

STAFF REPORT TO THE PLANNING COMMISSION

APPLICATION NO.: 99-0044

APN: 077-104-04, -02

APPLICANT: Kenneth Rogers

OWNER: J. E. and Donna Edwards

PROJECT DESCRIPTION: Proposal to relocate an existing garage to an adjacent parcel, construct a two-story structure with two 1,000 square foot residential units on the ground floor and a 2,000 square foot commercial office/retail use on the second floor, including a Master Occupancy Program. Requires an amendment to the Ben Lomond Town Plan (a Specific Plan Amendment), a Commercial Development Permit, a Master Occupancy Permit, a Variance to reduce the required 10-foot front yard to 0-feet to allow for a pedestrian bridge connecting the structure to Highway 9, and a preliminary grading permit to fill approximately 450 cubic yards of earth.

LOCATION: Property located on the north side of Mill Street at the northwestern intersection of Mill Street and Highway 9.

FINAL ACTION DATE: 60 days after certification of the Negative Declaration

PERMITS REQUIRED: Specific Plan Amendment, Commercial Development Permit, Variance, and Preliminary Grading Approval.

ENVIRONMENTAL DETERMINATION: Negative Declaration, with conditions

COASTAL ZONE: ☐ yes ☒ no

PARCEL INFORMATION

PARCEL SIZE: APN 077-104-01 = 15,202 sq. ft. APN 077-104-03 = 16,000 sq. ft.

EXISTING LAND USE: PARCEL: Garage/existing duplex

SURROUNDING: Commercial and Residential

PROJECT ACCESS: Mill Street

PLANNING AREA: San Lorenzo Valley (within Ben Lomond Town Plan area)

LAND USE DESIGNATION: Community Commercial (C-C)

ZONING DISTRICT: Neighborhood Commercial (C-1)

SUPERVISORIAL DISTRICT: Fifth District

ENVIRONMENTAL INFORMATION

<u>Item</u>	<u>Comments</u>
a. Geologic Hazards	a. Outside mapped Flood Plain
b. Soils	b. A soils report has been submitted and accepted
c. Fire Hazard	c. None mapped
d. Slopes	d. Abrupt drop from Highway 9/gently sloping towards Mill Street
e. Env. Sen. Habitat	e. None mapped
f. Grading	f. Approximately 450 cubic yards of fill
g. Tree Removal	g. Twelve existing trees over 6" d.b.h. proposed to be removed
h. Scenic	h. Within mapped Scenic Corridor (Highway 9)

ATTACHMENT 7

- | | | |
|-----------------------|--|------|
| i. Drainage | i. Drainage plan required, including installation and maintenance of silt/grease traps | 0444 |
| j. Traffic | j. Minimal increase, roads can accommodate increase | |
| k. Roads | k. Existing | |
| l. Parks | l. Adjacent to site | |
| m. Sewer Availability | m. Septic system approved by Environmental Health Services | |
| n. Water Availability | n. Public water; water is available | |
| o. Archeology | o. Within mapped area; no evidence of resources | |

SERVICES INFORMATION

W/in Urban Services Line: yes X no

Water Supply: San Lorenzo Valley Water District

Sewage Disposal: septic system (Environmental Health Services)

Fire District: Ben Lomond Fire Department

Drainage District: Zone 8

ANALYSIS & DISCUSSION

Background

On January 26, 1999, the County Planning Department accepted this application for a General Plan Amendment, Commercial Development Permit, a Master Occupancy Permit, a Variance and Preliminary Grading Approval. In accordance with the California Environmental Quality Act (CEQA) and the County Environmental Review Guidelines, the project was considered by the County Environmental Coordinator on April 24, 1999. A Negative Declaration with Mitigations was issued on May 27, 1999 (Exhibit "H").

Project Description

The applicant requests approval to relocate an existing garage/storage building to an adjacent parcel and to construct a two-story building with two 2-bedroom apartments on the first floor and a 2,000 square foot commercial retail/office use on the second floor. An attached elevator tower is proposed on the east side of the building. This project requires approval of a Commercial Development Permit, a Master Occupancy Permit and Preliminary Grading Approval to fill approximately 450 cubic yards of earth. The proposal includes the construction of a deck and a 'pedestrian bridge' that would connect the commercial space to Highway 9 at street level. Because these improvements are within the required front setback of the C-1 zone district, a Variance is required.

The project site is identified in the Ben Lomond Town Plan as the site of proposed park and community area as well as the location of a proposed new roadway connecting Mill Street and Highway 9, opposite Fillmore Avenue. The proposal would eliminate these features from the Ben Lomond Town Plan and, therefore, amendments to the Town Plan are included in this project description.

Project Setting & Surroundings

ATTACHMENT 7¹₀₄₄₅

Two parcels are involved in this application: APN's 077-104-01 and -02. One of them (APN 077-104-02) is involved only to the extent that an existing garage/storage building located on APN 077-104-01 is being moved to it from the other parcel. The garage/storage building will be used by the tenants of the existing non-conforming duplex on that property. All setbacks will be met on this property and the only requirements for the relocation of the garage are to obtain a building permit and record a declaration maintaining the structure as a non-habitable structure.

APN 077-104-01, the project parcel, is 15,202 square feet in area and is located at the intersection of Mill Street and Highway 9, opposite Fillmore Avenue. The site has an abrupt break in slope along the Highway 9 frontage, but the remainder of the property gently slopes towards Mill Street. The only existing structure is the garage/storage building intended to be moved to the adjacent parcel. An irregularly shaped asphalt parking area is located in the western portion of the site and there are a number of scattered old retaining walls and fences. There are 6 acacias, 4 locusts, 1 oak and a large stump located on the periphery of the project. Only the oak, the stump and 2 acacias are located on the subject property. The other trees are located within the Highway 9 or Mill Street right-of-ways. All of these trees must be removed to construct the required road improvements to these two roadways. The remainder of the site is vegetated with brush, Scotch broom and wild grasses.

The subject parcel is zoned C-1 (Exhibit "F") and the General Plan Designation is Community Commercial (C-C). Surrounding development include a duplex and commercial uses to the east, large-lot residential development to the west, mixed commercial development to the north and park land to the south.

General Plan Consistency

The project is located in the Community Commercial (C-C) General Plan designation. This designation is intended to meet the commercial needs of the community by providing general retail, service and office activities. Adequate access and public services are available to the site, as required by General Plan Policy 2.13.6. The zoning of C-1 is consistent with the General Plan Designation of C-C.

The proposed project would be visible from Highway 9, an adopted scenic corridor. However, the portion of the building visible to motorists on Highway 9 will be a single story commercial building. General Plan Policy 5.10.11 requires that new discretionary development improve the visual quality through siting, design, landscaping, and signage. Signage is allowed where consistent with the sign ordinance and any specific plan for the area (see below). The proposed development is consistent with the scenic character of Ben Lomond, and the signage proposed is consistent with County Code Section 13.10.580 which limits sign area to a total of 20 square feet.

General Plan policies 3.21.3 and 3.21.4 require that new development projects mitigate impacts on transportation facilities through system improvements and/or transportation impact fees. The applicant has proposed frontage improvements on Mill Street and Highway 9 consistent with the requirements of the Department of Public Works and CalTrans (see CEQA Review - below).

ATTACHMENT 7

Specific Plan Consistency

0446

The project site is located within the Ben Lomond Town Plan and is subject to the requirements of this Specific Plan. APN 077-104-01 has been designated for future acquisition as a park site, for the construction of a 'commons' area to augment the existing Ben Lomond Park, or as a site for a relocated Park Hall. Both of these future uses of the property were proposed to be implemented in conjunction with the realignment of Mill Street. Following the General Plan requirements for proposed development on properties designated for future park sites, this matter was referred to the Parks and Recreation Commission upon receipt of this application. On August 18, 1997, the Parks and Recreation Commission voted to recommend that the Board of Supervisors not acquire the parcel for the future expansion of Ben Lomond Park. On September 23, 1997, the Board of Supervisors accepted the recommendation of the Commission and declined to proceed with any actions to acquire the parcel for future park purposes. This application includes an amendment to the Town Plan to delete the reference to the proposed park expansion on APN 077-104-01, facilitating the development proposal.

As mentioned above, the Ben Lomond Town Plan proposed a realignment of Mill Street to eliminate the existing, sharply angled intersection of Mill Street and Highway 9. The purpose of the realignment was to improve the safety of this intersection for motorists and pedestrians, to implement the Mill Street promenade plan and Ben Lomond park expansion/Park Hall relocation, and to prevent motorists from using Mill Street as a bypass through Ben Lomond. The proposed realignment would have resulted in the construction of a new roadway, with diagonal parking, between APNs 077-104-01 (project site) and 077-104-02 from Mill Street to Highway 9, opposite Fillmore Avenue, and the elimination of Mill Street along APN 077-104-01 (Exhibit K).

The proposed road realignment was examined by Public Works and found to be both physically infeasible and unnecessary if certain changes were constructed at the existing intersection. The construction of the 'new' roadway would have resulted in a very steep roadway requiring extensive grading on Mill Street to conform to minimum standards. Instead, the proposed reconstruction of the intersection of Mill Street and Highway 9 to eliminate the sharp angle and create a "T" intersection, in conjunction with the construction of turning lanes on Highway 9, will improve the safety at this intersection and meet the intent of the Town Plan to provide a safer intersection and reduce cut-through traffic. This application includes an amendment to the Town plan to delete the proposed realignment of Mill Street in favor of a better design at the existing intersection of Mill Street and Highway 9.

The design, materials and colors of the proposed structure meet the design recommendations of the Ben Lomond Town Plan which include the use of natural materials with light paint or stain. The improvement plans and landscape plan also meet the Town Plan guidelines, including the construction of curbs, gutters and sidewalks around the entire frontage (Mill Street and Highway 9) and the installation of native species of trees, including sycamores, oaks and Redwoods, and the removal of all invasive species such as Acacia and Scotch broom.

Zoning Consistency

The parcel is zoned Neighborhood Commercial, C-1 (Exhibit "F"). The proposed uses, with 2,000 square feet of retail/office and 2,000 square feet of residential use, are consistent with the

ATTACHMENT 7

allowed uses in the C-1 zone district, if certain restrictions are applied to the commercial (upper floor) of the building. These restriction would limit the area of office use to 50% of the 2,000 square feet designated as commercial space. In addition, because of the limitations in the on-site parking provided, restaurant and similar uses requiring more than 1 parking space per 200 square feet will not be allowed. 0447

Fourteen parking spaces are provided on-site. Ten spaces are allocated for the commercial uses on the second floor and four spaces are available for the residential uses. The Parking Ordinance requires 2.5 spaces for each multi-family unit plus a guest parking space (total = 6 spaces). County Code Section 13.10.552(a)2 allows guest parking to be located on the street if it can be demonstrated that there is abutting on-street curb space available. In this case, there is sufficient room along the curb line on Mill Street for more than 5 vehicles, more than enough to meet the demand for the guest parking. In addition, County Code Section 13.10.553(b) allows for a reduction in parking for multiple uses if peak demands do not coincide. In this case, the residential and commercial uses will not have parking demand conflicts, partly due to their times of peak demand, but also because of the design of the building which will invite substantial pedestrian usage from Highway 9. In any case, there will be an adequate number of parking spaces for the uses in this building.

The proposed structure is consistent with development regulations for parcels in the C-1 zone district as they relate to maximum height and setbacks. The proposed structure would be a maximum of 29 feet from grade to the top of the roof, less than the maximum allowed of 35 feet. The apparent height of the structure from Highway 9 will be 23-feet above the road surface. Setbacks to all roadways and from the residential uses to the south are 10-feet, consistent with the County Code requirements. A proposed deck and pedestrian bridge connecting the commercial uses on the second floor to the sidewalks on Highway 9 intrude into the required 10-foot setback. A variance is requested to the setback to recognize the topography of the site at that location and the need to connect the commercial uses with the pedestrian-centered areas of Ben Lomond. Findings are presented to approve this variance based on the special topographic circumstances and the consistency with the intent of the Ben Lomond Town Plan.

Design Review Issues

The proposed commercial project is subject to the County's Site, Architectural, and Landscape Review Ordinance, Chapter 13.11 of the County Code. A primary purpose of the Design Review ordinance, as defined by General Plan Objective 8.1, is to achieve functional high quality development through design review policies that recognize the diverse characteristics of the area, maintain design creativity, and preserve and enhance the visual fabric of the community, including those in any specific plans.

The proposed project has been designed to incorporate elements commonly found in the town of Ben Lomond. The bulk and scale of the proposed building are compatible with surrounding development, and provide a transition between residential development to the west and the commercial development to the east and north.

The exterior elevation will have horizontal wood siding on the second floor (commercial) with stucco siding on the first floor (residential). The colors will be light tan with dark gray composition roofing.

ATTACHMENT 7

A Redwood trellis will be installed on the side of the elevator tower. Redwood railings with wrought iron inserts will ring the exterior deck on the second floor.

0448

The parking area has been designed to reduce the visual impact of pavement and parked vehicles. Adequate landscaping has been provided to provide some visual screening from Mill Street. In addition substantial planting is proposed along the Mill Street and Highway 9 property lines and at the rear of the development. As proposed, 25 trees would be provided around the perimeter of the site and in the parking areas, and 6 of those trees are proposed to be 24-inch box size to replace the oak and locusts removed as a result of roadway improvements, as required by the Negative Declaration.

One business identification sign is proposed with an area of 20 square feet, which is the maximum allowed. The sign is proposed to utilize the building's color palette and will not be illuminated, due to the site location within a scenic corridor.

Environmental Review Issues

The project was considered by the County Environmental Coordinator on April 22, 1999. A Negative Declaration with Mitigations was issued on May 26, 1999 (Exhibit "H"). Significant issues include erosion control, drainage, noise, roadway improvements and landscaping. Mitigation measures have been incorporated into the Conditions of Approval for all environmental impacts identified as potentially significant.

A noise study has been prepared and submitted for the proposed project. The study indicates that the noise levels inside the building will exceed the maximum acceptable levels established by the General Plan unless certain measures are taken to reduce the impact. These measures include building requirements for the types and construction of windows. These requirements have been incorporated into the Conditions of Approval.

Following the issuance of the Conditional Negative Declaration, Planning staff was informed by Public Works that there was a significant roadway project in the works, jointly funded with CalTrans, that included the Highway 9 frontage of the project site. Public Works' concern was that the improvements not be done twice: once by the applicant and again by CalTrans a couple of years later. In addition, the proposed design of the improvements along the Highway 9 frontage, as conditioned, would not include the retention of the two trees (Oak and Locust). Planning staff is proposing alternative language addressing the installation of roadway improvements that will result in the same end, the installation of roadway improvements to mitigate the impacts of the project. The original wording is as follows:

- D. *In order to prevent conflicts with the adopted Ben Lomond town Plan, prior to scheduling of the public hearing, the owner/applicant shall revise the improvement plans to include curb, gutter, and sidewalk along the entire frontage of Mill Street and Highway 9, and obtain approval of the revised plan from the Department of Public works, Traffic Engineering staff. The sidewalk shall be designed to preserve the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak, see improvement plan, sheet 1, Beautz, 10-1997).*
- E. *In order to prevent conflicts with the adopted General Plan policies regarding landscaping, and to mitigate the visual impact of the development on highway 9, a*

ATTACHMENT 7

designated scenic roadway, the owner/applicant shall revise the landscape plan to include the following elements:

- a. *Plan shall utilize native species, including Oaks;*
- b. *Indicate that the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak) will be preserved;*
- c. *Removal of all Acacia and Scotch broom on the property, with a plan to maintain the parcel free of non-native invasive species;*
- d. *Meet the criteria given in General Plan policy 5.10.13.b*

0449

The proposed language that would be substituted for the above is as follows:

- D. In order to prevent conflicts with the adopted Ben Lomond Town Plan, prior to scheduling of the public hearing, the owner/applicant shall ~~revise the improvement plans to include curb, gutter, and sidewalk along the entire frontage of Mill Street and Highway 9, and obtain approval of the revised plan from the Department of Public works, Traffic Engineering staff. The sidewalk shall be designed to preserve the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak, see improvement plan, sheet 1, Beautz, 10-1997)~~ **enter into a binding, legal agreement with the County of Santa Cruz, to run with the land, that provides for the installation of the required street improvements within a specified period of time, and provides a financial security for the performance of the agreement. This agreement is intended to allow the improvements to be installed by CalTrans, rather than by the owner, as long as they are installed within an agreed upon period of time. The agreement shall be approved by County Counsel prior to execution.**
- E. In order to prevent conflicts with the adopted General Plan policies regarding landscaping, and to mitigate the visual impact of the development on highway 9, a designated scenic roadway, the owner/applicant shall revise the landscape plan to include the following elements:
 - a. Plan shall utilize native species, including Oaks;
 - b. Indicate that the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak) ~~will be preserved~~ **that are to be removed to provide continuous sidewalk from Mill street to Highway 9, will be replaced with 24" box size, native trees, at a ratio of 3:1;**
 - c. Removal of all Acacia and Scotch broom on the property, with a plan to maintain the parcel free of non-native invasive species;
 - d. Meet the criteria given in General Plan policy 5.10.13.b

Staff believes that the proposed change to the wording of the Negative Declaration not only meets the intent of the Ben Lomond Town Plan to provide road improvements necessary for pedestrian safety and circulation, but also addresses the need to provide these improvements as efficiently as possible. The applicant has submitted a signed agreement, as required by this mitigation measure ("Exhibit G"). The CalTrans design process for the improvements to Highway 9 in Ben Lomond is underway as evidenced by the attached advertisement for the community meeting on the proposed project (Exhibit J). The revised Negative Declaration language is presented as Exhibit I.

