



A G E N D A

Special Meeting of the Scotts Valley Planning Commission

Date: October 12, 2017

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 on October 6, 2017, at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .
---	---	--

Appointed Officials	City Staff Members
Derek Timm, Chair Carlos Arcangeli, Vice Chair Robin Donovan, Commissioner Rosanna Herrera, Commissioner Deborah Muth, Commissioner	Taylor Bateman, Acting Community Development Director Michelle Edwards, Senior Planner Brenda Stevens, Assistant Planner

Notice regarding Planning Commission Meetings:

The Planning Commission meets regularly on the 2nd Thursday of each month (unless otherwise noticed) 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 Planning Commission agenda is available for review the Friday before the Thursday 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.

CALL TO ORDER 6:00 PM

(The Planning Commission Chair calls the meeting to order.)

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

(The Planning Commission Chair leads the pledge of allegiance.)

ROLL CALL

(Planning Department staff conduct roll call of the Planning Commission.)

PUBLIC COMMENT TIME

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

ALTERATIONS TO CONSENT AGENDA

(The Commission 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 Chair. These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission.)

- A. Approve the Action Meeting Minutes from the August 17, 2017, meeting.

ALTERATIONS TO PUBLIC HEARING AGENDA

(Commission can remove or add items to the Regular Agenda.)

PUBLIC HEARING AGENDA

(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

1. **Title:** Shell Gasoline Station
Address: One Hacienda Drive
Applicant / Property Owner: Peninsula Petroleum, LLC
Planning Permit Application Nos.: U16-005, DR16-014 & 015
Project Description: Consideration of Use Permit and Design Review applications to demolish an existing convenience store and build a new store and new self-serve drive-thru car wash, including new signage.
Staff: Brenda Stevens, Asst. Planner, 831-440-5635, bstevens@scottsvalley.org
2. **Title:** Amendments to City's Marijuana Regulations per State Law
Address: City-wide Residences
Applicant: City of Scotts Valley
Planning Permit Application No: AZO17-001
Project Description: Consideration of recommendation of approval to the City Council of Amendments to the Zoning Ordinance (Section 17.64.020 of Chapter 17.64, Marijuana and Cultivation, of Title 17, Zoning) of the Scotts Valley Municipal Code to allow indoor cannabis cultivation of up to six (6) plants for personal use, per State law, pursuant to the California Compassionate Use Act, the California Medical Cannabis Regulation and Safety Act ("MCRSA"), the Adult Use of Marijuana Act ("AUMA"), SB 94 and the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA").
Staff: Steve Walpole, Police Chief, 831-440-5649, swalpole@scottsvalley.org

This item will be continued to a date to be scheduled, per the applicant's request.

3. **Title:** Hertz Car Rental
 Address: 5500-5520 Scotts Valley Drive / APN 022-042-17
 Applicant: Karl Ryan with "Professional Touch Auto Body"
 Property Owner: Vincent & JoAnne Cimera Revocable Trust
 Planning Permit Application No: U17-006
 Project Description: Consideration of a Use Permit application to locate an existing "Hertz" car rental business in the former "Ferrell's Donuts" building located on the same property as the "Professional Touch Auto Body" business in the Service-Commercial (C-S) zone.
 Staff: Michelle Edwards, Sr. Plnr., 831-440-5632, medwards@scottsvalley.org

REGULAR AGENDA

(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

ALTERATIONS TO REGULAR AGENDA

(Commission can remove or add items to the Regular Agenda.)

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS

(The Planning Commission or Community Development Director may request to schedule items on future agendas.)

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY

(City Council Minutes or other items are provided if available.)

DIRECTOR UPDATES

(The Acting Community Development Director may provide any department or city updates that are available.)

ADJOURNMENT

(Adjournment shall be no later than 11:00 PM unless extended by a four-fifths vote of all Planning Commission members or a unanimous vote of the members present per City Municipal Code Section 2.21.010.)

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 Planning Commission 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 Community Development Department at (831) 440-5630 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a Planning Commission meeting be available in an alternative format consistent with a specific disability, please call the Community Development Department. 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 THAT THE COMMISSION 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 THAT THE COMMISSION 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 THAT THE COMMISSION 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.

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; Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000; or, from or to Speech-to-Speech, English & Spanish 1-800-854-7787), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.



Minutes

Special Meeting of the
Scotts Valley Planning Commission

Date: August 17, 2017
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 .
---	---	--

Appointed Officials	City Staff Members
Derek Timm, Chair Carlos Arcangeli, Vice Chair Robin Donovan, Commissioner Rosanna Herrera, Commissioner Deborah Muth, Commissioner	Taylor Bateman, Acting 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: Timm, Arcangeli, Donovan and Muth. Absent: Herrera

PUBLIC COMMENT: None.

ALTERATIONS TO CONSENT AGENDA: None.

CONSENT AGENDA: The Commission approved the minutes in one motion.

Action Meeting Minutes from the June 15, 2017 meeting.

M/S: Muth/Arcangeli

To approve Consent Agenda.

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

ALTERATIONS TO REGULAR AGENDA: Item #2 (Shell Gasoline Station) was removed from the agenda and will be rescheduled until a future date in order to allow the applicant and staff additional time to review neighborhood concerns.

M/S: Arcangeli/Timm

To approve the regular agenda as amended, removing item #2 from the agenda to allow the applicant and staff additional time to review neighborhood concerns.

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

PUBLIC HEARING:

1. Title: Malone's Grille

Address: 4402 Scotts Valley Drive

Applicant: Ryan & Taylor Fontana of Fontana Hospitality Group, LLC

Property Owner: Fontana Family Investments, LLC

Planning Permit Application No.: U17-004

Project Description: Consideration of a Use Permit application for an existing legal nonconforming restaurant and to allow live entertainment with acoustic and amplified indoor/outdoor music and outdoor projected movies with audio in the Service-Commercial (C-S) zone. Proposed restaurant hours are 11:30AM-12:00AM Mondays-Saturdays, and 10:00AM-10:00PM on Sundays. Proposed live entertainment hours are Wednesdays, Thursdays, and Fridays from 5:00PM-9:00PM, and Saturdays from 1:00PM-9:00PM.

Planner: Michelle Edwards, Senior Planner

M/S: Arcangeli/Donovan

To approve Use Permit U17-004, via Resolution No. 1719, subject to Conditions of Approval and an amended Condition #4.

Carried: 4/0/1 (AYES: Arcangeli, Donovan, Muth, Timm; NOES: None; ABSENT: Herrera with cause)

2. ~~Title: Shell Gasoline Station~~

~~Address: One Hacienda Drive~~

~~Applicant / Property Owner: Peninsula Petroleum, LLC~~

~~Planning Permit Application Nos.: U16-005, DR16-014 & 015~~

~~Project Description: Consideration of a Use Permit application to demolish an existing convenience store and build a new store and new drive thru car wash and a Design Review application for a new convenience store, car wash and signage of the existing gas station.~~

~~Planner: Brenda Stevens, Assistant Planner~~

Removed from agenda see "Alterations to Regular Agenda" section above.

REGULAR AGENDA:

3. **Title:** Public Art Horse Sculpture
 Address: 5015 Scotts Valley Drive
 Applicant / Property Owner: Nannette Benedict
 Planning Permit Application No.: DR17-009
 Project Description: Consideration of a Design Review application for a public art display. The art piece would be displayed outside, near a commercial office building. The proposed artwork is a life-sized, metal sculpture of a horse and foal.
 Planner: Brenda Stevens, Assistant Planner

PC Timm recused himself due to a potential conflict of interest.

M/S: Muth/Donovan

To approve the public art and to allow staff to modify the wording of Condition #9 to allow for proper time allotment for restoration of the art in the event of damage.

Carried: 3/0/1/1 (AYES: Muth, Donovan NOES: None; ABSENT: Herrera, (with cause), Timm.

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 7:30pm.

STAFF REPORT

Applicant/Owner: Peninsula Petroleum LLC

Application: Use Permit No. U16-005, Sign Design Review No. DR16-014 and Design Review No. DR16-15

Location: 1 Hacienda Drive / APN 022-011-11

General Plan/Zoning: Commercial Service (C-S)

Environmental Status: Exempt from CEQA (Sections 15301 & 15311)

Request: Consideration of a Use Permit and Design Reviews to allow for the removal of the existing convenience store, construction of a new convenience store and installation of a drive-thru car wash and new signage at the 1 Hacienda Drive Shell Gas Station.

Staff Planner: Brenda Stevens, Assistant Planner

STAFF RECOMMENDATION

It is recommended that the Planning Commission approve the Use Permit and Design Review applications by adoption of the attached resolution, subject to the conditions in Exhibit A.

PROJECT DESCRIPTION

The applicant is proposing to renovate the existing Shell gas station located at 1 Hacienda Drive along the west side of Scotts Valley Drive at the Glenwood Drive and Hacienda Drive intersection (Attachment 1 - Location Map). The corner site is accessed off both Scotts Valley Drive and Hacienda Drive. The proposed renovation includes a demolition of the existing 1,816 square foot convenience store and service bays and construction of a new 1,803 square foot convenience store, the addition of a new 768 square foot drive-thru car wash and new building signage. The existing four fueling islands and canopy would remain as they are (Attachment 2 - Project Plans).

PROJECT BACKGROUND

This project first appeared on the August 17, 2017 Planning Commission meeting agenda. At the meeting, the Planning Commission passed a motion approving the item be removed from the agenda and be rescheduled to a future date in order to allow the applicant additional time to review neighborhood concerns that were forthcoming following the Public Hearing notice.

Since the original hearing date, the following items are new:

1. All written correspondence received from the public is attached (as of print date).
2. A "Trip Generation Analysis and Evaluation of Potential Impacts" report has been submitted by the applicant.
3. Re-noticing of the project has occurred, by: A) The public hearing notice being posted at City Hall, the Scotts Valley Library and the Scotts Valley Senior Center and mailed to surrounding property owners within 300 feet pursuant to state law. B) The applicant has posted a Proposed Development sign on the project site.

PROJECT DISCUSSION

The subject property is located in the Commercial Service (C-S) zoning district. Pursuant to Section 17.20 of the Scotts Valley Municipal Code (SVC) automotive service stations are required to obtain a Use Permit and Design Review approval from the Planning Commission for all exterior improvements. Below is a discussion of the project's compliance with the City's General Plan and Zoning Regulations.

Use Permit

The project site is a corner parcel at the intersection of Scotts Valley Drive and Hacienda Drive. The one adjoining property to the west is known as the Granite Creek Business Center. Kaiser Permanent is the cornerstone tenant in the center. The project site is across from the residential neighborhood of Hacienda Drive.

The existing use permit allows for the operation of a gasoline station and a 1,816 square foot convenience store and auto service bays. The existing fuel stations/canopy are to remain with no changes and would continue to operate 24 hours a day, seven days per week (24/7).

As proposed, the convenience store and service bays would be demolished and a new, 1,803 square foot convenience store would be built and located in virtually the same footprint as the building. Existing store hours would remain 24/7.

In addition to the new store, a new 768 square foot, self-serve drive-thru car wash is proposed. The car wash would be similar to the one operating at the Shell Station located at 90 Mount Hermon Road.

Use elements reviewed for the proposed car wash include the following:

- Location: The proposed car wash would be located to the rear of the convenience store along the west edge of the property line, abutting the parking lot of the business center. Entrance to the car wash would be adjacent to Hacienda Drive and the exit would be facing Scotts Valley Drive. There would be space for approximately four autos to cue up for the wash. The longest duration for an exterior "Ultimate" car wash is five minutes.
- Noise: A Noise Assessment Study was prepared and stated that "the existing noise environment is due primarily to vehicular traffic sources on Scotts Valley Drive, Hacienda Drive and Highway 17." The study applied the noise limits to the residential property lines to the north and to the facade of the commercial office building to the west. The result of the study concluded that "the project generated noise increases in the ambient conditions will be within the allowed noise increased established in the Noise Element. Noise mitigation measures will not be required" (Attachment 3). The applicant stated that there will be two noticeable differences that will enhance the Hacienda site versus the Mount Hermon site. The first feature is that a "slim-line" dryer is proposed which does not operate in a back and forth motion and is quieter than the dryer located at the Mount Hermon facility. Secondly, the Hacienda site will not have the loud queuing buzzer presently in place at the Mount Hermon car wash.
- Hours of Operation: According to the applicant, the busiest hours for the car wash are typically between 7am to midnight with the slowest hours of operation occurring between midnight and 6am. Although the applicant proposes that the car wash operate 24/7, staff believes that more reasonable operating hours would be from 6am to 11pm daily in an effort to cease car wash operation sounds during the late night and early morning hours (Condition No. 6). While the Noise Assessment Study accounted for the level of vehicular traffic sources along Scotts Valley Drive, Hacienda Drive and Highway 17, staff believes that a reduction of traffic noise during the late night and early morning hours may accentuate the noise levels of the car wash operation during these non-peak travel hours.
- Traffic Study: A "Trip Generation Analysis and Evaluation of Potential Impacts" report was prepared by Pinnacle Traffic Engineering on September 8, 2017 (Attachment 4). The purpose of the trip generation analysis is to estimate the "net" change in trip generation associated with the proposed project. The report

included: an evaluation of potential project impacts during peak hour trip rates for the typical morning (7-9am) and afternoon (4-6pm) commuter peak period; a worst-case analysis assuming the completion of the Enterprise Way Project; and an analysis on potential traffic congestion and circulation.

With regards to the "net" change of trips, the report concluded "that the proposed project would result in a "net" increase of about 1-2 vehicle trips during the various peak hour periods" and that "there will be no measurable change in vehicle delays during the AM and PM peak hours under the existing-plus project conditions". The report stated that in the worst-case analysis "the project will not have a potentially significant impact on the Scotts Valley Drive and Glenwood Drive-SR 17 Southbound Ramps intersection" and "there will be no measurable change in delays during the AM or PM peak hour periods with the additional traffic associated with the car wash". Overall findings of the traffic study concluded "the addition of a car wash at an existing service station generates a negligible increase in trips".

- Circulation and Queuing: According to the traffic study "a brief review of the on-site circulation did not notice any potentially significant issue". "Vehicle stacking (queuing) will be provided for 4-5 vehicles at the car wash, which is consistent with the industry standards and most public agency requirements". The applicant stated that with the addition of the proposed car wash, employee staffing would double and there would be a camera system in place for Shell employees to view and manage the car wash queuing line. In addition, there will be signs posted near the Hacienda driveway, requiring that the driveway remain clear for ingress and egress purposes (Condition No.11)
- Parking: On-site parking will be provided for seven vehicles with an additional eight spaces available for use at the gas pumps.

Design Review

Design elements reviewed for the proposed new convenience store and car wash include the following:

- Building: The proposed convenience store would be located nearly identical to where the current store is. The plans meet the (C-S) zoning district regulations for height, setbacks, lot coverage, etc. A new accessible off-site access ramp (ADA) would be installed along Hacienda Drive. New parallel parking stalls would be stripped. The car wash entrance would be accessed near Hacienda Drive and is elevated four feet lower than the right-of-way at the sidewalk along Hacienda Drive. The lower elevation entrance combined with a redwood trellis at the

opening of the car wash would screen the appearance of equipment from the Hacienda Drive (Sheet C-1).

- Colors/Materials: The building would feature the standard Shell Corporation branding color palette of yellow, red, white and grey. Basically, the same color palette of the existing facility. On-site signage colors are red, blue and yellow. The southeast, south and east elevations would display a section of stone veneer (Sheet A-2). Red terra-cotta colored, stamped concrete would indicate the accessible path of travel from the fuel stations to the store and from the bike rack to the store (Sheet C-1). A colors and material board will be presented during the Planning Commission meeting.
- Landscaping: The existing landscaping located at the intersection of Scotts Valley Drive and Hacienda would remain. Tree removals would include one ornamental Pear and one Live Oak measuring three inches (Sheet L1.0). Actions will be directed by a licensed arborist to ensure that trees on the neighboring property remain healthy throughout and after construction activity (Condition No. 7). New landscaping would be added throughout the site and new shrubs would be planted along Hacienda Drive, in an effort to provide screening of the car wash cue and the Healy Clean Air Separator/Vapor Processor (used to process gasoline vapors generated during vehicle fueling). Additional new landscaping would also be placed near the trash enclosure (Sheet L1.0).
- Fencing: In an effort to provide additional screening of the car wash queuing area adjacent to Hacienda Drive, staff believes the installation of some type of fencing would be appropriate. Such fencing would aid in providing visual and sound attenuation. Therefore, staff has added Condition No. 12 requiring the applicant to work with the City to design suitable fencing in the area of the car wash queuing for screening purposes.
- Bike Rack: A bike rack accommodating five bikes would be installed near the Hacienda Drive street frontage, at the base of the ADA ramp to allow for bike security and proper containment (Sheet C-1).
- Trash Enclosure: A new covered trash enclosure area would be located near the exit of the car wash. The enclosure is designed to have a redwood frame with a standing seam metal roof. The fencing would be stained redwood planks over a metal gate frame. New landscaping would help screen the enclosure (Sheet A-2).
- Lighting: The lighting plan (Sheet C-3) proposes decorative wall mounted light fixtures around the building. One of the six existing pole mount lights would be relocated along the entrance to the car wash. The existing fuel tank canopy lighting would remain. Lighting is designed to be downward shining with the intention to limit the release of off-site lighting into nearby residential areas.

