PUBLIC ADVISORY REGARDING COVID-19

Consistent with Executive Order No. N-29-20 issued by Governor Newsom on March 17, 2020, and the County of Santa Cruz Health Services Agency Shelter In Place Public Health Order dated March 31, 2020, the regular meeting of the Planning Commission for June 11, 2020 will be conducted through videoconference. Planning Commissioners and City Staff members will be participating remotely via videoconference.

Public Participation

The meeting will be available on Zoom. For those wishing to participate via Zoom, you can join from a PC, Mac, iPad, iPhone or Android device by entering or clicking on the following URL: https://us02web.zoom.us/j/81382587291

You will be given an opportunity to provide public comment at the appropriate times throughout the meeting via Zoom.

How to comment via Zoom:

1. At the appropriate times during the meeting for public comment on items not on the agenda and on specific agenda items, the Planning Commission Chair will announce that public comment will be accepted. Our usual time limits of three minutes per individual, or five minutes for an individual who is representing a group of three or more, will apply. Please note that per our standard practice, this is not a question and answer time, but simply a time for you to provide comments to the Planning Commission.

2. There is an option on Zoom to raise your hand. Please click on this option when the Chair announces that public comments will be taken. Zoom places people in line automatically. When it is your turn, you will be unmuted and you will be able
to make your comments based on the above time frames. Once your time is up, you will once again be muted and the next person in line will be given their opportunity to speak.

<table>
<thead>
<tr>
<th>Appointed Officials</th>
<th>City Staff Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carlos Arcangeli, Chair</td>
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</tr>
<tr>
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<tr>
<td>Lori Gentile, Commissioner</td>
<td>Paula Bradley, Consulting Planner</td>
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<td>David Hodgin, Commissioner</td>
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<tr>
<td>Chuck Maffia, Commissioner</td>
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**Notice regarding Planning Commission Meetings:**
The Planning Commission meets regularly on the 2nd Thursday of each month (unless otherwise noticed) at 6pm in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066.

**Agenda and Agenda Packet Materials:**
The Planning Commission agenda is available for review the Friday before the Thursday meeting on the Internet at the City’s website: [www.scottsvalley.org](http://www.scottsvalley.org) and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-Noon and 1-5pm. In accordance with AB 1344, such documents will be posted on the City’s website at [www.scottsvalley.org](http://www.scottsvalley.org).

**CALL TO ORDER**
(The Planning Commission Chair calls the meeting to order.)

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

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

**ALTERATIONS TO CONSENT AGENDA**
(The Commission can remove or add items to the Consent Agenda.)

**CONSENT AGENDA**
(The Consent Agenda is comprised of items which appear to be non-controversial. Persons wishing to speak on any items may do so raising their hand to be recognized by the Chair. These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission.)

Approve the Action Meeting Minutes from the May 14, 2020 meeting.
ALTERATIONS TO PUBLIC HEARING AGENDA
(Commission can remove or add items to the Regular Agenda.)

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

1. Title: Bay Mountain Mixed-Use Project
   Address: 4803 Scotts Valley Drive / APN 022-082-76
   Applicant: U17-002 and DR17-003
   Property Owner: Robert C. Kim
   Project Description: Consideration of a one year time extension for Use Permit U17-002 and Design Review DR17-003 to allow construction of a new 11,592 square foot, three-story, mixed-use development on a 0.41-acre site in the C-S Service Commercial Zone at 4803 Scotts Valley Drive.
   Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com

2. Title: 76 Gas Station and 7-Eleven Store
   Address: 5451 Scotts Valley Drive / APN 022-022-08
   Applicant: Nathan Mahoney of Kimley Horn
   Property Owner: 7-Eleven, Inc.
   Project Description: Consideration of Use Permit and Design Review applications to allow the removal of the existing gas station, canopy and convenience store, and the construction of a new gas station, canopy and convenience store, and new signage on a 0.7- acre site in the C-S Service Commercial Zone located at 5154 Scotts Valley Drive.
   Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com

ALTERATIONS TO REGULAR AGENDA
(Commission can remove or add items to the Regular Agenda.)

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

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

DIRECTOR UPDATES
(The Community Development Director may provide any department or city updates that are available.)
ADJOURNMENT
(Adjournment shall be no later than 11pm unless extended by a four-fifths vote of all Planning Commission members or a unanimous vote of the members present per City Municipal Code Section 2.21.010.)

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a Planning Commission meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the Community Development Department at 831-440-5630 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a Planning Commission meeting be available in an alternative format consistent with a specific disability, please call the Community Development Department. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.
Minutes
Scotts Valley Planning Commission
Meeting was Remote Access Only
Date: May 14, 2020
Time: 6:00 PM

CITY OF SCOTTS VALLEY
1 Civic Center Drive
Scotts Valley, CA 95066
831-440-5630

MEETING LOCATION
City Council Chambers
1 Civic Center Drive
Scotts Valley, CA 95066

POSTING: The agenda was posted on May 8, 2020, at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org.

Appointed Officials
Carlos Arcangeli, Chair
Rosanna Herrera, Vice Chair
Lori Gentile, Commissioner
David Hodgin, Commissioner
Chuck Maffia, Commissioner

City Staff Members
Taylor Bateman, Community Development Director
Brenda Stevens, Associate Planner
Daryl Jordan, Public Works Director

CALL TO ORDER: 6:00 pm

ROLL CALL: Present: Arcangeli, Gentile, Herrera, Hodgin and Maffia

PUBLIC COMMENT: None

ALTERATIONS TO CONSENT AGENDA: None

CONSENT AGENDA:
A. Action Meeting Minutes from January 16, 2020 meeting.

M/S: Hodgin / Gentile
To approve the minutes from the January 16, 2020 meeting.
Carried: 5-0-0
AYES: Arcangeli, Gentile, Herrera, Hodgin and Maffia.

ALTERATIONS TO PUBLIC HEARING AGENDA: None.

PUBLIC HEARING AGENDA:
None.
ALTERATIONS TO REGULAR AGENDA: None.

REGULAR AGENDA:

1. **Title:** Capital Improvement Program for FY2020/2025 Consistency Report with the City's General Plan  
   **Address:** City-wide  
   **Applicant:** City of Scotts Valley  
   **Project Description:** State law requires cities to adopt a Capital Improvement Program (CIP) to implement the cities’ General Plan. The CIP is a list of the proposed public works projects. The CIP is a list of the proposed public works projects. The City's Public Works Department develops the CIP as a 5-year program and updates the program each year. Bylaw, the Planning Commission must review the CIP for consistency with the General Plan.  
   **Staff:** Daryl Jordan, Public Works Director  
   
   **M/S:** Maffia / Herrera  
   To approve Resolution No. 1753  
   **Carried:** 5-0-0  
   **AYES:** Arcangeli, Gentile, Herrera, Hodgin and Maffia

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 7pm
STAFF REPORT

Applicant & Property Owner: Robert C. Kim

Application: Time Extension for Use Permit U17-002 and Design Review DR17-003

Location: 4803 Scotts Valley Drive / APN 022-082-76

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

Environmental Status: Exempt from environment review and qualifies for a Categorical Exemption from the California Environmental Quality Act under Section 15332, Class 32, In-Fill Development (urbanized area less than five acres in size).

Request: Consideration of a one year time extension for Use Permit U17-002 and Design Review DR17-003 to allow construction of a new 11,592-square foot, three-story, mixed-use development on a 0.41-acre site in the C-S Service Commercial Zone.

Staff Planner: Paula Bradley, MCP, AICP, Contract Planner

STAFF RECOMMENDATION

It is recommended that the Planning Commission approve a one year time extension for Use Permit U17-002 and Design Review DR17-003, by adoption of the attached resolution, subject to the conditions in Exhibit A.

SUMMARY OF ISSUE

On December 14, 2017, the Planning Commission approved the construction of a new 11,592-square foot, three-story mixed-use development. The project proposes ground floor retail, second floor commercial office space, and six residential apartment units on the third floor (Attachments 3, 4 & 5 – Planning Commission Minutes, Resolution and Staff Report). A full discussion of the project is attached in the Planning Commission staff
Staff determined that the project was Exempt from environment review and qualifies for a Categorical Exemption from the California Environmental Quality Act under Section 15332, Class 32, In-Fill Development (urbanized area less than five acres in size). The conditions of the site and proposed plans have not changed since the original approvals.

The applicant is requesting a time extension as he decided to sell the property along with the entitlements. The original Use Permit and Design Review approval were valid for two years from the date of approval. The Use Permit and Design Review approval Permit for the project did not expire prior to the request for an extension and cover development of a two-story office building on the site.

**ATTACHMENTS**

Resolution No. _____ to Extend Use Permit U17-002 and Design Review DR17-003 (Action Item) .................................................................................................................... 3
1. Location Map........................................................................................................ 6
2. Project Plans (dated 06/27/17) ............................................................................. 7
3. Planning Commission Meeting Minutes (12/14/2017) ........................................ 13
4. Planning Commission Staff Report (12/14/2017)............................................... 16
RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY APPROVING A ONE YEAR TIME EXTENSION FOR USE PERMIT U17-002 AND DESIGN REVIEW DR17-003 FOR A NEW 11,592-SQUARE FOOT, THREE-STORY, MIXED-USE DEVELOPMENT AT 4803 SCOTTS VALLEY DRIVE // APN 022-082-76.

WHEREAS, the Planning Department of the City of Scotts Valley has received the Time Extension application for U17-002 and Design Review DR17-003, filed by Robert C. Kim to for a new 11,592-square foot, three-story, mixed-use development at 4803 Scotts Valley Drive // APN 022-082-76; and

WHEREAS, Robert C. Kim, (referred to as “applicant”) has presented substantial evidence which describes and supports the application; and

WHEREAS, the application was reviewed for completeness and is determined to that the project was Categorically Exempt from environment review and qualifies for a Categorical Exemption from the California Environmental Quality Act under Section 15332, Class 32, In-Fill Development (urbanized area less than five acres in size) as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, the conditions of the site and the proposed plans have not changed since the original approval; and,

WHEREAS, a public hearing on the proposed project was held by the Planning Commission on November 9, 2018, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, a hearing on the proposed time extension was held by the Planning Commission on February 6, 2020, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

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

The Planning Commission of the City of Scotts Valley does hereby determine, as further clarified in the Planning Commission Staff Report dated December 14, 2017, that, a one year time extension is justified and is hereby granted subject to the Conditions of Approval set forth in Exhibit A, which are incorporated herein by this reference.
THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by
the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting
held on the 11th day of June, 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____________________________________
Chair Carlos Arcangeli

_____________________________________
Taylor Bateman, Community Development Director
EXHIBIT A
CONDITIONS OF APPROVAL

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.

2. After Planning Commission approval, the property owner shall sign the Conditions of Approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits or within 30 days whichever occurs first.

3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.

PLANNING DEPARTMENT

4. All applicable Conditions of Approval and Mitigation Measures for the project shall remain in effect.

5. The Use Permit is extended from December 14, 2019 to December 14, 2020.

Name and Signature of Property Owner ___________________________ Date ___________________________
These Drawings are Instruments of Service issued for a one-time, single use by the Owner. The entire contents of these Drawings are Copyright © 2017 by Daniel Silvernail of SILVERNAIL ARCHITECTS, LLC, Architect retains all right and title. No part may be reproduced in any fashion or medium without the express written permission of the Architect.

SCHEMA TIC DESIGN
APN: 022-082-58
501 Mission St Suite #2  Santa Cruz CA 95060   831.462.9138
Daniel Silvernail Architect, Inc.

DRAWN
7/28/17
9/7/17
C-24335
DANIEL MATTHEW SILVERNAIL
RENEWAL DATE 6-30-2019

±0" 1 T.O.S  +14'-6"
2 T.S.F.  +24'-6"
3 TSF  +35'
4 DIST HT LIMIT
FASCIA: PAINTED SPRUCE
CLADDING: COURSED FIELDSTONE
CLADDING: EXTERIOR CEMENT PLASTER
VISION & SOUND-ATTENTUATING MECH SCREENS
WOOD & METAL RAILS

OPERABLE VINYL WINDOWS
ANOD ALUM STOREFRONT
WOOD & METAL RAILS
LATTICEWORK: PAINTED REDWOOD

SCALE: 1/8" = 1'-0"
These Drawings are Instruments of Service issued for a one-time, single use by the Owner. The entire contents of these Drawings are Copyright © 2017 by Daniel Silvernail of DANSIL, ARCHITECTS. Inc. Architect retains all right and title. No part may be reproduced in any fashion or medium without the express written permission of the Architect.

NORTH ELEVATION

SCALE: 1/8" = 1'-0"

WEST ELEVATION

SCALE: 1/8" = 1'-0"
Plant Legend

- [ ] Wood Fence - F1

Landscape Notes

- [ ] Wood Fence

Fence Legend

- [ ] Wood Fence

Landscape Area

- [ ] Wood Fence

Planting Plan

1"=10'-0"

Bay Mountain Community

4603 Scott Valley Drive

Mammoth, CA 93546

(760) 926-9494

L1
Minutes
Special Meeting of the
Scotts Valley Planning Commission

Date: December 14, 2017
Time: 6:00 PM

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<tr>
<td>(831) 440-5630</td>
<td></td>
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</tbody>
</table>

**Appointed Officials**

| Derek Timm, Chair  |
| Carlos Arcangeli, Vice Chair  |
| Robin Donovan, Commissioner  |
| Rosanna Herrera, Commissioner  |
| Deborah Muth, Commissioner  |

**City Staff Members**

| Taylor Bateman, Acting Community Development Dir.  |
| Michelle Edwards, Senior Planner  |
| Brenda Stevens, Assistant Planner  |

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

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

**ROLL CALL:** Present: Timm, Herrera, Muth, (Arcangeli, arrived at 8:05) Absent: Donovan with cause.

**PUBLIC COMMENT:** None.

**ALTERATIONS TO CONSENT AGENDA:** None.

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

Action Meeting Minutes from the November 9, 2017 meeting.

M/S: Herrera/Muth
To approve the Consent Agenda.
Carried: 3/0/2 (AYES: Herrera, Muth, Timm; NOES: None; ABSENT: Arcangeli and Donovan with cause.

**ALTERATIONS TO REGULAR AGENDA:** None
PUBLIC HEARING AGENDA:

M/S: Herrera/Muth
To hear items 2 and 3 before item 1.
Carried: 3/0/2 (AYES: Herrera, Muth, Timm; NOES: None; ABSENT: Arcangeli and Donovan with cause).

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

M/S: Herrera/Muth
To approve Use Permit No. U17-006, subject to amended Conditions by adding Condition #9 regarding parking, via Resolution No. 1723.
Carried: 3/0/2 (AYES: Herrera, Muth, Timm; NOES: None; ABSENT: Arcangeli and Donovan with cause).

REGULAR AGENDA:

3. Project Name: Oak Creek Park Application Appeal
   Address / APN: 3640 Glen Canyon Road / 022-162-76
   Appellant: Charlie Eadie of Eadie Consultants
   Property Owner: Granum Partners
   Project Description: Consideration of an appeal of the Acting Community Development Director’s determination that a submitted development application for residential and commercial uses is inconsistent with the City’s General Plan.
   Staff Planner: Taylor Bateman, Acting Community Planning Director, (831) 440-5630, tbateman@scottsvalley.org

M/S: Muth/Herrera
To deny the appeal.
(The Planning Department will prepare a Resolution for Planning Commission approval at the next Planning Commission meeting.)
Carried: 3/0/0
(AYES: Muth, Herrera, Timm; NOES: None; ABSENT: Arcangeli and Donovan)
The Planning Commission took a break and resumed the meeting at 8:05pm. Chair Timm recused himself from item No. 1 due to a potential conflict and left the meeting. Commissioner Arcangeli arrived at 8:05pm.