Conclusion

ATTACHMENT 7

All required findings can be made to approve this application. The project is consistent with the General Plan in that the project constitutes a commercial use, and the Ben Lomond Town Plan, as revised. The proposed intensity of use is compatible with the existing intensity of land use in the surrounding area, and is consistent with the zoning designation of the subject parcel. The project, as conditioned, will not have a significant effect on the environment.

Please see Exhibit "C" (Findings) for a complete listing of findings and evidence related to the above discussion.

RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. Adopt a resolution recommending approval of the amendments to the Ben Lomond Town Plan to the Board of Supervisors, as well as a recommendation for approval of the Commercial Development Permit, Variance and Preliminary Grading Approval, and the revised Negative Declaration.

EXHIBITS

- A. Engineering Plans by Bob DeWitt, dated November 1999, Architectural Plans by Ken Rogers, Architect, dated September 11, 2000, Landscape Plans by Gregory Lewis, dated June 3, 1999, and Improvement Plan by Michael Beautz, dated October 1997
- B. Resolution Recommending Approval of Amendments to the Ben Lomond Town Plan
- C. Commercial Development Permit and Variance Findings
- D. Conditions of Approval
- E. Assessor's Parcel Map
- F. Zoning Map
- G. Agreement for Construction of Frontage Improvements Associated with California State Highway 9
- H. Mitigated Negative Declaration and Environmental Review Initial Study
- I. Revised Negative Declaration Language
- J. Advertisement for Highway 9 Improvements Community Meeting
- K. Realignment Plan - Mill Street/Highway 9, Ben Lomond Town Plan

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By:

Mark M. Deming, AICP
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3183

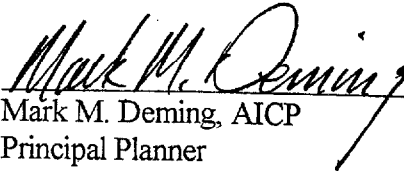
Report reviewed by:



Cathy Graves
Principal Planner, Development Review

ATTACHMENT 7

Report prepared by:



Mark M. Deming, AICP
Principal Planner

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION RECOMMENDING
AMENDMENT TO THE BEN LOMOND TOWN PLAN

WHEREAS, the Board of Supervisors, in 1990, adopted the Ben Lomond Town Plan to establish design and development guidelines for the Town of Ben Lomond and to guide and coordinate future public and private improvements within the Town Plan boundaries; and

WHEREAS, on June 16, 1997, an development application was submitted for the construction of a commercial/residential building on Assessors Parcel Number 077-104-01; and

WHEREAS, this property is located within the Ben Lomond Town Plan area and is designated as an area for expansion of the River Park and for the realignment of Mill Street, to meet the intent and objectives of the Town Plan; and

WHEREAS, on August 18, 1997, the County Parks and Recreation Commission recommended that the County Board of Supervisors decline to acquire the property for the purpose of expanding the Ben Lomond River Park; and

WHEREAS, on September 23, 1997, the Board of Supervisors, acting on the recommendation of the Parks and Recreation Commission, declined to proceed with the acquisition of the property for future expansion of the River Park; and

WHEREAS, the Ben Lomond Town Plan proposes a realignment of Mill Street, in conjunction with the expansion of the River Park, to connect with Highway 9, opposite Fillmore Avenue, in order to improve the vehicular and pedestrian safety on Highway 9; and

WHEREAS, the realignment of Mill Street has been found to be impractical due to the physical characteristics of the area; and

WHEREAS, the proposed improvements to the existing Mill Street, and Highway 9, and the intersection of the two roads, will be constructed in conjunction with improvements proposed by CalTrans and the Department of Public Works and will address the vehicular and pedestrian safety at this intersection by changing the intersection alignment and by providing curbs, gutters and sidewalks along the entire frontage of the property, as well as constructing off-site improvements on

the south side of Mill Street; and

0453

WHEREAS, a Mitigated Negative Declaration has been issued that addresses the potential environmental impacts of the project; and

WHEREAS, the Planning Commission has conducted a public hearing to consider the amendments to the Ben Lomond Town Plan to eliminate the River Park expansion on the subject property and the realignment of Mill Street.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the amendments to the Ben Lomond Town Plan (Attachment 1) and the Negative Declaration, incorporated herein by reference, be approved by the Board of Supervisors.


PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2000 by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Rob Bremner, Chairperson

ATTEST: _____
Cathy Graves, Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

cc: County Counsel
Planning Department

Key to the Downtown Design Plan:

1. Western Mill Street:
New four-way intersection at Fillmore Avenue. Redesign Intersection at Highway 9 - page 10 (see page 12)
2. Mill Street Promenade:
Landscaped islands at Main Street (1) pedestrian improvements, additional landscaping.
(See page 8)
3. Eastern Mill Street:
New street section, pedestrian crossings, potential changes in traffic patterns.
(See page 9)
4. Ben Lomond River Park:
New Park entry (1), sidewalk, replace chain link fence.
(See page 11)
5. River Walk:
Pedestrian pathway and scaling with access under bridge and eventual linkage to Park.
(See page 12)
6. Highway 9 Improvements:
New road section, pedestrian improvements, intersection improvements and additional landscape.
(See page 15)
7. Village Entry Islands:
Raised landscaped median islands with entry sign.
(See page 9)
8. Oak Street Intersection:
Intersection improvements, shift parking, pedestrian crossing, and landscaping.
(See page 14)
9. Main Street:
Pedestrian and intersection improvements.
(See page 18)
10. Sidewalk to Post Office:
Sidewalk on the east side of Main Street from Highway 9, north to Post Office.
11. Western Mill Street:
Interim modifications to Mill Street to reduce vehicle speed and improve pedestrian safety.
(see page 10)

Mill Street

The general goals identified in the workshop process for Mill Street include: (a) creating a more attractive pedestrian environment that is welcoming to shoppers and local residents, (b) developing a stronger functional relationship between Mill Street, the River Park and the San Lorenzo River, (c) provide additional parking and (d) reduce vehicular speed.

Mill Street Realignment / Highway 9 Intersection

The possibility of realigning the west end of Mill Street to connect with Fillmore Avenue at State Highway 9 (see the Design Plan on page 11) was studied and received favorable support in the workshops. This proposal is a long-range goal due to the required negotiations with private property owners and should not inhibit the implementation of other proposals for Mill Street.

This proposed realignment of Mill Street would help to accomplish the following: (a) The street would appear less linear and would provide improved pedestrian amenities, (b) the River Park would be expanded and visibility between the park and the street would be improved, (c) the plan would provide additional parking and (d) a safer intersection with Highway 9.

Parking

In order to increase on-street parking and slow traffic, a one-way street system which incorporated angled parking was investigated. Since this approach gained only seven additional parking spaces and created additional circulation problems it was abandoned.

In general, parking on Mill Street should remain as parallel parking ~~except in front of the~~

~~River Park where angled parking is feasible.~~
Wherever possible, adjacent parcels should take advantage of the incentives offered by the County Zoning Ordinance for shared parking facilities. This will improve the efficiency of on-site vehicle circulation and limit the number of access points onto adjacent streets, which decreases congestion, improves pedestrian circulation and allows more on-street parking.

Mill Street Promenade

The concept of a Mill Street Promenade was developed to make the Mill Street area more attractive for walking and shopping. Improved landscaping and pedestrian amenities are major goals for the Promenade.

A pedestrian and landscape focus can be provided at the intersection of Main Street and Mill Street by expanding existing sidewalks and adding landscaped areas and public seating. By adding these landscaped areas and widening sidewalks, the roadway is "choked down" and appears narrower, without actually reducing the width of the travel lane.

Choking the street down at this location provides improved pedestrian circulation, handicapped accessibility and it will also slow speeding traffic. See item (c), West Mill Street section, page 10.

The streetscape on Mill Street east of Main Street is dependent upon the planned expansion of "Ben Lomond Super" and the possible relocation of Park Hall. Development options for Ben Lomond Super could include a streetscape that would eliminate on-street parking from the north side of Mill Street and encourage wider sidewalks and increased landscaping. These changes would help create the "promenade" envisioned during the community workshops (see the concept sketch on page 9).

West Mill Street

Traffic control devices are proposed for the western section of Mill Street to reduce the incidence of speeding autos using Mill Street to pass traffic on Highway 9 (see plan). These improvements could be installed fairly quickly and act as interim measures until the proposed realignment of Mill Street to Fillmore is implemented.

a) Highway 9 Intersection: Modifications

to the existing street geometry at the intersection of Highway 9 and the west end of Mill Street are proposed. These include: (1) Realignment or road geometry modifications to reduce speeding and provide improved safety for pedestrians, (2) installing a narrow median on Mill Street to prevent autos "cutting" across the opposite traffic lane, and (3) the installation of a landscaped median traffic island on Highway 9 north of the intersection to alert drivers to a change in traffic conditions and act as a village entry (see page 18).

b) Undulation: An undulation in the road surface is proposed for Mill Street approximately halfway between Main Street and the Highway 9 intersection. This undulation would consist of a arched, raised area, 3 inches high and 12 feet long constructed across the roadway between two landscaped curb islands (see diagram). This installation will also limit the long straight view down Mill Street that currently contributes to the speeding problem.

(CONTINUED ON NEXT PAGE)
 *Information on geometric features is contained in "Residential Street Design and Traffic Control" from the Institute of Transportation Engineers.

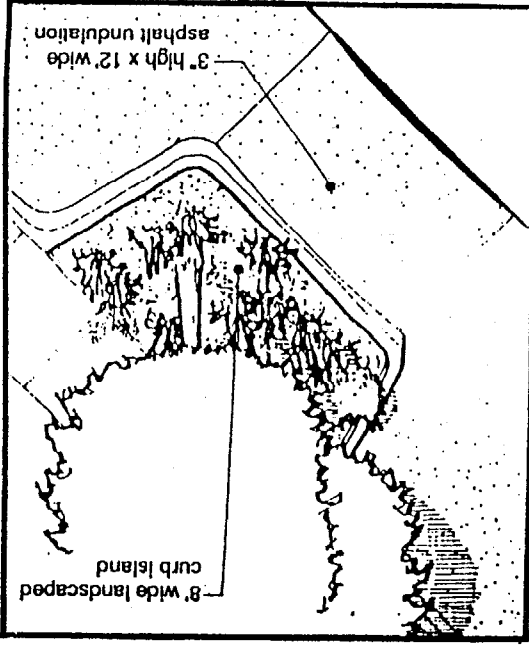


Diagram of "undulation"

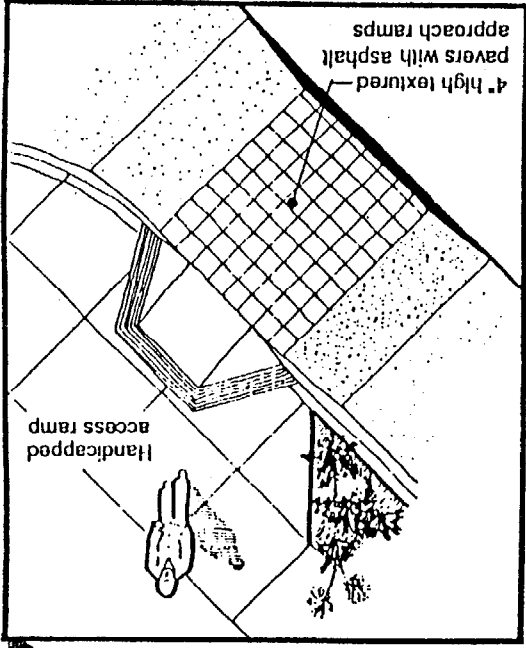
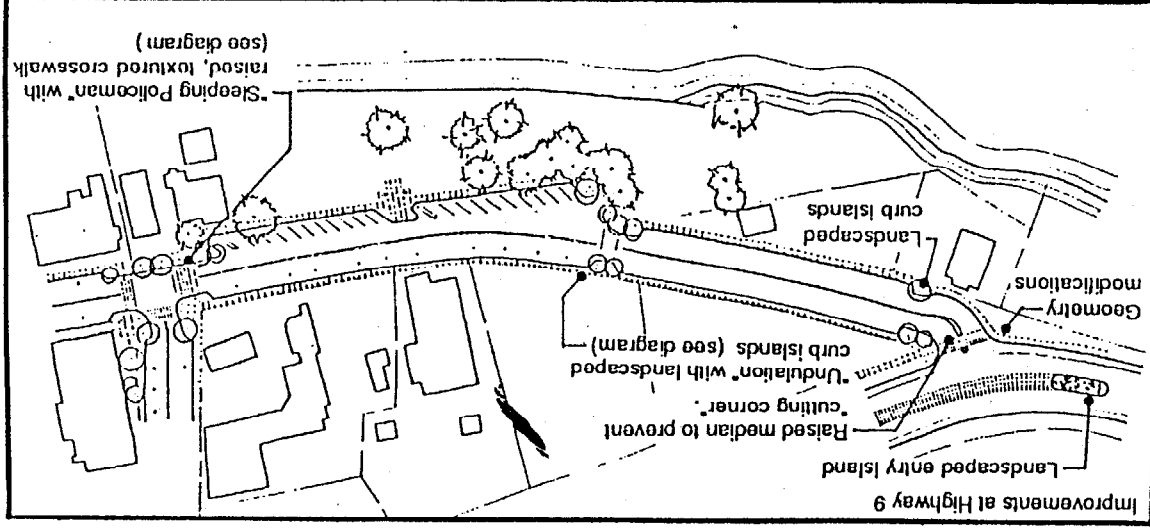


Diagram of "sleeping policeman"



Sketch plan showing the proposed interim improvements on western Mill Street to slow vehicle traffic and improve pedestrian safety.

0456

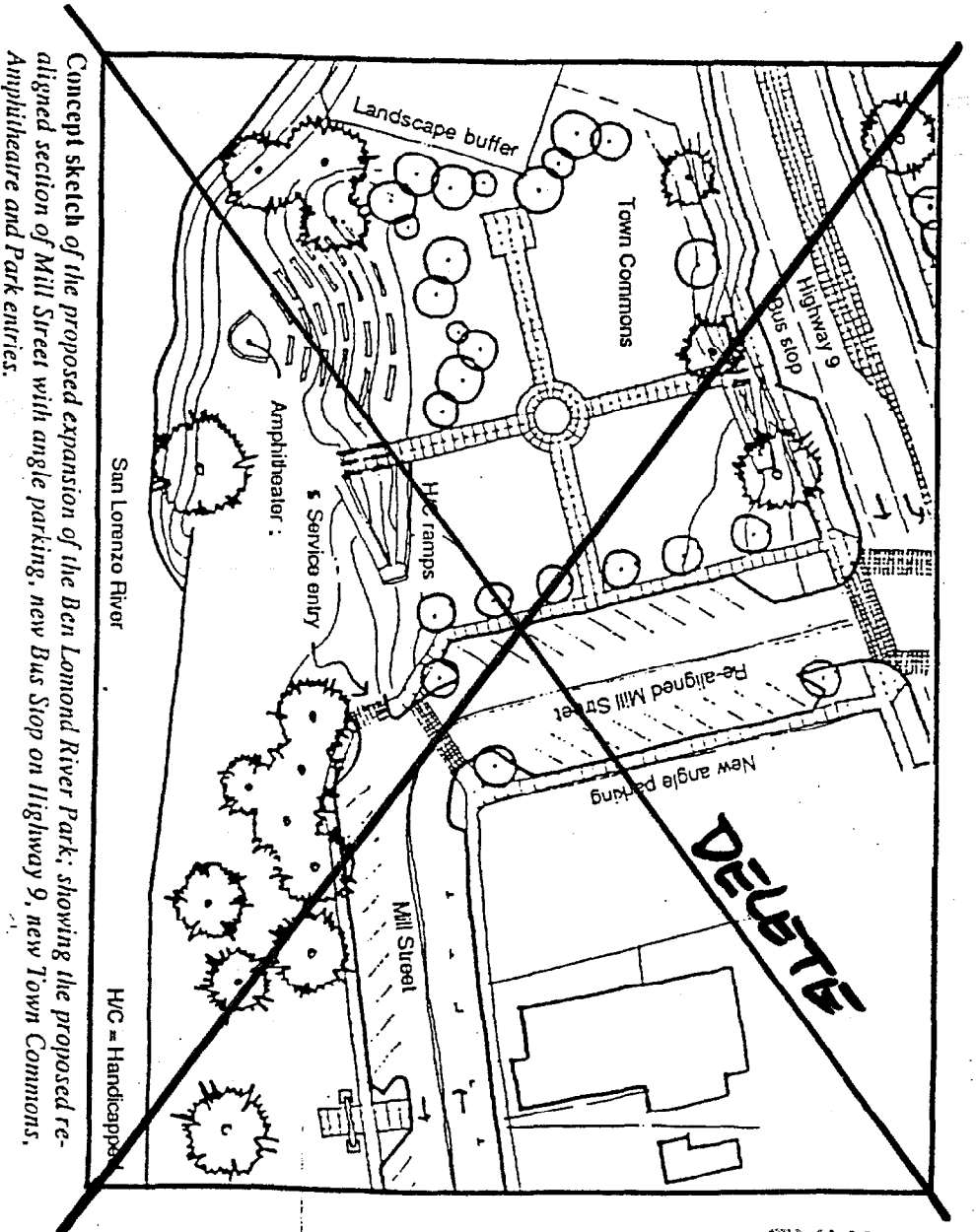
The Ben Lomond River Park

Workshop participants were supported the expansion of the existing River Park in conjunction with a re-alignment of Mill Street. An expanded River Park was seen as a way to provide an improved link between the river and the downtown area, and as a visual focus for the Mill Street Promenade.