- **Mechanical Equipment:** All roof-top mechanical equipment is conditioned to be screened by the roof parapet (Condition No.10).

Sign Design Review

The existing internally illuminated monument/price sign located near the property intersection is to remain. New non-illuminated wall mounted vinyl faced signage conforming to the Scotts Valley Municipal Code's (SVC) sign regulations would be installed above the doorway entrances and above the car wash entrance. Colors and sign size are shown on (Sheet A-2).

PUBLIC NOTICES

Two public hearing notices were mailed to surrounding property owners within 300 feet pursuant to state law. The first notice was mailed 10 days prior to the original hearing date of August 17, 2017 (where the item was removed from the agenda and rescheduled to October 12, 2017). A second notice was mailed on September 29, 2017 to the same property owners with the new hearing date of October 12, 2017 and a proposed development sign was posted on the project site.

PUBLIC COMMENTS

At the time of printing this report, the city has received a total of 10 written comments regarding the project. Eight comments were received following the original Public Hearing notice and prior to the August 17th scheduled hearing (Attachment 5). The remaining two comments were received after August 17th (Attachment 6).

ATTACHMENTS

PAGE

<i>Resolution No. _____ to Approve U16-005, DR16-014 and DR16-015 (Action Item)</i>	
1.	Location Map 12
2.	Project Plans (Received 06-23-17) (Attached)
3.	Noise Study prepared by Edward L. Pack Associates (dated 03-07-17) (Attached)
4.	Traffic Study "Trip Generation Analysis and Evaluation of Potential Impacts prepared by Pinnacle Traffic Engineering (dated 09-08-17) (Attached)
5.	Public Comments received after initial notice period (Attached)
6.	Public Comments received after second notice period (Attached)
7.	Color Materials Board (presented at meeting)

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY AMENDING AN EXISTING USE PERMIT AND SIGN DESIGN REVIEW AND DESIGN REVIEW NO'S U16-005, DR16-014 AND DR16-015 FOR THE REMOVAL OF THE EXISTING CONVENIENCE STORE, CONSTRUCTION OF A NEW CONVENIENCE STORE AND INSTALLATION OF A NEW DRIVE-THRU CAR WASH AND NEW SIGNAGE FOR THE EXISTING AUTOMOBILE SERVICE STATION LOCATED AT ONE HACIENDA DRIVE // APN 022-011-11.

WHEREAS, the Planning Department of the City of Scotts Valley has received Use Permit application No. U16-005, Sign Design Review application No. DR16-014 and Design Review application No. DR16-015 for the removal of the existing convenience store, construction of a new convenience store, construction of a new self-serve drive-thru car wash and new signage for the existing automobile service station at One Hacienda Drive // APN 022-011-11; and,

WHEREAS, the project is determined to be categorically exempt from CEQA, Class 3 (Sections 15301 & 15311); and,

WHEREAS, the project was reviewed by the Planning Commission at a duly noticed public hearing on October 12, 2017.

NOW THEREFORE, the Planning Commission of the City of Scotts Valley hereby resolves as follows:

SECTION 1: The environmental determination represents the independent judgement of the City.

SECTION 2: The categorical exemption is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the Planning Commission staff reports dated October 12, 2017:

Use Permit

1. *The proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.* The use is located in the Commercial Service zoning district which is suitable for the subject use.

2. *The establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city. The use is appropriately located so that residents can obtain automotive, convenience store and drive-thru car wash services.*

Design Review

3. *The siting of the structure on the site as compared with the siting of other structures in the immediate neighborhood is appropriate. The siting of the structures on the site have been designed for the most appropriate and advantageous locations for both the convenience store and car wash as they relate to the neighborhood.*
4. *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 materials, colors, proportion, mass, and detail of the improvements are in good proportion and are compatible with the appearance of the surrounding neighborhood and with the existing appearance of the facility.*
5. *The signs serve primarily to identify the business or the activity conducted on the premises, or identifies the product or service offered there on. The new building signs will serve to identify the car wash and convenience store.*
6. *The signs are harmonious with the materials, color, texture, size, shape, height, location and design of the building, landscaping property and environment of which it is a part. The proposed signs are harmonious with the materials, color, texture, size, shape, height, location and design of the building, property, landscaping and environment of which it is a part.*
7. *The landscaping is in keeping with the character and design of the proposed development. The landscaping provides screening to equipment, trash enclosures and the car wash entrance and overall enhances the intersection.*

8. *The size, location and arrangement of on-site parking and paved areas.* Based on a review of the parking plan, the traffic study and circulation, the size, location and arrangement of the on-site parking and paved areas are in compliance with City parking requirements.
9. *Ingress, egress and internal traffic circulation.* Ingress, egress and internal traffic circulation as reviewed by the traffic study will be in compliance with City requirements.

SECTION 4: 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 does hereby approve Use Permit application No. U16-005, Sign Design Review No. DR16-014 and Design Review No. DR16-015 for the removal of the existing convenience store, construction of a new convenience store, construction of a new self-serve drive-thru car wash and new site signage for the existing automobile service station at One Hacienda Drive // APN 022-011-11; subject to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 12th day of October, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Derek Timm, Planning Commission Chair

Taylor Bateman, Acting Community Development Director

EXHIBIT A

CONDITIONS OF APPROVAL (Nos. 1-x)

STANDARD

1. 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 Planning Commission approval, the property owner shall sign the Conditions of approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building or grading permits.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.

PLANNING DEPARTMENT

4. The color, materials, size, location, and design of the improvements shall match the approved plans. Future modifications to the approved plans may require approval by the Planning Commission at the discretion of the Community Development Director.
5. All applicable Conditions of Approval associated with previous Planning Commission Resolutions for the use, property and building shall remain in effect.
6. Car wash operating hours shall be from 6am to 11pm daily.
7. Existing trees along the neighboring property shall be protected and under the observation of a licensed arborist to ensure that the trees remain healthy during and after construction per the City's tree regulations (SVMC 17.44.080)

8. All materials, equipment and retail products shall be located inside the building, with the exception of the propane tank.
9. All signage shall comply with sign ordinance regulations (SVC 17.56).
10. All roof-top mechanical equipment shall be screened by the roof parapet .
11. Signs shall be posted near the Hacienda driveway, requiring that the driveway remain clear for ingress and egress purposes. No vehicles shall block the driveway for any purpose including the queuing line for the car wash.
12. The applicant shall design suitable fencing in the area of the car wash queuing for screening and noise attenuation adjacent to Hacienda Drive. The final design shall be reviewed and approved by the City.

WASTE WATER

13. If food is prepared on site that requires the washing of dishes and equipment that generate grease in the sanitary sewer then a grease trap will be required (minimum size for grease trap is 70 lbs).
14. Only pre-packaged food is to be sold at the convenience store. If at a future date the applicant request to server other types of food, they would be required to receive written approval from both the Wastewater and Planning Departments.

FIRE

13. This project must comply with the California Fire Code as amended by the Scotts Valley Fire Protection District.

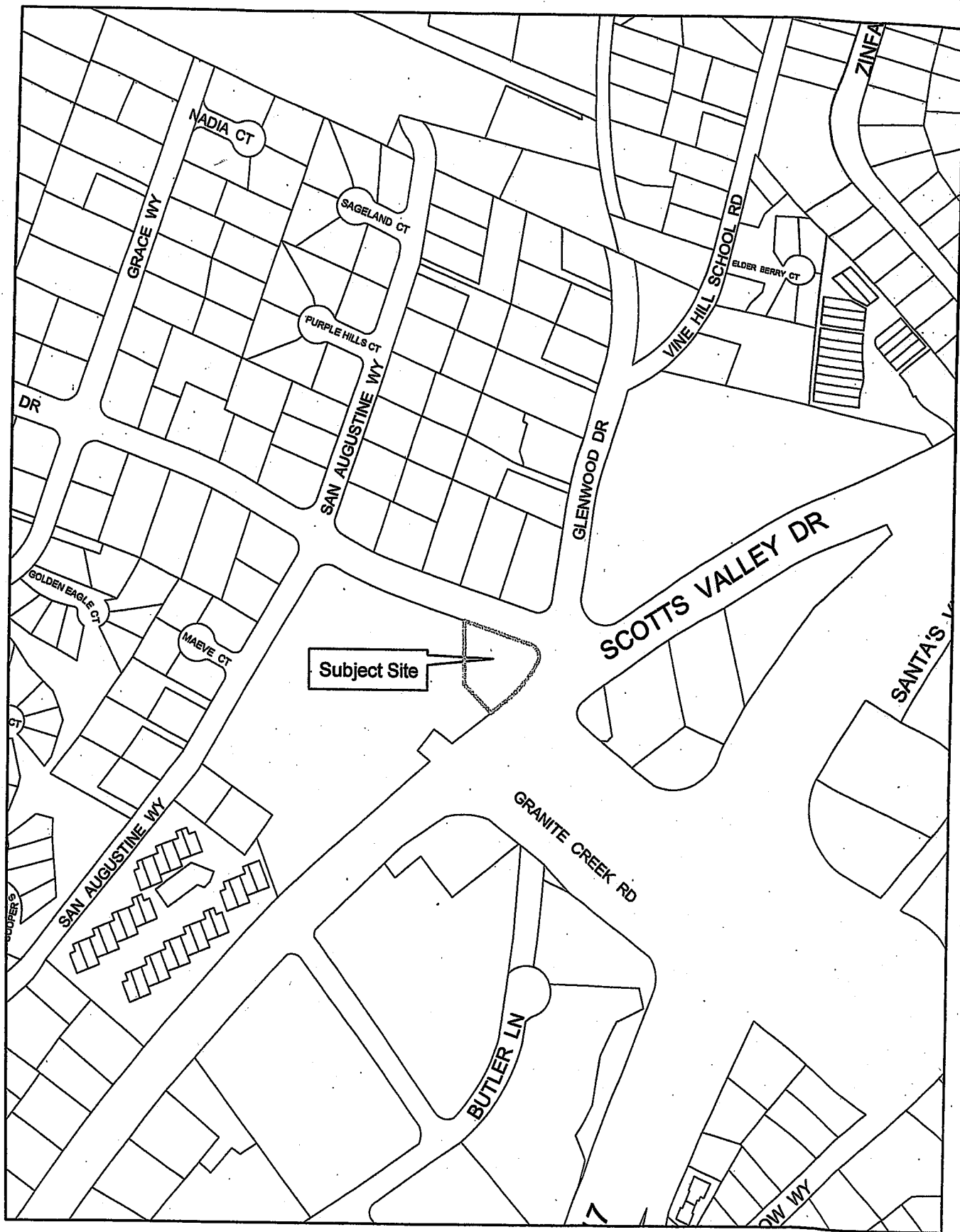
PUBLIC WORKS

14. A storm water technical plan and all required forms are required at the time of Building permit submittal.

Name and Signature of Property Owner

Date

Location Map



1 Hacienda Drive

EDWARD L. PACK ASSOCIATES. INC.

1975 HAMILTON AVENUE
SUITE 26
SAN JOSE, CA 95125

Acoustical Consultants

TEL: 408-371-1195
FAX: 408-371-1196
www.packassociates.com

March 7, 2017
Project No. 49-006

Mr. John Castelo
Peninsula Petroleum, LLC
1710 Industrial Road
San Carlos, CA 94070

Subject: Noise Assessment Study for the Planned Car Wash, Hacienda Shell Service Station, 1 Hacienda Drive, Scotts Valley

Dear Mr. Castelo:

This report presents the results of a noise assessment study for the planned car wash at the Hacienda Shell service station at 1 Hacienda Drive in Scotts Valley, as shown on the Site Plan, Ref. (a). The project-generated noise exposures at the nearby noise sensitive receptor locations were evaluated against the standards of the City of Scotts Valley General Plan Noise Element, Ref. (b). The analysis of the on-site sound level measurements indicates that the existing noise environment is due primarily to vehicular traffic sources on Scotts Valley Drive, Hacienda Drive and Highway 17. The project-generated noise increases in the ambient conditions will be within the allowed noise increased established in the Noise Element. Noise mitigation measures will not be required.

Section I of this report contains a summary of our findings. Subsequent sections contain site and project descriptions, analyses and evaluations. Appendices A, B and C contain the list of references, descriptions of the noise standards and terminology and the noise measurement data and calculation tables.

I. Summary of Findings

The noise assessment results presented in the findings are shown in reference to the City of Scotts Valley Noise Element, which utilizes the Day-Night Level (DNL) 24-hour noise exposure descriptor to define community noise impacts. Table 3 in the Noise Element provides acceptable increases in the ambient noise environment for various types of projects affecting various types of land uses.

For commercial projects, such as a car wash, impacting residential and commercial land uses, the project is allowed to add up to 5 decibels to the existing ambient noise environment. The most restrictive noise limit is to compare the project-generated noise exposure to the lowest ambient noise exposure, which usually occurs on Sunday. Decibels are added using the following formula:

$$\text{Sum} = 10\log_{10}(10^{(\text{SL}_1/10)} + 10^{(\text{SL}_2/10)}) \quad \text{where, SL} = \text{Sound Level}$$

This study applies the noise limits to the residential property lines to the north and to the façade of the commercial office building to the west. There is a large parking lot interposed between the commercial property line and the office building. Applying the noise limits to the parking lot would set a precedent that could prohibit many other commercial uses where a noise generating facility is close to a property line but far from where people use the property.

The noise exposures shown below are without the application of mitigation measures and represent the noise environment for existing and proposed site conditions.

A. Existing Ambient Noise Exposures and Noise Limits

- The existing exterior noise exposure at the nearest residential property across Hacienda Drive to the north of the site is 65 dB DNL. Therefore, the noise limit on the project at this location is 68 dB DNL. Note that 65 dB + 68 dB = 70 dB.

- The existing exterior noise exposure at the nearest commercial building to the southwest of the site is 60 dB DNL. Therefore, the noise limit on the project at this location is 63 dB DNL. Note that $60 \text{ dB} + 3 \text{ dB} = 63 \text{ dB}$.

B. Project-Generated Noise Exposures

- The project-generated noise exposure at the most impacted residential receptor across Hacienda Drive to the north of the site, 115 ft. from the car wash tunnel entrance, will be 45 dB DNL. The ambient + project noise exposure will be 65 dB DNL. Thus, the project is expected to add 0 decibels to the existing ambient noise exposure of 65 dB DNL. The project-generated noise exposure will be within the ambient + 5 dB limit of the City of Scotts Valley Noise Element standards.
- The project-generated noise exposure at the most impacted commercial building to the southwest of the site, 85 ft. from the car wash tunnel exit, will be 55 dB DNL. The ambient + project noise exposure will be 62 dB DNL. Thus, the project is expected to add 2 decibels to the existing ambient noise exposure of 60 dB DNL. The project-generated noise exposure will be within the ambient + 5 dB limit of the City of Scotts Valley Noise Element standards.

There are no other noise sensitive land uses in the vicinity of the site that would be noise impacted.

The project-generated noise exposures will be within the ambient + 5 dB limit of the City of Scotts Valley Noise Element standards. Noise mitigation measures for the project will not be required.

II. Site and Project Descriptions

The planned project site is an existing Shell service station located at the intersection of Hacienda Drive and Scotts Valley Drive in Scotts Valley. The site is at-grade with Scott Valley Drive and Hacienda Drive and slopes up to the west. Surrounding land uses include commercial office buildings adjacent to the west and commercial retail buildings across Scotts Valley Drive to the south and east. Single-family residential is across Hacienda Drive to the north.

The planned project includes the renovation of the existing Shell service station which will remove the service bays and replace them with a convenience store. A drive-thru car wash will be added to the west side of the service station building. The service building and car wash will be open 24 hours per day. The car wash is estimated to support up to 70 washes per day, with 10% of the washes occurring during the nighttime hours, Ref. (c).

The car wash tunnel will be a 48 ft. long concrete structure with the entrance on the north end and the exit on the south end. The car wash equipment will be a Ryko Soft Gloss system with stationary dryers. The customers will drive into the tunnel when prompted and stop for the sprayers and wash procedure, which is a roll over system. The customer then drives under the dryer blowers at their discretion. The customers will typically exit onto Scotts Valley Drive. The wash and dry cycles range from 4 minutes to 5-1/2 minutes in duration, depending on which wash service is chosen. The dry cycle is 1 minute, 20 seconds for any type of wash.

The Site Plan is shown on Figure 1 on the following page.

