of significance criterion defined by the City of Scotts Valley. As previously stated, the City's General Plan has established the LOS C standard as the lower limit for acceptable intersection operations, except at the Scotts Valley Drive / Mt. Hermon Road and Mt. Hermon Road / Granite Creek Road intersections where LOS D is considered acceptable. Therefore, a project is considered to have a potentially significant impact if either of the following conditions are applicable:

- Intersection operations degrade from an acceptable LOS to an unacceptable LOS
- Intersection currently operates within an unacceptable LOS and the project will have any increase in average vehicle delays

All potentially significant impacts attributable to a proposed project shall be mitigated to a level of "less than significant."

Level of Service Analysis

Since the internal captured and pass-by trips will only account for a small portion of the total project trip generation during the PM peak hour, it was deemed appropriate to analyze the existing plus project scenario using the total trip generation in Table 4 and shown on Figure 4A. Therefore, to evaluate the potential project impacts on existing operations the LOS analysis was conducted using the existing plus project traffic volumes illustrated on Figure 5. It should be noted that this analysis approach presents a worst-case scenario since there is no credit applied for any vehicles currently using the existing park lot. The results of the existing plus project LOS intersection analysis are presented in Table 6. The existing delay and LOS values are also provided for comparison purposes. The Synchro LOS worksheets are included with the Appendix Material.



LEGEND

- ← 00 = PM Peak Hour Volume
- Ⓢ = Traffic Signal Control
- = Travel Lane



Table 6 - Existing PM Peak Hour Intersection LOS Analysis

Study Intersection	Traffic Control	Average Delay - LOS	
		Existing	Existing Plus Project
Scotts Valley Dr. / Civic Ct. Dr. - Disc Dr.	Signal	10.3 - B	10.7 - B

The data in Table 6 indicates that average delays at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection will remain within acceptable limits during the PM peak hour with the addition of project traffic (LOS C or better). Therefore, based on the City's level of significance criterion it is concluded that the project will not significantly impact local traffic operations.

It is noted that the analysis of buildout conditions presented in the Town Center EIR concluded that long-range LOS at the Scotts Valley Drive and Civic Center Drive intersection will remain within acceptable limits (LOS C or better). Therefore, since the project traffic will not significantly impact existing operations it is logical to conclude that the project will not significantly impact long-range operations at the study intersection. It should also be noted that future traffic operations at other key intersections in the City have been analyzed in the Town Center EIR and other reference documents, and the appropriate mitigations have been identified as required to maintain and provide acceptable LOS. The City is currently working on the improvement project for the Mt. Hermon Road and Scotts Valley Drive intersection.

Congestion Management Program (CMP) Analysis

The Santa Cruz County CMP contains LOS standards for designated regional roadways and intersections in the City of Scotts Valley. Under the CMP, local jurisdictions are required to monitor levels of service on a designated system of highways and roadways. The CMP outlines LOS standards for designated roadways and intersections (LOS D or E). However, the City (and other local jurisdictions) has chosen to apply their own traffic LOS standards, which are more conservative than those established in the CMP. Therefore, for the purposes of this TIA the City's General Plan LOS standards govern.

Development Impact Fees (DIF)

The City of Scotts Valley has various DIF (e.g. streets & thoroughfares, storm drain, wastewater treatment, etc). In addition, the City has adopted a Mt. Hermon Road Traffic Mitigation / Fair Share Contribution policy for projects that add trips to the (1) Scotts Valley Drive / Mt. Hermon Road and (2) Mt. Hermon Road / La Madrona Drive intersections. The City's policy states that *"any project which meets the trip generation threshold of an additional five (5) peak hour trips in both the AM and PM peak hours at the Scotts Valley Drive / Mt. Hermon Road intersection, or*

five (5) additional PM peak hour trips at the Mt. Hermon Road / La Madrona Drive intersection will be conditioned to pay, in addition to all regular impacts, the additional fees as follows:

- \$240 per peak hour trip (sum of AM & PM) for the Scotts Valley Dr. / Mt. Hermon Rd. improvements
- \$712 per PM peak hour trip for Mt. Hermon Rd. / La Madrona Dr. improvements

Table 7 provides an estimate of the project's fair share contribution per the City's Mt. Hermon Road Traffic Mitigation / Fair Share Contribution policy.

Table 7 - Project's Fair Share Contribution

Intersection	Number of Project Trips	Estimated Fair Share Contribution
Scotts Valley Dr. / Mt. Hermon Rd.	20 (AM & PM)	\$4,800
Mt. Hermon Rd. / La Madrona Dr.	8 (PM)	\$5,696
Total:		\$10,496

The data in Table 7 indicates that the project's fair share contribution per the City's Mt. Hermon Road Traffic Mitigation / Fair Share Contribution policy would be \$10,496; which would be in addition to the regular DIF required by the City.

It is the project applicant's responsibility to negotiate and pay all applicable development fees. As discussed under the Project Trip Generation (Page 10), it is highly likely that the proposed project uses will generate fewer PM peak hour trips than the existing parking lot use especially if the occupancy is greater than 35-40%. Therefore, the project applicant would like the City to consider waiving the DIF for Streets & Thoroughfares.

4.0 CONCLUSION

The Traffic Impact Analysis (TIA) presents an evaluation of the potential impacts associated with the proposed Commercial and Housing project in the City of Scotts Valley. The project site is currently occupied with a surface parking lot (92 stalls). The project will remove the existing surface lot and construct two (2) new buildings, which will accommodate various commercial retail (2,128 SF) and office (1,064 SF) uses, and 18 residential apartments. The project will generate approximately 226 daily trips, with 11 trips during the AM peak hour and 19 trips during the PM peak hour. It is anticipated that the proposed project uses will generate fewer PM peak hour trips than the existing parking lot especially if the occupancy is greater than 35-40%.

The TIA scope was developed in consultation with City staff, and includes a focused analysis of the potential impacts to PM peak hour operations at the Scotts Valley Drive / Civic Center Drive - Disc Drive. The evaluation of existing conditions was conducted using new turning movement traffic count data collected during the afternoon peak commuter period. Average vehicle delays at the study intersection are within acceptable limits during the PM peak hour as defined by the City of Scotts Valley (LOS C or better).

An evaluation of the “existing plus project” conditions indicated that average delays at the Scotts Valley Drive and Civic Center Drive - Disc Drive intersection would remain within acceptable limits with the addition of the project traffic. Therefore, based on the City’s level of significance criterion it was concluded that the project will not significantly impact local traffic operations. The City of Scotts Valley has various Development Impact Fees (DIF). It is the project applicant’s responsibility to negotiate and pay all applicable development fees as required by the City. Since the proposed project uses are anticipated to generate fewer PM peak hour trips than the existing parking lot, the project applicant would like the City to consider waiving the DIF for Streets & Thoroughfares.

END

APPENDIX MATERIAL CONTENTS

- 2016 Traffic Count Data (Scotts Valley Drive / Civic Center Drive - Disc Drive)
- 2016 Traffic Count Data (Scotts Valley Drive / Project Site Driveway)
- Level of Service (LOS) LOS Value Descriptions
- Intersection LOS-to-Vehicle Delay Criterion
- HCM Level of Service (LOS) Worksheets

PINNACLE TRAFFIC ENGINEERING

831 C Street • Hollister, CA 95023 • (831) 638-9260
9452 Telephone Road, #440 • Ventura, CA 93004 • (805) 644-9260

PinnacleTE.com

Scotts Valley Apartment Project; City of Scotts Valley, CA (#289-A)

Intersection: Scotts Valley Drive and Civic Center Drive

Weather: Lt. Rain

Date: 12/14/16 (Wednesday)

Count Conducted By: Sean McEachin

Beginning Time of Count	Intersection Turning Movement - Direction / Turning Movement													
	Northbound			Westbound			Southbound			Eastbound			15-Min.	Hourly
	1	2	3	4	5	6	7	8	9	10	11	12		
Direction	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT	Totals	Totals
4:00-4:15 PM	13	144	12	22	0	4	4	222	0	7	0	11	439	
4:15-4:30 PM	10	131	8	19	0	7	2	191	1	1	0	11	381	
4:30-4:45 PM	11	147	10	18	0	7	8	237	3	0	0	8	449	
4:45-5:00 PM	9	146	10	20	0	4	6	218	1	3	0	8	425	1694
5:00-5:15 PM	7	169	11	34	0	10	4	254	1	12	0	20	522	1777
5:15-5:30 PM	5	153	15	19	1	5	7	205	0	4	0	12	426	1822
5:30-5:45 PM	5	127	6	16	0	2	4	196	2	4	0	11	373	1746
5:45-6:00 PM	10	141	11	17	0	3	5	185	2	4	0	5	383	1704
2 Hour Totals :	70	1158	83	165	1	42	40	1708	10	35	0	86	3398	3398

Peak Hour Period													
Direction	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT	Total
4:30-5:30 PM	32	615	46	91	1	26	25	914	5	19	0	48	1822

PM PEAK HOUR FACTOR: total / 4 x peak 15 minute interval = 0.87

PINNACLE TRAFFIC ENGINEERING

831 C Street • Hollister, CA 95023 • (831) 638-9260
 9452 Telephone Road, #440 • Ventura, CA 93004 • (805) 644-9260
PinnacleTE.com

Scotts Valley Apartment Project; City of Scotts Valley, CA (#289-A)

Intersection: Scotts Valley Drive and Existing Driveway

Weather: Dry & Clear

Date: 12/13/16 (Tuesday)

Count Conducted By: Jeremy Hail

Beginning Time of Count	Intersection Turning Movement - Direction / Turning Movement			
	Northbound	Southbound	Eastbound	Eastbound
	Left Turn	Right Left Turn	Left Turn	Right Left Turn
Direction	Inbound (Entering)		Outbound (Exiting)	
4:00-4:15 PM	0	0	0	4
4:15-4:30 PM	0	0	1	0
4:30-4:45 PM	0	0	0	11
4:45-5:00 PM	1	0	0	1
5:00-5:15 PM	0	0	1	11
5:15-5:30 PM	0	0	0	0
5:30-5:45 PM	1	0	1	1
5:45-6:00 PM	1	0	1	1
2 Hour Totals :	3	1	4	17



The ability of a highway system to carry traffic is expressed in terms of its "Service Level" at critical locations, usually intersections. Service levels are defined as follows:

- "LOS A" Conditions primarily describe free-flowing operations. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delay at the boundary intersections is minimal. The travel speed exceeds 85% of the base free-flow speed.
- "LOS B" Conditions describe reasonably unimpeded operations. The ability to maneuver within the traffic stream is only slightly restricted and control delay at the boundary intersections is not significant. The travel speed is between 67% and 85% of the base free-flow speed.
- "LOS C" Conditions describe stable operations. The ability to maneuver and change lanes at mid-segment locations may be more restricted than at LOS B. Longer queues at the boundary intersections may contribute to lower travel speeds. The travel speed is between 50% and 67% of the base free-flow speed.
- "LOS D" Conditions describe less stable operations in which small increases in flow may cause substantial increases in delay and decreases in travel speed. This operation may be due to adverse signal progression, high volume, or inappropriate signal timing at the boundary intersections. The travel speed is between 40% and 50% of the base free-flow speed.
- "LOS E" Conditions describe unstable operations and significant delay. Such operations may be due to some combination of adverse progression, high volume, and inappropriate signal timing at the boundary intersections. The travel speed is between 30% and 40% of the base free-flow speed.
- "LOS F" Conditions describe flow at extreme low speed. Congestion is likely occurring at the boundary intersections, as indicated by high delay and extensive queuing. The travel speed is 30% or less of the base free-flow speed. Also, LOS F is assigned to the subject direction of travel if the through movement at one or more boundary intersections has a volume-to-capacity (V/C) ratio greater than 1.0.

TWO-WAY STOP SIGN CONTROLLED INTERSECTIONS

LEVEL-OF-SERVICE CRITERIA FOR TWSC INTERSECTIONS

Level of Service	Average Control Delay (s/veh)
A	0-10
B	> 10-15
C	> 15-25
D	> 25-35
E	> 35-50
F	> 50

ALL-WAY STOP SIGN CONTROLLED INTERSECTIONS

The level-of-service criteria are given in Exhibit . The criteria for AWSC intersections have different threshold values than do those for signalized intersections primarily because drivers expect different levels of performance from distinct types of transportation facilities. The expectation is that a signalized intersection is designed to carry higher traffic volumes than an AWSC intersection. Thus a higher level of control delay is acceptable at a signalized intersection for the same LOS.

LEVEL-OF-SERVICE CRITERIA FOR AWSC INTERSECTIONS

Level of Service	Control Delay (s/veh)
A	0-10
B	> 10-15
C	> 15-25
D	> 25-35
E	> 35-50
F	> 50

SIGNALIZED INTERSECTIONS

The average control delay per vehicle is estimated for each lane group and aggregated for each approach and for the intersection as a whole. LOS is directly related to the control delay value.

LOS CRITERIA FOR SIGNALIZED INTERSECTIONS

LOS	Control Delay per Vehicle (s/veh)
A	≤ 10
B	> 10-20
C	> 20-35
D	> 35-55
E	> 55-80
F	> 80

APPENDIX B

Measures of Effectiveness by Facility Type

TYPE OF FACILITY	MEASURE OF EFFECTIVENESS
Two-lane Roadways	Time Delay (percent)
Signalized Intersections	Average Control Delay (sec/veh)
Unsignalized Intersections	Average Control Delay (sec/veh)
Arterials	Average Travel Speed (mph)
Transit	Load Factor (pers/seat,veh/hr, people/hr)
Pedestrian	Space (sq.ft./ped)

Measures of effectiveness for level of service definitions located in Table 1-2, Chapter 1, of the 1997 Highway Capacity Manual, Special Report 209, Transportation Research Board, National Research Council.

