

1. Planning Commission Special Meeting Agenda

Documents:

[MARCH 3, 2016 SPECIAL MEETING .PDF](#)

2. Planning Commission Meeting Material

Documents:

[EXHIBIT C - ZONE CHANGE MAP .PDF](#)

[EXHIBIT D - RESIDENTIAL CONDITIONS OF APPROVAL .PDF](#)

[EXHIBIT E - HOTEL CONDITIONS OF APPROVAL .PDF](#)

[FINAL EIR .PDF](#)

[PLANNING COMMISSION RESOLUTION .PDF](#)

[PLANNING COMMISSION STAFF REPORT .PDF](#)

[CULTURAL RESOURCE PRESERVATION COMMISISON STAFF REPORT .PDF](#)

[EXHIBIT A - MITIGATION MONITORING AND REPORTING PROGRAM
\(MMRP\) .PDF](#)

[EXHIBIT B - GENERAL PLAN LAND USE DESIGNATION MAP .PDF](#)



CITY OF SCOTTS VALLEY

PLANNING DEPARTMENT

One Civic Center Drive • Scotts Valley • California • 95066
Phone (831) 440-5630 • Facsimile (831) 438-2793 • www.scottsvally.org

Planning Commission and Cultural Resources Preservation Commission Special Meeting Agenda

DATE / TIME: Thursday, March 3, 2016, at 6:00PM

MEETING LOCATION: City Hall Council Chambers at One Civic Center Drive

POSTING: Agenda posted at the City of Scotts Valley City Hall and Senior Center, and the Public Library on February 26, 2016

Planning Commissioners Russ Patterson, Chair Derek Timm, Vice-Chair Carlos Arcangeli, Commissioner Steve Horlock, Commissioner Deborah Muth, Commissioner	City Staff Members Taylor Bateman, Acting Community Dev. Director Michelle Fodge, Senior Planner
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CALL TO ORDER: *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.*

ORAL COMMUNICATIONS: *This portion of the agenda is reserved for discussion by the public of items which are NOT on the agenda. No action may be taken by the Commission. It is in the best interest of the person speaking to the Commission to be concise and to the point. All speakers are requested to sign their names at the podium so that their names may be accurately recorded in the minutes of the meeting.*

ALTERATIONS TO CONSENT AGENDA: *The Commission may remove or add items on the Consent Agenda.*

CONSENT AGENDA: *These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission. None.*

ALTERATIONS TO REGULAR OR PUBLIC HEARING AGENDA: *The Commission may remove, add, or re-arrange items on the Public Hearing or Regular Agenda.*

PUBLIC HEARING AGENDA:

2. **Project Title:** Enterprise Way
Applicants/Owner: City Ventures & Coast Redwood Hospitality/City Ventures, LLC
Project Location: No situs (address); vacant 6.80+/- acre parcel is accessed past the Santa's Village Road cul-de-sac, north of Granite Creek Road
Application No: CRA15-001
Description of Project: Consideration of Cultural Resources Preservation Commission review and recommendation of approval to the City Council of a Cultural Resource Alteration permit for the proposed Enterprise Way project.

3. **Project Title:** Enterprise Way
Applicants: City Ventures and Coast Redwood Hospitality
Property Owner: City Ventures, LLC
Project Location/APN: No situs (address); off Santa's Village Road/024-031-17
Application Nos.: EIR15-001, GPA15-001, ZC15-001, PD15-001, PD15-002, LD15-001, U15-002, U16-001, DR15-001, DR15-009, and DR16-001
Project Description: Consideration of Planning Commission review and recommendation of approval to the City Council of a Final Environmental Impact Report, Statement of Overriding Considerations, General Plan Amendment, Zone Change, Planned Development Overlay & Permits, Land Division, Use Permits, and Design Reviews for construction of a four-story 120-room hotel (approximately 87,000 square feet) on 2.48 acres, and 50 three-story 3- & 4-bedroom townhouses (approximately 1,700 square feet each of living area plus 2-car garages) on 4.32 acres, internal project streets, signage, and related property improvements.
Staff Planner: Michelle Fodge, Senior Planner, (831) 440-5632, mfodge@scottsvalley.org

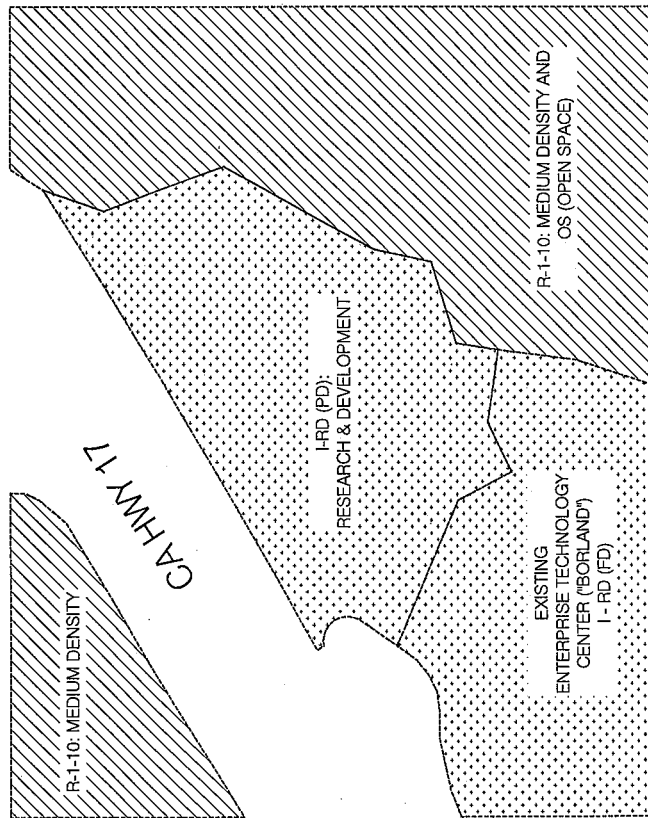
DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: *The Planning Commission or Community Development Director may request to schedule items on future agendas.*

WRITTEN COMMUNICATIONS - FOR INFORMATION ONLY: *City Council Minutes or other items are provided if available.*

ADJOURNMENT: *Adjournment shall be no later than 11:00 p.m. 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 2.21.020.*

PLEASE NOTE: 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 to attend and participate in the meeting, please call the Planning 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 contact the Community Development Department. The California State Relay Service (TDD to voice: 1-800-735-2929 or voice to TDD: 1-800-735-2922) provides Telecommunications Devices for the Deaf and will provide a link between the TDD caller and users of telephone equipment.

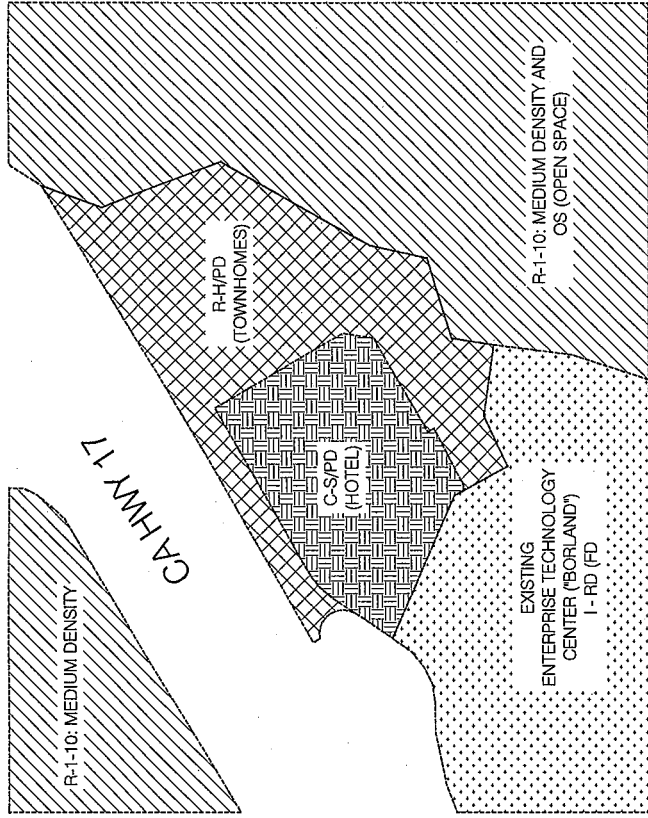
Exhibit C



EXISTING ZONING CLASSIFICATION

CITY OF SCOTTS VALLEY ZONING MAP 2007

-  I- RD (PD): RESEARCH & DEVELOPMENT
-  R-1-10: MEDIUM DENSITY



PROPOSED ZONING CLASSIFICATION

CITY OF SCOTTS VALLEY ZONING MAP 2007

-  I- RD (PD): RESEARCH & DEVELOPMENT
-  R-1-10: MEDIUM DENSITY
-  C-S/PD: SERVICE
-  R-H/PD: HIGH DENSITY

ENTERPRISE WAY

CITY VENTURES

SANTAS VILLAGE ROAD

SCOTTS VALLEY, CA 95066



City Ventures

© HUNT HALE JONES ARCHITECTS

Architecture | Planning | Interiors

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San Francisco, CA 94105
www.hunthalejones.com

t. 415-512-1300
f. 415-288-0288

ZONING MAP

ZM

SCALE: N.T.S.
DATE: 12/02/2015
PROJECT: 317031

z:\317031_scotts_valley_ji\Drawings\DK-SD\Drawings\Cover\317031_ScottsValley_VL_CS.dwg, 1/28/2016 4:11:10 PM, Y

Exhibit D
Residential Conditions of Approval
(#1 - #77)

LEGAL

1. The Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. The property owner shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. Before issuance of any building/grading permits or transfer of title, the developer shall record a signed copy of a "Memorandum of Agreement Regarding the Conditions of Approval" at the County Recorder's Office. Planning Department staff will provide the document to record. The applicant shall provide a conformed copy to the Planning Department.
4. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all appropriate required fees before starting any grading/earth disturbance on the property.

PLANNING DEPARTMENT

5. The approved planning permits include Planned Development Permit PD15-001, Use Permit U15-002, and Design Review DR15-001 for 50 townhouse-style condominiums and related site improvements, as shown in the plans prepared by C2G Engineers and Hunt Hale Jones Architects stamped approved, which are on file in the Planning Department.
6. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit D, to the satisfaction of the Community Development Director (CDD).
7. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD and CDD confirmation regarding the level of environmental review and planning permits required before any earth disturbance. As

determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the applicant.

8. The developer and future project residents shall comply with the Mitigation Measures in Final Environmental Impact Report and Mitigation Monitoring and Reporting Program, which are listed in Exhibit A of this Planning Commission Resolution.
9. Before grading permit issuance, the developer shall submit a mitigation measure compliance monitoring fee deposit for ten (10) hours of staff time at the existing rate. Any unused time shall be refunded at a final building inspection.

Grading

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

Streets

11. To the extent feasible the applicant shall widen the Santa's Village Road extension from 24' to 36' to allow parking on both sides (from existing Santa's Village Road cul-de-sac to curve in proposed road). The final road plan shall be reviewed and approved by the Public Works Director and Community Development Director prior to Final Map approval.
12. All future street names shall be reviewed and approved by the City. Prior to Final Map approval, the project applicant shall work with the City to establish street names that reflect the history and character of Scotts Valley. Approved street names shall be shown on the Final Map.

Trees

13. The landscape plan shall be amended to provide shrubs instead of trees between units 6 & 7 and 12 & 13 to avoid future foundation damage from invasive roots.
14. Tree removal shall not occur until a grading or building permit has been issued for the project.
15. The final grading plans and improvement plans shall be reviewed and approved by the project arborist prior issuance of a grading or building permit, and if deemed necessary by the Community Development Director additional tree preservation measures shall be applied to the project.

16. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading or building permit for the project. The monetary value shall be reviewed and approved by the Community Development Director. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
17. During the pre-construction phase of development the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.
18. The project arborist shall routinely inspect the development site through the term of the project.

Landscaping

19. To the extent feasible, the applicant shall extend the proposed landscaping along the property line (between Santa's Village Road extension and Highway 17) from the common outdoor area to the existing Santa's Village Road cul-de-sac. The maintenance and irrigation of this landscaping area shall be the responsibility of HOA and provisions shall be included in the project CC&R's and/or a maintenance agreement with the City for the ongoing maintenance and irrigation. The Community Development Director shall review and approve the landscape plan.
20. The landscaping improvements shall be permanently maintained and irrigated.

Fencing & Gate(s)

21. The fencing located along the property line with Highway 17 (behind units 41 & 42 and the common outdoor) shall be an acoustic design with no air gaps to reduce noise. Fence specifications shall be reviewed and approved by the Community Development Director prior to installation.
22. The materials, locations and heights of the retaining walls and fences shall be approved by the Community Development Director prior to issuance of grading or building permit

23. The EVA access gate between the residences and the hotel shall be designed to provide the maximum amount of privacy for the residences while providing necessary access for emergency vehicles. The property owners of both the hotel and the residential subdivision shall work with the City and emergency responders to achieve these objectives prior the first building permit final for residential units 5 and 6.

Lighting

24. The final lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of building permit.
25. To ensure that the project lighting is consistent with City policies and design guidelines and to minimize project light & glare on adjacent properties, all exterior lighting shall be at the lowest level for security, aesthetics, safety and identification without interfering with adjacent properties. High-intensity outdoor lighting shall be prohibited. Additionally, all exterior lighting on future residences shall be low-profile, low-intensity directed downward with shields/guards, subject to review and approval by the Community Development Director (CDD).

CC&R's

26. The CC&Rs shall be reviewed and approved by the City, executed by the property owner, and recorded prior to the issuance a building permit for the project. The CC&Rs shall:
 - a. Provide on-going management and maintenance for the project;
 - b. Contain a parking plan that specifies parking stall designations for residents and guests, fire lanes, and "No Parking" areas, and no semi-truck parking, to the extent feasible; and,
 - c. Alert project residents of the potential odor, noise, and periodic chemical truck delivery nuisances from the Scotts Valley Water District's Orchard Run Treatment Plant located in the vicinity to the north on the Lennar Homes "spur" emergency access road off Highway 17.
27. The property owner shall pay for all CC&R recording costs and City Attorney review.
28. The Condominium Plan for the project shall be reviewed and approved by the City Attorney & Public Works Director prior to Recordation.

BUILDING DEPARTMENT

29. The developer shall obtain any required grading and/or building permit(s) and pay applicable fees.
30. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
31. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
32. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee).
33. All buildings shall be designed to comply with the current codes in effect at the time of building permit issuance.
34. The building permit plans must comply with the current California Building Code (CBC) for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.
35. All structures shall comply with the most current California Energy Commission Standards (Title 24).
36. All new construction shall comply with the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the Community Development Director (CDD).
37. Structural calculations shall be submitted and wet-signed by the Engineer of record.
38. Provide names of Special Inspectors with certifications as required.
39. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits.
40. All new utilities shall be installed underground.
41. The applicant shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

42. Site drainage erosion control and foundation plans must be reviewed and approved by a soils engineer.
43. Grading and building permit plans shall include separate full-sized sheets listing the required Mitigation Measures and Conditions of Approval.
44. An engineered grading permit shall be required.
45. Retaining walls shall require an engineered design.
46. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.
47. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

PUBLIC WORKS DEPARTMENT- ENGINEERING DIVISION

48. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 *et seq.*, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.
49. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)
50. Engineered Improvement Plans shall be submitted for all on site and off site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, sanitary sewer, water, street lights, street signs, mailboxes, street trees, street lights, electric, telephone, gas, cable television, and any other proposed utility, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

51. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard Details, latest revision, adopted by the City Council.
52. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
53. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
54. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.
55. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
56. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned to the satisfaction.
57. Applicant shall request a sewer allocation for the project from the City Engineer. Sewer allocations expire within 90 days, therefore the applicant should make the sewer allocation request no earlier than 90 days prior to the start of construction. The request shall be in writing and may be approved or denied by the City Engineer, depending on the availability of sewer hook-ups.
58. Applicant shall construct storm drain facilities in conformance with data and analysis and current City regulations for water quality and waste discharge that are in effect at the building permit stage, as determined and required by the Public Works Director/City Engineer.
59. Developer shall pay the cost to accomplish the utility design and construction to underground any telephone, electric power, and television cables in each project contained easement, private or public road frontage. This undergrounding of utilities to remove utility poles comes in addition to the state required undergrounding of transmission for the project and any new service connections, to the satisfaction of the Public Works Director/City Engineer.

60. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.
61. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This undergrounding of utilities to remove utility poles comes in addition to the state required undergrounding of transmission for the project and any new service connections.
62. The final map shall be submitted to the City's Public Works Department on an Auto CAD drawing up to version 2004 electronic version prior to recording. 1The final map shall be submitted to the Planning Department in an AutoCAD drawing using version 14 or greater, or a DXF file, formatted on a 3.5" diskette, or CD-R, for review and acceptance by the City prior to a final sign-off. There shall be no gaps between the lines. All parcel lines should intersect with single-family lots, right-of-ways, or parcel lines. There shall be no undershoots or overshoots. The applicant shall be responsible for all changes to the file that are required.
63. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
64. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.
65. Before a Final Map is recorded, the applicant shall provide any necessary easements for PG&E and other utilities to provide new services.
66. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.
67. If any work is proposed in the Caltrans right-of-way (Highway 17), the developer shall obtain a prior encroachment permit from Caltrans before any work begins, and shall obtain prior review and approval by the CDD of such work.
68. Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property, with the exception of installation of

temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing, the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the applicant, the grading contractor supervisor, the project biologist, the project arborist, the Civil Engineer, the City of Scotts Valley Environmental Planning staff, a representative from the California Department of Fish and Wildlife, the City Engineer, and the Public Works Director. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing will be inspected at that time.

69. Provide profiles of all proposed roads, driveways, retaining walls, storm drains, sewers, and water lines.
70. To ensure that the developer repairs any damage to City-maintained streets that is caused by project construction, the developer shall provide a set of current (pre-project) photos of Santa's Village Road to the Public Works Director for review and approval.
 - a. After project construction and before occupancy, the Public Works Director shall inspect the road and determine if any repairs are required to restore the road to the pre-project condition; and,
 - b. The developer shall complete any required repairs to the road to the satisfaction of the Public Works Director before City sign-off on the building permit(s) and occupancy of any unit.

City Public Works Department - Wastewater Division

71. All sanitary sewer mains, laterals, manholes, and pump stations inside all of the facilities shall be private except for the main trunk line and manholes in the Santa's Village Road / Enterprise Way right-of-ways.
72. Every sewer lateral crossing a curb line shall be marked with an "S" stamped in the face of the curb.
73. Water softeners shall only be permitted if they are exchange-base systems, where a vendor comes and picks up columns of brine and exchanges them for new ones. Systems that back-flush and discharge brine to the sewer are not permitted since the City of Scotts Valley recycles water for irrigation.

Scott Valley Fire Protection District

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

Scott Valley Water District (SVWD)

75. A Main Extension Agreement will need to be executed between City Ventures and SVWD.
76. Future improvement plans and construction documents shall address specific comments made on SVWD letter dated February 17, 2016.
77. All recycled water systems must be designed according to the SVWD Rules and Regulations and must conform to the [Recycled Water Irrigation Systems Standard Notes and Details](#).

Signature of Phil Kerr, Applicant, City Ventures, LLC

Date

Exhibit E
Hotel Conditions of Approval
(#1 - #78)

LEGAL

1. The Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. The property owner shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. Before issuance of any building/grading permits or transfer of title, the developer shall record a signed copy of a "Memorandum of Agreement Regarding the Conditions of Approval" at the County Recorder's Office. Planning Department staff will provide the document to record. The applicant shall provide a conformed copy to the Planning Department.
4. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all appropriate required fees before starting any grading/earth disturbance on the property.

PLANNING DEPARTMENT

5. The approved planning permits include Planned Development Permit PD15-001B, Use Permit U16-002, and Design Review DR16-001 for a hotel, signage, and related site improvements, as shown in the plans prepared by Ifland Engineers and Rhys Architects (stamp dated 1/19/2016) stamped approved, which are on file in the Planning Department.
6. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit B, to the satisfaction of the Community Development Director (CDD).
7. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD and CDD confirmation regarding the level of environmental review and planning permits required before any earth disturbance. As

determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the applicant.

8. The developer and future project residents shall comply with the Mitigation Measures in Final Environmental Impact Report and Mitigation Monitoring and Reporting Program, which are listed in Exhibit A of this Planning Commission Resolution and will be included in the Conditions with the documents for City Council review, to be scheduled.
9. Before grading permit issuance, the developer shall submit a mitigation measure compliance monitoring fee deposit for ten (10) hours of staff time at the existing rate. Any unused time shall be refunded at a final building inspection.
10. All requirements of the Santa Cruz County Environmental Health shall be met prior to operation of the facility.

Use

11. The maximum stay for any guest shall be no more than 29 days. When a guest stay reaches 29 days the guest shall check out for at least two days before returning as a guest.

Design

12. All mechanical equipment shall be screened from public view.
13. To the extent feasible all mechanical equipment shall be enclosed to muffle noise.
14. The trash enclosures shall be reviewed and approved by the Community Development Director to ensure consistency with Section 17.44.20(C)10 of the Scotts Valley Municipal prior to trash enclosure construction.
15. Green Waste shall review the trash enclosure to ensure functionality prior to construction of the enclosure.
16. The outdoor storage of material is prohibited.

Landscaping

17. The final landscape design shall be reviewed and approved by the Community Development Director.
18. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District.

19. The landscaping improvements shall be permanently maintained and irrigated.

Fencing and Walls

20. The materials, locations and heights of the retaining walls and fences shall be approved by the Community Development Director prior to issuance of grading or building permit

Streets

21. All future street names shall be reviewed and approved by the City. Prior to Final Map approval, the project applicant shall work with the City to establish street names that reflect the history and character of Scotts Valley. Approved street names shall be shown on the Final Map.
22. The EVA access gate between the residences and the hotel shall be designed to provide the maximum amount of privacy for the residences while providing necessary access for emergency vehicles. The property owners of both the hotel and the residential subdivision shall work with the City and emergency responders to achieve these objectives prior to building permit final for residential units 5 and 6.

Signs

23. Sign lighting shall be minimized to reduce light leakage beyond sign perimeters and to minimize ambient light pollution. To the extent feasible light sources shall not be directly visible.
24. The proposed "Beacon Light" shall be reviewed and approved by the Community Development Director for consistency with City's design standards prior to full operation.

Lighting

25. The final lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of building permit.
26. Lighting impacts to adjacent residences shall be minimized. Where feasible, property owner shall use dimmers or other sensors that lower lighting levels when exterior lighting is not in use.
27. To ensure that the project lighting is consistent with City policies and design guidelines and to minimize project light & glare on adjacent properties, all exterior lighting shall be at the lowest level for security, aesthetics, safety and identification without interfering with adjacent properties. High-intensity outdoor

lighting shall be prohibited. Additionally, all exterior lighting on future residences shall be low-profile, low-intensity directed downward with shields/guards, subject to review and approval by the Community Development Director (CDD).

Grading

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

BUILDING DEPARTMENT

29. The developer shall obtain any required grading and/or building permit(s) and pay applicable fees.
30. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
31. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
32. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee).
33. All buildings shall be designed to comply with the current codes in effect at the time of building permit issuance.
34. The building permit plans must comply with the current California Building Code (CBC) for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.
35. All structures shall comply with the most current California Energy Commission Standards (Title 24).
36. All new construction shall comply with the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the Community Development Director (CDD).
37. Structural calculations shall be submitted and wet-signed by the Engineer of record.
38. Provide names of Special Inspectors with certifications as required.
39. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits.

40. All new utilities shall be installed underground.
41. The applicant shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
42. Site drainage erosion control and foundation plans must be reviewed and approved by a soils engineer.
43. Grading and building permit plans shall include separate full-sized sheets listing the required Mitigation Measures and Conditions of Approval.
44. An engineered grading permit shall be required.
45. Retaining walls shall require an engineered design.
46. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.
47. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

PUBLIC WORKS DEPARTMENT- ENGINEERING DIVISION

Standard

48. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 *et seq.*, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.
49. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

50. Engineered Improvement Plans shall be submitted for all on site and off site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, sanitary sewer, water, street lights, street signs, mailboxes, street trees, street lights, electric, telephone, gas, cable television, and any other proposed utility, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
51. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard Details, latest revision, adopted by the City Council.
52. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
53. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
54. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.
55. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
56. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned to the satisfaction.
57. Applicant shall request a sewer allocation for the project from the City Engineer. Sewer allocations expire within 90 days, therefore the applicant should make the sewer allocation request no earlier than 90 days prior to the start of construction. The request shall be in writing and may be approved or denied by the City Engineer, depending on the availability of sewer hook-ups.

58. Applicant shall construct storm drain facilities in conformance with data and analysis and current City regulations for water quality and waste discharge that are in effect at the building permit stage, as determined and required by the Public Works Director/City Engineer.
59. Developer shall pay the cost to accomplish the utility design and construction to underground any telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections, to the satisfaction of the Public Works Director/City Engineer.
60. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.
61. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.
62. The final map shall be submitted to the City's Public Works Department on an Auto CAD drawing, as specified by the Public Works Director, prior to recording. There shall be no gaps between the lines. All parcel lines should intersect with single-family lots, right-of-ways, or parcel lines. There shall be no undershoots or overshoots. The applicant shall be responsible for all changes to the file that are required.
63. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
64. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.
65. Before a Final Map is recorded, the applicant shall provide any necessary easements for PG&E and other utilities to provide new services.

66. If any work is proposed in the Caltrans right-of-way (Highway 17), the developer shall obtain a prior encroachment permit from Caltrans before any work begins, and shall obtain prior review and approval by the CDD of such work.

Project-specific

67. Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property, with the exception of installation of temporary construction fencing demarcating the disturbance envelope and silt fencing, the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the applicant, the grading contractor supervisor, the project biologist, the Civil Engineer, the City of Scotts Valley Planning staff, the City Engineer, and the Public Works Director. The temporary construction fencing demarcating the disturbance envelope and silt fencing will be inspected at that time.
68. Provide profiles of all proposed roads, driveways, retaining walls, storm drains, sewers, and water lines.
69. To ensure that the developer repairs any damage to City-maintained streets that is caused by project construction, the developer shall provide a set of current (pre-project) photos of Santa's Village Road to the Public Works Director for review and approval.
- a. After project construction and before occupancy, the Public Works Director shall inspect the road and determine if any repairs are required to restore the road to the pre-project condition; and,
 - b. The developer shall complete any required repairs to the road to the satisfaction of the Public Works Director before City sign-off on the building permit(s) and occupancy of any unit.

City Public Works Department - Wastewater Division

70. All sanitary sewer mains, laterals, manholes, and pump stations inside all of the facilities shall be private except for the main trunk line and manholes in the Santa's Village Road / Enterprise Way right-of-ways.
71. Every sewer lateral crossing a curb line shall be marked with an "S" stamped in the face of the curb.
72. Plans do not currently indicate a water softener. Commercial water softeners are only permitted if they are exchange-base systems, where a vendor comes and picks up columns of brine and exchanges them for new ones. Systems that back-flush and discharge brine to the sewer are not permitted since the City of Scotts Valley recycles water for irrigation

73. All trash enclosures are required to have overhead coverage. It is not indicated if the trash enclosure will have overhead coverage. If the trash enclosure has a drain it shall be routed to the sanitary sewer. This drain shall not be connected to the storm drain
74. Please contact the Environmental Compliance Inspector at (831) 706-7384 to inspect after construction is complete to ensure compliance.

Scott Valley Fire Protection District

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

Scott Valley Water District

76. A Main Extension Agreement will need to be executed between City Ventures and SVWD.
77. Future improvement plans and construction documents shall address specific comments made on SVWD letter dated February 17, 2016.
78. All recycled water systems must be designed according to the SVWD Rules and Regulations and must conform to the [Recycled Water Irrigation Systems Standard Notes and Details](#).

Signature of Bijal Patel, Applicant

Date



Enterprise Way

FINAL EIR



Kimley»Horn
Expect More. Experience Better.

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1 Introduction

The Enterprise Way Draft Environmental Impact Report (DEIR) was circulated for a 45-day public review period from Thursday, December 31, 2015, to Monday, February 16, 2016, as assigned by the State of California Governor's Office of Planning and Research State Clearinghouse and consistent with CEQA regulations. Copies of the document were distributed to state, regional, and local agencies, as well as organizations and individuals, for their review and comment.

This Enterprise Way Project Final Environmental Impact Report (FEIR) has been prepared in accordance with CEQA and state and local CEQA Guidelines and represents the independent judgment of the City, as CEQA Lead Agency. This Final EIR, together with the DEIR, technical appendices, and other written documentation prepared during the EIR process, as those documents may be modified by the City Council at the time of certification, will constitute the Final EIR, as defined in the State CEQA Guidelines, Section 15132, and the City of Scotts Valley's environmental document reporting procedures.

1.1 Document Organization and Framework

This Response to Comments package is organized as follows: **Section 1** provides a brief introduction to this report. **Section 2** provides a list of agencies and interested persons commenting on the DEIR. This section also contains individual comments followed thereafter by responses. To facilitate review of the responses, an index number (e.g., 1-1, 1-2, 2-1) has been assigned to each comment and to its corresponding responses. **Section 3** contains changes to the DEIR as a result of the comments by agencies and interested persons. **Section 4** contains the Mitigation Monitoring and Reporting Program.

City Staff has reviewed the comment letters, draft responses and information generated in the course of preparing the responses and determined that none of this material constitutes significant new information that requires a recirculation period for further public comment under CEQA Guideline Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation as described in Section 15088.5.

1.2 CEQA Requirements Regarding Comments and Responses

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be, "on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental

effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

2 Response to Comments on the Draft EIR

2.1 Agency, Organization, and Individual Comments on the Draft EIR

This section includes all written comments received on the DEIR and the City's responses to each comment. Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underline for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the Draft EIR during the public review period:

Table 2-1: List of Written Comments Received on the Draft EIR

Comment Letter No.	Commenting Agency / Organization / Person	Date
<i>Agencies</i>		
1	California Department of Transportation (Caltrans) / Olejnik, John	February 11, 2016
<i>Organizations</i>		
2	Affordable Housing NOW! / Willoughby, Tim	February 11, 2016
<i>Individuals</i>		
3	Aguilar, Stephany	February 16, 2016
4	Brannan, Wendy	February 15, 2016
5	Hodgin, Dave	February 15, 2016
6	Hormel, Phil	February 14, 2016
7	Musser, Patty	February 15, 2016
8	Muth, Deborah	February 16, 2016
9	Rau, Lex	February 16, 2016
10	Walters, Erin	January 13, 2016

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
<http://www.dot.ca.gov/dist05/>

Comment Letter 1

*Serious drought
Help save water!*

February 11, 2016

SCRz-17-5.87
SCH# 2015032086

Michele Fodge
Scotts Valley Planning Department
One Civic Center Drive
Scotts Valley, CA 95066

Dear Ms. Fodge:

**COMMENTS TO ENTERPRISE WAY – CITY VENTURES HOTEL AND RESIDENTIAL
PROJECT DRAFT EIR**

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comments in response to your summary of impacts.

1. Caltrans appreciates the opportunity to engage in early consultation with the City on this project to discuss concerns associated with ramp operations at Santa's Village Road.
2. The Highway 17 Access Management Plan (AMP), is a long-range plan that provides strategies and recommendations to address the access, mobility, and safety needs on the Highway 17 corridor. While the plan is in the early stages, preliminary materials and findings have already included potential recommendations and project concepts that are near to the City Ventures project. Specific draft concepts included formalizing roads located within and north of the development parcel by converting these to a local collector network. This new frontage system would consolidate trips at the Santa's Village Road onramp and advance access management goals by reducing conflict points to Highway 17.

Subsequent to the development studies and review, Caltrans understands that the City is also undergoing an update to the General Plan Circulation Element. This update is an excellent opportunity to analyze the impacts of all development (approved and planned) and to ensure consistency with regional planning efforts such as the Highway 17 AMP and the Santa Cruz County Regional Transportation Plan. In particular, ramp operations (merge, acceleration, and deceleration) at Santa's Village Road should be studied. The City might also consider investigating the need for specific improvements such as an auxiliary lane between Granite Creek Road and Santa Village Road ramps, and the closure of the Timber Ridge driveways to Highway 17 for all non-emergency users.

1-1

3. Notwithstanding the above, Caltrans is looking for confirmation from the City that opening day of the City Ventures project will not create operational or safety impacts to the Highway 17 ramps. 1-2
4. Regarding storm water and drainage reports, it appears that two new inlets will be connecting to the existing drainage pipe from Highway 17. It is possible that flow coming from the new road adjacent to the highway could cause a backwater for flow from the highway. As systems are being designed, Caltrans requests the opportunity to review detailed plans to ensure the existing system can support the new inlets and water conveyance from the proposed road, hotel, and residential components during the 25 year storm event. 1-3

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,



JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator
john.olejnik@dot.ca.gov

cc: Kelly McClendon (D5)
George Dondero (SCCRTC)

2.1.1 Response to Comment Letter #1: John Olejnik, California Department of Transportation (Caltrans), dated February 11, 2016

Response to Comment 1-1– Highway 17 Access Management Plan

The commenter states that Caltrans is undertaking the Highway 17 Access Management Plan (AMP), which will be a long-range plan that will provide strategies and recommendations for access, mobility and safety along the corridor. The preliminary plan includes recommendations for formalizing roads located near the development parcel by converting these areas to a local collector network. The commenter also provides recommendations for improvements related to Caltrans facilities in relation to the City's General Plan update.

The comments are noted. The Timber Ridge Driveways are not considered to provide public access to the project site and no trips were assigned to those driveways in the analysis.

The addition of project trips (1 per 2 minutes in the PM peak hour on the northbound Highway 17 off ramp and 1 per 3 minutes in the AM peak hour on the northbound on ramp) and freeway LOS does not meet Caltrans requirements for ramp and merge analysis.

Pursuant to the Caltrans Guide for the Preparation of Traffic Impact Studies (December 2002), for projects generating 1 to 49 peak-hour trips to a State highway facility, ramp analysis is recommended when: 1) The affected facility experiences significant delay, unstable, or forced flow conditions (LOS E or F); 2) The potential risk for a traffic incident is significantly increased; or 3) A change in the local circulation network impacts the State highway facility.

The project would generate one project trip per 2 minutes in the PM peak hour on the northbound Highway 17 off ramp and one project trip per 3 minutes in the AM peak hour on the northbound on ramp. Therefore, none of these criteria apply to the Santa's Village Road / Highway 17 northbound ramps. Thus, the ramp and merge analysis is not appropriate and closure of the ramps was not considered.

Furthermore, closure of these ramps would exacerbate congestion at the Santa's Village Road / Granite Creek Road / northbound Highway 17 off- and on-ramps which are currently operating at a deficient LOS per Caltrans threshold.