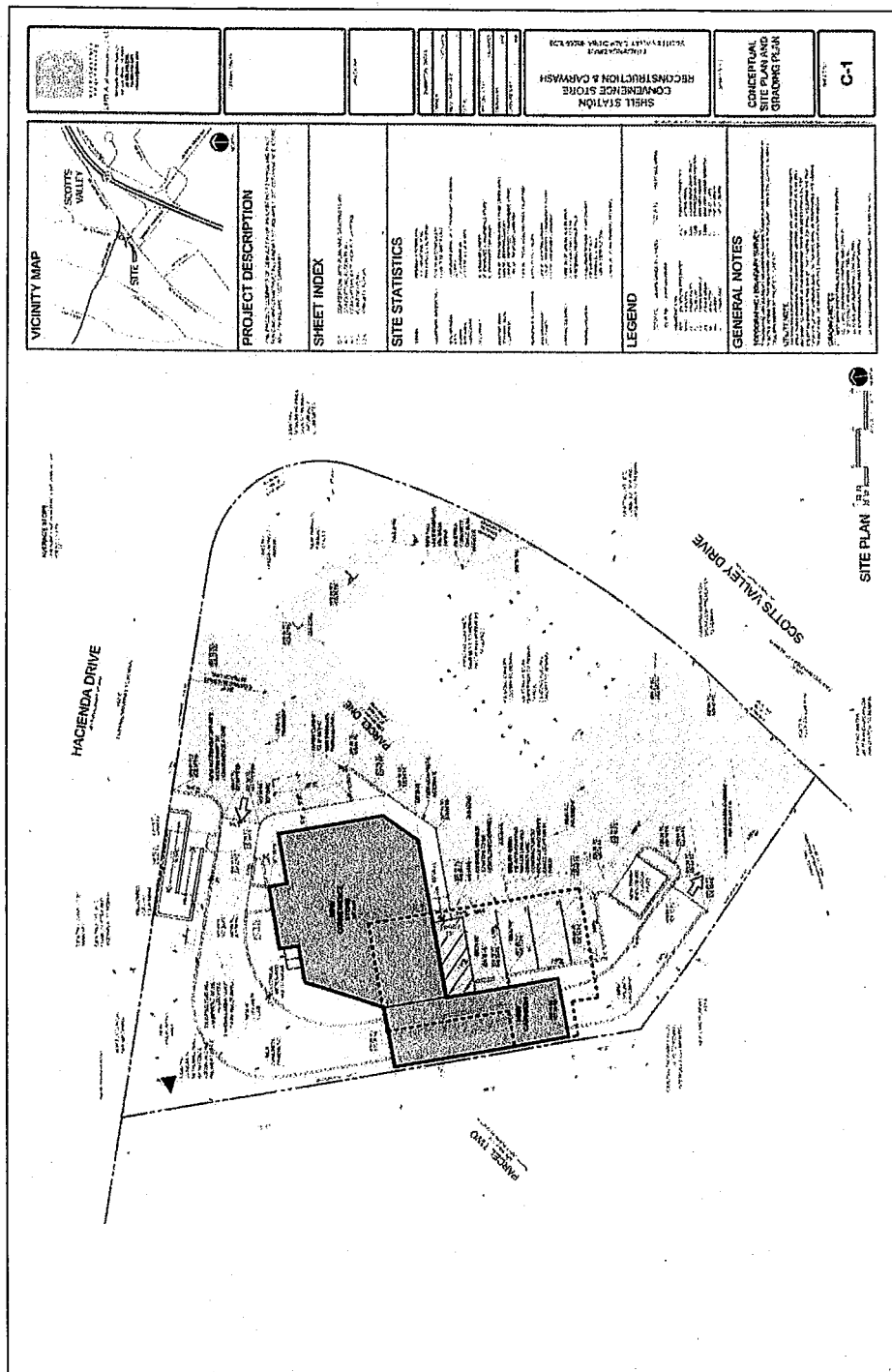


FIGURE 1 – Site Plan

III. Analysis of the Noise Levels

A. Existing Noise Levels

To determine the existing noise environment at the nearby noise sensitive receptors, continuous recordings of the sound levels were made at two locations. Location 1 was near the front property line of the residence directly across Hacienda Drive from the project site. Location 2 was along the west property line of the site contiguous with the commercial use to the west. These locations were chosen for security of the sound measuring instrument that represent the ambient noise environment for their respective land uses. The measurement locations are shown Figure 2 on page 7. The measurements were made on February 12-13, 2017 using Larson-Davis LDL 812 Precision Integrating Sound Level Meters. The measurement time period was Sunday morning 7:00 AM to Monday morning 7:00 AM. The meter yields, by direct readout, a series of descriptors of the sound levels versus time, as described in Appendix B. The measured descriptors include the L_1 , L_{10} , L_{50} , and L_{90} , i.e., those levels that are exceeded 1%, 10%, 50%, and 90% of the time. Also measured were the maximum and minimum levels, and the continuous equivalent-energy levels (L_{eq}), which are used to calculate the DNL. The measurements were made for a total period of 24 hours and included recordings of the noise levels during representative hours of the daytime and nighttime periods of the DNL index. The results of the measurements are shown on the data tables in Appendix C.

As shown in the data tables, the L_{eq} 's at the measurement Location 1 ranged from 58.0 to 64.1 dBA during the daytime and from 48.4 to 64.6 dBA at night. At measurement Location 2, the L_{eq} 's ranged from 56.5 to 61.2 dBA during the daytime and from 47.5 to 62.9 dBA at night.



FIGURE 2 – Noise Measurement Locations

B. Project-Generated Noise Levels

The project-generated noise levels were determined from on-site noise level measurements of the existing Shell service station car wash at 1649 41st Avenue in Capitola. This car wash has the identical car wash and dryer system as the proposed project facility. Noise level and acoustic frequency measurements were made on Sunday morning February 12, 2017 using a Larson-Davis 831 Precision Integrating Sound Level Meter.

The noise level measurement methodology included sound level and frequency measurements at distances of 15 ft. from the car wash entrance and exit. Measurements at greater distances from the car wash exit could not be performed due to the background noise levels generated by other activities near the site, such as parking lot sweeping and 41st Avenue and Capitola Avenue traffic.

The average of the total sound levels measured at 15 ft. from the car wash tunnel entrance was 67 dBA for both 4-minute and 5-1/2 minute washes.

The average of the total sound levels measured at 15 ft. from the car wash tunnel exit was 80 dBA for both 4-minute and 5-1/2 minute washes.

The sound attenuation rate from the tunnel entrance to the residences across Hacienda Drive is $20\log(r_1/r_2)$, where r = the measurement distances.

The sound attenuation rate from the tunnel exit to the commercial office building to the west is $28\log(r_1/r_2)$, where r = the measurement distances. The greater attenuation rate is due to the steep angled line-of-sight from the office building to the dryers.

IV. Evaluation of the Noise Exposures

A. Ambient Noise Exposures

To determine the existing lowest (most sensitive) ambient noise environments at the nearby noise sensitive receptor locations, the DNL's for the survey locations were calculated as decibel averages of the measured L_{eq} 's as they apply to the daily subperiods of the DNL index. A nighttime weighting factor was applied to account for the increased human sensitivity to noise during nighttime hours. The DNL was calculated using the standard formula shown in Appendix B and the results are shown in Appendix C.

The results of the calculations reveal that the existing noise exposure at measurement Location 1 at the residence across Hacienda Drive is 65 dB DNL.

The exterior noise exposure at measurement Location 2 is 63 dB DNL. At the setback of the office building, the noise exposure reduces to 60 dB DNL.

B. Project-Generated Noise Exposures

To determine the project-generated noise exposures, the DNL's were calculated by assuming that there are three 4-minute and two 5-1/2-minute car washes per hour during the daytime hours of 7:00 AM to 10:00 PM and seven 4-minute car washes during the nighttime hours of 10:00 PM to 7:00 AM. This equates to 67 daytime car washes and 7 nighttime car washes for a total of 70 car washes over a 24-hour period.

At the most noise impacted residence across Hacienda Drive, the car wash noise level reduces from 67 dBA @ 15 ft. to 49 dBA @ 115 ft. With the five washes per hour scenario, the hourly average noise level is 45 dBA. Two 4-minute washes per hour generates 40 dBA. Thirteen daytime hours of 45 dBA and one daytime hour of 40 dBA plus one nighttime hour of 45 dBA and one nighttime hour of 40 dBA results in a project-generated noise exposure of 45 dB DNL.

Adding the project-generated noise exposure of 45 dB DNL to the ambient noise exposure of 65 dB DNL yields a combined noise exposure of 65 dB DNL. Thus, the project will not add to the existing ambient noise environment at the residences across Hacienda Drive from the site. Noise mitigation measures will not be required.

At the most noise impacted commercial building to the west of the site the car wash noise level reduces from 80 dBA @ 15 ft. to 59 dBA @ 85 ft. With the five washes per hour scenario, the hourly average noise level is 55 dBA. Two 4-minute washes per hour generates 50 dBA. Thirteen daytime hours of 55 dBA and one daytime hour of 50 dBA plus one nighttime hour of 55 dBA and one nighttime hour of 50 dBA results in a project-generated noise exposure of 55 dB DNL.

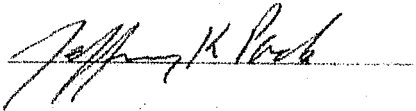
Adding the project-generated noise exposure of 55 dB DNL to the ambient noise exposure of 60 dB DNL yields a combined noise exposure of 62 dB DNL. Thus, the project will add 2 decibels to the existing ambient noise environment at the commercial building to the west. Noise mitigation measures will not be required.

The above report presents a noise assessment study for the planned Hacienda Shell car wash at 1 Hacienda Drive in Scotts Valley. The study findings for present conditions are based on field measurements and other data and are correct to the best of our knowledge. Future noise exposures were based on information provided by the project sponsor. However, significant deviations in the future operational scenario, changes in car wash equipment technology, noise regulations, or other future changes beyond our control may produce long-range noise results different from our estimates.

If you have any questions or would like an elaboration on this report, please call me.

Sincerely,

EDWARD L. PACK ASSOC., INC.

A handwritten signature in dark ink, appearing to read "Jeffrey K. Pack", is written over a horizontal line.

Jeffrey K. Pack
President

Attachments: Appendices A, B, and C

APPENDIX A

References:

- (a) Site Plan, by Ruggeri, Jensen, Azar, Inc., undated
- (b) Noise Element of the General Plan, City of Scotts Valley, 1993
- (c) Information on the Car Wash Operations Provided by Mr. John Castelo, Peninsula Petroleum, LLC, by email to Edward L. Pack Associates, Inc., February 8, 2017

APPENDIX B

Noise Standards, Terminology and Instrumentation

1. Noise Standards

A. City of Scotts Valley Noise Element Standards

The Noise Element of the Scotts Valley General Plan specifies the use of the Day-Night Level (DNL) 24-hour noise descriptor to describe the noise environment for residential land use.

The noise standards specify a limit of 60 dB DNL for exterior areas at residential locations. For interior living spaces of residences, a limit of 45 dB DNL is specified.

Table 3 from the Noise Element regarding noise level increases is provided below.

TABLE 3				
Noise Increase Standards				
Proposed New Use/Location of dBA Reading	Maximum Noise Increase in dBA adjacent to Existing:			
	Sensitive	Residential	Commercial	Industrial
Sensitive @ Prop. Line	3	5	5	5
50' from Prop. Line	3	3	--	--
Residential @ Prop. Line	3	5	5	5
50' from Prop. Line	3	3	--	--
Commercial @ Prop. Line	3	5	5	5
50' from Prop. Line	3	3	--	--
Industrial @ Prop. Line	3	5	5	7
50' from Prop. Line	3	3	--	--

2. Terminology

A. Statistical Noise Levels

Due to the fluctuating character of urban traffic noise, statistical procedures are needed to provide an adequate description of the environment. A series of statistical descriptors have been developed which represent the noise levels exceeded a given percentage of the time. These descriptors are obtained by direct readout of the Sound Level Meters. Some of the statistical levels used to describe community noise are defined as follows:

- L_1 - A noise level exceeded for 1% of the time.
- L_{10} - A noise level exceeded for 10% of the time, considered to be an "intrusive" level.
- L_{50} - The noise level exceeded 50% of the time representing the "mean" sound level.
- L_{90} - The noise level exceeded 90 % of the time, designated as a "background" noise level.
- L_{eq} - The continuous equivalent-energy level is that level of a steady-state noise having the same sound energy as a given time-varying noise. The L_{eq} represents the decibel level of the time-averaged value of sound energy or sound pressure squared and is used to calculate the DNL and CNEL.

B. Day-Night Level (DNL)

Noise levels utilized in the standards are described in terms of the Day-Night Level (DNL). The DNL rating is determined by the cumulative noise exposures occurring over a 24-hour day in terms of A-Weighted sound energy. The 24-hour day is divided into two subperiods for the DNL index, i.e., the daytime period from 7:00 a.m. to 10:00 p.m., and the nighttime period from 10:00 p.m. to 7:00 a.m. A 10 dB weighting factor is applied (added) to the noise levels occurring during the nighttime period to account for the greater sensitivity of people to noise during these hours. The DNL is calculated from the measured L_{eq} in accordance with the following mathematical formula:

$$DNL = \left[\left[(10 \log_{10}(10^{\sum L_{eq}(7-10)})) \times 15 \right] + \left[((10 \log_{10}(10^{\sum L_{eq}(10-7)})) + 10) \times 9 \right] \right] / 24$$

C. A-Weighted Sound Level

The decibel measure of the sound level utilizing the "A" weighted network of a sound level meter is referred to as "dBA". The "A" weighting is the accepted standard weighting system used when noise is measured and recorded for the purpose of determining total noise levels and conducting statistical analyses of the environment so that the output correlates well with the response of the human ear.

3. Instrumentation

The on-site field measurement data were acquired by the use of one or more of the sound analyzer listed below. The instrumentation provides a direct readout of the L exceedance statistical levels including the equivalent-energy level (L_{eq}). Input to the meters was provided by microphones extended to a height of 5 ft. above the ground. The "A" weighting network and the "Fast" response setting of the meters were used in conformance with the applicable standards. The Larson-Davis meters were factory modified to conform to the Type 1 performance standards of ANSI S1.4. All instrumentation was acoustically calibrated before and after field tests to assure accuracy.

Bruel & Kjaer 2231 Precision Integrating Sound Level Meter

Larson Davis LDL 812 Precision Integrating Sound Level Meter

Larson Davis 2900 Real Time Analyzer

Larson Davis 831 Precision Integrating Sound Level Meter

APPENDIX C

On-Site Noise Measurement Data and Calculation Tables

DNL CALCULATIONS

CLIENT: PENINSULA PETROLEUM
 FILE: 49-006
 PROJECT: HACIENDA CAR WASH
 DATE: 2/12-13/2017
 SOURCE: AMBIENT

LOCATION 1 Hacienda Dr. Residential			
TIME	Leq	10 ⁿ Leq/10	
7:00 AM	61.3	1348962.9	
8:00 AM	60.1	1023293.0	
9:00 AM	60.1	1023293.0	
10:00 AM	60.5	1122018.5	
11:00 AM	62.5	1778279.4	
12:00 PM	61.5	1412537.5	
1:00 PM	61.2	1318256.7	
2:00 PM	63.0	1995262.3	
3:00 PM	63.5	2238721.1	
4:00 PM	62.5	1778279.4	
5:00 PM	64.1	2570395.8	
6:00 PM	64.0	2511886.4	
7:00 PM	62.4	1737800.8	
8:00 PM	62.6	1819700.9	
9:00 PM	58.0	630957.3	SUM= 24309645
10:00 PM	55.2	331131.1	Ld= 73.9
11:00 PM	52.8	190546.1	
12:00 AM	50.7	117489.8	
1:00 AM	51.9	154881.7	
2:00 AM	48.5	70794.6	
3:00 AM	48.4	69183.1	
4:00 AM	52.7	186208.7	
5:00 AM	58.1	645654.2	
6:00 AM	64.6	2884031.5	SUM= 4649921
		Ln=	66.7
		Daytime Level=	73.9
		Nighttime Level=	76.7
		DNL=	65
		24-Hour Leq=	60.8

LOCATION 2 Commercial Prop Line			
TIME	Leq	10 ⁿ Leq/10	
7:00 AM	57.3	537031.8	
8:00 AM	60.1	1023293.0	
9:00 AM	58.9	776247.1	
10:00 AM	59.4	870963.6	
11:00 AM	60.6	1148153.6	
12:00 PM	59.5	891250.9	
1:00 PM	59.8	954992.6	
2:00 PM	61.2	1318256.7	
3:00 PM	60.7	1174897.6	
4:00 PM	59.7	933254.3	
5:00 PM	61.0	1258925.4	
6:00 PM	61.2	1318256.7	
7:00 PM	59.3	851138.0	
8:00 PM	60.2	1047128.5	
9:00 PM	56.5	446683.6	SUM= 14550474
10:00 PM	54.7	295120.9	Ld= 71.6
11:00 PM	52.1	162181.0	
12:00 AM	50.4	109647.8	
1:00 AM	47.9	61659.5	
2:00 AM	47.5	56234.1	
3:00 AM	49.7	93325.4	
4:00 AM	52.9	194984.5	
5:00 AM	58.2	660693.4	
6:00 AM	62.9	1949844.6	SUM= 3583691
		Ln=	65.5
		Daytime Level=	71.6
		Nighttime Level=	75.5
		DNL=	63
		24-Hour Leq=	58.8

