



**Scotts Valley City Council
In-Person and Remote Access
Date: December 7, 2022
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 OR Zoom Video Conference https://us02web.zoom.us/j/84827813528	The agenda was posted at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at www.scottsvalley.org .

ADDITIONAL CORRESPONDENCE

Additional correspondence regarding AGENDA ITEM PH1 for the December 7, 2022 meeting of the Scotts Valley City Council.



Affordable Housing NOW!

P.O. Box 2374, Santa Cruz, California 95063
(831) 566-2360

Every Unit Counts!

September 7, 2022

Scotts Valley City Planning Commission
1 Civic Center Drive
Scotts Valley, CA 95066

RE: Oak Creek Park Mixed-Use Development

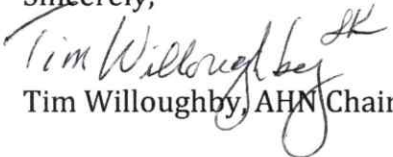
Dear Planning Commissioners:

Affordable Housing NOW (AHN) appreciates the opportunity to comment on the proposed Oak Creek Park Mixed-Use Development. AHN fully supports this project as it provides exactly the kind of housing that is desperately needed in Scotts Valley.

There is a great need for more rental units in Scotts Valley as well as smaller housing units for single individuals, young professionals, and seniors. This project includes 52 rental units ranging in size from studios, to one, two and three bedroom apartments and townhomes. The developer is also willing to provide two very-low, two- low and four moderate- income affordable housing units. Scotts Valley is far from reaching its RHNA goals for extremely low, low and moderate-income households and this development will help address the great need for housing in those income categories.

AHN enthusiastically supports this project and we urge your Commission to move the project forward for City Council consideration and approval.

Sincerely,


Tim Willoughby, AHN Chair

September 6, 2022

City of Scotts Valley

Planning Department / Planning Commission

Via email to planningdepartment@scottsvalley.org

RE: Public Comment, September 8, 2022 Meeting: Oak Creek Park construction project at the intersection of Mount Hermon Road and Glen Canyon Road / 022-162-76

Dear Sir / Madam:

I own and reside at 107 Lucia Lane, Scotts Valley, CA 95066 (APN 022-162-64). My home is directly behind the northeast corner of the Proposed mixed use Building A on Lot 2 of the Oak Creek Park construction project.

We have thoroughly read through the Developers responses to previous public comments in the September 8, 2022 Planning Commission meeting agenda and have the following comments.

I would greatly appreciate your ongoing support in properly addressing the key concerns highlighted again below as well as in your initial June 9, 2022 Planning Commission public hearing by my wife Tiffany Shay.

1. Rooftop Private Open Space Patio: Developer calls this a “passive open space” on page 178 without describing it. While this patio will be at the level of the top of the first floor (e.g., 25 feet below the top roof line), we remain concerned about potential noise and privacy impacts from the open use of this space directly behind our home that set near the back property line adjacent to the northeast side of Building A. Can they describe what landscaping would do to mitigate these concerns?
2. Trash Bin Location: Developer indicated in the table on page 11 that this will be one of three trash bin locations on the property. The Developer also indicated on page 16 that the northeast trash bin location is 46 feet from my property line. I feel these responses are misleading for the following two reasons. 1st: I can only locate two trash bin locations in the Developer map A2.0 (pg. 70). A four-bin trash location is nearest my property in the northeast corner of the development, and another appears to be a two-trash bin location between buildings A & B on the eastern side of the development. 2nd: Map A2.0 shows the four-bin trash location is only 30 feet at most from my back

property line and possibly 45 feet from the back southeast corner of my house (Map PC.1, pg. 180). My home is often downwind (slightly northwest) of the proposed four-bin trash bin location. As I noted in my June 9, 2022, comments, I am a “sensitive receptor” in that I am prone to sinus headaches brought on by various odors. I feel the Developer’s representations are misleading and I feel they do not adequately address my concerns as a “sensitive receptor” in that I will have to live with the odors from these trash receptacles. I will likely not be able to enjoy my outdoor deck and yard and sometimes the interior of my home if the odors are strong. I must ask again whether the four-bin trash location be moved to another location of the development?