Transition between LOS "C" and LOS "D" Criteria (Reference 1997 Highway Capacity Manual) Signalized Intersections

LOS	Control Delay Per Vehicle (Sec)
A	10
B	20
C	35
D	55
E	80
F	>80

Double line represents the transition between LOS "C" and LOS "D"

HCM 2010 Signalized Intersection Summary

1: Scotts Valley Dr. & Civic Ct. Dr./Disc Dr.

12/28/2016

																				
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR								
Lane Configurations																				
Volume (veh/h)	19	0	48	91	1	26	32	615	46	25	914	5								
Number	7	4	14	3	8	18	5	2	12	1	6	16								
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0								
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00								
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00								
Adj Sat Flow, veh/h/ln	1900	1863	1863	1863	1863	1900	1863	1863	1900	1863	1863	1900								
Adj Flow Rate, veh/h	22	0	55	105	1	30	37	707	53	29	1051	6								
Adj No. of Lanes	0	1	1	1	1	0	1	2	0	1	2	0								
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87								
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2								
Cap, veh/h	266	0	221	243	7	215	51	2250	169	43	2416	14								
Arrive On Green	0.14	0.00	0.14	0.14	0.14	0.14	0.03	0.67	0.67	0.02	0.67	0.67								
Sat Flow, veh/h	1207	0	1583	1343	51	1540	1774	3338	250	1774	3608	21								
Grp Volume(v), veh/h	22	0	55	105	0	31	37	375	385	29	515	542								
Grp Sat Flow(s),veh/h/ln	1207	0	1583	1343	0	1591	1774	1770	1819	1774	1770	1859								
Q Serve(g_s), s	1.1	0.0	2.3	5.6	0.0	1.3	1.5	6.5	6.5	1.2	10.1	10.1								
Cycle Q Clear(g_c), s	2.3	0.0	2.3	7.9	0.0	1.3	1.5	6.5	6.5	1.2	10.1	10.1								
Prop In Lane	1.00		1.00	1.00		0.97	1.00		0.14	1.00		0.01								
Lane Grp Cap(c), veh/h	266	0	221	243	0	222	51	1193	1226	43	1185	1245								
V/C Ratio(X)	0.08	0.00	0.25	0.43	0.00	0.14	0.72	0.31	0.31	0.67	0.44	0.44								
Avail Cap(c_a), veh/h	463	0	448	435	0	450	191	1193	1226	167	1185	1245								
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00								
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00								
Uniform Delay (d), s/veh	29.0	0.0	28.4	32.0	0.0	28.0	35.7	5.0	5.0	35.9	5.7	5.7								
Incr Delay (d2), s/veh	0.1	0.0	0.6	1.2	0.0	0.3	17.6	0.7	0.7	16.7	1.2	1.1								
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0								
%ile BackOfQ(50%),veh/ln	0.4	0.0	1.0	2.2	0.0	0.6	1.0	3.3	3.4	0.8	5.3	5.5								
LnGrp Delay(d),s/veh	29.1	0.0	29.0	33.2	0.0	28.3	53.3	5.7	5.7	52.6	6.9	6.8								
LnGrp LOS	C		C	C		C	D	A	A	D	A	A								
Approach Vol, veh/h	77		136		797		1086													
Approach Delay, s/veh	29.0		32.1		7.9		8.1													
Approach LOS	C		C		A		A													
Timer	1	2	3	4	5	6	7	8												
Assigned Phs	1	2	4		5	6	8													
Phs Duration (G+Y+Rc), s	5.8	54.0	14.4		6.1	53.7	14.4													
Change Period (Y+Rc), s	4.0	4.0	4.0		4.0	4.0	4.0													
Max Green Setting (Gmax), s	7.0	50.0	21.0		8.0	49.0	21.0													
Max Q Clear Time (g_c+l1), s	3.2	8.5	4.3		3.5	12.1	9.9													
Green Ext Time (p_c), s	0.0	16.7	0.7		0.0	15.9	0.5													
Intersection Summary																				
HCM 2010 Ctrl Delay	10.3																			
HCM 2010 LOS	B																			

HCM 2010 Signalized Intersection Summary

1: Scotts Valley Dr. & Civic Ct. Dr./Disc Dr.

12/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	22	0	48	91	2	26	38	615	46	25	920	5
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1900	1863	1863	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	25	0	55	105	2	30	44	707	53	29	1057	6
Adj No. of Lanes	0	1	1	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	268	0	225	243	14	213	57	2244	168	43	2397	14
Arrive On Green	0.14	0.00	0.14	0.14	0.14	0.14	0.03	0.67	0.67	0.02	0.66	0.66
Sat Flow, veh/h	1204	0	1583	1343	100	1498	1774	3338	250	1774	3608	20
Grp Volume(v), veh/h	25	0	55	105	0	32	44	375	385	29	518	545
Grp Sat Flow(s),veh/h/ln	1204	0	1583	1343	0	1598	1774	1770	1819	1774	1770	1859
Q Serve(g_s), s	1.2	0.0	2.3	5.6	0.0	1.3	1.8	6.6	6.6	1.2	10.3	10.3
Cycle Q Clear(g_c), s	2.5	0.0	2.3	8.1	0.0	1.3	1.8	6.6	6.6	1.2	10.3	10.3
Prop In Lane	1.00		1.00	1.00		0.94	1.00		0.14	1.00		0.01
Lane Grp Cap(c), veh/h	268	0	225	243	0	228	57	1189	1222	43	1175	1235
V/C Ratio(X)	0.09	0.00	0.24	0.43	0.00	0.14	0.77	0.31	0.32	0.67	0.44	0.44
Avail Cap(c_a), veh/h	460	0	447	431	0	451	191	1189	1222	167	1175	1235
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	29.0	0.0	28.3	32.1	0.0	27.9	35.7	5.1	5.1	36.0	5.9	5.9
Incr Delay (d2), s/veh	0.1	0.0	0.6	1.2	0.0	0.3	19.5	0.7	0.7	16.8	1.2	1.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.5	0.0	1.0	2.2	0.0	0.6	1.2	3.4	3.4	0.8	5.3	5.5
LnGrp Delay(d),s/veh	29.2	0.0	28.9	33.3	0.0	28.2	55.2	5.8	5.8	52.8	7.1	7.1
LnGrp LOS	C		C	C		C	E	A	A	D	A	A
Approach Vol, veh/h	80		137		804		1092					
Approach Delay, s/veh	29.0		32.1		8.5		8.3					
Approach LOS	C		C		A		A					
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	5.8	54.0		14.6	6.4	53.4		14.6				
Change Period (Y+Rc), s	4.0	4.0		4.0	4.0	4.0		4.0				
Max Green Setting (Gmax), s	7.0	50.0		21.0	8.0	49.0		21.0				
Max Q Clear Time (g_c+I1), s	3.2	8.6		4.5	3.8	12.3		10.1				
Green Ext Time (p_c), s	0.0	16.7		0.7	0.0	16.0		0.6				
Intersection Summary												
HCM 2010 Ctrl Delay	10.7											
HCM 2010 LOS	B											

PINNACLE TRAFFIC ENGINEERING

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September 26, 2017

Attn: Mr. Larry Abitbol
SV Housing LLC - Scotts Valley Drive
5005 Ironwood Drive
Soquel, CA 95073

RE: Scotts Valley Housing Project; City of Scotts Valley, California
Supplemental Trip Generation and Parking Analysis

Dear Mr. Abitbol,

Pinnacle Traffic Engineering (PTE) is pleased to submit the Supplemental Trip Generation and Parking Analysis for the project in the City of Scott's Valley. The supplemental analysis presents an estimate of the trip generation quantities based on the current project design (a copy of the Site Plan is attached). In January 2017, PTE prepared a formal Traffic Impact Analysis (TIA) for the previously proposed project. The previous project included the construction of two (2) new buildings to accommodate various commercial retail (2,128 SF) and office (1,064 SF), and residential (18 apartments) uses. The scope of the TIA was developed in consultation with City staff. The TIA includes a detailed evaluation of the potential project impacts at the Scotts Valley Drive / Civic Center Drive - Disc Drive intersection. The TIA concluded that based on the City's "level of significance" criterion the project would not significantly impact local traffic operations. In addition, the TIA also provided an estimate of the project trips at the Scotts Valley Drive / Mt. Hermon Road and Mt. Hermon Road / La Madrona Drive intersection. The number of project trips at these intersections was used to estimate the City's Development Impact Fee (DIF), which is required based on the City's adopted Mt. Hermon Road Traffic Mitigation / Fair Share Contribution policy.

Project Trip Generation Analysis

The current proposed project includes the construction of two (2) new buildings with a total of 19 residential apartments. The commercial retail and office components have been removed and are no longer included in the current project proposal. The project trip generation estimates in the January 2017 TIA were based on data contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition). The trip generation estimates for the original project also included the appropriate trip reductions for "internal" captured (5%) and "pass-by" (15%) trips for the commercial retail component. To evaluate the "net" change in trip generation associated with the current proposed project the trip generation estimates for the original project (Table 4 on Page

9) were compared with the project trip estimates for the current project (19 residential apartments). The project trip generation comparison is presented in Table 1.

Table 1 - Project Trip Generation Estimate Comparison

Proposed Project Use	Number of Vehicle Trips				
	AM Peak Hour		PM Peak Hour		Daily
	In	Out	In	Out	
Previous Project (January 2017)					
Total Trips (Retail, Office & Residential):	4	7	10	9	226
Project New “Primary” Trips:	4	7	9	9	200
Current Proposed Project (August 2017)					
Total Trips (19 Residential Apartments):	2	8	8	4	126
Net Change in Project Trip Generation (August 2017 - January 2017)					
Project Trips (Current minus Previous):	-2	+1	-1	-5	-74

The data in Table 1 indicates that the current project will generate fewer daily and peak hour trips than analyzed in the January 2017 TIA. Therefore, the current proposed project will not change the conclusions presented in the January 2017 TIA. The current project will not significantly impact local traffic operations.

Project Parking Analysis

The project Site Plan indicates that 49 parking stalls will be provided for on-site parking. However, 51 parking stalls are required. As described in the January 2017 TIA, the project site is currently occupied with a surface lot that has 92 parking stalls (to be removed as part of the project). The lot has been used for over 20 years under an existing entitlement by the property owner (project applicant) and the Scotts Valley Water District currently has rights to use 9 of the existing stalls. The City's Zoning Regulations (17.44.030 - Off Street Parking & Loading Requirements) requires multi-family developments to provide two (2) parking spaces per dwelling unit plus one additional space for every 5 units ($42 = 19 \times 2 + 19/5$). Based on the existing Water District's right (9 stalls) plus the City's requirement for the residential development (42 stalls) a total of 51 on-site parking stalls are required. Therefore, the project will provide two (2) less parking stalls than required.

The City's Zoning Regulations also indicate that "if it can be shown that a use does not expect to utilize the required number of spaces and assurance is given by recorded instrument or by other means that the required number of spaces will be provided when the use or circumstances of occupancy change, then a conditional use permit may be granted by the planning commission, pursuant to Section 17.50.020 of this title, allowing for a reduction in the number of required parking spaces." The use permit shall be conditioned on the necessary number of spaces being provided when the use or circumstances of occupancy change and on the giving of a recorded instrument to that effect which shall be recorded at the Santa Cruz County recorder's office.

A review of residential parking standards for other local public agencies of similar size indicates that not all agencies require guest parking for multi-family uses. Research shows that the residence parking requirement typically varies from 1.5 - 2.5 stalls per dwelling (depending on the number of bedrooms in some cases). The following is based on limited research:

City of Santa Cruz (2 stalls / dwelling - 2 & 3 bedroom) - 38 stalls for 19 units

City of Salinas (2 stalls / dwelling - 2 & 3 bedroom) - 38 stalls for 19 units

City of Monterey (2 stalls / 2-bedroom & 2.5 stalls / 3-bedroom) - 40 stalls for 19 units

City of Gilroy (1.5 stalls / 2-bdr. & 2 stalls / 3-bdr. + 1 stall / 4 units for guest) - 35 stalls for 19 units

City of Walnut Creek (2 stalls / 2-bedroom & 2.25 / 3-bedroom) - 39 stalls for 19 units

Data in the Urban Land Institute (ULI) “Shared Parking” publication demonstrates that peak parking demands for residential uses typically occurs between 11:00 PM & 6:00 AM (95-98%), while peak parking demands associated with office uses occurs between 9:00 AM & 4:00 PM (90-100%). Therefore, peak parking demands associated with the Water District’s continued use of on-site parking (9 stalls) will not occur during the same period as the proposed project apartment uses (42 stalls required). It is also noted that data in the ITE Parking Generation Manual (4th Edition) documents average peak parking demands for apartment developments ranging from 0.59 to 1.94 (85th percentile) vehicles per dwelling unit. Based on the review of other agency standards, and the ULI and ITE data; it is reasonable to conclude that the 49 parking stalls proposed by the project will be adequate to accommodate peak parking demands. Therefore, a request for a variance in the project’s off-street parking requirement should be considered acceptable by the City Planning Commission (pursuant to Section 17.50.020).

The City’s Zoning Regulations design standards for commercial off-street parking facilities require full size parking spaces to be not less than 20’ in length and 9’ in width (exclusive of aisles and access drives). When an overhang is provided, the parking stall shall be 17’, plus a 3’ overhang area. Compact parking spaces shall not be less than 9’ wide and 16’ in length. When an overhang is provided, the parking stall shall be 13’, plus a 3’ overhang area. The City allows 20% of the total parking spaces to be compact. The parking aisle width between the parking stalls is required to be 26’ for two-way traffic. Therefore, the parking “module” width is 66’ (20’+26’+20’=66’).