DNL CALCULATIONS

CLIENT: PENINSULA PETROLEUM
 FILE: 49-006
 PROJECT: HACIENDA CAR WASH
 DATE: 2/17/2017
 SOURCE: PROJECT-GENERATED

LOCATION 1 Hacienda Dr. Residence			
Dist. To Source 115 ft.			
TIME	Leg	10 ⁶ Leg/10	
7:00 AM	44.8	30199.5	
8:00 AM	44.8	30199.5	
9:00 AM	44.8	30199.5	
10:00 AM	44.8	30199.5	
11:00 AM	44.8	30199.5	
12:00 PM	44.8	30199.5	
1:00 PM	44.8	30199.5	
2:00 PM	44.8	30199.5	
3:00 PM	44.8	30199.5	
4:00 PM	44.8	30199.5	
5:00 AM	44.8	30199.5	
6:00 AM	44.8	30199.5	
7:00 PM	44.8	30199.5	
8:00 PM	40.3	10715.2	
9:00 PM		1.0 SUM=	403310
10:00 PM		1.0 Ld=	56.1
11:00 PM		1.0	
12:00 AM	40.3	10715.2	
1:00 AM	44.8	30199.5	
2:00 AM		1.0	
3:00 AM		1.0	
4:00 AM		1.0	
5:00 AM		1.0	
6:00 AM		1.0 SUM=	40922
		Ld=	46.1
Daytime Level=			56.1
Nighttime Level=			56.1
DNL =			45
24-Hour Leg=			42.7

LOCATION 2 Commercial Building			
Dist. To Source 85 ft.			
TIME	Leg	10 ⁶ Leg/10	
7:00 AM	54.8	301995.2	
8:00 AM	54.8	301995.2	
9:00 AM	54.8	301995.2	
10:00 AM	54.8	301995.2	
11:00 AM	54.8	301995.2	
12:00 PM	54.8	301995.2	
1:00 PM	54.8	301995.2	
2:00 PM	54.8	301995.2	
3:00 PM	54.8	301995.2	
4:00 PM	54.8	301995.2	
5:00 AM	54.8	301995.2	
6:00 AM	54.8	301995.2	
7:00 PM	54.8	301995.2	
8:00 PM	50.3	107151.9	
9:00 PM		1.0 SUM=	4033090
10:00 PM		1.0 Ld=	66.1
11:00 PM		1.0	
12:00 AM	50.3	107151.9	
1:00 AM	54.8	301995.2	
2:00 AM		1.0	
3:00 AM		1.0	
4:00 AM		1.0	
5:00 AM		1.0	
6:00 AM		1.0 SUM=	409154
		Ld=	56.1
Daytime Level=			66.1
Nighttime Level=			66.1
DNL =			55
24-Hour Leg=			52.7

ATTACHMENT 4
RECEIVED
SEP 13 2017
CITY OF SCOTTS VALLEY

PINNACLE TRAFFIC ENGINEERING

831 C Street
Hollister, California 95023
(831) 638-9260 • (805) 644-9260
PinnacleTE.com

September 8, 2017

M.J. Castelo
Peninsula Petroleum LLC
1710 Industrial Road
San Carlos, CA 94070

RE: Shell Service Station Remodel Project; City of Scotts Valley, California
Trip Generation Analysis and Evaluation of Potential Impacts

Dear Mr. Castelo,

Pinnacle Traffic Engineering (PTE) is pleased to submit the following material for the proposed project in the City of Scotts Valley. The project site is located on the west side of Scotts Valley Drive at the Glenwood Drive and Hacienda Drive intersection (1 Hacienda Drive). The site is currently occupied by a Shell service station, with 4 gas pump islands and a convenience market. The project will remodel of the existing service station and construct a self-service drive-through carwash (new). The remodel project will not increase the number of existing gas pump islands or fueling stations (2 per gas pump island). Access for the project site will continue to be provided via the existing driveways on Scotts Valley Drive and Hacienda Drive. On-site parking will be provided for seven (7) vehicles (in addition to the 8 spaces adjacent to the gas pump islands). A copy of the Conceptual Site Plan is attached.

The trip generation analysis presents an estimate of the "net" change in trip generation associated with the proposed project. At the request of the project applicant, an evaluation of the potential impacts is also provided. Information in the trip generation analysis and evaluation of impacts should provide City staff with adequate data to complete the project's environmental check list as typically required by CEQA. Initial comments from the local public are also discussed.

Project Trip Generation Analysis

The project trip generation estimates have been derived using data in the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition). The peak hour trip rates for the typical morning (7-9 AM) and afternoon (4-6 PM) commuter peak periods (of the adjacent street traffic), and the afternoon "peak hour of the generator" rates are used to estimate the project site trip generation estimates. The applicable ITE trip generation rates are presented in Table 1.

Scotts Valley Shell Sta_R01

Pinnacle Traffic Engineering

Table 1 - Applicable ITE Trip Generation Rates

ITE Land Use Category	Trip Generation Rate per Fueling Position					
	AM Pk. Hr. (b)		PM Pk. Hr. of Generator		PM Pk. Hr. (b)	
	In	Out	In	Out	In	Out
Serv. Sta. w/ Conv. Market (a)	5.08	5.08	6.79	6.78	6.76	6.75
Serv. Sta. w/ Conv. Market & Car Wash (a)	6.04	5.80	7.26	7.26	7.07	6.79

(a) - ITE Land Use Category #945 and #946

(b) - Highest hour of adjacent street traffic (between 7-9 AM & 4-6 PM)

Data in the ITE Trip Generation Handbook demonstrates that a significant portion (85-90%) of the trips associated with a gas station are "pass-by" or "diverted-link" type trips coming from traffic already on the adjacent street system (an average of about 13% are new primary single purpose trips). Therefore, it is considered reasonable to assume that 15% of the project site trips will be new primary single purpose trips, and 85% pass-by or diverted-link type trips. The project trip generation estimates are presented in Table 2, which also shows the "net" change in trips associated with the proposed project.

Table 2 - Project Site Trip Generation Estimates

Project Site Scenario	Number of Vehicle Trips / Fueling Position (a)					
	AM Pk. Hr. (b)		PM Pk. Hr. of Generator		PM Pk. Hr. (b)	
	In	Out	In	Out	In	Out
Serv. Sta. w/ Conv. Market	41	41	54	54	54	54
Serv. Sta. w/ Conv. Market & Car Wash	48	46	58	58	57	54
Total "Net" Change:	+7	+5	+4	+4	+3	0
Estimated 85% Pass-By Trips:	6	4	3	3	2	0
New Primary Single-Purpose Trips:	+1	+1	+1	+1	+1	0

(a) - Existing and proposed number of fueling positions (8)

(b) - Highest hour of adjacent street traffic (between 7-9 AM & 4-6 PM)

The data in Table 2 indicates that the proposed project will result in a "net" increase of about 1-2 vehicle trips during the various peak hour periods. Typically, the "PM peak hour of the generator" represents the highest hour of trip generation during the afternoon (e.g. when local schools get out). The trip generation analysis demonstrates that the project will generate a negligible increase in trips during the peak hour periods on an average weekday.

Evaluation of Potential Project Impacts

The evaluation of potential project impacts was conducted using data in the Draft EIR Traffic & Circulation Section for the Enterprise Way Project (50 residential units & 121 room hotel), and Scotts Valley Shell Sta_R01

Pinnacle Traffic Engineering

criteria in the City's (2009) and Caltrans (2002) Traffic Impact Study Guidelines. It is noted that a formal traffic impact study for the project was not required by the City since the estimated trip generation is lower than the threshold defined by the City. The City and Caltrans both endeavor to maintain a target "level of service" (LOS) between the LOS C and LOS D range.

The City's "level of significance" criteria states that for intersection operating at LOS C or better under "Cumulative Conditions," a proposed project would result in a significant impact if it would result in intersection operations of LOS D, LOS E, or LOS F. For intersections that already operate at an unacceptable level (LOS D, E, or F) under "Existing Conditions" or "Cumulative Conditions," the City considers project impacts to be significant if congestion would worsen measurably at the intersection with the addition of project traffic. This criterion is applied to intersections within the City's jurisdiction, as well as Caltrans intersections. The Caltrans criterion indicates that a change in the LOS from acceptable operation (LOS A, B, or C) to deficient operation (LOS D, E, or F) or result in a change in LOS for a segment currently operating at a deficient level is considered a potentially significant impact.

The evaluation of potential project impacts focuses on the AM and PM peak hour operations at the Scotts Valley Drive and Glenwood Drive - State Route 17 (SR 17) Southbound Ramps intersection. The peak hour traffic volume and LOS data for existing conditions was obtained from the Enterprise Way Project Draft EIR (Traffic & Circulation Section). To present a worst-case analysis, the project evaluation was conducted assuming the completion of the Enterprise Way Project (existing plus project data in the EIR). The LOS analysis was conducted both without and with the additional traffic generated by the proposed project (+2 AM & AM peak hour trips; 1 inbound at the Scotts Valley Drive driveway & 1 outbound at the Hacienda Drive driveway going right to Glenwood Drive then left at Scotts Valley Drive). The LOS analysis was conducted using the Synchro 9 software. The analysis indicates that there will be no measurable change in vehicle delays during the AM (39.7 seconds / vehicle) or PM (39.4 seconds / vehicle) peak hours under the existing-plus-project conditions (without or with the project traffic). Copies of the LOS worksheets are attached. Since there is no measurable impact under the existing-plus-project scenario, there will also be no measurable impact under the cumulative scenario (project trips are a smaller part of the total volumes). The analysis is consistent with the data presented in the Enterprise Way Draft EIR. Based on the City's and Caltrans criterion, the project will not have a potentially significant impact at the Scotts Valley Drive and Glenwood Drive - SR 17 Southbound Ramps intersection.

Potential Traffic Congestion and Circulation

The majority of public comments (to-date) are directed at the proposed car wash component. There are concerns regarding the additional traffic that could be generated by the car wash and current congestion at the adjacent intersections. Data in the Enterprise Way Project Draft EIR does document congestion during the typical weekday AM and PM peak commuter periods. Traffic associated with the Scotts Valley High School (classes end at 3:00 PM) and Vine Hill Elementary School (classes end at 2:40 PM) also generate large demands along Glenwood Drive and at the

local intersections during the mid-day afternoon peak period (schools typically generate a sharp 20-30 peak in demands at local intersections).

The trip generation estimates in Table 2 indicate that the proposed project will generate additional traffic during the AM and PM peak hour periods (and mid-day afternoon). However, a majority of the new driveway trips will be pass-by or diverted-link trips coming from traffic already on the adjacent street system. Therefore, the proposed car wash will generate a negligible increase in trips during the peak hour periods on an average weekday. The intersection LOS analysis concluded that there will be no measurable change in delays during the AM or PM peak hour periods with the additional traffic associated with the car wash. It is noted that the nearest existing car wash (Scotts Valley Car Wash) is located about three-quarters (3/4) of a mile south of the project site. The addition of a car wash on the project site does have a potential to reduce peak hour vehicle trips on Scotts Valley Drive.

A brief review of the on-site circulation did not notice any potentially significant issues. Project driveways are provided on Scotts Valley Drive and Hacienda Drive, which allows good circulation to and from the site. Vehicle stacking (queuing) will be provided for 4-5 vehicles at the car wash, which is consistent with the industry standard and most public agency requirements. Industry data also indicates that most of the vehicles going to the car wash come from the gas pumps (either after purchasing gas or visiting the convenience market). Therefore, the additional of a car wash at an existing service station generates a negligible increase in trips.

Professional Qualifications

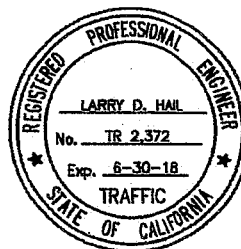
Mr. Hail is a registered professional civil (CE) and traffic (TE) engineer in the State of California, and holds a National Certification as a Professional Traffic Operations Engineer (PTOE). Mr. Hail has over 30 years of professional experience in the traffic engineering industry. A copy of the Statement of Qualifications (SOQ) for PTE is attached.

Please contact my office with any questions regarding the trip generation analysis or evaluation of potential project impacts.

Pinnacle Traffic Engineering



Larry D. Hail, CE, TE, PTOE
President



ldh: msw

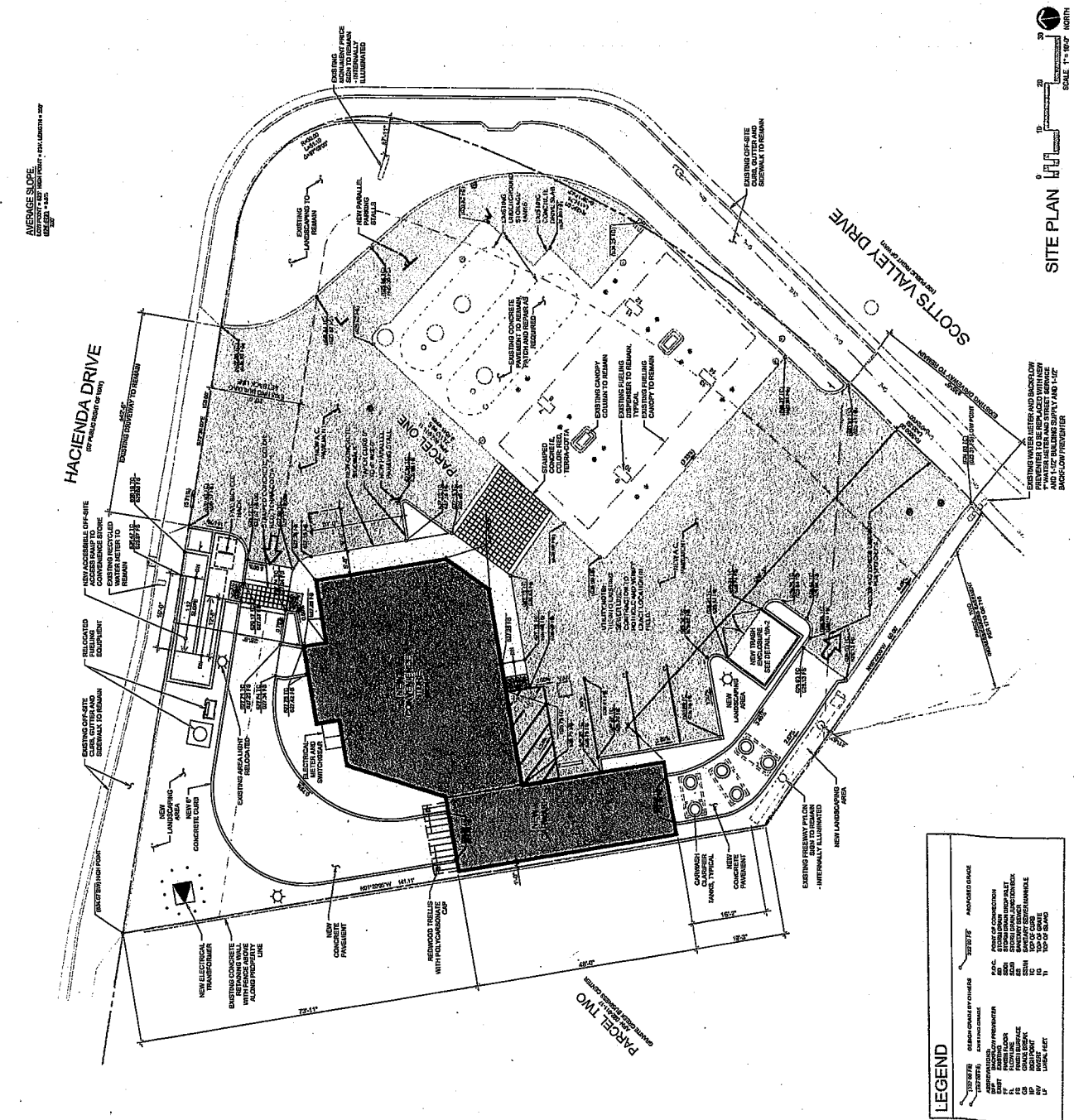
Attachment Material: Conceptual Site Plan

Synchro 9 - "Level of Service" (LOS) Analysis Worksheets

Pinnacle Traffic Engineering - Statement of Qualifications (SOQ)