The Caltrans Highway 17 AMP has not been completed for review or consideration, and there is thus no funding identified that. Therefore, this CEQA analysis does not consider improvements related to the Caltrans Highway 17 AMP under existing or cumulative conditions.

Response to Comment 1-2– Operational and Safety Impacts to Highway 17 Ramps

The commenter states that Caltrans requests confirmation from the City that the proposed project would not create operational safety impacts to the Highway 17 ramps. The comment is noted.

Operation conditions have been presented in the Draft EIR as presented in Draft EIR [Chapter 15: Transportation and Circulation](#), in [Table 15-2: Existing and Cumulative \(2030\) Transportation Delay & LOS without Project](#), [Table 15-4: Existing and Existing + Project Transportation Delay & LOS](#), and in [Table 15-5: Cumulative and Cumulative + Project Transportation Delay & LOS](#). Project traffic would utilize the existing street network to gain access to the project site.

Response to Comment 1-3– Stormwater Drainage beneath Highway 17

The commenter requests that Caltrans review detailed stormwater drainage plans to ensure the existing stormwater drainage system beneath Highway 17 can support new inlets and water conveyance during a 25-year storm event.

Contrary to the comment, stormwater from the proposed project would primarily drain to the east and south, away from Highway 17. As such, flows from a 25-year storm would primarily be directly away from, not toward, Highway 17.

Please see the preliminary drainage and stormwater management plans in [Figure 3-6: Hotel Grading and Drainage Plan](#), [Figure 3-7: Hotel Stormwater Plan](#), [Figure 3-12: Residential Grading and Drainage Plan](#), and [Figure 3-13: Residential Stormwater Plan](#).

As indicated in Draft EIR [Chapter 3: Project Description](#), on page 3-6, stormwater from new impervious surfaces on the hotel site would be directed to rain gardens, and runoff beyond design storms would be collected post-treatment and released adjacent storm drain systems to the west and east. The majority of the hotel site would drain to the east, away from Highway 17, into the residential development's storm system. Only the westernmost portion of the hotel site would drain to the west and connect to the existing storm system beneath the existing Santa's Village Road.

Stormwater from new impervious surfaces of the residential development would drain to a series of bioretention areas that would allow for infiltration. Approximately 0.8 acres of the residential site would drain directly to an underground stormwater detention facility, which would also collect overflow from the bioretention areas. This facility would have a control-release mechanism that would connect to the existing off-site drainage system to the south, in proximity to Carbonera Creek and away from Highway 17.

Both the hotel and residential development project applicants have submitted Stormwater Management Plans pursuant to City requirements. The system will have the capacity to detain a 10-year storm event, as well as retain a two-year storm event of 24-hour duration. As indicated in Draft EIR [Chapter 11: Hydrology and Water Quality](#), on page 11-12, based on preliminary calculations, the project would reduce stormwater flows during a 10-year storm event by 0.06 cubic feet per second (CFS) compared to existing conditions. In addition, because the project would create 22,500 square feet or more of impervious surfaces, it would be subject to State Tier 4 Post-Construction Requirements (PCRs), requiring the implementation of Low Impact Design Measures to reduce stormwater quantity and increase stormwater quality. Stormwater impacts would be less than significant.

The Santa's Village Road extension is being constructed as part of the adjacent Polo Ranch project. Current plans indicated that a portion of stormwater associated with that roadway may drain west toward Highway 17. The City will coordinate stormwater drainage plans with Caltrans as part of roadway design and construction.



Affordable Housing NOW!

P.O. Box 2374, Santa Cruz, California 95063

(831) 465-8272

www.affordablehousingsantacruz.org

February 11, 2016

Affordable Housing NOW! Taskforce Members

Tim Willoughby, Chair

Nancy Abbey

Rose Ashford

Tom Burns

David Foster

Gail Jack

Linda Kerner

Dean Lundholm

Wendy Macias

Coco Raner-Walter

Gretchen Regenhardt

Kathy Ruiz-Goldenkranz

Ken Thomas

Bruce Van Allen

Ms. Michelle Fodge, Sr. Planner
City of Scotts Valley Planning Commission
One Civic Center Drive
Scotts Valley, CA 95066

Subject: Enterprise Way Development

Dear Ms. Fodge:

Affordable Housing NOW! (AHN!) appreciates the opportunity to comment on the Draft Environmental Impact Report (Draft EIR) for the Enterprise Way project. While AHN! supports the many attractive elements of this project as detailed in the Draft EIR, especially the attention to the energy conserving and environmentally sustainable features of the proposed townhouses and hotel, we are very concerned about the affordability of the housing for very-low and low income residents of Scotts Valley. AHN! is especially concerned with the following statement on page 3-5 of the Draft EIR:

"Pursuant to a development agreement between the City and the project applicant, the townhouse development is not required to meet any inclusionary or affordable housing obligation, or any other costs associated with the provision of homes at below market value."

This statement directly conflicts with the City of Scotts Valley Inclusionary Housing Program, detailed in Municipal Code Chapter 14.01 "Redevelopment Agency Affordable Housing Production Requirements". AHN! understands that you have indicated that the 15% Inclusionary Housing requirement would be applied to this project, however the level of affordability that will be required to comply with the Inclusionary Housing Program, is "uncertain" at this point, and will be resolved by the City Council.

*Working to create
more affordable
housing options for
moderate to low
income people who
live and work in
Santa Cruz County.*

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FEB 11 2016

CITY OF SCOTTS VALLEY

AHN! believes it is worth noting the "Findings" that precede the regulations of Scotts Valley Inclusionary Housing ordinance:

"The city council finds that housing for persons of very-low-, low- and moderate income serves and enhances the public health, safety and welfare, and particularly finds that provision of very-low-, low- and moderate-income housing is fundamental to maintenance of an adequate, growing workforce and marketplace for the local economy."

AHN! wholeheartedly agrees with these "Findings". We therefore recommend the developers of the Enterprise Way project be required to meet the City's "Inclusionary Program" of 15% of the proposed 50 townhouses (eight "Inclusionary Units" total) as follows: a balanced distribution of four (4) units sales price restricted for Very-Low income households, and four (4) units sale price restricted for Low Income households. We think these levels of affordability best meet the spirit and intent of the Inclusionary Housing Program, as the remaining 42 market rate units in the project are likely to be "attainable" by moderate income households.

2-3

We believe that the Final EIR for the project must be corrected with regard to the statement in the Draft EIR suggesting that there will be no inclusionary requirement. Furthermore, we believe that the EIR should clearly state how the inclusionary requirement will be met.

We look forward to having an opportunity to discuss this proposal to meet the requirements of Scotts Valley Inclusionary Program. Please feel free to contact AHN! at (831) 419-3484.

Sincerely,



Tim Willoughby
Chair, Affordable Housing NOW!

RECEIVED

FEB 11 2016

CITY OF SCOTTS VALLEY

2.1.2 Response to Comment Letter #2: Tim Willoughby, Affordable Housing NOW!, dated February 11, 2016

Response to Comment 2-1– Energy Conservation and Sustainability

The commenter applauds the energy conservation and sustainability features of the proposed project. The comment is noted.

The proposed project would result in less-than-significant impacts to greenhouse gases, water supply, and air quality, as detailed in Draft EIR Chapters 10, 14, and 6, respectively.

Response to Comment 2-2– Inclusionary Housing Ordinance

The commenter states that the proposed project should conform to the City of Scotts Valley Inclusionary Housing Program detailed in the Municipal Code.

Draft EIR Chapter 3: Project Description, page 3-5 states that, pursuant to a development agreement between the City and the residential development project applicant, the townhouse development is not required to meet any inclusionary or affordable housing obligation.

Scotts Valley Municipal Code Section 14.01.040(C) states that new residential developments shall make an affordable housing contribution for very-low, low-, and moderate-income households in an amount equal to or greater than 15 percent of the total number of units or lots approved for development.

Page 3-5 has been revised, as follows:

~~Pursuant to a development agreement between the City and the project applicant, the townhouse development is not required to meet any inclusionary or affordable housing obligation, or any other costs associated with the provision of homes at below market value. The City's Affordable Housing Subcommittee is working with the residential project applicant and will make a recommendation of housing unit affordability mix and level of affordability for City Council review.~~

The provision of affordable housing is not a physical environmental effect under CEQA.

Response to Comment 2-3– Recommended Affordable Housing Mix

Please see Response to Comment 2-2.



City of Scotts Valley

Office of the City Council

One Civic Center Drive * Scotts Valley * CA 95066
(831) 440-5602 * Fax: (831) 438-2793 * Email: cityhall@scottsvally.org

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FEB 16 2016

February 16, 2016

CITY OF SCOTTS VALLEY

City of Scotts Valley
One Civic Center Drive
Scotts Valley, Ca 95066

RE: Enterprise Way Draft EIR – Comments

The comments submitted are in relation to the Enterprise Way Draft EIR and are being submitted.
My comments are as follows.

AFFORDABLE HOUSING REQUIREMENT:

Page 3-5, paragraph 1 states: "Pursuant to a development agreement between the City and the project applicant, the townhouse development is not required to meet any inclusionary or affordable housing obligation, or any other costs associated with the provisions of homes at below-market value."

3-1

This stated development agreement was never brought forward to the city council, nor reviewed or approved by council. Additionally, our cities "Inclusionary Ordinance," Section 14.01.010.12A requires a mandated "basic contribution rate of 15%" for housing developments. This must be corrected to reflect the inclusionary ordinance that requires the basic contribution rate of 15%.

TRANSPORTATION & CIRCULATION

- 1) The level of service calculations should review the intersections as coordinated signals, not isolated. Studies were not conducted to assess the need for signal phasing. This should be done in coordination with CAL-Trans and is not included in the EIR. Additionally, the traffic study did not review the original Boland EIR traffic study for a better analysis of the trips generated.
- 2) The EIR does not adequately address how the significant and unavoidable impacts have been arrived at or why the intersections cannot be improved. (No supporting documentation). The EIR should provide feasibility studies of improvements needed to

3-2

3-3

adequately rectify some or all of the deficiencies of the intersection to meet the city's threshold for LOS C.

↑ 3-3
cont.

I appreciate the opportunity to document my concerns and ask the issues of the "Inclusionary Ordinance," Section 14.01.010.12A be addressed along with the necessary feasibility studies be conducted, with supporting documentation, to bring the intersection of the NB Ramp at Granite Creek Road and Santa's Village Rd., along with the correlating impacts to Scotts Valley Drive and Glenwood SB Ramps and the need for signal phasing to improve LOS standards for these intersections.

Sincerely,


Stephany E. Aguilar

RECEIVED

FEB 16 2018

CITY OF SCOTTS VALLEY

2.1.3 Response to Comment Letter #3: Stephany Aguilar dated February 16, 2016

Response to Comment 3-1– Inclusionary Ordinance

The commenter states that the development agreement regarding removal of affordable housing requirements was not brought forward to, or approved by, the City Council.

Please see Response to Comment 2-2.

Response to Comment 3-2– LOS Calculations Using Coordinated Signals; Reference Original Borland Study

The commenter states that LOS calculations should be run assuming coordinated signals in coordination with Caltrans. The commenter also states that the environmental impact report for the Borland EIR should be reviewed for a “better analysis” of trips generated.

Intersection # 5 at Scotts Valley Drive / Glenwood Drive / southbound Highway 17, and Intersection #6 at Granite Creek Road / Scotts Valley Drive, were both analyzed with coordinated signals and offsets, consistent with the existing signal timing observed in the field. Because current signal phasing accommodates the maximum efficiency, no additional phasing plans were identified that would improve current conditions.

Regarding the Borland EIR, the Borland International Headquarters Campus EIR was adopted by the Scotts Valley City Council in 1991, 25 years ago. The data and methodology used in the traffic study for that EIR is too dated.

Pursuant to State CEQA Guidelines Section 15125(a), the baseline for environmental analysis is defined as follows:

An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.

A majority of the Enterprise Technology Center has been vacant at least 10 years. This is due in part to the downturn in the economy, the consolidation of high-tech firms in Silicon Valley, and mechanical heating and ventilation limitations that do not allow for smaller footprint space division.

As such, the traffic counts and subsequent analysis was based on the Enterprise Technology Center occupancy at the time of publication of the NOP and to try and speculate traffic impacts contrary to historical trends would be contrary to the CEQA Guidelines and legally questionable.

Response to Comment 3-3– Significant and Unavoidable Traffic Impacts

The commenter states that the Draft EIR does not provide supporting documentation as to why there is no feasible mitigation for the significant and avoidable impacts to LOS at local intersections. The commenter states that feasibility studies of improvements are needed to adequately address LOS deficiencies to meet the City's LOS C standard.

As shown **Table 15-2: Existing and Cumulative (2030) Transportation Delay & LOS without Project** on page 15-9, both Intersection #3 (Santa's Village Road / Granite Creek Road / Highway 17 NB) and Intersection #5 (Scotts Valley Drive/Glenwood Drive / Highway 17 SB Ramps) operate at LOS E or D during peak hour periods, below the Caltrans C/D threshold. As indicated in **Table 15-4: Existing and Existing + Project Transportation Delay & LOS** on page 15-19, and in **Table 15-5: Cumulative and Cumulative + Project Transportation Delay & LOS** on page 15-23, these levels of service would continue with implementation of the proposed project. Traffic associated with the proposed project would not change the LOS rating and would result in an increased delay of less than 1 second for either intersection.

Improvements necessary to address these existing conditions would be considerable. Therefore, to provide further clarification, page 15-16, beginning at last paragraph, has been revised as follows:

Mitigation of this impact would require the provision of additional eastbound left turn lanes on Santa's Village Road and northbound left turn lanes on Granite Creek Road. ~~The addition of these lanes would require improvements of the intersection, improvements of the Highway 17 Northbound On/Off Ramps, widening of the northbound bridge, a loss of school parking, and acquisition of additional right of way.~~ Space for such improvements, however, is unavailable because the intersection is surrounded by existing private development and roadways. The parking lot for the Baymonte Christian School and Gateway Bible Church is located on the north side of Granite Creek Road and Santa's Village Road, and residential properties abut the south side of Granite Creek Road. Meadow Way, a dead-end street with several houses, intersects Granite Creek Road immediately west of the Santa's Village Road / Granite Creek Road / Hwy 17 NB Ramps intersection.

Based on the location of these uses, expansion of the intersection to accommodate additional turning lanes would cause a substantial disruption to adjacent land uses (including Baymonte Christian School and Gateway Bible Church), and require the purchase of private property, through eminent domain if necessary.

Improvements would include some or all of the following:

- A loss of school and church parking.
- The construction of a new or widened bridge over Highway 17.
- Improvements to the Highway 17 Northbound On/Off ramps.

- Widening and reconfiguration Granite Creek Road.
- Reconfiguration of the Granite Creek Road/Meadow Way interchange.
- Reconfiguration of the Granite Creek Road/Santa's Village Road, including the traffic signals.

Given these extensive level of improvements, and the relatively limited benefits that would be achieved, improvement to these two intersections to address the existing LOS deficiency is considered unfeasible and not practical.

Furthermore, the proposed project's fair share contribution to this existing condition would be minimal. No funding from any other sources have been identified for any improvements nor have any improvements been identified in the City's Capital Improvement Program for these intersections. is not feasible. Because no feasible mitigation can be identified to avoid the existing delays, the impact would be significant and unavoidable.

However, as part of project approval, the applicants for both the hotel and the residential units would be required to pay development impact fees to help fund city-wide transportation improvements, namely the Street & Thoroughfare Fee. This fee is assessed by the Public Works Department and are payable prior to issuance of a building permit.

To provide further clarification, page 15-17, beginning at last paragraph, has been revised as follows:

The addition of project traffic to the intersection to Scotts Valley Drive / Glenwood Drive / Hwy 17 SB Ramps would exacerbate the already deficient delay from 39.4 seconds to 39.8 seconds (a 0.4 second increase) during the AM peak hour and from 39.3 to 39.5 seconds (a 0.2 second increase). The LOS would remain at LOS E during the AM peak hour and LOS D during the PM peak hour. Given that the Caltrans threshold of significance is any increase in delay on an already-deficient facility, the Existing + Project impact at this intersection would be significant. ~~Because no feasible mitigation can be identified to avoid the delay, the impact would be significant and unavoidable.~~

Space for improvements is limited at Intersection #5. The intersection is located approximately 125 feet northeast of Intersection #6 (Scotts Valley Drive / Granite Creek Road). In addition, Hacienda Drive intersects Glenwood Drive approximately 75 feet north of Intersection #5. Any improvements to Intersection #5 would affect operations at these additional intersections, which would potentially require additional improvements.

Adjacent biological resources and land uses further constrain these intersections. As indicated in General Plan Figure OS-3, Scotts Valley Drive, the Highway 17 ramps, and Granite Creek Road all cross designated Riparian Woodlands. In addition, the

intersections are surrounded by existing private development and roadways. The Shell Station is located at the northwest corner of Intersection #5, Carl's Junior is located on the southwest corner of Intersection #6, and the Granite Creek Business Center is located on the north side of Intersection #6. Private residential development is located on both sides of Glenwood Drive, the north side of Hacienda Drive, and the northwest side of Scotts Valley Drive.

Based on the location of these uses, expansion of the intersections to accommodate additional turning lanes would cause a substantial disruption to adjacent biological resources (riparian woodlands and drainage channels) and land uses (including Carl's Jr., the Shell Station, Granite Creek Business Center, and residential uses), and require the purchase of private property, through eminent domain if necessary.

Improvements to improve operations at Intersection #5 would include some or all of the following:

- Impacts to riparian woodland, necessitating a Streambed Alteration Agreement and associated compensatory mitigation from the California Department of Fish and Wildlife.
- A loss of circulation areas and parking at the Shell Station, Chevron Station, Carl's Jr., and Granite Creek Business Center.
- The construction of a new or widened bridge over Highway 17.
- Improvements to the Highway 17 Southbound On/Off ramps.
- Widening and reconfiguration Granite Creek Road, Scotts Valley Drive, Glenwood Drive, and Hacienda Drive.
- Reconfiguration of Intersection #6 (Scotts Valley Drive/ Granite Creek Road) and the Hacienda Drive/Glenwood Drive intersection.

Given these extensive level of improvements, and the relatively limited benefits that would be achieved, improvement to these two intersections to address the existing LOS deficiency is considered unfeasible and not practical.

Furthermore, the proposed project's fair share contribution to this existing condition would be minimal. No funding from any other sources have been identified for any improvements nor have any improvements been identified in the City's Capital Improvement Program for these intersections. Because no feasible mitigation can be identified to avoid the existing delays, the impact would be significant and unavoidable.

However, as part of project approval, the applicants for both the hotel and the residential units would be required to pay development impact fees to help fund city-wide transportation improvements, namely the Street & Thoroughfare Fee). This fee is assessed by the Public Works Department and are payable prior to issuance of a building permit.

Carey, Jonathan

From: Michelle Fodge <mfodge@scottsvalley.org>
Sent: Tuesday, February 16, 2016 12:03 PM
To: Wiseman, Bill
Cc: Carey, Jonathan; Venter, Frederik
Subject: FW: Enterprise Way draft EIR coments and Questions

Please see comments below

Michelle Fodge, AICP

Senior Planner

Direct: (831) 440-5632

Email: mfodge@scottsvalley.org



City of Scotts Valley

Planning Department

One Civic Center Drive

Scotts Valley, CA 95066

Office: (831) 440-5630

Fax: (831) 438-2793

Website: www.scottsvalley.org

From: Wendy Brannan [mailto:wbran438@sbcglobal.net]
Sent: Monday, February 15, 2016 5:08 PM
To: Michelle Fodge
Cc: Wendy Brannan
Subject: Enterprise Way draft EIR coments and Questions

Ms. Michele Fodge, Senior Planner
City of Scotts Valley Planning Department
One Civic Center Drive
Scotts Valley Ca. 95066

Dear Michele

Below are my questions and comments related to the Draft EIR for the Enterprise Way project.

- 1) It appear that the traffic counts for the Housing and Hotel Project are not accurate. The numbers used do not seem to reflect the former Borland Building and 1440 Multiversity.
- 2) The Borland Campus is over 370,000 sq. feet, with at a estimated guess of 3/4 of the Sq. footage vacant. Did this EIR include traffic estimates of a fully occupied building? What are those numbers? How do those numbers effect the intersection service levels?
- 3) The 1440 Multiversity is in the process of repurposing the former Bethany Campus that has been severely under used / vacate for a number of years. Did this EIR include traffic estimates for a fully occupied campus? What are those numbers? How do those numbers effect the intersection service levels?
- 4) The Town House component calls for 50 unites, 2 car garages, but only 19 guest parking spots? Provisions should be made for one guest spot for each unit. The adjacent streets are to narrow and crowded to accommodate on street parking.
- 5) The Hotel parking is not enough. More parking is needed for full occupancy and staff on site.
- 6) Page 40, 4.2.5 Recreation " fee shall be reduced by credit for private open space " , What does this mean ? What provision are being made for the Hotels impact on recreation?
- 7) Due to the overcrowding of the surrounding intersections has there been discussion about a separate pedestrian / bicycle over pass? Would such overpass allow for widening of the overpass to improve service levels for Autos?

4-1

4-2

4-3

4-4

Thank you

Wendy Brannan
1400 Whispering Pines Drive
Scotts Valley Ca. 95066

2.1.4 Response to Comment Letter #4: Wendy Brannan, dated February 15, 2016

Response to Comment 4-1– Borland Phase I and 1440 Multiversity Occupancy Assumptions for Traffic

The commenter states that the traffic counts for the project are not accurate because they do not reflect use of the Enterprise Technology Center (former Borland campus) and 1440 Multiversity buildings.

Regarding the Enterprise Technology Center, please see Response to Comment 3-2.

The 1440 Multiversity project trip volumes were included in the cumulative impact analysis in the Enterprise Way Draft EIR. As indicated in Draft EIR **Chapter 15: Transportation and Circulation**, on page 15-6, cumulative conditions were based on population growth projections and the City's Cumulative Project List. Draft EIR page 15-6 indicates that the City of Scotts Valley provided a Cumulative Projects list, which is included in **Appendix 5**. That list was inadvertently omitted from the appendix. It is included in the Revisions to the Draft EIR in the next chapter.

The year 2030 was selected for analysis based on the cumulative buildout condition based on population growth projections assumed in the Town Center EIR. These growth projections will affect future travel patterns in the study area and traffic volumes on the highways serving the project site.

However, per peer review of the traffic analysis in of the Draft EIR and subsequent to the release of the Draft EIR, it was found that the Town Center traffic analysis did not include Intersection #1 (Santa's Village Road / northbound Highway 17 ramps) and as such, cumulative volumes from the Polo Ranch project were not included in the analysis for the proposed project. Therefore, as part of this Final EIR, the volumes from the Polo Ranch have been incorporated into the traffic analysis, and revisions to the Draft EIR Tables 15-2, 15-4 and 15-5 are shown Chapter 3 of this Final EIR. The Enterprise Way traffic analysis included the Polo Ranch traffic volumes at all other intersections (Intersection #2 through Intersection #6). These changes would not affect the conclusions of the Draft EIR. Intersection #1 (Santa's Village Road / northbound Highway 17) would continue to operate at acceptable levels of service under all scenarios.

Response to Comment 4-2– Guest Parking for Residential Units

The commenter states that one guest parking unit should be provided for each residential unit.

The proposed project's compliance with Municipal Code parking requirements is analyzed in Draft EIR **Chapter 15: Transportation and Circulation**. As discussed on page 15-14, the residential development would provide 119 parking spaces, and the Scotts Valley Municipal Code requires 110 parking spaces. The residential component of the project would therefore be compliant with the Code with respect to parking.

Regarding hotel parking, the proposed project's compliance with Municipal Code parking requirements is analyzed in Draft EIR **Chapter 15: Transportation and Circulation**. Based on revised plans submitted in January 2016, the proposed hotel would provide 122 parking spaces, plus one loading space, and the Scotts Valley Municipal Code requires 127 parking spaces. The proposed Planned Development (PD) district and permit allow reductions in space requirements, subject to review and approval by the City Council.

Draft EIR page 15-14, first full paragraph, is revised as follows to indicate the required parking for the hotel.

The proposed project would provide 122 parking spaces, plus one loading space, for the hotel component and ~~119~~ 123 parking spaces for the residential component for a total of ~~241~~ 245 parking spaces. The Scotts Valley Municipal Code (17.44.030) requires ~~126~~ 127 parking spaces for the hotel component and 110 parking spaces for the residential component for a total of ~~236~~ 237 parking spaces.

Response to Comment 4-3– Recreation Fees and Impacts

The commenter refers to the no-impact conclusion for recreational facilities, on Draft IER page 4-4. The commenter asks how open space fees would be reduced, as well as asks what impacts the hotel would have on recreational resources.

Pursuant to Scotts Valley Municipal Code Section 16.35, “as a condition of approval of a Final Map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the city, for park or recreational purposes.” The acreage of land to be provided is based upon a formula for housing type and density. Pursuant to Section 16.35.050, “If there is no park or recreational facility designated in the Scotts Valley open space, recreation and conservation element, to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall dedicate or pay a fee or both, for the purpose of providing park, recreation and open space equal to the need generated by the proposed subdivision.”

There is no park or recreational facility designated in the Scotts Valley open space, recreation and conservation element for the project site, and the proposed project does not include public open space. Therefore, the applicant for the residential development would pay the in-lieu fee.

Pursuant to Section 16.35.090, where private open space for recreation purposes is provided in a subdivision, and such open space would be privately owned and maintained by future residents, partial credit of up to 50 percent may be given against the land dedication or payment of fees in lieu thereof.

The City does not require a recreation impact fee for hotel projects as hotel users are not anticipated to generate substantial demand for public open spaces. As indicated on Draft EIR page 3-4, the hotel would include an outdoor pool, patio, and sport court. These features are

depicted in **Figure 3-3: Proposed Project Site Plan**. The hotel would also include an indoor fitness center.

Response to Comment 4-4– A Pedestrian/Bicycle Overpass over Highway 17

The commenter asks whether any discussion has occurred regarding a separate pedestrian/bicycle overpass over Highway 17, and whether construction of such an overpass would allow for modifications to the Santa's Village Road / Granite Creek Road / northbound Highway 17 ramps intersection to improve LOS.

No pedestrian or bicycle overcrossing has been considered because existing facilities are provided on Granite Creek Road.

Carey, Jonathan

From: Michelle Fodge <mfodge@scottsvally.org>
Sent: Tuesday, February 16, 2016 8:32 AM
To: Taylor Bateman; Kirsten Powell (EXT); Charles Comstock
Cc: Wiseman, Bill; Carey, Jonathan
Subject: FW: Hotel, 50-unit town house complex

Please see comments below

Michelle Fodge, AICP

Senior Planner

Direct: (831) 440-5632

Email: mfodge@scottsvally.org



City of Scotts Valley

Planning Department

One Civic Center Drive

Scotts Valley, CA 95066

Office: (831) 440-5630

Fax: (831) 438-2793

Website: www.scottsvally.org

From: Dave Hodgin [mailto:myopath@pacbell.net]

Sent: Monday, February 15, 2016 3:02 PM

To: Michelle Fodge

Subject: Hotel, 50-unit town house complex

Michelle,

Saw an article in Sunday's Sentinel re "Hotel, 50-unit town house ..."stating a need to respond to you by 5pm today.

I am quite concerned and look forward to an opportunity to learn more about what is planned. My primary concerns are:

1. The town house development on Blue Bonnet was a mistake. Density too high, even considering the proximity to the transit center and other amenities.
2. Similar density in a much more isolated location should not be allowed.
3. The article states "The Scotts Valley Water District has adequate supply . . .". As just one of the District Directors, I totally disagree with that statement.

5-1

5-2

Please add my email address to the list of those interested in following this proposed project.

Best wishes,

Dave

David T. Hodgin, CMC®

831-438-1000



[illegible]

2.1.5 Response to Comment Letter #5: Dave Hodgin, dated February 15, 2016

Response to Comment 5-1– Project Density

The commenter states that the density of a townhouse development on Bluebonnet Lane is too dense, and that a similar density for the project site should not be allowed. The comment is noted.

The impacts associated with the density of residential development are documented throughout the Draft EIR. Please see [Chapter 5: Aesthetics](#) and [Chapter 12: Land Use and Planning](#) for an analysis of the compatibility of the proposed project with the existing surrounding environment. Impacts associated with the density of residential use are analyzed in [Chapter 6: Air Quality](#), [Chapter 10: Greenhouse Gases](#), [Chapter 13: Noise and Vibration](#), [Chapter 14: Public Service, Utilities & Service Systems](#), and [Chapter 15: Transportation and Circulation](#). As indicated in these discussions, the project would result in significant-and-unavoidable impacts to Levels of Service at local intersections. All other impacts would be less than significant with implementation of identified mitigation measures.

Response to Comment 5-2– Water Supply

The commenter states that the Scotts Valley Water District (SVWD) has inadequate supply to serve the proposed project.

The proposed project's impacts to water supply are presented in [Chapter 14: Public Services, Utilities & Service Systems](#). As presented under [Impact PSU-3](#) on page 14-14, the proposed project would generate demand for approximately 38 acre-feet of water per year (afy). According to the SVWD 2010 Urban Water Management Plan (UWMP), the proposed project's water demand would not exceed the 2035 water entitlements or groundwater production capacity of the SVWD. SVWD has confirmed that the proposed project is within the expected growth projections of the 2010 UWMP (SVWD, 2016).

Carey, Jonathan

From: Michelle Fodge <mfodge@scottsvalley.org>
Sent: Tuesday, February 16, 2016 8:34 AM
To: Taylor Bateman; Kirsten Powell (EXT); Charles Comstock
Cc: Wiseman, Bill; Carey, Jonathan
Subject: FW: Enterprise Way Project

Please see comments below

Michelle Fodge, AICP

Senior Planner

Direct: (831) 440-5632

Email: mfodge@scottsvalley.org



City of Scotts Valley

Planning Department

One Civic Center Drive

Scotts Valley, CA 95066

Office: (831) 440-5630

Fax: (831) 438-2793

Website: www.scottsvalley.org

From: Phil Hormel [<mailto:kphormel@yahoo.com>]

Sent: Sunday, February 14, 2016 1:51 PM

To: Michelle Fodge

Subject: Enterprise Way Project

Hi Michelle,

I don't suppose you live on the Granite Creek side of 17, or perhaps you have encountered the traffic at the Granite Creek/Santa's Village intersection on weekday mornings, but already on some mornings the traffic from that light can back all the way up to the 4-way stop at South Navarra and Granite Creek Road and beyond that point (I remember one morning that I was about 8 cars up on Granite Creek Road from the Navarra 4-way stop, and we couldn't even move, as the traffic from the light was backed all the way up the 4-way stop - it took about 10 minutes just to reach the traffic light - crazy!). And the traffic at the next light at Scotts Valley Drive already at times can back up all the way across the overpass to the Granite Creek/Santa's Village light. And that is even before the increased traffic from the 44-home Polo Ranch project. And now the thought is to add another 50 homes plus a 120-room hotel on top of that? And don't forget the Glenwood/Scotts Valley Drive intersection too, as that had back-ups in the morning which helps create the back up onto the overpass in the mornings.

6-1

The traffic at those 3 intersections can be very bad in the morning, and that is before adding 44 homes plus 50 townhouses plus a 120-room hotel.

And remember, there is absolutely no other alternative route for people to get over to Scotts Valley Drive from that side of the highway (with of course the exception of driving down Granite Creek Road all the way into Santa Cruz and coming back on Glen Canyon right - yeah, right). Unless there is thought that the builders of these homes and hotel also plan on putting in another overpass over 17, such as at the Santa's Village cul-de-sac to Scotts Valley Drive, those intersections will be a menace in the morning, with zero ways of fixing it (i.e., we will be stuck traffic mess).

6-2

The report already admits a 58-second "high" delay (which I think is an under-estimate, and I also assume this estimate is on top of whatever estimate was made for the delays caused by the 44-home Polo Ranch project, which itself is on top of the already existing traffic problems) and the report also admits that there is no solution to the traffic problem it will create (the only possible solution mentioned in the Sentinel article is adding turn lanes - but there are already turn lanes at that intersection!) - we are saying in advance that this will create traffic problems that will never be fixed. So unless the builders have a solution to the problem (such as putting in another overpass over 17 at the Santa's Village cul-de-sac to Scotts Valley Drive), why are we even considering going through with this project?

6-3

Thanks for your time,

Phil Hormel

2.1.6 Response to Comment Letter #6: Phil Hormel, dated February 14, 2016**Response to Comment 6-1– Existing and Cumulative Traffic Levels of Service on Granite Creek Road Intersections**

The commenter states that traffic and delay at the Santa's Village Road / Granite Creek / northbound Highway 17 ramps, Scotts Valley Drive / Granite Creek Road, and Scotts Valley Drive / Glenwood Drive, southbound Highway 17 ramps are currently substantial. The commenter states that the addition of traffic generated by the proposed project and the Polo Ranch project would worsen the condition.

See Response to Comment 3-3.

Response to Comment 6-2– Lack of Alternate Routes over Highway 17

The commenter states that there are no alternate routes for project traffic to cross over Highway 17 other than Granite Creek Road. The comment is noted.

Please see Draft EIR **Figure 15-1: Study Intersections & Trip Distribution**. As shown there, each intersection along the Granite Creek Road overpass was analyzed in the traffic analysis.

Vehicles to/from southbound Highway 17, Scotts Valley Drive, and Glenwood Drive were all assumed to cross Highway 17 via Granite Creek Road.

Response to Comment 6-3– Feasibility of Mitigation to Reduce Significant Traffic Impacts

The commenter states that the project would “create” a traffic problem at local intersections and that there is no feasible mitigation to reduce impacts to a less-than-significant level. The commenter asks why the project is being considered.

Please see Response to Comment 3-3.

Carey, Jonathan

From: Michelle Fodge <mfodge@scottsvally.org>
Sent: Tuesday, February 16, 2016 8:33 AM
To: Taylor Bateman; Kirsten Powell (EXT); Charles Comstock
Cc: Wiseman, Bill; Carey, Jonathan
Subject: FW: hotel proposal for Enterprise Way

Please see comments below

Michelle Fodge, AICP

Senior Planner

Direct: (831) 440-5632

Email: mfodge@scottsvally.org



City of Scotts Valley

Planning Department

One Civic Center Drive

Scotts Valley, CA 95066

Office: (831) 440-5630

Fax: (831) 438-2793

Website: www.scottsvally.org

From: Patty Musser [mailto:mussers4@yahoo.com]

Sent: Monday, February 15, 2016 12:01 PM

To: Michelle Fodge

Subject: Re: hotel proposal for Enterprise Way

TO: Michelle Fodge, Senior Planner, Scotts Valley Planning Dept.