PUBLIC HEARING AGENDA:

1. **Project Name:** Bay Mountain Mixed-use  
   **Address / APN:** 4803 Scotts Valley Drive / 022-082-76  
   **Applicant / Property Owner:** Robert Kim  
   **Planning Permit Application Nos.:** U17-002, DR17-003, DR17-004  
   **Project Description:** Consideration of a Use Permit, Design Review, Sign Design Review, and reduced (shared) parking to allow a mixed-use development on a 0.41-acre site in the C-S Service Commercial Zone. The project proposes a new three-story building with approximately 1,800 square feet of ground floor retail space; 2,530-square feet of second floor office space; and six apartment units on the third floor. Site improvements and amenities include: 19 parking stalls, landscaping, enclosed trash, recycling area, bicycle parking, and a public art feature.  
   **Staff:** Scott Harriman, Contract Planner, skharriman@sbcglobal.net

   M/S: Arcangeli/Herrera  
   To approve Resolution No. 1725 amending conditions of approval to delete Condition No. 36 (deleting the EV charging station requirement) and adding a condition to limit the one bedroom units to one vehicle parking per unit and granting a two year approval for the Use Permit (Per Section 17.50.020 (F) (1) of the SVMC) to run concurrent with the Design Review approval.  
   Carried: 2/1/2 (AYES: Arcangeli, Herrera; NOES: Muth; ABSENT: Timm and Donovan)

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 9:05
City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date: December 14, 2017

Applicant / Property Owner: Robert Kim

Architect: Daniel Silvernail Architects, Inc.

Applications: Use Permit U17-002 and Design Review DR17-003

Location: 4803 Scotts Valley Drive / APN 022-082-76

General Plan / Zoning: Service Commercial / C-S

Environmental Status: Exempt from environment review and qualifies for a Categorical Exemption from the California Environmental Quality Act under Section 15332, Class 32, In-Fill Development (urbanized area less than five acres in size).

Request: Consideration of Use Permit and Design Review applications to allow construction of a new 11,592-square foot, three-story mixed-use development on a 0.41-acre site in the C-S Service Commercial Zone. The project proposes ground floor retail, second floor commercial office space, and six residential apartment units on the third floor.

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

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Use Permit U17-002 and Design Review DR17-003 by adopting the findings in the attached Resolution, subject to the attached Conditions of Approval in Exhibit A.

SITE AND PROJECT DESCRIPTIONS

The project proposes a three-story, 35-foot tall, 11,592-square foot, mixed-use development consisting of approximately 1,800-square feet of ground floor retail, 2,528-
square feet of commercial office space on the second floor and six residential apartment units on the third floor. The building is designed with a porte-cochere drive aisle with partially covered parking and an atrium-style open roof that provides light and air on the second and third floors. The project is situated on a previously developed, now vacant 0.41-acre parcel on Scotts Valley Drive in the C-S, Service Commercial Zone.

The 0.41-acre parcel was created in 2014 through a subdivision that allowed for eight two-story single-family homes on Siri Lane, a private street to the rear of the subject site. The site has a gentle slope of five-percent from the rear of the parcel downward toward the street frontage. The site is sparsely vegetated with four on-site trees, which would be removed. Other trees are located off-site in close proximity to the north and south property lines.

The site contains one existing driveway along the Scotts Valley Drive frontage, which would be relocated southerly approximately 60-feet as part of the proposed development. Access to the site through the driveway is limited to right-in and right-out due to the existing median on Scotts Valley Drive. The site is surrounded by existing land uses on all adjacent parcels; residential to the south and west, a commercial auto repair facility to the north, and Scotts Valley Drive to the east. All public utilities are available to the site.

The project proposes site grading such that the proposed building’s first floor finished grade will be approximately five-feet lower than the adjacent residential site to west (rear); one-foot lower than the adjacent site to the south; and one to four feet lower than the auto repair facility to the north. These grade changes would be supported by architectural grade split-face block retaining walls and six and eight-foot high redwood fences along the southerly and northern property lines respectively.

The proposed three-story building is 35-feet in height with two elevator/stair towers and rooftop mechanical equipment. Pursuant to Section 17.46.050, towers and roof-top mechanical appurtenances are permitted to exceed the building height limit provided they cover not more than 10-percent of the ground area covered by the building and erected to a height not more than 25-feet above the height limit. In this case, the roof-top mechanical equipment is approximately three feet above and the two elevator/stair towers rise approximately 7.5-feet above the 35-foot height limit, well below the 25-foot allowable height limit The roof-mounted mechanical equipment and towers total less than 10-percent of the 8,300-square foot ground area covered by the building.

Exterior siding materials on the building include coursed fieldstone on the retail commercial ground floor and cement plaster finish on the second and third floors. Architectural details throughout the building include wood and metal deck railings, anodized aluminum windows for each level; commercial storefront windows on first and second floors and operable vinyl casement windows on the residential third floor. An elevator tower, clad in fieldstone, is proposed at the north elevation. The applicant is proposing to utilize this elevator tower as the location for a public art feature, which is shown as an “eye” that functions as a clock.

The project proposes 19 full-size parking stalls, two of which are handicap accessible. The existing driveway that serves the site will be relocated to accommodate on-site
vehicle circulation. The new driveway and drive aisle forms a "hammer-head" turn-around that allows service vehicles the ability to turn around on-site and exit onto Scotts Valley Drive in a forward direction. The relocated driveway requires the project to relocate a number of existing pad-mounted utility cabinets. The area below the driveway surface will be used for the required stormwater retention and filtration system.

The site plan includes perimeter landscaping, front and rear yard landscaping including an open space lawn area of approximately 708-square feet. Landscape irrigation would be served with recycled water. Project plans include a stormwater control plan that provides retention and filtration of stormwater. Paved accessible walkways are provided around the site with two pedestrian sidewalks to the public sidewalk. Bicycle parking is also provided near a fully enclosed trash and recycling enclosure at the rear of the site. The applicant has reported that they have confirmed with the local trash hauler that adequate over-head clearance is provided to accommodate access to trash enclosure for pick-up.

The project requires a Conditional Use Permit for multi-family dwellings located above the ground level commercial use, Architectural and Site Design Review, Environmental Review and Sign Review. The applicant is also requesting Planning Commission consideration of reduced (shared) parking for the mixed-use project pursuant to Scotts Valley Municipal Code (SVMC) Section 17.20.045, Development Standards for Mixed-Use Projects.

DISCUSSION AND ANALYSIS

Staff has reviewed the proposed project for compliance with the City's regulations and requirements. The project is subject to C-S, Service Commercial zoning development standards, a Use Permit, and Design Review. An analysis of the project and applicable code provisions for the Planning Commission's consideration is provided below.

Use Permit for Multi-Family Dwellings: In the C-S, Service Commercial zoning district, multi-family dwellings located above the ground-level commercial use is a conditional use which requires use permit approval by the Planning Commission. The use permit process evaluates if the proposed use is consistent with the objectives of the zoning district and if the use will have a negative impact on adjacent uses. This section evaluates the project's compliance with the C-S zoning district regulations.

Zoning Compliance: The following table describes the project's compliance with the C-S zoning standards.

<table>
<thead>
<tr>
<th>Standard</th>
<th>C-S Service Commercial Development Standards</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
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<td>Bldg. Coverage</td>
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<td>Residential Side</td>
<td>10-feet</td>
<td>10-feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Height</td>
<td>35-feet</td>
<td>35-feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Height exception</td>
<td>Additional 25-feet for towers, roof-top mech. equipment, etc.</td>
<td>7.5-feet for tower, 3-feet for mech. equipment</td>
<td>Yes</td>
</tr>
<tr>
<td>Fence</td>
<td>6-foot adjacent to “R”</td>
<td>6-foot redwood fence</td>
<td>Yes</td>
</tr>
<tr>
<td>------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>-----</td>
</tr>
<tr>
<td>Landscape Area</td>
<td>Min 10%</td>
<td>23%</td>
<td>Yes</td>
</tr>
<tr>
<td>Front Landscape</td>
<td>Min 10-feet</td>
<td>Average 10-feet</td>
<td>See landscape discussion below</td>
</tr>
<tr>
<td>Trash Disposal</td>
<td>Adequate/Screened/Accessible</td>
<td>Adequate/Screened/Accessible</td>
<td>Yes</td>
</tr>
</tbody>
</table>

As shown in the table above, the project is consistent with C-S Service Commercial zoning standards with the possible exception of the front landscape depth requirement, which is discussed in the Design Review landscape section below.

**Mixed-Use Development Standards:** Section 17.20.045 of the C-S zoning district regulations include development standards for mixed-use projects designed specifically to insure an appropriate accommodations between commercial and residential uses on the same or adjacent parcels. Standards for mixed-use projects include a residential density range, shared parking, private and community outdoor space, location of truck docks (not applicable in this case) and setbacks for residential uses. The Planning Commission has discretion in review of shared (reduced) parking and provision of private and common useable open space areas.

The table below provides an overview of project’s compliance with the C-S zone mixed-use development standards.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Mixed-Use Development Standards in C-S Zone</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Density</td>
<td>15-20 units/acre</td>
<td>6 units (15 units/acre)</td>
</tr>
<tr>
<td>Parking</td>
<td>Per zoning: 31 spaces</td>
<td>19 spaces</td>
</tr>
<tr>
<td></td>
<td>Shared parking may be permitted by PC if viable</td>
<td>Shared parking proposed</td>
</tr>
<tr>
<td>Private outdoor space</td>
<td>100-sq ft of private outdoor area per unit. PC may allow common open space in lieu of private space for all units</td>
<td>708-sq ft of ground level lawn common space plus four private balconies averaging 120 square feet each.</td>
</tr>
<tr>
<td>Truck loading dock location</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Residential setbacks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>10-feet</td>
<td>30.5-feet</td>
</tr>
<tr>
<td>Rear</td>
<td>15-feet</td>
<td>20-feet</td>
</tr>
<tr>
<td>Left Side</td>
<td>10-feet</td>
<td>15-feet</td>
</tr>
<tr>
<td>Right Side</td>
<td>10-feet</td>
<td>10-feet</td>
</tr>
</tbody>
</table>

The following analysis is provided to assist the Planning Commission in the evaluation of the project’s proposed shared parking and private outdoor space.

**Traffic Analysis and Shared Parking:** A transportation and parking impact analysis dated August 1, 2017 was prepared by J. Daniel Takacs, CA TE 1549, a California registered Traffic Engineer, which evaluates potential impacts to the City’s transportation network and to assess the proposed shared parking plan. The report states that the project is estimated to generate 12 net new trips during the AM peak hour and 15 net
new trips during the PM peak hour, and concludes that the project would not have a significant impact to the city's traffic operations.

The parking requirement for each of the three proposed uses calculated independently is 31 spaces as shown in the table below.

<table>
<thead>
<tr>
<th>Individual Use Parking Space Requirement</th>
<th>Floor area</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail</td>
<td>1 space/250sf</td>
<td>1878sf</td>
</tr>
<tr>
<td>Office</td>
<td>1 space/250sf</td>
<td>2528sf</td>
</tr>
<tr>
<td>Residential</td>
<td>2/unit + 1guest/5units</td>
<td>6 units</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Shared Parking:** Pursuant to Section 17.20.045(B), the Planning Commission may reduce parking standards in cases where shared parking is feasible and viable. In this case, the proposed mixed-use project provides 19 full-size parking stalls in a shared parking arrangement based on the peak parking demand for the combined uses. Analysis of the parking demand for the project is included in the traffic report (Transportation Study, Exhibit 10A and 10B) and includes weekday and weekend parking demand, for retail, office, and residential, hourly from 6AM to 12 midnight.

The parking demand study concludes that the project's weekday shared parking demand is estimated to be 19 parking spaces and the weekend shared parking demand is estimated to be 12 parking spaces. With 19 parking spaces provided on the project site, the estimated shared parking demand of 19 spaces will equal the parking supply. The report states that, ideally, it is desirable for the parking supply to exceed the peak parking demand by 5 to 10 percent (1 to 2 additional spaces) to provide a buffer over the estimated parking demand, and recommends that the owner of the project limit residential units to one vehicle per unit.

In review of the proposed mixed-use shared parking plan, the parking demand study, and street parking in the surrounding area, any potential burden of a parking shortfall on the project site would fall on tenants of the proposed development. As the residential units are rental (not for-sale units), the property owner could limit residential parking in rental leases. Residents of rental units with parking restrictions tend to be self-selecting and are therefore less impacted by parking limitations. Street parking is not permitted on Scotts Valley Drive, however there is street parking on Carbonero Drive, which is often heavily used during daytime hours, although lesser so during evening and early morning hours when residential parking demand is highest.

Transportation alternatives are available to the site. Santa Cruz Metro currently operates Bus Route 35A on Scotts Valley Drive, providing weekday and weekend service between Santa Cruz Metro Transit Center in the Boulder Creek area. Route 35A bus stops are located on Scotts Valley Drive at Civic Center Drive, which is about 1,050 feet south of the project site, and Dunslee Way, which is about 600 feet north of the project site. Service headways are one-half hour on weekdays and one hour on weekends. The project also includes bicycle parking on site.
Based on the above analysis, the Planning Commission may find that the shared parking for the proposed mixed-use development is feasible and viable and authorize the requested parking reduction.

**Private outdoor space:** Pursuant to Section 17.20.045(C), each dwelling shall have private, usable outdoor space, i.e. decks, balconies, yards, or patios of one hundred square feet per residential unit. The Planning Commission may determine that the required private outdoor space is not appropriate in a particular building design and allow the required outdoor space to be common open space for all residential units.

In this case, the project includes six residential apartment units: four two-bedroom units and two one-bedroom units. The four two-bedroom units each have private outdoor deck space. The sizes of the private decks for units 1, 2, 4 and 5 are: 90, 160, 114, and 117-square feet, respectively. Three of the four decks comply with the 100-square foot size requirement. The two one-bedroom units do not have private open space. The project does provide a rear-yard common landscaped area that includes a lawn area approximately 59-feet long by 12-feet wide, with an area of 708-square feet. This residential common open space area would be available to all tenants of the building and exceeds the 100-square foot per unit standard, albeit not private. In addition, the atrium open-roof design on the second and third levels provides a unique opportunity for an outdoor environment within the building’s interior. The Planning Commission may determine that the project’s 708-square foot lawn area and unique open roof atrium design provides an appropriate level of useable outdoor space accessible to all of the building’s tenants, and includes private decks for four of the proposed six residential units.

**Design Review for New Structures:** Architectural and Site Plan Design Review is required by the Planning Commission for all (new) structures and signage in the C-S zoning district. The following section describes the project’s architectural details and compliance with the required design review criteria.

**Site Plan:** The proposed mixed-use building is located centrally on the lot and complies with all required commercial and residential setbacks. The site plan incorporates landscaping throughout the site, adds 11 new trees, provides a trash and recycling enclosure, 19 parking stalls, and special paving details, and is designed to accommodate storm water treatment and retention. The building’s open-roof interior atrium and ground level courtyard design, and landscaped site plan work together to create an interesting indoor and outdoor experience.

**Architecture; mass, colors, proportions, details:** The building’s architectural massing and details could be described as horizontal in nature. The design de-emphasizes height through the use of long continuous features such as horizontal arbors and deck railing that run the entire length of the building, an articulated flat roof design, and the building materials and color pattern, which includes a different color on each of the three levels.

The project proposes a durable ground floor material of stacked (coursed) fieldstone for the commercial façade that provides visual “weight” to anchor the building. The second and third floors are clad in cement plaster with a medium earth-tone color on the second level and a lighter color on the third floor. Anodized aluminum window systems are used
throughout the building with storefront windows on the ground floor, multiple-light windows for the second level office space, and operable casement windows on the residential third level. The window sizes are scaled for their application, with larger storefront windows on the ground level, getting progressively smaller on the second and third levels, creating a hierarchy of design.

Architectural details include decorative trellises, glass skylights, decks with wood and metal railings, fascia bands, and roof overhangs that provide shade, add visual depth, and “cap” the building design. Roof-mounted equipment is located toward the center of the roof and behind sound-attenuating mechanical screening. An elevator/stair tower is proposed on the north façade, clad with stacked fieldstone to match the base material. Windows are situated on the front and rear tower elevations to allow natural light into the interior space. The elevator tower is also the location for the project’s public art contribution, which is shown as a clock in the shape of an eye.