Scotts Valley Shell Sta_R01

Pinnacle Traffic Engineering



HCM Signalized Intersection Capacity Analysis

1: SR 17 NB Ramps/Glenwood Dr & Scotts Vly Dr

09/09/2017

	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↰	↱	↲	↰	↱	↲	↰	↱	↲	↰	↱	↲
Traffic Volume (vph)	398	335	265	112	303	40	181	14	19	12	156	316
Future Volume (vph)	398	335	265	112	303	40	181	14	19	12	156	316
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Lane Util. Factor	0.97	0.95	1.00	1.00	0.95		0.95	0.95			1.00	1.00
Friction	1.00	1.00	0.85	1.00	0.98		1.00	0.97			1.00	0.85
Flt. Protected	0.95	1.00	1.00	0.95	1.00		0.95	0.97			1.00	1.00
Satd. Flow (prot)	3433	3539	1583	1770	3478		1681	1665			1856	1583
Flt. Permitted	0.95	1.00	1.00	0.95	1.00		0.64	0.68			1.00	1.00
Satd. Flow (perm)	3433	3539	1583	1770	3478		1128	1168			1856	1583
Peak-hour factor, PHF	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Adj. Flow (vph)	452	381	301	127	344	45	206	16	22	14	177	359
RTOR Reduction (vph)	0	0	161	0	7	0	0	7	0	0	0	303
Lane Group Flow (vph)	452	381	140	127	382	0	119	118	0	0	191	56
Turn Type	Prot	NA	Perm	Prot	NA		custom	NA		Split	NA	Perm
Protected Phases	5	2		1	6					4	4	
Permitted Phases			2				8	8				4
Actuated Green, G (s)	20.6	51.1	51.1	13.6	44.1		17.8	17.8			18.5	18.5
Effective Green, g (s)	20.6	51.1	51.1	13.6	44.1		17.8	17.8			18.5	18.5
Actuated g/C Ratio	0.17	0.43	0.43	0.11	0.37		0.15	0.15			0.16	0.16
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0	3.0
Lane Grp Cap (vph)	594	1519	679	202	1288		168	174			288	246
v/s Ratio Prot	c0.13	0.11		0.07	c0.11						c0.10	
v/s Ratio Perm			0.09				c0.11	0.10				0.04
v/c Ratio	0.76	0.25	0.21	0.63	0.30		0.71	0.68			0.66	0.23
Uniform Delay, d1	46.9	21.7	21.2	50.3	26.5		48.1	47.9			47.3	44.0
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	1.00
Incremental Delay, d2	5.7	0.4	0.7	6.0	0.6		12.8	10.1			5.6	0.5
Delay (s)	52.6	22.1	21.9	56.3	27.1		60.9	58.0			53.0	44.5
Level of Service	D	C	C	E	C		E	E			D	D
Approach Delay (s)		34.2			34.3			59.4			47.4	
Approach LOS		C			C			E			D	
Intersection Summary												
HCM 2000 Control Delay			39.7			HCM 2000 Level of Service				D		
HCM 2000 Volume to Capacity ratio			0.53									
Actuated Cycle Length (s)			119.0			Sum of lost time (s)			18.0			
Intersection Capacity Utilization			50.8%			ICU Level of Service			A			
Analysis Period (min)			15									
c Critical Lane Group												

Existing AM Peak Hour (with Enterprise Way) 09/08/2017 No Project
LDH

Synchro 9 Report
Page 1

HCM Signalized Intersection Capacity Analysis

1: SR 17 NB Ramps/Glenwood Dr & Scotts Vly Dr

09/09/2017

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↰	↑	↱	↰	↑	↱	↰	↑	↱	↰	↑	↱
Traffic Volume (vph)	398	335	265	112	304	40	181	14	19	13	156	316
Future Volume (vph)	398	335	265	112	304	40	181	14	19	13	156	316
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Lane Util. Factor	0.97	0.95	1.00	1.00	0.95		0.95	0.95			1.00	1.00
Frt	1.00	1.00	0.85	1.00	0.98		1.00	0.97			1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	0.97			1.00	1.00
Satd. Flow (prot)	3433	3539	1583	1770	3478		1681	1665			1855	1583
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.64	0.68			1.00	1.00
Satd. Flow (perm)	3433	3539	1583	1770	3478		1127	1167			1855	1583
Peak-hour factor, PHF	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Adj. Flow (vph)	452	381	301	127	345	45	206	16	22	15	177	359
RTOR Reduction (vph)	0	0	161	0	7	0	0	7	0	0	0	303
Lane Group Flow (vph)	452	381	140	127	383	0	119	118	0	0	192	56
Turn Type	Prot	NA	Perm	Prot	NA		custom	NA		Split	NA	Perm
Protected Phases	5	2		1	6					4	4	
Permitted Phases			2				8	8				4
Actuated Green, G (s)	20.6	51.1	51.1	13.5	44.0		17.8	17.8			18.6	18.6
Effective Green, g (s)	20.6	51.1	51.1	13.5	44.0		17.8	17.8			18.6	18.6
Actuated g/C Ratio	0.17	0.43	0.43	0.11	0.37		0.15	0.15			0.16	0.16
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0	3.0
Lane Grp Cap (vph)	594	1519	679	200	1285		168	174			289	247
v/s Ratio Prot	c0.13	0.11		0.07	c0.11						c0.10	
v/s Ratio Perm			0.09				c0.11	0.10				0.04
v/c Ratio	0.76	0.25	0.21	0.64	0.30		0.71	0.68			0.66	0.23
Uniform Delay, d1	46.9	21.7	21.2	50.4	26.6		48.1	47.9			47.3	43.9
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	1.00
Incremental Delay, d2	5.7	0.4	0.7	6.4	0.6		12.8	10.1			5.7	0.5
Delay (s)	52.6	22.1	21.9	56.8	27.2		60.9	58.0			52.9	44.4
Level of Service	D	C	C	E	C		E	E			D	D
Approach Delay (s)		34.2			34.4			59.4			47.4	
Approach LOS		C			C			E			D	

Intersection Summary			
HCM 2000 Control Delay	39.7	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.53		
Actuated Cycle Length (s)	119.0	Sum of lost time (s)	18.0
Intersection Capacity Utilization	50.9%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis

1: SR 17 NB Ramps/Glenwood Dr & Scotts Vly Dr

09/08/2017

	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↔	↔	↔	↔	↔	↔	↔	↔	↔	↔	↔	↔
Traffic Volume (vph)	315	310	288	40	128	13	274	48	54	15	73	173
Future Volume (vph)	315	310	288	40	128	13	274	48	54	15	73	173
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Lane Util. Factor	0.97	0.95	1.00	1.00	0.95		0.95	0.95			1.00	1.00
Frt	1.00	1.00	0.85	1.00	0.99		1.00	0.96			1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	0.98			0.99	1.00
Satd. Flow (prot)	3433	3539	1583	1770	3490		1681	1656			1847	1583
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.70	0.81			0.99	1.00
Satd. Flow (perm)	3433	3539	1583	1770	3490		1232	1367			1847	1583
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	339	333	310	43	138	14	295	52	58	16	78	186
RTOR Reduction (vph)	0	0	158	0	5	0	0	13	0	0	0	168
Lane Group Flow (vph)	339	333	152	43	147	0	201	191	0	0	94	18
Turn Type	Prot	NA	Perm	Prot	NA		custom	NA		Split	NA	Perm
Protected Phases	5	2		1	6					4	4	
Permitted Phases			2				8	8				4
Actuated Green, G (s)	17.4	60.4	60.4	7.3	50.3		25.7	25.7			11.6	11.6
Effective Green, g (s)	17.4	60.4	60.4	7.3	50.3		25.7	25.7			11.6	11.6
Actuated g/C Ratio	0.14	0.49	0.49	0.06	0.41		0.21	0.21			0.09	0.09
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0	3.0
Lane Grp Cap (vph)	485	1737	777	105	1427		257	285			174	149
v/s Ratio Prot	c0.10	0.09		0.02	0.04						c0.05	
v/s Ratio Perm			c0.10				c0.16	0.14				0.01
v/c Ratio	0.70	0.19	0.20	0.41	0.10		0.78	0.67			0.54	0.12
Uniform Delay, d1	50.3	17.6	17.6	55.8	22.4		46.0	44.7			53.2	51.0
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	1.00
Incremental Delay, d2	4.4	0.2	0.6	2.6	0.1		14.3	5.8			3.4	0.4
Delay (s)	54.7	17.8	18.2	58.4	22.6		60.3	50.6			56.6	51.4
Level of Service	D	B	B	E	C		E	D			E	D
Approach Delay (s)		30.7			30.5			55.4			53.1	
Approach LOS		C			C			E			D	

Intersection Summary

HCM 2000 Control Delay	39.4	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.46		
Actuated Cycle Length (s)	123.0	Sum of lost time (s)	18.0
Intersection Capacity Utilization	41.6%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis

1: SR 17 NB Ramps/Glenwood Dr & Scotts Vly Dr

09/08/2017

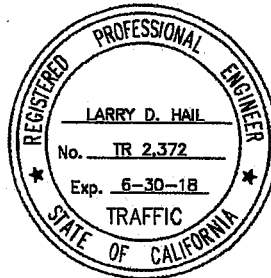
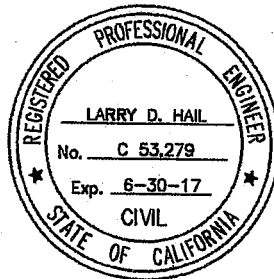
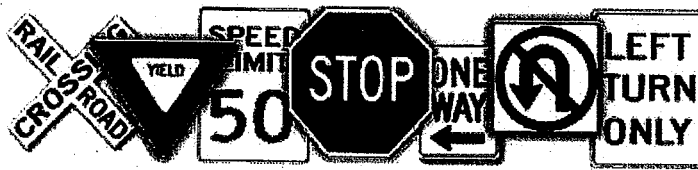
	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↰	↑	↱	↰	↑	↱	↰	↑	↱	↰	↑	↱
Traffic Volume (vph)	315	310	288	40	129	13	274	48	54	16	73	173
Future Volume (vph)	315	310	288	40	129	13	274	48	54	16	73	173
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Lane Util. Factor	0.97	0.95	1.00	1.00	0.95		0.95	0.95			1.00	1.00
Frt	1.00	1.00	0.85	1.00	0.99		1.00	0.96			1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	0.98			0.99	1.00
Satd. Flow (prot)	3433	3539	1583	1770	3491		1681	1656			1846	1583
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.70	0.81			0.99	1.00
Satd. Flow (perm)	3433	3539	1583	1770	3491		1231	1366			1846	1583
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	339	333	310	43	139	14	295	52	58	17	78	186
RTOR Reduction (vph)	0	0	158	0	5	0	0	13	0	0	0	168
Lane Group Flow (vph)	339	333	152	43	148	0	201	191	0	0	95	18
Turn Type	Prot	NA	Perm	Prot	NA		custom	NA		Split	NA	Perm
Protected Phases	5	2		1	6					4	4	
Permitted Phases			2				8	8				4
Actuated Green, G (s)	17.4	60.3	60.3	7.3	50.2		25.7	25.7			11.7	11.7
Effective Green, g (s)	17.4	60.3	60.3	7.3	50.2		25.7	25.7			11.7	11.7
Actuated g/C Ratio	0.14	0.49	0.49	0.06	0.41		0.21	0.21			0.10	0.10
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5		4.5	4.5			4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0	3.0
Lane Grp Cap (vph)	485	1734	776	105	1424		257	285			175	150
v/s Ratio Prot	c0.10	0.09		0.02	0.04						c0.05	
v/s Ratio Perm			c0.10				c0.16	0.14				0.01
v/c Ratio	0.70	0.19	0.20	0.41	0.10		0.78	0.67			0.54	0.12
Uniform Delay, d1	50.3	17.6	17.7	55.8	22.5		46.0	44.7			53.1	50.9
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	1.00
Incremental Delay, d2	4.4	0.2	0.6	2.6	0.1		14.3	5.8			3.4	0.4
Delay (s)	54.7	17.9	18.2	58.4	22.6		60.3	50.6			56.5	51.3
Level of Service	D	B	B	E	C		E	D			E	D
Approach Delay (s)		30.7			30.5			55.4			53.0	
Approach LOS		C			C			E			D	

Intersection Summary			
HCM 2000 Control Delay	39.4	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.47		
Actuated Cycle Length (s)	123.0	Sum of lost time (s)	18.0
Intersection Capacity Utilization	41.6%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

PINNACLE TRAFFIC ENGINEERING

- STATEMENT OF QUALIFICATIONS -



Larry D. Hail, CE, TE, PTOE
PINNACLE TRAFFIC ENGINEERING
Ventura • Hollister
California
(805) 644-9260 • (831) 638-9260
PinnacleTE.com

March 2017

INTRODUCTION TO FIRM

Pinnacle Traffic Engineering was founded by Larry D. Hail in 2003. Mr. Hail is a registered "Civil" (CE) and "Traffic" (TE) engineer in the State of California, and holds a National certification as a Professional Traffic Operations Engineer (PTOE). Mr. Hail has 30 years of professional experience in the traffic engineering industry, and has worked on hundreds of transportation planning and design projects. Planning level studies have been completed for various environmental impact assessment documents (Initial Study, Environmental Impact Report, Project Study Report, etc). Transportation planning studies include the evaluation of traffic, circulation, parking and safety impacts. The evaluation of pedestrian and bicycle safety has also been completed for several Safe Routes to Schools programs. Pinnacle Traffic Engineering also specialize in the design and production of Plans, Specifications and Estimates (PS&E) for traffic signal and related civil engineering projects (intersection design, turn lane channelization, ADA access ramps, sidewalks, drainage, utility relocations, etc). Mr. Hail has been directly involved with the design of traffic signal improvements at over 150 intersections. Services also include the preparation of traffic control plans for any type of construction project. Pinnacle Traffic Engineering also provides offers Peer Review and Construction Support services. Clients include both public agencies and private development companies. The primary goal of Pinnacle Traffic Engineering is to provide the highest level of service, while producing a superior quality product at a competitive rate.

The professional services offered by Pinnacle Traffic Engineering include transportation planning, and traffic and civil engineering design. Pinnacle Traffic Engineering's geographic service area includes San Benito, Monterey, Santa Cruz, Santa Clara, San Luis Obispo, Santa Barbara, Merced, Fresno, Madera and Stanislaus Counties. The following material provides a description of Professional Services offered by Pinnacle Traffic Engineer, a Principal Profile and Resume for Larry D. Hail, PE, PTOE (Owner and Principal Engineer), and lists of Typical Projects and Selected Clients. Also available upon request is a list of professional references, copies of business licenses and insurance certificates.

PROFESSIONAL SERVICES

Pinnacle Traffic Engineering offers a full range of professional transportation planning, and traffic and civil engineering design services.

TRANSPORTATION PLANNING - Services include the preparation of traffic impact studies for public and private projects. The preparation of impact studies primarily includes an analysis of the potential project impacts, the identification of appropriate mitigation measures, an evaluation of feasible alternatives and a summary of recommendations. The layout and design of conceptual improvements needed to mitigate impacts are an essential component of the transportation planning services. Transportation planning services also include the preparation of access, circulation, parking and safety studies. The evaluation of pedestrian and bicycle safety is a major component on many planning projects. Transportation planning experience also includes the preparation of alternatives analyses for the Caltrans Project Study Report (PSR) process. Pinnacle Traffic Engineering offers professional services to public agencies, private developers and other consulting firms (i.e. civil, environmental, architectural, etc). All transportation planning services are performed according to current local, State and Federal guidelines.

TRAFFIC ENGINEERING DESIGN - Traffic engineering design services primarily including the design of pavement delineation (signing & striping), traffic signal and signal interconnect, street lighting, and traffic calming improvements. These services also include the preparation of complete Plans, Specifications and Estimates (PS&E), and all required construction contract documents. The design of traffic control measures and preparation of construction traffic control plans are included in the services offered by Pinnacle Traffic Engineering. Services are offered to public agencies, private developers, construction contractors and other consulting firms (i.e. civil, environmental, architectural, etc). All traffic engineering projects are designed according to current local, State and Federal standards.

CIVIL ENGINEERING DESIGN - To augment the traffic engineering design services, Pinnacle Traffic Engineering also offers related civil engineering design services. These services primarily focus on the design of related intersection improvements needed to facilitate the installation of traffic signal control (i.e. ADA pedestrian access ramps; curb, gutter & sidewalk; turn lane channelization, drainage, pavement overlay, bike paths, etc). Design services for grading, drainage, paving and utility relocation improvements are also offered. The preparation of all required PS&E and construction contract documents are included in the services offered by Pinnacle Traffic Engineering. All civil engineering projects are designed according to current local, State and Federal standards.

Pinnacle Traffic Engineering also offers professional **Peer Review**, **Construction Support** and **Expert Witness** services. Larry D. Hail, CE, TE, PTOE, has extensive experience in the review of transportation planning studies, intersection and roadway improvement plans, and traffic signal PS&E. Peer review and construction support services are offered to local public agencies and private developers to enhance the capabilities of their own staff, and to expedite the review and approval process.