FROM: Patty Musser, Scotts Valley resident for 28 years

Dear Ms. Fodge:

I read in the Feb. 14, 2016 Santa Cruz Sentinel about the proposed 4-story hotel and townhouse complex for Enterprise Way, and write to express my opinion to you about this project.

I object to the 4 story hotel proposal, and question whether we need another hotel in Scotts Valley. We already have the Hilton and the Best Western, and the new one being built on Scotts Valley Drive. Can a profitable occupancy level of yet another hotel really be achieved? Furthermore, I believe the hotel would generate way too much traffic congestion at the Baymonte/Granite Creek/17 intersection and the Granite Creek/SV Drive intersection. The Sentinel article indicated that "no mitigation is feasible", and that "congestion and traffic delays will be unavoidable". The 44 Polo Ranch homes being built in that area will also contribute to traffic problems. Additionally, I question whether we really have enough water to support another large hotel, despite the SVWD assurance that there is "adequate supply". Finally, I think a hotel next to Hwy 17 at the north end of Scotts Valley would be a visually unpleasant "gateway" to Scotts Valley and Santa Cruz.

I 7-1

I 7-2

I 7-3

I 7-4

I can support the 50 townhouses in the proposal, since we are in desperate need of more housing in the area. If we must have more water use and traffic congestion, at least let it be for people who live here in Scotts Valley. However, I wonder why none of the 50 units seem to be set aside for "affordable" housing?

I 7-5

Sincerely,

Patty Musser
Sherman Dr.
Scotts Valley

2.1.7 Response to Comment Letter #7: Patty Musser, dated February 16, 2016

Response to Comment 7-1– Hotel Room Demand

The commenter questions whether there would be adequate demand for the hotel component of the proposed project. Demand for hotel space is not a physical environmental impact topic analyzed pursuant to CEQA.

To ensure that the Draft EIR provides a conservative assessment of environmental impacts, the analysis assumes that the hotel would operate with a commercially viable occupancy rate.

Response to Comment 7-2– Levels of Service at Granite Creek Intersections and Cumulative Impacts of Polo Ranch Project

The commenter states that the proposed project would generate too much traffic at the Santa's Village Road / Granite Creek / northbound Highway 17 ramps and Scotts Valley Drive / Granite Creek Road intersections. The commenter states that the addition of traffic generated by the proposed project and the Polo Ranch project would worsen the condition. The comment is noted.

Please see Response to Comment 3-3.

Response to Comment 7-3– Water Supply

The commenter questions whether there is adequate water supply for the project.

Please see Response to Comment 5-2.

Response to Comment 7-4– Visual Impacts of Hotel from southbound Highway 17

The commenter states that the hotel would be a “visually unpleasant ‘gateway’” to Scotts Valley and Santa Cruz for commuters traveling northbound on Highway 17.

The impacts of the proposed project on scenic views and vistas is presented in Draft EIR **Chapter 5: Aesthetics**. As indicated on page 5-5, key viewpoint (KVP) 2 represents the view from northbound Highway 17. Viewer concern is high at this location because Highway 17 is a State-eligible Scenic Highway and designated as a viewer-sensitive roadway by Santa Cruz County. In addition, the view from this location is designated as scenic and worthy of protection by the City of Scotts Valley.

Existing views from this location include a backdrop of forested hills in the direction of the project site, as well as glimpse of the Enterprise Technology Center office buildings located adjacent and south of the project site. Views of the site are limited due to existing vegetation and the angle of vision from the roadway.

As presented under **Impact AES-1** on page 5-10, the proposed project would result in moderate contrast with existing visual character. Although it would contrast with the mature vegetation and hillsides to the east, it would be visually compatible with glimpses of the existing Enterprise

Technology Center because both developments would present modern architectural buildings set back from the street surrounded by parking lots and landscaped areas. The hotel would be visible when viewed from KVP 2, but it would not block major scenic resources.

The impact would be less than significant under CEQA.

Response to Comment 7-5– Affordable Housing

Please see Response to Comment 2-2.

To: Ms. Michelle Fodge, AICF, Senior Planner
City of Scotts Valley
Planning Department
One Civic Center Dr.
Scotts Valley, CA. 95066

From: Debbie Muth
8 Casa Way
Scotts Valley, CA. 95066

Written Comments Regarding the Draft EIR for the Project Titled Enterprise Way
(State Clearinghouse #2015032086.)

1. Page 3-5 of the draft EIR states ...”Pursuant to a development agreement between the city and the project applicant, the townhouse development is not required to meet any inclusionary or affordable housing obligation, or any other cost associated with the provision of homes at below-market values.”
As per a conversation with Ms. Fodge this statement is in error and the developer will be required to build 15% of the 50 units as low-income. Can written comments be made which confirm the 15% figure and describe the types(s) of low-income/affordable housing units proposed?
8-1
2. Please describe the extent of the public noticing for this project. How many project notice letters were mailed out? Are there any meetings or any further noticing letters planned for the public other than the letters already mailed out?
8-2
3. Does the removal of the proposed 18 trees affect the shade and subsequent animal/plant health of the riparian corridor? How would the proposed removal affect the potential Coho Salmon and steelhead fish determined to likely be present in the creek at certain times of the year? Are any of the trees to be removed Heritage Trees as listed by the City of Scotts Valley? Once this project is completed will appropriate signage and fencing be required to keep the public out of the riparian corridor?
8-3
4. Page 3-6 states northbound construction traffic from Highway 17 would access the project site via the Santa’s Village Road exit, and southbound construction traffic would access the project site via the Scotts Valley Rd./Granite Creek Rd. exit. How will this condition be controlled and enforced?
8-4
5. How will the 122 parking spaces proposed for the 120-room hotel be adequate for both guests and employees? Has any thought been given to
8-5

- removing the 5 townhouse units closest to Highway 17 and using that area for employee/guest parking? ↑ 8-5 cont.
6. Figure 3-3 references a “Lennar Road,” “Red Maple Terrace,” “Myrtle Terrace,” and “Shoreline Drive.” Was any consideration given to adopting historic street names to honor the history of the site as has been done in other recent Scotts Valley developments? 8-6
7. Figure 3-4, Hotel Elevations, do not seem to match city interpretations of a desired “urban forest” building style nor emulate the existing Hilton Hotel style or the Lexington Hotel, currently under construction. Does this proposed exterior design follow city guidelines? 8-7
8. Table 15-2 Traffic Delay Times shows figures based on Existing and Cumulative (Year 2030). How were the cumulative (Year 2030) figures derived? Does that figure include a full occupancy rate for the current Enterprise/former Borland building? 8-8
9. Table 15-4- Existing and Existing +Project Transportation Delay and LOS- why isn’t “legal” full occupancy considered instead of the Existing and Project shown? 8-9
10. Could the current vacant space adjacent to Highway 17 and across the street from the mini-storage be utilized for traffic improvement? 8-10
11. Will the existing traffic lights be set to allow a higher level of outbound traffic from Santa’s Village road and how will this affect anticipated cumulative delays? 8-11
12. Page 16-5 under Ability of Meet Project Objectives sates ...as such no open space associated with those uses would be provided. “ What is the definition of open space as used here and would the public have any right of usage? 8-12
13. Appendix 6, Traffic Noise Assessment, Page 7, Titled III, Site, Traffic and Project Descriptions states ...Ingress and egress to the site will be by way of a connection of Santa’s Village Lane to Orchard Run. As I understand current details the Orchard Run entrance/exit is currently planned as emergency access only. Will the townhouse units be able to utilize the Orchard Run Road? 8-13
14. Does the noise study take into account the potential noise from the proposed hotel? 8-14

Thank you for the opportunity to comment,
Debbie Muth, 8 Casa Way, Scotts Valley, CA. 95066
debbie.muth@sbcglobal.net

2.1.8 Response to Comment Letter #8: Deborah Muth, dated February 16, 2016

Response to Comment 8-1– Inclusionary Housing

Please see Response to Comment 2-2.

Response to Comment 8-2– Public Noticing

The commenter asks for a description of the public noticing for the project.

Pursuant to State CEQA Guidelines Section 15082, the City prepared and distribution a Notice of Preparation of an Environmental Impact Report distributed on March 25, 2015. The Draft EIR was published on December 31, 2015. Pursuant to State CEQA Guidelines Section 15085, the City sent to the State Clearinghouse a Notice of Completion, 15 CD copies of the complete Draft EIR, and 15 hard copies of the Draft EIR Executive Summary for distribution to applicable State agencies. The Draft EIR was also posted on the City's website for public review.

Pursuant to CEQA Guidelines Section 15087, a Draft EIR must be noticed by at least one of the following methods:

- (1) Publication at least one time by the public agency in a newspaper of general circulation;
- (2) Posting of notice by the public agency on and off the site in the area where the project is to be located;
- (3) Direct mailing to owners and occupants of property contiguous to the parcel or parcels on which the project is located.

Public noticing for the Draft EIR met this requirement. The "Notice of Availability of a Draft EIR for Public Review and Notice of Public Hearings / Meetings on a Proposed Project" was mailed to all property owners within 600 feet of the project site, which is 300 feet farther than the standard 300-foot distribution radius. The notice was also posted at City Hall, the Senior Center, and the Scotts Valley Branch Library. The applicant posted two large notice signs on the project site.

Public hearing notices for the Planning Commission meeting were sent to property owners within 600 feet of the project site in January 2016, and public hearing notices for the City Council meeting will be sent to those owners in March 2016.

Response to Comment 8-3– Tree Removal Effects

The commenter asks whether removal of trees would affect the shade and animal/plant health of the riparian corridor adjacent to Carbonera Creek, as well as fish in the creek. The commenter asks whether any of the trees to be removed are Heritage Trees, and whether fencing and signage would be required to keep the public out of the riparian corridor.

The impacts of the project on the riparian corridor are analyzed in [Chapter 7, Biological Resources](#). Trees to be removed within the riparian corridor are shown in [Figure 7-1: Riparian Habitat and Trees](#). The impacts of the proposed project on the riparian corridor are discussed in

the Draft EIR under **Impact BIO-1** on pages 7-11 through 7-14. The project has been designed to avoid impacts to the riparian corridor to the greatest extent feasible. Regardless, proposed removal of vegetation (including tree removal) within the riparian area would result in direct and indirect impacts to the riparian corridor.

The following text has been added to the last full paragraph on page 7-13 to clarify that tree removal would have direct effects related to shadow.

Regarding riparian habitat, the project site size and layout limit the acreage available for hotel and residential development. The site plan has been laid out to avoid, to the greatest extent feasible, the riparian area adjacent to Carbonera Creek. Based upon Figure 3-12: Residential Grading and Drainage Plan and **Figure 7-1: Riparian Habitat and Trees**, construction on the western and northern portions of the project site would result in the direct loss of 18,875 square feet of such habitat, inclusive of mature trees. Specifically, construction of Building 1 (units 1 through 6), Building 2 (units 7 through 12), Building 3 (units 13 through 19), Building 4 7 (units 32 through 35), Building 9 (units 42 through 46) and Building 10 (units 47 through 50) would each require the disturbance of existing riparian habitat.

The project could result in indirect impacts to biological resources within Carbonera Creek, which would have potentially adverse effects on wildlife species within the corridor and within the stream. Best Management Practices for erosion control would reduce impacts to fish in the stream, and implementation of **Mitigation Measure MM BIO-1.1: Riparian Habitat Protection and Conservation**, **Mitigation Measure MM BIO-1.2: Vegetation Planting and Maintenance Plan**, and **Mitigation Measure MM BIO-1.3: Streambed Alteration Agreement** would reduce impacts to a less-than significant level. Pursuant to **MM BIO-1.1**, the loss of the riparian habitat shall be mitigated through replacement of mixed riparian woodland of similar function and value.

MM BIO-1.1, at the top of page 7-13, has been modified as follows to clarify that the shading value of the riparian habitat shall be determined.

Prior to the disturbance of any riparian habitat associated with site clearing and grading associated with the construction of Buildings 1, 2, 3, 4, 9, or 10, a biological functions and values assessment (utilizing an accepted methodology such as the Hydrogeomorphic Approach) shall be conducted by a qualified biologist to establish a baseline for the overall biological value of the riparian habitats on the project site, inclusive of any value provided by shade from trees or other mature vegetation on species within the remaining adjacent riparian corridor and Carbonera Creek.

Regarding fencing and signage, pursuant to **MM BIO-1.3**, the Draft EIR requires that the project applicant for the residential development shall obtain a Streambed Alteration Agreement from the California Department of Fish & Wildlife (CDFW).

This mitigation measure, in the middle of page 7-14, has been modified as follows to clarify that fencing and signage may be considered by CDFW as appropriate tools for mitigation of the loss of riparian vegetation or protection of riparian vegetation elsewhere.

The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish & Wildlife (CDFW) under provisions of Section 1603 of the California Fish and Game Code to authorize impacts to the riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement, which may include further restoration, protection from disturbance (such as fencing or signage), enhancement, and/or revegetation of riparian habitat either on-site or in selected areas off-site. Once acquired, the Streambed Alteration Agreement shall be submitted to the Community Development Director for approval prior issuance of grading permits.

Indirect impacts from tree removal are further discussed under **Impact BIO-2** on pages 7-16 through 7-18, tree removal would result in both direct and indirect impacts, including alterations to soil structure, drainage, microbiology. Tree removal may affect understory vegetation, which has the potential to harm nesting birds. The impact would be reduced to a less-than-significant level through implementation of preconstruction bird surveys in conformance with **Mitigation Measure MM BIO-2.2**.

Regarding Heritage Trees, since publication of the Draft EIR, the project arborist updated the tree survey to confirm the tree count and verify the presence of Heritage Trees. Please see Chapter 3 of this Final EIR.

Response to Comment 8-4– Construction Traffic

The commenter asks how construction traffic would be controlled to exit northbound Highway 17 to access the project site via the Santa's Village Road exit, and southbound Highway 17 at the Scott's Valley Drive/Granite Creek Road exit.

Construction traffic is estimated to be less than project operational traffic. Construction trips consist of passenger cars, pick-ups, deliveries, and heavy vehicles equipment. No special control or enforcement is required to ensure that construction traffic would take the above-referenced freeway exits, given they are the most direct routes from Highway 17 to the project site.

Regardless, pursuant to **Mitigation Measure MM N-1: Construction Noise Reduction** on pages 13-10 through 13-11, the project applicant shall include the following provision in all construction contracts for the proposed project:

All construction traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible.

Construction Plan. Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the City of Scotts Valley Building Department for approval a detailed construction plan identifying the schedule for major noise-generating construction activity.

Response to Comment 8-5– Hotel Guest Parking

The commenter asks how the 122 parking spaces for the 120-room hotel would be adequate for both guests and employees, and suggests removing townhouse units closest to Highway 17 and using that area for hotel employee and guest parking.

Please see Response to Comment 4-2.

Response to Comment 8-6– Street Names

The commenter asks whether consideration was given to historic street names in honor of the history of the project site, as has been done for other Scotts Valley Developments.

The naming of streets is beyond the scope of environmental review under CEQA.

Response to Comment 8-7– Hotel Façade and City Design Guidelines

The commenter states that the elevations shown in **Figure 3-4: Hotel Elevations** do not seem to match City interpretations of a desired “urban forest” building style nor emulate existing or under construction hotels. The commenter asks whether the exterior design follows City guidelines.

As indicated in Draft EIR **Chapter 2: Introduction**, on pages 2-1 and 2-4, the project would require Design Review approval from the City of Scotts Valley.

Draft EIR **Chapter 5: Aesthetics** analyzes whether the proposed project would substantially degrade the existing visual character or quality of the site and its surroundings. As indicated on pages 5-12 and 5-13, the project would result in a moderate-to-high visual change from existing conditions, but it would complement the existing Enterprise Technology Center office park to the south, as well as the approved Polo Ranch residential project to the north. Although the project would result in a visual change of the vacant parcel, it would be in keeping with the visual character of the adjacent Enterprise Technology Center because both would be buildings of modern architectural character from different decades, and the impact would be less than significant.

Response to Comment 8-8– Cumulative Traffic

The commenter asks how cumulative traffic volumes for Year 2030 were derived and whether full occupancy was assumed at the current Enterprise Technology Center (former Borland campus).

Please see Responses to Comments 3-2 and 4-1.

Response to Comment 8-9– “Legal” full occupancy

The commenter asks why full “legal” occupancy of the Enterprise Technology Center was not considered as part of the Existing plus Project traffic analysis.

Please see Response to Comment 3-2.

Response to Comment 8-10– Traffic improvement area

The commenter asks whether current vacant land adjacent to Highway 17 and across from an existing mini-storage use could be used for traffic improvements.

Extra Space Storage is located at 90 Santa’s Village Road, north of the intersection of Santa’s Village Road / Granite Creek Road / Highway 17 northbound ramps. East of this storage facility, on the east side of Santa’s Village Road, there is some unpaved space. East of this unpaved space is the Highway 17 on-ramp.

The strip of unpaved space across from the storage facility is adequate to make the necessary improvement to address the LOS deficiencies at this intersection pursuant to Caltrans standards.

See also Response to Comment 3-3.

Response to Comment 8-11– Signal timing

The commenter asks whether existing traffic signals would be re-timed to allow for a more throughput of traffic leaving Santa’s Village Road and how this would affect cumulative traffic delays.

See Response to Comment 3-2, above. The signal timing is already optimized based on safety and operational requirements.

Response to Comment 8-12– Open Space Provision

The commenter asks for the definition of “open space associated” with multifamily housing and hotel uses and asks whether the public would have access to such uses.

There is no park or recreational facility designated in the Scotts Valley General Plan Open Space, Recreation, and the City’s Parks Master Plan, and no public open space currently exists on the site.

The proposed project does not include public open space. As indicated in **Figure 3-15: Residential Landscape Plan**, each unit in the residential development would include a private yard, and additional open space would be provided in a grove. As indicated on Draft EIR page 3-4, the hotel would include an outdoor pool, patio, and sport court. These features are depicted in **Figure 3-3: Proposed Project Site Plan**. The hotel would also include an indoor fitness center.

Response to Comment 8-13– Orchard Run

The commenter asks whether the residents of the townhouse development would be permitted to access the project site via Orchard Run, which is currently a dirt road that cross through the planned Polo Ranch development to the east.

Access to the proposed project site would be provided by Santa's Village Road and Highway 17. Draft EIR **Chapter 15: Transportation and Circulation**, page 15-14, bottom of the page, has been revised as follows to clarify emergency access:

Access via public roadways to the project site would remain unchanged and would be adequate for emergencies via Santa's Village Road and Highway 17. Therefore, there would be no impact.

Response to Comment 8-14– Hotel operations noise

The commenter asks whether the noise study considered noise from hotel operations.

Noise impacts from the hotel are analyzed in Draft EIR **Chapter 13: Noise and Vibration**. As indicated under **Impact N-2** on page 13-12, the proposed project would result in increased traffic levels, inclusive of traffic accessing the hotel. The project would not increase by 3 dBA or more, and therefore traffic noise impacts would be less than significant.

Regarding stationary source noise, the hotel would include heating, ventilation, and air conditioning (HVAC) units. Such HVAC units typically generate noise levels of approximately 55 dBA at a reference distance of 100 feet from the operating units during maximum heating or air conditioning operations. The nearest townhouse would be located approximately 60 feet from such units, and therefore noise generated by HVAC units would be less than significant.

In addition, pursuant to **MM N-3.1 Interior Noise Attenuation: Windows**, prior to issuance of a building permit, the acoustical test report of all sound rated windows shall be reviewed by a qualified acoustician to ensure that the chosen windows will adequately reduce noise to acceptable levels.

The hotel would not include other known major noise sources that would result in substantial noise impacts to local sensitive receptors.

Carey, Jonathan

From: Michelle Fodge <mfodge@scottsvalley.org>
Sent: Tuesday, February 16, 2016 3:44 PM
To: Wiseman, Bill
Cc: Carey, Jonathan; Venter, Frederik
Subject: FW: Planned hotel development project

Follow Up Flag: Follow up
Flag Status: Flagged

Please see email below

Michelle Fodge, AICP
Senior Planner
Direct: (831) 440-5632
Email: mfodge@scottsvalley.org

City of Scotts Valley
Planning Department
One Civic Center Drive
Scotts Valley, CA 95066
Office: (831) 440-5630
Fax: (831) 438-2793
Website: www.scottsvalley.org

-----Original Message-----

From: lex rau [mailto:lexrau@sbcglobal.net]
Sent: Tuesday, February 16, 2016 3:44 PM
To: Michelle Fodge
Subject: Planned hotel development project

The EIR is does not adequately address concerns and issues with respect to traffic impacts, drainage and water.

Traffic:

1. The traffic distribution must be shown graphically and compared with the one prepared for the original Borland. I 9-1
2. Intersections located on the southern side of the City including Mt. Hermon/Scotts Valley Dr. should be included in the study since portion of the traffic generated by the development would potentially be using commercial, school, other governmental services and/or residential neighborhood located in the said areas. I 9-2
3. Level of Service calculations should study the intersection as coordinated signals. Synchro program should be available for public review. Isolated intersection study ignore potential delay spill over between closely spaced intersections. I 9-3
4. No development should be approved for as long as the existing level of service for the intersections shows to be running below the City's threshold: Scotts Valley Dr./Glenwood/SB Ramps and NB Ramps/Granite Creek/Santa's Village is shown to be operating deficiently, D and E respectively. I 9-4
5. There are inadequate information as to how the Significant and unavoidable Impact declaration has been arrived and/or why the author believes the intersection operations cannot be improved. The Study should provide feasibility study of improvements needed to improve operations of deficient intersections. I 9-5

6. The study dose not adequately study the original project, Borland phase II alternative. Simply stating the traffic would be just as bad or worse should not acceptable. The original Borland study appears to be indicating more traffic loads at intersection 1. I 9-6
7. Intersection # 1 study as an stop intersection only is inadequate. Should include freeway on/off ramp study. I 9-7
8. The cumulative traffic presentations should be verifiable. Appendix should include supporting documents, figures, tables and calculations shown the cumulative numbers have been arrived at and must be easily comparable with the original Borland study. I 9-8
9. There are concerns with deferring other engineering concerns such as potentially required geometric changes to the roadway networks, sight distance issues and etc. I 9-9
10. The report must include/bear the City Engineer's signature and stamp to signify it has been adequately reviewed and approved by the City as required by law. I 9-10
11. The impacts of the 1440 Bethany Hotel and the hotel on Scotts Valley Drive and the proposed Hotel: the study should include lunch time and weekend level of services analysis. I 9-11
- Water: There are concerns with excessive use of water by the Hotel guests and by the residential development. There has been concerns that the long drought has resulted in reduction in ground water and the aquifer. I 9-12
- Drainage: the study should include a complete Drainage Study Report per City Standards. I 9-13

Sent from my iPhone

Begin forwarded message:

From: lex rau <lexrau@sbcglobal.net>
Date: January 20, 2016 at 10:25:50 PM GMT+3:30
To: "lexrau@sbcglobal.net" <lexrau@sbcglobal.net>, Majid Yamin <majidyamin@yahoo.com>
Subject: Fwd: Environmental Reports

Sent from my iPhone

Begin forwarded message:

From: lexrau@sbcglobal.net
Date: September 16, 2015 at 1:24:50 PM PDT
To: Scotts Valley Planning Corrie <ckates@scottsvalley.org>
Subject: Environmental Reports

Corrie,
Please provide a copy of environmental reports, EIR or NEG Declaration on all projects under consideration and/or in the future.

Lex Rau

Sent from my iPhone

Sent from my iPhone

2.1.9 Response to Comment Letter #9: Lex Rau, dated February 16, 2016

Response to Comment 9-1– Trip Distribution Compared to Borland Project

The commenter states that the project's trip distribution must be shown graphically and compared to the Enterprise Technology Center (former Borland campus) trip distribution analyzed in that project's 1991 environmental impact report.

Please see Draft EIR [Chapter 15: Transportation and Circulation](#). On the last page of that chapter, [Figure 15-1: Study Intersection & Trip Distribution](#) is a graphical portrayal of the trip distribution of the proposed project.

Regarding the trip distribution of the former Borland campus environmental impact report, please see Response to Comment 3-2.

Response to Comment 9-2– Geographic Scope of Traffic Analysis

The commenter states that intersections in the southern portion of the City of Scotts Valley should be included in the traffic analysis because residents of the project site would access services located in this area.

Please see Draft EIR Appendix 5, [Figure 5-4: Project Trip Assignment – Peak Hour Volumes](#). As indicated at Intersection #6, 14 AM trips and 16 PM trips would distribute south onto Scotts Valley Drive. This is approximate 1 car per signal cycle and this study intersection and does not warrant inclusion of additional intersections farther south.

Response to Comment 9-3– LOS Using Coordinated Signals; Provide Synchro Program

The commenter states that the LOS analysis should use coordinated signals and requests that the traffic modeling program (Synchro) be provided for public review.

Regarding coordinated signals, please see Response to Comment 3-2.

Synchro Studio is proprietary traffic planning and analysis software for which a license must be purchased. The City's consultant pays regular licensing fees for its use. The output of the Synchro analysis is available in Draft EIR [Appendix 5](#).

Response to Comment 9-4– Deny Approvals Based on Existing Intersection LOS

The commenter states that no development should be approved at intersections where existing Levels of Service (LOS) are shown to be operating below the City thresholds.

See Response to Comment 3-3.

Response to Comment 9-5– Mitigation Feasibility

The commenter states that the Draft EIR does not provide sufficient information as to why the project would result in significant and unavoidable impacts to local intersections and why the intersections cannot be improved to reduce impacts to a less-than-significant level.

Please see Response to Comment 3-3.

Response to Comment 9-6– Alternatives Analysis of Traffic

The commenter states that the EIR does not adequately study the Borland Phase II alternative and that it is not acceptable to “simply” state that traffic would be similarly or more significantly impacted.

Pursuant to State CEQA Guidelines Section 15126.6(d), “the EIR shall include sufficient information about each alternative to allowing meaningful evaluation, analysis, and comparison with the proposed project. ... If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed *but in less detail* than the significant effects of the project as proposed” (emphasis added).

Draft EIR **Chapter 16: Alternatives** includes an analysis of Alternative B: Existing Zoning Alternative. Under this alternative, the project site would be developed similar to the research and development use proposed for Phase II of the Borland Campus, including 160,000 square feet of office space and 900 employees. As indicated on Draft EIR page 16-8, the alternative’s total daily trip generation would be similar to that of the proposed project, but the transportation impacts under this alternative would be more significant because of the commute of the 900 employees would be concentration during the AM and PM peak hours. Impacts to LOS would be worse at the intersection of Granite Creek Road with the northbound SR 17 on-ramp, Granite Creek Road and Scotts Valley Drive, and Highway 17 off-ramp and Scotts Valley Drive.

Therefore, the EIR addresses the alternative’s increased significant effects at local intersections, but does so at a lesser level of detail than for the proposed project. The relative impacts are adequately addressed to allow for a comparison among alternatives.

Response to Comment 9-7– Include Ramp Analyses

The commenter states that the stop sign at Intersection #1 (Santa’s Village Road / northbound Highway 17 ramps) is not sufficient and that a ramp analysis should be provided for the intersection.

See Response to Comment 1-2.

Response to Comment 9-8– Provide Cumulative Traffic Inputs

The commenter states that the cumulative traffic presentation should be “verifiable” and requests that the appendix include supporting documents, figures, tables, and calculations of cumulative traffic. The commenter also states that this information should be easily comparable to the traffic analysis for the Enterprise Technology Center (former Borland campus) study.

Supporting documentation and assumptions for the traffic analysis are presented in Draft EIR **Chapter 15: Transportation and Circulation** and Appendix 5. Please also see Response to Comment 9-3.

Regarding comparisons to the Borland campus environmental impact report, please see Response to Comment 3-2.

Response to Comment 9-9– Deferred Mitigation

The commenter expresses concern that the Draft EIR defers required mitigation for geometric changes to the roadway network and sight distance.

In a CEQA context, “deferred mitigation” refers to mitigation measures that are put off until some future date, with no performance measures or timing requirements to ensure that the mitigation is in place to reduce impacts at the time the impact would occur.

Draft EIR **Chapter 15: Transportation and Circulation, Impact TR-2** on page 15-21 analyzes the potential for the proposed project to substantially increase hazards due to a roadway design feature. As stated there, the residential development’s private roadways would intersect Santa’s Village Road at or near curves in the roadway, which could lead to hazard concerns. **Mitigation Measure MM TR-2: Traffic Control Plan** is identified to reduce the impact to a less-than-significant level.

The mitigation measure states that the residential project applicant shall have a registered traffic engineer prepare a Traffic Control Plan for review and approval by the Public Works Department and the Community Development Director prior to approval of the Final Map.

This measure does not constitute deferred mitigation. It requires that the City’s appropriate staff review and approve the Traffic Control Plan to reduce hazards *prior* to approval of the Final Map, which would be before construction of the residential development and before the identified impact would occur.

Response to Comment 9-10– City Engineer Review

The commenter states that the City Engineer must review the Draft EIR and sign and stamp the document to signify that it has been adequately reviewed.

The Draft EIR is an environmental document prepared pursuant to CEQA. Although engineering drawings, documents, and preliminary conclusions are referenced and summarized in the Draft EIR, it is not an official engineering document that must be reviewed and stamped as such by City engineers. City staff and engineering consultants review the document and background reference documents as applicable.

The City of Scotts Valley plan review process involves formal review of project plans, including engineering drawings and technical studies. This process is undertaken concurrently and

through project construction until issuance of certificate of occupancy. The City Engineer will review and approve all necessary documents as required.

Response to Comment 9-11– Provide Lunch Hour and Weekend Hours Traffic Analysis

The commenter requests that the Draft EIR include a lunch hour and weekend level of service analysis because nearby hotels would also generate lunch-hour and weekend trips.

As indicated in [Draft EIR Chapter 15: Transportation and Circulation](#), on page 15-15, trip generation estimates were prepared for weekday traffic conditions, which are the worst case. As indicated in [Table 15-3: Proposed Project Weekday Trip Generation](#), the residential townhouse project would result in 352 trips per weekday, and the hotel would result in 989 trips per weekday.

Furthermore, hotels do not create a peak use period unless they are hosting an event (e.g. a conference, wedding, etc.). The proposed hotel does not include facilities for large functions. As an “extended stay” hotel, guest would arrive and depart throughout the day.

Response to Comment 9-12– Water Supply

The commenter indicates concern with excessive use of water by hotel guests and residents of the project. The commenter states that there have been concerns that the drought has resulted in a groundwater reduction.

Existing groundwater conditions are presented in Draft EIR [Chapter 11: Hydrology and Water Quality](#). As indicated on page 11-3, groundwater levels in many parts of the Santa Margarita Groundwater Basin (SMGB) have declined more than 200 feet in the past 25 years, although the greatest declines occurred from the 1960s to the mid-1990s.

Aquifers within the SMGB are currently operated well below their historical maximum annual production, and total groundwater production across the SVWD declined by approximately 17 percent from 2007–2014.

Please see Response to Comment 5-2.

Response to Comment 9-13– Drainage

The commenter states that the EIR should include a “complete Drainage Study Report” per City standards.

Please see the preliminary drainage and stormwater management plans in [Figure 3-6: Hotel Grading and Drainage Plan](#), [Figure 3-7: Hotel Stormwater Plan](#), [Figure 3-12: Residential Grading and Drainage Plan](#), and [Figure 3-13: Residential Stormwater Plan](#). As indicated in Draft EIR [Chapter 3: Project Description](#), on page 3-6, stormwater from new impervious surfaces on the hotel site would be directed to rain gardens, and runoff beyond design storms would be collected post-treatment and released adjacent storm drain systems to the west and east. Stormwater from new impervious surfaces of the residential development would drain to a

series of bioretention areas that would allow for infiltration. Approximately 0.8 acres of the residential site would drain directly to an underground stormwater detention vessel, which would also collect overflow from the bioretention areas. The vessel would have a control-release mechanism that would connect to the existing off-site drainage system to the south.

Both the hotel and residential development project applicants have both submitted Stormwater Management Plans pursuant to City requirements.

Carey, Jonathan

From: Michelle Fodge <mfodge@scottsvalley.org>
Sent: Monday, February 22, 2016 7:53 AM
To: Carey, Jonathan
Cc: Wiseman, Bill
Subject: DEIR Comment- Concerns about Architecture Style and Building Height

Follow Up Flag: Follow up
Flag Status: Flagged

J,

please include it in the responses...thanks!

Michelle Fodge, AICP
Senior Planner
Direct: (831) 440-5632
Email: mfodge@scottsvalley.org



City of Scotts Valley
Planning Department
One Civic Center Drive
Scotts Valley, CA 95066
Office: (831) 440-5630
Fax: (831) 438-2793
Website: www.scottsvalley.org

From: Michelle Fodge
Sent: Wednesday, January 13, 2016 9:01 AM
To: 'Erin Walters'
Cc: Corrie Kates
Subject: Proposed Marriott Hotel - Concerns about Architecture Style and Building Height

Hi Erin,

Thank you for your comments. The email will be included and the proposed design will be discussed in the Planning Commission staff report for the public hearing, which will be held Thursday, March 3 @ 6pm in the Council Chambers at City Hall.

Michelle Fodge, AICP
Senior Planner
Direct: (831) 440-5632
Email: mfodge@scottsvalley.org

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-----Original Message-----

From: Erin Walters [<mailto:erinmeganwalters@yahoo.com>]
Sent: Tuesday, January 12, 2016 4:59 PM
To: Michelle Fodge
Subject: New Marriott

Hello Michelle,

I live near the proposed Marriott project and have concerns about the proposed architecture, and height.

I like the proposed style of architecture but I do not feel that the style is compatible with the immediate or surrounding architecture. This project will be such an important gateway to the City of Scotts Valley and Santa Cruz County.

The architectural style, and height are critical for this site. The proposed modern architecture and tall tower are out of scale and not in keeping with the City's architectural style or feel.

Does the City have commercial design guidelines or a specific plan for this gateway area/property?

I am support growth and change but want to make sure it meets the style and vision of the City.

Please include my email in the staff report.

Thank you for your time and hard work.

Sincerely,
Erin Walters

10-1

2.1.10 Response to Comment Letter #10: Erin Walters, dated January 13, 2016

Response to Comment 10-1– Visual Character

The commenter states that the project will be an important visual gateway to the City, and that the architectural style and height of the hotel component is not compatible with the immediate or surrounding architecture. The commenter asks whether the commercial design guidelines or a specific plan apply to the property.

Please see response to comments 7-4 and 8-7.

3 Changes to the Draft EIR

Changes to the Draft EIR are shown on the following pages in the order that they appear in the EIR. New text is shown in underline, and removed text is shown in ~~striketrough~~. These text changes do not constitute substantial new information and do not result in significant new impacts or the increase in severity of impacts already disclosed.