A review of the project site plan indicates that 44 regular parking stalls (including the Water District’s 9 stalls) and 5 compact parking stalls will be provided (12% of the 42 stalls for residential apartments) on-site. The regular parking stalls are 18’ in length (16’ + 2’ overhang) and 9’ wide, with a 24’ aisle width. The proposed project parking “module” width is 60’ (18’+24’+18’), which is 6’ less than required by the City standard.

A review of parking design standards for other local public agencies of similar size indicates that some agencies have an 18’ length requirement for regular parking stalls and a width of 8.5’ (e.g. Santa Cruz County, City of Capitola, City of Campbell, City of Walnut Creek). In addition, some agencies only require a 24’ parking aisle width (e.g. City of Santa Cruz, City of Watsonville, City

of Salinas, City of Monterey). The research demonstrates the project's proposed regular parking stalls (18' x 9') should not be considered inadequate.

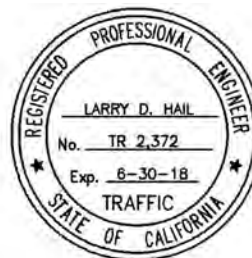
Data in the ULI "Dimensions of Parking" publication indicates that the recommended minimum parking stall width for low-turnover uses is 8.5'. It is noted that data presented in this publication is based on studies of standard "design" vehicle dimensions (using the 85th percentile). The publication also presents recommended minimum and common parking "module" dimensions. The recommended "module" for one-way traffic is 60' (18'+24'+18'). The publication also states that "consultants have found that increasing the stall width and decreasing the aisle width is a preferred method of maintaining an overall minimum level of comfort while maximizing user acceptance." Common parking "module" dimensions are also presented for 8.5' stalls, which include 18' stalls (both sides) and a 24' aisle (60' parking module for 90° stalls). It is important to note that due to the relative small size of the project (19 apartments) and low trip generation (10 AM & 12 PM peak hour trips), it is anticipated that the potential frequency of directional conflicting movements (inbound vs. outbound) will be minimal. Based on the review of other agency standards and the ULI data, it is reasonable to conclude that the proposed parking design will not impact on-site circulation. Therefore, a request for a variance in the project's parking design requirement should be considered acceptable by the City staff.

Please contact my office with any questions regarding the Supplemental Trip Generation and Parking Analysis.

Pinnacle Traffic Engineering



Larry D. Hail, CE, TE, PTOE
President



ldh:msw

attachments: Current Project Site Plan

City of Scotts Valley
Initial Study/ Negative Declaration

Bay Photo Apartments – Scotts Valley Drive

19 residential apartment units in two buildings

Located at: 4627 Scotts Valley Drive
APN 022-082-34 and 35

Prepared by: City of Scotts Valley Planning and Public Works Departments
to meet the evaluation requirements of the California
Environmental Quality Act (CEQA)

Requested Planning Permits:	Environmental Assessment	EA17-002
	General Plan Amendment	GPA17-001
	Zone Change	ZC17-001
	Planned Development	PD17-001
	Design Review	DR16-006
	Lot Merger	

Property Owners: Larry Abitbol, SV Housing, LLC

Applicant: Larry Abitbol

Public Review Period: April 16 – May 7, 2018

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I. INTRODUCTION

This Initial Study/Mitigated Negative Declaration evaluates the environmental impacts of the proposed project and identifies ways to reduce those impacts to less than significant levels (called “mitigation measures”).

- A. Project Address and Title:** Project is called “Housing Project for: Bay Photo Lab”. The property is located at 4627 Scotts Valley Drive / APN 022-082-34 and 35.
- B. Lead Agency Name and Address:**
Planning Department
City of Scotts Valley
One Civic Center Drive
Scotts Valley, California 95060
- C. City Contact Name and Information:**
Scott Harriman, Contract Planner, (650) 587-7300 ext. 66
sharriman@rqs.ca.gov
- D. Applicant and Property Owner Names and Contact Information:**
Larry Abitbol, SV Housing, LLC
5005 Ironwood Drive
Soquel, CA. 95073.
(831) 419-1337
- E.**

Existing General Plan Land Use Designations	Existing Zoning Districts
Service-Commercial	Service-Commercial (C-S)

- F. Existing Site Description:** The 0.93-acre development site is made up of two parcels, which are developed together as a paved parking lot. The site contains mature landscaping along the perimeter of the site and throughout the lot in landscape islands. The site obtains ingress and egress through two existing driveways; one along Scotts Valley Drive and one along a flag-lot style access roadway on Civic Center Drive (see the Location Map on following page). The site slopes toward Scotts Valley Drive with the central portion of the site (the main parking lot area) having a moderate slope of approximately eight percent, while the driveway from Civic Center Drive is more significantly sloped downward toward Scotts Valley Drive.

The project site has a 20-foot right of way easement along the southern property line and a 30' x 85' parking easement in favor of the adjacent office building,

situated to the southwest, owned by the Scotts Valley Water District. Other adjacent uses to the project site include an existing A.T.&T. building to the south, and two retail/commercial buildings to the north.

- G. Project Description:** The project proposes to convert an existing 92-space parking lot into a multi-family development. The project consists of two buildings (Buildings A and B) totaling 19 apartment units, and associated parking and site improvements.

Building A, along the Scotts Valley Drive frontage, would be two stories (approximately 28-feet) in height, and contain two potential live/work apartment units on the ground floor and two apartment units on the second floor. The two, ground floor, live/work units each have an office space and accessible bathroom, which could also be used as a second bedroom.

Building B, centrally located on the site, would be three stories (approximately 39-feet) in height, and contain 15 apartment units, five per floor. Each floor would include four two-bedroom units and one three-bedroom unit. Two of the ground floor units would be (handicap) accessible and three units would be adaptable.

Other site improvements include a one-story, detached, trash/recycling and storage building, and parking, outdoor lighting, landscaping improvements, and private and group open space areas. Access to the project site is retained through the existing two driveways off Scotts Valley Drive and Civic Center Drive.

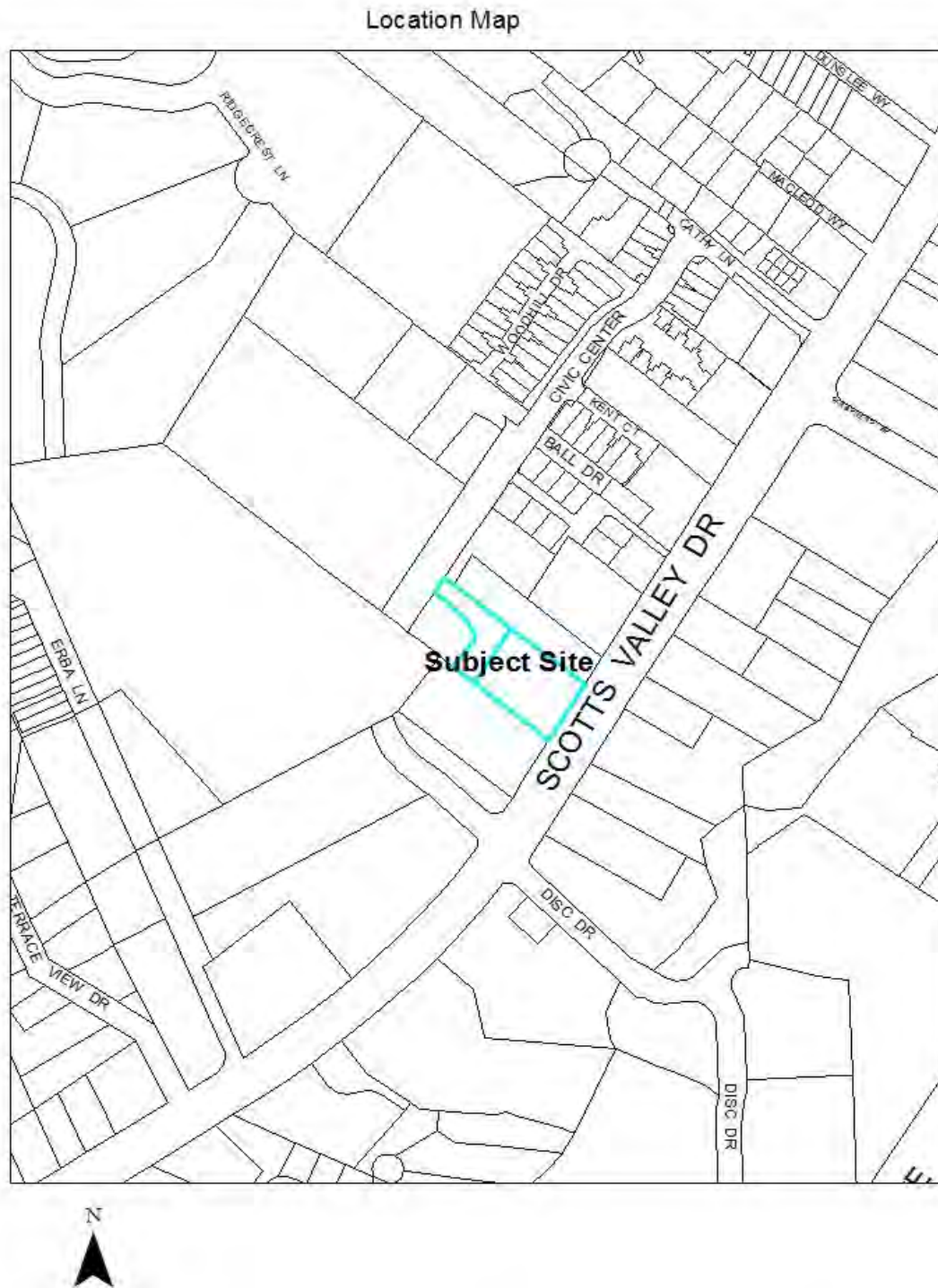
Submitted Plans: Plans are on file at the City of Scotts Valley Planning Department, and online at:
http://www.scottsvally.org/planning/current_projects.html

- H. Requested Planning Permits:** The proposed project requires Planning Commission review and recommendation to the City Council for final action on the following planning permit applications: Mitigated Negative Declaration, General Plan Amendment, Zone Change, Planned Development, and Design Review. The project is subject to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, which require this environmental review. The project applications and environmental review will be presented at public hearings by the Planning Commission and City Council, subsequently, to discuss and act upon this environmental review and requested applications.

1. Negative Declaration: To identify potential environmental impacts and ways to reduce them to less than significant levels, subject to the California Environmental Quality Act (CEQA) and the CEQA Guidelines;
2. General Plan Amendment: To change the General Plan land use designation from Service-Commercial to Very High-Density Residential;
3. Zone Change: To change the C-S zone to R-VH/PD;

4. Planned Development: To create specific development standards to meet the needs of the project and to allow exceptions to the Scotts Valley Municipal Code.
 5. Design Review: To evaluate the design of the residential buildings, site and landscaping.
-
- I. **Public Hearings at City Hall**: A public hearing notice for Planning Commission will be sent at a date to be determined. After the Planning Commission public hearing, a separate public hearing notice will be sent for City Council review.
 - J. **Other Public Agencies whose Approval is Required**: In addition to City review and approval of construction plans, both the Scotts Valley Fire Protection District and Scotts Valley Water District must also review and approve plans regarding fire protection and water service requirements.

K. Location Map



II. ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected

This section discusses environmental topics of the proposed project. Based on the project and impact analysis contained in this report, there are no potential impacts that require mitigation, either by there being no impact or that the project's design reduces any potential impact to less than significant levels.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology and Soils
☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials	☐ Hydrology and Water Quality
☐ Land Use & Planning	☐ Mineral Resources	☐ Noise
☐ Population and Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities and Service Systems	☐ Mandatory Findings of Significance

A. AESTHETICS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
3. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒

A. AESTHETICS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Data Sources: 1, 2, 4, 5

Discussion

Scenic Vista. The site is currently developed as a paved parking lot. The project is situated between existing commercial and office buildings and would not block any scenic vista nor substantially change an important view from a scenic vantage point.

Scenic Resources and Visual Character. The subject property is located along Scotts Valley Drive, a commercial corridor and is not within a scenic corridor. The project would replace an existing parking lot situated between and adjacent to three existing commercial uses. The project is subject to design review, which will insure that the proposed development would not adversely impact the visual character of the area.

Light and Glare. Project plans provide details for outdoor lighting for the proposed apartment buildings that include: five (5) 12.5-foot tall and three (3) 14.5-foot tall free-standing light poles, 15 3.5-foot tall bollard light poles along pedestrian paths to front doors and the central outdoor area, seven (7) wall-mounted lights affixed to the buildings at eight (8) to 10-feet in height, and three (3) soffit lights under the front patio cover at Building A.

Site and architectural lighting is subject to the City design review process which will insure that levels of luminance do not adversely affect the surrounding commercial properties or those traveling on Scotts Valley Drive. To ensure lighting harmony with the surrounding area, project-specific conditions will require the developer to use shields on the light poles, reduce the pole height to 12 feet, and utilize down-directed fixtures on building exteriors with concealed light sources, consistent with City policies and design guidelines for lighting to be at the lowest level and carefully controlled for security, aesthetics, safety and identification without interfering with nearby land uses. Implementing these standard conditions of project approval will reduce potential off-site light intrusion to less than significant levels.

Finding: For the “Aesthetics” category discussed above, the project will not generate any significant visual impacts or impacts to aesthetic resources. Therefore, no mitigation is required.

B. AGRICULTURAL RESOURCES				
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51105(g))?	☐	☐	☐	■
4. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	■

Data Sources: 1, 2

Discussion

The property is not located on land that is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program of the California Resource Agency. The site is zoned for commercial and residential uses. Therefore, no agricultural impacts would occur as a result of the project.

Finding: For the “Agricultural” category discussed above, the thresholds of significance have not been exceeded. There would be no impact on agricultural resources. Therefore, no mitigation is required.