PRINCIPAL PROFILE AND RESUME

- Larry D. Hail, CE, TE, PTOE -

PROFESSIONAL EXPERIENCE

Larry D. Hail founded Pinnacle Traffic Engineering in 2003. Mr. Hail has worked on a variety of planning studies, and traffic and civil engineering design projects. Transportation planning experience includes a variety of impact, access and circulation studies. Experience also includes the evaluation of alternatives for the Caltrans Project Study Report (PSR) process. Design experience includes the design of traffic signal, signal interconnect, street lighting, signing & striping, in-road lighting, roadway paving, curb & gutter, sidewalk, utility (storm drain, waterlines, sanitary sewer, etc.), and grading improvements. The majority of design projects include the preparation of construction plans, specifications and estimates (PS&E). Mr. Hail has been involved with the design of traffic signal improvements at over 150 intersections and has significant experience preparing construction traffic control plans. Improvements have been designed in Monterey, Santa Cruz, Santa Clara, San Luis Obispo, Stanislaus and Santa Barbara Counties. Many of the design projects included improvements on the California State Highway system. Mr. Hail also performs professional peer review and construction support services on local traffic signal improvement projects.

EDUCATION AND CONTINUING EDUCATION COURSES

Oklahoma State University; Stillwater, Oklahoma

Bachelor of Science in Civil Engineering (BSCE) - 1987

- Fundamentals of Traffic Engineering (1988) - Institute of Transportation Studies (ITS)
- Transportation Planning Models and Software Applications (1988) - ITS / UC Extension
- SYNCHRO Traffic Signal Analysis Software Training (1996) - University of Kansas Ext.
- Advanced Project Management (2001) - Zweig White Professional Consultants
- Achieving Excellence and Safety in Roundabout Design (2004) - ITS
- Safe Routes to School (2007) - Institute of Transportation Engineering (ITE) Web Seminar
- Using a Knowledge-Based System to Establish Speed Limits (2007) - TRB Web Seminar
- Current Practice for Signing and Marking Near Schools (2008) - ITE Web Seminar
- New Approach of Traffic Signal Timing Education and Training (2009) - ITS Web Seminar
- Advancing Traffic Signal Management Programs (2009) - ITS Web Seminar
- Roadside Design Online Course (2009) - ASCE Web Course Series
- ITE International Annual Meeting (2009) - Technical Sessions (9)
- MUTCD 2009: Pedestrians and Bicyclist (2010) - ITE Web Seminar
- I-Mobility: How Tech. & Innov. Shaping Future Trans. Sys. (2011) - So. CA Trans. Coalition Summit
- Solving the First & Last Mile Connection: Sustainable (2011) - So. CA Trans. Coalition Summit
- ITE Technical Conference and Exhibit (2012) - Technical Sessions (9)
- ITE Western District Annual Meeting (2012) - Technical Sessions (8)
- The Holy Grail: Moving Goods Using Low & Zero Emission Tech. (2012) - So. CA Trans. Summit
- Alt. Fuel Vehicles: Myth Verses Reality (2012) - So. CA Trans. Summit
- Adaptive Signal Control Initiatives & Validation Program (2012) - US DOT / ITS Webinar
- Integration of Transit into Traffic Operations (2012) - ITE Webinar
- Trans. Data Visualization: Innovations in PM & RT Situation Awareness (2012) - USDOT/ITS Webinar
- Law School for Engineers (2013) - ASCE Professional Development Course (SEAK Inc.)
- Guidance Tool for Imp. of Traffic Incident Man. PM NCHRP 07-20 (2014) - USDOT/T3 Webinar
- How to Start, Build & Run a Successful Expert Witness Practice (2015) - SEAK Inc.
- Roles of Trans. Man. Ct. (TMC) in Incident Man. on Managed Lanes (2015) - USDOT/T3 Webinar
- Tools for Ana. of Capacity and Efficient Flow for Roundabout Design Parts I-III (2015) - TRB Webinar
- ITE Western District Annual Meeting (2015) - Technical Sessions (8)

EMPLOYMENT HISTORY

Pinnacle Traffic Engineering; Venture & Hollister, California (Founded July 2003 to Present)
President and Principal Engineer - Mr. Hail manages and oversees all day-to-day operations for services in Northern California and the Central Coast. Duties involve all aspects of client relations, marketing, proposal production, contract administration, project scheduling, and proposal and project production.

Keith B. Higgins & Associates; Gilroy, California (April 1997 to June 2003)
Principal Associate - Mr. Hail managed the firm's design department, including preparing project proposals, design studies, construction PS&E and project billings. Responsibilities also included administrative duties, scheduling of projects and management of production staff. Professional "peer" review and "construction support" services were also performed.

Shafer, Kline & Warren; Kansas City, Kansas (Dec. 1995 to March 1997)
Project Design Engineering - Managed a project design team responsible for the production of PS&E for major roadway and highway widening improvement projects. Mr. Hail also provided a majority of the firm's traffic engineering services for the 5 offices, as well as prepared PS&E for a number of local traffic signal improvement projects.

Flowers & Associates; Santa Barbara, California (Dec. 1994 to Nov. 1995)
Assistant Design Engineer - Performed various engineering tasks on roadway and utility infrastructure improvement projects. Tasks included performing project calculations and the preparation of construction PS&E.

Associated Transportation Engineers; Santa Barbara, California (Sept. 1990 to Nov. 1994)
Associate Transportation Engineer - Prepared a variety of transportation planning documents (ie: traffic impact studies, corridor studies, etc). Mr. Hail also provided assistance in the design of traffic signal improvement projects.

Thomas S. Montgomery & Associates; Ventura, California
Associate Transportation Engineer (May 1987 to Aug. 1990) - Managed the collection of data and preparation of transportation planning studies. Duties included performing project study calculations and preparation of reports. **Engineer Intern (Summer 1986)** - Performed various data collection tasks and assisted in the production of transportation planning studies.

PROFESSIONAL AFFILIATIONS

Institute of Transportation Engineers (ITE)
American Society of Civil Engineers (ASCE)
Traffic Signal Associate (TSA)
Orange County Traffic Engineer's Council (OCTEC)

PROFESSIONAL REGISTRATIONS

California Registered Professional Civil Engineer (CE #53,279 - Exp. 6/30/17)
California Registered Professional Traffic Engineer (TE #2,372 - Exp. 6/30/18)
Professional Traffic Operations Engineer (PTOE #2,163 - Exp. 6/5/19)
Kansas Registered Professional Engineer (#14,572 - Inactive)
Missouri Registered Professional Engineer (#28,516 - Inactive)

TYPICAL PROJECTS

TRANSPORTATION PLANNING:

Trip Generation Studies
Circulation, Access & Parking Studies
Route Corridor Analysis
Traffic Signal Warrant Studies
Sign Inventory Studies
Analysis of Accident Data
Project Study Report Traffic Analysis

Traffic Impact Studies
Safe Routes to School
Shared Parking Analysis
Roadway Alignment Studies
Traffic Control Device Studies
Capacity Sensitivity Analysis
Development of Improvement Alternatives
Project Report Traffic Analysis

TRAFFIC ENGINEERING DESIGN:

Pavement Delineation Design
Street Lighting Design
Construction Staging Plan Development
Intersection Design

Traffic Signal and Signal Interconnect Design
Traffic Calming Design
Lighted Crosswalk Design
Construction Traffic Control Design
Roundabout Design

CIVIL ENGINEERING DESIGN:

Grading, Drainage and Paving Design
Curb, Gutter & Sidewalk Design
Pavement Overlay Design
Bike Path Design

Conceptual Intersection & Roadway Design
ADA Pedestrian Access Ramp Design
Storm Drain Design
Roadway Channelization Design
Utility Relocation Design

SELECTED CLIENTS

CA Parks & Recreation Department
County of San Luis Obispo
City of Morgan Hill
City of Watsonville
Avocet Environmental
EIP Planning & Resource Management
Urban Planning Concepts
C3 Engineering
Creegan + D'Angelo
Associated Engineering Group
Owens Design Consultants
Harris & Associates
Paul Davis AIA
David Elliott & Associates
HD Peters & Associates
WWD Corporation
Capital Pacific Homes
Thelander Management
Graniterock
Landmark Real Estate
Valley Community Homes
Dolan Development Partners

Santa Cruz County Sanitation District
City of San Juan Bautista
City of Seaside
SWCA Environmental
Rincon Consulting
Dennis Bethel & Associates
Central Coast Engineers
Pelio & Associates
Carollo Engineers
Wallace Group
Ifland Engineers
Landset Engineers
Steven D. Pults, AIA
Kirk Consulting
Giacalone Design Services
KB Homes
Dividend Homes, Inc.
Don Chapin Company
Hudson Jones Company
South County Housing
CW Design & Development, Inc.
John Day Home Center

Subject: FW: Hacienda Shell use permit hearing -- agenda details not posted?

From: Michael [mailto:ms.ks@comcast.net]

Sent: Monday, August 14, 2017 11:38 AM

To: Brenda Stevens

Cc: Taylor Bateman

Subject: RE: Hacienda Shell use permit hearing -- agenda details not posted?

Thank you, Brenda. There is a small site map associated with the noise study, but I would like to come in to see the full size plans. When are you (and/or Taylor) available?

There will definitely be neighbors attending the meeting as the issue is a topic on Nextdoor. A few things I'd note in advance for you:

1. The stacking capacity of only 4 cars is problematic as the car wash at Mt. Hermon often has many more than this. Excess cars stacked up on Hacienda will be a problem, especially for those who may be trying to enter the station from Glenwood because, at certain times, this could very easily cause congestion into the main SV Dr./Glenwood intersection (which is controlled by Caltrans). There's also no discussion about managing conflicting movements between those entering at Hacienda and those moving to the car wash from the pump area – this will also potentially cause backups onto Hacienda or cause conflicts with drivers unable to exit their pumps.
2. The on-site noise measurements were made from 7 am Sunday to 7 am Monday, missing commute hours which is probably the noisiest time. Why is this?
3. This station had deferred updates and remodels prior to now because it would have triggered the removal of their non-conforming excess height sign. Why is that not part of this permit? We've wanted that sign to come down for two decades.
4. Is there any definable economic benefit to this proposal? If not, why would the city accommodate anything that could exacerbate the circulation difficulties in this area or generate any more noise and congestion?

Michael

Brenda Stevens

From: Marco Walsh [marco@groovetv.net]
Sent: Tuesday, August 15, 2017 2:14 PM
To: Stephany E. Aguilar (EXT); jackdilles@gmail.com; Randy Johnson (EXT); Donna Lind (EXT); Jim Reed (EXT); Tracy Ferrara; Brenda Stevens
Subject: Proposed expansion of Shell station on Hacienda Drive

Councilmembers, City of Scotts Valley:

I am writing regarding the proposed changes being considered for the Shell station at 1 Hacienda Drive. As a local resident and homeowner, I am greatly concerned about the impact this changes may cause to our local neighborhood, and ask that you proceed with much caution.

My home is on Cadillac Drive, just off of Hacienda; I travel through the intersection of Hacienda/Glenwood/SVD/Hwy 17 many times each day while taking my kids to school (two students at Vine Hill), going to work, shopping, and other daily activities. As you are very aware, this is a challenging six-way intersection with frequent backups, especially when high school students are arriving and leaving, during commute hours, and with tourists heading home from the beaches.

You already know this intersection well, and you know that it is often a nightmare. Coming down Hacienda, we are frequently unable to enter Glenwood for several light cycles when the traffic is heavy. Many drivers are confused by the seven lanes of Scotts Valley Drive at this point, and this is made worse by customers trying to cross over and enter into the Shell station. Several times I have narrowly avoided collisions with cars speeding out of the Shell without looking or yielding. The intersection is already a mess, but functioning...I'm very concerned that a car wash will make things far worse.

This Shell is on a TINY corner lot, and has very little room to build. I see that the plan is for cars to enter the wash via Hacienda, and that there will only be room for four cars waiting. It also appears that NO TRAFFIC IMPACT STUDY was performed as part of the application. This is shortsighted and wrong - they plan to have cars gumming up Hacienda trying to enter the wash, with additional waiting cars blocking our right hand lane? NO, NO, NO! This will not work.

We have all seen what happens during busy times at the other car washes in Scotts Valley. Cars back up into Scotts Valley Drive, blocking traffic and creating a hazard. There are often ten or more cars waiting for a wash - four spaces on site is in no way adequate for what will be seen during peak hours, and will create major delays and hazards for us residents, for students attending the two nearby schools, for users of the parks, for Highway 17 commuters and for patients at the medical center next door.

I urge you to not approve this plan without having a full and honest traffic study and mitigation plan performed. And if this study does not support the operation of the car wash 100% of the time with ZERO IMPACT on the already gummed up Hacienda intersection, then I urge you to reject this proposal. A car wash is a good thing, but only if the location can support its operation. Squeezing it onto this tiny lot just seems like a disaster waiting to happen.

FINAL COMMENT - the application says that a notice was posted and neighbors were notified to offer comment, but I never saw the notice nor was I notified. I walk by this corner almost daily, drive by it many times each day, often buy gas or supplies at this station, and frankly pay attention to notices of this sort. I AM CONCERNED THAT THIS WAS NOT PROPERLY NOTICED, and that the neighborhood is not being properly informed about the attempt to sneak through these changes. PLEASE CONFIRM that a public notice was placed on site and visible as required by law. If the applicants did not meet the requirements (and again,

many of my neighbors and I never saw any notice), then I request that the application be delayed until proper notification has been completed.

SUMMARY:

* The Hacienda Drive/Glenwood/SVD/17/Granite Creek/Kaiser intersection is already confusing and congested, and new projects must not make this work.

* The proposed car wash application did not include a traffic study, lacks adequate space for waiting cars, and will cause waiting cars to stop and block Hacienda Drive.

* I did not see any public notice of this application posted on site, and question if it has been properly noticed. If not properly noticed, the application must be delayed.

* PLEASE do not approve this project without absolute confidence that it will not further impact traffic through this critical intersection, especially for drivers using Hacienda Drive to approach the intersection.

Sincerely,
Marco Walsh, homeowner
684 Cadillac Drive
Scotts Valley

Brenda Stevens

From: Debbie Muth [debbie.muth@sbcglobal.net]
Sent: Wednesday, August 16, 2017 10:11 PM
To: Brenda Stevens
Subject: Fwd: Proposed changes to Shell Gas Station on Hacienda

Can this be included in the Shell Station Remodel/Carwash comments? It was sent to my email.
Thanks Debbie

Sent from my iPhone

Begin forwarded message:

From: Doreen Wootten <doreenwootten@yahoo.com>
Date: August 16, 2017 at 8:43:47 PM PDT
To: debbie.muth@sbcglobal.net
Subject: Proposed changes to Shell Gas Station on Hacienda

Dear Debbie,

It has come to my attention that the Shell Gas Station on Hacienda would like to add a 24-hour car wash. The plan calls for the entrance to be located on the Hacienda side with most cars exiting toward Scotts Valley Drive. This means that in order for cars to enter the car wash they will either be driving "up" Hacienda and turning left across a double yellow and into the station, or coming "down" Hacienda which means they will be coming through my neighborhood to get there. Both of these options, in my opinion, have their downsides. The first option will create impacts on an already difficult intersection and the other will result in more people cutting down San Augustine to avoid the messy intersection.

I have lived in the Sunflower Town Homes (5525 Scotts Valley Drive) off of San Augustin Road since 1998. I know this area very well. My daughter will begin 5th grade at Vine Hill School next week, and I know how congested that area is during drop off and pick up for both Vine Hill and Scotts Valley High School.

I am writing to ask you to please deny the new car wash. Thank you for your consideration.

Sincerely,

Doreen Wootten

Brenda Stevens

From: Debbie Muth [debbie.muth@sbcglobal.net]
Sent: Thursday, August 17, 2017 5:14 AM
To: Brenda Stevens
Subject: Fwd: Proposed new car wash at Shell Station on Hacienda and SV Dr

Please add this email also.
Debbie

Sent from my iPhone

Begin forwarded message:

From: Neil Schaefer <ns573@yahoo.com>
Date: August 17, 2017 at 12:58:26 AM PDT
To: "debbie.muth@sbcglobal.net" <debbie.muth@sbcglobal.net>, "dtimm@montalvohomes.com" <dtimm@montalvohomes.com>, "carcangeli@me.com" <carcangeli@me.com>, "rosannaherrera@hotmail.com" <rosannaherrera@hotmail.com>, "rdonovan@jdvhotels.com" <rdonovan@jdvhotels.com>
Subject: Re: Proposed new car wash at Shell Station on Hacienda and SV Dr
Reply-To: Neil Schaefer <ns573@yahoo.com>

PS to my email below. Another reason to disapprove the proposed car wash: 5) The Shell station is very near residences and an office building; the increase in noise due to the car wash would likely be unacceptable to those living or working very nearby.