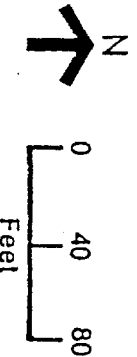
Workshops participants expressed concern about the existing visual appearance of the park and its ability to meet the needs of the Ben Lomond community (see the workshop section page 29). Many participants consider the existing chain link fences to be an eye-sore and in conflict with the image they have of their community.

River Park Recommendations

- Fencing:** The existing chain link fence should be replaced with a green vinyl coated chain link fence in areas where visual access is required for security reasons and with redwood fencing in all other areas and adjacent to existing residences.
- Entries:** Attractive Park entry areas should be developed which are constructed of light colored materials (for example, white or beige painted wood) compatible with the Mill Street promenade.
- Hours:** Increased pedestrian activity along the Mill Street promenade should lead to an increase in the hours that the River Park is open to the public.
- Community Input:** Before an expansion or major renovation of the River Park takes place, input from the Ben Lomond community should be obtained through a participatory Park Planning process.



Concept sketch of the proposed expansion of the Ben Lomond River Park; showing the proposed re-aligned section of Mill Street with angle parking, new Bus Stop on Highway 9, new Town Commons, Amphitheatre and Park entries.



PAGE 10 CONTINUED...

- Raised crosswalk:** A raised crosswalk (or "sleeping policeman") is proposed as a part of the intersection improvements at Mill Street and Main Street. This raised crosswalk would consist of 4 inch high paving blocks with gentle transition ramps along each side.

The "sleeping policeman" would help to limit the number of motorists who currently ignore the stop sign at Main Street by requiring a slower crossing, and also provide improved handicapped access across Mill Street to the

0457

(1) Street Lighting: Two alternatives to the existing lights on Highway 9 are suggested;

(1) using standard "cobra" head fixtures mounted on metal poles, with the whole assembly painted in dark green and maintained by a Business Improvement District (an example of this type is on Highway 101 through the Presidio in San Francisco), or

(2) unpainted "cobra" fixtures mounted on light finished tapered wood poles.

8) Crosswalk Pavers: Textured paving used on Highway 9 should meet the requirements set forth in the General Design Guidelines Section on page 24.

In addition, pavers used within the Highway 9 right-of-way must meet with Caltrans approval.

h) Handicapped Access: All public improvements to the Highway 9 road section should meet State Title 24 Handicapped Accessibility requirements and should follow the recommendations contained in the General Design Guidelines on page 24.

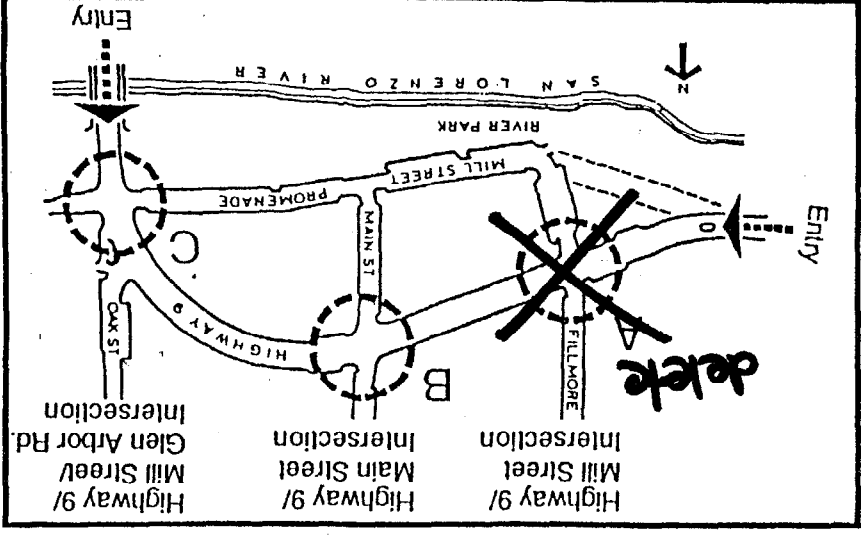
Highway 9 Intersections

In order to address concerns related to public safety on Highway 9, each of the three intersections on Highway 9 in the Ben Lomond Village Center were analyzed (see diagram on this page).

Highway 9 / Mill Street

Intersection (A): Pedestrian and vehicular safety has been a problem at both intersection (A) and (C). The existing intersection of Highway 9 and Mill Street has sight distance problems, particularly exiting Mill Street on to Highway 9 in both directions, and is also an extremely dangerous pedestrian crossing.

The proposed Highway 9 road section (see page 19) combined with the proposed intersection alignment of Mill Street to Fillmore Ave. (see page 12) creates improved intersection geometry and sight distance. In addition, this re-alignment provides the opportunity to develop an entry island on Highway 9 west of the Fillmore intersection. This entry island would be a raised, landscaped feature with a Ben Lomond town sign providing a sense of entry as well as alerting motorists that they are approaching the Ben Lomond Village Center (see the sketch on page 18). This improvement could be implemented prior to the realignment of Mill Street, in conjunction with the traffic measures for the existing Highway 9 and west Mill Street intersection discussed on page 10.



Circulation Key Map

42

EXHIBIT B

COMMERCIAL DEVELOPMENT PERMIT FINDINGS

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, OR BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the commercial building, and the conditions under which it would be operated or maintained, will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity. The project is located in an area designated for neighborhood commercial use, where retail, offices and residential uses, and similar uses are allowed, and is not encumbered by physical constraints which would prohibit development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The circulation for traffic entering and exiting the project has been designed to be safe for the existing traffic flow on Mill Street and Highway 9. The project, as proposed, will not be detrimental to surrounding properties and improvements.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The area where the proposed project is located is zoned C-1. Chapter 13.10.331(e) of the County Code establishes the purposes of the C-1 zone district. This proposal meets the intent of the C-1 zone district by offering a retail/office uses and residential dwellings in an area of small scale commercial uses. The project as proposed is consistent with the purposes of the C-1 zone district.

The proposed project is consistent with development regulations for parcels in the C-1 zone district as they relate to maximum height, parking, and setbacks.

Section 13.10.553 allows modified parking plans if the plan meets the purpose of the County Code to provide adequate parking for the proposed use. Adequate parking for the commercial uses as proposed and limited by this permit will be provided. Adequate parking for the residential component of the project will be provided by 2 spaces per unit on-site as well as sufficient quest parking along the curb line of Mill Street.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the Community Commercial (C-C) General Plan designation. This designation is intended to meet the retail and service needs of the community by providing convenient retail and similar uses activities in areas with adequate access and public services, where the impacts of

noise, traffic and other nuisances associated with this type of use will not adversely affect adjacent land uses. The proposed project is consistent with this objective in that it provides a low impact use which will not generate a significant amount of traffic or noise. The building design, access and parking will focus activity away from adjacent residential uses, as the primary building access and the majority of parking spaces are located on the Highway 9 side of the building, adjacent to other C-1 and C-2 uses.

General Plan Policy 2.17.4 requires that compatibility to adjacent uses be ensured through the Development Permit process by regulating signage, landscaping, on-site circulation, parking, drainage, site and building design, and traffic patterns. The proposed project has undergone extensive review by Development Review, Environmental Planning and the Department of Public Works to assure that these factors have been considered and addressed. The landscape plan has been revised from the original submittal to include native trees, to replace trees removed as a result of the project and to provide additional landscape screening. The proposed architectural style incorporates elements commonly found in Ben Lomond. The bulk and scale of the proposed building are compatible with surrounding development, and provide a transition between residential development to the south and the commercial development to the east, west and north.

The proposed project would be visible from Highway 9, an adopted scenic corridor. The site is, however, also within the Ben Lomond Town Plan. General Plan Policy 5.10.11 requires that new discretionary development improve the visual quality through siting, design, landscaping, and signage. The proposed development does improve the visual quality of the area, and the signage proposed is consistent with County Code Section 13.10.580 which limits sign area to a total of 20 square feet.

The project meets the intent and specific requirements of the Ben Lomond Town Plan, as amended by this application to delete the realignment of Mill Street and the development of a park site on the project site. All of the design features required by the Town Plan have been incorporated into the project including building colors, landscaping materials and signage.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The proposed use will not overload utilities or generate more than the acceptable level of traffic on the streets in the vicinity because roads and utility infrastructure in the area are both adequate to serve the proposed use. The project will be served with public water from the San Lorenzo Valley Water District. This service district has agreed to provide the proposed project with water, and the project will not overload this district. The septic system has been approved by Environmental Health Services. The project site is served with fire protection from the Ben Lomond Fire Protection District. The fire district has reviewed and approved the preliminary plans and the conditions of approval incorporate the requirements of the fire district.

General Plan policies 3.21.3 and 3.21.4 require that new development projects mitigate impacts on transportation facilities through system improvements. The applicant will construct frontage improvements on Mill Street, and on Highway 9 in conjunction with the requirements and timetable of CalTrans. An agreement between the applicant and the County of Santa Cruz has been approved to insure that these improvements are constructed in a timely manner.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD. 0460

The proposed project will complement and harmonize with the existing and proposed uses in the vicinity. The proposed project has been designed to incorporate elements commonly found in Ben Lomond. The bulk and scale of the proposed building are compatible with surrounding development, and provide a transition between residential development to the south and the commercial development to the east, west and north.

The building has been designed to provide visual interest through the use of different building materials, and through architectural treatment. Colors have been chosen to blend into the natural backdrop and include a dark gray roof, horizontal wood siding in a tan color on the upper floor and tan stucco on the bottom floor.

Because the proposed use will not generate substantial traffic or noise, it will be compatible with the existing land use intensities in the neighborhood.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The proposed development is consistent with the Design Standards and Guidelines of the County Code. Per County Code Section 13.11.072, the site design is compatible with surrounding elements in that the proposed development preserves the integrity of existing land use character and is sited, designed and landscaped to be visually compatible and integrated with the character of the surrounding area. The proposed use is located on Mill Street and Highway 9, and adequate access is provided. The design of the new building is compatible with surrounding development, and will provide a transition between residential development to the south and commercial development to the east, west and north.

All signage will meet the requirements of County Code Section 13.10.580 through 13.10.586, including the maximum sign area of 20 square feet. Because of its location in a scenic corridor, signage will not be illuminated.

Per County Code Section 13.11.073, the proposed project is compatible with adjacent development and the surrounding area in architectural design, scale, street face setbacks, finish material, texture and color. The proposed project has been designed to incorporate elements common in the Ben Lomond town area. The bulk and scale of the proposed building are compatible with surrounding development, and provide a transition between residential development to the south and commercial development to the east, west and north.

Per County Code Section 13.11.074, the proposal provides access, circulation and parking which is safe, convenient, and readily understandable to pedestrians and motorists. Parking areas are arranged to be easily legible and provide adequate area for movement of vehicles. The buildings, parking and access areas are accessible to the disabled. Landscaping and lighting will be included in the parking area.

Per County Code Section 13.11.075, the proposal includes a landscape design that relates to the building and site design, the proposed use, and to site conditions. Adequate landscaping has been provided at the front of the parcel to provide visual screening from Highway 9, a designated scenic corridor. In addition substantial planting are proposed along Mill Street and at the rear of the development. As proposed, 25 trees would be provided in the parking area and in the disturbed area adjacent to the existing vegetation, and 6 of those are proposed to be 24-inch box size to replace an oak and a locust that are to be removed. Vines are proposed to be planted on trellises on the elevator tower and on any retaining walls. 0461

VARIANCE FINDINGS:

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION, AND SURROUNDING EXISTING STRUCTURES, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

The proposed project requires a variance to reduce the 10-foot required front yard to 0-feet to allow the construction of a deck and pedestrian bridge between the commercial second floor of the building and the edge of the property adjacent to Highway 9. The special circumstance is the topography of the site, which drops abruptly from Highway 9, to the building site. The reduction in the front yard setback will facilitate a use which is consistent with the designated uses and intent of the Ben Lomond Town Plan.

2. THAT THE GRANTING OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF ZONING OBJECTIVES AND WILL NOT BE MATERIALLY DETRIMENTAL TO PUBLIC HEALTH, SAFETY, OR WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY.

The granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity in that the project is consistent with the purposes and intent of the Ben Lomond Town Plan, will provide pedestrian access between the proposed commercial uses and the town of Ben Lomond, and will be constructed consistent with all requirements of the Uniform Building Code.

3. THAT THE GRANTING OF SUCH VARIANCES SHALL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGES INCONSISTENT WITH THE LIMITATIONS UPON OTHER PROPERTIES IN THE VICINITY AND ZONE IN WHICH SUCH IS SITUATED.

The granting of the variance to construct a deck and pedestrian bridge will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated in that the bridge is necessary for pedestrian access to the proposed commercial building.

CONDITIONS OF APPROVAL

ATTACHMENT 7

Commercial Development Permit 99-0044

Applicant: Ken Rogers, Architect

0463

Property Owner: J.E. and Donna Edwards

Assessor's Parcel No. 077-104-01

Property location and address: Northern intersection of Mill Street and Highway 9

San Lorenzo Valley Planning Area

Exhibits:

- A. Engineering Plans by Bob DeWitt, dated November 1999, Architectural Plans by Ken Rogers, Architect, dated September 11, 2000, Landscape Plans by Gregory Lewis, dated June 3, 1999, and Improvement Plan by Michael Beautz, dated October 1997

- I. This permit authorizes the construction of a 4,000 square foot commercial building with two 2-bedroom apartments on the first floor and a 2,000 square foot commercial space on the second floor, and filling of about 450 cubic yards of earth. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- B. Obtain a Building Permit from the Santa Cruz County Building Official.
- C. Obtain a Grading Permit from the County of Santa Cruz Planning Department. Prior to obtaining the grading permit, the owner/applicant shall:
1. Identify the specific locations(s) to receive export material; and
 2. Provide valid grading permit(s) for any site that receives greater than 100 cubic yards of fill, or where fill will be placed greater than two feet thick or on slopes steeper than 20%. If the fill is intended to go to a municipal landfill, the applicant/owner shall provide receipts from the grading contractor that verify the fill was received at the landfill. Receipts must be received prior to building permit final.
- D. Submit Evidence that these Conditions of Approval have been recorded in the Official Records of the Recorder of Santa Cruz County.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
- A. Submit Final Architectural Plans prepared by a qualified professional for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes between the approved Exhibit "A," including, but not limited to the attached exhibits for site, architectural and landscaping plans, and the final Architectural Plans must be submitted for review and approval by the decision-making

body. Such proposed changes will be included in a report to the decision-making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans that do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review. The final plans shall include, but not be limited to, the following:

1. Exterior elevations identifying finish materials and colors. All exterior materials and colors shall conform to the colors and materials board submitted. The structure shall be permanently maintained according to the approved colors and materials board, and the board shall be made an exhibit to the approved permit for this project.
2. Floor plans identifying each room and its dimensions.
3. A site plan showing the location of all site improvements, including, but not limited to, points of ingress and egress, parking areas, turnarounds, trash and recycling enclosures, utility connections, and existing and proposed curbs, gutters, and sidewalks.
4. A final sign plan showing dimensions, location, materials, colors, and type. Illumination of the sign is prohibited.
5. The parking, circulation and loading areas shall be surfaced with a minimum of 2 inches of asphalt concrete over 5 inches of Class II base rock or other approved equivalent surface.
6. The parking area shall include at least 14 parking spaces (of which 10% may be designed to compact space standards (7-1/2' x 16') and appropriately marked, 1 accessible parking space(s) (14' x 18'), and 3 bicycle spaces, designed in accordance with Sections 13.10.550 - .560 of the County Code. All spaces and loading berths shall be striped and defined by wheel stops.
7. All parking and circulation areas shall be lighted per the lighting plan by Ken Rogers, Architect, dated May 1998 (Exhibit "A").
8. A final Landscape Plan for the entire site, which implements the landscape plan prepared for this project by Gregory Lewis, dated June 3, 1999 (Exhibit "A"), and includes the following:
 - a. Three, 24-inch box size Coast live oak and three, 24-inch box size sycamore trees shall be planted to replace the removal of the oak and locust trees.
 - b. All acacia and Scotch broom shall be removed from the property. The landscape maintenance contract shall include provisions to maintain the property free of non-native, invasive species.