**Lighting:** The project proposes exterior lighting to include a pole light at the front driveway entrance, low bollard lighting around the rear yard landscaped area, and wall fixtures on the front building façade. Conditions of approval require any pole lights to be a maximum of 12-feet in height and all light sources to be down-directed and shielded to prevent glare onto adjacent properties. Conditions of approval also require that lighting in the porte-cochere be recessed in the ceiling with no exposed light sources or electrical conduit. All exterior light fixtures are required to be architectural grade to complement and integrate into the building design. In addition, conditions of approval require that lighting in the two stair towers be designed to reduce light intrusion on neighboring residential properties.

**Signage:** Pursuant to the city’s sign ordinance, Section 17.56.180, an integrated sign program may be prepared for developments with three or more tenant spaces. The applicant is proposing an integrated sign program to accommodate a variety commercial tenant spaces on the ground and second levels. One square foot of sign area is permitted for each linear foot of storefront. The primary street-facing ground level storefront is approximately 57-feet in length, which would allow individual tenant signs totaling 57-square feet. The building is designed with three storefront colonnades, which could accommodate sign area for three tenants of approximately 19.5-square feet each; or individual tenant signs measuring 2-feet x 9.5-feet. The sign program, included as Exhibit B in the resolution, allows each primary street-facing ground floor tenant, or one tenant leasing the entire first floor, to have one storefront identification sign.

A fourth front-facing tenant sign, to accommodate a secondary retail tenant with interior courtyard frontage within the building, may be permitted. The fourth tenant sign could be located between the street-facing colonnades over the covered parking area. This colonnade sign band could accommodate a secondary tenant sign of similar size and design as the three primary tenants. The secondary sign colonnade in the covered parking area would provide appropriate way finding to the entrance of the secondary retail area. No commercial signage would be permitted over the driveway colonnade.

Signage for the second floor office space would be accomplished through a pedestrian level tenant directory sign at the main courtyard entrance. Street-facing window signs for the second level tenants are also proposed. Window signage is permitted on second
floor spaces, however use of neon is discouraged. Staff recommends that second level window sign be non-illuminated and designed to fit within an individual windowpane. **Center Identification:** The project proposes a 6'-3" tall freestanding sign along the site’s frontage. One freestanding monument sign may be permitted to identify the center, pursuant to the sign ordinance, Section 17.56.180. The maximum allowable sign area for the freestanding sign is 40-square feet for each acre of land. In this case, the 0.41-acre site would be permitted a maximum freestanding sign area of 16.4-square feet. The project proposes a freestanding sign face measuring 6-feet by 2.5-feet or 15-square feet, in compliance with the maximum allowable area. The monument sign is setback approximately seven-feet from the back of the public sidewalk in compliance with the minimum setback requirement of five-feet.

**Landscaping and Irrigation:** The project proposes irrigated landscaping throughout the site and a variety of ground covers, and low and medium height bushes. A common open space lawn area is proposed at the rear of the site. A total of 11 new trees are proposed including six 24-inch box trees and five 15-gallon trees. The irrigation system will utilize recycled water.

In review of the landscape plan, staff notes that sufficient numbers of plants are proposed although some of the plantings near the street may not be sufficiently hardy for their street front location and may be susceptible to freezing. Conditions of approval included in the resolution recommend the landscape architect provide alternative plant selections in the front landscape area. Staff also suggests placement of landscape boulders in strategic locations to enhance and provide variety to the landscape environment.

**Front landscape dimension:** As previously mentioned on the zoning compliance section above, Section 17.20.040(K) of the C-S zoning district states that not less than 10 feet of a required yard adjoining a street shall be landscaped and permanently maintained. The project provides a 10-foot landscape strip across the property frontage. However, approximately six-feet of the ten-foot wide landscape strip is within the public right-of-way, which is not the project site’s required yard. Four-feet of the 10-foot landscape strip adjoining the street is within the project site’s required front yard. However, the proposed building is setback over 30-feet from the front property line which provides additional front yard and architectural foreground landscaping, including a 25-foot wide and 30-foot deep landscaped area along the northern property frontage. The project proposes three new 24-inch box trees within the 30-foot front setback, spaced across the sites and in front of the building to provide additional front yard landscape enhancement. Staff believes there may be room for two or three additional trees adjacent to the public sidewalk that would provide additional public benefit along the property frontage.

Expanding the front yard landscape width adjacent to the front sidewalk to achieve a 10-foot wide planter width would impact the vehicle turn-around and likely eliminate two parking spaces. Staff believes that the 30-foot building setback with front yard and architectural foreground landscaping as proposed, enhanced further with two or three additional street trees, provides an appropriate balance of landscape and hardscape and in total, meets or exceeds the minimum 10-foot width front landscape requirement.
Trees: An arborist report was prepared for the proposed development which evaluates 16 trees associated with the proposed development; four on-site and 12 immediately adjacent trees with canopies that over-hang the project site. The project proposes to remove the four on-site trees, two of which (#21 and #30) meet the City's "protected" criteria. Tree #21, a Valley Oak, is identified as having "fair" health and "poor" structure. Tree #30, a Coast Redwood, is identified as having "good" health and "poor" structure with a high failure potential. To compensate for the loss of these two protected trees the arborist report recommends eight replacement trees; six 24-inch box trees and two 15-gallon replacement trees, and a maintenance and monitoring program as a condition of project approval. In addition to the eight required replacement trees, the project landscape plans includes three additional 15-gallon trees for a total of 11 trees to be planted throughout the site. Proposed replacement trees are European Hornbeam (five 24-inch box), Chinese Pistache (one 24-inch box) and African Sumac (five 15-gallon).

The remaining 12 trees that will be potentially impacted by the proposed construction are located on adjacent properties to the north and south. Preconstruction root-pruning and canopy clearance pruning, under the direction of the project arborist, is recommended. The arborist report recommends a simple direct cable to support weakly attached stems of tree #18 on the adjacent property to the north. Any work performed off-site by the applicant, such as recommended for tree #18, can only be performed with the permission of the property owner. The arborist report includes the appraised value of trees to be preserved and protected as part of the proposed development plan. Conditions of project approval require compliance with the arborist report, planting replacement trees, and bonding of protected trees.

Parking and paved areas: A discussion of the shared on-site parking is included in the use permit section. From a design perspective, the parking lot is composed of a combination of pervious pavers, concrete and stamped concrete. Paved areas throughout the project site are appropriately detailed for the scale of the development.

Vehicle Circulation: Ingress and egress to the site occurs through a conventional two-way circulation pattern. Parking stalls are designed with vehicle overhangs to allow for wider walkways, rather than concrete wheel stops that are not durable and can be a tripping hazard in parking areas. A hammerhead turn-around is provided to enable service vehicles the ability to turn around on-site and exit onto Scotts Valley Drive in a forward direction. A service vehicle turning template is provided on civil engineering plan sheet, C2.1, to demonstrate the vehicle turning movement.

Fence Details: The project is proposing to maintain the existing 8-foot tall solid wood and lattice fence along the rear (west) property line due it's relative new age, good condition, and unique design. The applicant is proposing a new 8-foot tall solid wood fence, pursuant to Section 17.46.110(F), along the shared property line with the auto repair facility to the north. Along the southern property line, which is shared with a number of residential units, the applicant is proposing to install a new 6-foot tall good neighbor solid wood fence. Conditions of approval require that all fences be designed and constructed with over-lapping fence boards with no air gaps to reduce noise levels on adjacent properties. The applicant has expressed a willingness and desire to work with all adjacent property owners along shared property lines to ensure that all new and existing fences are permanently maintained.
Environmental Determination: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Categorical Exemption 15332, In-Fill Development Projects.

Class 32 consists of projects characterized as in-fill development that: are consistent with the applicable general plan and zoning designations and regulations; are within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; the site can be adequately served by all required utilities and public services.

In this case, the project site is consistent with the C-S, Service Commercial General Plan and Zoning designations, is within the city limits on a 0.41-acre site surrounded by developed urban uses. The site was previously developed, and has no value as habitat for endangered, rare or threatened species. Approval of the proposed mixed-use project would not result in any significant effects relating to traffic, noise, air or water quality. Further, the site is adequately served by all required utilities and public services. The project is therefore exempt from CEQA.

PUBLIC NOTICE & COMMENT

A public notice was posted on the site and mailed to surrounding property owners within 300 feet pursuant to State law. One comment letter has been received (Attachment 7).

FINDINGS AND CONCLUSION

Based on this analysis and the attached Conditions of Approval in Exhibit A, staff believes that the required findings can be made, as shown in the attached Resolution. Other reviewing City Departments and public agencies have reviewed the proposed use and plans and have recommended approval. Staff recommends that the Planning Commission approve Use Permit U17-002 and Design Review DR17-003, subject to the attached Resolution and Conditions of Approval in Exhibits A and B.

ATTACHMENTS

Resolution to Approve Use Permit U17-002 & Design Review DR17-003 (Action Item)

Exhibit A – Conditions of Approval (Attached)
Exhibit B – Planned Sign Program (Attached)

1. Location Map........................................................................................................................................12
2. Project Plans (Attached)
4. Acoustical Engineering Study prepared by: magic sound dated February 27, 2017 (Attached)
5. Geotechnical Investigation prepared by: Dees and Associates, Inc. dated February 2017 (Attached)
dated October 20, 2017 (Attached)

7. Comment letter received from Richard W. Smith dated October 23, 2017 (Attached)

* Please note that the project plans are provided in the Planning Commission packets. However, the project plans and file are available for public review in the Planning Department Monday-Thursday 8AM-12PM, or by appointment, at City Hall, One Civic Center Drive, Scotts Valley. Please call the Planning Department at (831) 440-5630 if you have any questions.
RESOLUTION NO.
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF SCOTTS VALLEY APPROVING USE PERMIT U17-002 AND
DESIGN REVIEW DR17-003 TO ALLOW CONSTRUCTION OF A NEW
11,592-SQUARE FOOT, THREE-STORY MIXED-USE DEVELOPMENT
IN THE C-S, SERVICE COMMERCIAL ZONING DISTRICT AT 4803
SCOTTS VALLEY DRIVE / APN 022-082-76

WHEREAS, the Planning Department of the City of Scotts Valley has received Use Permit and Design Review applications to allow the construction of a new three-story mixed-use development in the Service Commercial zone, filed by Robert Kim, applicant and owner, at 4803 Scots Valley Drive / APN 022-082-76.

WHEREAS, the application was reviewed for completeness and is determined to be a "project" as defined by the California Environmental Quality Act (CEQA);

WHEREAS, the project is Categorically Exempt from further review under the California Environmental Quality Act under Section 15332, Class 32, In-Fill Development (project site in urbanized area of less than five acres);

WHEREAS, the project was reviewed by the Planning Commission at a regularly scheduled meeting on Thursday, December 14, 2017; and,

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

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

SECTION 2: The CEQA categorical exemption is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following Use Permit findings, as further clarified in the staff report dated December 14, 2017:

1. The location of the new three-story mixed-use building is in accordance with the objectives of the zoning ordinance and the purposes of the zoning district in which the site is located. The subject property is located in the City's Service Commercial (C-S) zoning district. The proposed three-story mixed-use development is consistent with provisions of C-S zone, which contains specific development standards to accommodate mixed-use developments. The project provides ground floor retail, second floor office space, and six residential apartment units on the third level. The project is proposed on a currently vacant and under-utilized site along this commercial corridor is Scotts Valley. Therefore, the project is in accordance with the objectives of the Service Commercial zoning district.

2. The establishment, maintenance, or operation of the new three-story mixed-use
building 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 mixed-use development is proposed on a currently vacant and under-utilized site prominently located on Scotts Valley Drive. The building provides retail and office space, adding to the City’s employment and tax base, and provides six residential apartment units. The project will therefore not be detrimental to the health, safety or welfare of the City.

SECTION 4: The Planning Commission of the City of Scotts Valley does hereby specifically make the applicable Design Review finding, as further clarified in the staff report dated December 14, 2017:

1. The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood. The proposed mixed-use building is located centrally on the lot, setback approximately 30-feet from the front property line, exceeding the front setback requirements, and is in compliance with required rear and side yard setbacks for the commercial and residential uses. While there are no other mixed-use buildings on immediately adjacent lots, the project’s site plan is similar to other new and existing commercial and residential buildings in the vicinity in that the project maintains an appropriate front setback, contains surface parking, landscape treatment throughout the site, protects existing neighboring trees and proposes 11 new 15-gallon and 24-inch box trees. The project is therefore consistent with other structures in the immediate area.

2. Materials, colors, proportion, mass and detail. All structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials; colors shall be appropriate within the context of use and should blend with surrounding structures. The building provides articulation, visual interest and details at each level including decorative trellises, glass skylights, balconies with wood and metal railings, fascia bands, and roof overhangs that provide shade, add visual depth and “caps” the building design. Project materials include coursed (stacked) fieldstone on the ground floor retail façade and cement plaster finish on the second and third levels. Exterior materials are durable and provide visual weight to “anchor” building with earth-tone colors that get lighter on the second and third levels. Roof-mounted equipment is located toward the center of the roof to reduce its visual presence and placed behind sound-attenuating mechanical screening. A stairwell and elevator tower on the northern façade would be clad in matching coursed fieldstone and a window to add natural light to the interior space. The tower adds design interest, incorporates a vertical element (similar to a chimney) and visually connects the commercial and residential uses. The elevator tower is also the location for the project’s public art contribution. Overall the building design incorporates simple and well-conceived and executed details, which provide interest and add to the architectural composition.
3. The size, location, design, color, number, lighting and materials of all signs and outdoor advertising structures. No sign shall be approved in excess of the maximum limits set by this title, but the size or number of signs in any area subject to design control may be reduced below this maximum number or limit. Tenant and center identification sign criteria proposed for this mixed-use project are consistent in size and number, and have been designed to integrate into building and site features. Individual tenant signs would be placed on an integrated architectural sign band on the ground floor retail storefront. Conditions of approval include a requirement for staff review of individual tenant signs as part of building permits for tenant occupancy.

4. Landscaping and Irrigation. Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible. The project proposes irrigated landscaping throughout the site and a variety of ground covers, and low and medium height bushes. A common open space lawn area is proposed at the rear of the site. The irrigation system will utilize recycled water. A total of 11 new trees are proposed including six 24-inch box trees and five 15-gallon trees. Conditions of approval require compliance with the project arborist report, which specifies tree preservation bonding, to insure preservation of existing protected trees. The proposed landscape and irrigation plan has been designed to enhance the building and hardscape improvements.

5. The size, location and arrangement of on-site parking and paved areas. The project provides 19 on-site full-sized parking stalls to serve the mixed-use development. A traffic and parking study, prepared by a California registered traffic engineer, estimates the peak demand for the mixed-use building to be 19 stalls during weekday, late morning and early afternoon, hours. The report recommends the building owner limit residential parking to one vehicle per unit in the rental agreement as a way to minimize potential parking overage. On-site paving has been designed to incorporate paving details such as stamped concrete and pervious pavers to enhance the appearance of the site and accommodate storm water treatment.

6. Ingress, Egress and Internal Traffic Circulation. All the above factors shall be related to the setting or established character of the neighborhood or surrounding area. The project relocates the existing driveway to accommodate service vehicle access, circulation and on-site turn-around to allow vehicles to exit the site onto Scotts Valley Drive in the forward direction. Ingress and egress remains right-in and right-out due to the existing median island along the Scotts Valley Drive frontage. The project’s vehicle circulation is therefore consistent with the establish character of the neighborhood and surrounding area.

7. Height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief for fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy. 17. The project proposes to maintain the existing eight-foot high fence adjacent to the residential units to the west, and construct new six and eight-foot height solid wood fences along the shared property lines to the south and north, respectively.
8. Arbors in front yards, over 20 square feet in roof area or between eight and 10 feet in height: the design compatibility with the main structure and structures in the neighborhood, the mass and scale of the arbor, line of sight visibility for pedestrians and motorists in addition to other applicable standards of this section. The project proposes architectural arbors above the first and second levels of the building. The arbors have been designed as an architectural feature to provide visual interest and shade within the scale of the building. The arbors would be affixed to the building setback approximately 30-feet from the street and would not create any line of sight impacts to pedestrians or motorists.