C. AIR QUALITY				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐

C. AIR QUALITY				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
4. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
5. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Data Sources: 1, 3, 4, 10

Discussion

Air Quality Plan and Air Quality Standards. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is responsible for limiting the amount of emissions that can be generated through the basin by various stationary sources. Specific rules and regulations have been adopted in the Air Quality Management Plan of 2000, which limit the emissions that can be generated by various uses and/or activities, and identify specific pollution reduction measures which must be implemented in association with various uses and activities. Emission sources subject to these rules are regulated through the MBUAPCD's permitting process. Any emissions sources that would be generated as part of the proposed project would be subject to the MBUAPCD rules and regulations. The proposed development (the point source) does not include any processes or activities that would emit air pollutants. Therefore, the proposed use does not have the potential for significant impacts that would conflict with the Air Quality Management Plan. For non-point source pollutants such as traffic, which is regulated by the State Air Resources Board (ARB), the project will generate emissions from automobiles associated with regular vehicular travel.

The MBUAPCD categorizes potential impacts as either "construction-related impacts" or "operational impacts". The category of construction impacts is discussed below. The preceding paragraph includes a discussion of traffic-generated operational impacts. However, there are other sources of operational impacts beyond those generated by traffic. To address all potential operational impacts, the MBUAPCD's CEQA guidelines uses a screening table to determine if various land use projects' operational emissions

from all sources are significant. According to the MBUAPCD staff, Table 5-4 in their Guidelines specify threshold levels to determine when a land use project may generate a significant level of long-term operational emissions that degrade air quality. Table 5-4 lists the threshold for multi-family projects as containing 1,195 units or more. The proposed 19-unit project is well below this threshold level and therefore will not generate a significant level of operational emissions.

Grading activities during construction could cause dust accumulation in this area. This impact can be mitigated by implementing standard conditions of approval that require the applicant and construction contractor to implement best management practices (BMPs) during grading to minimize dust generation from vehicular equipment and wind. There is nothing unusual about the construction grading for this project that would necessitate any further construction practices.

Standard Conditions of Approval require that development projects reduce dust generation from project grading and construction to minimal levels, the project proponent shall require the grading contractor to implement best management practices (BMPs) for dust control, including watering down exposed earth surfaces each non-rainfall day at intervals that attenuate dust problems. Any dirt tracked on to Scotts Valley Drive shall be removed daily in a manner that does not create substantial airborne dust. The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover;
- b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces;
- c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession;
- d. The site entrance shall be base rocked to avoid or minimize tracking mud on Scotts Valley Drive by construction vehicles;
- e. The segment of Scotts Valley Drive along the project frontage shall be mechanically swept at the end of each work day when any dirt or mud has been tracked on the street;
- f. No grading activities shall occur during days of high wind velocity;
- g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier; and
- h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

Odor. As a multi-family residential apartment, the proposed project does not have the potential to create objectionable odors.

Finding: A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. For this "Air Quality" category discussed above, the thresholds of significance will be exceeded by the substantial generation of dust during the construction phase of the project. This is a potentially significant construction impact. This impact can be mitigated through standard conditions of approval for construction projects by requiring best management dust control practices during construction of the project. Standard conditions of project approval will reduce the impact to less than significant levels.

D. BIOLOGICAL RESOURCES				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations of by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife service?	☐	☐	☒	☐
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal lagoon, etc.) Through direct removal, filling, hydrological interruption or other means?	☐	☐	☒	☐
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

D. BIOLOGICAL RESOURCES				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Data Sources: 1, 2, 4, 5, 6

Discussion

The project site is been developed and used as a surface parking lot for at least the past 20 years. The site is shown on the General Plan Open Space and Conservation, Plant and Wildlife Habitats Map, Figure OS-3, as not containing any significant plant or wildlife habitat. The majority of the 29 protected trees associated with the proposed development are located predominantly along the site's front and side property boundaries and include Coast live oak (*Quercus agrifolia*), coast redwood (*Sequoia sempervirens*), Monterey cypress (*Hesperocyparis macrocarpa*), eastern redbud (*Cercis canadensis*), and a strawberry tree (*Arbutus undeo*).

Section 17.44.080 of the Scotts Valley Municipal Code (Tree Preservation Ordinance) regulates the removal of various mature trees, including coast live trees with trunk diameters of 8 inches or greater. While the primary purpose of the Ordinance is to preserve trees of a certain size, Subsection 17.44.080(E)(4) of the Ordinance allows removal of Protected Trees with approval of project entitlements.

Kurt Fouts, Consulting Arborist, has prepared an Arborist Report for the project site and proposed development, dated December 2016 and revised on August 31, 2017. The report inventoried 29 trees that meet the definition of "City Protected Trees" due to their trunk size. The applicant is requesting the removal of 23 trees; seven (7) due to poor health/condition, and 16 due to anticipated construction impacts. Appendix A of the tree study shows the Tree Protection Zone and the critical root zone of the protected trees to remain. In addition to identifying tree loss, the report refers to the project landscape plans, which shows the placement of approximately 40 replacement palm trees, which are subject to review and approval as part of the project review, and provides measures to protect trees to remain during construction.

Standard conditions of project approval require the developer to implement all measures contained within the arborist report for the protection of existing trees to remain, including but not limited to the required procedures and sequence, required tree replacement, tree preservation and protection, and appraised value of preserved trees in the report.

Finding: For the "Biological Resources" category discussed above, implementation standard conditions of project approval will ensure tree impacts can be reduced to less than significant levels.

E. CULTURAL RESOURCES				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
4. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Data Sources: 1, 2, 4, 14

Discussion

The site does not contain any historical resources, however the Scotts Valley General Plan, Archaeological Sensitivity Zones Map, Figure OS-2, depicts the site as being within a HMS Zone, High and Moderate Sensitivity Zones. Over the years several cultural resource evaluations have been prepared for adjacent properties with the recommendation that earth moving activities monitored by a qualified archaeologist.

Standard conditions of approval for development require that the applicant and construction contractor ensure that any cultural resource, including archaeological, paleontological, or human remains are not destroyed if accidentally discovered during project grading or other subsurface work.

As part of the standard conditions of approval, the developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

- a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities;

- b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis;
- c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring;
- d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present; and,
- e. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150 foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

Standard conditions of approval require that the applicant and construction contractor ensure that paleontological resources are not destroyed during project grading, the project proponent will include the following measures:

- a. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;
- b. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;
- c. Allow for the recovery of any discovered paleontological resources according to a recovery plan/methods specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);
- d. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,
- e. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Human remains. A cemetery or known burial site does not exist on the property. If human remains are unexpectedly encountered during project grading, the actions required to mitigate for impacts to cultural resources will be followed. This will effectively preserve any human remains for proper burial.

Finding: For the "Cultural Resources" category discussed above, standard conditions of approval will reduce potential impacts to these resources to less than significant levels.

F. GEOLOGY AND SOILS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less than Significant Impact	No Impact
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mine and Geology Special Publication 42.	☐	☐	☐	☒
b. Strong seismic ground shaking?	☐	☐	☒	☐
c. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
d. Landslides?	☐	☐	☐	☒
2. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Data Sources: 1, 2, 4

Discussion

The project proposes the construction of two buildings containing a total of 19 residential apartment units within a seismically active area, which will subject the buildings and their inhabitants to periodic seismic shaking associated with the San Andreas Fault and other active faults within the Monterey Bay area.

To reduce the effects of seismic shaking to acceptable levels, the project proponent shall have all dwellings and commercial building designed California Building Code standards for

the design level earthquake for the area. The design details shall be provided on the building plans submitted to the City for a Building Permit application for each dwelling.

Erosion. The site is currently developed with a surface parking lot with an existing underground drainage system in place. The project will require minor to moderate re-grading of the 0.93-acre site to accommodate the parking lot, ADA pedestrian access and new building pads. Grading will include removal of 23 trees and understory foliage within the existing parking landscape islands.

Project conditions will require a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval. Winter grading shall require prior review and approval by the City.

Sewage Disposal. All proposed buildings would be served by the City domestic sewer system. Therefore, soil capability for on-site sewage disposal is not an issue for this project.

Finding: Standard conditions of approval address the potential impact of seismic activity and will reduce all impacts to levels of less than significant.

G. GREENHOUSE GAS EMISSIONS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Data Sources: 3

Discussion

Significant changes to global climate have been attributed to the accumulation of greenhouse gases (GHG) in the atmosphere. The most common GHG is carbon dioxide (CO₂). The primary contributor to CO₂ emissions in the state is transportation (vehicle exhaust). California's Global Warming Solutions Act of 2006 (AB 32) and the Governor's Executive Order S-3-05 both require reductions in GHGs. Their statutory goals are to achieve 1990 GHG emission levels by 2020 and reduce emission levels to 80% of the 1990 levels by 2050. The California Air Resources Board (CARB) is the lead agency implementing AB 32. CARB has completed a statewide inventory of GHGs, which shows transportation contributes 38% of all CO₂ emissions. Industry is the second greatest

source, contributing 21%. Other contributors are electric power generation, agriculture and various commercial and residential uses.

Generation of Greenhouse Gases. Most individual projects do not generate sufficient GHGs to create a project-specific impact to significantly influence climate change; therefore this impact typically involves an analysis to determine if a project's GHG emissions are cumulatively considerable (significant cumulative impact). The proposed project is for a 19-unit residential apartment use. Locally, the Monterey Bay Unified Air Pollution Control District (MBUAPCD), the County of Santa Cruz, or the City have not yet adopted a significance threshold for GHGs. MBUAPCD is currently in the process of developing threshold standards for evaluating projects under CEQA. Currently, MBUAPCD recommends using a threshold of 2,000 metric tons of CO₂/year for determining if a project GHGs are cumulatively considerable. The traffic analysis concludes this project will generate 126 average daily trips for residential use. The GHGs generated from this level of traffic is below 2,000 metric tons. Energy use of the completed apartments will be less than similar units constructed in previous years because their construction is required to comply with the energy efficiency standards of the California Building Code. All these factors result in a project that will not significantly contribute to a cumulative GHG impact.

Conflict with Plans. AMBAG has established a GHG reduction target of 0% by 2020 (i.e. no GHG increase) and 5% reduction by 2035. The proposed project would not conflict with this target. The project would not conflict with the State's Global Warming Solution Act or Executive Order S-3-05.

Finding: While some GHGs will be generated by the project, its contribution to GHGs will not be cumulatively considerable and there will not be any significant impacts associated with GHGs.

H. HAZARDS AND HAZARDOUS MATERIALS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐

H. HAZARDS AND HAZARDOUS MATERIALS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Data Sources: 1, 4, 5, 8

Discussion

Routine Use or Transport of Hazardous Substances. The proposed project is for a residential apartment building with the possibility for a two home live/work offices. Residential and home office uses do not involve the use or storage of hazardous/combustible materials. Therefore, the risk of accidental explosion and/or release of a hazardous substance is remote.

Release of Hazardous Substances. Residential and home office uses are not generators of hazardous emissions. During the construction phase of this project dust will be generated and vehicle exhaust will be emitted. Implementation of standard dust control measures during construction as discussed above will reduce the potential release of hazardous substances to a less than significant level.

It is likely that oils, lubricants and similar materials may be used to maintain and/or fuel construction vehicles and machinery during the construction phase of the project. Standard conditions of approval require the project developer to have the construction contractor

implement a best management practice/hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- a. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus;
- b. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or in to Scotts Valley Drive; and
- c. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Release of Substances Near Schools. Releases of hazardous substances will not be problematic if standard conditions of approval are implemented. Therefore, no further mitigation on this item is required.

Located on a Hazardous Materials Site. The project property is not included on a list of sites where hazardous materials were previously used or stored.

Public Airport or Private Airstrip. There is no public airport or private airstrip in Scotts Valley or the nearby unincorporated portion of the County.

Emergency Response Plan. The project does not propose any changes to the Emergency Response Plan; nor will it generate significant traffic volumes to Scotts Valley Drive.

Wildland Fires. The site is located in the central area of the City and is not adjacent or proximate to wildlands or areas designated as a critical fire hazard area by General Plan Map S-1.

Existing Health Hazards. According to information provided by the developer, the State and the County, the subject property is not identified as a hazardous materials site where hazardous materials were previously used or stored.

Finding: For this "Hazards and Hazardous Substances" category discussed above, the project would not result in any potentially significant impact. Standard conditions of approval require the contractor to maintain best management practices during construction, which reduce the potential impact to air and water quality to less than significant levels.

I. HYDROLOGY AND WATER QUALITY				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
5. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
6. Otherwise substantially degrade water quality?	☐	☐	☐	☒
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
10. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Data Sources: 1, 4, 8, 11, 12

Discussion

Water Quality And Waste Discharge Standards. Project grading and construction activities have the potential to place sediment, motor vehicle lubricants and motorized equipment fuel into site storm runoff from soil erosion and accidents. A mitigation measure addressing water quality and waste discharges is provided below.

Standard conditions of approval require the developer and construction contractor to implement best management practices to prevent sedimentation and discharge of

contaminants off-site during project construction, including hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus;

a. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or in to Scotts Valley Drive; and

b. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Otherwise Degrade Water Quality. This issue is discussed under "Water Quality And Waste Discharge Standards" subsection above.

Floodplain and Housing. The property is not located within a floodplain.

Flow Impedance in a Floodplain. The property is not located within a floodplain.

Dam or Levee Failure. There is no dam or levee in the vicinity of the site.

Sieche, Tsunami and Mudflow Related Hazards. There is no possibility of a sieche or tsunami occurring that could affect the project. The project is not located on or near a lake or ocean coastline.

Finding: For this "Hydrology and Water Resources" category, implementation of standard conditions of approval discussed above will reduce the impact to a level of less than significant.