- c. Only native plant species, including oaks, shall be installed on the site 0465
- d. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth
- e. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
- Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be utilized to maximize the efficiency of water applied to the landscape.
- The irrigation plan shall be submitted with the building permit application. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
9. Final plans shall note that the San Lorenzo Valley Water District will provide water service and shall meet all requirements of the District including payment of any connection and inspection fees. Final plans for water connection shall be reviewed and accepted by the District.
10. Final plans shall note that all requirements of the Environmental Health services shall be met for the installation of the septic system, including payment of all permit and inspection fees.
11. Meet all requirements and pay the appropriate plan check fee of the Ben Lomond Fire Protection District.
12. All improvements shall comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Regulations.
13. Meet the requirements of the Acoustic Study, prepared by Edward L. Pack Associates, dated June 10, 1999.
- B. Submit a brief building, grading and drainage plan review letter from the soil engineer to Environmental Planning stating that the plans and foundation design are in general compliance with the recommendations of the soils report by Reynolds and Associates, dated September 25, 1997. If, upon plan review, the engineer requires revisions or

additions, the applicant shall submit to Environmental Planning two copies of the revised plans and a final plan review letter stating that the plans, as revised, conform to⁰⁴⁶⁶ the report recommendations.

- C. No land clearing, grading or excavating shall take place between October 15 and April 15, unless winter grading approval is obtained from the County Planning Department.
- D. Submit a final Road Improvement, Grading, Drainage, and Erosion Control Plan for review and approval by the Department of Public Works and the Planning Department. The final Road Improvement, Grading, Drainage and Erosion Control Plan shall be prepared by a qualified professional and contain the following:
 - 1. Details of the site drainage system, paving, curb, gutters, etc. including any measures necessary to intercept uphill runoff and runoff which would otherwise encroach on adjacent properties.
 - 2. Details of the roadside, parking lot and driveway improvements, including the driveway plan view and centerline profile, and existing ground and driveway elevations on profile. The driveway must conform to County Design Criteria Standards.
 - 3. Existing and proposed contours and calculations for the volumes of excavated and fill soils.
 - 4. A detailed erosion control plan that includes a clearing and grading schedule, clearly marked disturbance envelope, protection of trees designated as remaining that are in proximity to disturbance, revegetation specifications, temporary road surfacing and construction entry stabilization, etc. The plans shall be integrated with the grading plan.
 - 5. All new utilities shall be constructed underground. All facility relocations, upgrades or installations required for utilities service to the project shall be noted on the improvement plans. All preliminary engineering for such utility improvements is the responsibility of the developer.
- E. Pay the Santa Cruz County Child Care fee in effect at the time of Building Permit issuance. On October 10, 2000, the fee would total \$144 for the residential units and \$460 for the commercial space, but is subject to change without notice.
- F. Pay a Negative Declaration filing fee of \$25.00 to the Clerk of the Board of the County of Santa Cruz as required by the California Department of Fish and Game mitigation fees program.
- G. Pay the Santa Cruz County Park dedication fee for two multi-family units (this fee for the San Lorenzo Valley is \$600 per unit; total fee = \$1200).
- H. Submit engineered improvement plans for the improvements to the Mill Street and Highway 9 frontage improvements per Exhibit "A" for review and approval by the Department of Public Works. Obtain any Encroachment Permits from the

Department of Public Works, as necessary, for any work performed in the public right-of-way. All work shall be consistent with the Department of Public Works Design Criteria Manual. The frontage improvements to Mill Street shall be implemented as a part of the building permit. Improvements to Highway 9 shall be deferred, subject to the provisions of Condition II.I (below).

0467

- I. The County shall record the "Agreement for Construction of Frontage Improvements Associated with California Highway 9". The applicant shall submit the security referenced in the Agreement ($\$21,731 \times 150\% = \$32,596.50$) to the County to ensure the completion of the improvements pursuant to the Agreement.
 - J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
- III. All construction shall be performed in accordance with the approved plans. For reference in the field, a copy of these conditions shall be included on all construction plans. Prior to final building inspection and building occupancy, the applicant/owner shall meet the following conditions:
- A. The soil engineer must inspect all foundation excavations and a letter of inspection must be submitted to Environmental Planning and your building inspector prior to pour of concrete.
 - B. All site improvements shown on the final approved Building Permit plans shall be installed.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. To minimize disruption to traffic during grading and installation of road and drainage improvements, the applicant shall ensure that one lane of Mill Street remain open to traffic at all times.
 - E. The soils engineer must submit a final letter report to Environmental Planning and your building inspector regarding the compliance with all technical recommendations of the soil report prior to final inspection.
 - F. To minimize noise and dust impacts of surrounding properties, comply with the following measures during all construction work:
 1. Limit all construction-related activities to the time between 8:00 A.M. and 5:30 P.M. weekdays, unless a temporary exception to this time restriction is

42

approved in advance by County Planning to address an emergency situation;

0468

2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
3. The owner/developer shall designate a disturbance coordinator to respond to citizen complaints and inquiries from area residents during construction. A 24-hour contact number shall be conspicuously posted on the job site. The name, phone number, and nature of the disturbance shall be recorded by the disturbance coordinator. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Unresolved complaints received by County staff from area residents may result in the inclusion of additional Operational Conditions.

G. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions.

- A. All landscaping and site improvements shall be permanently maintained.
- B. In the event that future County inspections of the subject property disclose noncompliance with any Condition of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- C. To prevent drainage discharges from carrying silt, grease and other contaminants into the storm drain system, the two silt and grease traps in the parking areas shall be maintained according to the following monitoring and maintenance schedule:
 1. The traps shall be inspected to determine if they need cleaning and/or repair prior to October 15 of each year;
 2. A brief annual report shall be prepared by the inspector at the conclusion of the October inspection and submitted to the Drainage Section of the Department of Public Works within 5 days of the inspection. The report shall specify any repairs that have been done or that are needed for the trap to function well.

42

- D. In accordance with Section 18.10.132(d) of the County Code, if the exercise of the use permitted by this permit ceases or is abandoned for a continuous period of one year, then without further action by the County, this permit shall become null and

void.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

VI. Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the above mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The

purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

A. Mitigation Measure: Erosion Control (Condition No. II.D)

Monitoring Program: The Resource Planner will not approve the building and grading permits until all erosion control plans have been approved. That planner will place a hold on final occupancy and electrical service until an inspection has confirmed that all erosion control has been completed.

B. Mitigation Measure: Drainage system maintenance (Condition No. IV.C).

Monitoring Program: Annual inspection and reporting program required

C. Mitigation Measure: Noise (Condition No. II.A.13)

Monitoring Program: Prior to public hearing, the applicant must provide an acoustic study for review and approval. Report submitted and approved. Conditions included in conditions of approval to provide noise reduction through building design.

D. Mitigation Measure: Road Improvements (Condition Nos. II. H and I)

Monitoring Program: The applicant shall submit a signed agreement that legal binds the property owner to construct the improvements to Highway 9 in a timely manner. Agreement submitted.

E. Mitigation Measure: Landscaping (Condition No. II.A.8)

Monitoring Program: The Resource Planner will not approve the building and grading permits until all erosion control plans have been approved. That planner will place a hold on final occupancy and electrical service until an inspection has confirmed that all erosion control has been completed.

MINOR VARIATIONS TO THIS PERMIT WHICH DO NOT AFFECT THE OVERALL CONCEPT OR DENSITY MAY BE APPROVED BY THE PLANNING DIRECTOR AT THE REQUEST OF THE APPLICANT OR STAFF.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL UNLESS YOU OBTAIN YOUR BUILDING PERMIT, COMMENCE CONSTRUCTION AND OBTAIN YOUR FIRST INSPECTION.

Applicant: Ken Rogers for J.E. and Donna Edward
Application No. 99-0044
APN: 077-104-01, -02

ATTACHMENT 7

0471

Approval Date:

Effective Date:

Expiration Date:

Mark Deming, AICP
Principal Planner

Cathy Graves
Development Review Planner

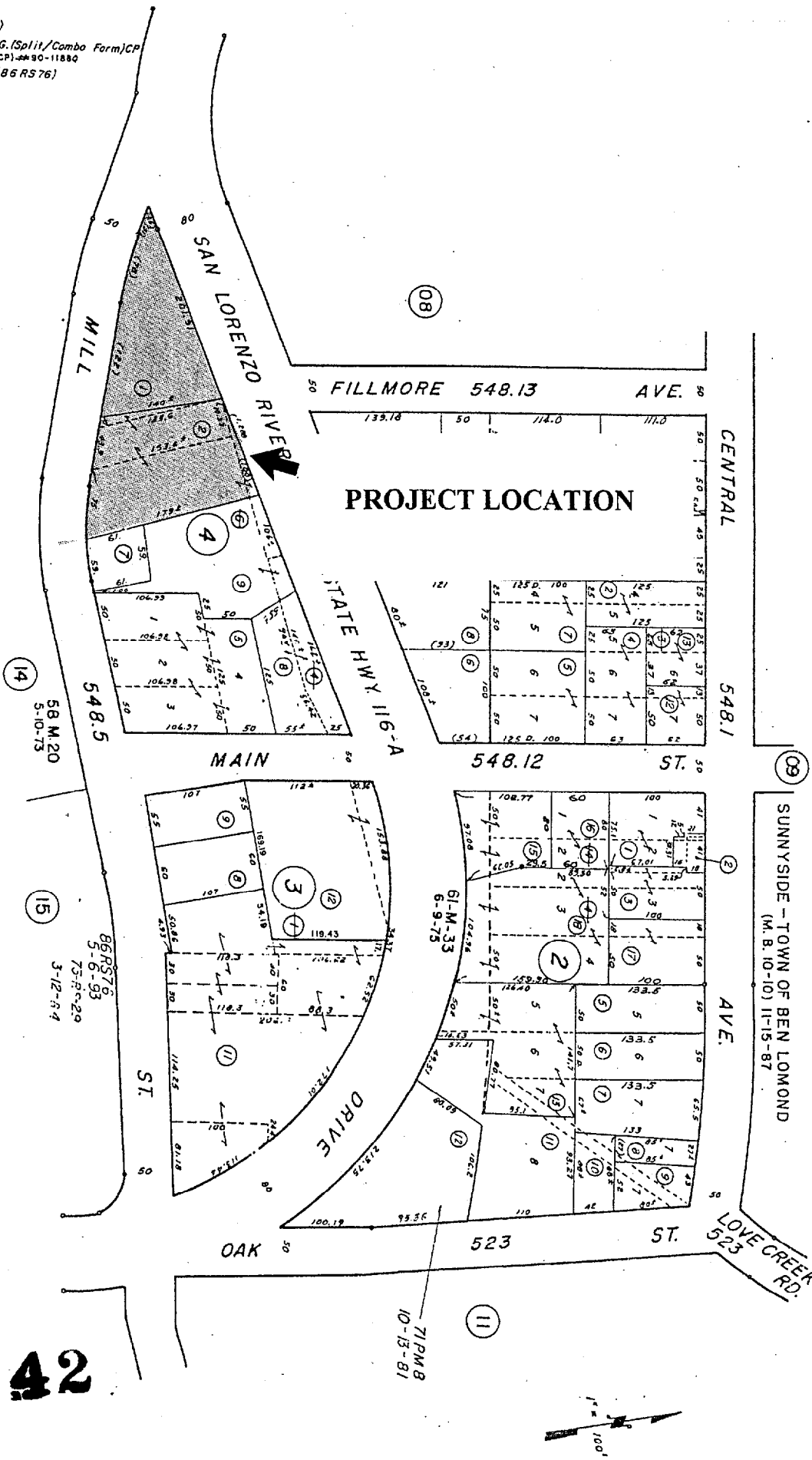
0472

FOR TAX PURPOSES ONLY

FOR S.W. 1/4 SEC. 4, T. 10 S., R. 2 W., M.D.B. & M.

Tax Area Code 77-10
90-031

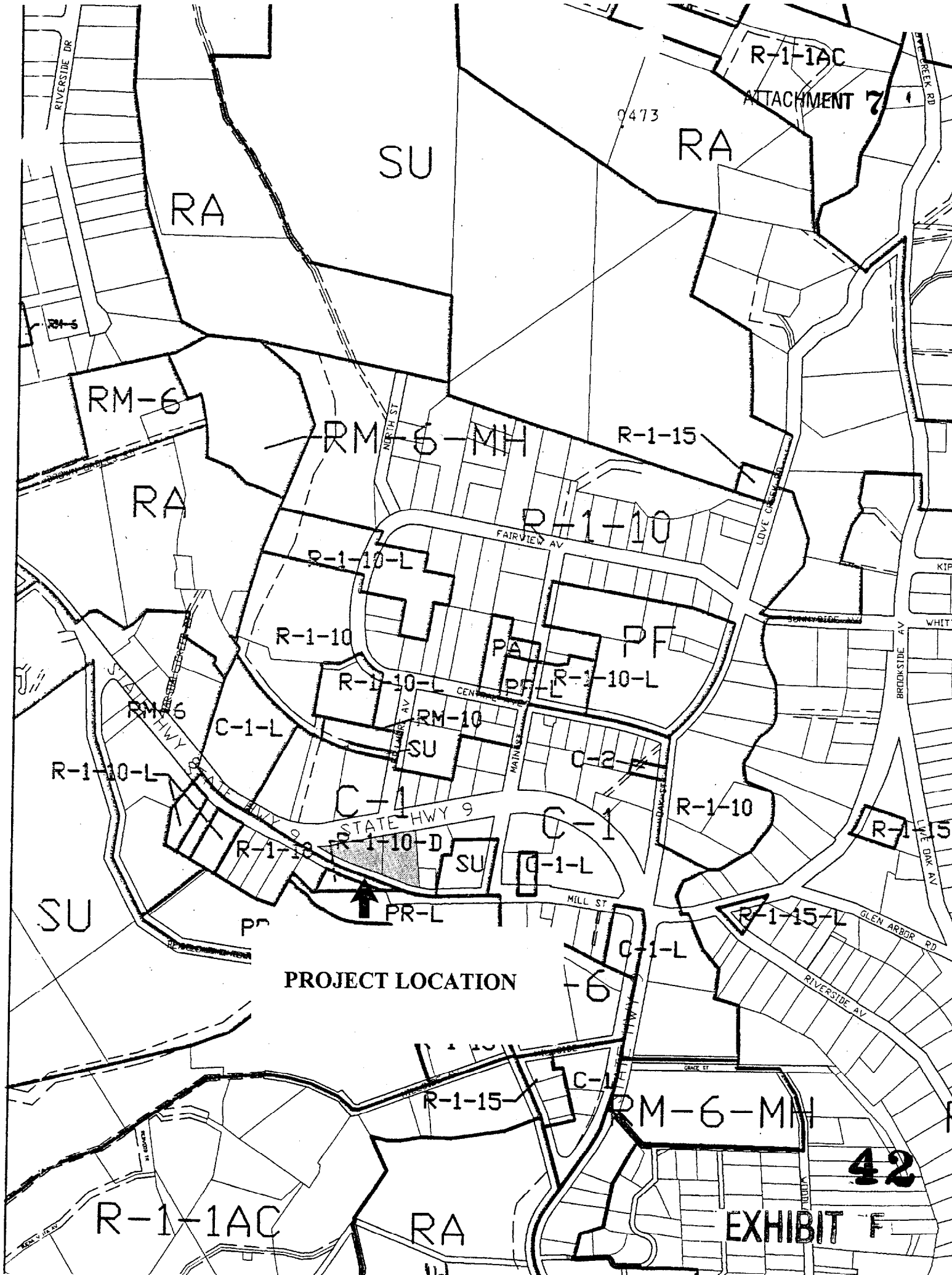
EXHIBIT E



V. Jan. 1955 R.S.W.
REV. 3/67 J.P.W.
V. 7/3/68 J.H.
V. 8-26-71 D.K.
V. 6-7-73 S.S.T.
V. 6-16-75 T.S.T.
V. 2/14/77 S.H.P.
V. 3/11/79 F.P.
V. 1/15/92 C.J.
V. 6/16/84 J.C.(R.O.)
V. 11/21/90, C.G. (Split/Combo Form) CP
V. 4-2-91 J.G. (LBA, CP) #90-11880
V. 6/18/93 CB (86 RS76)

Note - Assessor's Parcel Block & Lot Numbers Shown in Circles.

Assessor's Map No. 77-10
County of Santa Cruz, Calif.



R-1-1AC
ATTACHMENT 7

0473

RA

SU

RA

RM-6

RM-6-MH

R-1-15

R-1-10

R-1-10-L

R-1-10

R-1-10-L

PA

PF

PF-L

R-1-10-L

RM-10

SU

C-1-L

C-2

R-1-10-L

C-1

C-1

R-1-10

R-1-10-D

SU

C-1-L

SU

PROJECT LOCATION

R-1-15

RM-6-MH

R-1-1AC

RA

42

EXHIBIT F

RECORDING REQUESTED BY:

COUNTY OF SANTA CRUZ

When recorded, mail to:

COUNTY OF SANTA CRUZ
Planning Department
701 Ocean Street, Room 410
Santa Cruz, CA 95060

**AGREEMENT FOR CONSTRUCTION
OF FRONTAGE IMPROVEMENTS ASSOCIATED WITH
CALIFORNIA STATE HIGHWAY 9**

This Agreement is entered into on August 23, 2000, by and between J. E. Edward, hereafter referred to as "Owner," and the County of Santa Cruz, a political subdivision of the State of California, hereafter referred to as "County."