9. Required Findings. The planning commission shall determine from data submitted whether the proposed building, structure or other improvement will meet the design standards prescribed in this section and in this title. The application may be disapproved, may be approved as submitted or may be conditionally approved. The approval shall be noted by an endorsement of the planning department on the submitted plans as approved. The project details are well conceived, thoughtful and appropriately executed for the scale of the site and the proposed mixed-use. The project is consistent with the C-S, Service Commercial zoning district and design review guidelines for commercial buildings. The project provides an appropriate and code-compliant balance of landscaped open space and paved surfaces. The building design incorporates sound attenuating features and materials to ensure that interior and exterior spaces are compliant with noise limits for sensitive noise receptors. The project is situated on a currently vacant and under-utilized site along an important commercial corridor in Scotts Valley and provides additional retail and office space as well as six residential apartment units.

SECTION 5: After careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley does hereby approve Use Permit U17-002 and Design Review DR17-003 to allow a three-story, mixed-use develop at 4803 Scotts Valley Drive / APN 022-082-76, subject to the Conditions of Approval, set forth in “Exhibit A” which is attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 14th day of December, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Derek Timm
Planning Commission Chair

Taylor Bateman
Acting Community Development Director
Exhibit A

Conditions of Approval
(#1 - #68)

Legal

1. The developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.

2. The developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all appropriate required fees before starting any grading/earth disturbance on the property.

Planning Department

4. The approved planning permits include a Use Permit and Design Review to build a new three-story mixed-use building composed of approximately 1,900 square feet of ground floor retail, 2,530 square feet of second floor office, six residential apartment units on the third floor, and related property improvements on a 0.41-acre site, as shown in the plans prepared by Daniel Silvernail Architects, Inc., C2G / Civil Consulting Group, Inc., Gregory Lewis Landscape Architect stamped approved, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.

6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.
Grading

7. All recommendations in the geotechnical report prepared by project geotechnical engineer, Dees & Associates, Inc., dated February 2017, are incorporated as conditions of project approval.

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

9. The location of all soil to be exported shall be reviewed and approved by the Building Department prior to issuance of a grading or building permit.

Noise

10. All recommendations in the Acoustic Engineering Study, prepared February 27, 2017, are incorporated as conditions of project approval.

11. Roof-mounted mechanical equipment screening shall be designed with sound attenuating features to reduce noise levels on neighboring properties.

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

Trees

13. All recommendations in the Arborist Report dated May 14, 2017, revised October 2017, are incorporated as conditions of project approval.

14. No tree removal shall occur until grading/building permit issuance.

15. The project developer shall place a surety bond in an amount equal to the value of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

16. Prior to the issuance of any grading or building permits, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments.

17. The project arborist shall routinely inspect the development site through the term of the project.

Landscaping

18. The landscape architect shall provide alternative street front landscape
selections for CDD review and approval as part of the building permit review process.

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

20. The landscape plan shall incorporate natural features, such as boulders, to enhance the landscape area.

**Lighting**

21. The final exterior lighting plan shall comply with regional dark sky policies and shall be reviewed and approved by the CDD prior to issuance of building permit of vertical construction.

22. Any pole lights installed within the project site shall use shielded light fixtures with pole heights not to exceed 12 feet, consistent with City policies and design guidelines. Exterior light levels are to be at the lowest level and carefully controlled for security, aesthetics, safety and identification without interfering with nearby land uses.

23. All exterior building lighting, including overhead lighting in the porte-cochere, shall be designed to integrate into the building architecture with shielded and recessed light sources with final light fixture approval prior to the issuance of any building or grading permit.

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

25. Lighting within the stair towers shall be designed to reduce light intrusion on neighboring residential neighbors.

**Signs**

26. All commercial signage shall comply with the Planned Sign Program as provided in Exhibit B.

**Affordable Housing**

27. Prior to the issuance of any building or grading permit, the developer shall pay the affordable housing in-lieu fee in effect at the time of permit issuance.

**Building Department**

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

30. The 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. Provide an EV charging station.

37. All new construction shall comply with the City’s current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

38. Structural calculations shall be submitted and wet-signed by the Engineer of record.

39. Provide names of Special Inspectors with certifications as required.

40. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits.

41. All new utilities shall be installed underground.

42. The developer shall comply with the City’s standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

43. Site drainage erosion control and foundation plans must be reviewed and approved by a soils engineer.
44. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

45. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

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

**City Public Works Department - Engineering Division**

47. Engineered Improvement Plans shall be submitted for all on site and off site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying 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.

48. The project shall connect to the City's recycled water system.

49. Pursuant to City Council action on March 3, 2010, the Applicant shall modify the Traffic Impact Study to address the Mount Hermon Road/Scotts Valley Drive and Mount Hermon Road /La Madrona Drive intersections to determine the additional peak hour trips through the intersections. Specifically AM and PM peak hour trips for Mount Hermon Road /Scotts Valley Drive and PM only peak hour trips for Mount Hermon Road /La Madrona Drive. The study will also determine if the additional trips will degrade the Level of Service (LOS) of the intersections. The findings of the study will determine the amount owed for the Mount Hermon Road traffic mitigations fair share contribution. The Applicant shall conclude this study and pay any associated fees prior to the issuance of a Building or Grading permit.

50. Applicant shall relocate driveway approach and replace curb ramp with standard sidewalk, curb and gutter. 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.
51. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.

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 Bond, to the satisfaction of the Public Works Director/City Engineer.

55. Pre-Construction Meeting: In order to ensure that project details are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property, with the exception of installation of temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing, the developer shall convene a pre-construction meeting on the site. The following parties shall attend: the developer, the grading contractor supervisor, the project architect, the project arborist, the project civil engineer, City of Scotts Valley Planning staff, City Engineer and Building Inspector. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing will be inspected at that time.

56. 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".

57. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city’s SWMP Ordinance No. 184.1.

58. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured
or calculated pre-project rate and velocity. See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

59. Impervious area must be shown on cover sheet.

60. 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.

61. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

City Public Works Department - Parks & Recreation Division

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

City Public Works Department - Wastewater Division

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

Scott Valley Fire Protection District

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

65. Provide a rooftop access in the clock tower stairwell or via a utility on the third floor for access to any rooftop equipment or utilities.

Scott Valley Water District (SVWD)

66. The existing 5/8" meter serving the property must be abandoned and a credit will be applied to the properties account for a future meter purchase.

67. Plans submitted for building permit shall show the location of the existing 5/8" meter to be abandoned.
68. Every potable water meter will require a backflow device SVWD Detail 8, behind the meter.

69. Plans submitted for building permit shall include the following SVWD plan details: Detail 1-Service connections; Detail 2-Meter box installation; Detail 5-Gate value two-inch service connection; Detail 9-Fire service installation; Detail 11-Gate value installation; Detail 12-Value box lid markings; and Detail 13-Value box installation.

70. 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 Robert Kim, Property Owner/Developer

Date
STAFF REPORT

Applicant/Owner: 7-Eleven, Inc.

Application: Use Permit No. U19-003
Sign Design Review No. DR19-010
Design Review No. DR19-006

Location: 5451 Scotts Valley Drive / APN 022-022-08

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

Environmental Status: Exempt from environmental review and qualifies for a Categoric Exemption from the California Environmental Quality Act (CEQA) under Section 15302, Replacement or Reconstruction, Class 2, replacement or reconstruction of an existing structure.

Request: Consideration of Use Permit and Design Review applications for a new gas station consisting of a fuel canopy, convenience store, and new signage on a 0.7-acre site in the C-S Service Commercial Zone located at 5154 Scotts Valley Drive.

Staff Planner: Paula Bradley, Contract Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve the Use Permit, Sign Design Review and Design Review permits by adopting the findings in the attached resolution, subject to the attached Conditions of Approval in Exhibit A.

SITE AND PROJECT DESCRIPTION

The project proposes to replace the existing Valero gas station at 5451 Scotts Valley Drive (Attachment 1 - Location Map). The proposed project includes the construction of a new 3,130-square-foot convenience store (7-Eleven) and a 3,096-square-foot fuel pump canopy with six fuel pumps (76 gas station). New signage is proposed for the facility (Attachment 2 - Project Plans). The existing 1,117-square foot convenience store and 1,200-square foot gas station canopy and five fuel pumps would be demolished.
The 30,464 square foot project site is a corner parcel at the intersection of Scotts Valley Drive and Victor Square Extension. The site is relatively flat, slightly sloping towards Scotts Valley Drive. There is a grade difference between the existing convenience store and the commercial property to the north where six oak trees are located along the property line. The project site is adjacent to a two-story multiple-family residential use to the west and a two-story office building commercial use to the north.

The proposed new gas station canopy and convenience store would be located on approximately the same footprint as the existing gas station and convenience store built in the 1960’s, with new circulation, parking lot, landscaping, lighting and signage. The corner site is currently accessed by two driveways off Scotts Valley Drive. Two new two-way driveways are proposed: one off of Scotts Valley Drive and one off of Victor Square Extension instead of two driveways off Scotts Valley Drive. Thirteen parking spaces are proposed including one ADA space, one EV charging space, and two bike racks. The new landscaping and irrigation system would be served with recycled water. There are six protected oak trees and two protected crape myrtle trees on the site. Three of the oaks are proposed to be removed and the other five trees preserved. Proposed grading includes 1,069 cubic yards cut and 38 cubic yards fill. All underground tanks will be replaced as part of the project.

A new trash enclosure would be located at the rear of the site in approximately the same location as the existing trash enclosure. The five-foot chain link fence with wood slats on the rear property line is proposed to be repaired and the chain link fence along the north property line will be replaced with a six-foot wood plank fence to screen the mechanical equipment.

**DISCUSSION AND ANALYSIS**

Staff has reviewed the proposed project for compliance with the City’s regulations and requirements. The project is subject to the Commercial Service (C-S) zoning district development standards. Pursuant to Section 17.20 of the Scotts Valley Municipal Code (SVMC) automotive service stations are required to obtain a Use Permit and Design Review approval from the Planning Commission for all structures and signage. Staff has reviewed the proposed project for compliance with the City’s General Plan and Zoning Regulations and requirements.

**Design Review**

A new store, canopy and signage are proposed and architectural and site design review is required by the Planning Commission for all new structures in the C-S district. The design elements are discussed below:
Convenience Store and Fuel Dispenser Canopy: The new convenience store and fuel dispenser canopy would be located on approximately the same footprint as the existing gas station canopy and convenience store built in the 1960’s. The plans meet the (C-S) zoning district regulations for height, setbacks, and lot coverage. Below is a Table summarizing compliance with the Service Commercial Development Standards (C-S).

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required</th>
<th>Proposed</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bldg. Coverage</td>
<td>45%</td>
<td>21%</td>
<td>Yes</td>
</tr>
<tr>
<td>Setback – Front</td>
<td>20-feet</td>
<td>23-feet to store</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>26-feet to canopy</td>
<td></td>
</tr>
<tr>
<td>Setback – Rear Commercial adjacent to residential</td>
<td>0-feet</td>
<td>35-feet to store, 25-feet to canopy</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20-feet</td>
<td></td>
</tr>
<tr>
<td>Setback – Side (north)</td>
<td>0-feet</td>
<td>15-feet, 69-feet to canopy</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>35-feet</td>
<td>27-feet</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>14'-6&quot;</td>
<td></td>
</tr>
<tr>
<td>Fence</td>
<td>6-foot adjacent to “R”</td>
<td>6-foot wood fence</td>
<td>Yes</td>
</tr>
<tr>
<td>Landscape Area</td>
<td>Min 10%</td>
<td>21%</td>
<td>Yes</td>
</tr>
<tr>
<td>Front Landscape</td>
<td>Min 10-feet</td>
<td>Varies 15-20-feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Trash Disposal</td>
<td>Adequate/Screened/Accessible</td>
<td>Adequate/Screened/Accessible</td>
<td>Yes</td>
</tr>
</tbody>
</table>

To the rear of the gas station (northwest) there is an adjacent residential development. The convenience store would be setback 35 feet from the shared property line and the fuel dispenser canopy would be setback 25 from the shared property line. Structures on the adjacent residential property are setback approximately 15 feet from the shared property line.

The new store height is approximately 27-feet to the ridge. It would have a new gable roof form with a 6/12 pitch, and a small gable roof over the entry and standing seam metal the roof material. Two wood trellises with corbels above stone veneer posts are proposed over the front entry and on the street frontage façade. Two metal green screens would be located on the walls on both sides of the front entry and windows and will be planted with vines. The store exterior would be stucco, a neutral tan color with a darker accent color under the front gable. The stone veneer base will be a reddish-brown color. The two wood trellis’s will be stained dark brown and the standing seam metal roof will be dark brown as will the eaves, doors, gutters and downspouts. The storefront windows and doors are anodized aluminum.

The proposed new metal fuel dispenser canopy would cover six new multi-fuel dispensers and is 14'-6" in height. The existing canopy is a gable roof form and the new canopy would be a flat roof design. The six posts proposed under the canopy would be stone veneer to
match those on the store and the monument sign. Lighting fixtures will also be anodized aluminum and dark brown color.

Circulation and Parking: A new parking lot and circulation plan is proposed with two new two-way driveways. The corner site is currently accessed by two driveways off Scotts Valley Drive. Proposed are two new, two-way driveways: one off of Scotts Valley Drive and one off of Victor Square Extension. A new landscaped walkway will connect the front sidewalk and the store entry.

Thirteen parking spaces are proposed including one ADA space, one EV charging space, and two bike racks. The Scotts Valley Municipal Code (SVMC) Section 17.44.030) Off-site Parking and Loading Requirements, requires one space for 250 square feet of gross floor area, so 13 spaces are required for the store. One off-street loading space is required and it is located in the rear center.

Bike Rack/Public Art: Two new bike racks are proposed near the Scotts Valley Drive street frontage and the walkway at the southeast corner of the store in a highly visible location for convenience and security. The decorative bicycle rack design is proposed to meet the “public art” requirement (General Plan Land Use Policy LP-36.L) See the design detail is shown in Attachment 2, Sheet A100.

Trash Enclosure: The proposed trash enclosure includes a design with materials to match the store with a stone veneer base and stucco finish on CMU walls, a dark brown metal roof and double swinging doors. Two green screens with vines will be located above the stone for additional screening. Staff required that the applicant consider other locations for the trash enclosure away from the residences.

To address noise issues for the adjacent residences, staff required that the applicant consider other locations for the trash enclosure away from the residences. The proposed trash enclosure is located approximately 9-feet from the rear property line and the adjacent residence has a 15-foot rear yard setback. Locating the trash enclosure on the street frontage side of the store would conflict with drainage bio-retention infrastructure. Other options that could be explored are the southwest corner on the Victor Square frontage or the area where the compact parking spaces are located. If the trash enclosure is relocated the parking spaces could be relocated to the proposed trash enclosure location. A condition of approval requires that the applicant/owner to limit waste pick-up during regular business hours to the extent possible.

Landscaping: All new low-water use, drought tolerant landscaping and irrigation will be installed. The new landscaping and irrigation system would be served with recycled water. Two bio retention areas will be located on the street frontages of the store and the corner to retain storm water on site and will be planted with grasses. The proposed landscaping meets or exceeds the code requirements. The landscape planters along the street frontages vary in width from 15- to 26-feet, where a 10-foot wide planter is required, not including the right of way. The rear planter is five-feet wide and larger in the corners of the
site. The landscaping site coverage is 21% where 10% is required. Additional new landscaping would also be planted near the trash enclosure including two green screens planted with creeping vines.