J. LAND USE AND PLANNING				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Physically divide an established community?	☐	☐	☐	☒
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

J. LAND USE AND PLANNING				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
3. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Data Sources: 1, 2, 4, 13

Discussion

The project site is located between and adjacent to existing commercial and office uses. Other surrounding land uses in the vicinity include single and multi-family uses. No community or neighborhood will be physically divided by the project. The project is requesting a General Plan amendment to accommodate the proposed residential project on a site with a Service Commercial General Plan designation. The project is also requesting a Planned Development Zoning District with dimensional adjustments to base zoning district standards. These requested entitlements are subject to City Council approval.

Conflict with Plans. The General Plan Land Use Designation of the site is “Service-Commercial”. The Service-Commercial designation is intended for retail stores and shops, food and motel/hotel establishments, services such as printing shops and electrical repair shops, heating and ventilating shops. Very high density mixed use residential is permitted, providing adjacent uses are compatible and the residential use is secondary to the retail use.

The project proposes development of 19 residential apartment units as the primary use of the site utilizing just the very high residential density standard of 15.1 to 20 units per acre. The proposed 19 units on the 0.93-acre site results in a density of 20 units/acre, which is the maximum number of units allowed under the Residential Very-High (R-VH) density range.

The Service Commercial General Plan designation allows for mixed-use developments consisting of both commercial and very-high density residential uses; commercial being the primary use. The development application is requesting a General Plan amendment to allow the singular use of the site to be residential, which requires legislative action by the City Council.

The project is requesting a Planned Development, PD Rezoning, utilizing the “R-VH” density, which allows one unit for each 2,100 square feet of land area. The 0.93-acre project site would accommodate 19 units (40,511-sf / 2,100-sf per unit). A project of 19 units on a .93-acre site would be consistent with Scotts Valley Residential Very-High zoning standard.

The project requests a number of development exceptions to zoning requirements. Page 6 of the General Plan specifies that a Planned Development approval can alter zoning regulations to address site characteristics and to promote City objectives if consistent with General Plan policies, which will be discussed in upcoming staff reports to the Planning Commission and City Council.

Finding: The current General Plan designation of Service Commercial anticipated mixed use development of both commercial and very-high density residential land uses. The proposed residential apartment project, is consistent with the density range called for in the existing General Plan designations, however the project does not include a primary commercial use and therefore requires a General Plan amendment to allow residential to be the primary use of the site. The project requires legislative action by the City Council, which will rule on the requested zoning and General Plan revisions. However, there is no environmental impact associated with allowing only the residential land use to the density range currently specified in the General Plan. Therefore, no mitigation is required.

K. MINERAL RESOURCES				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Data Sources: 1, 4

Discussion

The project site is within the MRZ-1 Zone as depicted on the Scotts Valley General Plan, Mineral Resource Zones Map, Open Space and Conservation Element Figure OS-4. The MRZ-1 indicates that no significant mineral deposits are present. The site has not been used for mining in the past, and the proposed project will not involve any mining.

Finding. For this “Mineral Resources” category discussed above, the project would have no impact; therefore, no mitigation is required.

L. NOISE				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Data Sources: 1, 2, 4, 7

Discussion

Exposure to Noise Levels Exceeding Standards. The Noise Element of the Scotts Valley General Plan utilizes the 24 hour average day-night noise level (Ldn) for defining community noise impacts. Policies NP-451 and NP-454 state the maximum standard is 60 decibels Ldn of exterior noise and 45 dBA Ldn for interior noise (dBA = A-weighted measurement of decibels).

An Acoustical Engineering Study was prepared evaluating ambient and traffic noise for this project site on September 22, 2017 by Alan Goldwater, Acoustical Engineer, Santa Cruz. The exterior noise levels at the project site were measured over a 24-hour period on September 11-12, 2017. Measurements were made at a height of 10 feet above grade at two locations, approximately 32-feet back from the Scotts Valley Drive traffic lane. The 24-hour measurements showed a composite Ldn measurement of 61.6 dBA taken near the future location of the apartment building closest to Scotts Valley Drive.

Future condition of noise exposure were estimated based on an annual increase of Average Daily Trips (ADT) of one percent, from the current ADT level of 17,201 vehicles (717 average vehicles per hour) to 18,921 vehicles (788 vehicles per hours) in 2027. The estimated ADT increase results in a potential 1 dBA noise increase to 63 dBA by 2027.

The building code requires that interior noise level for residential uses to be 45 dBA or lower. Based on the projected exterior noise level of 63 dBA, the building design must attenuate this sound by a least 18 dBA. The applicant proposes the use of 0.3-inch Hardi-panel or equal over ½-inch exterior shear plywood on 2 x 6 studs at 16-inches on center, with R-19 insulation with 5/8-inch interior gypsum wall board. The acoustical report states that the Outdoor-Indoor Transmission Class (OITC) rating for this exterior wall assembly to reduce noise level by approximately 36 dB (decibels), and below the 18 dBA building code requirement. The report evaluated the project's proposed use of "Milgard Quiet Line" windows and sliding doors. The report states that the acoustic performance of these products to equal or exceed 30 dB for each style, and exceeding the building code requirement of OITC=18 dB.

The front-facing patios/balconies for Building A exceed the desired exterior residential noise standard of 60 dBA, and would be considered unacceptable to meet the useable open space requirement. However, common open space is provided behind Building A, which exceeds the minimum standard of 200-square feet per unit if approved as part of the project review. Standard conditions of approval require compliance with all noise standards.

The report concludes that the proposed building design will meet the requirement of 45 dBA maximum interior Ldn until at least 2027. Standard conditions of project approval require compliance with building codes and interior/exterior noise level standards. No further mitigation is required.

Exposure to Groundborne Vibrations and Noise. Future project residents may experience occasional groundborne vibrations from nearby traffic on Scotts Valley Drive when large trucks use the roadway. But this vibration is not expected to be frequent nor at high levels. This impact is less than significant.

Generate a Permanent Increase in Ambient Noise. Residential development is not considered a significant noise generator.

Generate a Temporary Increase in Ambient Noise. The grading and construction activities to build project improvements and dwellings will include large vehicles, heavy machinery and power tools; all of which will generate substantial noise that will travel beyond the boundaries of the property. This is a temporary impact that will be limited to the construction phase of the project. Immediately adjacent properties are commercial land uses and not sensitive receptors during standard construction hours of Monday-Saturday, 8am-5pm.

Located near an Airport or Private Airstrip. The property is not located near an airport or a private airstrip.

Finding: As discussed above, the proposed project would not exceed noise thresholds during the long-term. Noise generated during the construction phase is temporary and limited to Monday-Saturday daytime hours with conventional wood frame construction, which will not significantly impact neighboring commercial properties.

M. POPULATION AND HOUSING				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Data Sources: 1, 4, 8, 13

Discussion

Population Growth. The project will provide 19 new apartment units, four units within a two-story building, and 15 units within a three-story building. The project proposes 14 two-bedroom, three three-bedroom, and two one-bedroom units with a live/work office space, which could function as an additional (2nd) bedroom. Given the proposed bedroom mix, the project could result in 41 or more persons if each bedroom and live/work office is occupied with one person. The average household size for Scotts Valley is 2.67 persons which estimates 51 persons for a project with 19 units.

A potential range of 41-51 or more persons is not a significant increase in the existing City population of approximately 12,000 persons, given the anticipated build-out population of 15,000 persons.

Displace Existing Housing. Currently there is no housing on the site. Therefore, the project will not displace any housing.

Displace People. No persons will be displaced by this project.

Finding: The amount of growth potentially generated by this project is anticipated to be approximately 41-51 or more persons. The increase is within the anticipated build out of the City at a population of 15,000 persons. There is no potential for displacing housing or people either directly or indirectly. For this "Population and Housing" category discussed above, the project will have either a less than significant impact or no impact; and, therefore, no mitigation is required.

N. PUBLIC SERVICES				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1. Fire protection?	☐	☐	☒	☐
2. Police protection?	☐	☐	☒	☐
3. Schools?	☐	☐	☒	☐
4. Parks?	☐	☐	☒	☐
5. Other Public Facilities?	☐	☐	☐	☒

Data Sources: 1, 4, 5, 8

Discussion

The project proposes 19 residential apartment units along a major commercial corridor in the City of Scotts Valley. Public utilities, including water, sewer, cable, phone and P.G.&E., are currently available to the site. Public services are available to site as follows.

Fire Services. The Scotts Valley Fire Protection District has reviewed the project and has stated this project will have an incremental (less than significant) impact to existing fire protection services.

Police Services. The project will add new residents to the City who will occasionally need police services; this type of additional service will not generate a demand beyond what the police department can accommodate.

Schools. The project will add new residents to the City, some of which may have children that will be students at schools within the Scotts Valley Unified School District. While the project has the potential to add approximately 41-52 or more people to the City's population, the additional students will not generate a significant demand on the area school system.

Parks. The project will add new residents to the City who will occasionally utilize City parks and recreational programs, but this additional use will not generate a demand beyond what the City Parks Department can accommodate. The project will provide private patio space for each apartment unit and a common patio area for project residents.

Other Public Facilities. The project does not have the potential to affect other public facilities, in excess of that previously considered by the General Plan.

Finding: For this "Public Service" category discussed above, the new project residents would generate a minor level of new public service needs.

O. RECREATION				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Data Sources: 1, 2, 4, 5, 8, 9

Discussion

Increased Use of Parks. The City has approximately 38+ acres of developed park facilities, ranging in size from 0.5 acre to 7.5 acres. The City's Parks Master Plan (Adopted March 1996) calls for 5.0 acres of developed parks per 1,000 persons. With a population of approximately 11,680 persons, the current park system provides 4.12 acres of park land per 1,000 persons. This ratio includes the Community Center and the approved (but not built) 7.32-acre Glenwood park site. The additional population generated by this project (approximately 41-52 or more persons) will add new users to these parks and facilities, but the increased use will be minimal compared to the existing user population. This increased demand is less than significant. Standard conditions will require the developer pay an in-lieu park fee.

Finding: The project will provide private patios for each unit and a common on-site outdoor patio area for residents of the proposed development. The increase of approximately 41-52 or more residents will be less than a 0.6% increase in the City's population, and will not be a significant increase on demand for park systems. No mitigation is required.

P. TRANSPORTATION/TRAFFIC.				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
2. Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	☐	☐	☐	☒
4. Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	☐	☐	☐	☒
5. Result in inadequate emergency access?	☐	☐	☐	☒
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Data Sources: 1, 2, 4, 5, 8, 9

Discussion

A Traffic Impact Analysis (TIA) was prepared for the project by Pinnacle Traffic Engineering, in January 2017 for a previously proposed project and updated on September 26, 2017 for the revised project that is currently proposed. TIA includes detailed evaluation of the potential project impacts at Scotts Valley Drive, Civic Center Drive and Disc Drive intersection. The TIA concluded that based on the City's "level of significance" criterion the currently proposed project would not significantly impact local traffic operations.

The site is currently occupied with a surface parking lot with 92 parking stalls, which will be removed as part of the project. The lot has been used for over 20 years under an existing entitlement by the property owner (project applicant) and the Scotts Valley Water District, whose agency currently has a deeded easement for nine stalls. Ingress and egress to site occurs through two exiting driveways, one along Scotts Valley Drive and the other onto Civic Center Drive. Both of these driveways would remain with the proposed development.

The revised project proposes the construction of two new buildings with a total of 19 residential apartments. The project would generate approximately 126 daily trips (two-way trip ends), with 10 trips during the AM peak period (2 inbound and 8 outbound) and 12 trips during the PM peak period (8 inbound and 4 outbound).

The evaluation of existing conditions indicated that average vehicle delays at the Scotts Valley Drive and Civic Center Drive /Disc Drive intersection are within acceptable levels during the PM peak house, as defined by the City of Scotts Valley (LOS C or better). The evaluation of existing plus project conditions indicate that the average delays at the Scotts Valley Drive and Civic Center Drive/Disc Drive intersection will remain within acceptable levels during the PM peak with the addition of the project traffic. Based on the City's level of significance criterion it was concluded that the project would not significantly impact local traffic operations. Standard conditions will require the developer pay development impact fees.

Finding: For this "Transportation and Traffic" category discussed above, the project would have no impacts; therefore, no mitigation is required.

Q. UTILITIES AND SERVICE SYSTEMS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒

Q. UTILITIES AND SERVICE SYSTEMS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	☐	☐	☐	☒
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
5. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
7. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Data Sources: 1, 4, 8

Discussion

The proposed project does not have the potential to affect utility services, in excess of that previously considered by the General Plan. The Scotts Valley Water District has reviewed the application and has determined that existing water resources will support the proposed development. The City Wastewater Department has reviewed the proposed development and has determined that the existing wastewater treatment facilities will handle the anticipated volume of wastewater generated by the proposed development. The project will not generate solid waste in excess of that typically generated by 25 single-family homes and a 5,000 square feet commercial building.

Finding: For this "Utility and Service Systems" category discussed above, the project would have no impacts; therefore, no mitigation is required.

R. MANDATORY FINDINGS OF SIGNIFICANCE				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

The project will not generate significant impacts and no potentially significant impacts in the areas of air quality, biological resources, cultural resources, geology and soils, hazards, hydrology and water quality, and noise. The potential to significantly degrade the quality of the environment, including effects on animals or plants; the cumulative significant impact on the overdraft of the Santa Margarita aquifer and the City's water supply and temporary construction impacts involving noise and air quality effects can all be reduced or otherwise mitigated to levels of less than significant with the mitigation measures provided in this Initial Study.

III. DETERMINATION

On the basis of this initial evaluation:

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case as:

- a. All significant effects and potentially significant effects have been mitigated, including revisions or mitigation measures that are imposed upon the proposed project; and
- b. This determination reflects the independent judgment of the City of Scotts Valley.