3. Redwoods: As I noted in June, I have six mature Redwoods located along the back southeast property line adjacent to the development. The developer has noted that the grading in my location of the development will be minimal (+/- 12”) and that it will be outside the root system of my Redwoods. I would like to ensure the record shows that I strongly disagree with these misleading representations. I remain highly concerned that the development will kill my Redwoods. This in turn could lead to personal injuries and property damage to either my property or the back of Building A on Lot 2.

Per Sempervirens.org, a Coastal Redwood’s root system may be 6 – 12 feet deep and it may extend up to 100 feet from the trunk of the tree. It looks like the development will require excavating down over 20 – 25 feet in order to accommodate the underground parking structure that will be just 20 – 25 feet from my property line and Redwoods. I hardly see how they can claim this is minimal excavation that is outside the Redwoods root system. It seems most probably that the development could actually cut out 75% (approx. 75 feet) of my Redwoods’ roots in that area. This would be approximately half of the tree’s roots system. I have asked for the independent Arborist report and been informed that it has not yet been engaged. I feel that my concerns should be properly addressed before the Planning Commission issues its approval for this development.

4. Parking Structure Venting: The Developer has note that their natural venting plans meet minimum State standards and therefore they will not make any mitigations. As noted above, my property is just north and often downwind of the development since the breeze flows from the ocean northeast towards my home. As a “sensitive receptor”, I remain highly concerned that the fumes venting from parking structure will generate or increase health problems to me, my family, and guests. Are there any mitigations that can be imposed on the developer regarding the parking structure venting?

5. Lastly, I must question if it is truly in the best interests for Scotts Valley residents to allow a 10 feet height exception to the local building codes?

I would be happy to discuss any of my concerns noted above with the appropriate parties.

I can be reached as follows.

Sincerely

Patrick Shay
107 Lucia Lane
Scotts Valley, CA 95066

(831) 331-9658

From: Alasdair Drysdale <drysdale@me.com>

Sent: Thursday, September 1, 2022 10:50 AM

To: Scotts Valley Planning Department <planningdepartment@scottsvalley.gov>

Subject: Question about Oak Creek Park project

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

I live at 408 Thomas Terrace, directly abutting the proposed Oak Creek Park project. At the last public hearing, and in a follow-up email, I expressed concerns about three issues in particular:

1. I think it would be reasonable to ask the developer to provide a conceptual rendering of what the townhomes will look like from the perspective of Thomas Terrace, which directly abuts them. To the extent that I can visualize the location and massing of the building, it is EXTREMELY close, 3 feet, from one corner of the fire road and our property line, as you noted. If the building height is indeed 34 ft, it will represent a significant visual intrusion and adversely affect the aesthetic environment, blocking our view of a ridge line covered with redwoods.
2. If the project is approved, I hope that serious consideration be given to downsizing the townhomes and moving them far enough away from our property line to permit a vegetation buffer and appropriate visual screening. I hope too that the height of the building can be significantly reduced through architectural reconfiguration of the roof line. Alternatively, the base elevation of townhome D could be reduced, which would have the same effect visually from our perspective. Can the slope of the two townhomes buildings be reduced? Could the fire lane dip more sharply? Could a retaining wall be built along our property line? I just think that thinking differently about the excavation and grading could produce a far more satisfactory solution than what has been proposed,
3. If the project is approved, we ask that in addition to significant vegetation screening:
 1. A suitable tall fence separate Thomas Terrace from Oak Creek, such as the one that separates the Thomas Terrace common parking area from Scotts Valley Drive.
 2. An attractive gate that is architecturally compatible with the fence is placed across the fire road, both to prevent people taking short cuts and to offer visual separation between the two developments.

In advance of the September 8th meeting, I'm writing to ask if the developer has addressed or will address any of these concerns?

Thank you,

Alasdair Drysdale

Alasdair Drysdale <drysdale@me.com>
To: Susie Pineda

Fri 6/10/2022 11:08 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you know the content is safe. Be aware that the sending address can be faked or manipulated.

Dear Susie

Thanks for putting together such an impressive and informative presentation about the Oak Creek Development. I live at 408 Thomas Terrace and voiced some specific concerns, both on behalf of other residents as President of the HOA and because I live in the end unit and would be most directly affected by the development. I would like to reiterate some of those points in writing in case I wasn't clear or forgot to mention some things. Please could you share this with the commissioners.