The Planning Department has worked with the applicant to provide landscape screening and increase the trees along the rear property line adjacent to the residences. A condition of approval will require that additional trees be planted in the center rear for screening, and that the applicant meet with the neighbors before finalizing the landscape and irrigation plan. The planter could be widened if the trash enclosure is relocated. As proposed it is the minimum five-feet wide. A landscape maintenance agreement will be required as a condition of approval. A condition of approval requires that the chain link fence to the rear of the site (northwest) be replaced with a solid acoustical fence (no air gaps). The applicant/owner shall meet with the adjacent residential neighbors to work out the replacement fence details as part of the landscape final design.

**Tree Removal:** The applicant proposes to remove three protected coast live oaks. There are six oaks along the north property line and two crape myrtle trees in the front setback that are of protected size. Three of the six oaks closest to the street will be removed in order to install infrastructure and a new bio retention area for storm-water runoff. Originally one of the mature crape myrtles was proposed to be removed but the site plan was redesigned to preserve both trees. A two-inch diameter crape myrtle will be removed in the northeast corner (front) of the site.

Arborist’s reports dated September 25, 2017 and June 19, 2019, by Sierra Nevada Arborist’s (Attachment 3), include recommendations for preserving the remaining protected trees on- and off-site and these will be required as conditions of approval. The three trees will be replaced with ten 15-gallon trees (a ratio of 3:1 where 2:1 is required), three deodor cedars in the rear of the site, two Chinese pistache in the front planters and two additional crape myrtles in front of the store entry between the parking spaces. Off-site, there are also six mature trees including sycamores, liquid amber and one redwood tree to the rear of the property, providing screening for the residential use.

**Lighting:** All new lighting is proposed including for the store and the canopy. Four new pole lights will be located at the two corners of the parking lot near the store and trash enclosure. The pole heights are proposed to be 18-20 feet. There are four existing pole lights on site at a lower height than the new lights approximately 12-feet high. A photometric study was prepared for the project and shows that there will be almost no light spillover onto the adjacent properties. However, the light pole near the trash enclosure shows some spillover along the property line near the residences. Staff included a condition of approval that there is no light spillover onto the residential property to the rear and that the lights shall be of a type that are dimmable in the event of light impacts to adjacent neighbors once the new lights are operational.
The canopy lighting includes two 76 buttons which are internally lit, a horizontal swoosh stripe on three sides, and under canopy lighting. New wall mounted light fixtures are proposed around the outside building and are dimmable. The two 7-Eleven wall signs would be internally lit.

**Mechanical Equipment:** All mechanical equipment is ground-mounted and is located to the north side (rear) of the store and is enclosed within a new six-foot solid wood fence and not visible to the street. On the northwest side of the store the only equipment is a transformer, switching equipment and a carbon dioxide tank for the carbonated drink machine inside and they are not noise generating. Additionally, the area will be screened with landscaping and trees. No roof-mounted equipment is proposed.

**Sign Design Review**

Proposed signage for the convenience store (7-Eleven) consists of two new wall mounted signs and signage for the fuel dispenser canopy consists of two new logo signs (76 gas station). The existing approximately ten-foot high Valero monument sign will be removed and replaced with a low-profile three-foot high monument sign with signage for both businesses.

<table>
<thead>
<tr>
<th>Type of sign</th>
<th>Allowed</th>
<th>Proposed</th>
<th># Signs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freestanding sign includes price sign</td>
<td>50 sf + 20 sf</td>
<td>19.5 (one side)</td>
<td>2, only 1 side is counted</td>
<td>19.5 sf</td>
</tr>
<tr>
<td>Wall sign – front</td>
<td>80.3 sf</td>
<td>34.38 sf</td>
<td>1</td>
<td>34.38 sf</td>
</tr>
<tr>
<td>Wall sign – side</td>
<td>39.4 sf</td>
<td>34.38</td>
<td>1</td>
<td>34.38 sf</td>
</tr>
<tr>
<td>Canopy sign – 76 button (3’ diameter each)</td>
<td>7.44 sf each</td>
<td>14.88 sf</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Convenience Store: Proposed for the store are two business identification wall signs, one per each frontage since it is a corner lot, located under the gable roof. The two signs are wall-mounted, displaying the red, orange and green 7-Eleven branding, and have an aluminum rain cap over the top of the sign.

Fuel Canopy: The proposed fuel canopy has a silver background with an orange horizontal swoosh stripe on three sides and two three-foot diameter standard 76 buttons (orange background with blue numbers. The swoosh stripes would not be located on the residential side to the rear. The six new fuel pumps will also display standard 76 gas station logos and colors.

Freestanding sign: The existing Valero freestanding sign will be removed and replaced with a three-foot high, ten-foot wide, two-sided monument sign located on the corner. Originally a ten-foot high sign, similar to the existing sign was proposed but staff
suggested that a three-foot high sign is more appropriate to the area, although a maximum 12-foot high sign is allowed by the sign ordinance. This sign will display both business signs 76 and 7-Eleven and the gas price signage. It would be vinyl signage, internally illuminated within an aluminum cabinet with a stone veneer base to match the store. The background color will be silver. The lighting is shielded and downward shining to only light the area intended.

Use Permit

Pursuant to Section 17.20 of the Scotts Valley Municipal Code (SVMC) automotive service stations in the Commercial Service zoning district (C-S) are required to obtain Use Permit approval from the Planning Commission. Section 17.20 of the SVMC states that:

The C-S district is intended to apply to all lands designated in the General Plan as "service commercial." This district is designed to create and maintain areas accommodating city-wide and regional service that may be inappropriate in neighborhood or pedestrian-oriented shopping areas and which generally require automotive access for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles.

Per Section 17.50.020 of the SVMC the purpose of a Use Permit is as follows:

Due to their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and provide the district use regulations the necessary flexibility, the planning commission is empowered to grant and to deny applications for use permits and to impose such reasonable conditions in connection with a use permit as it deems necessary to secure the purposes of this title. The planning commission may require in connection therewith guarantees and evidence that such conditions will be satisfied.

As proposed the gas station and convenience store would operate 24 hours a day, seven days per week and would have approximately 8-12 employees. Currently the Vallero gas station and convenience store is open from 6am to 10pm daily. The Quik Stop gas station and convenience store across Scotts Valley Drive from the subject site is open 24 hours a day, seven days per week.

While evaluating the project and based on comments from an adjacent residential property owner the Planning Department identified several operational and design features that would improve compatibility between the subject commercial use and adjacent residential use. Based on the proposed site layout the Planning Department identified some
recommended changes to the landscaping, fencing, lighting, and the trash enclosure plans. Please see each of these sections of the staff report for a complete discussion and more information on recommend changes.

Based on the proposed operation of the site the Planning Department has added several conditions to the project to further ensure neighborhood compatibility. There are as follows:

- Limit deliveries between the hours of 10 pm - 6am
- Require courtesy signs asking patrons to limit noise like engine idling, intercoms, and smoking on site.
- Limiting leaf blower use to normal business hours.

The Planning Commission may also want to consider requiring that the two proposed diesel fuel dispensers be located to the front of the site as diesel vehicles customers tend to leave their engines idling when filling.

PUBLIC COMMENT

A public hearing notice was posted and mailed to surrounding property owners within 300-feet pursuant to state law. Staff has met with an adjacent property owner to discuss the project and received written comments (Attachment 4).

ATTACHMENTS

Resolution No. _____ to Approve U19-003, DR19-010, and DR19-006 (Action Item)
Exhibit A – Conditions of Approval (Attached)
1. Location Map ........................................................................................................22
2. Project Plans (Received 09-24-19) .................................................................23
3. Arborist’s reports prepared by Sierra Nevada Arborist’s, dated September 25, 2017 and June 19, 2019 .........................................................45
4. Public comment, email dated 6/03/2020 .........................................................66
RESOLUTION NO. ____


WHEREAS, the Planning Department of the City of Scotts Valley has received Use Permit application No. UP19-003, Sign Design Review application No. DR19-010 and Design Review application No DR19-006 for the removal of the existing gas station, canopy and convenience store, and the construction of a new gas station, canopy, and convenience store, and new signage located at 5451 Scotts Valley Drive // APN 022-022-08; and,

WHEREAS, the project is determined to be categorically exempt from CEQA, Class 3 (Section 15302); and,

WHEREAS, the project was reviewed by the Planning Commission at a duly noticed public hearing on June 11, 2020.

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

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

SECTION 2: The categorical exemption is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the Planning Commission staff reports dated June 11, 2020:

Use Permit

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

2. The establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and

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improvements in the neighborhood or to the general welfare of the city. The use is appropriately located so that residents can obtain automobile fuel and convenience store services.

Design Review

3. The siting of the structure on the site as compared with the siting of other structures in the immediate neighborhood is appropriate. The siting of the structures on the site has been designed for the most appropriate and advantageous locations for both the convenience store as they relate to the neighborhood. The structures are located in the approximately the same footprint as the existing structures. The store on the north side of the site is closest to the existing two-story office building and the canopy is located in the center of the site. The proposed project is consistent with the required setbacks.

3. The materials, colors, proportion, mass, and detail of the exterior improvements are in good proportion, have simplicity of mass and detail, and are compatible with the appearance of the surrounding structures. The materials, colors, proportion, mass, and detail of the improvements are in good proportion and are compatible with the appearance of the surrounding neighborhood and with the existing appearance of the facility. The store with a gable roof form, stucco, stone veneer and wood trellis materials, and the neutral colors with dark brown roof and eaves are more appropriate than the current design and an upgrade is an aesthetic improvement compared to the existing structures built in the 1960's.

4. The landscaping is in keeping with the character and design of the proposed development. The new landscaping provides screening for the mechanical equipment and trash enclosure. New drought tolerant, low-water use plants and additional trees, exceed the requirement of 10% of the site landscaped with 21% of the site landscaped and overall enhances the intersection. The new landscaping and irrigation system would be served with recycled water. Two bio retention areas will be located on the street frontages of the store and the corner to retain storm water on site and will be planted with grasses. The proposed landscaping meets or exceeds the Zoning Code requirements. A landscape maintenance agreement will be required as a condition of approval.

5. Illumination shall be at the lowest level consistent with adequate identification and readability and the light source shall not be directly visible. The illumination shall be kept at the lowest level possible for safety and identification purposes. All new lighting is proposed including for the store gas station canopy and monument sign. Four new 18-20 foot high pole lights will be located in edges of the parking lot in the landscaping planters. A photometric study was prepared for the project and shows that there is almost no light spillover onto the adjacent properties. A condition of approval requires that there be no light spillover onto the residential property to the rear.
6. The signs serve primarily to identify the business or the activity conducted on the premises, or identifies the product or service offered thereon. The signs serve to identify the two businesses on the site and the activities conducted on the premises and are consistent with the sign ordinance.

7. The signs are harmonious with the materials, color, texture, size, shape, height, location and design of the building, landscaping, property and environment of which it is a part. The proposed freestanding and wall signs are harmonious with the materials, color, texture, size, shape, height, location and design of the building, retaining wall, fencing, landscaping, property and environment of which it is a part. The signs are consistent with the setback and height requirements for the C-S Commercial Service District. The freestanding sign includes landscaping around the base of the sign.

SECTION 4: After careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley does hereby approve Use Permit application No. U19-003, Sign Design No. Review DR19-010 and Design Review No. DR19-006 for the removal of the existing canopy and convenience store, and allow the construction of a new canopy and convenience store, and new site signage for the existing gas station at 5451 Scotts Valley Drive // APN 022-022-08; subject to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 11th day of June, 2020 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Carlos Arcangeli, Planning Commission Chair

Taylor Bateman, Community Development Director
CONDITIONS OF APPROVAL
(Nos. 1 - 65)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.

2. After Planning Commission approval, the applicant/property owner shall sign the Conditions of Approval (Exhibit A) agreeing to the Conditions of Approval prior to issuance of any building or grading permits, transfer of title, or within 30-days of approval of this application, whichever occurs first.

3. All required demolition, grading, improvement plans, and building permits and pay all appropriate required fees before starting any grading/earth disturbance on the property.

PLANNING DEPARTMENT

4. The approved planning permits include a Use Permit and Design Reviews to allow the removal of the existing gas station, canopy and convenience store, and the construction of a new gas station, canopy, and convenience store, and new signage on a 0.41-acre site, as shown in the plans prepared by Smith Design and Construction (SDCC) / MVE Inc. Civil Engineers, KLA Landscape Architecture & Planning, Sign plans by Harbinger signs, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. All mechanical equipment shall be screened from public view.

8. All materials, equipment and retail products shall be located inside the building.

9. The gas station and convenience store hours of operation shall be 24 hours a day, seven days per week (24/7).

10. There shall be no deliveries between the hours of 10 p.m. and 6 a.m.

11. A contact person and phone number shall be provided to the adjacent residential neighbors and to the Community Development Director to address any noise or other issues with the operation.

12. The applicant/owner shall contact the waste hauler to limit waste pick-up during regular business hours to the extent possible.

Grading

13. All recommendations in the geotechnical report prepared by project geotechnical engineer, Matriscope Engineering Laboratories, Inc., dated November 11, 2018, are incorporated as conditions of project approval.

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

15. The location of all soil to be exported shall be reviewed and approved by the Building Department prior to issuance of a grading or building permit.

Trees

16. All recommendations in the Arborist’s reports dated September 25, 2017, and supplemental letter dated June 19, 2019, are incorporated as conditions of project approval. These conditions shall also be included on the demolition plan and the construction drawings.

17. No tree removal shall occur until grading/building permit issuance.
18. The project developer shall place a surety bond in an amount equal to the value of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

19. Prior to the issuance of any grading or building permits, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments.

20. The project arborist shall routinely inspect the development site through the term of the project.

21. Existing off-site trees along the neighboring property shall be protected per the City’s tree regulations (SVC 17.44.080) and under the observation of a licensed arborist to ensure that the trees remain healthy during and after construction.

Landscaping

22. A final landscaping and irrigation plan shall be submitted to the Director of Community Development for review and approval by the Scotts Valley Water District. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District.

23. The landscape planter in the rear center of the site shall be enhanced with additional trees as screening and a noise buffer. The applicant/owner shall meet with the adjacent residential neighbors to work out the screening and tree planting details as part of the landscape final design and prior to the landscape and irrigation plan submittal for approval by the Community Development Director and prior to issuance of any grading or building permits.

24. The fence to the rear of the site (northwest) shall be replaced with a solid acoustical fence (no air gaps). The applicant/owner shall meet with the adjacent residential neighbors to work out the replacement fence details as part of the landscape final design. The final landscape and irrigation plan shall be submittal for review and approval by the Community Development Director prior to issuance of any grading or building permits.

25. To ensure the ongoing maintenance of project landscaping onsite and in the public right-of-way the property owner shall enter into a landscape maintenance agreement with the City of Scotts Valley. The agreement shall be reviewed and approved by the City Attorney and be execute prior to issuance of grading/building permit for the project.
26. Operation of leaf blowers shall comply with the City noise requirements during regular business hours (8 a.m. to 5 p.m.).

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

Lighting

28. The exterior lighting plan shall comply with regional dark sky policies and shall be reviewed and approved by the CDD prior to issuance of building permit of vertical construction.

29. Any pole lights installed within the project site shall use shielded light fixtures with pole heights not to exceed 20 feet consistent with City policies and design guidelines. Exterior light levels are to be at the lowest level and carefully controlled for security, aesthetics, safety and identification without interfering with nearby land uses.

30. All exterior lighting shall be the minimum necessary for security and all lighting shall be down directed with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed. No light shall spillover onto the residential property to the rear.

31. There shall be no light spillover onto the residential property to the rear as demonstrated by a photometric study to be submitted for review and approval of the Community Development Director prior to issuance of the any grading or building permits.

32. Lighting fixtures shall be a type that are dimmable and shall be dimmed if there is light spillover onto the residential property to the rear (northwest).

Signs

33. All signage shall comply with sign ordinance regulations (SVC 17.56) and the approved sign plans.

34. Signage shall include courtesy signs to address noise, loud talking or music, intercoms, smoking, engine idling, and smoking on site to address concerns of the residential development to the rear to be reviewed and submitted for review and approval of the Community Development Director prior to issuance of the any grading or building permits.
WASTE WATER

35. If food is prepared on site that requires the washing of dishes and equipment that
generate grease in the sanitary sewer then a grease trap will be required
(minimum size for grease trap is 70 lbs).