1 Executive Summary

This Draft Environmental Impact Report (EIR) has been prepared by the City of Scotts Valley (City) for the Enterprise Way project (proposed project). The City is the “public agency which has the principal responsibility for carrying out or approving the project,” and as such is the “Lead Agency” under the California Environmental Quality Act (CEQA), as defined in CEQA Guidelines Section 15367. CEQA requires the Lead Agency to consider the information contained in the EIR prior to taking any discretionary action. This EIR is intended to serve as an informational document to be considered by the City and other permitting agencies during deliberations on the proposed project.

This Executive Summary summarizes the requirements of the CEQA Statute and Guidelines, provides an overview of the proposed project and alternatives, outlines the impacts of the proposed project and the recommended mitigation measures, and discloses areas of controversy and issues to be resolved.

1.1 Proposed Project and Decision Overview

1.1.1 Proposed Project Description

The proposed project involves the construction of a hotel and residential townhomes on Santa’s Village Road north of the existing Enterprise Technology Center (aka “Borland”). The currently vacant project site is located on the northern edge of the City of Scotts Valley (the City) in northern Santa Cruz County. On the southwestern portion (2.48 acres) of the project site, the applicant would construct a four-story, 120-room hotel and associated surface parking lot. The hotel would operate under an extended stay, select service model, and each room would have a living area and kitchen space. On [3.874.32 acres \(including streets\)](#) of the project site, the applicant would construct a 50-unit townhouse development comprising three-bedroom, three-story units spread among ten buildings. Each unit would have its own two-car garage at the ground level, and include circulation and visitor parking areas. [Separate from the proposed project, the remaining acreage of the project site would be developed with the Santa’s Village Road extension. This roadway has already been approved to serve the Polo Ranch project to the east.](#)

1.1.2 Lead Agency CEQA Evaluation Process

This environmental impact report (EIR) has been prepared to evaluate environmental impacts that may result from implementation of the proposed project. The California Environmental Quality Act (CEQA) requires the Lead Agency with discretionary authority over the project to consider the information contained in the EIR prior to taking any discretionary action. This EIR provides information to the Lead Agency and other public agencies, the general public, and decision makers regarding the environmental impacts from the construction and operation of the proposed project. The purpose of the public review of the EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA.

The City has the authority to take discretionary actions relating to development of the proposed project and may conditionally approve or deny the project permit. This EIR evaluates and mitigates the impacts associated with the proposed project. The EIR also discloses growth-inducing impacts; impacts found not to be significant; and significant cumulative impacts of past, present, and reasonably anticipated future projects.

1.1.3 Proposed Project Objectives

The following objectives have been identified for the proposed project:

- Develop financially feasible, attached ~~single family townhouse~~townhome-style condominium market-rate residential units to contribute to the region's housing supply.
- Construct a financially feasible hotel in the City of Scotts Valley that leverages proximity to, and is visible from, Highway 17 and contributes Transient Occupancy Tax to the City.
- Activate Santa's Village Road between the approved Polo Ranch project to the north and the existing Enterprise Technology Center campus to the south through the introduction of 24-hour uses.
- Incorporate passive outdoor areas into the housing development for shared use by residents.

1.2 Environmental Analysis

This section summarizes the impacts of the proposed project, which are presented in detail in **Chapters 4** through **15** of the EIR. The primary purpose of an EIR is to identify any significant effects of a project, as proposed. Knowledge of the significant impacts from the proposed project guides the identification of mitigation measures and of alternatives that would reduce these impacts. The alternatives to the proposed project are described in **Chapter 16: Alternatives**.

1.2.1 Impacts of the Proposed Project

The proposed project as a whole would create significant unmitigable impacts in the discipline of transportation. There would also be other significant impacts that could be mitigated to a less-than-significant level, with implementation of recommended mitigation measures. The EIR also identifies other impacts that are adverse but not significant, and would not require mitigation. Following is a summary of the proposed project and cumulative impacts in each discipline.

1.3 Summary of Impacts and Mitigation Measures

Table 1-1: Summary of Significant Impacts of the Proposed Project provides a summary of the significant impacts of the proposed project. The mitigation measures associated with each impact are to be implemented by the project applicant to reduce the environmental impacts to

a less than significant level, where possible. In accordance with CEQA, the impacts are classified as follows:

- Class I – Significant and unavoidable impacts
- Class II – Significant impacts that can be reduced to less than significant with mitigation

Table 1-1: Summary of Significant Impacts of the Proposed Project

Impact	Mitigation Measure	Significance After Mitigation
Aesthetics		
Impact AES-1: Substantially alter the visual character of the project site and project area, nor substantially change the scenic vista along southbound Highway 17.	Less than Significant	None required
Impact AES-2: Introduce new light and glare to the project site and project area.	Less than Significant with Mitigation	MM AES-1 Exterior Lighting Control Plan
Impact AES-3: Contribute to cumulatively considerable aesthetic impacts.	Less than Significant	None required
Air Quality		
Impact AQ-1: Construction activities would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.	Less than Significant with Mitigation	MM AQ-1.1 Reduce fugitive dust MM AQ-1.2 Designate a dust compliance monitor
Impact AQ-2: Long-term operation would generate dust and exhaust emissions of criteria pollutants.	Less than Significant	None required
Impact AQ-3: Increase carbon monoxide concentrations above State and federal standards.	Less than Significant	None required
Impact AQ-4: Contribute to cumulatively considerable air quality impacts.	Less than Significant with Mitigation	MM AQ-1.1 Reduce fugitive dust MM AQ-1.2 Designate a dust compliance monitor
Biological Resources		
Impact BIO-1: Result in a potentially adverse effect on the Carbonera Creek riparian habitat.	Less than Significant with Mitigation	MM BIO-1.1: Riparian Habitat Preservation MM BIO-1.2: Streambed Alteration Agreement MM BIO-1.3: Vegetation Planting and Management Plan MM BIO-1.3: Streambed Alteration Agreement
Impact BIO-2: Cause a direct and/or indirect adverse effect on native trees and associated nesting bird sites.	Less than Significant with Mitigation	MM BIO-2.1: Tree Preservation, Removal, and Replacement MM BIO-2.2: Preconstruction Bird Surveys
Impact BIO-3: Interfere with wildlife movement corridors.	Less than Significant	None required.

Impact	Mitigation Measure	Significance After Mitigation
Impact BIO-4: Contribute to cumulatively considerable effects on biological resources.	Less than Significant with Mitigation	MM BIO-1.1: Riparian Habitat Preservation MM BIO-1.2: Vegetation Planting and Management Plan MM BIO-1.3: Streambed Alteration Agreement MM BIO-2.1: Tree Preservation, Removal, and Replacement MM BIO-2.2: Preconstruction Bird Surveys
Cultural Resources		
Impact CR-1: Cause a substantial adverse change to a known archeological resource.	Less than significant with mitigation	MM CR-1.1: Archaeological Testing Program 1 MM CR-1.2: Archaeological Testing Program 2
Impact CR-2: Directly impact a paleontological resource or unique geologic feature.	Less than significant with mitigation	MM CR-2: Paleontological Resource Monitoring
Impact CR-3: Inadvertently disturb human remains.	Less than significant	None required.
Impact CR-4: Contribute to cumulatively considerable effects on cultural resources.	Less than significant with mitigation	MM CR-1.1: Archaeological Testing Program 1 MM CR-1.2: Archaeological Testing Program 2 MM CR-2: Paleontological Resource Monitoring
Geology & Soils		
Impact GEO-1: Trigger or accelerate soil erosion or loss of topsoil.	Less than Significant	None required.
Impact GEO-2: Expose people or structures to substantial safety risks as a result of seismically induced ground shaking, liquefaction, settlement, lateral spreading, and/or surface cracking.	Less than Significant with Mitigation	MM GEO-2: Implement geotechnical report recommendations.
Impact GEO-3: Contribute to cumulatively considerable effects on geology and soils.	Less than Significant with Mitigation	MM GEO-2: Implement geotechnical report recommendations.
Greenhouse Gas Emissions		
Impact GHG-1: Contribute to cumulatively considerable effects on construction-related greenhouse gas emissions.	Less than Significant	None required.
Impact GHG-2: Contribute to cumulatively considerable effects on long-term operations-related greenhouse gas emissions.	Less than Significant	None required.
Hydrology & Water Quality		
Impact HYD-1: Contribute to the depletion of local groundwater supplies or interfere with groundwater recharge.	Less than Significant	None required.

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Under CEQA, “The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the proposed project, and to indicate the manner in which those significant effects can be mitigated or avoided” (PRC Section 21002.1[a]). An EIR is the most comprehensive form of environmental documentation identified in CEQA and the CEQA Guidelines and provides the information needed to assess the environmental consequences of a proposed project. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts.

As required by State CEQA Guidelines Section 15128, this EIR must identify the effects of the proposed project determined to be significant. This EIR is considered a “full-scope” EIR in which all environmental impact categories identified in the Environmental Checklist Form (CEQA Guidelines Appendix G) are discussed in **Chapters 4** through **15** of this document.

2.2 Overview of Proposed Project

The currently vacant project site is located on the northern edge of the City of Scotts Valley (the City) in northern Santa Cruz County. The proposed project would involve grading of the project site and construction of two separate project components that would operate independently of one another.

On the southwestern portion (2.48 acres) of the project site, the applicant would construct a four-story, 120-room hotel and associated surface parking lot. The hotel would operate under an extended stay, select service model, and each room would have a living area and kitchen space.

On ~~3.874.32~~ acres (including streets) of the project site, the applicant would construct a 50-unit townhouse development comprising three- ~~and four~~-bedroom, three-story units spread among ten buildings. Each unit would have its own two-car garage at the ground level, and include circulation and visitor parking areas. Separate from the proposed project, the remaining acreage of the project site would be developed with the Santa’s Village Road extension. This roadway has already been approved to serve the Polo Ranch project to the east.

3 Project Description

3.1 Introduction

The proposed project involves the construction a hotel and residential townhomes. It would consist of the construction of a 120-room hotel on 2.48 acres, and 50 residential townhomes on ~~3.87~~4.32 acres of an approximately ~~96.8~~-acre project site. The hotel would be a four-story complex with surface parking. The residential development would consist of townhomes units of approximately 1,700 square feet (plus approximately 500 square feet of garage space) in three-story buildings. The site would be accessed from Santa's Village Road, which would be extended through the project site to serve the already approved Polo Ranch project to the east.

3.2 Project Objectives

3.2.1 Background

Section 15124 of the CEQA Guidelines requires that a clearly written statement of objectives be presented in an EIR to help lead agencies develop a reasonable range of alternatives, and to aid the decision makers in preparing findings of significant effects or a statement of overriding considerations, as necessary.

The project site is currently vacant and was approved in 1992 for a 192,555 sq. ft. commercial office building known as Borland Phase II. Borland International built Phase I (now known as the Enterprise Technology Center) but did not build Phase II, and the property was sold in the summer of 2013.

As part of the Borland project, the project site was graded and a significant amount of soil was removed to accommodate a partially underground parking structure. As such, the project site was disturbed and currently contains non-native grasses.

3.2.2 Project Objectives

Section 15124 of the CEQA Guidelines requires that a clearly written statement of objectives be presented in an EIR to help lead agencies develop a reasonable range of alternatives, and to aid the decision makers in preparing findings of significant effects or a statement of overriding considerations, as necessary. The applicant has identified the following project objectives:

- Develop financially feasible, attached ~~townhome-style condominiums~~single-family townhouse market-rate residential units to contribute to the region's housing supply.
- Construct a financially feasible hotel in the City of Scotts Valley that leverages proximity to, and is visible from, Highway 17 and contributes Transient Occupancy Tax to the City.
- Activate Santa's Village Road between the approved Polo Ranch project to the north and the existing Enterprise Technology Center campus to the south through the introduction of 24-hour uses.

development. **Figure 3-3: Proposed Project Site Plan** illustrates the site plan of the proposed project. The remaining figures in this chapter are grouped together by project component. **Figures 3-4 through 3-9** present elevations and plans for the hotel. **Figures 3-10 through 3-15** present elevations and plans for the residential development.

3.4.1 Hotel

Under the proposed project, the General Plan would be amended to apply a Service Commercial (C-S) land use designation to approximately 2.48 acres on the southwestern portion of the project site. A Zone Change would be implemented to map this portion of the project site for Service Commercial uses in a Planned Development District (C-S/PD). Hotel uses are conditionally permitted in C-S districts.

The proposed project would entail construction of a four-story, approximately 87,000-square-foot, 120-room hotel, and operate under a select-service, extended-stay model. The ground floor would contain a front desk, lobby with hearth, study, management and sales offices, workroom, meeting room, food serving and preparation rooms, fitness center, and a guest laundry. An outdoor pool, patio, and sport court for hotel guests would be located on the hotel's southeastern side.

The remainder of the first story, as well as the upper three stories, would contain a total of 120 hotel rooms. The rooms would comprise a mix of studios, double-queen studios, and one-bedroom units. Under the extended stay model, each room would have its own bathroom, living space, and kitchen.

The hotel's exterior architecture would be contemporary and incorporate natural finishes, including stone and wood. The façade would be broke into distinctive horizontal and vertical visual elements through a mix of materials (cement fiber siding, cement plaster, and stone) and colors (rocky creek [slate blue], deep maroon, beige, and silver. The building would be 39 feet tall to the roofline, 42.5 feet to the top of the parapet, and approximately 50 feet to the top of the elevator shaft. Where the roof is pitched, it would comprise asphalt shingles.

Figure 3-4: Hotel Elevations includes elevations of the proposed hotel, and floor plans are shown in **Figure 3-5a: Hotel First Floor Plan** and **Figure 3-5b: Hotel Typical Upper Floor Plan**.

3.4.2 Residential Development

On the northern and eastern portions of the project site, the General Plan would be amended to apply a High-Density Residential land use designation to ~~the remaining 3.87~~^{3.84} acres of the project site. A Zone Change would be implemented to designate this portion of the project site High-Density Residential in a Planned Development District (R-H/PD).

The project applicant would construct 50 townhouses grouped in ten separate buildings. Each townhouse would be approximately 1,700 square feet and include three bedrooms, plus an approximately 500-square-foot garage. To provide a sense of visual diversity, each townhouse

would be physical distinguished from its neighbors by a mix of colors in both horizontal and vertical wood siding, as well as shingle siding. Building heights would be approximately 27 feet to the eave, and 38 feet to the top of the roof. The pitched roof would comprise shingles. Each unit would have a balcony on the second floor. The ground-floor rear of each unit would have a two-car (side-by-side) garage. ~~Pursuant to a development agreement between the City and the project applicant, the townhouse development is not required to meet any inclusionary or affordable housing obligation, or any other costs associated with the provision of homes at below market value. The City's Affordable Housing Subcommittee is working with the residential project applicant and will make a recommendation of housing unit affordability mix and level of affordability for City Council review.~~

Figure 3-10: Townhouse Typical Elevations illustrates elevations of a standard townhouse building, and Figure 3-11: Townhouse Typical Floor Plan illustrates a standard floor plan.

3.5 Project Site Design & Engineering

3.5.1 Access, Circulation, and Parking

As part of the already approved Polo Ranch project, Santa's Village Road will be extended from the existing improved cul-de-sac across the project site northward, and then turn southeastward before crossing Carbonera Creek. This improvement is planned for mid-2016 and will be required prior to completion of the proposed project. Primary access to the hotel would be provided from Santa's Village Road at the southwest corner of the project site.

The hotel would be surrounded on the northern, western, and eastern sides by a parking lot and internal circulation area containing 122 spaces, including 5 handicapped-accessible spaces. Loading would occur at the southwestern corner of the hotel building. The Planned Development permit would resolve parking requirements for the hotel. Secondary access to the hotel would be provided along Santa's Village Road, at the northern end of the 2.48-acre hotel site, as well as on the southeast side of the parking lot from the residential development's internal roadways.

The townhouse development would be accessible via three new roadways. Each of the 50 townhouses would have a two-car garage, and ~~two surface parking lots~~ the residential development would contain a total of ~~19-23~~ off-street visitor spaces.

3.5.2 Grading

This EIR conservatively assumes that the hotel would require the import of 2,177 cubic yards of soil, and the residential development would require the export of 5,600 cubic yards of soil.

A net of 3,423 cubic yards of soils would be exported from the project site. The residential portion of the proposed project would encroach upon the riparian area to the west of Carbonera Creek channel and require the removal of ~~18-12~~ trees. This removal of riparian trees and vegetation would be require a Streambed Alteration Agreement from the California

Department of Fish & Wildlife (CDFW), pursuant to Fish and Game Code §1602. Grading under the proposed project is shown in Figure 3-6: Hotel Grading and Drainage Plan, and Figure 3-12: Residential Grading and Drainage Plan.

3.5.3 Stormwater Management

The hotel would result in approximately 1.71 acres of net new impervious surfaces, including the hotel roof, parking lot, and pedestrian paths. Stormwater would drain to a series of rain gardens located along the hotel site boundary, the hotel building boundary, and in the hotel parking lot. These rain gardens would be designed to treat and retain runoff for a design storm/rain depth of 2.6 inches. The parking lot would also include approximately 8,200 square feet of permeable paving, which would reduce total stormwater flows.

Runoff beyond the design storms would be collected post-treatment from the rain gardens, piped, and released from the hotel site in two locations: one at the southwestern corner of the site to connect to the existing stormwater collection pipe in Santa's Village Road, and the other at the southeastern boundary of the hotel site to connect to the residential development's storm drainage system.

The residential development would result in 1.79 acres of net new impervious surfaces. In the portions of the project site adjacent to Carbonera Creek comprising approximately 0.3 acres, stormwater would continue to naturally infiltrate and drain toward the creek. Approximately 2.2 acres of the residential portion of the project site would drain to a series of bio-retention areas that would collect water and allow for infiltration. Approximately 0.8 acres of the site would drain directly to an underground stormwater detention vessel located beneath the residential visitor parking. Overflow from the bio-retention areas would also be conveyed to this detention vessel. The vessel would have a control-release mechanism that would connect to the existing off-site drainage system to the south.

Stormwater plans are shown in Figure 3-7: Hotel Stormwater Plan, and Figure 3-13: Residential Stormwater Plan.

3.5.4 Water, Wastewater, and Dry Utilities

Potable and reclaimed water and wastewater conveyance pipelines will be extended under Santa's Village Road as part of the Polo Ranch project. Both the hotel and the residential development would connect to these utility lines. Utility plans are shown in Figure 3-8: Hotel Utility Plan, and Figure 3-14: Residential Utility Plan.

3.5.5 Tree Protection and Removal

The project site contains 65 ~~protected~~ trees of five different species: 42 coast redwoods, 12 cottonwoods, four California bay laurels, three Coast live oaks, two willows, and two sweet gums. The proposed project would require the removal of ~~18-19~~ total trees, including eight cottonwoods, two sweet gums, three oaks and ~~five-four~~ bay laurels. Removal of mature trees

the approved Polo Ranch residential project to the north. No designated scenic resources or scenic vistas would be substantially affected, although views of some mature vegetation and hillsides would be blocked or obscured.

Therefore, although the proposed project would result in a change to the visual character of the project site, it would be in keeping with the visual character of the project area, and the impact would be Class III, less than significant.

Impact AES-2: Introduce new light and glare to the project site and project area (Class II).

Given the project site is currently vacant, the proposed uses would result in an overall increase in light and glare compared to existing conditions. Exterior project lighting would consist of wall- and pole-mounted fixtures around the perimeters of buildings and parking areas on the project site. Light from these fixtures could spill beyond the project site and result in significant light and glare impacts. Implementation of **Mitigation Measure AES-1: Photometric Plans and Lighting Control**, would reduce the impact to a less-than-significant level (Class II).

Mitigation for Impact AES-2

MM AES-1 Exterior Lighting Control Plan.

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

To minimize the adverse impact associated with light and glare, the project applicants shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction.

The applicants shall design and install all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as is feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances.

The exterior lighting control plan shall include the following:

- A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary adjacent to the riparian area.
- Identification of the location and direction of light fixtures that take the lighting control requirements into account;

Given the proximity of sensitive receptors to the project site, implementation of the following mitigation measures would further ensure impacts would be reduced to a less-than-significant level for all construction activities on the project site.

Mitigation for Impact AQ-1

MM AQ-1.1 Reduce fugitive dust.

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

The applicant shall implement the following measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions, which shall be shown on the grading and building plans:

- Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.
- Water graded/excavated areas and active unpaved roadways, unpaved staging areas, and unpaved parking areas at least twice daily or apply non-toxic chemical soil stabilization materials per manufacturer's recommendations. Frequency should be based on the type of operations, soil and wind exposure.
- Prohibit all grading activities during periods of high wind (more than 15 mph).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Stabilize all disturbed soil areas not subject to using approved chemical soil binders, jute netting, or gravel for temporary roads and any other methods approved in advance by the APCD.
- Sow exposed ground areas that are planned to be reworked at dates greater than one month after initial grading with a fast germinating, non-invasive grass seed, and water until vegetation is established.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Use street sweepers, water trucks, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the project site. Reclaimed (non-potable) water should be used whenever possible;
- Spray dirt stock pile areas daily as needed.
- Place gravel on all roadways and driveways as soon as possible after grading. In addition, construct building pads as soon as possible after

grading unless seeding, soil binders, or frequent water application are used.

- Not exceed a 15 mph vehicle speed for all construction vehicles on any unpaved surface at the construction site.
- Cover or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) on all trucks hauling dirt, sand, soil, or other loose materials in accordance with California Vehicle Code Section 23114.
- Limit unpaved road travel to the extent possible, for example, by limiting the travel to and from unpaved areas, by coordinating movement between work areas rather than to central staging areas, and by busing workers where feasible.
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the project site, and inspect vehicle tires to ensure free of soil prior to carry-out to paved roadways.
- Sweep streets at the end of each day, or as needed, if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.

MM AQ-1.2 Designate a dust compliance monitor.

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties.](#)

The applicant shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include monitoring during holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the MBUAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. The applicant shall provide and post a publicly visible sign that specifies the telephone number and name to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with Rule 402 (Nuisance).

7.3.3 Vegetation Communities

Literature Search

Based on review of the CNDDDB, a total of nine federally and/or state-protected plant species were documented to occur within an approximately 5-mile radius of the project site (JMC, 2014). Of those species, four are known to occur or may occur within the vicinity of the project site, based upon habitats and microhabitats, soil conditions, and the CNDDDB and CNPS Inventory (JMC, 2014; H.T. Harvey, 2015b). The special-status identified are:

- Federally and State endangered Scotts Valley polygonum (*Polygonum hickmanii*), for which Critical Habitat has been designated immediately to the east of Carbonera Creek, adjacent to the project site,
- Federally and State endangered Santa Cruz wallflower (*Erysimum teretifolium*),
- Federally endangered Scotts Valley spineflower (*Chorizanthe robusta* var. *robusta*), and
- State endangered San Francisco popcorn flower (*Plagiobothrys diffusus*) (H.T. Harvey, 2015b).

Botanical Surveys

A preliminary site visit was undertaken in December 2014. The entire project site was walked and observations were made about site conditions. Notes were taken listing observed plant communities and the presence of aquatic features (JMC, 2014).

A qualified plant ecologist conducted a full floristic survey of the project site on several dates from March 2015 through July 2015. The surveys were conducted in accordance with CDFW protocols to determine whether any of the encountered plants were special-status species (H.T. Harvey, 2015b).

A certified arborist conducted a tree survey in October 2015. The survey includes those trees within the project site boundary. A total of 65 trees were surveyed. Only trees with a trunk diameter 8 inches or greater 54 inches above the ground were included in the survey.

Fifty-four of the trees—primarily coast redwoods—were described as being in either good or fair condition. Eleven of the trees surveyed were described as being in poor condition, or dead, due to significant structural defects that cannot be ameliorated. The survey did not identify “heritage” trees, which are those trees designated by the City Council as being of outstanding value for their age, size, aesthetics, history, uniqueness, tradition, or location. The City’s Heritage Tree Inventory indicates that groves of redwoods, Bay laurels, and oak trees in the area of Santa’s Village Road have been designated as heritage trees. [After publication of the Draft EIR, the project arborist performed an updated tree survey to determine the heritage status of inventories trees. That survey found that the project site contains no heritage trees.](#)

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances.
- Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Communities Conservation Plan (NCCP), or other approved local, regional, or state HCP.

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

7.5.2 Summary of No and/or Beneficial Impacts

There are no adopted Habitat Conservation or Natural Community Conservation Plans applicable to the project site. The project site does not include federally protected wetlands as defined by Section 404 of the Clean Water Act. Therefore, construction and operation of the proposed project would have no impacts under these criteria.

7.5.3 Impacts of the Proposed Project

Impact BIO-1: Result in a potentially adverse effect on the Carbonera Creek riparian habitat (Class II).

Scott's Valley polygonum is the only designated Critical Habitat potentially occurring on or within five miles of the project site. The rare plant surveys conducted in 2015 confirmed that Scott's Valley polygonum is not present on the project site, although designated Critical Habitat is present to the east across Carbonera Creek (JMC, 2014; H.T. Harvey, 2015b). Therefore, the proposed project would have no impact on Scott's Valley polygonum Critical Habitat.

Regarding riparian habitat, the project site size and layout limit the acreage available for hotel and residential development. The site plan has been laid out to avoid, to the greatest extent feasible, the riparian area adjacent to Carbonera Creek. Based upon [Figure 3-12: Residential Grading and Drainage Plan](#) and [Figure 7-1: Riparian Habitat and Trees](#), construction on the western and northern portions of the project site would result in the direct loss of 18,875 [square feet](#) of such habitat, [inclusive of mature trees](#). Specifically, construction of Building 1

(units 1 through 6), Building 2 (units 7 through 12), Building 3 (units 13 through 19), Building 4 (units 20 through 23), Building 5 (units 24 through 31), Building 6 (units 32 through 35), Building 9 (units 42 through 46) and Building 10 (units 47 through 50) would each require the disturbance of existing riparian habitat.

Given the high biological value of riparian habitat and that this plant community is considered sensitive by, and is under the jurisdiction of, CDFW, the loss of 0.43 acres of riparian habitat would be a significant impact. Implementation of Mitigation Measure MM BIO-1.1: Riparian Habitat Protection and Conservation, Mitigation Measure MM BIO-1.2: Vegetation Planting and Maintenance Plan, and Mitigation Measure MM BIO-1.3: Streambed Alteration Agreement would reduce this impact to a less-than-significant level.

Regarding indirect effects, construction-related activities, including the proposed removal of riparian vegetation, could result in indirect impacts to biological resources within Carbonera Creek from increased erosion and sedimentation. If uncontrolled, an increase in erosion and sedimentation into the creek has the potential to adversely affect populations of Steelhead, Coho salmon, and other wildlife species occurring in Carbonera Creek or farther downstream in the San Lorenzo River. As discussed in Chapter 9, Geology & Soils and Chapter 11, Hydrology and Water Quality, the proposed project would include erosion control measures and Best Management Practices (BMPs). Given the proposed setback distances from Carbonera Creek, and that the proposed project would include measures to minimize erosion and sedimentation, erosion or sedimentation would not substantially disturb or affect Steelhead, Coho salmon, or other wildlife species.

Night lighting could also indirectly affect nocturnal wildlife in the Carbonera Creek corridor. However, exterior project lighting would consist of wall- and pole-mounted fixtures around the perimeter of buildings and parking areas. City conditions requiring that such exterior lighting be the minimum necessary for security purposes, and that all exterior lighting be downward facing and not directly visible from adjacent properties, would be applicable to all proposed development.

Therefore, indirect impacts would be less than significant.

Mitigation for Impact BIO-1

MM BIO-1.1 Riparian Habitat Protection and Conservation

The applicant for the residential development shall implement this mitigation measure [on the residential development property](#).

Protection

As reflected in the proposed site plan, the project applicant shall retain 25,000 square feet of riparian habitat located in the eastern portion of the project site. Prior to the initiation of ground-disturbing activities for Buildings 1, 2, 3, 4, 9, or 10, the riparian habitat shall be marked with protective fencing installed at least

30 feet beyond the extent of habitat to be preserved, or other distance as approved by a qualified biologist.

During project construction, the project applicant shall complete the [bulk majority](#) of grading during the dry season between April 15th and October 15th to protect the riparian corridor of Carbonera Creek from grading impacts. However, limited grading may occur in winter, subject to review and approval by the Community Development Director.

Replacement

Prior to the disturbance of any riparian habitat associated with site clearing and grading associated with the construction of Buildings 1, 2, 3, 4, 9, or 10, a biological functions and values assessment (utilizing an accepted methodology such as the Hydrogeomorphic Approach) shall be conducted by a qualified biologist to establish a baseline for the overall biological value of the riparian habitats on the project site, [inclusive of any value provided by shade from trees or other mature vegetation on species within the remaining adjacent riparian corridor and Carbonera Creek.](#)

The loss of approximately 0.43 acres of mixed riparian woodland as a result of development activities shall be mitigated through replacement of this habitat with that of similar functions and values to that being removed, as determined in the biological values and functions assessment and presented in a revegetation plan prepared by the qualified biologist. The replacement plan shall account for the expected failure of a number of seeds and plants to germinate and mature successfully. Plant species similar to those being removed shall serve as a basis for the vegetation replacement. The revegetation shall occur in such a way as to create large, contiguous blocks of habitat. Alternatively, existing riparian habitat on the project site that is considered of relatively low function and value can be enhanced and or restored such that the functions and values will be increased.

The biological values and functions assessment, as well as the revegetation plan, shall be submitted to the Community Development Director after consultation with the California Department of Fish & Wildlife (if deemed necessary by the Community Development Director) prior to approval of a Grading Permit that encompasses the areas of Buildings 1, 2, 3, 4, 9, or 10. [Evidence of completed CDFW consultation shall be provided to the Community Development Director prior to approval of grading permit.](#)

MM BIO-1.2 Vegetation Planting and Maintenance Plan

The applicant for the residential development shall implement this mitigation measure [on the residential development property.](#)

The project applicant shall hire a qualified habitat restoration specialist to prepare a Vegetation Planting and Maintenance Plan. The objective of this Plan shall be to provide for the successful revegetation of riparian habitat and shall specify, at a minimum, the following.

- The location of the planting site;
- The quantity and species of plants to be planted;
- Planting procedures, including the use of soil preparation and irrigation;
- A schedule and action plan to maintain and monitor the plantings for a minimum 5-year period;
- Reporting procedures, including the contents of annual progress reports; and
- A list of criteria (e.g., growth, plant cover, survivorship) by which to measure success of the plantings, as well as contingency measures if the plantings are not successful.

The Vegetation Planting and Maintenance Plan shall be reviewed and approved by the Community Development Director after consultation with the California Department of Fish & Wildlife (CDFW) pursuant to **Mitigation Measure MM BIO-1.3: Streambed Alteration Agreement**, and prior to [approval of the Final Map](#) [issuance of grading permits](#).

MM BIO-1.3 Streambed Alteration Agreement

The applicant for the residential development shall implement this mitigation measure [on the residential development property](#).

The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish & Wildlife (CDFW) under provisions of Section 1603 of the California Fish and Game Code to authorize impacts to the riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement, which may include further restoration, [protection from disturbance \(such as fencing or signage\)](#), enhancement, and/or revegetation of riparian habitat either on-site or in selected areas off-site. Once acquired, the Streambed Alteration Agreement shall be submitted to the Community Development Director for approval prior issuance of grading permits.

Impact BIO-2: Cause a direct and/or indirect adverse effect on native trees and associated nesting bird sites (Class II).

Direct impacts to trees occur through removal. Indirect impacts to trees include disturbance to trees from grading and construction activities that may affect trees or their roots directly from

mechanical damage or indirectly due to alterations in soil structure, drainage, microbiology, etc., and tree removal for clearance of land for construction and grading.

The proposed development would remove ~~18-19~~ trees and affect remaining native trees that are within 25 feet of grading activities, ~~including potential removal of Heritage Trees as defined above~~ (Monarch Consulting Arborists, 2015; [project arborist, 2016](#)). [Table 7-1: Tree Inventory](#) lists the trees included in the survey area and those proposed for removal. Given that the removal of trees would conflict with the City's Tree Protection Regulations, the loss of trees and potential disturbance of remaining trees would be a significant impact.

Table 7-1: Tree Inventory

Common Name (Scientific Name)	Existing			Proposed for Removal		
	Trees Identified in Arborist Report ¹	Number that Meet "Protected" Criteria	Number that Meet "Heritage" Criteria	Trees Proposed for Removal	Number that Meet "Protected" Criteria	Number that Meet "Heritage" Criteria
Bay Laurel (Umbellularia californica)	4	<u>4</u>	<u>4</u>	54 ²	<u>4</u>	<u>0</u>
Coast redwood (Sequoia sempervirens)	42	<u>37</u>	<u>40</u>	8	<u>0</u>	<u>0</u>
Cottonwood (Populus fremontii)	12	<u>6</u>	<u>0</u>	0	<u>2</u>	<u>0</u>
Sweet gum (Liquidambar styraciflua)	2	<u>0</u>	<u>0</u>	2	<u>0</u>	<u>0</u>
Willow (Salix alba)	2	<u>2</u>	<u>0</u>	02	<u>2</u>	<u>0</u>
Coast live oak	3	<u>3</u>	<u>3</u>	3	<u>3</u>	<u>0</u>
Total	65	<u>52</u>	<u>47</u>	18<u>19</u>	<u>11</u>	<u>0</u>

Notes:

(1) The total number of trees may include heritage trees.

~~(2) Includes one Bay Laurel not considered mature/protected in Arborist Report.~~

Source: Monarch Consulting Arborists, 2015; [project arborist, 2016](#).

The loss of trees regulated by the City's Tree Protection Regulations would ~~require a Tree Removal Permit from the City~~ be processed concurrently with the other requested entitlements. ~~Pursuant to the Tree Protection Regulations, the Tree Removal Permit, inclusive of Planning Commission approval for removal of Heritage Trees, if required, would be obtained and submitted to Scotts Valley Building Department prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site.~~ Adherence to the City's Tree Protection Regulations, as well as implantation of Mitigation

Measure MM BIO-2.1: Tree Preservation, Removal, and Replacement, would ensure that impacts from tree removal would be less than significant.

Tree and vegetation removal may also affect nesting birds. The preliminary biological site assessment report concluded that nesting birds (protected by the MBTA) may occur within the project site or project site vicinity (JMC, 2014). Removal of trees or understory vegetation has the potential to harm nesting birds. This impact would be reduced to a less-than-significant level with implementation of Mitigation Measure MM BIO-2.2: Preconstruction Bird Surveys.

Mitigation for Impact BIO-2

MM BIO-2.1 Tree Preservation, Removal, and Replacement

The applicant for the residential development shall implement this mitigation measure [on the residential development property](#).

Prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site, the project applicant shall:

- A. Provide for the planting of two trees for each “protected” tree removed, as defined by the City of Scotts Valley Municipal Code (Section 17.44.080). The location of each new tree to be planted shall be shown in the proposed project’s Vegetation Planting and Maintenance Plan submitted to the Community Development Director pursuant to Mitigation Measure MM BIO-1.2; or
- B. Hire a certified arborist to undertake an assessment to trees to be removed to determine whether any such trees are Heritage Trees, as defined in Municipal Code Section 17.44.080. Pay into the City’s Tree Replacement Fund at a rate of \$50 per protected tree, and \$535 per Heritage Tree, as indicated in the City’s “Criteria for Tree Removal,” or
- C. A combination of (A) and (B).

[In addition, the project applicants shall be required to comply with the City’s Tree Protection Regulations \(Chapter 17.44.080\).](#)

During project construction, [including grading](#), the project applicant shall implement all recommended measures of the 2015 Tree Survey completed for the proposed project, repeated below:

- Identify a tree protection zone for all “protected” trees on the project site that would remain with implementation of the proposed project and install 6-foot orange fencing around the protected area.

- In areas where installation of fencing is not feasible, wrap main stems in straw wattle.

MM BIO-2.2 Preconstruction Bird Surveys

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

The applicant shall schedule all on-site tree removal and grading to occur between August 15th and February 1st of any given year to avoid the bird nesting season. If this schedule is not practical, the applicant shall hire a qualified biologist to conduct preconstruction nesting bird surveys no more than two weeks prior to removal of trees and grading. If nesting birds are observed, the biologist will establish a buffer zone where no tree removal or grading will occur until the biologist confirms that all chicks have fledged. The buffer zone may vary from 50 to 250 feet, depending upon the species of bird and exposure of the nest site.

Impact BIO-3: Interfere with wildlife movement corridors (Class III).

The proposed project would minimize impacts on fish and wildlife movement by preserving the majority of the riparian woodlands alongside Carbonera Creek, which may be used as a local wildlife movement corridor. Implementation of the proposed project may reduce east-west movement of wildlife species that currently make use of on-site habitat areas. Given the proximity of the project site to the existing highway and surrounding development, the project site is not known or expected to be a part of or contain regionally important terrestrial movement corridors that connect large regional open space areas. In addition, the already-approved Polo Ranch Project, to the east of the project site, would further isolate the project site from nearby open spaces and biotic habitats. Therefore, impacts to wildlife movement corridors would be less than significant (Class III).

7.5.4 Cumulative Impact Analysis

The geographic extent for the analysis of cumulative impacts to other biological resources includes the City of Scotts Valley, which contains riparian woodland habitat. Similarly, all development in the City is subject to the Tree Protection Policy.

Impact BIO-4: Contribute to cumulatively considerable effects on biological resources (Class II).

As stated above, the proposed project would result in a net loss of riparian habitat. Past, present, and reasonably foreseeable future projects would also affect riparian habitat, and the proposed project would considerably contribute to these significant cumulative impacts. Implementation of MM BIO-1.1: Riparian Habitat Preservation, Mitigation Measure MM BIO-1.2, and Mitigation Measure MM BIO-1.3: Streambed Alteration Agreement would reduce the proposed project's contribution to less-than-cumulatively considerable.

Regarding the effects of tree removal or construction near preserved trees, as stated above, the proposed project would result in a loss of 18 protected trees, which would be mitigated by tree replanting at a 2:1 ratio, pursuant to **Mitigation Measure MM BIO-2.1: Tree Preservation, Removal, and Replacement**. Past, present, and reasonably foreseeable future projects within the City of Scotts Valley are also required to adhere to the provisions of the Tree Protection Ordinance. Therefore, cumulative impacts related to conformance with a local tree protection plan would be less than significant. The proposed project's impacts to nesting birds would be reduced through adherence to **Mitigation Measure MM BIO-2.2: Preconstruction Bird Surveys**. Although past, present, and reasonably foreseeable future projects may result in impacts to nesting birds, such impacts would be site-specific and could be mitigated through adherence to similar standard mitigation. As such, cumulative impacts to nesting birds would be less than significant.

7.5.5 Level of Significance after Mitigation

Table 7-2: Summary of Impacts and Mitigation Measures – Biological Resources summarizes the environmental impacts, significance determinations, and mitigation measures for the proposed project with regard to biological resources.

Table 7-2: Summary of Impacts and Mitigation Measures – Biological Resources

Impact	Impact Significance	Mitigation
Impact BIO-1: Result in a potentially adverse effect on the Carbonera Creek riparian habitat.	Less than Significant with Mitigation	MM BIO-1.1: Riparian Habitat Preservation MM BIO-1.2: Vegetation Planting and Management Plan MM BIO-1.3: Streambed Alteration Agreement
Impact BIO-2: Cause a direct and/or indirect adverse effect on native trees and associated nesting bird sites.	Less than Significant with Mitigation	MM BIO-2.1: Tree Preservation, Removal, and Replacement MM BIO-2.2: Preconstruction Bird Surveys
Impact BIO-3: Interfere with wildlife movement corridors.	Less than Significant	None required
Impact BIO-4: Contribute to cumulatively considerable effects on biological.	Less than Significant with Mitigation	MM BIO-1.1: Riparian Habitat Preservation MM BIO-1.2: Vegetation Planting and Management Plan MM BIO-1.3: Streambed Alteration Agreement MM BIO-2.1: Tree Preservation, Removal, and Replacement MM BIO-2.2: Preconstruction Bird Surveys

7.5.6 References

H.T. Harvey & Associates. 2015a. Scotts Valley Project—California Red-Legged Frog Survey Report. August 3. (See Appendix 3B.)

Mitigation for Impact CR-1

MM CR-1.1 Archaeological Testing Program 1

The applicant for the hotel development shall implement this mitigation measure [on the hotel development property](#).

The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program. The program shall recommend that a qualified archaeologist be present and monitor all earthmoving activities. The program shall recommend protocols to be undertaken if potential historical or unique archaeological resources are discovered during construction. The program shall dictate procedures to be performed if an archaeological find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible. Such procedures shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The archaeological testing program shall be reviewed and approved by the Community Development Director prior to issuance of the grading permit.

MM CR-1.2 Archaeological Testing Program 2

The applicant for the residential development shall implement this mitigation measure [on the residential development property](#).

The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program consisting of three hand-excavated 1 x 1 meter units to be carried out in the area of the quartzite lithic materials. The archaeologist shall summarize the results of this program in a report to be reviewed and approved by the Community Development Director prior to issuance of the grading permit.

Impact CR-2: Directly impact a paleontological resource or unique geologic feature (Class II).

Although there are no known paleontological resources on the project site, the project site is located in an area where soil formations are considered to be sensitive for paleontological resources. Furthermore, in September 2015, a whale fossil up to 4 million years old was discovered at the Polo Ranch development site, which is located directly east and southeast of the project site. It is therefore possible that paleontological resources could be discovered during excavation of the project site. The impact would be less than significant with implementation of Mitigation Measure MM CR-2: Paleontological Resource Monitoring.

Mitigation for Impact CR-2

MM CR-2 Paleontological Resource Monitoring.

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

Prior to issuance of a grading permit, the applicant shall hire a qualified paleontologist to review the final grading plans and final geotechnical report for the project. Based upon a review of these documents, the paleontologist shall prepare a technical memorandum indicating the likelihood of encountering paleontological resources during construction and submit to the Community Development Director for review. If the likelihood is low, no further action is required and the mitigation shall be considered complete.

If the likelihood is moderate-to-high, the paleontologist shall conduct intermittent monitoring during earth-moving activities. The paleontological monitor shall have the authority to temporarily (within one working day) divert or redirect grading to allow time to evaluate any exposed fossil material. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Impact CR-3: Inadvertently disturb human remains (Class III).

No known human remains are located on the project site. Pursuant to Section 7050.5 of the Health and Safety Code, if human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). In general, these provisions require that the County Coroner be notified immediately. If the remains are found to be Native American, the County Coroner is required to notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American is notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not

Implementation of the mitigation measure described below would reduce these impacts to a less-than-significant level (Class II).

Mitigation for Impact GEO-2

MM GEO-2 Implement geotechnical report recommendations.

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the *Draft Geotechnical Investigation on Proposed Residential and Hotel Development at Enterprise Way, Scotts Valley, California* (TMakdissy Consulting, 2014). The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the Community Development Director. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.

9.5.4 Cumulative Impact Analysis

Because geologic impacts are site-specific and highly dependent upon the structural characteristics of individual projects, cumulative geologic hazards and soils impacts are generally confined to the project site and immediate vicinity.

Impact GEO-3: Contribute to cumulatively considerable effects on geology and soils (Class II).

Most geologic-related impacts from development are site-specific and, if properly designed, would not result in worsening of the environmental or public health and safety. Cumulative development would be subject to site-specific geologic and/or soils constraints; pursuant to the City of Scott's Valley requirements, a registered geotechnical engineer would investigate site-specific conditions and minimize exposure to hazards or constraints with implementation of their recommendations.

Cumulative development would also involve the exposure of an increased number of people and/or structures to risk of earthquakes and their associated geologic hazards. New construction would be required to comply with the most current CBC, which establishes building standards to minimize risk based on the geologic and seismic conditions of the region in which a project is located.

Element / Policy #	Policy	Consistency Analysis	Consistency Determination / Applicable EIR Section(s)
CP-150	Require that all intersections maintain a Level of Service "C", or better, except as noted in this plan.	The existing intersections of (a) Santa's Village Road / Granite Creek Road / northbound Highway 17, and (b) Scotts Valley Drive / Glenwood Drive / southbound Highway 17 both operate at unacceptable LOS during the AM and PM peak hour. The Santa's Village Road / Granite Creek Road / Highway 17 intersection operations at LOS "E" during the AM peak hour and LOS "D" during the PM Peak hour. The Scotts Valley Drive / Glenwood Drive / Highway 17 intersection operations at LOS "D" during both the AM and PM peak hours. Therefore, operations at these intersections is already in conflict with Circulation Element Action CA-150. Under both project and cumulative conditions, the project would contribute less than 1 second of additional to delay to these intersections, and intersection Levels of Service would remain at their existing LOS "D" or LOS "E." Therefore, the project would not result in a new or substantially more severe conflict with Circulation Element Action CA-150.	Consistent Transportation & Circulation
CP-151	Require new development to identify traffic problem areas as a part of the monitoring program and condition projects to mitigate problems.	Traffic impacts are analyzed in Chapter 15: Transportation & Circulation .	Consistent Transportation & Circulation
CP-165	The City shall plan for sidewalk construction as part of new development and improvement projects in appropriate areas.	The planned extension of Santa's Village Road includes the construction of a new sidewalk along the northern border of the project site. Crosswalks and sidewalks would be constructed throughout the project site.	Consistent Transportation & Circulation
CP-167	Adequate provision shall be made for pedestrian crossings at appropriate locations.	See Policy CP-167, above.	Consistent Transportation & Circulation

Mitigation for Impact N-1

MM N-1 Construction Noise Reduction

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

To reduce the effects of construction noise, the City of Scotts Valley shall ensure that the project applicants include the following on all construction [contracts specifications](#) for the proposed project:

Construction Equipment. Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The applicants shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions.

Vehicle and Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than 5 minutes when not in use.

Stationary Equipment. All noise-generating stationary equipment, such as air compressors or portable power generators, shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 10 dBA.

Construction Route. All construction traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible.

Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity.

Construction Plan. Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the City of Scotts Valley Building Department for approval a detailed construction plan identifying the schedule for major noise-generating construction activity.

Disturbance Coordinator. A "noise disturbance coordinator" shall be designated by the contractor and be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the

cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The coordinator shall conspicuously post a name and telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Impact N-2: Result in a substantial permanent increase in ambient noise levels (Class III).

Implementation of the proposed project would generate increased traffic volumes. According to the traffic impact analysis, the proposed project would result in a net total of 1,341 average daily weekday trips, which would result in noise increases on City streets and Highway 17. In general, traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable (Caltrans, 2009). Therefore, permanent increases in ambient noise levels of less than 3 dBA are typically considered to be less than significant.

Generally, traffic volumes on area streets would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. The proposed project would not result in a doubling of traffic on any City street, nor on Highway 17. Moreover, project traffic would traverse and disperse over City roadways and Highway 17, where existing ambient noise levels are very high.

Regarding mechanical equipment, the proposed hotel would generate stationary-source noise associated with heating, ventilation, and air conditioning (HVAC) units. Such HVAC units typically generate noise levels of approximately 55 dBA at a reference distance of 100 feet from the operating units during maximum heating or air conditioning operations (Bolt, Baranek, and Newman, 1971). As stated above, the nearest existing sensitive receptors are located more than 100 feet from the project site. In addition, the proposed residential uses would be located more than 100 feet from the hotel HVAC equipment. Given that existing and project-related sensitive receptors would be located beyond 100 feet from onsite HVAC units, noise generated by HVAC units would not result in a significant impact.

Based on the analysis above, the proposed project would not have a noticeable effect on ambient noise levels in the project site vicinity, and the impact would be Class III, less than significant.

Impact N-3: Expose project residents and hotel guests to existing and future noise levels in excess of standards established in the City of Scotts Valley General Plan (Class II).

The traffic noise analysis was prepared that analyzed the exposure of project residents and hotel patrons to existing and future traffic noise from Highway 17 (see [Appendix 6 – Traffic Noise Analysis](#)). Based on this analysis, exterior noise levels would range from 58 dB DNL to 60 dB DNL, which meets the City's General Plan standard of 60 dBA DNL for exterior noise levels at the property line of new residential development.

Regarding interior noise, the analysis determined that indoor sensitive residential and hotel occupants would be exposed to noise levels of 59 dB DNL to 61 dB DNL (assuming a standard 15 dB noise attenuation provided by standard building shell assembly). These noise levels would exceed the City's General Plan standard of 45 dBA DNL for private dwellings and hotels, which would be a significant impact. Implementation of **Mitigation Measure MM N-3.1: Interior Noise Attenuation: Windows** and **Mitigation Measure MM N-3.2: Interior Noise Attenuation: Building Shell** would reduce noise levels to 45 dBA DNL or lower and thereby reduce the impact to a less-than-significant level.

Mitigation for Impact N-3

MM N-3.1 Interior Noise Attenuation: Windows

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

To achieve compliance with the 45 dB DNL interior noise standard of the City of Scotts Valley Noise Element and Title 24, the following window controls shall be incorporated as part of the building plans and approved by the City prior to issuance of a building permit:

- At habitable spaces within 110 ft. of the west property line with a direct or side view of Highway 17 (north, west and south facades) including the facades in between the buildings, provide mechanical ventilation which brings in fresh air from the outside of the unit, in conformance with Mechanical Code requirements.
- For habitable spaces within 110 ft. of the west property line, the project applicants shall install operable windows and glass doors with a rated minimum Sound Transmission Class (STC) 36 and entry doors rated minimum STC 32.
- For habitable spaces between 110 ft. and 185 ft. of the west property line, the project applicants shall install windows and glass doors with a rated minimum STC 32 and entry doors rated minimum STC 28.
- For habitable spaces between 185 ft. and 245 ft. of the west property line, the project applicants shall install windows, glass doors and entry doors with a rated minimum STC 28.
- To ensure that the sound insulation features of project windows will be maintained, all window frames within 245 feet of the west property line shall be caulked to the wall opening around their entire perimeter with an acoustical sealant. The sliding window panels shall form an air-tight seal with the frame when in the closed position.

- All other windows of the development and all bathroom windows may use any type of glazing and may be kept open as desired with the exception of bathroom windows that are an integral part of a living space and not separated by a closeable door.
- Prior to issuance of a building permit, the acoustical test report of all sound rated windows shall be reviewed by a qualified acoustician to ensure that the chosen windows will adequately reduce traffic noise to acceptable levels.

MM N-3.2 Interior Noise Attenuation: Building Shell

The applicants for both the hotel development and the residential development shall implement this mitigation measure [on their respective development properties](#).

For all habitable spaces within 110 ft. of the west property line, the shall be incorporated as part of the building plans and submitted to the Community Development Director for review and approval prior to issuance of a building permit:

- Unshielded entry doors having a direct or side orientation toward the primary noise source must be 1-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction, with effective weather seals around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them.
- Where penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations shall be minimized by sealing all cracks and clearance spaces with a non-hardening caulking compound.
- Ventilation devices or openings shall not compromise the acoustical integrity of the building shell.

13.5.4 Cumulative Impacts

The geographic area for the analysis of cumulative impacts to noise is the City of Scotts Valley.

Impact N-4: **Contribute to cumulatively considerable noise impacts (Class II).**

Cumulative development would result in construction-related and operational noise increases in the project site vicinity. However, based on the noise analysis above, impacts from the proposed project's noise would be less than significant with mitigation. Based on the fact that noise dissipates as it travels away from its source, noise impacts from on-site activities and other stationary sources would be limited to the project site and vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with project-specific noise impacts, would not be cumulatively significant.

Table 15-2: Existing and Cumulative (2030) Transportation Delay & LOS without Project

	Intersection	Control Type	Agency	LOS Threshold	Existing						Cumulative (Year 2030)					
					AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour		
					Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS
1	Santa's Village Road / Hwy 17 NB Ramps	SSSC	Caltrans	C/D	-	<u>0.0 1.8</u>	A	-	<u>0.0 6.3</u>	A	-	<u>0.0 2.5</u>	A	-	<u>0.0 7.5</u>	A
	Worst Approach				NB _SB	<u>0.0 8.7</u>	A	NB _SB	<u>0.0 8.8</u>	A	NB _SB	<u>0.0 9.0</u>	A	NB _SB	<u>0.0 9.3</u>	A
2	Santa's Village Road / Club Drive	SSSC	City	C/D	-	0.9	A	-	4.6	A	-	1.0	A	-	3.6	A
	Worst Approach				SB	9.8	A	SB	9.6	A	SB	10.2	B	SB	10.0	B
3	Santa's Village Road / Granite Creek Road / Hwy 17 NB Ramps	Signal	Caltrans	C/D	-	58.1	E	-	46.4	D	-	59.8	E	-	49.1	D
4	Granite Creek Road / Meadow Way	SSSC	City	C/D	-	1.6	A	-	1.3	A	-	1.8	A	-	1.3	A
	Worst Approach				EB	15.1	C	EB	13.4	B	EB	16.3	C	EB	15.5	C
5	Scotts Valley Drive / Glenwood Drive / Hwy 17 SB Ramps	Signal	Caltrans	C/D	-	39.4	D	-	39.3	D	-	43.2	D	-	42.9	D
6	Scotts Valley Drive / Granite Creek Road	Signal	Caltrans	C/D	-	34.5	C	-	29.8	C	-	39.9	D	-	29.7	D

Notes:

- 1. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound
- 2. Analysis performed using 2010 Highway Capacity Manual methodologies.
- 3. Each study intersection is controlled by a traffic signal, a side-street stop-controlled (SSSC), or an all-way stop-controlled (AWSC).
- 4. Delay refers to the average control delay for the entire intersection measured in seconds per vehicle. According to HCM methodology, overall LOS is not defined for side street stop controlled intersections, instead the worst approach control delay is used in seconds.
- 5. If a specific movement has a delay less than the approach or intersection average, and the trips are increased for this movement, the overall intersection delay is decreased.
- 6. Intersections that are operating below acceptable levels are shown in **BOLD** and shaded light blue.

Source: Kimley-Horn & Associates, Inc. 2015

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

15.4.2 Summary of No and/or Beneficial Impacts

Inadequate Parking Supply and Dimensions

The proposed project would provide 122 parking spaces, plus one loading space, for the hotel component and 119-123 parking spaces for the residential component for a total of 241-245 parking spaces. The Scotts Valley Municipal Code (17.44.030) requires 126-127 parking spaces for the hotel component and 110 parking spaces for the residential component for a total of 236-237 parking spaces. The proposed Planned Development (PD) district would resolve the parking space requirements for the project site.

Parking dimensions are consistent with Scotts Valley Municipal Code (17.44.030), which specifies dimensions of 20 feet in length and 9 feet in width for full-sized spaces and 16 feet in length and 9 feet in width for compact spaces. Compact spaces compose 20 percent or less of the overall parking supply for each component.

Therefore, there would be no parking impact.

Americans with Disabilities Act (ADA)

The hotel component would provide five ADA compliant spaces and the residential component would provide one ADA-compliant spaces, which is consistent with state law.

Change in Air Traffic Patterns

The project site is not located near an airport or private air strip and would not result in a change in air traffic patterns. Therefore, there would be no impact.

Conflict with Adopted Policies, Plans, or Programs Supporting Alternative Transportation

The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or decrease the performance or safety of such facilities. Therefore, there would be no impact.

Emergency Access

Access via public roadways to the project site would remain unchanged and would be adequate for emergencies via Santa's Village Road and Highway 17. Therefore, there would be no impact.

distribution estimates were based on the Association of Monterey Bay Area Government (AMBAG) travel demand model, trip distribution characteristics for other recent traffic studies in Scotts Valley, and consultation with City staff.

Project trip assignments to the network are shown in [Appendix 5, Figure 5-4: Project Trip Assignment Peak Hour Volumes](#). Project trips added to existing and cumulative volumes are summarized in [Appendix 5, Figure 5-5: Existing + Project Peak Hour Volumes](#) and [Appendix 5, Figure 5-6: Cumulative + Project Peak Hour Volumes](#), respectively.

15.4.5 Impacts of the Proposed Project

Impact TR-1: Increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Class I).

As shown in [Table 15-4: Existing + Project Transportation Delay & LOS](#), all study intersections operate at acceptable levels of service under the “Existing + Project Conditions” during the weekday AM and PM peak hours with the exception of:

Santa’s Village Road / Granite Creek Road / Hwy 17 NB Ramps

- Operates at **LOS E** during AM Peak
- Operates at **LOS D** during PM Peak

Scotts Valley Drive / Glenwood Drive / Hwy 17 SB Ramps

- Operates at **LOS D** during AM Peak
- Operates at **LOS D** during PM Peak

Santa’s Village Road / Granite Creek Road / Hwy 17 NB Ramps

The addition of project traffic to the intersection to Santa’s Village Road / Granite Creek Road / Hwy 17 NB Ramps would exacerbate the already deficient delay from 58.1 seconds to 58.3 seconds (a 0.2-second increase) during the AM peak hour and from 46.6 to 46.8 seconds (a 0.4-second increase). The LOS would remain at LOS E during the AM peak hour and LOS D during the PM peak hour. Given that the Caltrans threshold of significance is any increase in delay on an already-deficient facility, the Existing + Project impact at this intersection would be significant.

Mitigation of this impact would require the provision of additional eastbound [left turn lanes on Santa’s Village Road](#) and northbound left turn lanes [on Granite Creek Road](#). ~~The addition of these lanes would require improvements of the intersection, improvements of the Highway 17 Northbound On/Off Ramps, widening of the northbound bridge, less school parking, and acquisition of additional right-of-way.~~ Space for such improvements, however, is unavailable because the intersection is surrounded by existing private development and roadways. The parking lot for the Baymonte Christian School and Gateway Bible Church is located on the north side of Granite Creek Road and Santa’s Village Road, and residential properties abut the south

side of Granite Creek Road. Meadow Way, a dead-end street with several houses, intersects Granite Creek Road immediately west of the Santa's Village Road / Granite Creek Road / Hwy 17 NB Ramps intersection.

Based on the location of these uses, expansion of the intersection to accommodate additional turning lanes would cause a substantial disruption to adjacent land uses (including Baymonte Christian School and Gateway Bible Church), and require the purchase of private property, through eminent domain if necessary.

Improvements would include some or all of the following:

- A loss of school and church parking.
- The construction of a new or widened bridge over Highway 17.
- Improvements to the Highway 17 Northbound On/Off ramps.
- Widening and reconfiguration Granite Creek Road.
- Reconfiguration of the Granite Creek Road/Meadow Way interchange.
- Reconfiguration of the Granite Creek Road/Santa's Village Road, including the traffic signals.

Given these extensive level of improvements, and the relatively limited benefits that would be achieved, improvement to these two intersections to address the existing LOS deficiency is considered unfeasible and not practical.

Furthermore, the proposed project's fair share contribution to this existing condition would be minimal. No funding from any other sources have been identified for any improvements nor have any improvements been identified in the City's Capital Improvement Program for these intersections. is not feasible. Because no feasible mitigation can be identified to avoid the existing delays, the impact would be significant and unavoidable.

However, as part of project approval, the applicants for both the hotel and the residential units would be required to pay development impact fees to help fund city-wide transportation improvements, namely the Street & Thoroughfare Fee). This fee is assessed by the Public Works Department and are payable prior to issuance of a building permit.

Scotts Valley Drive / Glenwood Drive / Hwy 17 SB Ramps

The addition of project traffic to the intersection to Scotts Valley Drive / Glenwood Drive / Hwy 17 SB Ramps would exacerbate the already deficient delay from 39.4 seconds to 39.8 seconds (a 0.4 second increase) during the AM peak hour and from 39.3 to 39.5 seconds (a 0.2 second increase). The LOS would remain at LOS E during the AM peak hour and LOS D during the PM peak hour. Given that the Caltrans threshold of significance is any increase in delay on an already-deficient facility, the Existing + Project impact at this intersection would be significant.

~~Because no feasible mitigation can be identified to avoid the delay, the impact would be significant and unavoidable.~~

Space for improvements is limited at Intersection #5. The intersection is located approximately 125 feet northeast of Intersection #6 (Scotts Valley Drive / Granite Creek Road). In addition, Hacienda Drive intersects Glenwood Drive approximately 75 feet north of Intersection #5. Any improvements to Intersection #5 would affect operations at these additional intersections, which would potentially require additional improvements.

Adjacent biological resources and land uses further constrain these intersections. As indicated in General Plan Figure OS-3, Scotts Valley Drive, the Highway 17 ramps, and Granite Creek Road all cross designated Riparian Woodlands. In addition, the intersections are surrounded by existing private development and roadways. The Shell Station is located at the northwest corner of Intersection #5, Carl's Junior is located on the southwest corner of Intersection #6, and the Granite Creek Business Center is located on the north side of Intersection #6. Private residential development is located on both sides of Glenwood Drive, the north side of Hacienda Drive, and the northwest side of Scotts Valley Drive.

Based on the location of these uses, expansion of the intersections to accommodate additional turning lanes would cause a substantial disruption to adjacent biological resources (riparian woodlands and drainage channels) and land uses (including Carl's Jr., the Shell Station, Granite Creek Business Center, and residential uses), and require the purchase of private property, through eminent domain if necessary.

Improvements to improve operations at Intersection #5 would include some or all of the following:

- Impacts to riparian woodland, necessitating a Streambed Alteration Agreement and associated compensatory mitigation from the California Department of Fish and Wildlife.
- A loss of circulation areas and parking at the Shell Station, Chevron Station, Carl's Jr., and Granite Creek Business Center.
- The construction of a new or widened bridge over Highway 17.
- Improvements to the Highway 17 Southbound On/Off ramps.
- Widening and reconfiguration Granite Creek Road, Scotts Valley Drive, Glenwood Drive, and Hacienda Drive.
- Reconfiguration of Intersection #6 (Scotts Valley Drive/ Granite Creek Road) and the Hacienda Drive/Glenwood Drive intersection.

Given these extensive level of improvements, and the relatively limited benefits that would be achieved, improvement to these two intersections to address the existing LOS deficiency is considered unfeasible and not practical.

Furthermore, the proposed project's fair share contribution to this existing condition would be minimal. No funding from any other sources have been identified for any improvements nor have any improvements been identified in the City's Capital Improvement Program for these intersections. Because no feasible mitigation can be identified to avoid the existing delays, the impact would be significant and unavoidable.

However, as part of project approval, the applicants for both the hotel and the residential units would be required to pay development impact fees to help fund city-wide transportation improvements, namely the Street & Thoroughfare Fee). This fee is assessed by the Public Works Department and are payable prior to issuance of a building permit.

Table 15-4: Existing and Existing + Project Transportation Delay & LOS

	Intersection	Control Type	Agency	LOS Threshold	Existing						Existing + Project					
					AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour		
					Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS
1	Santa's Village Road / CA 17 Hwy Ramps	SSSC	Caltrans	C/D	-	<u>0.0 1.8</u>	A	-	<u>0.0 6.3</u>	A	-	<u>0.0 6.4</u>	A	-	<u>0.0 8.4</u>	A
	Worst Approach				<u>NB/SB</u>	<u>0.0 8.7</u>	A	<u>NB/SB</u>	<u>0.0 8.8</u>	A	<u>NB/SB</u>	<u>0.0 9.6</u>	A	<u>NB/SB</u>	<u>0.0 9.8</u>	A
2	Santa's Village Road / Club Drive	SSSC	City	C/D	-	0.9	A	-	4.6	A	-	0.8	A	-	3.9	A
	Worst Approach				SB	9.8	A	SB	9.6	A	SB	9.7	A	SB	9.8	A
3	Santa's Village Road / Granite Creek Road / Hwy 17 NB Ramps	Signal	Caltrans	C/D	-	58.1	E	-	46.4	D	-	58.3	E	-	46.8	D
4	Granite Creek Road / Meadow Way	SSSC	City	C/D	-	1.6	A	-	1.3	A	-	1.6	A	-	1.3	A
	Worst Approach				EB	15.1	C	EB	13.4	B	EB	15.1	C	EB	13.4	B
5	Scotts Valley Drive / Glenwood Drive / Hwy 17 SB Ramps	Signal	Caltrans	C/D	-	39.4	D	-	39.3	D	-	39.8	D	-	39.5	D
6	Scotts Valley Drive / Granite Creek Road	Signal	Caltrans	C/D	-	34.5	C	-	29.8	C	-	34.9	C	-	31.4	C

Notes:

- 1. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound
- 2. Analysis performed using 2010 Highway Capacity Manual methodologies.
- 3. Each study intersection is controlled by a traffic signal, a side-street stop-controlled (SSSC), or an all-way stop-controlled (AWSC).
- 4. Delay refers to the average control delay for the entire intersection measured in seconds per vehicle. According to HCM methodology, overall LOS is not defined for side street stop controlled intersections, instead the worst approach control delay is used in seconds.
- 5. If a specific movement has a delay less than the approach or intersection average, and the trips are increased for this movement, the overall intersection delay is decreased.
- 6. Intersections that are operating below acceptable levels are shown in **BOLD** and shaded light blue.

Source: Kimley-Horn & Associates, Inc. 2015

Impact TR-2: Substantially increase hazards due to a roadway design feature (Class II).

To serve the already approved Polo Ranch project, Santa's Village Road will be extended northward through the project site. As shown in **Figure 3-3: Proposed Project Site Plan**, the extension will curve eastward and southeastward in the northern portion of the project site. Sight distances would be limited along these curves.

As part of the proposed project, the residential development's private roadways would intersect the Santa's Village Road extension at or near these curves in the roadway, which may result in safety hazards to vehicles, cyclists, and pedestrians. Implementation of **Mitigation Measure MM TR-2: Traffic Control Plan**, would reduce the impact to a less-than-significant level (Class II).

Mitigation for Impact TR-2**MM TR-2 Traffic Control Plan**

The applicant for the residential development shall implement this mitigation measure [for the residential development property](#).

The applicant shall hire a registered traffic engineer to prepare a Traffic Control Plan for review and approval by the Public Works Department and the Community Development Director prior to ~~approval of the Final Subdivision Map~~ [issuance of building permits](#). The Traffic Control Plan shall include:

- Preparation of a detailed sight distance evaluation for all project roadways.
- Installation of all-way stop control at connecting public and private streets to eliminate insufficient sight distance.
- Designation and posting of a 25-mile-per-hour speed limit on the Santa's Village Road extension and project private roadways. [The speed limit may be further reduce based upon final engineering design of the roadway.](#)

15.4.6 Cumulative Impact Analysis

The geographic context for the analysis of cumulative transportation and circulation impacts includes intersections within the City of Scotts Valley (under both Scotts Valley and Caltrans jurisdictions).

Table 15-5: Cumulative and Cumulative + Project Transportation Delay & LOS

	Intersection	Control Type	Agency	LOS Threshold	Cumulative						Cumulative + Project					
					AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour		
					Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS	Movement	Delay (sec)	LOS
1	Santa's Village Road / CA 17 Hwy Ramps	SSSC	Caltrans	C/D	-	0.0 2.5	A	-	0.0 7.5	A	-	0.0 4.9	A	-	0.0 8.7	A
	<i>Worst Approach</i>				NB / SB	0.0 9.0	A	NB / SB	0.0 9.3	A	NB / SB	0.0 9.9	A	NB / SB	0.0 10.4	A / B
2	Santa's Village Road / Club Drive	SSSC	City	C/D	-	1.0	A	-	3.6	A	-	1.0	A	-	3.4	A
	<i>Worst Approach</i>				SB	10.2	B	SB	10	B	SB	10.3	B	SB	10.7	B
3	Santa's Village Road / Granite Creek Road / Hwy 17 NB Ramps	Signal	Caltrans	C/D	-	59.8	E	-	49.1	D	-	60.1	E	-	49.9	D
4	Granite Creek Road / Meadow Way	SSSC	City	C/D	-	1.8	A	-	1.3	A	-	1.8	A	-	1.3	A
	<i>Worst Approach</i>				EB	16.3	C	EB	15.5	C	EB	16.3	C	EB	15.5	C
5	Scotts Valley Drive / Glenwood Drive / Hwy 17 SB Ramps	Signal	Caltrans	C/D	-	43.2	D	-	42.9	D	-	43.7	D	-	43.1	D
6	Scotts Valley Drive / Granite Creek Road	Signal	Caltrans	C/D	-	39.9	D	-	29.7	C	-	40.1	D	-	30.9	C

Notes:

- 1. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound
- 2. Analysis performed using 2010 Highway Capacity Manual methodologies.
- 3. Each study intersection is controlled by a traffic signal, a side-street stop-controlled (SSSC), or an all-way stop-controlled (AWSC).
- 4. Delay refers to the average control delay for the entire intersection measured in seconds per vehicle. According to HCM methodology, overall LOS is not defined for side street stop controlled intersections, instead the worst approach control delay is used in seconds.
- 5. If a specific movement has a delay less than the approach or intersection average, and the trips are increased for this movement, the overall intersection delay is decreased.
- 6. Intersections that are operating below acceptable levels are shown in BOLD and shaded light blue.

Source: Kimley-Horn & Associates, Inc. 2015

- Develop financially feasible, attached ~~townhouse~~ townhome-style condominium single-family market-rate residential units to contribute to the region's housing supply.
- Construct a financially feasible hotel in the City of Scotts Valley that leverages proximity to, and is visible from, Highway 17 and contributes Transient Occupancy Tax to the City.
- Activate Santa's Village Road between the approved Polo Ranch project to the north and the existing Enterprise Technology Center campus to the south through the introduction of 24-hour uses.
- Incorporate passive outdoor areas into the housing development for shared use by residents.