1. I think it would be reasonable to ask the developer to provide a conceptual rendering of what the townhomes will look like from the perspective of Thomas Terrace, which directly abuts them. To the extent that I can visualize the location and massing of the building, it is EXTREMELY close, 3 feet, from one corner of the fire road and our property line, as you noted. If the building height is indeed 34 ft, it will represent a significant visual intrusion and adversely affect the aesthetic environment, blocking our view of a ridge line covered with redwoods.
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2. An attractive gate that is architecturally compatible with the fence is placed across the fire road, both to prevent people taking short cuts and to offer visual separation between the two developments.

Please don't hesitate to contact me if you have any questions. I more than willing to work with the commissioners and developer to come up with mutually acceptable solutions to the problems I've identified.

Thank you.

Alasdair Drysdale
408 Thomas Terrace
603-502-6522

From: [Jess Waggoner](#)
To: [Scotts Valley Planning Department](#)
Subject: Oak Creek Park Mixed Use Development
Date: Friday, June 10, 2022 12:26:16 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Scotts Valley Planning Department,

I am writing to express my support of the mixed use development project proposed at the corner Mount Hermon and Glen Canyon Road.

As a resident of Scotts Valley, I know how expensive housing in this area is and how housing costs impact the members of our community.

Scotts Valley needs more housing and I am in favor of this project as a means for providing more homes for our community.

Thank you for your work on this.

Sincerely,
Jessica Waggoner

From: [Rupin Dhanoa](#)
To: [Scotts Valley Planning Department](#)
Subject: Oak Creat Park Project Public Hearing, comments
Date: Thursday, June 9, 2022 7:48:45 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Guys,

I own and live at 105 Lucia Lane, with my Wife and two children, 11 and 6 years old.

I am sending my concerns ahead of today's meeting on this topic. I'll also be joining via zoom too.

1. Under ground Parking entrance of Mixed using building "A" will cause excessive noise and gas exhaust pollution for us, due to its proximity to our house. My older child was previously diagnosed with a respiratory condition.
2. Mixed Use building Building 'A' trash is too close to our property. Large amounts of trash collected for multiple units will cause excessive smell and other biohazards. It should be moved away from all residential units.
3. Rooftop gathering areas on Mixed use building K will cause noise and privacy concerns for us.
4. I am also worried about possible impact on redwoods on my property, during and after the construction.
5. Reports appear to have entirely missing coyote's living in this open area. This should be revisited and addressed.

Thank you,
Rupin Dhanoa
Cell 925-997-2362

From: [Patrick Shay](#)
To: [Scotts Valley Planning Department](#)
Cc: tnpshay@gmail.com
Subject: Re: Resident Comments / Inquiries - Public Comments Oak Creek Park Project for the June 9, 2022 Public Hearing
Date: Thursday, June 9, 2022 8:41:53 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Planning Dept - City of Scotts Valley

Can you please confirm that you have received our comments in this and my prior attached email by returning a confirming email?

Additional concerns after further review of the EIR:

1. I am very sensitive to odors and highly susceptible to migraine attacks. I am concerned with potential exhaust / gas being released from the underground parking structures. Will these underground parking structures vent out the front of the property towards Mt. Herman or out the back towards my residence that lies directly (possibly less than 25 feet) behind the structure?
2. The mixed-use Building A's trash bins appear to be directly behind our residence. These should not be near our residential homes that have been here since 1988. Would you want to smell the trash of over 45 residential units? We do not! Please relocate these away from our residences.

Thank you for considering our concerns in the designs that are likely to be approved by the City.

Patrick Shay
Seagate Technology Tax Director
510-661-1732 (office)
831-331-9658 (cell)

From: Patrick Shay <patrick.s.shay@seagate.com>
Sent: Wednesday, June 8, 2022 10:04 PM
To: planningdepartment@scottsvalley.org <planningdepartment@scottsvalley.org>
Cc: tnpshay@gmail.com <tnpshay@gmail.com>
Subject: Resident Comments / Inquiries - Public Comments Oak Creek Park Project for the June 9, 2022 Public Hearing

Dear Planning Department - City of Scotts Valley:

As a resident at 107 Lucia Lane, Scotts Valley, CA 95066, I am writing to express our concerns about the proposed Oak Creek Park construction project at the intersection of Mount Hermon Road and Glen Canyon Road / 022-162-76.

My personal residence is clearly one of the personal residences that is deemed a sensitive receptor in Tables 6.4 and Section 13.3.4 of the Environmental Impact Report (EIR) since it sits approximately 15 feet from the south line of our property that is adjacent to the construction site and 25 feet from the new buildings.