Scott Harriman

04/16/18

Scott Harriman, Consulting Planner
City of Scotts Valley, Planning Department

Date

IV. DATA SOURCES

1. City of Scotts Valley, General Plan 1994
 2. City of Scotts Valley, Municipal Code
 3. Monterey Bay Unified Air Pollution Control Dist., CEQA Air Quality Guidelines, 2000
 4. *Project plans by David B. Zulim, Inc., dated revised 9/10/17
 5. Site inspections conducted by Planning Department
 6. *Arborist Report (Preliminary Tree Inventory and Assessment) by Kurt Fouts, revised dated 8/31/17
 7. *Acoustical Study by Alan Goldwater, Magic Sound, dated 9/22/17
 8. Comments from public agency representatives at the City's Project Review Committee meetings in 2017
 9. *Traffic Impact Analysis (TIA) by Pinnacle Traffic Engineering, dated 1/4/17 and revised dated 9/26/17
 10. Dust Control Best Management Practices, U.S. Environmental Protection Agency
 11. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Santa Cruz County, Panel 217 of 470, Map #06087C0217E, Map Revised 5/16/12
 12. *Preliminary Stormwater Control Plan by Roper Engineering, dated 9/13/17
 13. U.S. Census Bureau website <https://www.census.gov/quickfacts/table/PST045215/00>
 14. Geologic Map of Santa Cruz County, compiled by Earl Brabb, dated 1989
- * Technical reports are all available for review on the at the City of Scotts Valley Planning Department, One Civic Center Drive, Scotts Valley, CA, Monday-Thursday 8am-12noon and on the City's website at:
http://www.scottsvally.org/planning/current_projects.html

V. EXHIBITS

- A Project plans by David Zulim, Inc., dated revised 10/4/2017
- B Landscape plan by Gregory Lewis Landscape Architect, dated 9/20/17
- C Civil plan by Roper Engineering, dated 9/14/17
- D Arborist Report (Preliminary Tree Inventory & Assessment) by Kurt Fouts, Arborist Consultant. dated December 2016, revised dated 8/31/17
- E Acoustical Engineering Study, Magic Sound, Alan Goldwater, Acoustical Engineer, Dated 9/22/17
- F Preliminary Stormwater Control Plan by Roper Engineering, dated 9/13/17
- G Traffic Impact Analysis by Pinnacle Traffic Engineering, dated 1/4/17, revised dated 9/26/17

ERRATA SHEET – AIR QUALITY SECTION OF INITIAL STUDY

Air Quality Plan and Air Quality Standards. The Monterey Bay Air [Resources](#) District (MBARD) is responsible for limiting the amount of emissions that can be generated through the basin by various stationary sources. Specific rules and regulations have been adopted in the Air Quality Management Plan of [2017](#), which limit the emissions that can be generated by various uses and/or activities, and identify specific pollution reduction measures which must be implemented in association with various uses and activities. Emission sources subject to these rules are regulated through the [MBARD's](#) permitting process. Any emissions sources that would be generated as part of the proposed project would be subject to the MBARD rules and regulations. The proposed development (the point source) does not include any processes or activities that would emit air pollutants. Therefore, the proposed use does not have the potential for significant impacts that would conflict with the Air Quality Management Plan. For non-point source pollutants such as traffic, which is regulated by the State Air Resources Board (ARB), the project will generate emissions from automobiles associated with regular vehicular travel.

The MBARD categorizes potential impacts as “construction-related impacts” [and](#) “operational impacts”. The construction [and operational-related](#) impacts is discussed below. The preceding paragraph includes a discussion of traffic-generated operational impacts. However, there are other sources of operational impacts beyond those generated by traffic. To address all potential operational impacts, the MBARD's CEQA guidelines uses a screening table to determine if various land use projects' operational emissions from all sources are significant. According to the MBARD staff, [Figure 5-1](#) in their Guidelines specify threshold levels to determine when a land use project may generate a significant level of long-term operational emissions that degrade air quality. The thresholds for multi-family projects are those containing 1,195 units or more. The proposed 19-unit project is well below this threshold level and therefore will not generate a significant level of operational emissions.

Grading activities during construction could cause dust accumulation in this area. This impact can be mitigated by implementing standard conditions of approval that require the applicant and construction contractor to implement best management practices (BMPs) during grading to minimize dust generation from vehicular equipment and wind. There is nothing unusual about the construction grading for this project that would necessitate any further construction practices.

Standard Conditions of Approval require that development projects reduce dust generation from project grading and construction to minimal levels, the project proponent shall require the grading contractor to implement best management practices ([BMPs](#)) for dust control, including watering down exposed earth surfaces each non-rainfall day at intervals that attenuate dust problems. Any dirt tracked on to Scotts Valley Drive shall be

removed daily in a manner that does not create substantial airborne dust. The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover;
- b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces;
- c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession;
- d. The site entrance shall be base rocked to avoid or minimize tracking mud on Scotts Valley Drive by construction vehicles;
- e. The segment of Scotts Valley Drive along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street;
- f. No grading activities shall occur during days of high wind velocity;
- g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier; and
- h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
- i. If old underground piping or other asbestos containing construction materials are encountered during trenching activities, Rule 424 could also apply. Rule 424 can be found on-line at <http://www.arb.ca.gov/drdb/mbu/cur.htm>.

Additional Recommendations: Chapter 8 of the 2008 CEQA Guidelines provides additional measures that may be implemented whenever feasible, such as using cleaner than required construction equipment which includes equipment that conforms to ARB's Tier 3 or 4 emission standards. MBARD recommends further that, whenever feasible, construction equipment use alternative fuels such as compressed natural gas, propane, electricity or biodiesel. These recommendations are included as conditions of project approval.

Given the growing use of electric vehicles (EV) regionally, MBARD recommends that the developer consider making public EV charging stations available at the proposed building and parking spaces.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: September 5, 2018

TO: Honorable Mayor and City Council

FROM: Jessica Kahn, Civil Engineer

APPROVED: Jenny Haruyama, City Manager

SUBJECT: **APPROVE AGREEMENT WITH CAROLLO ENGINEERS FOR THE SEWER MASTER PLAN STUDY AND SANITARY SEWER MANAGEMENT PLAN FOR \$375,000**

SUMMARY OF ISSUE

The City of Scotts Valley maintains a wastewater system consisting of nearly 40 miles of gravity sewer line, approximately 7 miles of force mains and 7 sewer pump stations. All sewage flows are ultimately conveyed to the Wastewater Reclamation Facility (WRF). Much of the secondary effluent from the WRF is treated at the Tertiary Treatment Plant for use as recycled water. The remaining secondary effluent is pumped to Santa Cruz and combined with effluent from the City of Santa Cruz Wastewater Treatment Facility. The City has an active capital improvement program (CIP) to replace, rehabilitate and improve the WRF and lift stations. The City does not currently have a Sewer Master Plan (SMP) for the collection system. Staff completed a state mandated Sanitary Sewer Management Plan (SSMP) in November 2007.

A Sewer Master Plan (SMP) is an essential planning tool that enables a public agency to evaluate its sanitary sewer system, identify deficiencies that can cause overflows, specify preventive maintenance practices, and develop a list of repair and replacement projects. These projects, and their approximate costs, can then be incorporated into future CIPs. The City needs a current Sewer Master Plan to guide the CIP projects and assure compliance with State SSMP requirements.

A Sanitary Sewer Management Plan (SSMP) describes the activities the City uses to manage the wastewater collection system effectively. The Sanitary Sewer Systems Statewide General Waste Discharge Requirements (WDR), issued by the State Water Resources Control Board, requires public agencies that own or operate sanitary sewer systems to develop and implement sewer system management plans and report all SSOs to the State Water Board's online SSO database. SSMPs must be self-audited at least every two (2) years and updated every five (5) years from the original adoption date.

Project Purpose

The goal of the SMP is to evaluate the system-wide flow characteristics, assess existing hydraulic capacity of the collection system, including gravity sewers, force mains and lift stations; evaluate pipeline and lift station condition and potential replacement and/or rehabilitation needs; and create a prioritized 20-Year CIP plan and funding approach to allow a sustainable level of service to the City's ratepayers, as required for the SSMP. The SMP forms the basis for capital facility improvements, sewer rate evaluations, and long-range financial plans.

The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur. The eleven (11) required SSMP Elements that must be included in an SSMP are as follows:

1. Goals
2. Organization
3. Legal Authority
4. Operations and Maintenance Program
5. Design and Performance Provisions
6. Overflow Emergency Response Plan ("OERP")
7. Fats, Oils, and Grease (FOG) Control Program
8. System Evaluation and Capacity Assurance Plan ("SECAP")
9. Monitoring, Measurement and Program Modifications
10. SSMP Program Audits
11. Communications Program

Consultant Selection

Staff issued a Request for Proposals (RFP) for professional engineering services on July 20, 2018. Four (4) proposals were received on the due date of August 13, 2018. Proposals were received from Akel Engineering Group, Carollo Engineers, Wallace Group, and Water Systems Consulting. After reviewing the submitted proposals, interviews were held for the four proposing consultants on August 24, 2018.

Based on the interviews and the qualifications submitted, Carollo Engineers, demonstrated they have the staffing availability and engineering expertise that is required to perform the SMP and SSMP. Staff recommends Carollo Engineers based upon the firms' experience, resources, familiarity of Santa Cruz County and positive references.

Selection of consulting services is not based on the lowest bidder, but on the firm's expertise, experience and references. Once the most qualified firm is determined, staff negotiates a fee proposal and any changes deemed necessary to obtain a reasonable cost for the scope of work.

FISCAL IMPACT

The contract cost for the Master Plan is \$375,000. Sufficient funding for this project (CIP #04) is included in the City's 2018-19 Capital Improvement Program. The detailed scope of work, budget and time schedule are attached.

STAFF RECOMMENDATION

It is recommended that the City Council consider approval of the attached agreement with Carollo Engineers, Inc. for the Sewer Master Plan Study and Sanitary Sewer Management Plan, and authorize the City Manager to execute the agreement.

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**CITY OF SCOTTS VALLEY
AGREEMENT FOR PROFESSIONAL SERVICES**

This Agreement for Professional Services ("Agreement") is made and entered into as of September 5, 2018, by and between the City of Scotts Valley, a municipal corporation, hereinafter referred to as "CITY", and Carollo Engineers, Inc., hereinafter referred to as "CONSULTANT".

RECITALS

- A. CITY desires to retain Consultant for certain professional services as set forth in this Agreement.
- B. CONSULTANT is specially trained, experienced and competent to perform the special services which will be required by this Agreement.
- C. CONSULTANT possesses the skill, ability, background, certification and knowledge to provide the services described in this Agreement on the terms and conditions described herein.

NOW, THEREFORE, in consideration of the recitals and the mutual promises contained herein, CITY and CONSULTANT agree as follows:

AGREEMENT

- 1. **Employment of CONSULTANT:** CITY agrees to, and hereby does, retain and employ CONSULTANT to perform the professional services as outlined in the Scope of Work attached hereto and incorporated herein as Exhibit "A". CONSULTANT'S work product shall be performed pursuant to generally accepted standards of practice in effect at the time of performance.
- 2. **Responsible Personnel:** CITY has relied upon the professional training and ability of CONSULTANT to perform the services hereunder as a material inducement to enter into this Agreement. Primary personnel responsible for the completion of the work described in this Agreement shall be Tim Loper, whose address is 1 East Liberty St, Ste. 424, Reno, NV 89501; telephone: (775) 324-4427.
- 3. **Scope of Work:** CONSULTANT shall perform the services as specified in Exhibit A in a professional manner.
- 4. **Time of Performance:** The services of CONSULTANT are to commence upon execution of this Agreement and shall continue until all authorized work is approved by the CITY. All such work shall be completed no later than September 1, 2018. Time is of the essence in the performance of this Agreement. No waiver by either party hereto of the nonperformance or any breach of any term, provision, or condition of this Agreement, or any default hereunder shall be considered to be or operate as a waiver of any subsequent nonperformance, breach or default.
- 5. **Compensation:** CONSULTANT shall accept compensation for services performed as set forth in Section 3 in an amount not to exceed \$375,000. Such compensation shall be paid upon the completion of the services set forth in Section 3.

Payments to CONSULTANT shall be made upon invoices submitted by CONSULTANT to CITY for review and approval. Invoices will be paid by CITY within thirty (30) days after said approved invoices are received.

6. **Indemnity:** CONSULTANT shall hold harmless, indemnify and defend CITY, its elective and appointive boards, commissions, officers, agents, servants, volunteers, and employees from and against any and all claims, costs, damages, liability, losses, or suits (including court costs and attorney fees) for personal injury (including death), property damage and any other damages of any sort whatsoever, arising out of, or alleged to have arisen out of, the willful or negligent acts, errors, or omissions of CONSULTANT or CONSULTANT'S contractors, subcontractors, agents, or employees in the performance of this Agreement. This indemnity shall not apply to a) claims brought by CONSULTANT for default of this Agreement, or (b) claims brought by CITY or any third party where the underlying injury or damage is finally determined by a court of competent jurisdiction to arise solely from the negligent or willful misconduct of CITY. In no event shall the cost to defend charged to CONSULTANT exceed CONSULTANT's proportionate percentage of fault.

CITY shall hold harmless and indemnify CONSULTANT from any damage which may be caused to the CITY's computer network system.

However, CONSULTANT shall not be responsible for acts and decisions of third parties, including governmental agencies, other than CONSULTANT's subconsultants, that impact project completion and/or success.

7. **Termination:** This Agreement may be terminated by the CITY immediately for cause or by either party without cause upon fifteen days' written notice of termination. Upon termination, CONSULTANT shall be entitled to compensation for services performed up to the effective date of termination.

CONSULTANT shall accept, for itself, as full payment for services rendered and all work to be done and performed hereunder and in complete satisfaction of all claims against CITY by reason of voluntary abandonment or suspension of work or termination of the Agreement, the sum determined on an hourly basis in accordance with the provisions of this Agreement, or any modification or amendment thereto, plus all direct expenses incurred, including those expenses incurred which are directly attributable to the incomplete portion of the work which could not be canceled.