--- Neil Schaefer

From: Neil Schaefer <ns573@yahoo.com>
To: "debbie.muth@sbcglobal.net" <debbie.muth@sbcglobal.net>; "dtimm@montalvohomes.com" <dtimm@montalvohomes.com>; "carcangeli@me.com" <carcangeli@me.com>; "rosannaherrera@hotmail.com" <rosannaherrera@hotmail.com>; "rdonovan@jdvhotels.com" <rdonovan@jdvhotels.com>
Sent: Thursday, August 17, 2017 12:44 AM
Subject: Proposed new car wash at Shell Station on Hacienda and SV Dr

Hi Scotts Valley Planning Commision members,

I moved to Scotts Valley in 2012 when I bought my current home at 5525 Scotts Valley Dr, Unit 4. For the following reasons, I am strongly against the proposed new car wash at Shell Station on Hacienda and SV Dr.:

- 1) That Shell Station is located at a confusing and very busy 5-way intersection. Adding a car wash there would make that intersection too busy and more confusing.
- 2) The station is too small to accommodate a car wash and the cars that will line up to use it.
- 3) Adding a car wash at that station would significantly increase traffic and traffic noise on San Augustine Drive, a street that has already been impacted since 2015 by a large increase in frequency and duration of noise due to a new SFO flight path with an improperly designed descent profile. My bedroom is about 50 feet from San Augustine Way.

4) Scotts Valley is a small town, and it already has at least two commercial car washes, one very large.

Please do *not* approve a new car wash at the Shell Station on Hacienda and Scotts Valley Drives.

--- Neil Schaefer

Brenda Stevens

Subject: FW: Update / One Hacienda Drive Shell Station / Car Wash / Planning Commission Meeting

From: Michael [<mailto:ms.ks@comcast.net>]

Sent: Thursday, August 17, 2017 10:23 AM

To: Brenda Stevens

Cc: Taylor Bateman

Subject: FW: Update / One Hacienda Drive Shell Station / Car Wash / Planning Commission Meeting

An another poster made the following observation – I think this ‘buzzer’ issue needs to make its way into the staff report as an item for the commission to consider. It’s obviously not going to be picked up by the Noise element but it would clearly be an annoyance factor. There may be ways to direct and contain such sounds so that they don’t leave the site.

“Thank you for the update. I’m relieved to see this one won’t just be railroaded through.

For reference, I used the car wash at the other Shell station yesterday at 11:20am. There were five cars waiting behind the one being washed. Regarding noise, there is a very loud buzzer at the start of each wash when the car is supposed to stop. It is loud and grating, designed to grab the driver’s attention through closed windows and over any radio/music. This should be considered by the nearby neighbors - in addition to the hiss of the wash and loud whine of the dryer, expect a loud and obnoxious buzz to be interrupting your silence every five minutes...”

Michael

Brenda Stevens

From: Janet Tuma [janet.tuma@pacbell.net]
Sent: Thursday, August 17, 2017 10:36 AM
To: Brenda Stevens; Jenny Haruyama; Randy Johnson (EXT); Jim Reed (EXT); Stephany E. Aguilar (EXT)
Cc: jackdilles@gmail.com; Donna Lind (EXT)
Subject: Tonight's meeting

I likely will not be able to attend the meeting tonight given I just learned about a proposal being considered, but I want to express that learning about this proposal for a car wash at Hacienda Shell is both a surprise and a concern. I hope that prior to any approval there will be public notice provided, for starts an article in the Press Banner, and a notice mailed to all who live in the area from the start of Hacienda to the end of Cadillac Drive as well as off Glenwood and North Scotts Valley residents who travel through this intersection. In addition all who attend Vine Hill and Scotts Valley High should be given notice as the majority of students are driven there by parents who can be impacted on their way to and from the schools and work. There needs to be a chance for the community who frequently travel through these intersections to voice their opinion on this proposal; this is not just about noise. While I am not opposed to car washes by any means as they save water and provide a needed service, the area where this is being considered is a concern regarding traffic congestion often already taking place. I would have expected the City to have ordered a traffic impact study, however I did not see any mention of that done. Further frustrations for traffic passing through those intersections should not be overlooked as this proposal is considered. I have at times sat through three light changes due to the inability of traffic to move through at Hacienda, Glenwood, and Scotts Valley Drive; we don't need to see this get any worse. I suggest the City should require a traffic impact study before approving this. Thank you for taking the time to read my view. Unless a traffic study indicates traffic flow will not be impacted, though my opinion may not count, I would oppose this proposal.

Janet Tuma, 4 Deer Trail Way, Scotts Valley, CA

Brenda Stevens

From: Maria DiLisio [mariadilisio@yahoo.com]
Sent: Thursday, August 17, 2017 10:49 AM
To: Brenda Stevens
Subject: Proposed 3rd car wash for Scotts Valley

Hello,

I'm a long time Scotts Valley resident who lives on So. Navarra Drive. I just heard about a proposed car wash added to the Shell Station on the corner of Hacienda and Scotts Valley Drive. I think this is a potentially terrible location for many reasons and highly oppose it.

Has there been a traffic study done on this? If not, it is in my opinion imperative. And I feel that traffic study must factor in the additional traffic that will be added by the new hotel. Combined additional traffic for both new businesses would most likely be untenable for those of us that must take that intersection daily to come and go and from work, school and shopping.

I've dealt with that intersection mess for many years (having raised two children that attended Scotts Valley High I have first hand knowledge of the traffic on school mornings) - the last thing we need is more traffic in that particular area. and which would then add what would be the 3rd car wash on the same street (let's be honest, this gas station is basically on Scotts Valley Drive).

As mentioned above, this is an intersection that has people coming and going to and from school, approaching and leaving Hwy 17, and is often congested - add a car wash and we'll start resembling the other side of the hill. This is a potential (probable!) traffic snarl that is simply not necessary. The convenience for some and profit for the owner(s) it will provide simply isn't worth the negatives. I'm all for another car wash in Scotts Valley - I've waited in long lines myself for a car wash here - just not in this intersection! There are many other locations in Scotts Valley where a car wash could be built that would not have the traffic impact this particular one would.

One of the reasons I live in Scotts Valley is to avoid the traffic snarls I would find on the "other side of the hill".

I appreciate your serious consideration on this matter, thank you.

Regards,
Maria DiLisio
435 S Navarra Drive

Also being sent to tbateman@scottsvally.org

Brenda Stevens

Subject: FW: Proposed new car wash at Shell Station on Hacienda and SV Dr

From: Tina Ebrahimian [<mailto:tina@functionalsmiles.com>]

Sent: Thursday, August 17, 2017 12:22 PM

To: dtimm@montalvohomes.com; debbie.muth@sbcglobal.net; carcangeli@me.com; rosannaherrera@hotmail.com; rdonovan@jdvhotels.com

Subject: RE: Proposed new car wash at Shell Station on Hacienda and SV Dr

Dear City of Scotts Valley,

Please **DO NOT approve** a car wash at Hacienda Shell.

The congestion at this intersection is already a hazard with the school & commute traffic. It will only make it more difficult to navigate.

Emergency vehicles will have trouble getting in & out, & now the WAZE app creates a huge issue redirecting traffic up & down Glenwood.

If improvements or additions to the Shell Gas Station are approved, the city needs to consider another lane on Glenwood Dr. so that as you exit to turn either right onto Hacienda or Scotts Valley Dr, you can do so from a designated lane. The traffic builds up & can be congested all the way to the high school. The city should also consider grounding the telephone wires along Glenwood Drive.

Lastly the traffic on SV Dr can back up to the Quick Stop & Valero on busy school days. How will the city accommodate more congestion in the Glenwood, Scotts Valley Dr, Hacienda area?

Thank you for your consideration,

Tina Ebrahimian

Brenda Stevens

From: Deborah Muth [debbie.muth@sbcglobal.net]
Sent: Sunday, August 20, 2017 9:38 AM
To: Brenda Stevens
Subject: Re: Proposed new car wash at Shell Station on Hacienda and SV Dr

On Aug 17, 2017, at 11:18 AM, Ariana Ebrahimian <ebra17@gmail.com> wrote:

Dear Scotts Valley Planning Commission,

I grew up on the north side of Scotts Valley up Glenwood Drive, and currently live in the Sunflower Houses, sandwiched between Scotts Valley Drive and San Augustine Way. I am strongly opposed to the proposed 24-hour car wash at Hacienda Shell for the following reasons:

- 1.) The Glenwood/Scotts Valley Drive intersection is already very impacted, especially during the school year when SVHS traffic backs up Glenwood. Making a left hand turn on or off of Hacienda becomes very challenging. Many drivers are confused by this intersection, as well, often blocking Hacienda while they wait for the light to change on Glenwood. **Additional cars on Hacienda will only make an already impacted/dangerous intersection worse.**
- 2.) The distance on Scotts Valley Drive between the Glenwood intersection and the Kaiser/freeway overpass intersection is very short. **A car wash that has egress on SV Drive will increase traffic in this area, potentially backing it up into the Glenwood intersection.**
- 3.) The site is quite small for what is being proposed, further increasing the likelihood that traffic will back up on to Hacienda to use it. **How will through-traffic safely get around those waiting on a 2-lane road with a double-yellow line?**
- 4.) Increased traffic on San Augustine Way, a road that already has poor visibility and sections without a sidewalk is **dangerous to pedestrians and children who play out there.**
- 5.) A car wash that is open 24 hours in a residential neighborhood will **create noise 24 hours a day** in an otherwise quiet part of town.
- 6.) There are **already 2 car washes** in small town Scotts Valley. Is there really a need for a third?

Please **DO NOT approve** a car wash at Hacienda Shell.

Sincerely,
Ariana Ebrahimian

Brenda Stevens

From: cathleen quinn [cathleen75@gmail.com]
Sent: Monday, August 28, 2017 1:02 PM
To: Brenda Stevens; Taylor Bateman
Subject: Re: Proposed Hacienda Shell Station car wash
Attachments: traffic at gas station.zip

Brenda and Taylor,
The previous email didn't go through to Taylor it was too big, so I put it in a zip file.
Hope this works...
Thank you,
Cathy Quinn

Cathleen's Garden Creations

www.cathleensgardencreations.com

831.325.9137

I also make hand crafted organic soaps!

Coastal Scrub Soap Company

www.coastalscrubsoap.com

On Mon, Aug 28, 2017 at 12:56 PM, cathleen quinn <cathleen75@gmail.com> wrote:

Hi Brenda,

I am adamantly against the car wash proposal at the Hacienda Shell Gas Station. I have attached a word doc with my concerns and also a map that I made showing our intersection and how confusing and difficult it is and (will be more so with added car wash traffic)

I was told that signage for proposed development would be posted at the gas station but it has not yet been done. I want all our neighbors to know about this as it will be affecting them directly with the additional traffic. I feel this is unfair in that as more time goes by before the public hearing gives us less time to prepare.

Please let me know that you received this and also when the planning commission meeting with this on the agenda will be (whether september or October).

Thank you!

Cathleen's Garden Creations

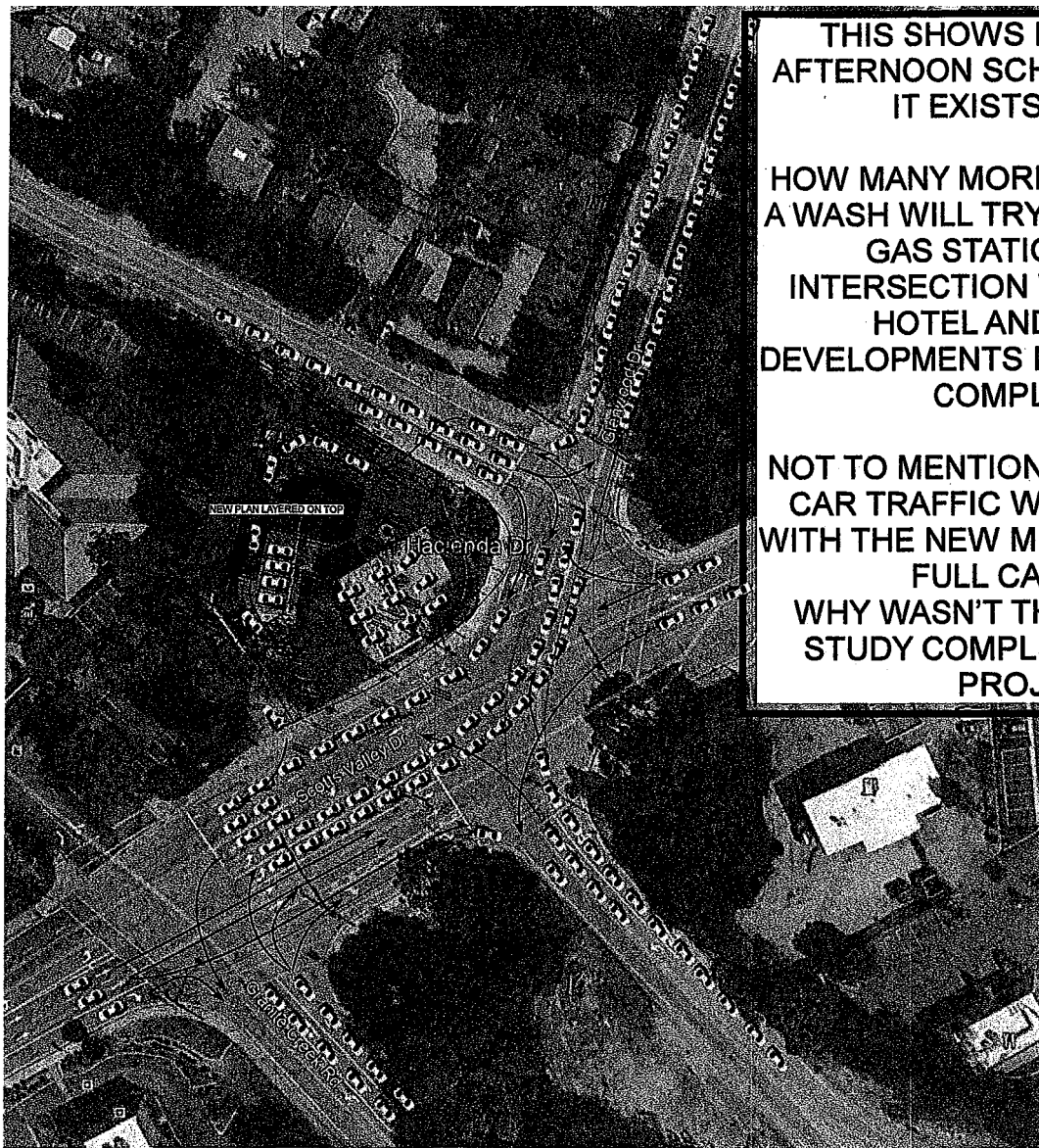
www.cathleensgardencreations.com

831.325.9137

I also make hand crafted organic soaps!

Coastal Scrub Soap Company

www.coastalscrubsoap.com



THIS SHOWS MORNING AND
AFTERNOON SCHOOL TRAFFIC AS
IT EXISTS OF NOW.

HOW MANY MORE CARS WANTING
A WASH WILL TRY AND GET TO THE
GAS STATION VIA THIS
INTERSECTION WHEN THE NEW
HOTEL AND HOUSING
DEVELOPMENTS NEAR BORLAND IS
COMPLETED?

NOT TO MENTION THE ADDITIONAL
CAR TRAFFIC WANTING A WASH
WITH THE NEW MULTIVERSITY IS AT
FULL CAPACITY?

WHY WASN'T THERE A TRAFFIC
STUDY COMPLETED FOR THIS
PROJECT?