A. Whereas, Owner is proposing to develop certain real property as described in Permit No. 99-0044, known as A.P.N. 077-104-01 and -02, situated in the unincorporated area of Santa Cruz County, California, as said property is described in that deed recorded on November 9, 1994 in Volume 5595 of Official Records of Santa Cruz County at Page 375; and

B. Whereas, County has required the construction of improvements along the Mill Street and Highway 9 frontages of said property as part of said development, including road widening, curb, gutter, sidewalk and drainage improvements as specified on plans attached hereto labeled "Exhibit A", and incorporated herein; and

C. Whereas, CalTrans is scheduled to construct a road widening, curb, gutter, sidewalk, and drainage project on Highway 9 in the near future, to include some or all of the improvements required by the County in association with Permit No. 99-0044, and as shown on Exhibit A, the limits of which will include the Highway 9 frontage of said property; and

D. Whereas, Owner and County agree that the purpose of this Agreement is to ensure that the specified improvements are constructed either by the owner or by CalTrans, and if constructed by the owner are done so to the satisfaction of the Department of Public Works and the Planning Department, within five years of the date of this Agreement;

Now, therefore, in consideration of the promises herein contained, Owner agrees as follows: 0475

1. Owner shall construct improvements to the Highway 9 frontage as specified on the plans labeled Exhibit A, and subject to the approval of CalTrans and the County of Santa Cruz at the time that an encroachment permit is obtained, to the satisfaction of the Department of Public Works and the Planning Department, within five years of the date of this Agreement, unless CalTrans has constructed equivalent improvements by that date.

2. Owner shall deposit 150% of the estimated cost of the improvements as delineated in "Exhibit B", attached hereto and incorporated herein, into an account with a local financial institution acceptable to the Planning Department to secure sufficient funds for the improvements if Owner fails to complete the improvements as set forth herein.

3. The County shall be made the beneficiary of the above mentioned account.

4. The funds shall be deposited into the account prior to County issuing Owner a building permit. In the event that permit No. 99-0044 expires or is otherwise of no force and effect prior to Owner's exercise of such building permit, any and all funds on deposit under this Agreement shall be released to Owner.

5. Within five years of the date of this Agreement, Owner shall have completed the improvements on Highway 9, as approved by CalTrans and the County of Santa Cruz, to the satisfaction of the Department of Public Works and the Planning Department, whether or not CalTrans has completed construction of said improvements. In the event that CalTrans is in the construction phase of said improvements when the five year period expires, the period shall be extended until CalTrans construction of the improvements is completed, or extended up to one year, whichever is less. In the event that CalTrans completes construction of the improvements on Highway 9 within the five year period as set forth herein, Owner's obligations to construct said improvements shall be deemed satisfied.

6. No later than 90 days after completion of the Highway 9 frontage improvements, as approved by CalTrans and the County of Santa Cruz, to the satisfaction of the Department of Public Works and the Planning Department, either by Owner or CalTrans, County shall release the funds in the account securing the Highway 9 frontage improvements.

7. In the case that the improvements are constructed by Owner, all materials used shall comply with the County's specifications. Owner hereby guarantees that the above mentioned work and improvements shall in all respects meet specifications prescribed by the Director of Public Works of the County of Santa Cruz. Owner guarantees and warrants all work and materials, and further agrees to replace defective work and materials and maintain all of said work and improvements to the satisfaction of County in accordance with Chapter 14.01 of the Santa Cruz County Code. Owner further agrees that all survey work shall comply with the

0476

requirements prescribed by the County Surveyor.

8. In the case that the improvements are constructed by Owner, all improvements provided for herein shall meet the minimum standards established by County of Santa Cruz Design Criteria, and shall conform to the plans in Exhibit A, and description in Exhibit B.

9. In the event that both CalTrans and Owner fail to make the improvements on the Highway 9 frontage as shown on Exhibit A within the time specified in this Agreement, the County may use the funds on deposit to make said improvements. Any funds remaining after the County has made said frontage improvements on Highway 9 shall be released to Owner no later than 90 days after completion of the last of the improvements.

10. This Agreement constitutes the entire agreement between Owner and County and may not be modified unless agreed to in writing by Owner and County.

11. This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of Owner and County, whether voluntary or involuntary.

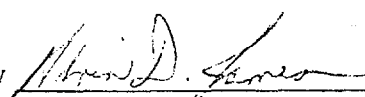
IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

Dated: 9/9/00


J.E. EDWARD, Owner

COUNTY OF SANTA CRUZ

Dated: 9/5/00

by 
ALVIN JAMES, Director
Planning Department

0477

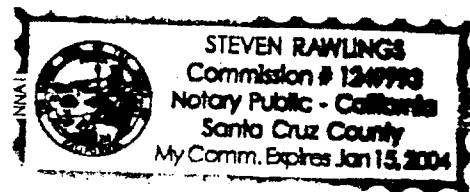
STATE OF CALIFORNIA)
) ss.
 COUNTY OF SANTA CRUZ)

On this 9th day of September, 2000, before me, a notary public in and for said state, personally appeared J.E. Edward, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE

Steven Rawlings
 Notary Public, State of California



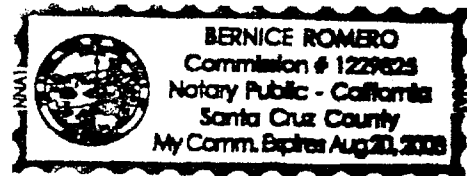
STATE OF CALIFORNIA)
) ss.
 COUNTY OF SANTA CRUZ)

On this 5th day of September, 2000, before me, a notary public in and for said state, personally appeared Alvin James, Director of Planning Department, County of Santa Cruz, California, personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person~~(s)~~ whose name~~(s)~~ ~~is~~are subscribed to the within instrument and acknowledged to me that ~~he~~she they executed the same in ~~(his~~her their authorized capacity~~(ies)~~, and that by ~~his~~her their signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE

Bernice Romero
 Notary Public, State of California



0478

HIGH

NEW INTERSECTION (MILL ST. &
HIGHWAY 9) TO BE RESTRIPE
PER CALTRANS AND COUNTY STD.

INSTALL 2420 sq. ft.
NEW PAVING SECTION

CONSTRUCT STD.
HANDICAP RAMP

MILL

N.T.S.

1607 Ocean Street, Suite 1
Santa Cruz, California 95060
(831) 425-1617 TEL.
(831) 425-0224 FAX

Robert L. DeWitt
& Associates, Inc.

Civil Engineers & Land Surveyors

EXHIBIT A

SHOWING LIMITS OF
IMPROVEMENTS BY J.E. EDWARD

APN 077-104-01,02

SANTA CRUZ COUNTY, CALIFORNIA

EXHIBIT "A"

0479

Y 9

STRUCT 240 L.F.
CONCFETE
B & GUTTER

CONSTRUCT 178
L.F. NEW 4' WIDE
CONC. S/W

LIMITS OF IMPROVEMENTS
BY JOE EDWARDS

REET

42

0480

EXHIBIT B
AGREEMENT FOR CONSTRUCTION OF FRONTAGE IMPROVEMENTS
J.E. EDWARD
COUNTY OF SANTA CRUZ
 August 23, 2000
 APN 077-104-01,-02
 Mill St., Ben Lomond

Engineer's Estimate for Bonding Purposes
 For improvements by Joe Edwards
 (Based on latest site plan submitted to County Planning Dept.)

1. Clearing and grubbing/mobilization		Lump Sum		\$1,000
2. Roadway widening of Highway 9 Excavation and subgrade preparation	2420	sq. ft.	\$3.00	\$7,260
3. Paving (3" A.C. over 12" CL II A.B.)				
3" A.C.	2420	sq. ft.	\$0.30/in.	\$2,178
12" A.B.	2420	sq. ft.	\$0.07/in.	\$2,033
4. Concrete curb & gutter	240	l.f.	\$20.00	\$4,800
5. Concrete sidewalk	710	sq. ft.	\$4.00	\$2,840
6. Handicap ramp	1	Each	\$500.00	\$500
7. Traffic Striping	240	l.f.	\$0.50	\$120
8. Traffic control (during construction)	5 days	day	\$200.00	\$1,000
TOTAL				\$21,731



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060-4073

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

99-0044

KEN ROGERS AND J.E. EDWARD

Proposal to construct a two story 4,000 square foot structure with a 2,000 square foot retail/office on the second floor and two 1,000 square foot residential units on the first floor. The Proposal includes the relocation of an existing 925 square foot storage structure from the project site to the neighboring parcel (APN 077-104-02). Requires a Commercial Development Permit, a Grading Permit to cut 450 cubic yards of earth and a General Plan Amendment to remove the realigned Mill Street as shown in the Ben Lomond Town Plan.

APN(s): 077-104-01,-02

Michael S. Ferry, planner

Zone District(s): C-1

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

☐ None

☒ Are Attached

Review Period Ends May 26, 1999

Date Approved By Environmental Coordinator May 27, 1999

Ken Hart
KEN HART

Environmental Coordinator
(408) 454-3127

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by _____

on _____. No EIR was prepared under CEQA.

THE PROJECT WAS DETERMINED TO NOT HAVE SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board: _____

42

EXHIBIT H

CALIFORNIA DEPARTMENT OF FISH AND GAME

0482

CERTIFICATE OF FEE EXEMPTION

De minimis Impact Finding

Project Title/Location (Santa Cruz County):

99-0044

Kenneth Rogers
1420 Rodriguez Street
Santa Cruz, CA 95062

Project Description:

Proposal to construct a two story 4,000 square foot structure with a 2,000 square foot retail/office on the second floor and two 1,000 square foot residential units on the first floor. The Proposal includes the relocation of an existing 925 square foot storage structure from the project site to the neighboring parcel (APN 077-104-02). Requires a Commercial Development Permit, a Grading Permit to cut 450 cubic yards of earth and a General Plan Amendment to remove the realigned Mill Street as shown in the Ben Lomond Town Plan.

Findings of Exemption (attach as necessary):

An Initial Study has been prepared for this project by the County Planning Department according to the provisions of CEQA. This analysis shows that the project will not create any potential for adverse environmental effects on wildlife resources.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Ken Hart
KEN HART
Environmental Coordinator
for Alvin D. James, Planning Director
County of Santa Cruz

Date: 5/27/99

NAME: Ken Rogers for JE Edwards
APPLICATION: 99-0044
A.P.N.: 77-104-01

0483

NEGATIVE DECLARATION MITIGATIONS

- A. In order to prevent erosion, off site sedimentation, and pollution of creeks, the applicant/owner shall prepare a detailed erosion control plan for the project. The plan shall be integrated with the grading plan, and shall include a clearing and grading schedule, revegetation specifications, temporary road surfacing and construction entry stabilization, details of temporary drainage control including lined swales, erosion protection at the outlets of pipes, sediment barriers around drain inlets, etc. The erosion control plan shall be submitted to Environmental Planning staff for review and approval prior to the approval of a grading permit or building permit.
- B. To prevent drainage discharges from carrying silt, grease, and other contaminants into the storm drain system, the two silt and grease traps in the parking areas shall be maintained according to the following monitoring and maintenance schedule:
1. The trap shall be inspected to determine if it needs cleaning or repair prior to October 15 of each year;
 2. A brief annual report shall be prepared by the inspector to at the conclusion of the October inspection and submitted to the Drainage Section of the Department of public Works within 5 days of inspection. The report shall specify any repairs that have been done or that are needed for the trap to function well.
- C. In order to prevent conflicts with adopted General Plan policies regarding noise, prior to the scheduling of the public hearing, the owner/applicant shall:
1. Submit a noise study, prepared by an acoustic engineer, for review and approval. The study shall either verify that the General Plan thresholds of 60 dbL exterior noise and 45 dbL interior noise will be met as the plan is currently designed, or it shall specify the design modifications that must be incorporated into the plans for the project to meet the thresholds. These modifications may consist of specifications regarding glazing, orientation of windows, soundproof materials, or berms and fencing;
 2. Submit a letter from the acoustical engineer verifying that the plans reflect the necessary modifications.
- D. In order to prevent conflicts with the adopted San Lomond town plan, prior to the scheduling of the public hearing, the owner/applicant shall revise the improvement plans to include curb, gutter, and sidewalk along the entire frontage of Mill Street and Highway 9, and obtain approval of the revised plan from the Department of Public Works, Traffic Engineering staff. The sidewalk shall be designed to preserve the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak, see improvement plan, sheet 1, Beautz, 10-1997).
- E. In order to prevent conflicts with adopted General Plan policies regarding landscaping, and to

mitigate the visual impact of the development on Highway 9, a designated scenic roadway, prior to the scheduling of the public hearing, the owner/applicant shall revise the landscape plan to include the following elements:

0484

- a. Plan shall utilize native species, including Oaks;
- b. Indicate that the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak) will be preserved;
- c. Removal of all Acacia and Scotch Broom on the property, with a plan to maintain the parcel free of non native, invasive species;
- d. Meet the criteria given in General Plan policy 5.10.13.b.

The revised landscape plan shall be reviewed and approved by Planning staff.



County of Santa Cruz ATTACHMENT 7

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060-4073

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

0485

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: KEN ROGERS FOR J.E. EDWARD

APPLICATION NO.: 99-0044

APN: 077-104-01, -02

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

X Negative Declaration
(Your project will not have a significant impact on the environment.)

x Mitigations will be attached to the Negative Declaration.

 No mitigations will be attached.

 Environmental Impact Report
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. You may discuss your project with the Environmental Coordinator, submit additional information, modify the project, or clarify questions.

Please contact Ken Hart, Environmental Coordinator at (408) 454-3127, if you wish to comment on the preliminary determination. Comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: May 26, 1999

Michael Ferry
Staff Planner

Phone: 454-3114
Date: April 22, 1999

42

EXHIBIT H

NAME: Ken Rogers for JE Edwards
APPLICATION: 99-0044
A.P.N.: 77-104-01

0486

NEGATIVE DECLARATION MITIGATIONS

- A. In order to prevent erosion, off site sedimentation, and pollution of creeks, the applicant/owner shall prepare a detailed erosion control plan for the project. The plan shall be integrated with the grading plan, and shall include a clearing and grading schedule, revegetation specifications, temporary road surfacing and construction entry stabilization, details of temporary drainage control including lined swales, erosion protection at the outlets of pipes, sediment barriers around drain inlets, etc. The erosion control plan shall be submitted to Environmental Planning staff for review and approval prior to the approval of a grading permit or building permit.
- B. To prevent drainage discharges from carrying silt, grease, and other contaminants into the storm drain system, the two silt and grease traps in the parking areas shall be maintained according to the following monitoring and maintenance schedule:
1. The trap shall be inspected to determine if it needs cleaning or repair prior to October 15 of each year;
 2. A brief annual report shall be prepared by the inspector to at the conclusion of the October inspection and submitted to the Drainage Section of the Department of public Works within 5 days of inspection. The report shall specify any repairs that have been done or that are needed for the trap to function well.
- C. In order to prevent conflicts with adopted General Plan policies regarding noise, prior to the scheduling of the public hearing, the owner/applicant shall:
1. Submit a noise study, prepared by an acoustic engineer, for review and approval. The study shall either verify that the General Plan thresholds of 60 dbl. exterior noise and 45 dbl. interior noise will be met as the plan is currently designed, or it shall specify the design modifications that must be incorporated into the plans for the project to meet the thresholds. These modifications may consist of specifications regarding glazing, orientation of windows, soundproof materials, or berms and fencing;
 2. Submit a letter from the acoustical engineer verifying that the plans reflect the necessary modifications.
- D. In order to prevent conflicts with the adopted Ben Lomond town plan, prior to the scheduling of the public hearing, the owner/applicant shall revise the improvement plans to include curb, gutter, and sidewalk along the entire frontage of Mill Street and Highway 9, and obtain approval of the revised plan from the Department of Public Works, Traffic Engineering staff. The sidewalk shall be designed to preserve the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak, see improvement plan, sheet 1, Beautz, 10-1997).
- E. In order to prevent conflicts with adopted General Plan policies regarding landscaping, and to

mitigate the visual impact of the development on Highway 9, a designated scenic roadway, prior to the scheduling of the public hearing, the owner/applicant shall revise the landscape plan to include the following elements:

- a. Plan shall utilize native species, including Oaks;
- b. Indicate that the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak) will be preserved;
- c. Removal of all Acacia and Scotch Broom on the property, with a plan to maintain the parcel free of non native, invasive species;
- d. Meet the criteria given in General Plan policy 5.10.13.b.

The revised landscape plan shall be reviewed and approved by Planning staff .

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: 4-12-99
Staff Planner: Michael S. Ferry

0488

ENVIRONMENTAL REVIEW
INITIAL STUDY

APPLICANT: Ken Rogers
OWNER: J.E. Edward
Application No: 99-0044
Site Address: 9670 Mill Street
Location: The property is located on the southwest corner of the intersection of Highway 9 & Mill Street.

APN: 077-104-01,02

Supervisory District: 5

EXISTING SITE CONDITIONS

Parcel Size: 15,202 & 16,000 square feet
Existing Land Use: Vacant, existing duplex
Vegetation: Native & non-native trees and grasses
Slope: Parcel is flat, steep cut at rear, 10' high
Nearby Watercourse: San Lorenzo River
Distance To: 150 feet
Rock/Soil Type: Monterey formation

ENVIRONMENTAL CONCERNS

Groundwater Supply: Good	Liquefaction: Low potential
Water Supply Watershed: Mapped	Fault Zone: None mapped
Water Recharge: Mapped	Floodplain: Zone B & C
Timber and Mineral: None mapped	Riparian Corridor: None mapped
Biotic Resources: None mapped	Solar Access: Good
Fire Hazard: None mapped	Solar Orientation: Good
Archaeology: Mapped	Scenic Corridor: Mapped
Noise Constraint: None mapped	Electric Power Lines: No
Erosion: None mapped	Agricultural Resource: None mapped
Landslide: None mapped	Access: Mill Street

SERVICES

Fire Protection: Ben Lomond Fire Department
School District: San Lorenzo Valley Unified School District
Water Supply: San Lorenzo Valley Water District
Sewage Disposal: Septic tank maintenance, CSA 12

PLANNING POLICIES

Zone District: C-1
General Plan: Neighborhood Commercial
Special Designation: Ben Lomond Village Plan
Coastal Zone: No

Within USL: No

PROJECT DESCRIPTION: This is a proposal to construct a two story 4,000 square foot structure with a 2,000 square foot retail/office on the second floor and two 1,000 square foot residential units on the first floor. The proposal includes the relocation of an existing 925 square foot storage structure from the project site to the neighboring parcel (APN 077-104-02). Requires a Commercial Development Permit, a Grading Permit to cut 450 cubic yards of earth and a General Plan Amendment to remove the realigned Mill Street as shown in the Ben Lomond Town Plan.