In the event of termination, CONSULTANT shall deliver as a condition to the payment of the compensation provided for above, or otherwise make available to CITY, all research data, reports, estimates, summaries, and other such information and materials as may have been accumulated by CONSULTANT in performing this Agreement, whether completed or in process in accordance with Section 8 of this Agreement.

8. **Documents:** Notes, studies, charts, computations, electronic files, and other data and information obtained by CONSULTANT for this project shall, upon receipt of payment for services rendered, be made available to CITY by CONSULTANT at CITY'S request and shall become the property of CITY. In the event CITY alters the document, CITY agrees CONSULTANT shall have no responsibility whatsoever for any claim arising out of, or alleged to have arisen out of, use of the altered document,

All plans, studies, documents, charts, computations, and electronic files prepared by and for CONSULTANT, its officers, employees and agents and subcontractors in the course of implementing this Agreement, except working notes and internal documents, shall become the property of the CITY upon payment to CONSULTANT for such work, and the CITY shall have the sole right to use such materials in its discretion without further compensation to CONSULTANT or to any other party. CONSULTANT shall, at CONSULTANT'S expense, provide such reports, plans, studies, documents and other writings to CITY upon written request.

9. **Independent Contractor:** CONTRACTOR is an independent contractor retained by CITY to perform the work described herein. ALL personnel employed by CONSULTANT are not and shall not be deemed to be employees of CITY. CONSULTANT shall obtain no rights to retirement benefits or other benefits which accrue to CITY'S employees, and CONSULTANT hereby expressly waives any claim it may have to such rights. CONSULTANT shall comply with all state and federal laws pertaining to employment and compensation of its employees and its agents, including the provision of Workers' Compensation.

10. **Licenses:** CONSULTANT represents and warrants to CITY that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which are legally required of CONSULTANT to practice its profession. CONSULTANT represents and warrants to CITY that CONSULTANT shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, insurance and approvals which are legally required of CONSULTANT to practice its profession. Consultant shall maintain a City of Scotts Valley business license.

11. **Assignment:** The parties recognize that a substantial inducement to CITY for entering into this Agreement is the professional reputation, experience and competence of CONSULTANT. Assignments of any or all rights, duties or obligations of the CONSULTANT under this Agreement will be permitted only with the express consent of the CITY. CONSULTANT shall not subcontract any portion of the work to be performed under this Agreement without the written authorization of the CITY. If the CITY consents to such subcontract, CONSULTANT shall be fully responsible to CITY for all acts or omissions of the subcontractor. Nothing in this Agreement shall create any contractual relationship between CITY and subcontractor nor shall it create any obligation on the part of the CITY to pay or to see to the payment of any monies due to any such contractor other than as otherwise required by law.

12. **Binding on Successors:** This Agreement is binding on the heirs, successors and assigns of the parties hereto.

13. **Amendment:** This Agreement may be amended, modified or changed by the parties, provided that said Agreement, modification or change is in writing and approved by the authorized representative of the parties.

14. **Applicable Law and Attorney's Fees:** This Agreement shall be construed and enforced in accordance with the laws of the State of California, and any action brought relating to this Agreement shall be held exclusively in a state court in the County of Santa Cruz. Should any legal action be brought by a party for breach of this Agreement or to enforce any provision of the Agreement, the prevailing party of such action shall be entitled to recover its reasonable litigation expenses, including attorney fees.

15. **Entire Agreement:** This Agreement contains the entire understanding between the parties with respect to the subject matter herein. There are no representations, agreements or understandings, whether oral or written, between or among the parties relating to the subject matter of this Agreement which are not fully expressed herein. The drafting and negotiation of this Agreement have been participated in by each of the parties and/or their counsel, and for all purposes this Agreement shall be deemed to have been drafted jointly by all parties.

16. **Waiver:** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this agreement.

17. **Severability:** If any term or portion of this Agreement shall be held by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

18. **CITY-Provided Information and Services:** CITY shall furnish CONSULTANT available studies, reports and other data pertinent to CONSULTANT's services; obtain or authorize CONSULTANT to obtain or provide additional reports and data as required; furnish to CONSULTANT services of others required for the performance of CONSULTANT's services hereunder, and CONSULTANT shall be entitled to use and rely upon all such information and services provided by CITY or others in performing CONSULTANT's services under this Agreement.

19. **Estimates and Projections:** CONSULTANT has no control over the cost of labor, materials, equipment or services furnished by others, over the incoming wastewater quality and/or quantity, or over the way CITY's plant(s) and/or associated processes are operated and/or maintained. Data projections and estimates are based on CONSULTANT's opinion based on experience and judgment. CONSULTANT cannot and does not guarantee that actual costs and/or quantities realized will not vary from the data projections and estimates prepared by CONSULTANT and CONSULTANT will not be liable to and/or indemnify CITY and/or any third party related to any inconsistencies between CONSULTANT's data projections and estimates and actual costs and/or quantities realized by CITY and/or any third party in the future.

20. **Third Parties:** The services to be performed by CONSULTANT are intended solely for the benefit of CITY. No person or entity not a signatory to this Agreement shall be entitled to rely on CONSULTANT's performance of its services hereunder, and no right to assert a claim against CONSULTANT by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Agreement or the performance of CONSULTANT's services hereunder."

WITNESS WHEREOF this Agreement is executed by CITY and by CONSULTANT on this 5th day of September, 2018, at Scotts Valley, California.

CONSULTANT:

CITY OF SCOTTS VALLEY:

By: _____

Jenny D. Haruyama, City Manager

APPROVED AS TO FORM:

ATTEST:

Kirsten M. Powell, City Attorney

Tracy A. Ferrara, City Clerk

SECTION 2

DETAILED SCOPE OF WORK

Task 1: Project Management and Meetings

Carollo's project manager will direct and coordinate the efforts of the project team members in order to deliver all of the components of the project.

Project Management Plan. Carollo will develop a Project Management Plan (PMP), or Project Plan, to be used to manage this project. The Project Plan will include the project schedule, project team contacts, work plan, scope, budget, and the Quality Management Plan.

Kick-off Meeting. Carollo will conduct a kick-off meeting with City staff. The purpose of the kick-off meeting is to confirm project objectives, review staff and team members, discuss scope and schedule and review the data collection matrix. The kick-off meeting will include the following

- Confirm project objectives
- Review list of needed data for completion of the study.
- Review previous work and studies.
- Document existing conditions and identify known system deficiencies
- Define project roles and distribute project roster.
- Review schedule.

Coordination. Carollo's project manager will make staffing assignments, review work progress, coordinate quality management and review procedures, and communicate regular progress reports to the City. The project manager will manage the budget, schedule, and invoicing. The project manager will prepare and maintain a decision log that will record decisions made by the City throughout the project.

Bi-weekly Progress Meetings. Carollo will conduct biweekly progress meetings to summarize project status, share information, and gain concurrence on key project issues. Carollo will prepare meeting agendas and meeting notes to document discussions, decisions, and work progress. Progress meetings will include discussion of project progress, schedule, budget, action item list, and decision log.

CITY RESPONSIBILITIES – TASK 1

- Provide review comments on Project Plan, meeting minutes and agenda.
- Participate in status meetings.

DELIVERABLES – TASK 1

- Project Plan that includes budget, work plan (with scope of work), project team contact information, schedule, and Quality Management Plan.
- Meeting agendas and action items.

Task 2: Data Collection and Background Review

Carollo will perform a thorough reconnaissance and review effort to secure data, input, studies, policies, regulations, and other background materials that will be needed to facilitate the successful completion of the project. The City will collect and furnish to Carollo all available studies, reports, and other data pertinent to our services, and Carollo anticipates being entitled to use and rely upon all such information provided by the City or others authorized by the City in performing our services under this Scope of Work. Carollo will prepare a Data Collection Matrix that lists the data required for the project. Carollo will share the list with the City prior to the kick-off meeting.

Background Review. Carollo will review the City's relevant planning documents, background data, as well as the planning and design criteria at the start of the project. The review will include, but not be limited to, the following:

- Sewer collection systems maps and record drawings.
- Review of relevant existing City and County maps and studies to the extent that they are known to exist.
- All available record drawings for lift stations.
- Pipeline installation and maintenance records for use in prioritizing repair and replacement projects.
- Pump station design information.
- Available SCADA information.
- Existing City ordinances.
- City's Wastewater Treatment Plant flows, SCADA data, and other information that relates to wastewater flows such as metered industrial or commercial water billing data or measured wastewater flows.
- Existing CMMS systems.
- General Plan documents related to project growth.
- Known large commercial and industrial development plans.

CITY RESPONSIBILITIES – TASK 2

- Assist with the identification of available existing information.
- Availability to meet with Carollo staff regarding existing City systems, and programmatic management of data and utility systems.

DELIVERABLES – TASK 2

- List of information necessary to complete the SSMP.

Task 3: Temporary Flow Monitoring Program

Carollo will conduct a temporary flow monitoring program to capture dry weather base flows as well as wet weather flows to accomplish two main objectives. The flow monitoring data will be used to identify and quantify areas of the system that experience high rates of infiltration and inflow (I/I), as well as for calibration of the collection system computer model. Carollo will contract with Villalobos and Associates (V&A) to perform the flow monitoring program. The program will include seven meters in locations selected in coordination with Carollo and City staff, for a period of two months, and will be performed during a period of time determined through discussion with City staff and based on Carollo's experience with wet weather event timing in California.

CITY RESPONSIBILITIES – TASK 3

- Assist with the identification of flow monitoring locations.
- Assist with obtaining encroachment permit and traffic control for V&A if necessary.

DELIVERABLES – TASK 3

- Electronic flow monitoring data
- Draft and Final Flow Monitoring Report.

Task 4: Land Use Analysis

Carollo will review the ongoing update to the City's General Plan. The purpose of the review will be to develop an understanding of the land use acreage associated with buildout of the City's sphere of influence, future growth projections, and allowable land use types associated with potential growth. Land use densities will be reviewed as a first step towards developing wastewater flow projections. Carollo will coordinate with the City's planning department to obtain data and information related to planned commercial and industrial growth. It is understood that the City is in the process of updating the General Plan.

This planning effort will need to use the latest version of the City's land use as a foundation for the wastewater flow projections. If the City has multiple land use alternatives, Carollo will need to use the alternatives to develop a range

of demand projections based on the variations of the land use plans.

CITY RESPONSIBILITIES – TASK 4

- Provide access to the latest version of the City's General Plan land use and contact information for the City's General Plan consultant.

DELIVERABLES – TASK 4

- Figures and tables summarizing the City's existing and proposed land use acreage.

Task 5: Wastewater Flow Projections

Carollo will use the findings from the land use analysis to develop a projection of wastewater flows associated with build out of the General Plan land use. Flow projections will be based on a combination of land use, population, and existing per capita wastewater generation. Carollo will review influent flows at the wastewater treatment plant to establish wastewater generation. Carollo will use the land use data to conduct a demand and flow balance to generate wastewater generation rates by land use type.

CITY RESPONSIBILITIES – TASK 5

- Required data for influent wastewater flow at the City's treatment plant.
- SCADA records for flows at the City's four metered pump stations.

DELIVERABLES – TASK 5

- Tables and charts summarizing projected dry and wet weather flows for existing and future land use scenarios.

Task 6: Hydraulic Model Construction and Calibration

Carollo will construct a hydraulic model of the City's wastewater collection system for the analysis of the City's collection system capacity. The model will be based on the data provided in the City's collection system map. Carollo will use the findings from the wastewater flow projection task to allocate existing and future demands and create new scenarios for existing and future average and peak wet weather flows. The model will be constructed in Innovyze's InfoSWMM hydraulic modeling software.

Carollo will develop peak wet weather flows and calibrate the model based on a review of historical influent flows to the wastewater treatment plant, and the findings from the temporary flow monitoring program. The model will be constructed after a review of the sewer system map and an assessment of needed data. Preliminary assessment of the system map shows that a majority of the manholes have

invert data. However, should a survey be needed Carollo will contract with a subconsultant. We have allocated \$10,000 for this task.

Carollo will prepare a technical memorandum that documents the model construction and calibration, dry and wet weather flow allocation, valuation criteria used, and capacity analysis with recommended projects. The Technical Memorandum is listed in the deliverables for Task 7.

DELIVERABLES – TASK 6

- Updated hydraulic modeling files.

Task 7: Capacity Analysis and Recommended Projects

Carollo will perform a capacity analysis of the City's collection system using the calibrated hydraulic model. Carollo will work with the City to define the valuation criteria used to conduct the analysis. Criteria will include allowable depth of flow to pipeline diameter d/D , design storm use for wet weather evaluation, lift station firm capacity, allowable forcemain velocity, and others.

The capacity analysis will determine existing capacity related system deficiencies for the collection system pipelines as well as the lift station pumping capacity. Carollo will also conduct analysis of future system performance based on flow projections and planned growth. Carollo will develop recommended capacity related mitigation projects. The findings of the capacity analysis will be presented at a workshop with City staff.

Carollo will prepare a technical memorandum that documents the model construction and calibration, dry and wet weather flow allocation, valuation criteria used, and capacity analysis with recommended projects. Cost estimates for the proposed projects will also be prepared for capital improvement plan development.

DELIVERABLES – TASK 7

- Capacity analysis workshop agenda, meeting materials, and minute.
- Maps and exhibits illustrating capacity deficiencies and recommended projects.
- Hydraulic model construction, calibration, and capacity analysis Technical Memorandum (TM No. 1).

Task 8: Prioritized CCTV Inspection Plan and Phase 1 Inspection

Carollo will use the information collected in Task 2, primarily the City's system mapping for the wastewater pipelines, to develop a prioritized list of CCTV inspection focus areas. Carollo will conduct a desk top analysis of the City's pipelines to determine the high priority areas for near term inspection. The desk top analysis will include an analysis of factors such

as pipeline material, age, history of repairs, risk factors such as proximity to waterways, high traffic corridors, or public impact associated with the likelihood and consequence of failure. Carollo will develop a list of phased inspection priorities as well as figures and exhibits that show the high priority areas.