36. Only pre-packaged food is to be sold at the convenience store.

BUILDING

Standard Conditions

37. All requirements of the Building Department of the City of Scotts Valley shall be
met.

38. Applicant shall obtain a building permit(s) and pay appropriate fees before doing
any earth disturbing work on the subject property.

39. All construction shall be contained within the building envelope shown on the
proposed map. No encroachment of structures outside of the building envelope
shall be allowed.

40. All structures shall comply with the most current California Energy Commission
Standards. (2019 California Energy Code)

41. The buildings must be designed to comply with the California Building Code
(CBC), 2019 edition, structural and seismic/earthquake requirements.

42. The plans shall include all required Accessibility Plans and details per 2016 CBC
Chapter 11B.

43. The building permit plans must comply with the California Building Code (CBC),
2016 edition, for water-conserving fixtures and fittings and with the CA Energy
Commission Building Energy Efficiency Standards (2016) (which includes
energy-saving appliances, etc.).

44. All construction within the City shall be limited to the hours between 8 AM and 6
PM, Monday through Friday, and 9 AM through 5 PM on Saturday. **No
collection activity is allowed on Sundays.**

45. The applicant shall affix a copy of the approving resolution and conditions of
approval to each set of construction plans which will be submitted to the Building
Department.
Project-specific

46. All new construction shall comply with the City of Scotts Valley’s Green Building Guidelines. Handouts will be provided upon request.

47. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee).


WATER DISTRICT

L1.0 Planting Plan:

49. Include the following on the Final Landscaping and Irrigation Plan and submit a Final Planting and Irrigation Plan to the Director of the Community Development Department for review and approval by the Scotts Valley Water District prior to issuance of a building permit:

50. Include the medium water use hydrozone for the bio retention areas or a separate hydrozone for trees in the WELO water use calculations.

51. Due to the fast draining soil in bio retention areas, they are considered as medium water use even if they have low water plants in them. Revise the Final Planting Plan accordingly.

52. Any large area with gravel ground cover and very few plants should not be included in the maximum allowable water allowance. Only include the area of plants that are irrigated.

53. Provide a detailed Irrigation Plan as part of the Final Planting Plan.

FIRE

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

55. The following Notes shall be included on the plans:

NOTE on the plans “these plans are in compliance with California Building and Fire Codes (2016 edition) and the Scotts Valley Fire Protection District Amendments”. (CFC §1.1.3)
NOTE on the plans “the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE / FIRE RATING and SPRINKLERED as determined by the building official and outlined in the California Building Code. (e.g. R-3, Type V-B, Sprinklered)” (CFC §105.4.2)

NOTE on the plans REQUIRED and AVAILABLE FIRE FLOW.

- Fire flow requirements for this project are 1500 gallons per minute. (the AVAILABLE FIRE FLOW information can be obtained from the water company)

SHOW on the plans a fire hydrant within 225 feet of any portion of the building meeting the minimum required fire flow for the building. Hydrant shall be on a fire apparatus access road, as measured by an approved drivable route around the exterior of the facility or building. (CFC §507.5)

NOTE on the plans "All buildings shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13 for an ordinary hazard Group1, and adopted standards of the Scotts Valley Fire Protection District.” (CFC §901.2.1)

NOTE on the plans “the designer/installer shall submit two (2) sets of plans and calculations for the overhead Fire Sprinkler System for approval prior to construction.” (CFC §901.2)

NOTE on the plans “the designer/installer shall submit two (2) complete sets of underground private fire hydrant and fire service water main piping plans and specifications, conforming to NFPA 24, for review and approval prior to installation. Submittal shall include underground piping plan, underground trench cross section detail showing depth of burial and type of backfill, construction installation drawings of the PIV and FDC, manufacturer’s specifications of piping, valves, joints and fittings, and calculated size and locations of thrust blocks. (CFC §501.3)

NOTE on the plans “Water supply valves controlling automatic fire sprinkler systems including pumps, tanks, water levels and temperatures, critical air pressures, water-flow switches and backflow prevention device control valves shall be electrically supervised where twenty (20) or more sprinkler heads are installed.” (CFC §903.4)

NOTE on the plans “Alarm, supervisory and trouble signals shall be distinctly different and shall automatically be transmitted to an approved supervising station.” (CFC §903.4.1)

NOTE on the plans “The FDC/PIV shall be labeled with the address of the building that it serves, with 2” peel and stick plastic reflective numbers.” (CFC §505.1)

SHOW on plan locations of portable fire extinguishers complying with CFC §906 etal. Provide minimum 2A-10: BC fire extinguishers with a maximum of 75 feet travel distance from any location within the building. (CFC §906.3)

NOTE AND SHOW location of portable fire extinguisher(s) complying with
CFC§906 at the fuel dispensers. (CFC §906.3 and CFC §2305.5)

**NOTE AND SHOW** location of the EMERGENCY STOP SWITCH to shut off dispensers in the event of an accidental discharge or fire. (CFC §2303.2)

**NOTE** on the plans, “A manual and automatic fire alarm system that initiates the occupant notification signal as prescribed in CFC §907.2.3 shall be installed.”

**NOTE** on the plans, “Two (2) sets of fire alarm plans, battery calculations, specifications and OSFM Listings shall be submitted and approved prior to commencing work.” (CFC §907.2)

**NOTE** on the plans “building numbers shall be provided. Numbers shall be a minimum of six (6) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street.” (CFC §505.1)

**SHOW** location of Knox Box and key. (CFC §506)

**NOTE** on the plans, “Roof coverings to be no less than Class "B" rated roof.” (CBC §1505.1.2 & Santa Cruz County Code 12.10.215 (G))

**NOTE** on the plans, “A MINIMUM OF 48 HOURS NOTICE to the fire department is required prior to inspection.” (CFC §105.2.2)

**NOTE** on the plans “The job copies of the building and fire systems plans and permits must be on-site during inspections.” (CFC §105.3.5)

**PUBLIC WORKS**

56. Engineered Improvement Plans shall be submitted for all on site and off site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying 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.

57. 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.

58. 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.
59. 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".

60. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city’s SWMP Ordinance No. 184.1.

61. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

62. 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.

63. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed.

64. Applicant shall provide used motor oil reclamation services for the general public (applies to services stations).
65. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

_______________________________________________________
Name and Signature of Property Owner       Date
Know what's below before you dig.

Call R 029 029 074 074

GRANULE CONSTRUCTION ENTRANCE SPECIFICATIONS

STORM DRAIN NODES PERMIT

CONCRETE WASTE MANAGEMENT

TC-1 ROCK LINED CONSTRUCTION ENTRANCE

SWPP GENERAL NOTES

TYPICAL SILTS CONSTRUCTION

INLET SEDIMENT BARRIER

STRAW ROLLS CONSTRUCTION NOTES

5451 SCOTTS VALLEY DRIVE
STORE# 1040196

PRELIMINARY EROSION CONTROL
NOTES & DETAILS

SCOTTS VALLEY
Know what's below. Call before you dig.
**Existing Tree Inventory**

**Existing Tree Protection Notes**
- Trees will be monitored and protected following the existing criteria.
- The Arborist shall monitor the pruning and protection of existing trees.
- Any recommendations for the mitigation of existing trees shall be provided in the Arborist's report.

**Tree Removal Mitigation**

- The Arborist shall monitor the removal of trees to ensure proper mitigation.
- The Arborist shall provide a report detailing the removal of trees and the mitigation measures.

**Supplemental Recommendations**

- Notify the City Landscape Maintenance Division prior to any tree pruning.
- Prune the tree(s) as recommended in the Arborist's report.
- The condition of existing trees shall be reviewed by a certified arborist.

**Arborist Report - Existing Tree Inventory**

- The Arborist shall provide a report detailing the existing tree inventory.
- The report shall include a list of existing trees, their location, and the condition of each tree.
- The report shall be dated and signed by the Arborist.

**Existing Tree Inventory Summary**

- Existing trees to be removed:
  - Quercus agrifolia
  - Lagerstroemia species

- Proposed recommendations for improving the health of the tree(s):
  - Advocating any work that would require crossing the property line into adjacent existing parcels.

**Existing Tree Protection Notes**

- Trees are to be protected from damage during the installation process.
- Trees are to be protected from damage during the removal process.
- Trees are to be protected from damage during the mitigation process.

**Tree Inventory**

- Tree Inventory Summary:
  - Existing trees to be removed:
    - Quercus agrifolia
    - Lagerstroemia species

- Proposed recommendations for improving the health of the tree(s):
  - Advocating any work that would require crossing the property line into adjacent existing parcels.

**Existing Tree Inventory Legend**

- Existing tree to be removed
  - Indicates tree number
  - Summary above

**Diagram**

- Diagram showing the location of existing trees and their protection measures.
- Diagram showing the proposed tree planting and mitigation areas.

**Supplemental Recommendations**

- Notify the City Landscape Maintenance Division prior to any tree pruning.
- Prune the tree(s) as recommended in the Arborist's report.
- The condition of existing trees shall be reviewed by a certified arborist.

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- The Arborist shall provide a report detailing the removal of trees and the mitigation measures.

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- The Arborist shall provide a report detailing the removal of trees and the mitigation measures.

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- The Arborist shall provide a report detailing the removal of trees and the mitigation measures.

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- The report shall include a list of existing trees, their location, and the condition of each tree.
- The report shall be dated and signed by the Arborist.

**Existing Tree Inventory Summary**

- Existing trees to be removed:
  - Quercus agrifolia
  - Lagerstroemia species

- Proposed recommendations for improving the health of the tree(s):
  - Advocating any work that would require crossing the property line into adjacent existing parcels.
LAYOUT INFORMATION

ROLLER GRILLS 2 (SELF SERVE)
SANDWICH CASE 9'
VAULT DOORS 10
LOW TEMP DOORS 2
ICE MERCH. DOORS 1
NOVELTY CASE 1
BAKERY CASE 1 (LG)
SLURPEE BARRELS 8
GONDOLA UNITS (60'H) 42
END CAPS (60'H) 11
POWER WINGS (03) (NOT IN TOTAL)
LOW WALLS (86'H) 00
HIGH WALLS (72'H) 00
TOTAL 53

GAS: YES  LIQUOR: YES
BEER: YES  WINE: YES

OCCUPANCY LOAD (>90) = 67
TRAVEL DISTANCE (<200) = 102'
COMMON PATH OF TRAVEL (<75) = 40'
RESTROOMS REQUIRED = 2
EXITS REQUIRED = 2

OVERHEAD SHELVES = 27 FT
FLOOR SHELVES = 32 FT

OCCUPANCY CALCULATION

<table>
<thead>
<tr>
<th>Category</th>
<th>SF</th>
<th>Divisible</th>
<th>Occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>MERCHANDISE</td>
<td>1,823</td>
<td>30</td>
<td>61 PEOPLE</td>
</tr>
<tr>
<td>SALES</td>
<td>295</td>
<td>250</td>
<td>2 PEOPLE</td>
</tr>
<tr>
<td>STORAGE/ BACK ROOM</td>
<td>747</td>
<td>300</td>
<td>3 PEOPLE</td>
</tr>
<tr>
<td>OFFICE</td>
<td>57</td>
<td>100</td>
<td>1 PERSON</td>
</tr>
<tr>
<td>RESTROOM</td>
<td>208</td>
<td>N/A</td>
<td>0 PEOPLE</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3,130</strong></td>
<td><strong>67</strong></td>
<td></td>
</tr>
</tbody>
</table>

WALL TYPE LEGEND

- EXISTING WALL
- EXISTING COLUMN
- NEW WALL
- NEW PARTIAL HEIGHT WALL
- NEW COOLER WALL
**Fixture Mounting Heights As Shown:**

- Poles mounted on 3' base.
- Additional equipment required:
  - (4) SSS-4-11-17-CW-BS-OT-N-BZ (17' x 4" Steel Square Pole, Tenon Mount)
  - (4) PD-1H4 (Single Horizontal Tenon)
  - (2) XA-SP2BLS (Back Light Shields)

- Proposed poles meet 140mph sustained wind loads.

- Customer to verify ordering information and catalogue number prior to placing order.

---

**Calculations Summary:**

<table>
<thead>
<tr>
<th>Label</th>
<th>Flags</th>
<th>Max</th>
<th>Min</th>
<th>Avg</th>
<th>Avg/Min</th>
<th>Max/Min</th>
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<tr>
<td></td>
<td></td>
<td>20</td>
<td>20</td>
<td>1.29</td>
<td>1.50</td>
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<tr>
<td></td>
<td></td>
<td>0.6</td>
<td>20</td>
<td>0.2</td>
<td>0.1</td>
<td></td>
</tr>
</tbody>
</table>

---

**Footnotes:**

- PM-1

---

**Image:**

- Lighting design
- Illumination results shown on this lighting design
- SR-39968
- Footcandles calculated at grade
- File name: 711-191218SVCALJSR1.AGI

---

**Contact:**

- Lighting.com - (800) 236-6800
- 9201 Washington Ave, Racine, WI 53406
- https://creeli.com
ARBORIST REPORT
AND
TREE INVENTORY SUMMARY

5451 SCOTTS VALLEY DRIVE PROJECT SITE
(Job # 1040196)
City of Scotts Valley, California

Prepared for:

Jesse Kent
Smith Development & Construction Co.
7803 Madison Avenue, Suite 700C
Citrus Heights, California 95610

Prepared by:

Edwin E. Stirtz
International Society of Arboriculture
Certified Arborist WE-0510A
ISA Tree Risk Assessment Qualified
Member, American Society of Consulting Arborists

September 25, 2017
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APPENDICES:

   A. Tree Inventory Summary (sorted by tree number)
   B. Tree Inventory Field Exhibit
COPYRIGHT STATEMENT

This consultant’s report, dated September 25, 2017, is for the exclusive and confidential use of Smith Development & Construction Co. concerning potential development of the 5451 Scotts Valley Drive Project Site, (Job # 1040196), located in the City of Scotts Valley, California. Any use of this report, the accompanying appendices, or portions thereof, other than for project review and approval by appropriate governmental authorities, shall be subject to and require the written permission of Sierra Nevada Arborists. Unauthorized modification, distribution and/or use of this report, including the data or portions thereof contained within the accompanying appendices, is strictly prohibited.
QUALIFICATION STATEMENT

Sierra Nevada Arborists is a fully insured, Rio Linda-based arboriculture consulting firm founded in January of 1998 by its Principal, Edwin E. Stirtz. Mr. Stirtz is an ISA Certified Arborist and is ISA Tree Risk Assessment Qualified. He is a member of the American Society of Consulting Arborists and International Society of Arboriculture. Mr. Stirtz possesses in excess of 30 years of experience in horticulture and arboriculture, both maintenance and construction, and has spent the last 23 years as a consulting and preservation specialist in the Sacramento and surrounding regions.
INTRODUCTION

Sierra Nevada Arborists is pleased to present this Arborist Report and Tree Inventory Summary for the trees located within and/or overhanging the property located at the 5451 Scotts Valley Drive Project Site, (Job # 1040196), in the City of Scotts Valley, California. This Arborist Report and Tree Inventory Summary memorializes tree data obtained by Edwin E. Stirtz, ISA Certified Arborist WE-0510A, at the time of field reconnaissance and inventory efforts on September 24, 2017.

SCOPE OF INVENTORY EFFORT

We were requested to conduct a site visit to obtain data collection and identification with a metal numbering tag of all trees on site and/or overhanging the property boundaries that are 6”+ DSH.

METHODOLOGY

During field reconnaissance and inventory efforts, Edwin E. Stirtz of Sierra Nevada Arborists conducted a visual review from ground level of the trees within and/or overhanging the selected lots within the project area. The trees which met the defined criteria were identified in the field by affixing round tags to the tree trunks. The tree numbers utilized in this report and accompanying Tree Inventory Summary correspond to the tree tags which were affixed to the trees in the field, and those tree numbers or grouping of numbers were rough-plotted on the attached Tree Inventory Field Exhibit so that the precise vertical and horizontal location of the trees may be surveyed in the field by a licensed land surveyor and data for the trees (i.e. tree number, diameter, dripline and protected root zone radii) may be properly depicted on future development plans and Tree Location Exhibit.