PROJECT SETTING:

The project site is in the Village of Ben Lomond at the corner of Mill Street and Highway 9 as shown on the Location Map (Attachment 1). Parcel 077-104-01 is developed with a 925 non-habitable accessory structure that has been used for storage purposes. There is also a small paved parking area on site with access off Mill Street. Parcel 077-104-02 is developed with an older home that has been converted to a duplex. Access to the duplex is also off of Mill Street. The existing storage structure on parcel 077-104-01 is proposed to be relocated to the adjacent parcel to be used as detached garage/storage space for the existing duplex. Both parcels are vegetated with European grasses, scotch broom, acacia trees as well as some native trees.

The proposed project is within the Ben Lomond Town Plan study area. The Town Plan shows parcel 077-104-01 as a future park or commons area. In addition to a park site, the Town Plan proposes to realign Mill street to the north along the common property line between the two subject parcels. This project includes a proposed amendment to the Town Plan to remove the re-alignment of Mill Street.

ENVIRONMENTAL REVIEW CHECKLIST

A. GEOLOGIC FACTORS

	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
Could the project, or its related activities affect, or be affected by, the following:				
1. Geologic Hazards: earthquakes (particularly surface ground rupture, liquefaction, seismic shaking), landslides, mud slides or other slope instability, or similar hazards?	—	—	—	<u>X</u>
2. Soil Hazards: soil creep, shrink swell (expansiveness), high erosion potential?	—	—	<u>X</u>	—

The applicant has submitted a soils report by Reynolds Associates, dated 9-25-97 (Attachment 2). The report has been reviewed and accepted by Environmental Planning Staff (Attachment 3) with conditions that will be incorporated into the Development Permit.

42

EXHIBIT H

7

- X

X

- X

- X

- X

- X

X

X

- X

X

EXHIBIT H

ATTACHMENT 7

5. Surface or ground water quality
(contaminants including
silt-urban runoff, nutrient
enrichment, pesticides, etc.)?

— — — X

Parking lot runoff will contain urban contaminants. See B-4 above for the mitigation measures.

6. Quantity of ground water
supply, or alteration in the
direction or rate of flow of
ground waters?

— — — X

7. Groundwater recharge?

— — — X

8. Watercourse configuration,
capacity, or hydraulics?

— — — X

9. Changes in drainage patterns or
the rate and amount of runoff?

— — — X

10. Cumulative saltwater intrusion?

— — — X

11. Inefficient or unnecessary
water consumption?

— — — X

12. Change in the amount of surface
water in any water body?

— — — X

C. BIOTIC FACTORS

Could the project affect, or
be affected by, the following:

1. Known habitat of any unique,
rare or endangered plants or
animals (designate species)?

— — — X

2. Unique or fragile biotic
community (riparian corridor,
wetland, coastal grasslands,
special forests, intertidal
zone, etc)?

— — — X

3. Fire hazard from flammable
brush, grass, or trees?

— — — X

4. Change in the diversity of
species, or number of species
of plants or animals?

— — — X

42

EXHIBIT H

ATTACHMENT 7

D. NOISE

Will the project:

- | | | | | |
|---|-----|----------|-----|----------|
| 1. Increase the ambient noise level for adjoining areas? | ___ | ___ | ___ | <u>X</u> |
| 2. Violate Title 25 noise insulation standards, or General Plan noise standards, as applicable? | ___ | ___ | ___ | <u>X</u> |
| 3. Be substantially affected by existing noise levels? | ___ | <u>X</u> | ___ | ___ |

The applicant will be required to submit a letter from an acoustic engineer prior to issuance of a building permit. The letter shall state that the design, materials and other mitigation measures such as berms or fencing that enable the residential units to meet Section 6.9 of the General Plan limiting outdoor noise to 60 dBL and interior noise to 45 dBL, shall be installed.

E. AIR

Will the project:

- | | | | | |
|---|-----|-----|-----|----------|
| 1. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation? | ___ | ___ | ___ | <u>X</u> |
| 2. Expose sensitive receptors to substantial pollutant concentrations? | ___ | ___ | ___ | <u>X</u> |
| 3. Release bioengineered organisms or chemicals to the air outside of project buildings? | ___ | ___ | ___ | <u>X</u> |
| 4. Create objectionable odors? | ___ | ___ | ___ | <u>X</u> |
| 5. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect areas, or change the climate either in the community in the community or region? | ___ | ___ | ___ | <u>X</u> |

F. ENERGY AND NATURAL RESOURCES

Will the project:

- | | | | | |
|---|-------|-------|-------|----------|
| 1. Affect or be affected by timber resources? | _____ | _____ | _____ | <u>X</u> |
| 2. Affect or be affected by lands currently utilized for agriculture or designated for agricultural use? | _____ | _____ | _____ | <u>X</u> |
| 3. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner? | _____ | _____ | _____ | <u>X</u> |
| 4. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)? | _____ | _____ | _____ | <u>X</u> |

G. CULTURAL/AESTHETIC FACTORS

Will the project result in:

- | | | | | |
|---|-------|-------|-------|----------|
| 1. Alteration or destruction of historical buildings or unique cultural features? | _____ | _____ | _____ | <u>X</u> |
| 2. Disturbance of archaeological or paleontological resources? | _____ | _____ | _____ | <u>X</u> |

The site is within a mapped Archeological Resource area. The site reconnaissance was completed 3-21-98 with no evidence of prehistoric cultural resources on the parcel (Attachment 5).

- | | | | | |
|---|-------|-------|----------|-------|
| 3. Obstruction or alteration of views from areas having important visual/scenic values? | _____ | _____ | <u>X</u> | _____ |
|---|-------|-------|----------|-------|

The project is located within the village core of the Ben Lomond Town Plan. The design, materials and colors of the proposed structure meet the design recommendations of the Town Plan which include the use of natural materials with light paint or stain.

- | | | | | |
|--|-------|-------|----------|-------|
| 4. Being visible from any adopted scenic highway or scenic corridor? | _____ | _____ | <u>X</u> | _____ |
|--|-------|-------|----------|-------|

The site is located on Highway 9, which is a designated Scenic Highway in the County General Plan. Development along a County designated Scenic Highway is afforded the highest level of protection (General Plan Policy 5.10.10). The applicant has proposed a structure that conforms to the General Plan policies concerning Scenic Highways in that the structure incorpo-

42

rates natural materials with light paint or stain and no illuminated signs are proposed.

0494

In addition, the proposed landscape plan shall be revised to show removal of all scotch broom and acacia and the use of native oaks as required in the Ben Lomond Town Plan.

5. Interference with established recreational, educational, religious or scientific uses of the area?

X

H. SERVICES AND UTILITIES

Will the project or its related activities result in:

1. A breach of national, state, or local standards relating to solid waste or litter management?
2. Expansion of or creation of new utility facilities (e.g., sewage plants, water storage, mutual water systems, storm drainage, etc.) including expansion of service area boundaries?
3. A need for expanded governmental services in any of the following areas:

XX

This project may require increased government services, however, any increases would be less than significant.

- a. Fire protection?
- b. Police protection?
- c. Schools?
- d. Parks or other recreational facilities?
- e. Maintenance of public facilities including roads?
- f. Other governmental services?
4. Inadequate water supply for fire protection?
5. Inadequate access for fire protection?

XXXXXXXX

I. TRAFFIC AND TRANSPORTATION

Will the project result in:

1. An increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?

— — — X —

The residential use will generate approximately 8 trip ends per unit per day. The 2,000 square foot retail/office use will generate approximately 24 trip ends per day. The total trip ends of the proposed project will be 40 trip ends per day with 4 occurring at the PM peak hour. The addition of 4 trips to the peak hour traffic flow is less than significant.

2. Cause substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?

— — — X

3. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?

— — — X

The proposed parking plan meets the requirements of Section 13.10.552 of the County Code. The office and residential uses will have adequate off street parking available.

4. Alterations to present patterns of circulation or movement of people and/or goods?

— — — X

5. Increase in traffic hazards to motor vehicles bicyclists, or pedestrians?

— — — X

6. Cause preemption of public mass-transportation modes?

— — — X

J. LAND USE/HOUSING

Will the project result in:

1. Reduction of low/moderate income housing?

— — — X

2. Demand for additional housing?

— — — X

3. A substantial alteration of the present or planned land use of an area?

— — — X

ATTACHMENT 7

0496

4. Change in the character of the community in terms of terms of distribution or concentration of income, income, ethnic, housing, or age group?

— — — X

5. Land use not in conformance with the character of the surrounding neighborhood?

— — — X

K. HAZARDS

Will the project:

1. Involve the use, production or disposal of materials which pose hazard to people, animal or plant populations in the area affected?

— — — X

2. Result in transportation of significant amounts of hazardous materials, other than motor fuel?

— — — X

3. Involve release of any bioengineered organisms outside of controlled laboratories?

— — — X

4. Involve the use of any pathogenic organisms on site?

— — — X

5. Require major expansion or special training of police, fire, hospital and/or ambulance services to deal with possible accidents?

— — — X

6. Create a potential : substantial fire hazard?

— — — X

7. Expose people to electro-magnetic fields associated with electrical transmission lines?

— — — X

L. GENERAL PLANS AND PLANNING POLICY

1. Does the project conflict with any policies in the adopted General Plan or Local Coastal Program?
If so, how?

— — — X

The proposed project is within the Ben Lomond Town Plan study area. The Town Plan shows parcel 077-104-01 as a future park or commons area. Attachment 6

includes a Project Comment Sheet, Minutes of the Parks and Recreation Commission meeting of August 18, 1997 and a staff report, dated 9-4-97 from the Director of Parks, Open Space and Cultural Services. This package documents the request of the Commission to decline consideration of purchasing the parcel for inclusion into the County park system. The Commission voted 4/0 in agreement with park staff to decline purchasing the parcel thereby allowing this development to proceed.

In addition to a park site, the Town Plan proposes the realignment of Mill street to the north along the common property line between the two subject parcels. The realigned Mill Street would intersect with Highway 9 opposite Fillmore Avenue north of Highway 9 (Attachment 8). The Department of Public Works and the Advance Planning Section of the Planning Department have both reviewed the proposal to remove the realignment of Mill Street from the General Plan. The Department of Public Works finds that traffic improvements to the existing intersection of Mill Street and Highway 9 that are proposed as part of this project, combined with a Caltrans project that will add a two way left turn lane on Highway 9 will improve Highway safety in this area as much as a realignment would. The Advance Planning section has stated that since the Parks Department does not want the project site for a future park, that the realignment of Mill Street is not feasible due to topographic constraints and that traffic safety will be achieved in an alternate manner, the proposed amendment is consistent with the intent and purposes of the Boulder Creek Town Plan.

The Town Plan also provides guidelines for site improvements and landscape design. In order for the project to be consistent with the Town Plan the improvement plans and the landscape plan shall be revised. Include curb, gutter & sidewalk around the entire frontage (Highway 9 and Mill Street) of parcel 077-104-01. Incorporate native species of oak into the landscape plan while maintaining any existing native trees by jogging the sidewalk around if necessary. The plan shall also show removal of all scotch broom and acacia on the site. Once these revisions are made, the project will comply with all General Plan policies.

- | | | | | |
|---|---|---|---|---|
| 2. Does the project conflict with any local, state or federal ordinances? | — | — | — | X |
| If so, how? | | | | |
| 3. Does the project have potentially growth inducing effect? | — | — | — | X |
| 4. Does the project require approval of regional, state, or federal agencies? Yes Which agencies? | | | | |
- Caltrans

ATTACHMENT 7

MANDATORY FINDINGS OF SIGNIFICANCE

0498

YESNO

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history? ___ X
2. Does the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (A short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts will endure well into the future.) ___ X
3. Does the project have impacts which are individually limited but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant. Analyze in the light of past projects, other current projects, and probable future projects.) ___ X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ___ X

0499

TECHNICAL REVIEW CHECKLIST

	<u>REQUIRED</u>	<u>COMPLETED*</u>	<u>N/A</u>
APAC REVIEW	_____	_____	<u>X</u>
ARCHAEOLOGIC REVIEW	<u>XX</u>	<u>XXX</u>	_____
BIOTIC ASSESSMENT	_____	_____	<u>X</u>
GEOLOGIC HAZARD ASSESSMENT	_____	_____	<u>X</u>
GEOLOGIC REPORT	_____	_____	<u>X</u>
RIPARIAN PRE-SITE	_____	_____	<u>X</u>
SEPTIC LOT CHECK	<u>XX</u>	<u>XXX</u>	_____
SOILS REPORT	<u>XX</u>	<u>XXX</u>	_____
OTHER:			
<u>Grading Permit</u>	<u>XX</u>	<u>XXX</u>	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

* Attach summary and recommendation from completed reviews.

List any other technical reports or information sources used in preparation of this initial study: General Plan maps, Ben Lomond Town Plan, resource and constraint maps, file and permit history research.

ENVIRONMENTAL REVIEW ACTION

ATTACHMENT 7

0500 (:

On the basis of this initial evaluation:

— I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project. A NEGATIVE DECLARATION will be prepared.

— I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

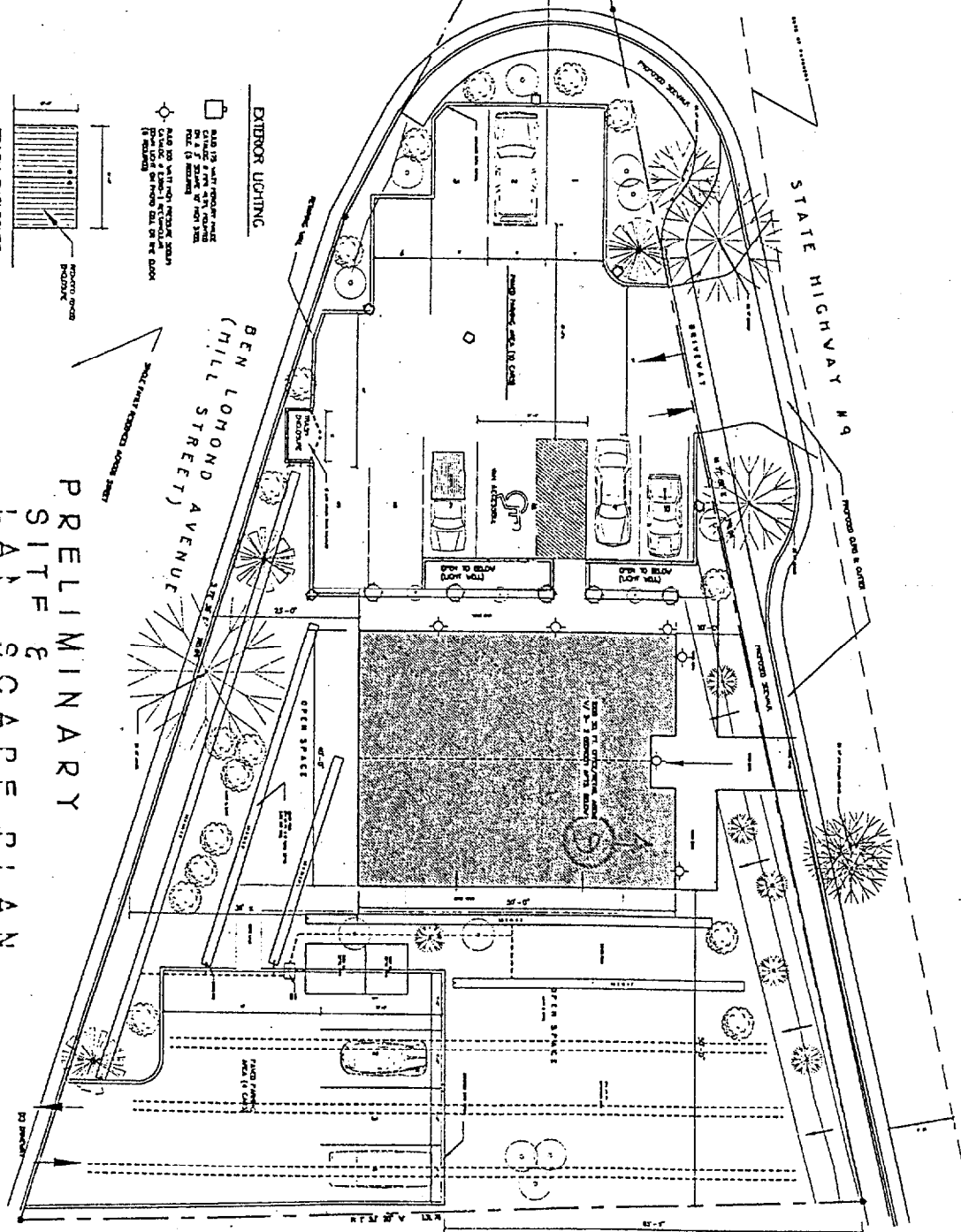
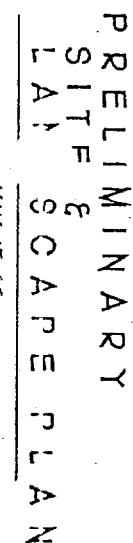
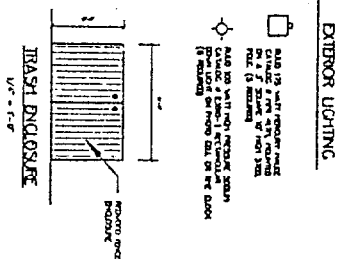
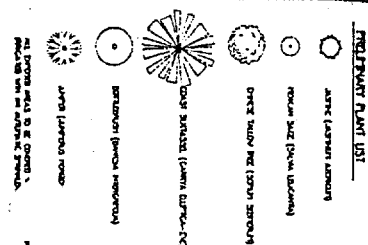
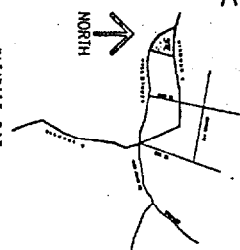
5/27/99
Date

Pa Cur
Signature

For: Ken Hart
Environmental Coordinator

Attachments:

1. Location Map
2. Soils report by Reynolds Associates, dated 9-25-97
3. Soils report review by Environmental Planning staff, dated 10-17-97
4. Grading conditions, dated 11-14-97
5. Archaeological reconnaissance, dated 3-21-98
6. Santa Cruz County Parks, Open space and Cultural Services package, dated 9-3-97
7. Comments from the Department of Public Works dated 3-17-99.
8. Ben Lomond Town Plan



→ NORTH

APN 77-104-01

PROPOSED BUILDING FOR
J. E. EDWARD
STREET
TONGA CALIF.