The determination of whether to eliminate or retain alternatives in this EIR was based on each alternative's ability to meet most or all of these objectives, even if the alternative may be more costly than the proposed project.

16.3 Potential Feasibility

CEQA requires that an EIR analyze alternatives that are potentially feasible. Among the factors that may be taken into account when addressing the potential feasibility of alternatives include site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or other regulatory limitations, jurisdictional boundaries, and proponent's control over alternative sites in determining the range of alternatives to be evaluated in the EIR (14 CCR 15126.6(f)(1)). The potential feasibility of potential alternatives considers the following factors:

- **Economic Feasibility.** Is the additional cost of the alternative or lost profits from the alternative sufficiently severe to render it impractical and not feasible? Alternatives that are capable of eliminating or reducing significant environmental effects even though they may be more costly must be considered (14 CCR 15126.6(b)). However, if the additional costs of implementing an alternative or lost profitability associated with an alternative are sufficiently severe, then these factors may render the alternative impractical or economically infeasible.
- **Legal Feasibility.** Are there legal constraints to implementing the alternative? For example, constructing the proposed project on an alternative site may not be legally feasible if the applicant does not own the site or applicable land use regulations or property restrictions prohibit the proposed project. For example, the proposed project may not be legally permissible in wilderness areas, wilderness study areas, restricted military bases, airports, and Indian reservations or on property that is not zoned to allow such a use. Any potential legal constraints affecting an alternative are identified based on a review of applicable local, State, and federal laws, regulations, plans, and policies.
- **Social Feasibility.** Would the alternative cause significant damage to the socioeconomic structure of the community and be inconsistent with important community values and

4 Mitigation Monitoring and Reporting Program

4.1 Public Resources Code

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project, may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The MMRP includes the mitigation measures identified in the EIR required to address only the significant impacts associated with the project being approved. The required mitigation measures are summarized in this program; the full text of the impact analysis and mitigation measures is presented in the DEIR.

The MMRP is organized in a table format (see [Table 4-1: Mitigation Monitoring and Reporting Program for Hotel Development](#) and [Table 4-2: Mitigation Monitoring and Reporting Program for Residential Development](#)), keyed to each significant impact and each EIR mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program, based upon whether the measure applies to the hotel development, residential development, or both developments. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures:** This column presents the mitigation measure identified in the EIR.
- **Monitoring/Reporting Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Monitoring and Reporting Requirement:** This column refers the outcome from implementing the mitigation measure.
- **City Staff/Notes:** This column will be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

4.2 Enforcement

If the project is approved, the MMRP for each development would be incorporated as a condition of such approval. Therefore, all mitigation measures for significant impacts must be carried out in order to fulfill the requirements of approval. A number of the mitigation measures would be implemented during the course of the development review process. These measures would be checked on plans, in reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the construction, or project implementation phase.

Table 4-1: Mitigation Monitoring and Reporting Program for Hotel Development

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
AESTHETICS Impact AES-2: The projects would introduce new light and glare to the project site and project area.	Mitigation Measures Identified in the Project EIR MIM AES-1 Exterior Lighting Control Plan The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties</u>. To minimize the adverse impact associated with light and glare, the project applicants shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction. The applicants shall design and install all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as is feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances. The exterior lighting control plan shall include the following: ■ A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary adjacent to the riparian area. ■ Identification of the location and direction of light fixtures that take the lighting control requirements into account;	Community Development Department (CDD)	Review and approval of exterior lighting control plan prior to issuance of a building permit for vertical construction.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- Lighting design that considers setbacks of project features from the site boundary to aid in satisfying the lighting control requirements; - Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated; - Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security; - All lighting shall be of minimum necessary brightness consistent with operational safety and security; and - Lights in high illumination areas not occupied on a continuous basis shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied.			
AIR QUALITY	Mitigation Measures Identified in the Project EIR			
Impact AQ-1: Construction activities for both projects would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.	MM AQ-1.1 Reduce fugitive dust The applicants for both the hotel development and the residential development shall implement this mitigation measure on their <u>respective development properties</u>. The applicant shall implement the following measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions, which shall be shown on the grading and building plans: Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.	CDD	Review and approve construction specifications prior to issuance of building permit. Include in construction specifications and implement during construction	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	▪ Water graded/excavated areas and active unpaved roadways, unpaved staging areas, and unpaved parking areas at least twice daily or apply non-toxic chemical soil stabilization materials per manufacturer's recommendations. Frequency should be based on the type of operations, soil and wind exposure. ▪ Prohibit all grading activities during periods of high wind (more than 15 mph). ▪ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). ▪ Stabilize all disturbed soil areas not subject to using approved chemical soil binders, jute netting, or gravel for temporary roads and any other methods approved in advance by the APCD. ▪ Sow exposed ground areas that are planned to be reworked at dates greater than one month after initial grading with a fast germinating, non-invasive grass seed, and water until vegetation is established. ▪ Plant vegetative ground cover in disturbed areas as soon as possible. ▪ Use street sweepers, water trucks, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the project site. Reclaimed (non-potable) water should be used whenever possible; ▪ Spray dirt stock pile areas daily as needed. ▪ Place gravel on all roadways and driveways as soon as possible after grading. In addition, construct building		Review during site inspections	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	pads as soon as possible after grading unless seeding, soil binders, or frequent water application are used. ▪ Not exceed a 15 mph vehicle speed for all construction vehicles on any unpaved surface at the construction site. ▪ Cover or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) on all trucks hauling dirt, sand, soil, or other loose materials in accordance with California Vehicle Code Section 23114. ▪ Limit unpaved road travel to the extent possible, for example, by limiting the travel to and from unpaved areas, by coordinating movement between work areas rather than to central staging areas, and by busing workers where feasible. ▪ Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the project site, and inspect vehicle tires to ensure free of soil prior to carry-out to paved roadways. ▪ Sweep streets at the end of each day, or more frequently as needed, if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.			
	MM AQ-1.2 Designate a dust compliance monitor The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive	CDD	Review and approve construction specifications prior to issuance of building permit; monitor complaint status with MBUAPCD	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include monitoring during holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the MBUAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. The applicant shall provide and post a publicly visible sign that specifies the telephone number and name to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with Rule 402 (Nuisance).	Monterey Bay Unified Air Pollution Control District (MBUAPCD) Construction Dust Monitor	Record and investigate (as necessary) complaints Post signs; respond to complaints	
BIOLOGICAL RESOURCES	Mitigation Measures Identified in the Project EIR			
Impact BIO-2: The residential development would cause a direct and/or indirect adverse effect on native trees and associated nesting bird sites.	MM BIO-2.2 Preconstruction Bird Surveys The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall schedule all on-site tree removal and grading to occur between August 15th and February 1st of any given year to avoid the bird nesting season. If this schedule is not practical, the applicant shall hire a qualified biologist to conduct preconstruction nesting bird surveys no more than two weeks prior to removal of trees and grading. If nesting birds are observed, the biologist will establish a buffer zone where no tree removal or grading will occur until the biologist confirms that all chicks have fledged. The buffer zone may vary from 50 to 250 feet,	CDD Qualified biologist	Construction specifications prior to issuance of grading permits. Preconstruction surveys	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	depending upon the species of bird and exposure of the nest site.			
CULTURAL RESOURCES	<i>Mitigation Measures Identified in the Project EIR</i>			
Impact CR-1: The projects would cause a substantial adverse change to a known archeological resource.	MM CR-1.1 Archaeological Testing Program 1 The applicant for the hotel development shall implement this mitigation measure <u>on the hotel development property</u>. The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program. The program shall recommend that a qualified archaeologist be present and monitor all earthmoving activities. The program shall recommend protocols to be undertaken if potential historical or unique archaeological resources are discovered during construction. The program shall dictate procedures to be performed if an archaeological find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible. Such procedures shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The archaeological testing program shall be reviewed and approved by the Community Development Director prior to issuance of the grading permit.	CDD Qualified archaeologist	Review and approve archaeological testing program prior to issuance of building permit Prepare and undertake archaeological testing program	
Impact CR-2: The projects would directly impact a paleontological resource or unique geologic feature.	MM CR-2 Paleontological Resource Monitoring The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties</u>. Prior to issuance of a grading permit, the applicant shall hire a qualified paleontologist to review the final grading	CDD Qualified paleontologist	Review memorandum prior to issuance of building permit	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	plans and final geotechnical report for the project. Based upon a review of these documents, the paleontologist shall prepare a technical memorandum indicating the likelihood of encountering paleontological resources during construction and submit to the Community Development Director for review. If the likelihood is low, no further action is required and the mitigation shall be considered complete. If the likelihood is moderate-to-high, the paleontologist shall conduct intermittent monitoring during earth-moving activities. The paleontological monitor shall have the authority to temporarily (within one working day) divert or redirect grading to allow time to evaluate any exposed fossil material. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.		Prepare memorandum, if necessary, conduct monitoring, prepare report, and send to appropriate parties	
GEOLOGY, SOILS, AND SEISMICITY	<i>Mitigation Measures Identified in the Project EIR</i>			
Impact GEO-2: The projects would expose people or structures to substantial	MM GEO-2 Implement geotechnical report recommendations.	CDD	Review geotechnical report and ensure recommendations are	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
safety risks as a result of seismically induced ground shaking, liquefaction, settlement, lateral spreading, and/or surface cracking.	The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the <i>Draft Geotechnical Investigation on Proposed Residential and Hotel Development at Enterprise Way, Scotts Valley, California</i> (TMakdisy Consulting, 2014). The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the Community Development Director. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.	Registered geotechnical engineer	included in plans prior to issuance of building permits Prepare design-level geotechnical investigation	
NOISE	Mitigation Measures Identified in the Project EIR			
Impact N-1: The projects would cause a temporary or periodic increase in ambient noise levels during construction that would substantially disturb sensitive receptors.	MM N-1 Construction Noise Reduction The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. To reduce the effects of construction noise, the City of Scotts Valley shall ensure that the project applicants include the following on all construction <u>specifications</u> contracts for the proposed project: <u>Construction Equipment</u>. Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and	CDD Building Department Contractor	Review of and approval of construction plan prior to issuance of grading and building permits Prepare construction plan, including noise specifications; adhere to plan provisions during construction	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The applicants shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions. <u>Vehicle and Equipment Idling.</u> Construction vehicles and equipment shall not be left idling for longer than 5 minutes when not in use. <u>Stationary Equipment.</u> All noise-generating stationary equipment, such as air compressors or portable power generators, shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 10 dBA. <u>Construction Route.</u> All construction traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible. <u>Workers' Radios.</u> All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity. <u>Construction Plan.</u> Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the City of Scotts Valley Building Department for approval a detailed construction plan identifying the schedule for major noise-generating construction activity.			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<u>Disturbance Coordinator</u>. A “noise disturbance coordinator” shall be designated by the contractor and be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The coordinator shall conspicuously post a name and telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.			
Impact N-3: The projects would expose project residents and hotel guests to existing and future noise levels in excess of standards established in the City of Scotts Valley General Plan.	MM N-3.1 Interior Noise Attenuation: Windows The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties</u>. To achieve compliance with the 45 dB DNL interior noise standard of the City of Scotts Valley Noise Element and Title 24, the following window controls shall be incorporated as part of the building plans and approved by the City prior to issuance of a building permit: ■ At habitable spaces within 110 ft. of the west property line with a direct or side view of Highway 17 (north, west and south facades) including the facades in between the buildings, provide mechanical ventilation which brings in fresh air from the outside of the unit, in conformance with Mechanical Code requirements. ■ For habitable spaces within 110 ft. of the west property line, the project applicants shall install operable windows and glass doors with a rated	CDD Building Department Qualified Acoustician	Construction documents check prior to issuance of building permits Review acoustical test report of all sound rated windows and approve of construction drawings prior to CDD and Building Department Review	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	minimum Sound Transmission Class (STC) 36 and entry doors rated minimum STC 32. ■ For habitable spaces between 110 ft. and 185 ft. of the west property line, the project applicants shall install windows and glass doors with a rated minimum STC 32 and entry doors rated minimum STC 28. ■ For habitable spaces between 185 ft. and 245 ft. of the west property line, the project applicants shall install windows, glass doors and entry doors with a rated minimum STC 28. ■ To ensure that the sound insulation features of project windows will be maintained, all window frames within 245 feet of the west property line shall be caulked to the wall opening around their entire perimeter with an acoustical sealant. The sliding window panels shall form an air-tight seal with the frame when in the closed position. ■ All other windows of the development and all bathroom windows may use any type of glazing and may be kept open as desired with the exception of bathroom windows that are an integral part of a living space and not separated by a closeable door. ■ Prior to issuance of a building permit, the acoustical test report of all sound rated windows shall be reviewed by a qualified acoustician to ensure that the chosen windows will adequately reduce traffic noise to acceptable levels.			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	MM N-3.2 Interior Noise Attenuation: Building Shell The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. For all habitable spaces within 110 ft. of the west property line, the shall be incorporated as part of the building plans and submitted to the Community Development Director for review and approval prior to issuance of a building permit: ■ Unshielded entry doors having a direct or side orientation toward the primary noise source must be 1-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction, with effective weather seals around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them. ■ Where penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations shall be minimized by sealing all cracks and clearance spaces with a non-hardening caulking compound. ■ Ventilation devices or openings shall not compromise the acoustical integrity of the building shell.	CDD Building Department	Review of construction documents prior to issuance of building permits	

Table 4-2: Mitigation Monitoring and Reporting Program for Residential Development

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
AESTHETICS Impact AES-2: The projects would introduce new light and glare to the project site and project area.	Mitigation Measures Identified in the Project EIR MIM AES-1 Exterior Lighting Control Plan The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties</u>. To minimize the adverse impact associated with light and glare, the project applicants shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction. The applicants shall design and install all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as is feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances. The exterior lighting control plan shall include the following: ■ A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary adjacent to the riparian area. ■ Identification of the location and direction of light fixtures that take the lighting control requirements into account;	Community Development Department (CDD)	Review and approval of exterior lighting control plan prior to issuance of a building permit for vertical construction.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- Lighting design that considers setbacks of project features from the site boundary to aid in satisfying the lighting control requirements; - Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated; - Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security; - All lighting shall be of minimum necessary brightness consistent with operational safety and security; and - Lights in high illumination areas not occupied on a continuous basis shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied.			
AIR QUALITY	Mitigation Measures Identified in the Project EIR			
Impact AQ-1: Construction activities for both projects would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.	MM AQ-1.1 Reduce fugitive dust The applicants for both the hotel development and the residential development shall implement this mitigation measure on their <u>respective development properties</u>. The applicant shall implement the following measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions, which shall be shown on the grading and building plans: Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.	CDD	Review and approve construction specifications prior to issuance of building permit. Include in construction specifications and implement during construction	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	▪ Water graded/excavated areas and active unpaved roadways, unpaved staging areas, and unpaved parking areas at least twice daily or apply non-toxic chemical soil stabilization materials per manufacturer's recommendations. Frequency should be based on the type of operations, soil and wind exposure. ▪ Prohibit all grading activities during periods of high wind (more than 15 mph). ▪ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). ▪ Stabilize all disturbed soil areas not subject to using approved chemical soil binders, jute netting, or gravel for temporary roads and any other methods approved in advance by the APCD. ▪ Sow exposed ground areas that are planned to be reworked at dates greater than one month after initial grading with a fast germinating, non-invasive grass seed, and water until vegetation is established. ▪ Plant vegetative ground cover in disturbed areas as soon as possible. ▪ Use street sweepers, water trucks, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the project site. Reclaimed (non-potable) water should be used whenever possible; ▪ Spray dirt stock pile areas daily as needed. ▪ Place gravel on all roadways and driveways as soon as possible after grading. In addition, construct building		Review during site inspections	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	pads as soon as possible after grading unless seeding, soil binders, or frequent water application are used. ▪ Not exceed a 15 mph vehicle speed for all construction vehicles on any unpaved surface at the construction site. ▪ Cover or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) on all trucks hauling dirt, sand, soil, or other loose materials in accordance with California Vehicle Code Section 23114. ▪ Limit unpaved road travel to the extent possible, for example, by limiting the travel to and from unpaved areas, by coordinating movement between work areas rather than to central staging areas, and by busing workers where feasible. ▪ Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the project site, and inspect vehicle tires to ensure free of soil prior to carry-out to paved roadways. ▪ Sweep streets at the end of each day, or more frequently as needed, if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.			
	MM AQ-1.2 Designate a dust compliance monitor The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive	CDD	Review and approve construction specifications prior to issuance of building permit; monitor complaint status with MBUAPCD	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include monitoring during holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the MBUAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. The applicant shall provide and post a publicly visible sign that specifies the telephone number and name to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with Rule 402 (Nuisance).	Monterey Bay Unified Air Pollution Control District (MBUAPCD) Construction Dust Monitor	Record and investigate (as necessary) complaints Post signs; respond to complaints	
BIOLOGICAL RESOURCES	Mitigation Measures Identified in the Project EIR			
Impact BIO-1: The residential development would result in a potentially adverse effect on the Carbonera Creek riparian habitat.	MM BIO-1.1 Riparian Habitat Protection and Conservation The applicant for the residential development shall implement this mitigation measure on the <u>residential development property</u>. Protection As reflected in the proposed site plan, the project applicant shall retain 25,000 square feet of riparian habitat located in the eastern portion of the project site. Prior to the initiation of ground-disturbing activities for Buildings 1, 2, 3, 4, 9, or 10, the riparian habitat shall be marked with protective fencing installed at least 30 feet beyond the extent of habitat to be preserved, or other distance as approved by a qualified biologist.	CDD CDFW Qualified biologist	Review and approve assessment and revegetation plan prior to approval of grading permit Informally consult regarding assessment and revegetation plan Prepare biological values and functions assessment, as well as the revegetation plan	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	During project construction, the project applicant shall complete the <u>majority</u> bulk of grading during the dry season between April 15th and October 15th to protect the riparian corridor of Carbonera Creek from grading impacts. However, limited grading may occur in winter, subject to review and approval by the Community Development Director. Replacement Prior to the disturbance of any riparian habitat associated with site clearing and grading associated with the construction of Buildings 1, 2, 3, 4, 9, or 10, a biological functions and values assessment (utilizing an accepted methodology such as the Hydrogeomorphic Approach) shall be conducted by a qualified biologist to establish a baseline for the overall biological value of the riparian habitats on the project site, <u>inclusive of any value provided by shade from trees or other mature vegetation on species within the remaining adjacent riparian corridor and Carbonera Creek.</u> The loss of approximately 0.43 acres of mixed riparian woodland as a result of development activities shall be mitigated through replacement of this habitat with that of similar functions and values to that being removed, as determined in the biological values and functions assessment and presented in a revegetation plan prepared by the qualified biologist. The replacement plan shall account for the expected failure of a number of seeds and plants to germinate and mature successfully. Plant species similar to those being removed shall serve as a basis for the vegetation replacement. The revegetation shall occur in such a way as to create large, contiguous blocks of habitat. Alternatively, existing riparian habitat on the			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	project site that is considered of relatively low function and value can be enhanced and or restored such that the functions and values will be increased. The biological values and functions assessment, as well as the revegetation plan, shall be submitted to the Community Development Director after consultation with the California Department of Fish & Wildlife (CDFW) (if deemed necessary by the Community Development Director) prior to approval of a Grading Permit that encompasses the areas of Buildings 1, 2, 3, 4, 9, or 10. <u>Evidence of completed CDFW consultation shall be provided to the Community Development Director prior to approval of grading permit.</u>			
	MM BIO-1.2 Vegetation Planting and Maintenance Plan The applicant for the residential development shall implement this mitigation measure on <u>the residential development property</u>. The project applicant shall hire a qualified habitat restoration specialist to prepare a Vegetation Planting and Maintenance Plan. The objective of this Plan shall be to provide for the successful revegetation of riparian habitat and shall specify, at a minimum, the following. ■ The location of the planting site; ■ The quantity and species of plants to be planted; ■ Planting procedures, including the use of soil preparation and irrigation; ■ A schedule and action plan to maintain and monitor the plantings for a minimum 5-year period;	CDD CDFW Qualified habitat restoration specialist	Review and approve plan prior to issuance of grading permits Informally consult regarding Vegetation Planting and Maintenance Plan Prepare and submit a Vegetation Planting and Maintenance Plan	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- Reporting procedures, including the contents of annual progress reports; and - A list of criteria (e.g., growth, plant cover, survivorship) by which to measure success of the plantings, as well as contingency measures if the plantings are not successful. The Vegetation Planting and Maintenance Plan shall be reviewed and approved by the Community Development Director after consultation with the California Department of Fish & Wildlife (CDFW) pursuant to Mitigation Measure MM BIO-1.3: Streambed Alteration Agreement, and prior to approval of the Final Map-issuance of grading permits.			
	MM BIO-1.3 Streambed Alteration Agreement The applicant for the residential development shall implement this mitigation measure on the <u>residential development property</u>. The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish & Wildlife (CDFW) under provisions of Section 1603 of the California Fish and Game Code to authorize impacts to the riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement, which may include further restoration, protection from disturbance (such as <u>fencing or signage</u>), enhancement, and/or revegetation of riparian habitat either on-site or in selected areas off-site. Once acquired, the Streambed Alteration Agreement shall be submitted to the Community Development Director for approval prior issuance of grading permits.	CDD CDFW	Receive agreement prior to issuance of grading permit. Undertake alteration agreement process pursuant to Section 1603 of CDFG Code	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
Impact BIO-2: The residential development would cause a direct and/or indirect adverse effect on native trees and associated nesting bird sites.	MM BIO-2.1 Tree Preservation, Removal, and Replacement The applicant for the residential development shall implement this mitigation measure <u>on the residential development property</u>. Prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site, the project applicant shall: A. Provide for the planting of two trees for each “protected” tree removed, as defined by the City of Scotts Valley Municipal Code (Section 17.44.080). The location of each new tree to be planted shall be shown in the proposed project’s Vegetation Planting and Maintenance Plan submitted to the Community Development Director pursuant to Mitigation Measure MM BIO-1.2; or B. Hire a certified arborist to undertake an assessment to trees to be removed to determine whether any such trees are Heritage Trees, as defined in Municipal Code Section 17.44.080. Pay into the City’s Tree Replacement Fund at a rate of \$50 per protected tree, and \$535 per Heritage Tree, as indicated in the City’s “Criteria for Tree Removal,” or C. A combination of (A) and (B). <u>In addition, the project applicants shall be required to comply with the City’s Tree Protection Regulations (Chapter 17.44.080).</u> During project construction, <u>including grading</u>, the project applicant shall implement all recommended measures of	CDD	Review and approve Vegetation Planting and Maintenance Plan; ensure receipt of tree mitigation payments; ensure tree protection zone is shown on applicable plans; prior to issuance of grading permits	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	the 2015 Tree Survey completed for the proposed project, repeated below: ■ Identify a tree protection zone for all “protected” trees on the project site that would remain with implementation of the proposed project and install 6-foot orange fencing around the protected area. ■ In areas where installation of fencing is not feasible, wrap main stems in straw wattle.			
	MM BIO-2.2 Preconstruction Bird Surveys The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall schedule all on-site tree removal and grading to occur between August 15th and February 1st of any given year to avoid the bird nesting season. If this schedule is not practical, the applicant shall hire a qualified biologist to conduct preconstruction nesting bird surveys no more than two weeks prior to removal of trees and grading. If nesting birds are observed, the biologist will establish a buffer zone where no tree removal or grading will occur until the biologist confirms that all chicks have fledged. The buffer zone may vary from 50 to 250 feet, depending upon the species of bird and exposure of the nest site.	CDD Qualified biologist	Construction specifications prior to issuance of grading permits. Preconstruction surveys	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
CULTURAL RESOURCES	<i>Mitigation Measures Identified in the Project EIR</i>			
Impact CR-1: The projects would cause a substantial adverse change to a known archeological resource.	MM CR-1.2 Archaeological Testing Program 2 The applicant for the residential development shall implement this mitigation measure <u>on the residential development property</u>. The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program consisting of three hand-excavated 1 x 1 meter units to be carried out in the area of the quartzite lithic materials. The archaeologist shall summarize the results of this program in a report to be reviewed and approved by the Community Development Director prior to issuance of the grading permit.	CDD Qualified archaeologist	Review/ approval of archaeological report prior to issuance of grading permit Design and undertake an archaeological testing program	
Impact CR-2: The projects would directly impact a paleontological resource or unique geologic feature.	MM CR-2 Paleontological Resource Monitoring The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties</u>. Prior to issuance of a grading permit, the applicant shall hire a qualified paleontologist to review the final grading plans and final geotechnical report for the project. Based upon a review of these documents, the paleontologist shall prepare a technical memorandum indicating the likelihood of encountering paleontological resources during construction and submit to the Community Development Director for review. If the likelihood is low, no further action is required and the mitigation shall be considered complete. If the likelihood is moderate-to-high, the paleontologist shall conduct intermittent monitoring during earth-moving activities. The paleontological monitor shall have the	CDD Qualified paleontologist	Review memorandum prior to issuance of building permit Prepare memorandum, if necessary, conduct monitoring, prepare report, and send to appropriate parties	

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Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the Community Development Director. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.			
NOISE	Mitigation Measures Identified in the Project EIR			
Impact N-1: The projects would cause a temporary or periodic increase in ambient noise levels during construction that would substantially disturb sensitive receptors.	MM N-1 Construction Noise Reduction The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. To reduce the effects of construction noise, the City of Scotts Valley shall ensure that the project applicants include the following on all construction <u>specifications</u> contracts for the proposed project: Construction Equipment. Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The applicants shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions. Vehicle and Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than 5 minutes when not in use.	CDD Building Department Contractor	Review of and approval of construction plan prior to issuance of grading and building permits Prepare construction plan, including noise specifications; adhere to plan provisions during construction	

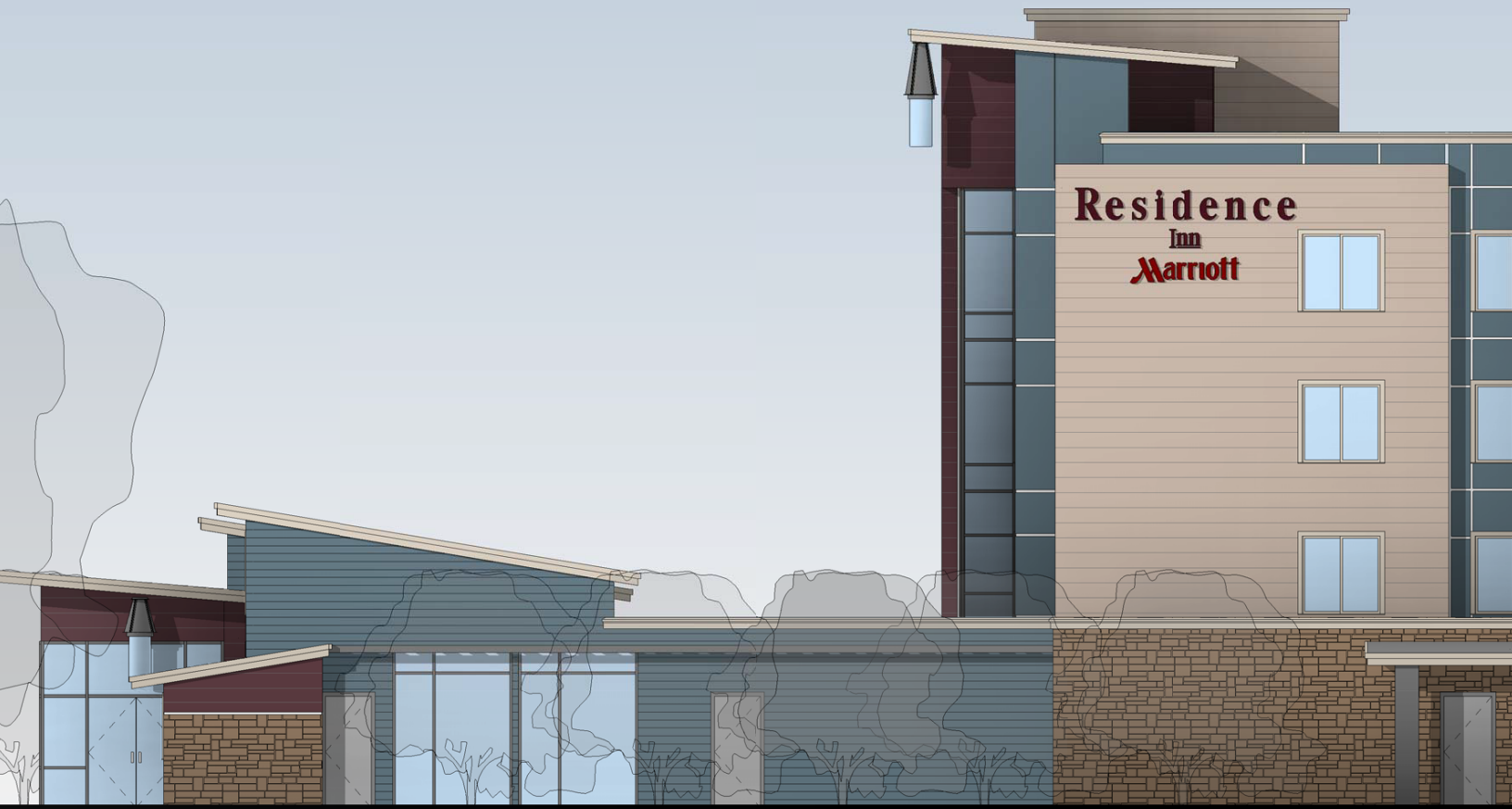
Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<u>Stationary Equipment</u>. All noise-generating stationary equipment, such as air compressors or portable power generators, shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 10 dBA. <u>Construction Route</u>. All construction traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible. <u>Workers' Radios</u>. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity. <u>Construction Plan</u>. Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the City of Scotts Valley Building Department for approval a detailed construction plan identifying the schedule for major noise-generating construction activity. <u>Disturbance Coordinator</u>. A "noise disturbance coordinator" shall be designated by the contractor and be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The coordinator shall conspicuously post a name and telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
Impact N-3: The projects would expose project residents and hotel guests to existing and future noise levels in excess of standards established in the City of Scotts Valley General Plan.	MM N-3.1 Interior Noise Attenuation: Windows The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. To achieve compliance with the 45 dB DNL interior noise standard of the City of Scotts Valley Noise Element and Title 24, the following window controls shall be incorporated as part of the building plans and approved by the City prior to issuance of a building permit: ■ At habitable spaces within 110 ft. of the west property line with a direct or side view of Highway 17 (north, west and south facades) including the facades in between the buildings, provide mechanical ventilation which brings in fresh air from the outside of the unit, in conformance with Mechanical Code requirements. ■ For habitable spaces within 110 ft. of the west property line, the project applicants shall install operable windows and glass doors with a rated minimum Sound Transmission Class (STC) 36 and entry doors rated minimum STC 32. ■ For habitable spaces between 110 ft. and 185 ft. of the west property line, the project applicants shall install windows and glass doors with a rated minimum STC 32 and entry doors rated minimum STC 28. ■ For habitable spaces between 185 ft. and 245 ft. of the west property line, the project applicants shall install windows, glass doors and entry doors with a rated minimum STC 28.	CDD Building Department Qualified Acoustician	Construction documents check prior to issuance of building permits Review acoustical test report of all sound rated windows and approve of construction drawings prior to CDD and Building Department Review	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	▪ To ensure that the sound insulation features of project windows will be maintained, all window frames within 245 feet of the west property line shall be caulked to the wall opening around their entire perimeter with an acoustical sealant. The sliding window panels shall form an air-tight seal with the frame when in the closed position. ▪ All other windows of the development and all bathroom windows may use any type of glazing and may be kept open as desired with the exception of bathroom windows that are an integral part of a living space and not separated by a closeable door. ▪ Prior to issuance of a building permit, the acoustical test report of all sound rated windows shall be reviewed by a qualified acoustician to ensure that the chosen windows will adequately reduce traffic noise to acceptable levels.			
	MM N-3.2 Interior Noise Attenuation: Building Shell The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties</u>. For all habitable spaces within 110 ft. of the west property line, the shall be incorporated as part of the building plans and submitted to the Community Development Director for review and approval prior to issuance of a building permit: ▪ Unshielded entry doors having a direct or side orientation toward the primary noise source must be 1-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction, with effective weather seals	CDD Building Department	Review of construction documents prior to issuance of building permits	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them. - Where penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations shall be minimized by sealing all cracks and clearance spaces with a non-hardening caulking compound. - Ventilation devices or openings shall not compromise the acoustical integrity of the building shell.			
TRANSPORTATION & CIRCULATION	<i>Mitigation Measures Identified in the project EIR</i>			
Impact TR-2: The residential development would substantially increase hazards due to a roadway design feature.	MM TR-2 Traffic Control Plan The applicant for the residential development shall implement this mitigation measure for the <u>residential development property</u>. The applicant shall hire a registered traffic engineer to prepare a Traffic Control Plan for review and approval by the Public Works Department and the Community Development Director prior to issuance of building permits approval of the Final Subdivision Map. The Traffic Control Plan shall include: - Preparation of a detailed sight distance evaluation for all project roadways. - Installation of all-way stop control at connecting public and private streets to eliminate insufficient sight distance. - Designation and posting of a 25-mile-per-hour speed limit on the Santa's Village Road extension and project private roadways. <u>The speed limit may be further</u>	CDD Public Works	Review and approve Traffic Control Plan prior to issuance of building permits	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<u>reduced based upon final engineering design of the roadway.</u>			



RESOLUTION NO. 1700

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT EIR15-001, GENERAL PLAN AMENDMENT GPA15-001, ZONE CHANGE ZC15-001, PLANNED DEVELOPMENT OVERLAYS & PERMITS PD15-001 & PD15-002, LAND DIVISION LD15-001, USE PERMITS U15-002 & U16-001, DESIGN REVIEWS DR15-001, DR15-009, AND DR16-001, AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE ENTERPRISE WAY PROJECT CONSISTING OF 50 TOWNHOUSE-STYLE CONDOMINIUMS, 120-ROOM HOTEL, AND RELATED PROPERTY IMPROVEMENTS, SUBJECT TO THE MITIGATION MONITORING AND REPORTING PROGRAM AND CONDITIONS OF APPROVAL FOR A VACANT PARCEL LOCATED AT THE END OF SANTA'S VILLAGE ROAD (PREVIOUSLY APPROVED BORLAND PHASE II) / APN 024-031-017

WHEREAS, the City of Scotts Valley has received an application and technical reports from CR&E Management and City Ventures (referred to together as the "applicant"), proposing to subdivide the parcel for development of a 50-unit residential development and 120-unit hotel, and related property improvements on a vacant 6.8-acre parcel, as shown on project plans dated January 19, 2016 (hotel), and December 2, 2015 (residential development) / APN 024-031-170; and

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

WHEREAS, the application is a "project" pursuant to the California Environmental Quality Act ("CEQA"), which requires the preparation and certification of an Environmental Impact Report in accordance with the requirements of the California Environmental Quality Act ("CEQA") and

WHEREAS, the City selected Kimley-Horn and Associates, an independent environmental consultant ("consultant") to prepare a Draft Environmental Impact Report ("DEIR"), paid for by the applicant; and

WHEREAS, the consultant prepared a DEIR (State Clearinghouse # 2015032086) in accordance with the State CEQA Guidelines and requirements. The DEIR was duly noticed, published, and distributed for a 45-day public review period from December 31, 2015 – February 16, 2016, and was made available for public review at City Hall, Planning Department; and

WHEREAS, the City's consultant prepared a duly noticed and published Final Environmental Impact Report (FEIR) on February 26, 2016, that was distributed to public agencies that commented on the DEIR, was made available at City Hall, Planning Department, the City's website, and upon request at the Planning Department; and

WHEREAS, the Planning Commission held a duly published and noticed public hearing on March 3, 2016, to review and consider the FEIR and the requested planning permits (entitlements), hear public testimony, and provide comments and recommendations to the City Council; and

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

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

SECTION 2: That the FEIR represents the independent judgement and analysis of the City.