At the time of field identification and inventory efforts specific data was gathered for each tagged tree including the tree’s species, diameter measured at breast height (“DBH”) and dripline radius (“DLR”). Utilizing this data the tree’s overall structural condition and vigor were separately assessed ranging from “excellent”\(^1\) to “poor” based upon the observed characteristics noted within the tree and the Arborist’s best professional judgment. Ratings are subjective and are dependent upon both the structure and vigor of the tree. The vigor rating considers factors such as the size, color and density of the foliage; the amount of deadwood within the canopy; bud viability; evidence of wound closure; and the presence or evidence of stress, disease, nutrient deficiency and insect infestation. The structural rating

\(^1\) It is rare that a tree qualifies in an “excellent” category, and it should be noted that there were no trees observed within the project area which fell within the criteria of an “excellent” or “good” rating. A complete description of the terms and ratings utilized in this report and accompany inventory summary are found on pages 8-9.
reflects the root crown/collar, trunk and branch configurations; canopy balance; the presence of included bark, weak crotches and other structural defects and decay and the potential for structural failure. Finally, notable characteristics were documented and recommendations on a tree-by-tree basis were made which logically followed the observed characteristics noted within the trees at the time of the field inventory effort. The recommendations are based on the assumption that the tree would be introduced into a developed environment and may require maintenance and/or may not be suitable for retention within a post-development setting.

**SUMMARY OF INVENTORY EFFORT**

Field reconnaissance and inventory efforts found 13 trees measuring 6 inches in diameter and larger measured at breast height within and/or overhanging the proposed project area. Composition of the 13 inventoried trees includes the following species and accompanying aggregate diameter inches:

<table>
<thead>
<tr>
<th>SPECIES DIVERSIFICATION</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Coast Live Oak</td>
<td>6</td>
<td>(119 aggregate diameter inches)</td>
</tr>
<tr>
<td>Coast Redwood</td>
<td>1</td>
<td>(34 aggregate diameter inches)</td>
</tr>
<tr>
<td>Crape Myrtle</td>
<td>2</td>
<td>(12 aggregate diameter inches)</td>
</tr>
<tr>
<td>Liquidambar</td>
<td>1</td>
<td>(10 aggregate diameter inches)</td>
</tr>
<tr>
<td>Sycamore sp.</td>
<td>3</td>
<td>(44 aggregate diameter inches)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>13</td>
<td><strong>(219 aggregate diameter inches)</strong></td>
</tr>
</tbody>
</table>

*Recommended Removals*

At this time, no trees have been recommended for removal from the proposed project area due to the nature and extent of defects, compromised health, and/or structural instability noted at the time of field inventory efforts.

It should also be noted that some of the trees within the proposed project area are trees which may be undesirable on residential lots, or are trees which will require periodic/seasonal monitoring to assess the trees’ ongoing structural integrity. At this early stage of the project Sierra Nevada Arborists has not recommended the removal of these trees since development plans, including proposed home sites and building footprints, have not yet been finalized and the precise location of these trees in proximity to planned improvement activities is not known. At this time it is recommended that these trees be monitored and thoroughly inspected by a qualified ISA Certified Arborist on at least an annual basis to keep abreast of the trees’ changing condition(s) and to assess the trees’ ongoing structural integrity and potential for hazard in a developed environment.
CONSTRUCTION IMPACT ASSESSMENT

This Arborist Report and Tree Inventory Summary is intended to provide Smith Development & Construction Co., the City of Scotts Valley, and other members of the development team a detailed pre-development review of the species, size, and current structure and vigor of the trees within and/or overhanging the proposed project area. It is not an exhaustive review of the impacts which will be sustained from project implementation. At this early stage of the project specific root system and canopy impacts on a tree-by-tree basis cannot be definitively assessed until the site development, grading, and other improvement plans have been refined and finalized and data from the accompanying inventory summary (i.e., tree numbers, dripline radius, and root protection zones) is properly depicted on the plans.

Since trees are living organisms whose condition may change at any time a complete assessment of construction impacts and specific recommendations to help mitigate for the adverse impacts which may be sustained by the trees from contemplated construction activities cannot be made until the development plans have been refined and finalized. Once final plans have been developed for the site a qualified ISA Certified Arborist with special expertise and demonstrated experience with construction projects in and among native and non-native trees should review those plans and provide a more detailed assessment of impacts, including identification of trees which may require removal to facilitate home construction and other contemplated site development activities. This review will be particularly important if structures and/or residential activities will fall within or near the fall zone of a tree which has been noted as exhibiting structural defects, questionable long-term longevity and/or a conditional rating which is less than “fair”, and for trees which measure 16 inches and greater in diameter which will be retained within close proximity to development as trees of this size may pose a more significant hazard if a sudden limb shed and/or catastrophic failure should occur. In addition, the review should include an assessment of root system and canopy impacts which will be sustained by the trees which will be retained within the proposed development area, along with specific recommendations on a tree-by-tree basis to help reduce adverse impacts of construction on the retained trees. In the meantime, this report provides some pre-development recommendations which logically follow the observed characteristics noted in the trees at the time of the field inventory efforts, as well as General Protection Measures which should be utilized as a guideline for the protection of trees which may be retained within the development area. These recommendations will require modification and/or augmentation as development plans are refined and finalized.

GENERAL COMMENTS AND ARBORISTS’ DISCLAIMER

The City of Scotts Valley regulates both the removal of “protected trees” and the encroachment of construction activities within their driplines. Therefore, a tree permit and/or additional development authorization should be obtained from the City of Scotts Valley prior to the removal of any trees within the proposed project area. All terms and conditions of the
tree permit and/or other Conditions of Approval are the sole and exclusive responsibility of the project applicant. It should be noted that prior to final inspection written verification from an ISA Certified Arborist may be required certifying the approved removal activities and/or implementation of other Conditions of Approval outlined for the retained trees on the site. 

*Sierra Nevada Arborists will not provide written Certification of Compliance unless we have been provided with a copy of the approved site development plans, applicable permits and/or Conditions of Approval, and are on site to monitor and observe regulated activities during the course of construction.* Therefore, it will be necessary for the project applicant to notify Sierra Nevada Arborists well in advance (at least 72 hours prior notice) of any regulated activities which are scheduled to occur on site so that those activities can be properly monitored and documented for compliance certification.

Please bear in mind that implementation of the recommendations provided within this report will help to reduce adverse impacts of construction on the retained trees; however, implementation of any recommendations should not be viewed as a guarantee or warranty against the trees’ ultimate demise and/or failure in the future. Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of the trees and attempt to reduce the risk of living near trees. Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. There are some inherent risks with trees that cannot be predicted with any degree of certainty, even by a skilled and experienced arborist. Entities who choose to construct homes on wooded property are accepting a certain level of risk from unpredictable tree related hazards such as topping in storms, limbs falling and fires that may damage property at some time in the future. Since trees are living organisms their structure and vigor constantly change over time, and they are not immune to changes in site conditions or seasonal variations in the weather. Further, conditions are often hidden within the tree and/or below ground. Arborists and other tree care professionals cannot guarantee that a tree will be healthy and/or safe under all circumstances or for a specific period of time. Likewise remedial treatments cannot be guaranteed. Trees can be managed but they cannot be controlled. To develop land and live near trees is to accept some degree of risk and the only way to eliminate all risk associated with trees would be to eliminate all of the trees. An entity who develops land and builds a home with a tree in the vicinity should be aware of and inform their future residents of this Arborists’ Disclaimer, and be further advised that the developer and the future residents assume the risk that a tree could at any time suffer a branch and/or limb failure, blow over in a storm and/or fail for no apparent reason which may cause bodily injury or property damage. Sierra Nevada Arborists cannot predict acts of nature including, without limitation, storms of sufficient strength which can even take down a tree with a structurally sound and vigorous appearance.

Finally, the trees preserved within and/or overhanging the proposed project area will experience a physical environment different from the pre-development environment. As a result, tree health and structural stability should be regularly monitored. Occasional pruning, fertilization, mulch, pest management, replanting and/or irrigation may be required. In addition, *provisions for monitoring both tree health and structural stability following construction must be made a priority.* As trees age, the likelihood of failure of branches or
entire trees increases. Therefore, the future management plan must include an annual inspection by a qualified ISA Certified Arborist to keep abreast of the trees’ changing condition(s) and to assess the trees’ ongoing structural integrity and potential for hazard in a developed environment.

Thank you for allowing Sierra Nevada Arborists to assist you with this review. Please feel free to give me a call if you have any questions or require additional information and/or clarification.

Sincerely,

Edwin E. Stirtz
International Society of Arboriculture
Certified Arborist WE-0510A
ISA Tree Risk Assessment Qualified
Member, American Society of Consulting Arborists
ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to the consultant is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations.

3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided by others.

4. The consultant shall not be required to give a deposition and/or attend court by reason of this report unless subsequent contractual arrangements are made for in advance, including payment of an additional fee for such services according to our standard fee schedule, adjusted yearly, and terms of the subsequent contract of engagement.

5. Loss or alteration of any part of this report invalidates the entire report. Ownership of any documents produced passes to the Client only when all fees have been paid.

6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant.

7. Neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales, or other media, without the prior expressed written or verbal consent of the consultant, particularly as to value conclusions, identity of the consultant, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant as stated in his qualifications.

8. This report and any values expressed herein represent the opinion of the consultant and the consultant’s fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

9. Sketches, diagrams, graphs, drawings and photographs within this report are intended as visual aids and are not necessarily to scale and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by other consultants is for coordination and ease of
10. Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without laboratory analysis, dissection, excavation, probing or coring, unless otherwise stated.

11. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

12. This report is based on the observations and opinions of Edwin E. Stirtz, and does not provide guarantees regarding the future performance, health, vigor, structural stability or safety of the plants described herein. Neither this author nor Sierra Nevada Arborists has assumed any responsibility for liability associated with the trees on or adjacent to this Project Site, their future demise and/or any damage which may result therefrom.

13. The information contained within this report is true to the best of the author’s knowledge and experience as of the date it was prepared; however, certain conditions may exist which only a comprehensive, scientific, investigation might reveal which should be performed by other consulting professionals.

14. The legal description, dimensions, and areas herein are assumed to be correct. No responsibility is assumed for matters that are legal in nature.

15. Any changes to an established tree’s environment can cause its decline, death and/or structural failure.
DEFINITIONS

Tree Number: Corresponds to aluminum tag attached to the tree.

Species Identification: Scientific and common species name.

Diameter ("DBH"): This is the trunk diameter measured at breast height (industry standard 4.5 feet above ground level).

Dripline radius ("DLR"): A radius equal to the horizontal distance from the trunk of the tree to the end of the farthest most branch tip prior to any cutting. When depicted on a map, the dripline will appear as an irregularly shaped circle that follows the contour of the tree’s branches as seen from overhead.

Protected Zone: A circle equal to the largest radius of a protected tree’s dripline plus 1 foot.

Root Crown: Assessment of the root crown/collar area located at the base of the trunk of the tree at soil level.

Trunk: Assessment of the tree’s main trunk from ground level generally to the point of the primary crotch structure.

Limbs: Assessment of both smaller and larger branching, generally from primary crotch structure to branch tips.

Foliage: Tree’s leaves.

Overall Condition: Describes overall condition of the tree in terms of structure and vigor.

Recommendation: Pre-development recommendations based upon observed characteristics noted at the time of the field inventory effort.

Obscured: Occasionally some portion of the tree may be obscured from visual inspection due to the presence of dense vegetation which, during the course of inspection for the arborist report, prevented a complete evaluation of the tree. In these cases, if the tree is to be retained on site the vegetation should be removed to allow for a complete assessment of the tree prior to making final decisions regarding the suitability for retention.
## TREE CONDITION RATING CRITERIA

<table>
<thead>
<tr>
<th>RATING TERMINAL</th>
<th>ROOT CROWN</th>
<th>TRUNK</th>
<th>LIMBS</th>
<th>FOLIAGE</th>
<th>STRUCTURE</th>
<th>VIGOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>No apparent injuries, decay, cavities or evidence of hollowing; no anchoring roots exposed; no indications of infestation or disease</td>
<td>No apparent injuries, decay, cavities or evidence of hollowing; no codominant attachments or multiple trunk attachments are observed; no indications of infestation or disease</td>
<td>No apparent injuries, decay, cavities or evidence of hollowing; below average amount of dead limbs or twigs; no major limb failures or included bark; callus growth is vigorous</td>
<td>Leaf size, color and density are typical for the species; buds are normal in size, viable, abundant and uniform throughout the canopy; annual seasonal growth increments are average or above average; no insect or disease infestations/infections evident</td>
<td>No apparent structural defects; no excessively weighted branches and no significant cavities or decay</td>
<td>Tree appears healthy and has little or no significant deadwood; foliage is normal and healthy</td>
</tr>
<tr>
<td>Fair</td>
<td>Small to moderate injuries, decay, cavities or hollowing may be evident but are not currently affecting the overall structure; some evidence of infestation or disease may be present but is not currently affecting the tree's structure</td>
<td>Small to moderate injuries, decay, cavities or hollowing may be evident; codominant branching or multiple trunk attachments or minor bark inclusion may be observed; some infestation or disease may be present but not currently affecting the tree's structure</td>
<td>Small to moderate injuries, decay or cavities may be present; average or above average dead limbs or twigs may be present; some limb failures or bark inclusion observed; callus growth is average</td>
<td>Leaf size, color and density are typical or slightly below typical for the species; buds are normal or slightly sparse with potentially varied viability, abundance and distribution throughout the canopy; annual seasonal growth increments are average or slightly below average; minor insect or disease infestations/infection may be present</td>
<td>Minor structural problems such as weak crotches, minor wounds and/or cavities or moderate amount of excessive weight; non-critical structural defects which can be mitigated through pruning, cabling or bracing</td>
<td>Tree appears stressed or partially damaged; minimal vegetative growth since previous season; moderate amount of deadwood, abnormal foliage and minor lesions or cambium dieback</td>
</tr>
<tr>
<td>Poor</td>
<td>Moderate to severe injuries, decay, cavities or hollowing may be evident and are affecting the overall structure; presence of infestation or disease may be significant and affecting the tree's structure</td>
<td>Moderate to severe injuries, decay, cavities or hollowing may be evident and are affecting the tree's structure; presence of infestation or disease may be significant and affecting the tree's structure</td>
<td>Severe injuries, decay or cavities may be present; major deadwood, twig dieback, limb failures or bark inclusion observed; callus growth is below average</td>
<td>Leaf size, color and density are obviously abnormal; buds are obviously abnormal or absent; annual seasonal growth is well below average for the species; insect or disease problems may be severe</td>
<td>Obvious major structural problems which cannot be corrected with mitigation; potential for major limb, trunk or root system failure is high; significant decay or dieback may be present</td>
<td>Tree health is declining; no new vegetative growth; large amounts of deadwood; foliage is severely abnormal</td>
</tr>
</tbody>
</table>

The ratings "good to fair" and "fair to poor" are used to describe trees that fall between the described major categories and have elements of both
GENERAL PROTECTION GUIDELINES
FOR TREES PLANNED FOR PRESERVATION

Great care must be exercised when work is conducted upon or around protected trees. The purpose of these General Protection Measures is to provide guidelines to protect the health of the affected protected trees. These guidelines apply to all encroachments into the protected zone of a protected tree, and may be incorporated into tree permits and/or other Conditions of Approval as deemed appropriate by the applicable governing body.

☐ A circle with a radius measurement from the trunk of the tree to the tip of its longest limb, plus one foot, shall constitute the critical root zone protection area of each protected tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each protected tree. Removing limbs that make up the dripline does not change the protected area.

☐ Any protected trees on site which require pruning shall be pruned by an ISA Certified Arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards, ANSI Standard 2133.1-2000 regarding safety practices, and the International Society of Arboriculture (ISA) “Tree Pruning Guidelines” and Best Management Practices.