Kenneth A. Rogers, Architect
Architecture and Planning
License # C 016263
1420 Rodriguez Street, Santa Cruz CA 95062
(408) 475-7133 FAX: (408) 475-3360

42
EXHIBIT H

Environmental Review Initial Study
ATTACHMENT 1
APPLICATION 97-0421

972566-S32-H2
25 September 1997Mr. Joe Edwards
16400 Highway Nine
Boulder Creek, CA 95006Subject: GEOTECHNICAL INVESTIGATION - DESIGN PHASE
Commercial/Residential Structure
Mill Street, Ben Lomond, APN 77-104-01
Santa Cruz County, California.

Dear Mr. Edwards:

In accordance with your authorization, we have performed a geotechnical investigation at the site of the proposed development in Santa Cruz County, California.

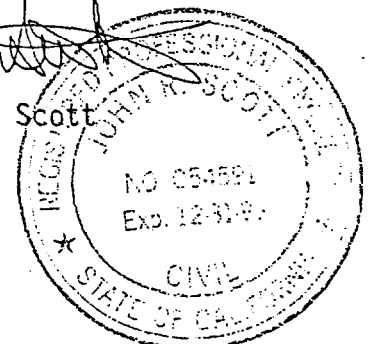
Our findings indicate that the site, from a geotechnical engineering standpoint, is suitable for the proposed improvements and construction, provided the recommendations of this report are followed in the design and construction phases of the project.

The accompanying report outlines our findings related to the field exploration and includes our recommendations and conclusions based on these findings.

It has been a pleasure performing this service for you. If you have any questions concerning this report, please contact this office.

Very truly yours,
REYNOLDS ASSOCIATES

John R. Scott



JRS:js

Copies: 1 to Mr. Joe Edwards
4 to Kenneth A. Rogers, Architect**42**Environmental Review Initial Study
ATTACHMENT 2
APPLICATION 97-0421Ile, CA 95076 • (408) 722-5377 • Fax (408) 722-1133
75-8540 • Salinas (408) 754-2033**EXHIBIT H**

972566-S32-H2
25 September 1997

0503

CONCLUSIONS AND RECOMMENDATIONS

GENERAL

1. Based on the results of our investigation, it is our opinion that, from a geotechnical standpoint, the subject site will be suitable for the proposed improvements provided that our recommendations are implemented in the design and construction. It is our opinion that the foundation system for the proposed structure may consist of shallow, conventional footings founded into medium dense native soil.

EARTHWORK RECOMMENDATIONS

2. All grading and earthwork should be accomplished in accordance with these recommendations and the grading requirements of the regulating agency. These specifications set forth the minimum standards necessary to satisfy the other requirements of this report and without compliance with these standards, the design criteria in this report will not be valid.
3. As the grading plans and foundation details have not been finalized, some of the recommendations must be general in nature. These items should be reviewed by the Geotechnical Engineer prior to the contract bidding to ensure that the provisions of this report have been included in the design. At that time, additional recommendations will be provided if necessary.
4. Grading and foundation plans should be reviewed by the Geotechnical Engineer during their preparation and prior to contract bidding.
5. The Geotechnical Engineer should be notified at least four (4) working days prior to any site clearing and grading operations on the property in order to observe the stripping and disposal of contaminated materials, and to coordinate this work with the grading contractor. This time period will allow for any necessary laboratory testing (compaction curves) that should be completed prior to the grading operations. During this period, a pre-construction conference should be held on the site with at least the architect, the grading contractor and one of our engineers present. At this time, the project specifications and the testing and inspection responsibilities will be outlined and discussed.
6. Field observation and testing must be provided by a representative of Reynolds Associates to enable them to form an opinion regarding the adequacy of the site preparation, the acceptability of fill materials, and the extent to which the earthwork construction and the degree of compaction comply with the specification requirements. If work related to grading is performed without the full knowledge of, and not under the direct observation of

42

Reynolds Associates, the Geotechnical Engineer, the design criteria presented in this report will not be valid.

7. General geotechnical considerations applicable to site grading and recommendations for the design and construction of the project are discussed below.

SITE PREPARATION

8. The existing structure in its entirety, and the existing pavement sections should be razed and removed from the site.
9. Prior to grading, the area to be developed for structures, pavements and other improvements should be stripped of any vegetation and all organics and detrimental topsoil, i.e., about the top two to four inches (2" to 4"). This material may be deposited on-site as directed by the Geotechnical Engineer.
10. Any voids created by the stripping operation or the removal of buried obstructions, if encountered, must be backfilled, as needed, with properly compacted native soil that are free of organics and other deleterious materials or with approved import fill.
11. Following the stripping, the area should be excavated to the design grades. Any loose soil in the building and paving areas should be scarified and reworked, moisture conditioned and compacted as engineered fill except for any deleterious material noted by the Geotechnical Engineer in the field. The moisture conditioning procedure will depend upon the time of year that the work is done, but it should result in the soil being within two to four percent (2% to 4%) over their optimum moisture content at the time of compaction.
12. Any surface or subsurface obstructions, or questionable material encountered during grading, should be brought immediately to the attention of the Soil Engineer for proper exposure, removal and processing as directed.

FILL PLACEMENT AND COMPACTION

13. All fill soil, if required, should be placed in uniform lifts not exceeding six inches (6") in thickness, moisture conditioned and compacted to a minimum relative compactive effort. The minimum relative compactive effort should be 95% under paved areas and 90% elsewhere. All native and import fill soil should be moisture conditioned such that the moisture content is within 2% to 4% over the optimum moisture content at the time of compaction.

972566-S32-H2

25 September 1997 0505

14. The relative compaction will be based on the maximum dry density obtained from a laboratory compaction curve run in accordance with ASTM Procedure #D1557-78. This test will also establish the optimum moisture content of the material.
15. Samples of any proposed imported fill material for use on this project should be submitted to the Geotechnical Engineer for approval and appropriate testing not less than four working days prior to the anticipated job site delivery.

FILL MATERIAL

16. The on-site soil may be used as compacted fill. Soil to be used as fill which must be imported should meet the following requirements:
 - a. free of organics, debris, and other deleterious materials
 - b. granular in nature, well graded, and contain sufficient binder to allow utility trenches to stand open
 - c. free of rocks and cobbles in excess of two inches in size
 - d. have a Plasticity Index between 4 and 12
 - e. have a minimum Sand Equivalent of 20
 - f. have a minimum resistance "R" value of 30
 - g. have an expansion potential not greater than low

UTILITY TRENCHES

17. Utility trenches that are parallel to the sides of the building should be placed so that they do not extend below an imaginary line sloping down and away at a 2:1 (horizontal to vertical) slope from the bottom outside edge of all footings. The structural design engineer should coordinate this requirement with the utility layout plans for the project.
18. Trenches should be backfilled with a granular type material, uniformly compacted by mechanical means to the relative compactive effort as required by the "County Specifications," but not less than those specified in paragraph 13. The relative compaction effort shall be based upon the same laboratory test delineated in paragraph 14, above.
19. The jetting of the trench backfill material may be considered, however it may result in an unsatisfactory degree of compaction.
20. Trenches should be capped with 1.5± feet of relatively impermeable material and/or native soil.

42

972566-S32-H2
25 September 1997

0506

21. Trenches must be shored as required by the local agency, the State of California Division of Industrial Safety Construction Safety Orders, and Federal OSHA requirements.

RETAINING STRUCTURES

Lateral Pressures

22. Retaining walls should be fully drained and may be designed to the following criteria:

- a. When walls are free to yield an amount sufficient to develop an active earth pressure condition (about $\frac{1}{3}$ of height), design for an active earth pressure of 38 p.s.f. per foot of depth for horizontal backfill.
- b. When walls are considered "fixed", as is the case for the basement walls, design for a uniform active pressure of $24H$ p.s.f. (where H is the wall height in feet) with horizontal backslope.
- c. For resisting passive earth pressure having a horizontal slope below the wall:
 1. For in-place native soil, use 250 p.s.f. per foot of depth.
 2. Neglect the upper eighteen inches (18") of embedment.
 3. If piers are used passive pressures may be considered to be acting over one and one-half ($1\frac{1}{2}$) times the pier diameter.
- d. A "coefficient of friction" between base of foundation and soil of 0.33.
- e. Where both friction and the passive resistance are utilized for sliding resistance, either of the values indicated should be reduced by one-third.
- f. Any live or dead loadings which will transmit a force to the wall.
- g. The retaining wall design should consider a peak average ground acceleration (PAGA) of 0.46g, and repeatable high ground acceleration (RHGA) of 0.30g.

23. Retaining wall footings should be checked by Reynolds Associates prior to the placement of steel and concrete. Footings should be reinforced as specified by the Project Design Engineer.

Backfill

24. The above criteria are based on fully drained conditions. We therefore recommend that permeable material meeting the State of California Standard Specification Section 68-1.025, Class 1, Type A, or clean crushed or rounded "pea" sized gravel (3/8 inch by No. 6) be placed behind the wall, for a minimum continuous width of twelve inches (12") and extending for the full height of the wall to within one foot of the ground surface. The permeable material should be covered with Mirafi 140 filter fabric or equivalent and then compacted native soil placed to the ground surface. A four-inch (4") diameter perforated polystyrene drain pipe (perforations placed down) should be installed within three inches (3") of the bottom of the granular backfill and be discharged to a suitable, approved location.
25. The area behind the wall and permeable material should then be backfilled with approved soil compacted to a minimum relative compaction of 90%.
26. Precautions should be taken to ensure that heavy compaction equipment is not used immediately adjacent to walls, so as to prevent undue pressures against, and movement of, the walls.
27. Subdrains placed behind retaining walls should be approved by this office prior to the placement of fill.
28. An unobstructed outlet should be provided at the lower end of each segment of subdrain. The outlet should consist of a solid pipe of the same diameter, connected to the perforated pipe and extended to a protected outlet at a lower elevation, on a continuous gradient of at least one percent. A cleanout pipe should be provided at the high point of the pipe.

FOUNDATION RECOMMENDATIONS**General**

29. At the time we prepared this report, the grading plans had not been completed and the structure locations and foundation details had not been finalized. We request an opportunity to review these items during the design stages to determine if supplemental recommendations will be required.
30. Due to the consistency of the soil encountered at the time of our investigation, we recommend that the residences be supported by shallow spread footing foundation systems.

972566-S32-H2
25 September 1997

0508

Spread Footing Foundation System

31. Continuous exterior and isolated interior shallow spread footings may be used as delineated above to support the structural loads of the proposed buildings. The continuous exterior footings should be embedded a minimum of twenty-four inches (24") below lowest adjacent grade; interior isolated footings should be embedded a minimum of eighteen inches (18") below lowest adjacent grade. Spread footings founded at these depths may be designed for an allowable bearing value of 1,400 p.s.f. for dead plus live loads. This value may be increased by one-third to include the short term wind and seismic type loadings.
32. The footings should be reinforced in accordance with applicable UBC and/or ACI standards. However, we recommend that the continuous footings contain not less than four No. 4 bars; i.e., two near the top and two near the bottom of the footing elements.

SLAB-ON-GRADE CONSTRUCTION

33. Concrete slab-on-grade floors may be used for ground level construction on redensified soil. Redensification should include scarifying to a depth of six inches (6"), moisture conditioned and recompacted to a minimum relative compactive effort of 90% as determined by the laboratory test procedure ASTM #D1557-78.
34. Concrete slabs may be constructed either structurally independent or dependent of the adjacent footings. If these slabs are constructed as "free floating" slabs, there should be a ½-inch wide felt strip placed between the main foundation and newly-poured concrete floor slab. The slabs should be separated into approximately 15' x 15' square sections with dummy joints or similar type crack control devices.
35. All concrete slabs-on-grade should be underlain by a minimum six inch (6") thick capillary break, which rests upon the compact subgrade delineated above. The capillary break material should consist of clean, open-graded crushed gravel (¾" by No. 4, with no fines). It is recommended that neither Class II aggregate base nor sand be employed as the capillary break material.
36. Where moisture sensitive floor coverings are anticipated or vapor transmission may be a problem, a 10 mil waterproof membrane should be placed between the granular layer and the floor slab in order to reduce moisture condensation under the floor coverings. Place a two-inch (2") layer of moist sand on top of the membrane. This will help protect the membrane and will assist in equalizing the curing rate to minimize excessive shrinkage cracks.

37. Requirements for pre-wetting of the subgrade soil prior to the pouring of the slabs will depend on the specific soil and seasonal moisture conditions and will be determined by the Geotechnical Engineer at the time of construction.
38. Slab thickness, reinforcement, and dowelling should be determined by the Project Structural Engineer, based on the design live and dead loads, including vehicles. However, we recommend the minimum reinforcing of #3 steel bars spaced sixteen inches (16") on-center in both directions. The reinforcing must be firmly held in the vertical center of the slabs during placement and finishing of the concrete with pre-cast concrete dobies.
39. Positive drainage and maintaining soil moisture at above optimum conditions prior to pouring concrete will help improve the performance of concrete flatwork at the site.
40. Concrete flatwork should be divided into as nearly square panels as possible. Frequent joints should be provided to give articulation to the concrete panels. Landscaping and planters adjacent to concrete flatwork should be designed in such a manner as to direct drainage away from concrete areas to approved outlets.
41. It is assumed that flatwork will be subjected only to pedestrian traffic.
42. The long-term performance of exterior concrete flatwork at the site will be influenced by expansive soil. Positive drainage and maintaining soil moisture at above optimum conditions prior to pouring concrete will help improve the performance of concrete flatwork at the site.

DRAINAGE RECOMMENDATIONS

Surface Drainage :

43. The surface soil are classified as moderately erodible. Therefore, the exposed soil should be landscaped as soon as possible after grading to reduce erosion.
44. We recommend that full gutters be used along all roof downeaves to collect storm runoff water and channel it through closed rigid conduits to a suitable discharge point, i.e. the street or to other drainage improvements.
45. Surface water must not be allowed to pond adjacent to structural foundations. Final grades should be provided with positive gradient away from all foundations in order to provide rapid removal of the surface water from the foundations to an adequate discharge point.

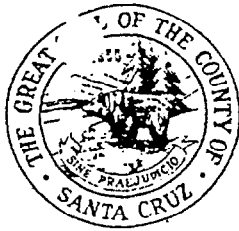
972566-S32-H2

25 September 1997 0510

46. Irrigation activities at the site should be done in a controlled and reasonable manner.
47. The building and surface drainage facilities must not be altered nor any filling or excavation work performed in the area without first consulting the Geotechnical Engineer.
48. Drainage patterns approved at the time of fine grading should be maintained throughout the life of proposed structures.

PLAN REVIEW

49. We respectfully request an opportunity to review the plans during preparation and before bidding to insure that the recommendations of this report have been included and to provide additional recommendations, if needed.