RED ARROWS
ARE THE ILLEGAL
& DANGEROUS
TURNS THAT
HAPPEN A LOT

BLACK ARROWS
ARE THE
CORRECT TURNS
RECEIVED

SEP 06 2017

CITY OF SCOTTS VALLEY

Cathleen Quinn's email attachment
1 of 2

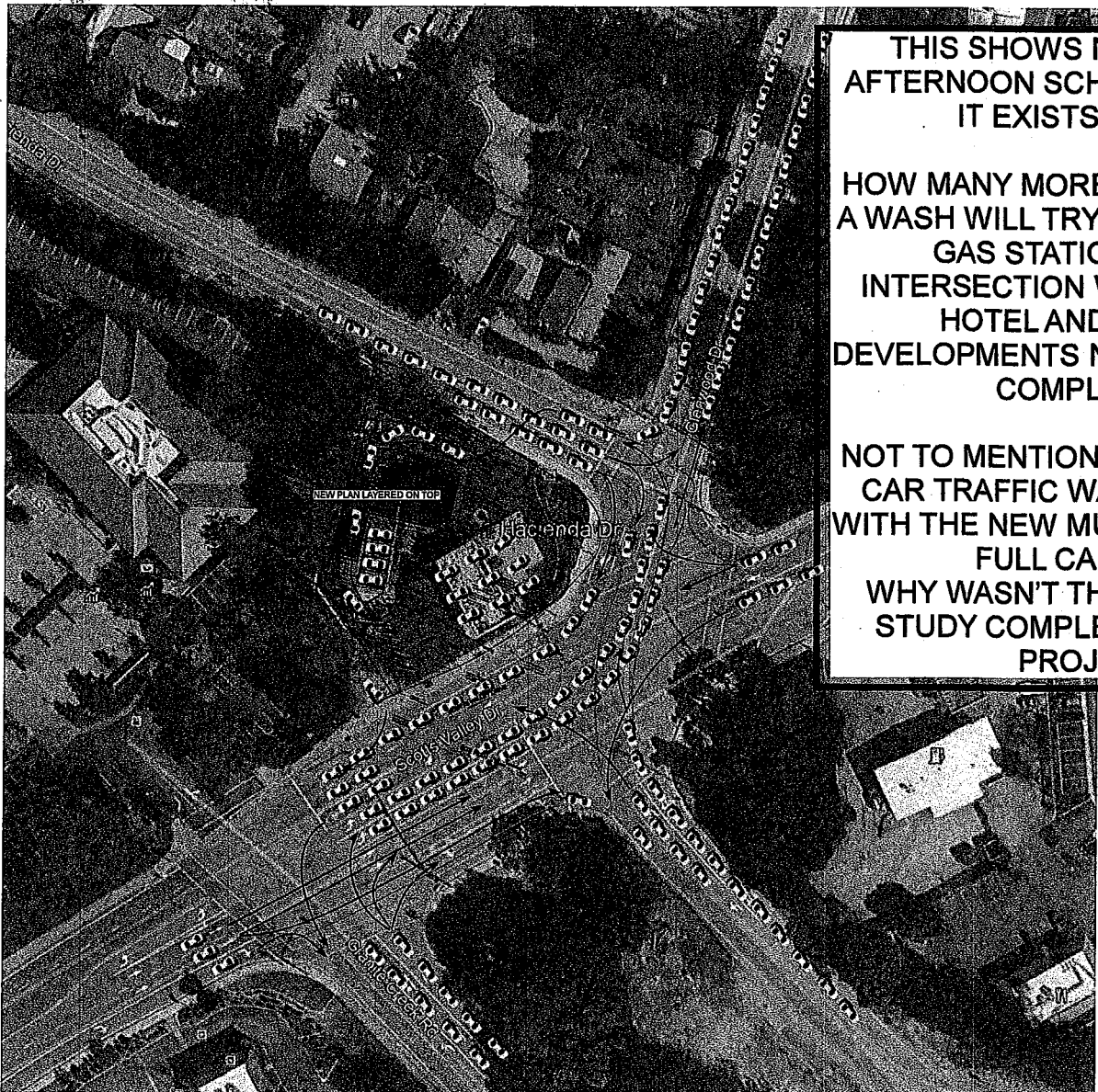
Cathleen Quinn's email
attachment 2 of 2

THIS GAS STATION IS MOSTLY USED BY NON-RESIDENTS (BECAUSE WE ALL KNOW THERE'S CHEAPER GAS DOWN THE STREET). ITS VISITORS WHO SEE THE SIGN FROM THE FREEWAY THAT USE THIS STATION AND WHO DON'T KNOW HOW TO SAFELY NAVIGATE THIS UNDERSTANDABLY AWKWARD 5 WAY INTERSECTION.

THESE DRIVE-THRU CAR WASHES ALWAYS HAVE A LINEUP OF CARS WAITING FOR A WASH.

SO (AS AN EXAMPLE) IF ONE WASH IS 5 MINUTES EACH, IN AN AVERAGE DAILY 10 HOUR PERIOD (=12 CARS PER HOUR) THERE WOULD BE AN ADDITIONAL 120 CARS PER DAY COMING THROUGH THIS INTERSECTION

(*SHELL CLAIMS AN AVERAGE OF 70 WASHES/CARS PER DAY IN THE NOISE STUDY WITH OPEN CAR WASH HOURS OF 17 HOURS PER DAY 6AM-11PM)



THIS SHOWS MORNING AFTERNOON SCHOOL TRAFFIC IT EXISTS OF NOW

HOW MANY MORE CARS WILL A WASH WILL TRY AND GET GAS STATION VIA THE INTERSECTION WHEN THE HOTEL AND HOUSING DEVELOPMENTS NEAR BY COMPLETED?

NOT TO MENTION THE ADDITIONAL CAR TRAFFIC WANTING TO WITH THE NEW MULTIVERSITY FULL CAPACITY? WHY WASN'T THERE A TRAFFIC STUDY COMPLETED FOR PROJECT?

RED ARE TRAFFIC & DATA TRAFFIC HAP

BLACK CORRI

CITY OF

**City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT**

Date: October 12, 2017

Applicant: City of Scotts Valley

Location: City-wide in Residential Zoning Districts

General Plan: Residential consisting of these densities: Very High, High, Medium High, Medium, Low, Estate, Rural, and Mountain

Zoning: R-VH, R-H, R-M-8, R-M-6, R-1-10, R-1-20, R-1-40, R-R-2.5, and R-MT-5

Environmental Status: Exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Sections 15060(c)(2), (no foreseeable change in the physical environment), 15060(c)(3) (activity is not a CEQA project), and 15061(b)(3) (no potential for significant effect on the environment).

Request: Consideration of recommendation of approval to the City Council of Amendments to the Zoning Ordinance (Section 17.64.020, Prohibition, of Chapter 17.64, Marijuana and Cultivation, of Title 17, Zoning) of the Scotts Valley Municipal Code to allow indoor cannabis cultivation of up to six (6) plants for personal use, per State law, pursuant to the California Compassionate Use Act, the California Medical Cannabis Regulation and Safety Act ("MCRSA"), the Adult Use of Marijuana Act ("AUMA"), SB 94 and the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA").

Staff Contact: Steve Walpole, Chief of Police

STAFF RECOMMENDATION

It is recommended that the Planning Commission conduct a public hearing, hear public testimony, and recommend to the City Council of the City of Scotts Valley approval of Zoning Ordinance Amendment AZO17-001, per proposed Ordinance No. 16-128.5 in Exhibit A, attached to this staff report.

DISCUSSION

On January 20, 2016, the Scotts Valley City Council adopted Ordinance No. 16-128.4, prohibiting the cultivation, distribution and use of marijuana. This prohibition included medicinal and recreational marijuana. It also prohibited medical marijuana dispensaries in the City. This prohibition did allow for the discrete delivery of medicinal marijuana to qualified patients from a legally existing dispensary located outside the City.

On November 8, 2016, Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ('AUMA") passed with 57% voter approval in California and became law on November 9, 2016 which permitted recreational marijuana. This proposition legalizes marijuana under state law, for use and personal cultivation by adults 21 or older. It also specifically provides that local jurisdictions may still adopt and enforce ordinances to regulate non-medical cannabis activities/businesses through local zoning, land use, and police powers. However, the City must allow for indoor cultivation of up to six (6) plants.

On June 27, 2017, Governor Jerry Brown signed Senate Bill 94, the Medicinal and Adult Use Cannabis Regulation and Safety Act ("SB 94" or the 'MAUCRSA"). This law reconciled the Medical Cannabis Regulation and Safety Act ("MCRSA") and the AUMA. SB 94 merges medical and non-medical cannabis regulations into a single regulatory scheme. The City is now required to provide the newly created Bureau of Cannabis Control (the Bureau") with a copy of any ordinance related to commercial cannabis activity and the contact information for the person designated by the City to serve as the contact person regarding commercial cannabis activity within the jurisdiction.

Additionally, SB 94 requires the Bureau to first notify the contact person for the City that it has received an application from a prospective cannabis business to operate in the City. The City must then notify the Bureau if the applicant is compliant with local ordinance(s). If the applicant is not compliant with local ordinances, the Bureau will not issue a license. Although the City has previously prohibited the cultivation, use, and distribution of marijuana, as well as medical marijuana dispensaries, Chapter 17.64, Marijuana and Cultivation, must be amended to allow the indoor cultivation of up to six (6) plants to be consistent with State law. The proposed ordinance includes standards for the indoor cultivation, including security measures and location restrictions. As proposed, the ordinance still allows for the discrete delivery of medicinal marijuana.

ENVIRONMENTAL REVIEW

The proposed ordinance is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

Alternatively, this ordinance is not a project under CEQA Guideline Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City's permissive zoning provisions already prohibit all uses that are being expressly prohibited by this ordinance. Therefore, this ordinance has no impact on the physical environment as it will not result in any changes.

PUBLIC NOTICE

On September 29, 2017, public hearing notices were posted at City Hall, the Scotts Valley Branch Library, and the Scotts Valley Senior Center, consistent with State law.

ATTACHMENT

PAGE

Resolution No. ____ (Action Item for AZO17-001).....	4
Exhibit A - Ordinance No. 16-128.5	6

RESOLUTION NO. ____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SCOTTS VALLEY RECOMMENDING APPROVAL TO
THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY OF
ZONING ORDINANCE AMENDMENT NO. AZO17-001 TO
ALLOW INDOOR CANNANIS CULTIVATION OF UP TO
SIX (6) PLANTS FOR PERSONAL USE**

WHEREAS, the City of Scotts Valley initiated amendments to the Scotts Valley Municipal Code by application No. AZO17-001 to amend Section 17.64.020, Prohibition, of Chapter 17.64, Marijuana and Cultivation, of Title 17, Zoning, to allow indoor cannabis cultivation of up to six (6) plants for personal use, pursuant to State law, pursuant to the California Compassionate Use Act, the California Medical Cannabis Regulation and Safety Act ("MCRSA"), the Adult Use of Marijuana Act ("AUMA"), SB 94 and the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA");

WHEREAS, on October 12, 2017, the Planning Commission held a duly noticed public hearing and recommended approval of the proposed Zoning Ordinance Amendment, which amends Section 17.64.020, of Chapter 17.64, Marijuana and Cultivation, of Title 17, Zoning;

WHEREAS, the subject Zoning Ordinance Amendment to the Scotts Valley Municipal Code is a project pursuant to the California Environmental Quality Act (CEQA); and,

WHEREAS, the subject Zoning Ordinance Amendment is exempt from CEQA pursuant to CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly). Alternatively, this ordinance is not a project under CEQA Guideline Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City's permissive zoning provisions already prohibit all uses that are being expressly prohibited by this ordinance. Therefore, this ordinance has no impact on the physical environment as it will not result in any changes.

NOW THEREFORE, be it resolved by the Planning Commission as follows:

SECTION 1: The Planning Commission of the City of Scotts Valley hereby recommends approval of the Zoning Ordinance Amendment AZO17-001, pursuant to the following findings:

- A. The proposed amendments to the City's Zoning Ordinance will not have a significant negative impact on the environment as it is an exempt project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.** The proposed amendments meet the requirement of this finding in that, as an exempt project, it is determined that the proposed changes to the City's Municipal Code will not have a significant impact on the environment.
- B. The proposed amendment is consistent with the City's General Plan.** The proposed amendments meet the requirement of this finding in that the Zoning Ordinance Amendment merely clarifies an existing regulation to comply with State law.

SECTION 2: The Planning Commission of the City of Scotts Valley hereby recommends approval of Ordinance No. 16-128.5 to the City Council as further described in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 3: After careful consideration of the Zoning Ordinance Amendment and related materials, 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 does hereby recommend to the City Council approval of Zoning Ordinance Amendment No. AZO17-001 to allow indoor cannabis cultivation of up to six (6) plants, as described in Ordinance No. 16-128.5, as provided in Exhibit A which is attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 12th day of October, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Approved: _____

Derek Timm,
Planning Commission Chair

Attest: _____

Taylor Bateman,
Acting Community Development Director

ORDINANCE NO. 16.128.5

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY AMENDING SECTION 17.64.020
OF CHAPTER 17.64 OF TITLE 17 OF THE SCOTTS VALLEY
MUNICIPAL CODE TO ALLOW INDOOR CANNABIS
CULTIVATION OF UP TO SIX (6) PLANTS FOR PERSONAL USE**

The City Council of the City of Scotts Valley does hereby ordain as follows:

Section 1. Findings and Purpose. The City Council finds and declares as follows:

- A. Pursuant to its police powers, and as authorized by the California Compassionate Use Act, the California Medical Cannabis Regulation and Safety Act (“MCRSA”), the Adult Use of Marijuana Act (“AUMA”), SB 94 and the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”), the City may enact laws or regulations pertaining to cannabis cultivation, dispensing, manufacturing, distribution, transporting, and testing within its jurisdiction.
- B. The City has previously adopted ordinances governing medical cannabis dispensaries and prohibiting cultivation, distribution and use within the City.
- C. Under the AUMA and MAUCRSA, the City cannot prohibit the indoor cultivation of up to six (6) for personal use.
- D. The City desires to amend Chapter 17.64 to allow the indoor cultivation of up to six (6) for personal use.
- E. The Planning Commission held a duly noticed public hearing on October 12, 2017, at which time it considered all evidence presented, both written and oral and at the end of the hearing voted to recommend that the City Council adopt this Ordinance.
- F. The City Council held a duly noticed public hearing on this Ordinance on November 1, 2017, at which time it considered all evidence presented, both written and oral.

Section 2. Section 17.64.020 of Chapter 17.64 of Title 17 of the Scotts Valley Municipal Code is hereby amended to read as follows:

“17.64.020 Prohibition.

- A. Commercial cannabis activities of all types are expressly prohibited in all zoning districts in the City of Scotts Valley. No person shall establish, operate, conduct or allow a commercial cannabis activity anywhere within the City.

- B. To the extent not already covered by subsection A above, all deliveries of cannabis and/or medical cannabis are expressly prohibited within the City of Scotts Valley with the exception of discreet delivery of medical cannabis to a residence or business of a qualified patient or a primary caregiver from a medical marijuana dispensary located outside the City of Scotts Valley.
- C. To the extent not already covered in subsection A above, all cannabis processing is expressly prohibited within the City of Scotts Valley.
- D. Dispensing cannabis is prohibited. No person shall dispense cannabis in the City. Cannabis dispensaries are prohibited. No person shall own, manage, operate or work in, whether as an employee or independent contractor, a cannabis dispensary in the City.
- E. This section is meant to prohibit all activities for which a State license is required. Accordingly, the City shall not issue any permit, license or other entitlement for any activity for which a State license is required under the California Medical Cannabis Regulation and Safety Act ("MCRSA"), the Adult Use of Marijuana Act ("AUMA"), Senate Bill 94 and/or the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA").
- F. Cultivation of cannabis for commercial or non-commercial purposes, including cultivation by a qualified patient or a primary caregiver, is expressly prohibited in all zoning districts in the City of Scotts Valley except as provided below:
 - 1. An individual may cultivate cannabis indoors on the parcel where the individual resides for personal medical or nonmedical purposes. Outdoor cultivation is prohibited.
 - 2. A primary caregiver may cultivate medical cannabis indoors at the primary caregiver's residence for a qualified patient for whom he/she is the primary caregiver. Outdoor cultivation is prohibited.
 - 3. Cannabis cultivation is permitted only on parcels with residential units. Cannabis cultivation is permitted only within a legally permitted residential unit, a garage (provided required parking is maintained), or a self-contained outside accessory building that is secured, locked, and fully enclosed.
 - 4. The cannabis cultivation area shall not exceed a total of six (6) plants per residence or property (for example, a property owner/resident may not grow six (6) plants indoors and grow additional plants in a separate self-contained building on the property).
 - 5. The use of gas products, volatile solvents or dangerous poisons, toxins or carcinogens (including, but not limited to, CO₂, butane, gasoline,

kerosene) or generators for marijuana cultivation or processing is prohibited.

6. Cannabis cultivation for sale is prohibited. Notwithstanding this prohibition, a primary caregiver may recover from his or her qualified patient the actual costs incurred by the primary caregiver in cultivating the medical marijuana he or she delivers to the qualified patient.
7. From the public right-of-way, there shall be no exterior evidence of cannabis cultivation.
8. Any accessory structure used for cultivation shall be located in the rear half of the lot and must maintain minimum yard requirements as specified in the development standards of the subject zoning district. The accessory structure shall not be entitled to any exceptions or modifications that allow for reduced side and rear yard setbacks. The yard in which the accessory structure is located must be fully enclosed by a solid six (6) foot high fence.
9. The residence shall maintain the kitchen, bathrooms, and primary bedrooms for their intended use and these rooms shall not be used for cannabis cultivation.
10. Written consent of the property owner to cultivate cannabis shall be obtained and kept on the premises at all times.
11. Any cannabis cultivation area located within a residence shall not create humidity, mold, or other nuisance condition.
12. The cannabis cultivation area shall not adversely affect the health or safety of the nearby residents by creating dust, glare, excessive light, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes."

Section 3. CEQA. This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, this ordinance is not a project in CEQA Guideline Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City's permissive zoning provisions already prohibits all uses that are being expressly prohibited by this ordinance. Therefore, this ordinance has no impact on the physical environment as it will not result in any changes.

Section 4. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 5. To the extent the provisions of the Scotts Valley Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 6. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of adoption and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

This Ordinance was introduced on the 1st day of November, 2017, and passed and adopted by the City Council of the City of Scotts Valley on the 15th day of November, 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Randy Johnson, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

Kirsten Powell, City Attorney