From the prioritized list, Carollo will contract with a CCTV sub-contractor to inspect the identified Phase 1 priority areas of the system. The Phase 1 inspection will include up to 5% of the system or \$40,000 dollars in inspection fees.

The inspections will be conducted using the NASSCO PACP guidelines, and will also provide the following:

- Document the number and location of lateral connections.
- Document pipeline material type and pipe slope.
- Each pipeline shall be sufficiently clean
- Document infiltration and inflow sources, and critical structural damage (PACP Class 5 Defects).
- Document variances in the actual system configuration from that of the sewer system drawings provided by the City.

CITY RESPONSIBILITIES – TASK 8

- Provide access to required data.
- Provide support to CCTV sub consultant in the acquisition of encroachment permit or other requirements related to working in the City's right of way.

DELIVERABLES – TASK 8

- Figures and tables with prioritized list of inspection targets for near term and longer term inspections.
- CCTV Inspection findings for Phase 1 inspection targets.
- Four sets of videos in DVD format and summary report highlighting inspection findings
- CCTV Inspection Technical Memorandum (TM No. 2).

Task 9 – Lift Station Condition Assessment

Carollo will conduct a visual condition assessment of the City's seven existing lift stations. We will provide an inspection team to inspect structural, mechanical and electrical condition related to overall physical condition and code violations. The firm capacity of the lift station (redundant capacity) will be evaluated based on the known maximum capacity, firm capacity, and the modeled peak wet weather flows from the hydraulic model developed as part of Task 4. Flood resilience will be evaluated based on a review of FEMA flood maps, and known lift station elevation. Carollo will work with the City to conduct a two-day tour of the lift stations to assess physical condition. City staff will provide site access and background knowledge of each station.

CITY RESPONSIBILITIES – TASK 9

- Provide access to each lift station site.
- Provide background knowledge related to existing lift station operations, and planned maintenance.
- Provide listing of existing lift station assets, should a listing exist.

DELIVERABLES – TASK 9

- Lift station condition assessment Technical Memorandum (TM No. 3) including an inventory report.

Task 10 – Develop 20-Year CIP

Carollo will use the findings of the above tasks to develop a 20-Year capital improvement program (CIP) that includes capacity, and condition related improvements required to provide adequate sewer system service to existing and future City customers through buildout of the City's general plan. The CIP will include costs for continued CCTV inspection of the City's collection system as well as the cost associated with pipeline rehabilitation and replacement. CIP costs will also include capacity related and condition projects for the City's seven lift stations and gravity collection system. The CIP will be developed in accordance with the requirements for City budgeting but also for the Sewer System Management Plan's System Evaluation and Capacity Assurance Plan (SECAP).

DELIVERABLES – TASK 10

- 20-Year CIP and Draft System Evaluation and Capacity Assurance Plan (SECAP).

Task 11 – Develop Sewer System Management Plan (Final Report)

Task 11.1 – Goals

Carollo will consult with City staff to define the City's goals with respect to the development of the SSMP. The goals will be established in order to conform with the requirements spelled out in the State Water Resources Control Board (SWRCB) General Waste Discharge Requirements (GWDRs).

Task 11.2 – Organization

Carollo will review the City's current organization charts and job classifications related to sewer system management and operations and maintenance (O&M) and devise a functional chart with defined roles and responsibilities for each position that meet industry guidelines and practices as well as SSMP requirements. The names and contact information for the management, administrative, and maintenance positions involved with the SSMP will be documented.

Carollo will work with the City to ensure that the chain of communication for the City's collection system operations, management, and maintenance is documented properly and easily understood.

Carollo will identify the City's authorized representative(s) responsible for development and implementation of all elements in the SSMP program and specify the chain of communication for reporting sanitary sewer overflows (SSOs) to the State and Regional Water Boards and other agencies.

Task 11.3 – Legal Authority

Carollo will review the City's ordinances, service agreements, etc. as they relate to the sanitary sewer system. We will then summarize the City's legal authority to implement specific measures of the SSMP as specified by the SWRCB GWDRs.

If necessary, Carollo will suggest modifications or additions to the City's ordinances, service agreements, etc. to better comply with SSMP requirements.

Task 11.4 – Operations and Maintenance Program

Carollo will summarize the City's current O&M activities as related to the SWRCB GWDRs, including mapping, preventative maintenance activities (such as existing television inspection program, if applicable), rehabilitation and replacement plan, equipment and replacement parts inventory, and staff training.

As part of this task, Carollo will also recommend modifications to the City's existing O&M program as needed to meet the requirements of the GWDRs.

Task 11.5 – Overflow Emergency Response Plan

Carollo will develop an overflow emergency response plan as a separate document to be used during emergency and disaster crises. The plan will identify measures to protect public health and the environment and will include the following:

- Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner.
- Program to ensure an appropriate response to all overflows
- Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g., State and Regional Water Boards, County Health Department, etc.) of all SSOs that potentially affect public health or reach the waters of the United States.
- Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained.
- Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities.
- Program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and

partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs.

The overflow emergency response program will be summarized in the SSMP document.

Task 11.6 – Fats, Oils, and Grease Control Plan

As part of this task, Carollo will review all pertinent information provided by the City concerning fats, oils, and grease (FOG) as it relates to the operation and maintenance of the City's sewer collection system. Based on information provided by City staff, a determination will be made as to whether a FOG control plan is required by the GWDRs for the City.

If needed, a FOG control plan to reduce the amount of these substances discharged to the sanitary sewer system will be developed. The plan, if necessary, will address the following:

- Plan for public education outreach that promotes proper disposal of FOG.
- Plan for the disposal of FOG generated within the sanitary sewer system service area.
- Legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG.
- Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, best management practices (BMP) requirements, and record keeping and reporting requirements.
- Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the F ordinance.
- Identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section.

Task 11.7 – Design and Performance Provisions

Carollo will summarize the City's current design standards and specifications for the SSMP report as part of this task. Carollo will also recommend any improvements to these standards and specifications based on the results of the review and evaluation of these documents.

Task 11.8 – System Evaluation and Capacity Assurance Plan

Carollo will prepare a capacity assurance plan that contains a capital improvement plan (CIP) that will provide hydraulic capacity of City sanitary sewer system elements for peak flow conditions. The plan will include the following:

- **Planning Criteria.** Carollo will develop evaluation and sizing criteria that reflect current industry standards. Criteria that will be developed under this task will include:
 - Maximum depth of flow to pipeline diameter ratio (d/D).
 - Roughness coefficient
 - Minimum/maximum velocities.
 - Minimum pipe slopes for new sewers.
 - Historical and projected wastewater flows
 - Wastewater flow peaking factors
- **Hydraulic Model Development.** Carollo will create a hydraulic computer model of the City's sewer collection system as part of Task 6.
- **Evaluation.** As part of Task 7, Carollo will use the hydraulic model to evaluate the sanitary sewer system and identify locations of the collection system where City facilities are not capable of conveying peak wastewater flows
- **Capacity Enhancement Measures.** As part of Task 7, Carollo will establish a short-term and long-term CIP to address hydraulic deficiencies, including project prioritization, alternatives analysis, and implementation. The CIP will include an implementation schedule and identify possible sources of funding.
- **Implementation Schedule.** The CIP developed as part of Task 10 will include a time frame for implementing the capital improvement program developed in the capacity assurance plan. This schedule will be reviewed and updated consistent with the SSMP review and update requirements.

Task 11.9 – Monitoring, Measurement, and Program Modifications

This task includes the development of an SSMP measurable performance criteria system to accomplish the following:

- Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities.
- Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP.
- Assess the success of the preventative maintenance program.
- Update program elements, as appropriate, based on monitoring or performance evaluations.
- Identify and illustrate SSO trends, including frequency, location, and volume.

Task 11.10 – Program Audits

Carollo will develop an SSMP internal audit program to conduct periodic internal audits (every two years at a minimum). This audit will focus on evaluating the effectiveness of the SSMP and the City's performance in complying with the SSMP requirements, including identification of any deficiencies in the SSMP and steps to correct them.

Task 11.11 – Communication Program

This task includes development of a communication program for the City to communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system will allow City customers and the general public the opportunity to provide input as the program is developed and implemented.

Task 11.12 – Draft Final SSMP

Carollo will compile the SSMP elements developed as part of Tasks 11.1 through 11.11 into a Draft SSMP report for City review and comment. Carollo will conduct a workshop to discuss comments on the draft report. We will then incorporate these comments and prepare the Final SSMP.

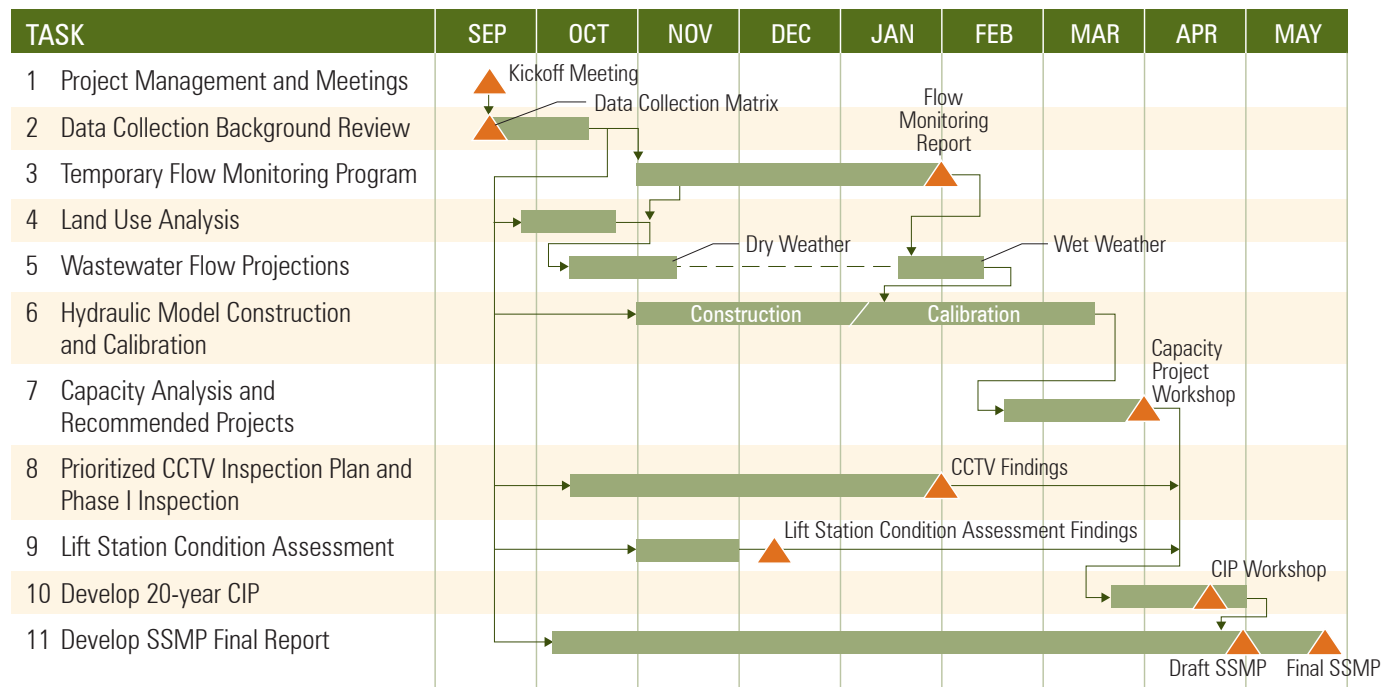
DELIVERABLES – TASK 11

- Three hard copies of Draft SSMP.
- Draft SSMP Workshop meeting agenda and minutes.
- Five hard copies and one digital copy of Final SSMP.

Project Schedule

Carollo's project schedule is based on a best estimate of the timing to complete all the elements of the project. The schedule revolves around the flow monitoring program due to capturing dry and wet weather flows. The flow monitoring program is proposed to start in November and end at the beginning of February.

We have scheduled several elements to start right after project kickoff, such as the development of the phased CCTV inspection program, planning and initiation of the lift station condition assessment, land use analysis, and the wastewater flow projections tasks. These tasks are set to wrap up in time to use the findings along with the capacity analysis to develop evaluation criteria and plan the CIP.



SECTION 6

ESTIMATE OF HOURS

The level of effort for this project is presented in the table below by project task and team member .

Estimated Hours

Estimated Hours		Hours by Classification							
Task Description		PIC/PM Tim Loper	Project Engineer Ryan Orgill	Lift Station CA and CCTV David Baranowski	Modeling Danielle Orgill	Condition Assessment Eric McGrath	GIS Riley Powers	Word Processing	Total Hours
Task 1	Project Management and Meetings	48	18	4	14	0	0	4	88
Task 2	Data Collection and Background Review	2	12	8	36	0	8	0	66
Task 3	Temporary Flow Monitoring Program	4	16	0	44	0	12	0	76
Task 4	Land Use Analysis	2	14	0	42	0	14	0	72
Task 5	Wastewater Flow Projections	2	8	0	24	0	10	0	44
Task 6	Hydraulic Model Construction and Calibration	2	10	0	84	0	14	0	110
Task 7	Capacity Analysis and Recommended Projects	4	24	0	72	0	10	4	114
Task 8	Prioritized CCTV Inspection Plan and Phase I Inspection	4	6	48	12	0	16	4	90
Task 9	Lift Station Condition Assessment	2	2	60	4	20	4	4	96
Task 10	Develop 20-Year CIP	4	22	24	72	4	8	6	140
Task 11	Develop SSMP Final Report	10	24	16	86	0	12	12	160
Total Hours		84	156	160	490	24	108	34	1,056