☐ Prior to initiating construction, temporary protective fencing shall be installed at least one foot outside the root protection zone of the protected trees in order to avoid damage to the tree canopies and root systems. Fencing shall be installed in accordance with the approved fencing plan prior to the commencement of any grading operations or such other time as determined by the review body. The developer shall contact the Project Arborist and the Planning Department for an inspection of the fencing prior to commencing construction activities on site.

☐ Signs shall be installed on the protective fence in four (4) equidistant locations around each individual protected tree. The size of each sign must be a minimum of two (2) feet by two (2) feet and must contain the following language:

WARNING: THIS FENCE SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE CITY OF SCOTTS VALLEY.

Once approval has been obtained by the City of Scotts Valley protective fencing shall remain in place throughout the entire construction period and shall not be removed, relocated, taken down or otherwise modified in whole or in part without prior written authorization from the Agency, or as deemed necessary by the Project Arborist to facilitate approved activities within the root protection zone.
Any removal of paving or structures (i.e. demolition) that occurs within the dripline of a protected tree shall be done under the direct supervision of the Project Arborist. To the maximum extent feasible, demolition work within the dripline protection area of the protected tree shall be performed by hand. If the Project Arborist determines that it is not feasible to perform some portion(s) of this work by hand, then the smallest/lightest weight equipment that will adequately perform the demolition work shall be used.

No signs, ropes, cables (except those which may be installed by an ISA Certified Arborist to provide limb support) or any other items shall be attached to the protected trees. Small metallic numbering tags for the purpose of identification in preparing tree reports and inventories shall be allowed.

No vehicles, construction equipment, mobile homes/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.

Drainage patterns on the site shall not be modified so that water collects, stands or is diverted across the dripline of any protected tree.

No trenching shall be allowed within the driplines of protected trees, except as specifically approved by the Planning Department as set forth in the project’s Conditions of Approval and/or approved tree permit. If it is absolutely necessary to install underground utilities within the dripline of a protected tree the utility line within the protected zone shall be “bored and jacked” or performed utilizing hand tools to avoid root injury under the direct supervision of the Project Arborist.

Grading within the protected zone of a protected tree shall be minimized. Cuts within the protected zone shall be maintained at less than 20% of the critical root zone area. Grade cuts shall be monitored by the Project Arborist. Any damaged roots encountered shall be root pruned and properly treated as deemed necessary by the Project Arborist.

Minor roots less than one (1) inch in diameter encountered during approved excavation and/or grading activities may be cut, but damaged roots shall be traced back and cleanly cut behind any split, cracked or damaged area as deemed necessary by the Project Arborist.

Major roots greater than one (1) inch in diameter encountered during approved excavation and/or grading activities may not be cut without approval of the Project Arborist. Depending upon the type of improvement being proposed, bridging techniques or a new site design may need to be employed to protect the roots and the tree.
Cut faces, which will be exposed for more than 2-3 days, shall be covered with dense burlap fabric and watered to maintain soil moisture at least on a daily basis (or possibly more frequently during summer months). If any native ground surface fabric within the protected zone must be removed for any reason, it shall be replaced within forty-eight (48) hours.

If fills exceed 1 foot in depth up to 20% of the critical root zone area, aeration systems may serve to mitigate the presence of the fill materials as determined by the Project Arborist.

When fill materials are deemed necessary on two or three sides of a tree it is critical to provide for drainage away from the critical root zone area of the tree (particularly when considering heavy winter rainfalls). Overland releases and subterranean drains dug outside the critical root zone area and tied directly to the main storm drain system are two options.

In cases where a permit has been approved for construction of a retaining wall(s) within the protected zone of a protected tree the applicant will be required to provide for immediate protection of exposed roots from moisture loss during the time prior to completion of the wall. The retaining wall within the protected zone of the protected tree shall be constructed within seventy-two (72) hours after completion of grading within the root protection zone.

The construction of impervious surfaces within the dripline of a protected tree shall be minimized. When necessary, a piped aeration system shall be installed under the direct supervision of the Project Arborist.

Preservation devices such as aeration systems, tree wells, drains, special paving and cabling systems must be installed in conformance with approved plans and certified by the Project Arborist.

No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the dripline of a protected tree. An above ground drip irrigation system is recommended. An independent low-flow drip irrigation system may be used for establishing drought-tolerant plants within the protected zone of a protected tree. Irrigation shall be gradually reduced and discontinued after a two (2) year period.

All portions of permanent fencing that will encroach into the protected zone of a protected tree shall be constructed using posts set no closer than ten (10) feet on center. Posts shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts in order to reduce impacts to the tree(s).
Landscaping beneath native oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. Planting live material under protected native oak trees is generally discouraged, and is not recommended within six (6) feet of the trunk of a native oak tree with a diameter a breast height (DBH) of eighteen (18) inches or less, or within ten (10) feet of the trunk of a native oak tree with a DBH of more than eighteen (18) inches. The only plant species which shall be planted within the dripline of native oak trees are those which are tolerant of the natural, semi-arid environs of the tree(s).
<table>
<thead>
<tr>
<th>TREE #</th>
<th>COMMON NAME</th>
<th>SPECIES</th>
<th>MULTI-STEMS (inches)</th>
<th>TOTAL DBH (inches)</th>
<th>DLR (feet)</th>
<th>RT CR</th>
<th>TRUNK</th>
<th>LIMBS</th>
<th>FOLIAGE</th>
<th>STRUCTURE</th>
<th>VIGOR</th>
<th>NOTABLE CHARACTERISTICS</th>
<th>MAINTENANCE RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1941</td>
<td>Sycamore sp.</td>
<td>(Platanus sp.)</td>
<td>16*</td>
<td>30 Obscured</td>
<td>Obscured</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Tree located off-site; canopy extends over property line approximately 15'; tag on fence.</td>
<td>Reduce canopy extending over the property line.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1942</td>
<td>Sycamore sp.</td>
<td>(Platanus sp.)</td>
<td>14*</td>
<td>20 Obscured</td>
<td>Poor to fair</td>
<td>Fair</td>
<td>Poor to fair</td>
<td>Fair</td>
<td>Tree located off-site; canopy extends over property line approximately 10'; tag on fence.</td>
<td>Reduce canopy extending over the property line.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1943</td>
<td>Liquidambar</td>
<td>(Liquidambar styraciflua)</td>
<td>10*</td>
<td>17 Obscured</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Tree located off-site; canopy extends over property line approximately 14'; tag on fence.</td>
<td>Reduce canopy extending over the property line.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1944</td>
<td>Sycamore sp.</td>
<td>(Platanus sp.)</td>
<td>14*</td>
<td>23 Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Poor to fair</td>
<td>Fair</td>
<td>Tree located off-site; approximately 3' northwest of the property line; branches 7' above grade; tag on fence.</td>
<td>Reduce canopy extending over the property line.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1945</td>
<td>Coast Redwood</td>
<td>(Sequoia sempervirens)</td>
<td>34*</td>
<td>24 Obscured</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Tree located off-site; approximately 4' north of the property line; recent pruning of all branches on southwest site to 25'-30' in height; tag on fence.</td>
<td>None at this time.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1946</td>
<td>Coast Live Oak</td>
<td>(Quercus agrifolia)</td>
<td>9</td>
<td>11 Obscured</td>
<td>Poor</td>
<td>Fair</td>
<td>Poor</td>
<td>Poor to fair</td>
<td>Fair</td>
<td>Leans and out of balance to the south; canopy extends 10' into the parcel.</td>
<td>Possible removal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1947</td>
<td>Coast Live Oak</td>
<td>(Quercus agrifolia)</td>
<td>10</td>
<td>12 Obscured</td>
<td>Poor to fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Poor to fair</td>
<td>Fair</td>
<td>Branches 4.5' above grade; leans south, canopy extends 8' into the parcel.</td>
<td>Possible removal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1948</td>
<td>Coast Live Oak</td>
<td>(Quercus agrifolia)</td>
<td>12</td>
<td>32 Obscured</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor to fair</td>
<td>Poor to fair</td>
<td>Tree located off-site; approximately 4' north of the property line; recent pruning of all branches on southwest site to 25'-30' in height; tag on fence.</td>
<td>None at this time.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1949</td>
<td>Coast Live Oak</td>
<td>(Quercus agrifolia)</td>
<td>9,10</td>
<td>19</td>
<td>34 Poor</td>
<td>Poor</td>
<td>Poor to fair</td>
<td>Poor to fair</td>
<td>Branches 4' above grade; several pruning wounds 7'-8' diameter; leans over existing structure.</td>
<td>Possible removal.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1950</td>
<td>Coast Live Oak</td>
<td>(Quercus agrifolia)</td>
<td>10,12</td>
<td>22</td>
<td>22 Obscured</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor to fair</td>
<td>Tree located off-site; approximately 4' north of the property line; recent pruning of all branches on southwest site to 25'-30' in height; tag on fence.</td>
<td>None at this time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1951</td>
<td>Coast Live Oak</td>
<td>(Quercus agrifolia)</td>
<td>4,6,7, 7,7,8,8</td>
<td>47</td>
<td>15 Obscured</td>
<td>Poor to fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Poor to fair</td>
<td>Tree located off-site; approximately 4' north of the property line; recent pruning of all branches on southwest site to 25'-30' in height; tag on fence.</td>
<td>None at this time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1952</td>
<td>Crape Myrtle</td>
<td>(Lagerstroemia sp.)</td>
<td>6</td>
<td>9 Obscured</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Branches 5' above grade; in narrow park strip adjacent to street.</td>
<td>None at this time.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1953</td>
<td>Crape Myrtle</td>
<td>(Lagerstroemia sp.)</td>
<td>6</td>
<td>8 Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>None</td>
<td>Branches 5' above grade; in narrow park strip adjacent to street.</td>
<td>None at this time.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTAL INVENTORIED TREES = 13 Trees (219 aggregate diameter inches)

*indicates tree is off-site and DBH and DLR are estimates.

TOTAL RECOMMENDED REMOVALS = 0 Trees (0 aggregate diameter inches)

PRECAUTIONARY TREES HIGHLIGHTED FOR REFERENCE
June 17, 2019

Ms. Karly Stephens  
Smith Development & Construction Co.  
7803 Madison Avenue, Suite 700C  
Citrus Heights, California 95610

RE: 5451 Scotts Valley Drive, Scotts Valley, California–Supplemental Tree Information.

Dear Ms. Stephens:

As you are aware, on June 13, 2019 Jeff Azevedo with KLA Landscape Architecture & Planning forwarded to me civil plans for the proposed improvements located at 5451 Scotts Valley Drive (Store #1040196). Along with these plans Mr. Azevedo indicated the City of Scotts Valley required further information relative to encroachments to existing trees from proposed development activities.

Based on the information available at this time I would recommend trees 1949 – 1951 be removed due to perceived impacts from proposed improvements (Demolition activities, new building footings & utility trenches, bio basins).

Trees 1941 – 1948 will sustain minor to moderate encroachment from proposed activities. Any activity within the critical root zone should be monitored by the project arborist. These trees may require elevation pruning and/or root pruning or other mitigation measures depending on the root distribution.

Regards,

Edwin E. Stirtz  
International Society of Arboriculture  
Certified Arborist WE-0510A  
ISA Tree Risk Assessment Qualified  
Member, American Society of Consulting Arborists
Thank you, Paula, for meeting with me yesterday to review the plans and discuss issues and
concerns of the proposed 7-11 store and 76 gas station in relation to me as the closest resident
to the existing and proposed store structure, as well as from the perspective from the Grace
Way Townhomes HOA. The HOA consists of eight townhome units all with reverse floor plans
(major living areas are on the second floor) and common areas which share a property line with
the gas station. I am the Secretary/Treasurer of the HOA.

Below are the issues and concerns that still need to be addressed (some new ones as well).

1. You mentioned, but were not sure, that the proposed project would operate 24 hours a day,
seven days a week. That is not the current operating hours, and if proposed will be strongly
opposed by this community. Please clarify hours of operation ASAP.

2. The proposed project relocates the trash enclosure 25 feet closer to our home to just on the
other side of our fence. That will bring odors, rats, insects, noise and garbage trucks right next
to our home. Yesterday morning we were rudely awakened at 5:30 am by the garbage truck
emptying the metal dumpster. This project needs to move the trash enclosure further away
from our home, not right next to it! The new trash enclosure should instead be located to the
Scotts Valley Drive side of the new building to avoid unmitigated impacts.

3. The project proposes a truck loading area adjacent to our fence at about midpoint of our
property. Delivery trucks now pull up facing our property with refrigeration units on top of the
cabs and they run their engines and refrigeration units the entire time they are there (usually
30 minutes or more). The delivery people also slam their metal loading ramps down onto the
pavement so that it sounds like a gunshot. It is quite disturbing. Again, our homes have all
major living areas on the second floor and these delivery trucks cause a noise and visual impact
every time. The truck loading area should instead be located to the Scotts Valley Drive side of
the new building, not closer to our property!

4. Yesterday I reviewed the project plans but not the files. I would like to review all public files
ASAP.

5. Has this project been through Environmental Review? If so, I request to review it. If not, why
not? It appears to me that the potential toxic fumes, noise, visual and traffic impacts would
require at least a minimal consideration.
6. The project proposes to eliminate both driveway locations on Scotts Valley Drive and replace them with one driveway on Scotts Valley Drive and one driveway on the side street Victor Square Extension. It appears the new driveway on Scotts Valley Drive would restrict left turns in and out of Scotts Valley Drive due to the existing median barrier which therefore would divert a large percentage of traffic to Victor Square Extension. This will cause traffic impacts to the Scotts Valley Drive northbound left turn lane and the eastbound Victor Square Extension shared left turn/thru lane. It may also cause more traffic to divert from returning to Scotts Valley Drive and instead use the local neighborhood streets such as Grace Way, San Augustine Way, and Hacienda Drive. A traffic analysis needs to be conducted to evaluate the intersection levels of service and if traffic signal warrants are met.

7. There is a landlocked strip of property along the project’s northern property line that is not maintained on a regular basis and is a fire danger when weeds and brush grow out of control. It may be a storm drain easement. This portion of the property needs to be investigated for maintenance purposes.

8. The proposed landscaping plan does not include visual relief to our residents. There needs to be large mature deciduous trees planted along our shared property line especially along the middle part of the property. Visual impacts need to be mitigated by the development.

9. Notes on the project plans call for repairs to the existing wooden fence along our shared property line. The fence, however, is owned and maintained by this HOA. I tried for almost a year back in 2017 to coordinate a shared fence project with 7-11 personnel in Texas but could never get a reply to my inquiry asking if they were interested in a shared fence. They currently have a dilapidated four foot high chain link fence (it has been that way for many years). Why have two fences when we can share costs? I eventually had half of our wooden fence replaced at a cost of over $4000. If a new soundwall or other significant structure is not to be required here, then I recommend that the developer be required to pay for and construct the other half of our wooden fence and reimburse the HOA for half the cost of the fence already constructed. We can then share costs equally from then on.

10. The project proposes almost all of their utilities to be along the north side (or behind) the new building except for a transformer which is to be placed on the west side facing our property. It is recommended that this unit also be placed on the north side, or even east side, of the new building further away from our home.

11. I don’t know how toxic fumes and noise impacts can be mitigated for our upstairs living areas but the City needs to at least consider it. We’ve been living with this situation way too long! We would appreciate a review to establish the need for a soundwall or other items. When the gas delivery truck and other obnoxious noise and toxic fume generators show up we have to close doors and windows and retreat to the indoors. Any help dealing with these issues would be greatly appreciated!
12. I am disappointed that the developer did not reach out to us for input long ago. It appears to me that the design layout of the project totally ignores the fact that there are residential units directly next door to them. We do appreciate the rerouting of the gas truck delivery area and underground tanks further away from our homes. Thank you!

Please feel free to share these comments. I look forward to hearing back from you soon.

Jack Sohriakoff
296 Grace Way
Scotts Valley, CA 95066