The concerns that we would like to be addressed by the City and Developer are as follows in no particular order of importance since they are all very important to us:

1. We have six healthy mature Redwood trees lining the south line of our property which is the property line adjacent to the construction site. Since Redwoods have a shallow (5 - 6 foot) but broad (possibly up to 100 feet out) root system, this construction project could very well kill all of our Redwoods since the new development appears to bud up to be within ten feet of these Redwoods. The soil compaction could also damage the root systems of these trees. These trees also rely on water within the underground springs under these properties. All may be disrupted by this construction. This could result in a material physical and financial hazard to both the new facility residences as well as our personal residence. How will the Contractors / Property owners indemnify us for potential liabilities on this matter? I cannot locate where this is addressed in the Environment Impact study?
2. As a "sensitive receptor" residence, how will our property be protected from ground vibration impacts during construction?
3. I work from home in a room facing Mount Herman Road. As a "sensitive receptor" residence, how will our property be protected from noise impacts during construction?
4. As a "sensitive receptor" residence, how will our property be protected from a noise and privacy perspective from the planned Rooftop Common Area that appears to line up with our master bedroom? Will there be a privacy screen / wall on the north end of that rooftop common area between the new building's rooftop common area and our home?
5. There are families of coyotes living in this field below our property. They appear every night. The draft EIR does not appear to even mention these coyotes. How will they address the displacement of these wild animals that are literally talking as I type this?

We appreciate your assistance in addressing our inquiries / concerns above.

If you have any questions about our concerns, contact Tiffany or me directly.

Sincerely,

Patrick and Tiffany Shay
107 Lucia Lane
Scotts Valley, CA 95066

Patrick's cell: 831-331-9658

Seagate Internal

Seagate Internal

From: [Amber Blizinski](#)
To: [Scotts Valley Planning Department](#)
Cc: [Susie Pineda](#); [Chris Lamm](#); [Taylor Bateman](#)
Subject: Oak Creek Park - Mixed Use Development
Date: Tuesday, June 7, 2022 1:05:43 PM

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Planning Commissioners and City Officials,

Last May, when the project sign went up on the subject property, I emailed the staff planner to ask if I could be noticed for future project milestones (NOA, project hearings) as my family lives approximately 1,200 feet from the project site and I have significant safety concerns regarding the existing crosswalk that goes across Glen Canyon at Oak Creek Blvd and knew the project would result in increased car volume (trips) on Glen Canyon. You can imagine my disappointment on Sunday when I learned (via facebook) that the project was going to a hearing in five days and I had not received any further notifications or correspondence since my request last year.

My concern and issue is not the actual development project. I am a City Planner in another jurisdiction and feel that this is appropriate infill development for the City; however, as a planner I know that the simplest way to enhance that crosswalk (lighting, moving it to the other side of Oak Creek, etc.) would have been to tie it into the environmental review or to have conversations with the developer during the process which I was not given the opportunity to do.

I have had conversations with the Director of Community Development and Public Works this week, and acknowledgement has been made of my predicament, so I will no longer dwell on the lack of information and instead get to my concern.

Someone is going to get hit at this crosswalk unless safety modifications are made. I have lived on Flora Lane for three years and my daughter (5 years old), husband and I walk or stroll often throughout town. I cannot tell you the amount of times we have almost been hit at that crosswalk, either by cars slamming on their brakes coming down the hill and around the curve in the road from Mt Hermon or by us having to jump back to the sidewalk to avoid a driver that is paying no attention around the curve. I know my neighbors in our development agree with this sentiment and experience similar circumstances because I have discussed it with several of them. I feel that it would have been a simple tie in to ask, or require, the development to enhance the crosswalk as a project condition, or at least pay their fair share. I am deeply saddened that I was not able to make that request in several other forms and now it almost feels like it is too late.

I really ask that the Commission, City Officials, and the City Council really consider this safety concern. Come stand on Glen Canyon at that crosswalk and see for yourself. It really is a scary situation and would be enhanced (not fixed) with some safety lighting or with the relocation to connect to the part of the intersection that is further southeast which would allow more visibility.

Thank you for your time, I am happy to discuss this further with anyone and will attend future hearings on the project. My daughter has a school function during the Planning Commission hearing this week and I will not be able to attend.

Amber Blizinski
34 Flora Lane