SECTION 3: That the City Council certify the FEIR and recommended mitigation contained in the Mitigation Monitoring and Reporting Program (MMRP) (Exhibit A) attached hereto and incorporated herein by this reference based on the following findings pursuant to CEQA and the CEQA Guidelines Section 15091, Findings:

1. ***Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.*** The Final EIR meets the requirement of this finding in that an MMRP (Pages 4-1 through 4-32 of the Enterprise Way Project FEIR February 2016) has been prepared listing the environmental impacts, ways to substantially reduce many impacts to less than significant levels. All mitigation measures in the MMRP shall be included in any future resolutions approving the project, made fully enforceable as future planning permit conditions of approval, and are incorporated herein in their entirety by this reference. Although the City's independent environmental consultant concluded that Alternative A (Residential Only) is the "environmentally superior" alternative to the proposed project, this Alternative would still result in significant and unavoidable traffic impacts at the project and cumulative level because two of the six studied intersections already operate below City standards. As proposed, the project will add a less than one (1) second delay to existing intersection wait times.
2. ***The City has prepared a program to report on and monitor changes made to the project in order to mitigate or avoid significant effects on the environment.*** The Final EIR meets the requirement of this finding in that a Mitigation Monitoring and Reporting Program (MMRP) has been prepared, which lists all of the mitigation measures and identifies the parties responsible to monitor and report/track compliance of the mitigation measures. The MMRP will ensure compliance during future project implementation and provide the timing for implementation.

3. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** The Final EIR meets the requirement of this finding in that documents and other material constituting the record of the proceedings upon which the City's decision and findings are located at the Planning Department of the City of Scotts Valley, One Civic Center Drive, Scotts Valley, CA, 95066, in the custody of the Community Development Director as part of the public record.

SECTION 4: Approve General Plan Amendment based on the following findings and as shown in the General Plan Amendment Map (Exhibit B) attached hereto and incorporated herein:

4. ***The change in the General Plan land use designations are consistent with the General Plan.*** The project meets the requirements of this finding in that the project will change the existing General Plan Land Use Designation from Industrial-Research & Development to High-density Residential and Commercial Service, which are the appropriate land use designations for the 50 condominiums and hotel.
5. ***That the density is compatible with adjacent uses and densities.*** The project meets the requirements of this finding in that the residential density will be approximately 12 units/acre, which is within the allowed range of 9-15 units/acre in the High-density Residential land use designation. This density is an appropriate transition from the Medium-density Residential of 2-5 units/acre in the adjacent Polo Ranch subdivision. Additionally, the project would be the last puzzle piece of major development of the City's commercial/industrial corridor, which begins at Scotts Valley Drive at Mt. Hermon Road and ends at the subject parcel. The proposed zoning will be a traditional land use transition between the single-family Polo Ranch subdivision and the existing commercial office campus of Enterprise Technology Center (formerly Borland Phase I) to the south. The project will provide viable infill residential and commercial development of an underused lot.

SECTION 5: Approve Zone Change based on the following findings and as shown in the Zone Change Map (Exhibit C) attached hereto and incorporated herein:

6. ***The change in the zoning districts are consistent with the General Plan and the densities are compatible with adjacent uses and densities.*** The project meets the requirements of this finding because the project will change the existing I-RD(PD) zone to R-H/PD and C-S/PD, which are the appropriate zones and sequence to transition from the R-1-10/PD zoning district to the east in the 40-lot Polo Ranch subdivision underway and the I-RD(PD) zone of the existing Enterprise Technology Center to the south.

SECTION 6: Approve the Planned Development District Overlays and Permits based on the following findings, subject to Conditions of Approval (Exhibits D and E) attached hereto and incorporated herein:

7. ***That the Planned Development Zoning District Overlays and Permits (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the overall building locations, landscaping, and fencing/walls will ensure compatibility between commercial uses and their adjacent uses, per General Plan Land Use Element Objective LO-37. Rezoning the vacant and underused infill site to appropriate high-density encourages development of the underused parcel, consistent with Land Use Element Action LA-7. The hotel will be concentrated at the end of the urban core of the City, pursuant to Land Use Element Policy LA-45.
8. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and the of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning districts. The resulting R-H/PD and S-C/PD zones allow specific development standards to address the constraint of an access easement crossing the property and to retain suitable trees that qualify for protection per City's Municipal Code.
9. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H and C-S base zoning districts. The project design meets the requirement of this finding in that approval of the Planned Development and Permits will allow the project to vary from some of the development standards of R-H and C-S zones, while still allowing for the underused site to be developed. The R-H/PD and C-S/PD zones PD will include exceptions to: building heights of approximately 42-45+/- feet for the townhouses and 39-50 feet for the hotel with elevator (where 35 feet is the maximum, and given how building height is calculated in the Municipal Code); reduced garage sizes of 20 feet x 20 feet (where 22 feet x 22 feet is only required for single-family houses); and, reduced 123 parking spaces for the hotel (where 127 spaces are required).
10. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings are well-designed in and of themselves. The 3-story design townhouse-style condominiums and part of the 4-story hotel (with an elevator) will have increased building heights of 42-45 feet and 39-50 feet, but the overall effect will be compatible with the existing Enterprise Technology Center to the south. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project.
11. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirement of this finding in that the Draft EIR identified significant or potentially significant effects associated with: aesthetics, air quality, biological resources, cultural resources, geology & soils, noise & vibration, and transportation & circulation. With the implementation of recommended mitigation measures, all impacts would be reduced to less than

significant levels with the exception of transportation & circulation, which would remain significant and unavoidable due to existing traffic conditions. The two traffic-related impacts that will be significant and unavoidable require the City to adopt a Statement of Overriding Consideration; refer to Finding #28.

SECTION 7: Approve the Land Division based on the following findings, and as shown on the plans submitted, subject to Conditions of Approval (Exhibits D and E) attached hereto and incorporated herein:

- 12. *That the location of the uses are in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.*** The project meets the requirements of this finding in that the project provides fencing/walls and landscaping between the residential development and the hotel. The condominiums will be located in proximity to the adjacent Polo Ranch residential subdivision to the east, while the hotel will be located to the existing commercial campus to the south. As proposed and conditioned, the two uses and multiple building locations will provide adequate space to meet the needs of modern commercial development while protecting the adjacent residential uses, consistent with the purposes and objectives of the C-S and R-H and zoning districts, respectively.
- 13. *That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan.*** The project meets the requirements of this finding in that the design of the land division and its related property improvements are consistent with many goals and objectives of the General Plan, as described in the Draft and Final EIRs. The Public Works Department has reviewed the project and recommended approval subject to conditions.
- 14. *That the project site is physically suitable for the density of the land division.*** The project meets the requirement of this finding in that the 6.8-acre site contains sufficient land area for the 50 condominiums and related site improvements, while providing passive outdoor areas for future project residents. The hotel will provide sufficient parking, required landscaping, and outdoor amenities for customers. Public services are available and utilities are of adequate capacity to accommodate the project including build-out under the General Plan. Mitigation measures will reduce impacts of the project grading and construction.
- 15. *That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The project meets the requirements of this finding in that the Final EIR includes extensive mitigation measures to reduce impacts associated with: Aesthetics: Light and glare; Air Quality: Fugitive dust emissions from construction activities; Biological Resources: Impacts to riparian habitat and existing vegetation, nesting birds; impacts from tree removal; Geology, Soils, and Seismicity: Risks associated with liquefaction, lateral spreading, and differential fill settlement; Noise:

Construction noise and noise from Highway 17; Paleontological Resources: Earth disturbance and construction; Prehistoric/Archaeological Resources: Earth disturbance & construction; and, Transportation and Circulation: Site circulation hazards and traffic control. All impacts would be reduced to less than significant levels with the exception of transportation & circulation because Intersections #3 and #5 already operate at below City standards regarding LOS (Level of Service) during the peak morning and evening hours.

16. ***That the design of the land division or the type of improvements is not likely to cause serious public health problems.*** The project meets the requirement of this finding in that the project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. The proposed main access road was designed to accommodate existing chemical delivery trucks traveling to and from the Scotts Valley Water District's Orchard Run Water Treatment Plant located to the north. The Final EIR concluded that the project is not expected to cause serious public health problems.
17. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that the project will continue to provide access through the site to the known existing access easement holders to the north (an approximate total of 13 parcels, including but not limited to: Scotts Valley Water District's Orchard Run Water Treatment Plant, Mr. and Mrs. Beagle, John Yacco, Todd Creamer & family, and future Polo Heights and Timber Ridge Lane subdivision residents, and two existing residences at the end of Timber Ridge Lane). The hotel site will provide a secondary emergency vehicle access through the parking lot. The Public Works Department has reviewed the project and recommended approval subject to conditions.

SECTION 8: Approve Use Permits based on the following findings, subject to Conditions of Approval (Exhibits D and E) attached hereto and incorporated herein:

18. ***The locations of the condominiums and hotel are in accordance with the objectives of the zoning ordinance and the purposes of the zoning district in which the site is located.*** Condominiums require use permits in any zone, while hotels are conditional uses in the C-S zoning district and require use permits. The proposed project meets the requirements of this finding in that the locations of the uses will be appropriate for the site and in relation to the adjacent residential subdivision being graded and the existing office campus. The residences will provide more housing opportunities in the City. The select-service, extended-stay model will be a new type of hotel to the community, consistent with the purpose and objectives on the C-S zone.
19. ***The establishment, maintenance, or operation of condominiums and hotel will not, under any 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 proposed project meets the requirements of this finding in that mitigation measures will reduce identified project impacts to less than significant levels and conditions of approval will finesse some of the design aspects of the project. The use will be consistent with the City's 2007 Economic Development Plan to recruit retail businesses that diversify the market.

SECTION 9: Approve Design Reviews based on the following findings, subject to Conditions of Approval (Exhibits D and E) attached hereto and incorporated herein:

20. ***The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirement of this finding in that the hotel will be sited appropriately in relation to the existing Hwy 17, Enterprise Technology Center, and future 50 condominiums given the building orientation, setbacks, and landscape buffers. Given the existing access easement for the Polo Ranch subdivision, the overall siting of residential and hotel buildings are suited to the property, setting, and zoning context.
21. ***The materials, colors, proportion, mass and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials. Colors shall be appropriate within the context of use and should blend with surrounding structures.*** The project meets the requirements of this finding in that the proposed residences and related property improvements are compatible with the massing, architectural style and materials of the approved adjacent Polo Ranch residential project. The proposed roof lines and forms will provide visual interest. The variety of quality materials, exterior treatments, finishing details and exterior colors building colors are appropriate. As proposed, the hotel shares similar massing, layout and proximity to commercial corridors as the existing office building adjacent to the site, consistent with the City's design criteria.
22. ***The size, location, design, color, number, lighting and materials of all signs and outdoor advertising structures shall be appropriate to the site and building design.*** The project meets the requirements of this finding in that the hotel signage complies with the sizes/amounts of signage allowed in the City's Municipal Code. Sign placement and colors will allow travelers to identify the hotel from Hwy 17. The signage is compatible with the architecture consistent with the Marriott brand.
23. ***Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible.*** The project meets the requirements of this finding in that the project will provide extensive new landscaping for the condominiums and hotel. Connection to recycled water

will be required. Preliminary landscaping details have been reviewed. A condition of approval will require exploring additional landscaping along the north/Hwy 17 property line to enhance the main entrance to the site, to the extent feasible. Final determination of trees to be preserved and protection measures to be implemented during construction will be finalized at the building permit stage, consistent with the City's tree regulations.

24. ***The size, location and arrangement of on-site parking and paved areas shall be appropriate.*** The project meets the requirements of this finding in that the residential part will provide a total of 123 parking spaces (50 two-car garages and 23 uncovered surface parking spaces), which exceeds the minimum 110 spaces required by 13 spaces. The hotel will provide 123 uncovered, surface parking spaces, while 127 spaces are required. The PD overlay and permit allow for a slight reduction of 4 spaces (3% of total required parking). To supplement the parking features of the project, to the extent feasible, project conditions will explore additional parking (and landscaping) along the main access road (extension of Santa's Village Road).
25. ***For ingress, egress and internal traffic circulation, all the above factors shall be related to the setting or established character of the neighborhood or surrounding area.*** The project meets the requirements of this finding in that, on August 7, 2002, the City approved the project entrance/exit from Santa's Village Road through the Borland Phase II site to the project site's west property line before Carbonero Creek. Internal street will be private emergency vehicle access easement through the hotel site. The road widths are appropriate for the site to minimize grading and tree removal.
26. ***For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief.*** There may be some walls with fencing located directly above that may exceed 8 feet in height. These walls/fences will provide physical separation and buffer from Hwy 17 and internal vehicular circulation. The project meets the requirements of this finding in that project conditions will provide acoustical fencing where appropriate, and staff will review final heights, designs, materials, and context as formal development plans are submitted, to the extent feasible.

SECTION 10: Approve Statement of Overriding Considerations for the Final EIR and project based on the following discussion and finding:

27. ***To the extent that adverse or potentially adverse impacts set forth above have not been mitigated to a level of insignificance, that specific economic, social, legal, environmental, technological or other benefits of the project outweigh the significant effects on the environment.*** The project meets the requirements of this finding in that in deciding to approve the proposed project evaluated in the Final EIR, the City has considered the two unavoidable and significant environmental impacts identified below. Although the City believes that impacts identified in the EIR will be reduced to less than significant levels by

the mitigation measures incorporated into the project, it recognizes that approval of the project will nonetheless result in two unavoidable and potentially irreversible effects, as summarized below.

A. Increase congestion and travel delays on regional and local roadways or exceed an established LOS standard: The existing intersections of Santa's Village Road / Granite Creek Road / northbound Highway 17 (Intersection #3) and Scott's Valley Drive / Glenwood Drive / southbound Highway 17 (Intersection #5) already operate at unacceptable City levels during peak morning hours (7-9AM) and evening hours (5-7PM). Therefore, any change, even a relatively minor one like less the proposed project, is considered significant. The project would contribute less than one (1) second of additional delay to these two intersections. This additional delay would be a significant impact that cannot be feasibly mitigated due to the constrained nature of the existing intersections; and,

B. Contribute to cumulatively considerable transportation and circulation impacts: The project would contribute less than one (1) second of additional to delay to the cumulative Intersections #3 and #5, which already operate at unacceptable levels. This additional delay would be a significant impact that cannot be feasibly mitigated due to the constrained nature of the existing intersections.

The City finds that any and each of the following considerations is sufficient to approve the project for any one or more of the unavoidable impacts identified and that each of the overriding consideration is adopted with respect to each of the impacts individually and that each consideration is severable from any other consideration should one consideration be shown to be legally insufficient for any reason. The following considerations support approval of the project:

- I. The project will serve the City's goal of adding to the supply of high-density townhouse-style condominiums in the City in order to accommodate regional population needs and employment growth in the City;
- II. Implementation of the project will result in the developer contributing to the financing of the improved school facilities in the area;
- III. The project will directly contribute to the tax base of the City through increases in transient occupancy tax (TOT) and in the assessed value of the project property. Indirect contributions will be from increased sales tax revenues from the hotel operator, hotel patrons, and future project residents.
- IV. Leaving the property in its current vacant state will not further the economic development goals of the City. Since 1991, when "Borland

Phase II" was approved (192,555 square feet), development has always been intended on the subject parcel. Although the approval for Phase II expired in 2004, the City's hope was that this important research and development infill site would eventually be developed to bring additional jobs and services to the City, such as medical research, high technology, or software development.

Since then, the subject parcel has been vacant and underused. The last decade has been a difficult market for new commercial construction in the City. For years, Enterprise Technology Center (formerly Borland) had many tenant vacancies. Although new businesses have started to occupy the building, the current research and development zone of the subject parcel is no longer viable.

However, residential construction is a continuous market because people want to live in a safe community with good schools and recreation programs. With the 1440 Foundation reuse of the former Bethany University campus and other new businesses locating in the City, the market has shown a demand for hotels. The project would be a traditional land use transition between the single-family Polo Ranch subdivision to the east and the existing commercial office campus of Enterprise Technology Center (formerly Borland) to the south. The project will provide viable infill residential and commercial development of an underused lot.

Balancing new construction with existing traffic is an issue throughout the County. The project would add less than one (1) second of additional delay at Intersections #3 and #5, which currently operate below City standards in the peak morning and evening commute hours.

The proposed project would be the last puzzle piece of major development of the City's commercial/industrial corridor, which begins at Scotts Valley Drive at Mt. Hermon Road and ends at the north end of the City. Once developed, there would be no more building potential in this area; and, further traffic impacts from the project site would not be anticipated.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley recommending City Council approval of a Final Environmental Impact Report EIR15-001, General Plan Amendment GPA15-001, Zone Change ZC15-001, Planned Development Overlays & Permits PD15-001 & PD15-002, Land Division LD15-001, Use Permits U15-002 & U16-001, Design Reviews DR15-001, DR15-009, and DR16-001, and Statement of Overriding Considerations to create 50 residential units and a 120-room hotel, and

related improvements located on a vacant 6.8-acre parcel at the end of Santa's Village Road/ APN 024-031-017, subject to the Mitigation Measures (Exhibit A), General Plan Amendment Map (Exhibit B), Zone Change Map (Exhibit C), and amended Conditions of Approval (Exhibits D and E), which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the Planning Commission of the City of Scotts Valley at a meeting held on the 3rd day of March 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: _____
Russ Patterson
Planning Commission Chair

Attest: _____
Taylor Bateman
Acting Community Development Director

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date: March 3, 2016

Applicants: City Ventures, LLC
Coast Redwood Hospitality

Property Owner: City Ventures, LLC

Applications: Environmental Impact Report EIR15-001, Cultural Resource Alteration CRA15-001, General Plan Amendment GPA15-001, Zone Change ZC15-001, Planned Development Overlays & Permits PD15-001 & PD15-002, Land Division LD15-001, Use Permits U15-002 & U16-001, Design Reviews DR15-001, DR15-009, and DR16-001

Location / APN: No situs/address; former Borland Phase II site at the end of Santa's Village Road north of Granite Creek Road) / 024-031-17

General Plan / Zoning: Industrial-Research & Development / I-RD(PD)

Request: Consideration of a recommendation of approval to the City Council of a Final Environmental Impact Report and planning permit applications to subdivide the parcel and build 50 townhouses, a 120-room hotel, and related property improvements.

Staff Planner: Michelle Fodge, AICP, Senior Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission conduct a public hearing, hear public testimony, consider the Final Environmental Impact Report (FEIR) and proposed project, and recommend that the City Council adopt a Statement of Overriding Considerations for the significant unavoidable impacts of the project, certify the FEIR, and approve planning permit applications, subject to mitigation measures and conditions in the attached Exhibits A and B.

BACKGROUND AND KEY DATES

A brief summary of key land use dates is provided below:

In 1991	On the subject 6.8-acre parcel, City approved Borland Phase II approximately 192,555 square feet of commercial office space, at the same time as Phase I (approximately 370,000 square feet, now called Enterprise Technology Center) located on the adjacent parcel to the south.
In 2002	City approved the access road that crosses the subject parcel which will serve access easement holders and the approved 40-lot Polo Ranch subdivision to the east.
In 2004	Borland Phase II planning permits and development agreement expired. Since then, the infill site has been vacant.
In 2013	City Ventures, local and regional developer, bought the parcel.
March 2015	Notice of Intent of an Environmental Impact Report was filed.
Dec. 31, 2015 to Feb. 16, 2016	Draft EIR was published for a 45-day public review period; document available at City Hall and City website.
March 3, 2016	Planning Commission will hold a public hearing to consider the Final EIR and proposed development and make a recommendation to the City Council.
March 16, 2016	Tentative date for City Council to hold a public hearing to consider the Final EIR and proposed development.

PROJECT DESCRIPTION

On the vacant 6.80-acre site, the applicants propose to build 50 residential townhouse-style condominiums on 4.32 acres and a 120-room hotel (approximately 87,000 square feet) on the remaining 2.48 acres. The hotel is a four-story complex and would operate under a select-service, extended-stay model. In three-story buildings, the 50 residential townhouses are approximately 1,700 square feet in size with three to four bedrooms, plus a 2-car garage. The proposed projects would be built separately.

REQUESTED PLANNING PERMITS (ENTITLEMENTS)

The project requires the following planning permits:

- Environmental Impact Report: To evaluate the potential environmental impacts;
- Cultural Resource Alteration Permit: To protect potential artifacts (this permit is processed before and separately from the entitlements listed below);

- General Plan Amendment: To change the existing General Plan Land Use Designation of Research & Development (Planned Development) to High-Density Residential and Commercial Service;
- Zone Change: To change the existing zoning district of I-RD(PD) to R-H/PD and C-S/PD;
- Planned Development District Overlays and Permits (PD): To allow tailored development standards to fit the needs of the project and properties
- Land Division: To subdivide the parcel into lots for the hotel and residential uses;
- Use Permits: To allow townhouse-style condominiums in the R-H zone and a hotel in the C-S zone; and,
- Design Review: To evaluate the architecture and related site improvements.

ENVIRONMENTAL REVIEW

1. **Purpose**: The level of environmental review required for the proposed project is called an Environmental Impact Report (EIR). Under the Planning Department's management, the City's independent environmental consultant has prepared the Draft EIR (DEIR), responses to comments received on the DEIR, and the Final EIR (FEIR). The FEIR is an informational document, the purpose of which is to identify and disclose potential significant impacts of the proposed project and recommend ways to reduce the impacts to less than a significant level, as established under the California Environmental Quality Act (CEQA). An important function of the FEIR is that it will serve as the basis for future conditions of approval of the proposed project.
2. **Project Impacts Found Not to Be Significant**: The DEIR concluded that the following summary of key environmental topics would not be significant for the proposed project:
 - Aesthetics: Project would not substantially alter visual character or change scenic vistas, including in a State scenic highway;
 - Agricultural/Forestry Resources: No such resources on the site;
 - Air Quality: Project would not result in significant long-term criteria air pollutant or toxic air contaminant emissions; no odor-generating uses;
 - Biological Resources: Project does not interfere with wildlife movement corridors or an adopted Habitat Conservation Plan;
 - Cultural Resources: Project would not affect historic architectural resources or inadvertently disturb human remains;
 - Geology & Soils: Project would not trigger or accelerate soil loss or erosion or result in exposure to fault rupture or landslides; no septic systems would be installed;
 - Greenhouse Gases: Project would not contribute considerably to greenhouse gas emissions;
 - Hazards: Project does not include substantial use of hazardous materials; site is not in proximity to airport or listed on State hazardous site lists;
 - Hydrology & Water Quality: Project would not contribute to depletion of local groundwater, substantially increase runoff, alter drainage patterns, or result in exposure to floods;

- Land Use: Project would not disrupt or divide an established community or conflict with applicable plans adopted for the purpose of avoiding or mitigating and environmental effect, including habitat conservation plans;
- Mineral Resources: Project site is not an active mineral recovery site;
- Noise: Project would not result in substantial permanent increase in noise or expose people to airport noise or excessive ground borne vibration;
- Population and Housing: Project is consistent with regional projections and would not displace housing or people;
- Public Services & Utilities: The project's police, fire protection, schools, water, wastewater, stormwater, and solid waste service demand would not exceed capacity; no conflict with solid waste regulations;
- Recreation: Project would not result in substantial deterioration of existing facilities; and,
- Transportation and Circulation: No parking impacts, changes in air traffic patterns, lack of emergency access, or conflict with policies promoting alternative transportation.

3. Project Impacts Deemed Significant but Mitigated: The DEIR concluded that the following summary of key significant impacts would be mitigated to less-than significant levels for the proposed subdivision design:

- Aesthetics: Light and glare;
- Air Quality: Fugitive dust emissions from construction activities;
- Biological Resources: Impacts to riparian habitat and existing vegetation, nesting birds; impacts from tree removal;
- Geology, Soils, and Seismicity: Risks associated with liquefaction, lateral spreading, and differential fill settlement;
- Noise: Construction noise and noise from Highway 17;
- Paleontological Resources: Earth disturbance and construction;
- Prehistoric/Archaeological Resources: Earth disturbance & construction; and,
- Transportation and Circulation: Site circulation hazards and traffic control.

4. Project Impacts Deemed Significant and Unavoidable: The FEIR concluded that the significant impacts cannot be feasibly mitigated to less-than-significant levels. The impacts listed below would be reduced for Alternative A (Residential Only) and Alternative B (Existing Zoning) but would still remain significant and unavoidable. Certifying the FEIR requires the City to approve a Statement of Overriding Considerations for these impacts.

- Increase congestion and travel delays on regional and local roadways or exceed an established LOS standard: The existing intersections of Santa's Village Road / Granite Creek Road / northbound Highway 17 (Intersection #3) and Scott's Valley Drive / Glenwood Drive / southbound Highway 17 (Intersection #5) already operate at unacceptable City levels during peak morning hours (7-9AM) and evening hours (5-7PM). Therefore, any change, even a relatively minor one like less the proposed project, is considered significant. The project would contribute less than one (1) second of additional delay to these two intersections. This additional delay would be a

- significant impact that cannot be feasibly mitigated due to the constrained nature of the existing intersections; and,
- Contribute to cumulatively considerable transportation and circulation impacts: The project would contribute less than one (1) second of additional to delay to the cumulative Intersections #3 and #5, which already operate at unacceptable levels. This additional delay would be a significant impact that cannot be feasibly mitigated due to the constrained nature of the existing intersections.

5. **FEIR Conclusions:** The Draft EIR identified significant or potentially significant effects associated with: aesthetics, air quality, biological resources, cultural resources, geology & soils, noise & vibration, and transportation & circulation. With the implementation of recommended mitigation measures, all impacts would be reduced to less than significant levels with the exception of transportation & circulation, which would remain significant and unavoidable due to existing traffic conditions. Adopting a Statement of Overriding Consideration is required.

To certify an FEIR per CEQA Guidelines Section 15090, the City must certify that the FEIR has been completed in compliance with the California Environmental Quality Act; was presented to the decision-making body of the City and that the decision-making body reviewed and considered the information contained in the FEIR prior to approving the project; and, the FEIR reflects the City's independent judgment and analysis.

DISCUSSION

Staff has reviewed the project for compliance with the City's requirements. An analysis of the issues for Planning Commission consideration is described below:

1. **Consistency with the City's General Plan:** The City's General Plan is the policy document that provides goals, objectives, policies, and specific action steps to carry-out the City's vision for new development. The proposed project requires a change in the existing General Plan Land Use Designation from Industrial-Research & Development to High-density Residential and Commercial Service.

Consistency with all of the General Plan policies is not a mandate for any project. However, CEQA requires that consistency with the General Plan be evaluated for projects requiring an EIR. As proposed, the project is consistent with the City's General Plan except for Circulation Element Action CA-150 which calls for LOS "C" or better and road intersections other than Scotts Valley Drive/Mt. Hermon Road and Scotts Valley Drive/Granite Creek Road. This inconsistency is because existing traffic conditions at Santa's Village Road / Granite Creek Road / Hwy 17 NB Ramps (Intersection #3) and Scotts Valley / Glenwood Drive / Hwy 17 SB Ramps (Intersection #5) are already below LOS "C". The proposed project will add less than one (1) second delay at these two intersections. For clarity, FEIR page 12-10 will be corrected as "inconsistent" for Policy CA-150.

2. **Consistency with the City's Zoning Ordinance:** The project will change the existing I-RD(PD) zone to R-H/PD and C-S/PD, which are the appropriate zones. The Planned Development District Overlay and Permit (PD) allow development to be designed to meet the needs of the project and property. The "PD" will be an overlay zone to the proposed R-H and C-S base zoning districts. The PD will include exceptions to: building heights of approximately 42-45+/- feet for the townhouses and 39-50 feet for the hotel with elevator (where 35 feet is the maximum); reduced garage sizes of 20 feet x 20 feet (where 22 feet x 22 feet is only required for single-family houses); and, reduced 123 parking spaces for the hotel (where 127 spaces are required).
3. **Traffic and Land Use:** Since 1991, when "Borland Phase II" was approved (192,555 square feet), development has always been intended on the subject parcel. Although the approval for Phase II expired in 2004, the City's hope was that this important research and development infill site would eventually be developed to bring additional jobs and services to the City, such as medical research, high technology, or software development.

Since then, the subject parcel has been vacant and underused. The last decade has been a difficult market for new commercial construction in the City. For years, Enterprise Technology Center (formerly Borland) had many tenant vacancies. Although new businesses have started to occupy the building, the current research and development zone of the subject parcel is no longer a viable.

However, residential construction is a continuous market because people want to live in a safe community with good schools and recreation programs. With the 1440 Foundation reuse of the former Bethany University campus and other new businesses locating in the City, the market has shown a demand for hotels. The proposed rezone combines residential and a hotel for a viable use of the site.

Balancing new construction with existing traffic is an issue throughout the County. The project would add less than one (1) second of additional delay at Intersections #3 and #5, which currently operate below City standards in the peak morning and evening commute hours.

Because the proposed project would complete new development at the north end of the City, there would be no more building potential in this area. Once developed, further traffic impacts from the project site would not be anticipated.

4. **Use Permit and Design Review:** Condominiums require use permits in any zone, while hotels are conditional uses in the C-S zoning district, which also require use permits. As proposed, mitigated and conditioned, the project will be an appropriate use for the project site and adjacent uses that will be compatible with the surrounding office and residential uses.

The R-H and C-S zoning districts require Design Review for new construction and signage. The project will be consistent with the City's design criteria, in that, the proposed residences and related property improvements are compatible with the massing, architectural style and materials of the approved Polo Ranch residences.

As proposed, the hotel shares similar massing, layout and proximity to commercial corridors as the existing office building adjacent to the site. To supplement the design features of the project, to the extent feasible, project conditions will explore additional parking and landscaping along the main access road (extension of Santa's Village Road), ensure project lighting is consistent with City standards, and provide acoustical fencing where appropriate.

5. **Affordable Housing Update:** The Affordable Housing Subcommittee is reviewing the application and their recommendation will be forwarded to the City Council for consideration at the public hearing tentatively scheduled on March 16, 2016.

PUBLIC NOTICE AND PUBLIC COMMENT

Consistent with state law and the City's requirements, the City sent a public notice of the scheduled Planning Commission public hearing to all property owners located within 600 feet from project site, which is 300 feet greater than the standard 300 feet required. Public notices were also posted at City Hall, Senior Center and Scotts Valley Branch Library, and the DEIR was posted on the City's website. The applicants posted two large notice signs on the project site and held an open house in early February.

To date, the City has received various general information phone calls and 10 written comments on the DEIR, to which the FEIR responds. Any additional comments received will be provided to the Planning Commission and public for review at the Planning Commission Public Hearing on March 3, 2016.

REQUIRED FINDINGS

Based on the FEIR, submitted reports, plans, and analysis, staff believes that the required findings to certify the FEIR and to approve the proposed project can be made, as shown in the attached Resolution No. 1700, subject to mitigation measures and conditions of approval.

CONCLUSION

The proposed project would be the last puzzle piece of major development of the City's commercial/industrial corridor, which begins at Scotts Valley Drive at Mt. Hermon Road and ends at the subject parcel. The project would be a traditional land use transition between the single-family Polo Ranch subdivision to the east and the existing commercial office campus of Enterprise Technology Center (formerly Borland) to the south. The project will provide viable infill residential and commercial development of an underused lot.

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Exhibit C - Zone Change Map.	Website
Exhibit D - Residential Conditions of Approval.	Website
Exhibit E - Hotel Conditions of Approval.....	Website
Final Environmental Impact Report (FEIR).....	* Attached
Project Plans.	* Attached

- * Please note that a hard-copy is available to review in the lobby at City Hall, Monday-Thursday 8AM-12PM and 1PM-5PM, at One Civic Center Drive, Scotts Valley. An electronic copy is also available on this page of the City's website: http://www.scottsvalley.org/planning/Enterprise_Way.html
Please call the City at (831) 440-5630 if you have any questions.

City of Scotts Valley
CULTURAL RESOURCE PRESERVATION COMMISSION
STAFF REPORT

Date: March 3, 2016

Applicants: City Ventures, LLC
Coast Redwood Hospitality

Property Owner: City Ventures, LLC

Applications: Cultural Resource Alteration CRA15-001

Location / APN: No situs/address; former Borland Phase II site at the end of Santa's Village Road north of Granite Creek Road) / 024-031-17

General Plan / Zoning: Industrial-Research & Development / I-RD(PD)

Request: Consideration of a Cultural Resources Alteration permit as part of a Final Environmental Impact Report (FEIR) and planning permit applications to subdivide a vacant 6.8-acre parcel and build 50 townhouses, a 120-room hotel, and related property improvements.

Staff Planner: Michelle Fodge, AICP, Senior Planner

STAFF RECOMMENDATION

Staff recommends that the Cultural Resources Preservation Commission conduct a public hearing, hear public testimony, consider the application, and recommend approval of Cultural Resources Alteration CR15-001, subject to mitigation measures, to the City Council who will consider the application and proposed project at a public hearing tentatively scheduled on March 16, 2016.

PROJECT DESCRIPTION

On the vacant 6.80-acre site, the applicants propose to build 50 residential townhouse-style condominiums on 4.32 acres and a 120-room hotel (approximately 87,000 square feet) on the remaining 2.48 acres. The hotel is a four-story complex and would operate under a select-service, extended-stay model. In three-story buildings, the 50 residential townhouses are approximately 1,700 square feet in size with three to four bedrooms, plus a 2-car garage. The proposed projects would be built separately.

DISCUSSION

The Scotts Valley 1994 General Plan, Figure OS-2 ("Archeological Sensitivity Zones"), shows that nearly all of the property is located in an area of "High Sensitivity Prehistoric" for cultural resources. Per an analysis by Archaeological Resource Management (ARM) in 2014, there is one previously recorded archaeological site within the project site and two additional archaeological resources in the vicinity but not formally recorded. Furthermore, prehistoric Native American artifacts were noted on the northeast side of the project site during surface reconnaissance by ARM.

Project grading and excavation could adversely affect archeological and paleontological resources, and the impact could potentially be significant. Therefore, to reduce potential impacts to less than significant levels, the following three mitigation measures have been prepared and are included in the required Mitigation Monitoring and Reporting Program (MMRP) of the FEIR for the other planning permit applications (entitlements) of the proposed project:

1. **MM CR-1.1 Archaeological Testing Program 1:** The applicant for the hotel development shall implement this mitigation measure on the hotel development property. The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program. The program shall recommend that a qualified archaeologist be present and monitor all earthmoving activities. The program shall recommend protocols to be undertaken if potential historical or unique archaeological resources are discovered during construction. The program shall dictate procedures to be performed if an archaeological find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible. Such procedures shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The archaeological testing program shall be reviewed and approved by the Community Development Director prior to issuance of the grading permit.
2. **MM CR-1.2 Archaeological Testing Program 2:** The applicant for the residential development shall implement this mitigation measure on the residential property. The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program consisting of three hand-excavated 1 x 1 meter units to be carried out in the area of the quartzite lithic materials. The archaeologist shall summarize the results of this program in a report to be reviewed and approved by the Community development Director prior to grading permit issuance.
3. **MM CR-2 Paleontological Resource Monitoring:** The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. Prior to issuance of a grading permit, the applicant shall hire a qualified paleontologist to review the final grading plans and final geotechnical report for the project. Based upon a review of

these documents, the paleontologist shall prepare a technical memorandum indicating the likelihood of encountering paleontological resources during construction and submit to the Community Development Director for review. If the likelihood is low, no further action is required and the mitigation shall be considered complete. If the likelihood is moderate-to-high, the paleontologist shall conduct intermittent monitoring during earth-moving activities. The paleontological monitor shall have the authority to temporarily (within one working day) divert or redirect grading to allow time to evaluate any exposed fossil material. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

FINDINGS

Staff believes that the following required findings can be made to approve Cultural Resources Alteration CRA15-001, subject to mitigation measures attached hereto and also incorporated herein the FEIR for the proposed project.

- A. *The action proposed is consistent with the purposes of cultural resource preservation as set forth in this title.*** The project meets the requirement of this finding in that Testing Programs 1 and 2 by a qualified archaeologist will ensure that archaeological resources are not destroyed if discovered during project grading or other subsurface work.
- B. *The action proposed retains the archaeological and paleontological value and significance of the cultural resource.*** The project meets the requirement of this finding in that any artifacts found will be evaluated, consistent with City and state regulations.

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Final Environmental Impact Report (FEIR).	* Attached
Project Plans.	* Attached

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Please call the City at (831) 440-5630 if you have any questions.

Required Mitigation Measures

(also included with the other entitlements for the FEIR Enterprise Way;
50 townhouses and 120-room hotel and related property improvements)

1. **MM CR-1.1 Archaeological Testing Program 1:** The applicant for the hotel development shall implement this mitigation measure on the hotel development property. The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program. The program shall recommend that a qualified archaeologist be present and monitor all earthmoving activities. The program shall recommend protocols to be undertaken if potential historical or unique archaeological resources are discovered during construction. The program shall dictate procedures to be performed if an archaeological find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible. Such procedures shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The archaeological testing program shall be reviewed and approved by the Community Development Director prior to issuance of the grading permit.
2. **MM CR-1.2 Archaeological Testing Program 2:** The applicant for the residential development shall implement this mitigation measure on the residential property. The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program consisting of three hand-excavated 1 x 1 meter units to be carried out in the area of the quartzite lithic materials. The archaeologist shall summarize the results of this program in a report to be reviewed and approved by the Community development Director prior to grading permit issuance.
3. **MM CR-2 Paleontological Resource Monitoring:** The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. Prior to issuance of a grading permit, the applicant shall hire a qualified paleontologist to review the final grading plans and final geotechnical report for the project. Based upon a review of these documents, the paleontologist shall prepare a technical memorandum indicating the likelihood of encountering paleontological resources during construction and submit to the Community Development Director for review. If the likelihood is low, no further action is required and the mitigation shall be considered complete. If the likelihood is moderate-to-high, the paleontologist shall conduct intermittent monitoring during earth-moving activities. The paleontological monitor shall have the authority to temporarily (within one working day) divert or redirect grading to allow time to evaluate any exposed fossil material. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system. A final report shall be prepared at the end of earth

moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Table 4-1: Mitigation Monitoring and Reporting Program for Hotel Development

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
AESTHETICS				
Impact AES-2: The projects would introduce new light and glare to the project site and project area.	Mitigation Measures Identified in the Project EIR MM AES-1 Exterior Lighting Control Plan The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. To minimize the adverse impact associated with light and glare, the project applicants shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction. The applicants shall design and install all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as is feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances. The exterior lighting control plan shall include the following: ▪ A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary adjacent to the riparian area. ▪ Identification of the location and direction of light fixtures that take the lighting control requirements into account;	Community Development Department (CDD)	Review and approval of exterior lighting control plan prior to issuance of a building permit for vertical construction.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- Lighting design that considers setbacks of project features from the site boundary to aid in satisfying the lighting control requirements; - Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated; - Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security; - All lighting shall be of minimum necessary brightness consistent with operational safety and security; and - Lights in high illumination areas not occupied on a continuous basis shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied.			
AIR QUALITY	Mitigation Measures Identified in the Project EIR			
Impact AQ-1: Construction activities for both projects would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.	MM AQ-1.1 Reduce fugitive dust The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall implement the following measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions, which shall be shown on the grading and building plans: Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.	CDD	Review and approve construction specifications prior to issuance of building permit. Include in construction specifications and implement during construction	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- Water graded/excavated areas and active unpaved roadways, unpaved staging areas, and unpaved parking areas at least twice daily or apply non-toxic chemical soil stabilization materials per manufacturer's recommendations. Frequency should be based on the type of operations, soil and wind exposure. - Prohibit all grading activities during periods of high wind (more than 15 mph). - Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). - Stabilize all disturbed soil areas not subject to using approved chemical soil binders, jute netting, or gravel for temporary roads and any other methods approved in advance by the APCD. - Sow exposed ground areas that are planned to be reworked at dates greater than one month after initial grading with a fast germinating, non-invasive grass seed, and water until vegetation is established. - Plant vegetative ground cover in disturbed areas as soon as possible. - Use street sweepers, water trucks, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the project site. Reclaimed (non-potable) water should be used whenever possible; - Spray dirt stock pile areas daily as needed. - Place gravel on all roadways and driveways as soon as possible after grading. In addition, construct building		Review during site inspections	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	pads as soon as possible after grading unless seeding, soil binders, or frequent water application are used. - Not exceed a 15 mph vehicle speed for all construction vehicles on any unpaved surface at the construction site. - Cover or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) on all trucks hauling dirt, sand, soil, or other loose materials in accordance with California Vehicle Code Section 23114. - Limit unpaved road travel to the extent possible, for example, by limiting the travel to and from unpaved areas, by coordinating movement between work areas rather than to central staging areas, and by using workers where feasible. - Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the project site, and inspect vehicle tires to ensure free of soil prior to carry-out to paved roadways. - Sweep streets at the end of each day, or more frequently as needed, if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.			
	MM AQ-1.2 Designate a dust compliance monitor The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive	CDD	Review and approve construction specifications prior to issuance of building permit; monitor complaint status with MBUAPCD	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include monitoring during holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the MBUAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. The applicant shall provide and post a publicly visible sign that specifies the telephone number and name to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with Rule 402 (Nuisance).	Monterey Bay Unified Air Pollution Control District (MBUAPCD) Construction Dust Monitor	Record and investigate (as necessary) complaints Post signs; respond to complaints	
BIOLOGICAL RESOURCES	Mitigation Measures Identified in the Project EIR			
Impact BIO-2: The residential development would cause a direct and/or indirect adverse effect on native trees and associated nesting bird sites.	MM BIO-2.2 Preconstruction Bird Surveys The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall schedule all on-site tree removal and grading to occur between August 15th and February 1st of any given year to avoid the bird nesting season. If this schedule is not practical, the applicant shall hire a qualified biologist to conduct preconstruction nesting bird surveys no more than two weeks prior to removal of trees and grading. If nesting birds are observed, the biologist will establish a buffer zone where no tree removal or grading will occur until the biologist confirms that all chicks have fledged. The buffer zone may vary from 50 to 250 feet,	CDD Qualified biologist	Construction specifications prior to issuance of grading permits. Preconstruction surveys	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	depending upon the species of bird and exposure of the nest site.			
CULTURAL RESOURCES	<i>Mitigation Measures Identified in the Project EIR</i>			
Impact CR-1: The projects would cause a substantial adverse change to a known archeological resource.	MM CR-1.1 Archaeological Testing Program 1 The applicant for the hotel development shall implement this mitigation measure <u>on the hotel development property.</u> The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program. The program shall recommend that a qualified archaeologist be present and monitor all earthmoving activities. The program shall recommend protocols to be undertaken if potential historical or unique archaeological resources are discovered during construction. The program shall dictate procedures to be performed if an archaeological find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible. Such procedures shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The archaeological testing program shall be reviewed and approved by the Community Development Director prior to issuance of the grading permit.	CDD Qualified archaeologist	Review and approve archaeological testing program prior to issuance of building permit Prepare and undertake archaeological testing program	
Impact CR-2: The projects would directly impact a paleontological resource or unique geologic feature.	MM CR-2 Paleontological Resource Monitoring The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties.</u> Prior to issuance of a grading permit, the applicant shall hire a qualified paleontologist to review the final grading	CDD Qualified paleontologist	Review memorandum prior to issuance of building permit	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	plans and final geotechnical report for the project. Based upon a review of these documents, the paleontologist shall prepare a technical memorandum indicating the likelihood of encountering paleontological resources during construction and submit to the Community Development Director for review. If the likelihood is low, no further action is required and the mitigation shall be considered complete. If the likelihood is moderate-to-high, the paleontologist shall conduct intermittent monitoring during earth-moving activities. The paleontological monitor shall have the authority to temporarily (within one working day) divert or redirect grading to allow time to evaluate any exposed fossil material. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.		Prepare memorandum; if necessary, conduct monitoring, prepare report, and send to appropriate parties	
GEOLOGY, SOILS, AND SEISMICITY	Mitigation Measures Identified in the Project EIR			
Impact GEO-2: The projects would expose people or structures to substantial	MM GEO-2 Implement geotechnical report recommendations.	CDD	Review geotechnical report and ensure recommendations are	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
safety risks as a result of seismically induced ground shaking, liquefaction, settlement, lateral spreading, and/or surface cracking.	The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the <i>Draft Geotechnical Investigation on Proposed Residential and Hotel Development at Enterprise Way, Scotts Valley, California</i> (TMakdlissy Consulting, 2014). The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the Community Development Director. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.	Registered geotechnical engineer	included in plans prior to issuance of building permits Prepare design-level geotechnical investigation	
NOISE	Mitigation Measures Identified in the Project EIR			
Impact N-1: The projects would cause a temporary or periodic increase in ambient noise levels during construction that would substantially disturb sensitive receptors.	MM N-1 Construction Noise Reduction The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. To reduce the effects of construction noise, the City of Scotts Valley shall ensure that the project applicants include the following on all construction specifications contracts for the proposed project: <u>Construction Equipment</u> . Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and	CDD Building Department Contractor	Review of and approval of construction plan prior to issuance of grading and building permits Prepare construction plan, including noise specifications; adhere to plan provisions during construction	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The applicants shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions. <u>Vehicle and Equipment Idling.</u> Construction vehicles and equipment shall not be left idling for longer than 5 minutes when not in use. <u>Stationary Equipment.</u> All noise-generating stationary equipment, such as air compressors or portable power generators, shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 10 dBA. <u>Construction Route.</u> All construction traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible. <u>Workers' Radios.</u> All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity. <u>Construction Plan.</u> Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the City of Scotts Valley Building Department for approval a detailed construction plan identifying the schedule for major noise-generating construction activity.			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<u>Disturbance Coordinator.</u> A "noise disturbance coordinator" shall be designated by the contractor and be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The coordinator shall conspicuously post a name and telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.			
Impact N-3: The projects would expose project residents and hotel guests to existing and future noise levels in excess of standards established in the City of Scotts Valley General Plan.	MM N-3.1 Interior Noise Attenuation: Windows The applicants for both the hotel development and the residential development shall implement this mitigation measure on their <u>respective development properties</u>. To achieve compliance with the 45 dB DNL interior noise standard of the City of Scotts Valley Noise Element and Title 24, the following window controls shall be incorporated as part of the building plans and approved by the City prior to issuance of a building permit: ■ At habitable spaces within 110 ft. of the west property line with a direct or side view of Highway 17 (north, west and south facades) including the facades in between the buildings, provide mechanical ventilation which brings in fresh air from the outside of the unit, in conformance with Mechanical Code requirements. ■ For habitable spaces within 110 ft. of the west property line, the project applicants shall install operable windows and glass doors with a rated	CDD Building Department Qualified Acoustician	Construction documents check prior to issuance of building permits Review acoustical test report of all sound rated windows and approve of construction drawings prior to CDD and Building Department Review	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	minimum Sound Transmission Class (STC) 36 and entry doors rated minimum STC 32. ▪ For habitable spaces between 110 ft. and 185 ft. of the west property line, the project applicants shall install windows and glass doors with a rated minimum STC 32 and entry doors rated minimum STC 28. ▪ For habitable spaces between 185 ft. and 245 ft. of the west property line, the project applicants shall install windows, glass doors and entry doors with a rated minimum STC 28. ▪ To ensure that the sound insulation features of project windows will be maintained, all window frames within 245 feet of the west property line shall be caulked to the wall opening around their entire perimeter with an acoustical sealant. The sliding window panels shall form an air-tight seal with the frame when in the closed position. ▪ All other windows of the development and all bathroom windows may use any type of glazing and may be kept open as desired with the exception of bathroom windows that are an integral part of a living space and not separated by a closeable door. ▪ Prior to issuance of a building permit, the acoustical test report of all sound rated windows shall be reviewed by a qualified acoustician to ensure that the chosen windows will adequately reduce traffic noise to acceptable levels.			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	MM N-3.2 Interior Noise Attenuation: Building Shell The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. For all habitable spaces within 110 ft. of the west property line, the shall be incorporated as part of the building plans and submitted to the Community Development Director for review and approval prior to issuance of a building permit: ■ Unshielded entry doors having a direct or side orientation toward the primary noise source must be 1-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction, with effective weather seals around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them. ■ Where penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations shall be minimized by sealing all cracks and clearance spaces with a non-hardening caulking compound. ■ Ventilation devices or openings shall not compromise the acoustical integrity of the building shell.	CDD Building Department	Review of construction documents prior to issuance of building permits	

Table 4-2: Mitigation Monitoring and Reporting Program for Residential Development

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
AESTHETICS	Mitigation Measures Identified in the Project EIR			
Impact AES-2: The projects would introduce new light and glare to the project site and project area.	MM AES-1 Exterior Lighting Control Plan The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. To minimize the adverse impact associated with light and glare, the project applicants shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction. The applicants shall design and install all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as is feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances. The exterior lighting control plan shall include the following: ■ A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary adjacent to the riparian area. ■ Identification of the location and direction of light fixtures that take the lighting control requirements into account;	Community Development Department (CDD)	Review and approval of exterior lighting control plan prior to issuance of a building permit for vertical construction.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- Lighting design that considers setbacks of project features from the site boundary to aid in satisfying the lighting control requirements; - Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated; - Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security; - All lighting shall be of minimum necessary brightness consistent with operational safety and security; and - Lights in high illumination areas not occupied on a continuous basis shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied.			
AIR QUALITY	Mitigation Measures Identified in the Project EIR			
Impact AQ-1: Construction activities for both projects would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.	MM AQ-1.1 Reduce fugitive dust The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall implement the following measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions, which shall be shown on the grading and building plans: Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.	CDD	Review and approve construction specifications prior to issuance of building permit. Include in construction specifications and implement during construction	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	■ Water graded/excavated areas and active unpaved roadways, unpaved staging areas, and unpaved parking areas at least twice daily or apply non-toxic chemical soil stabilization materials per manufacturer's recommendations. Frequency should be based on the type of operations, soil and wind exposure. ■ Prohibit all grading activities during periods of high wind (more than 15 mph). ■ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). ■ Stabilize all disturbed soil areas not subject to using approved chemical soil binders, jute netting, or gravel for temporary roads and any other methods approved in advance by the APCD. ■ Sow exposed ground areas that are planned to be reworked at dates greater than one month after initial grading with a fast germinating, non-invasive grass seed, and water until vegetation is established. ■ Plant vegetative ground cover in disturbed areas as soon as possible. ■ Use street sweepers, water trucks, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the project site. Reclaimed (non-potable) water should be used whenever possible; ■ Spray dirt stock pile areas daily as needed. ■ Place gravel on all roadways and driveways as soon as possible after grading. In addition, construct building		Review during site inspections	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	pads as soon as possible after grading unless seeding, soil binders, or frequent water application are used. - Not exceed a 15 mph vehicle speed for all construction vehicles on any unpaved surface at the construction site. - Cover or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) on all trucks hauling dirt, sand, soil, or other loose materials in accordance with California Vehicle Code Section 23114. - Limit unpaved road travel to the extent possible, for example, by limiting the travel to and from unpaved areas, by coordinating movement between work areas rather than to central staging areas, and by busing workers where feasible. - Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the project site, and inspect vehicle tires to ensure free of soil prior to carry-out to paved roadways. - Sweep streets at the end of each day, or more frequently as needed, if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.			
	MM AQ-1.2 Designate a dust compliance monitor The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive	CDD	Review and approve construction specifications prior to issuance of building permit; monitor complaint status with MBUAPCD	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include monitoring during holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the MBUAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. The applicant shall provide and post a publicly visible sign that specifies the telephone number and name to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with Rule 402 (Nuisance).	Monterey Bay Unified Air Pollution Control District (MBUAPCD) Construction Dust Monitor	Record and investigate (as necessary) complaints Post signs; respond to complaints	
BIOLOGICAL RESOURCES	Mitigation Measures Identified in the Project EIR			
Impact BIO-1: The residential development would result in a potentially adverse effect on the Carbonera Creek riparian habitat.	MM BIO-1.1 Riparian Habitat Protection and Conservation The applicant for the residential development shall implement this mitigation measure on the <u>residential development property</u>. Protection As reflected in the proposed site plan, the project applicant shall retain 25,000 square feet of riparian habitat located in the eastern portion of the project site. Prior to the initiation of ground-disturbing activities for Buildings 1, 2, 3, 4, 9, or 10, the riparian habitat shall be marked with protective fencing installed at least 30 feet beyond the extent of habitat to be preserved, or other distance as approved by a qualified biologist.	CDD CDFW Qualified biologist	Review and approve assessment and revegetation plan prior to approval of grading permit Informally consult regarding assessment and revegetation plan Prepare biological values and functions assessment, as well as the revegetation plan	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	During project construction, the project applicant shall complete the <u>majority</u> bulk of grading during the dry season between April 15th and October 15th to protect the riparian corridor of Carbonera Creek from grading impacts. However, limited grading may occur in winter, subject to review and approval by the Community Development Director. Replacement Prior to the disturbance of any riparian habitat associated with site clearing and grading associated with the construction of Buildings 1, 2, 3, 4, 9, or 10, a biological functions and values assessment (utilizing an accepted methodology such as the Hydrogeomorphic Approach) shall be conducted by a qualified biologist to establish a baseline for the overall biological value of the riparian habitats on the project site, inclusive of any value provided by shade from trees or other mature vegetation on species within the remaining adjacent riparian corridor and Carbonera Creek. The loss of approximately 0.43 acres of mixed riparian woodland as a result of development activities shall be mitigated through replacement of this habitat with that of similar functions and values to that being removed, as determined in the biological values and functions assessment and presented in a revegetation plan prepared by the qualified biologist. The replacement plan shall account for the expected failure of a number of seeds and plants to germinate and mature successfully. Plant species similar to those being removed shall serve as a basis for the vegetation replacement. The revegetation shall occur in such a way as to create large, contiguous blocks of habitat. Alternatively, existing riparian habitat on the			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- Reporting procedures, including the contents of annual progress reports; and - A list of criteria (e.g., growth, plant cover, survivorship) by which to measure success of the plantings, as well as contingency measures if the plantings are not successful. The Vegetation Planting and Maintenance Plan shall be reviewed and approved by the Community Development Director after consultation with the California Department of Fish & Wildlife (CDFW) pursuant to Mitigation Measure MM BIO-1.3: Streambed Alteration Agreement, and prior to approval of the Final Map-issuance of grading permits.			
	MM BIO-1.3 Streambed Alteration Agreement The applicant for the residential development shall implement this mitigation measure on the <u>residential development property</u>. The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish & Wildlife (CDFW) under provisions of Section 1603 of the California Fish and Game Code to authorize impacts to the riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement, which may include further restoration, protection from disturbance (such as fencing or signage), enhancement, and/or revegetation of riparian habitat either on-site or in selected areas off-site. Once acquired, the Streambed Alteration Agreement shall be submitted to the Community Development Director for approval prior issuance of grading permits.	CDD CDFW	Receive agreement prior to issuance of grading permit. Undertake alteration agreement process pursuant to Section 1603 of CDFG Code	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
Impact BIO-2: The residential development would cause a direct and/or indirect adverse effect on native trees and associated nesting bird sites.	MM BIO-2.1 Tree Preservation, Removal, and Replacement The applicant for the residential development shall implement this mitigation measure <u>on the residential development property</u>. Prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site, the project applicant shall: A. Provide for the planting of two trees for each "protected" tree removed, as defined by the City of Scotts Valley Municipal Code (Section 17.44.080). The location of each new tree to be planted shall be shown in the proposed project's Vegetation Planting and Maintenance Plan submitted to the Community Development Director pursuant to Mitigation Measure MM BIO-1.2; or B. Hire a certified arborist to undertake an assessment to trees to be removed to determine whether any such trees are Heritage Trees, as defined in Municipal Code Section 17.44.080. Pay into the City's Tree Replacement Fund at a rate of \$50 per protected tree, and \$535 per Heritage Tree, as indicated in the City's "Criteria for Tree Removal," or C. A combination of (A) and (B). <u>In addition, the project applicants shall be required to comply with the City's Tree Protection Regulations (Chapter 17.44.080).</u> During project construction, <u>including grading</u>, the project applicant shall implement all recommended measures of	CDD	Review and approve Vegetation Planting and Maintenance Plan; ensure receipt of tree mitigation payments; ensure tree protection zone is shown on applicable plans; prior to issuance of grading permits	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	the 2015 Tree Survey completed for the proposed project, repeated below: - Identify a tree protection zone for all "protected" trees on the project site that would remain with implementation of the proposed project and install 6-foot orange fencing around the protected area. - In areas where installation of fencing is not feasible, wrap main stems in straw wattle.			
	MM BIO-2.2 Preconstruction Bird Surveys The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. The applicant shall schedule all on-site tree removal and grading to occur between August 15th and February 1st of any given year to avoid the bird nesting season. If this schedule is not practical, the applicant shall hire a qualified biologist to conduct preconstruction nesting bird surveys no more than two weeks prior to removal of trees and grading. If nesting birds are observed, the biologist will establish a buffer zone where no tree removal or grading will occur until the biologist confirms that all chicks have fledged. The buffer zone may vary from 50 to 250 feet, depending upon the species of bird and exposure of the nest site.	CDD Qualified biologist	Construction specifications prior to issuance of grading permits. Preconstruction surveys	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
CULTURAL RESOURCES	Mitigation Measures Identified in the Project EIR			
Impact CR-1: The projects would cause a substantial adverse change to a known archeological resource.	MM CR-1.2 Archaeological Testing Program 2 The applicant for the residential development shall implement this mitigation measure on the <u>residential development property</u>. The applicant shall hire a qualified archaeologist to design and undertake an archaeological testing program consisting of three hand-excavated 1 x 1 meter units to be carried out in the area of the quartzite lithic materials. The archaeologist shall summarize the results of this program in a report to be reviewed and approved by the Community Development Director prior to issuance of the grading permit.	CDD Qualified archaeologist	Review/ approval of archaeological report prior to issuance of grading permit Design and undertake an archaeological testing program	
Impact CR-2: The projects would directly impact a paleontological resource or unique geologic feature.	MM CR-2 Paleontological Resource Monitoring The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. Prior to issuance of a grading permit, the applicant shall hire a qualified paleontologist to review the final grading plans and final geotechnical report for the project. Based upon a review of these documents, the paleontologist shall prepare a technical memorandum indicating the likelihood of encountering paleontological resources during construction and submit to the Community Development Director for review. If the likelihood is low, no further action is required and the mitigation shall be considered complete. If the likelihood is moderate-to-high, the paleontologist shall conduct intermittent monitoring during earth-moving activities. The paleontological monitor shall have the	CDD Qualified paleontologist	Review memorandum prior to issuance of building permit Prepare memorandum; if necessary, conduct monitoring, prepare report, and send to appropriate parties	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	authority to temporarily (within one working day) divert or redirect grading to allow time to evaluate any exposed fossil material. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.			
GEOLOGY, SOILS, AND SEISMICITY	Mitigation Measures Identified in the Project EIR			
Impact GEO-2: The projects would expose people or structures to substantial safety risks as a result of seismically induced ground shaking, liquefaction, settlement, lateral spreading, and/or surface cracking.	MM GEO-2 Implement geotechnical report recommendations. The applicants for both the hotel development and the residential development shall implement this mitigation measure <u>on their respective development properties.</u> The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the <i>Draft Geotechnical Investigation on Proposed Residential and Hotel Development at Enterprise Way, Scotts Valley, California</i> (TMakdissy Consulting, 2014). The design-level geotechnical report shall address, but not be limited to, site preparation and	CDD	Review geotechnical report and ensure recommendations are included in plans prior to issuance of building permits Prepare design-level geotechnical investigation	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the Community Development Director. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.			
NOISE	Mitigation Measures Identified in the Project EIR			
Impact N-1: The projects would cause a temporary or periodic increase in ambient noise levels during construction that would substantially disturb sensitive receptors.	MM N-1 Construction Noise Reduction The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. To reduce the effects of construction noise, the City of Scotts Valley shall ensure that the project applicants include the following on all construction specifications contracts for the proposed project: <u>Construction Equipment</u>. Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The applicants shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions. <u>Vehicle and Equipment Idling</u>. Construction vehicles and equipment shall not be left idling for longer than 5 minutes when not in use.	CDD Building Department Contractor	Review of and approval of construction plan prior to issuance of grading and building permits Prepare construction plan, including noise specifications; adhere to plan provisions during construction	

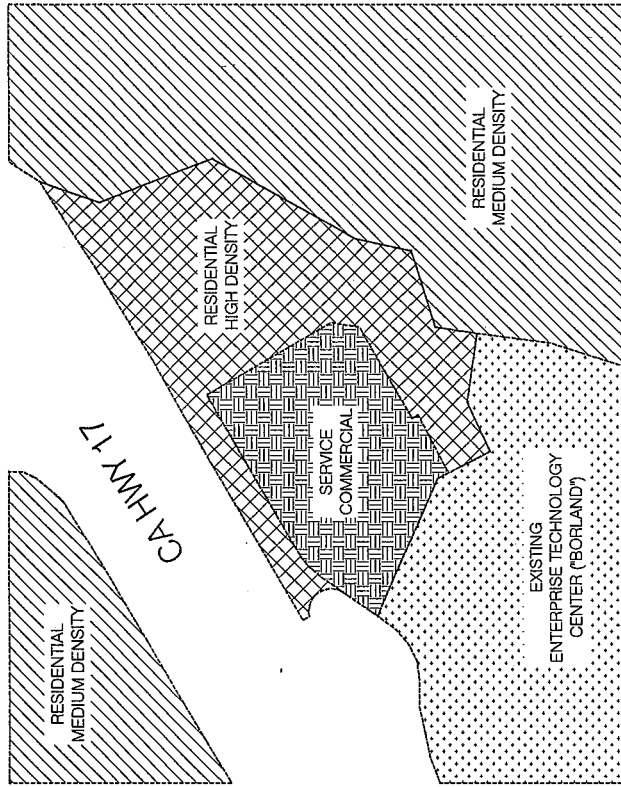
Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<u>Stationary Equipment.</u> All noise-generating stationary equipment, such as air compressors or portable power generators, shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 10 dBA. <u>Construction Route.</u> All construction traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible. <u>Workers' Radios.</u> All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity. <u>Construction Plan.</u> Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the City of Scotts Valley Building Department for approval a detailed construction plan identifying the schedule for major noise-generating construction activity. <u>Disturbance Coordinator.</u> A "noise disturbance coordinator" shall be designated by the contractor and be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The coordinator shall conspicuously post a name and telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
Impact N-3: The projects would expose project residents and hotel guests to existing and future noise levels in excess of standards established in the City of Scotts Valley General Plan.	MM N-3.1 Interior Noise Attenuation: Windows The applicants for both the hotel development and the residential development shall implement this mitigation measure on their <u>respective development properties</u>. To achieve compliance with the 45 dB DNL interior noise standard of the City of Scotts Valley Noise Element and Title 24, the following window controls shall be incorporated as part of the building plans and approved by the City prior to issuance of a building permit: ■ At habitable spaces within 110 ft. of the west property line with a direct or side view of Highway 17 (north, west and south facades) including the facades in between the buildings, provide mechanical ventilation which brings in fresh air from the outside of the unit, in conformance with Mechanical Code requirements. ■ For habitable spaces within 110 ft. of the west property line, the project applicants shall install operable windows and glass doors with a rated minimum Sound Transmission Class (STC) 36 and entry doors rated minimum STC 32. ■ For habitable spaces between 110 ft. and 185 ft. of the west property line, the project applicants shall install windows and glass doors with a rated minimum STC 32 and entry doors rated minimum STC 28. ■ For habitable spaces between 185 ft. and 245 ft. of the west property line, the project applicants shall install windows, glass doors and entry doors with a rated minimum STC 28.	CDD Building Department Qualified Acoustician	Construction documents check prior to issuance of building permits Review acoustical test report of all sound rated windows and approve of construction drawings prior to CDD and Building Department Review	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	- To ensure that the sound insulation features of project windows will be maintained, all window frames within 245 feet of the west property line shall be caulked to the wall opening around their entire perimeter with an acoustical sealant. The sliding window panels shall form an air-tight seal with the frame when in the closed position. - All other windows of the development and all bathroom windows may use any type of glazing and may be kept open as desired with the exception of bathroom windows that are an integral part of a living space and not separated by a closeable door. - Prior to issuance of a building permit, the acoustical test report of all sound rated windows shall be reviewed by a qualified acoustician to ensure that the chosen windows will adequately reduce traffic noise to acceptable levels.			
	MM N-3.2 Interior Noise Attenuation: Building Shell The applicants for both the hotel development and the residential development shall implement this mitigation measure on their respective development properties. For all habitable spaces within 110 ft. of the west property line, the shall be incorporated as part of the building plans and submitted to the Community Development Director for review and approval prior to issuance of a building permit: Unshielded entry doors having a direct or side orientation toward the primary noise source must be 1-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction, with effective weather seals	CDD Building Department	Review of construction documents prior to issuance of building permits	

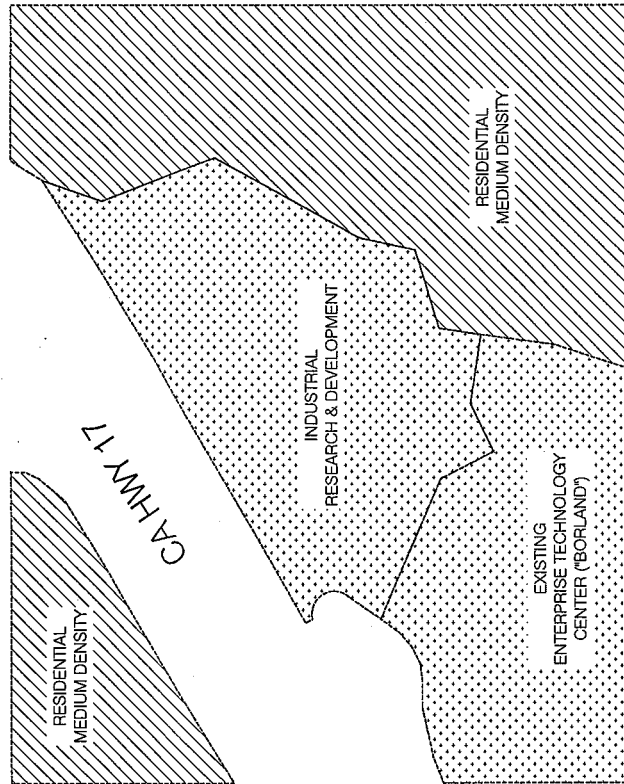
Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them. - Where penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations shall be minimized by sealing all cracks and clearance spaces with a non-hardening caulking compound. - Ventilation devices or openings shall not compromise the acoustical integrity of the building shell.			
TRANSPORTATION & CIRCULATION	<i>Mitigation Measures Identified in the project EIR</i>			
Impact TR-2: The residential development would substantially increase hazards due to a roadway design feature.	MM TR-2 Traffic Control Plan The applicant for the residential development shall implement this mitigation measure <u>for the residential development property</u>. The applicant shall hire a registered traffic engineer to prepare a Traffic Control Plan for review and approval by the Public Works Department and the Community Development Director prior to <u>issuance of building permits approval of the Final Subdivision Map</u>. The Traffic Control Plan shall include: - Preparation of a detailed sight distance evaluation for all project roadways. - Installation of all-way stop control at connecting public and private streets to eliminate insufficient sight distance. - Designation and posting of a 25-mile-per-hour speed limit on the Santa's Village Road extension and project private roadways. <u>The speed limit may be further</u>	CDD Public Works	Review and approve Traffic Control Plan prior to issuance of building permits	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<u>reduced based upon final engineering design of the roadway.</u>			



PROPOSED GENERAL PLAN LAND USE

-  INDUSTRIAL RESEARCH & DEVELOPMENT
-  RESIDENTIAL MEDIUM DENSITY
-  SERVICE COMMERCIAL
-  RESIDENTIAL HIGH DENSITY



EXISTING GENERAL PLAN LAND USE

-  INDUSTRIAL RESEARCH & DEVELOPMENT
-  RESIDENTIAL MEDIUM DENSITY

ENTERPRISE WAY



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GENERAL PLAN LAND USE MAP

LM

SCALE: N.T.S.
DATE: 12/02/2015
PROJECT: 317031