MENTAL CENTER

701 OCEAN STREET ROOM 400 SANTA CRUZ, CALIFORNIA 95060
(408) 454-2580 FAX (408) 454-2131 TDD (408) 454-2123

0511

November 17, 1997

Ken Rogers
1420 Rodriguez St.
Santa Cruz, CA 95062

SUBJECT: Review of soil report by Reynolds & Associates dated 9-25-97
APN: 077-104-01, APPLICATION NUMBER 97-0421

Dear Applicant:

Thank you for submitting the soil report for the parcel referenced above. The report was reviewed for conformance with County Guidelines for Soils/Geotechnical Reports and also for completeness regarding site specific hazards and accompanying technical reports (e.g. geologic, hydrologic, etc.). The purpose of this letter is to inform you that the Planning Department has accepted the report and the following recommendations become permit conditions:

1. All report recommendations must be followed.
2. Final plans shall indicate the deepened strip footings as detailed in the report.
3. Final plans shall show the drainage system as detailed in the soils engineering report including outlet locations and appropriate energy dissipation devices.
4. Final plans shall reference the approved soils engineering report and state that all development shall conform to the report recommendations.
5. Prior to building permit issuance, the soil engineer must submit a brief building, grading and drainage plan review letter to Environmental Planning stating that the plans and foundation design are in general compliance with the report recommendations. If, upon plan review, the engineer requires revisions or additions, the applicant shall submit to Environmental Planning two copies of revised plans and a final plan review letter stating that the plans, as revised, conform to the report recommendations.

Environmental Review Initial Study

ATTACHMENT 3
APPLICATION 97-0421

42

EXHIBIT H

6. The soil engineer must inspect all foundation excavations and a letter⁰⁵¹² of inspection must be submitted to Environmental Planning and your building inspector prior to pour of concrete.
7. For all projects, the soil engineer must submit a final letter report to Environmental Planning and your building inspector regarding the compliance with all technical recommendations of the soil report prior to final inspection. For all projects with engineered fills, the soil engineer must submit a final grading report (reference April 1992 County Guidelines for Soils/Geotechnical Reports) to Environmental Planning and your building inspector regarding the compliance with all technical recommendations of the soil report prior to final inspection.

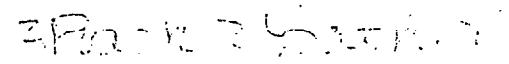
The soil report acceptance is only limited to the technical adequacy of the report. Other issues, like planning, building design, septic or sewer approval, etc., may still require resolution.

The Planning Department will check final development plans to verify project consistency with report recommendations and permit conditions prior to building permit issuance. If not already done, please submit two copies of the approved soil report at the time of building permit application for attachment to your building plans.

Please call 454-3164 if we can be of any assistance.

Sincerely,


JOEL SCHWARTZ
Geotechnical Associate


FOR: RACHEL LATHER
Senior Civil Engineer

cc: Michael Ferry, Project Planner
soils engineering firm

97-0421s/056

42

Environmental Review Initial Study
ATTACHMENT 3
APPLICATION 97-0421

EXHIBIT H

FINAL SOILS-GRADING REPORTS

Prior to final inspection clearance a final soils report must be prepared and submitted for review for all projects with engineered fills. These reports, at a minimum, must include:

1. Climatic Conditions

Indicate the climatic conditions during the grading processes and indicate any weather related delays to the operations.

2. Variations of Soil Conditions and/or Recommendations

Indicate the accomplished ground preparation including removal of inappropriate soils or organic materials, blending of unsuitable materials with suitable soils, and the keying and benching of the site in preparation for the fills.

3. Ground Preparation

The extent of ground preparation and the removal of inappropriate materials, blending of soils, and keying and benching of fills.

4. Optimum Moisture/Maximum Density Curves

Indicate in a table the optimum moisture maximum density curves. Append the actual curves at the end of the report.

5. Compaction Test Data

The compaction test locations must be shown on same topographic map as the grading plan and the test values must be tabulated with indications of depth of test from the surface of final grade, moisture content of test, relative compaction, failure of tests (i.e. those less than 90% of relative compaction), and re-testing of failed tests.

6. Adequacy of the Site for the Intended Use

The soils engineer must re-confirm her/his determination that the site is safe for the intended use.

COUNTY OF SANTA CRUZ


INTER-OFFICE CORRESPONDENCE

ATTACHMENT 7

DATE: 11/14/97

0514

TO: Mike Ferry

FROM: Joel Schwartz 

SUBJECT: Grading permit conditions for 97-0421

077-104-01

Attached are the grading permit conditions for this project. Please include them with your final staff report. I have also e-mailed them to you.

Thank you!

42

Environmental Review Initial Study

ATTACHMENT 4

APPLICATION 97-0421

EXHIBIT H

PROJECT CONDITIONS:

1. Site disturbance is prohibited prior to issuance of valid building and (if necessary) driveway encroachment permits.
2. Winter grading operations (October 15 through April 15 of any year) are prohibited unless the owner obtains formal Winter Grading Approval from the County Environmental Planning Division.
3. Stockpiling and reapplication of topsoil is required.
4. Responsible party shall notify Geotechnical Associate 48 hours prior to site disturbance/grading.
5. Responsible party shall notify Geotechnical Associate upon project completion for final site inspection and permit clearance.
6. If significant changes to the proposed grading and construction occur during development, responsible party shall submit a final "as-graded" grading plan to Environmental Planning prior to final permit clearance.
7. In the event that future County inspections of the subject property disclose noncompliance with any conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections or necessary enforcement actions, up to and including permit revocation.

GENERAL CONDITIONS:

(1) Approved Plans. When the Planning Director issues the permit, all of the plans and specifications shall be endorsed "approved". Such approved plans and specifications shall not be changed, modified, or altered without written authorization by the Planning Director, and all work shall be done in accordance with the approved plans and this chapter.

(2) Retention of Plans. One set of plans and specifications shall be retained by the Planning Director for a period of not less than two years from the date of completion of work covered therein. Plans which have been submitted for checking and for which no permit issued may be destroyed by the Planning Director if not picked up by the applicant within 90 days.

0516

(3) Work Time Limits. The permittees shall fully perform and complete all of the work required to be done within the time limit specified. If no time limit is specified, the permittee shall complete the work within 180 days after the date of the issuance of the grading permit. If the permittee is unable to complete the work within the specified time, he shall, prior to the expiration of the permit, present in writing a request for an extension of time, setting forth the reasons for the requested extension. If, in the opinion of the Planning Director, an extension is warranted, additional time may be granted for the completion of the work.

(4) Working Hours. Hours of grading operation shall be between 7:00 a.m. and 6:00 p.m. on weekdays. No grading shall be permitted on Saturdays, Sundays, and holidays, unless specifically authorized as part of a variance approved by the Planning Director.

(5) Safety Precautions. The permittee shall take all appropriate and necessary precautions to protect adjacent public and private property from damage that may result from the operations.

(6) Property Line. Whenever the location of a property line is in question as the result of or during operations, the Planning Director may require any boundary evidence which the Planning Director deems necessary. The Planning Director may require the applicant to furnish a parcel survey.

(7) Inclement Weather and Winter Grading. The Planning Director shall stop grading during periods of inclement weather when weather-generated problems are not being controlled adequately. No grading shall occur during the winter season (October 15 through April 15) unless authorized in advance by the Planning Director with reference to the Erosion Control Ordinance.

(8) Validity. The issuance or granting of an approval of plans and specifications shall not be construed to be an approval of any violation of any of the provisions of this chapter or of any other law.

The issuance of an approval based on plans and specifications shall not prevent the Planning Director from thereafter requiring the correction of errors in plans and specifications or from preventing operations from being carried on when in violation of this chapter or of any other law.

(9) Dust from grading operations shall be controlled at all times.

(10) No earth or organic material shall be deposited or placed where it may be deposited into a stream, marsh, slough, lagoon or body of standing water in a quantity deleterious to wildlife, aquatic life, or other beneficial uses of the water.

EXHIBIT B

SANTA CRUZ ARCHAEOLOGICAL SOCIETY
1305 East Cliff Drive, Santa Cruz, California 95062

PRELIMINARY PREHISTORIC CULTURAL RESOURCE RECONNAISSANCE REPORT

Parcel AP# 077-104-01

SCAS Project# SE-98-688

Planning Permit# 97-0412

Parcel Size: $\pm \frac{1}{4}$ acre.

Applicant: Ken Rogers

Nearest Recorded Prehistoric Site: $\frac{1}{4}$ mile NW.

On 3/21/98, (2) members of the Santa Cruz Archaeological Society spent a total of ($\frac{1}{2}$) hours on the above described parcel for the purpose of ascertaining the presence or absence of prehistoric cultural resources on the surface. Though the parcel was traversed on foot at regular intervals and diligently examined, the Society cannot guarantee the surface absence of prehistoric cultural resources where soil was obscured by grass, underbrush, or other obstacles. No core samples, test pits, or any subsurface analysis was made. A standard field form indicating survey methods used, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence was completed and filed with this report at the Santa Cruz County Planning Department.

The preliminary field reconnaissance did not reveal any evidence of prehistoric cultural resources on the parcel. The proposed project would, therefore, have no direct impact on prehistoric resources. If subsurface evidence of such resources should be uncovered during construction the County Planning Department should be notified.

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Patrick H. Cave, Chairman of the Reconnaissance Committee, Santa Cruz Archaeological Society at 1305 East Cliff Drive, Santa Cruz, California, 95062. Telephone (408)751-9467.

PARKS, OPEN SPACE AND
CULTURAL SERVICES



COUNTY OF SANTA CRUZ

BARRY C. SAMUEL
DIRECTOR

(408) 462-8300
FAX (408) 462-8330
TDD (408) 454-1453

9000 SOQUEL AVE., SUITE 101 SANTA CRUZ, CALIFORNIA 95062

ATTACHMENT 7

PARKS AND RECREATION COMMISSION MINUTES

0519

Monday, August 18, 1997

7:15 p.m.

Regular Meeting

Highlands County Park

Highway 9

Ben Lomond, California

I. CALL TO ORDER / ROLL CALL

The meeting was called to order at 7:20 p.m. by Chair Jenkins

Present: Tim Jenkins, Michael Rosenberg, Jim Keeffe, Jeanell Montero

Absent: None

Staff: Barry C. Samuel, Dave Mitchell, Clark Beattie, Bob Olson, Nancy Sisk

II. AGENDA MODIFICATIONS OR APPROVAL

The Agenda was approved. (Montero/Rosenberg - MSC)

III. APPROVAL OF MINUTES

The Minutes from June 9, 1997, were approved. (Rosenberg/Keeffe - MSC)

IV. ORAL COMMUNICATIONS:

Ron Clements, Jr. addressed the Commission on behalf of the Ben Lomond Business Association. He asked what the effect of not having the dam in Ben Lomond Dam Park would be in 1998, what does it cost to install the dam, and what other cutbacks are planned for the San Lorenzo Valley in 1998. Mr. Clements asked what the future goals are for the Ben Lomond Dam Park. He stated all the parks and recreation services are needed for the children and teens to give them a place to go for activities. Mr. Clements also stated the need to re-educate the voters.

Supervisor Jeff Almquist was present at this meeting of the Parks and Recreation Commission as well as many San Lorenzo Valley residents who attended the meeting to voice their opinions on the issues. Some of the residents who addressed the Parks and Recreation Commission were:

42

EXHIBIT H

Bob Furber
Ed Sams
Jean Hatch
Carol McQuillan
Dennis Cut
Sally Rivers
Ila McCoy
Elizabeth Jackson
Steve Sanders
Paul Ramm
Barbara Burk
John McCauley

Scott Hadyn
Tim Robinson
Skip Mather
Robert Welch
Grace Ruby
Diana Nickells
Bo Smith
Margaret Jones
Patrick Dugan
Lisa Rudnick

0520

Some of the concerns, suggestions and positive statements were:

Parks are good for property values, appreciate what you are doing, parks keep the crime rate down, try to find alternate revenue sources, the dam is good back up water supply in case of fire, park patrons should pack their trash so there is no need for maintenance to empty trash cans, enforce the litter laws, return the trash cans and restrooms, keep the Ben Lomond Park dam, don't close Quail Hollow, don't spend money on "beautiful publications" such as the map, cut staff and salaries, reduce number of paid lifeguards at Ben Lomond Dam Park, possibility of returning the San Lorenzo Valley parks to local management, vandals at night are creating the litter problem, Sheriff should patrol parks 3 or 4 times per night, eliminate the grants to artists, divert the Cultural Council allotment to the parks, have user fees or sliding scale instead of free swim and free lunch at Ben Lomond Dam Park.

V. INFORMATION AND REPORTS

A. Status Report on Current Park Projects

The current focus is on park upgrades and maintenance. The Davenport Landing project has been completed and other work on the north coast beaches is moving forward.

The soccer fields at the Polo Grounds will soon be in use and work is beginning on the softball fields. A well pump was rented for use at this location at the rate of \$400.00 per month rather than installing a permanent pump at a cost of \$75,000.00. Staff is redesigning the well system and it will go out to bid for a permanent system in the near future.

The Valencia Hall and post office buildings have been relocated and work by volunteers and staff is proceeding.

E Status Report on Maintenance Division

C. Status Report on Recreation & Cultural Services

0521

Recreation Superintendent Clark Beattie stated it was good to hear that people in the San Lorenzo Valley are so willing to volunteer to assist the Parks Department in any way they can. The Ben Lomond Dam Park drop-in program is federally funded. All the summer recreation programs were well received. The SuperKid Triathlon was a great success with over 150 participants ranging in age from 3 to 16 years. This activity was fully funded through private donations.

D. Valley Press article "Merchants Push Park Projects"**E. Park Site Review Report for Mill Street**

All items were accepted and filed. (Rosenberg, Keeffe)

VI. REGULAR AGENDA**A. Director's Report**

Director Samuel's report was deferred until the next meeting of the Commission.

B. Ben Lomond Dam & Highlands Park Pool - 1998

Ben Lomond Dam Park will be open in the summer of 1998 for use by the public without swimming. Over all, it appears the public is cooperating by "packing their trash" with only a few exceptions.

MOTION: The Parks and Recreation Commission urges the Santa Cruz County Board of Supervisors to find the funds to keep the Ben Lomond Dam Park open as it has been in the past with no changes. (Rosenberg/Montero - MSC)

C. Ben Lomond Park - next phase of

Park Planner Bob Olson was introduced as the person who would now be working with the Ben Lomond Dam Park project.

Planner Olson described which elements in the Ben Lomond Park remain to be completed including the installation of pavers in the Park's entry and plaza areas, new turf and picnic areas, H/C access to the Bar BQ area, beach and sports court and play area. A new entry point into the swim area was also discussed along with modifications to the existing grades with the installation of retaining walls in various locations.

Mr. Mitchell pointed out that the Ben Lomond dam was totally replaced three years ago. The grant money which had been received for this area has already been spent.

0522

The cost of the new roof at Quail Hollow is to be donated by an individual; however, the funds have not yet been received.

Director Samuel stated we have always enjoyed a good working relationship with the community and we want it to continue. In response to a question from the audience, he stated it would be possible to have privately operated licensed concessions in the Ben Lomond Park such as a coffee cart.

D. Public Hearing Process

The Commission was informed by Mr. Mitchell of the process for public hearings associated with new park development. As staff engages a public input process to develop community consensus on a project, it is the Parks and Recreation Commission which conducts the first public hearing for that project. This hearing is to solicit public testimony regarding the recreational merits of the proposed project. It is the obligation of the Commission to advise the Board of Supervisors on the merits of the proposed project in meeting the overall recreational goals for the unincorporated area of the County. Adjacent land use impact associated with a project is the preview of the planning permit process. The Commission will conduct two such public hearings this fall for Anna Jean Cummings Park and Jose Avenue Park.

**E. Ben Lomond Town Plan Recommendation for Park Expansion
Permit Application 97-0421 at 9570 Mill Street, Ben Lomond**

Mr. Mitchell advised the Commission that the Planning Department had received a permit application for a parcel (APN077-104-01) located at the intersection of Mill Street and Highway 9 in Ben Lomond. The parcel in the application is located on the other side of Mill Street from Ben Lomond Park. This parcel was identified in the 1990 Ben Lomond Town Plan for the expansion of Ben Lomond Park if Mill Street was rerouted to Fillmore, or a possible site to relocate Park Hall, a community building in the town of Ben Lomond. This parcel was not included in the 1994 update of Santa Cruz County's General Plan. It was the recommendation of staff to decline the consideration of APN 077-104-01 for inclusion into the County Park System.

MOTION: The Parks and Recreation Commission urges the Santa Cruz County Board of Supervisors to decline consideration of APN 077-104-01 located at 9750 Mill Street for inclusion into the County Park System. (Rosenberg/Keeffe - MSC)

F. Commissioners Items

A motion was made to change the date of the next meeting from September 8, to September 15, 1997. (Motion passed 4/0)



BARRY C. SAMUEL
DIRECTOR

(408) 462-8300
FAX (408) 462-8330
TDD (408) 454-1453

9000 SOQUEL AVE., SUITE 101 SANTA CRUZ, CALIFORNIA 95062

0518

PROJECT COMMENT SHEET

DATE: September 3, 1997

TO: Mike Ferry, Project Planner
County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, California 95060

FROM: David J. Mitchell, Park Planning and Development Manager DJM

PROJECT:	APP #	97-0421
	APN #	077-104-01
	Address:	9570 Mill Street, Ben Lomond
	Planning Area:	San Lorenzo Valley

COMMENTS:

The Parks and Recreation Commission at their meeting of August 18, 1997, considered the inclusion of Parcel 077-104-01 located at 9570 Mill Street, Ben Lomond, as envisioned in the 1990 Ben Lomond Town Plan for the expansion of Ben Lomond Park, or the relocation of park Hall. This parcel was not included in the 1994 Up-date of the General Plan. The County Park's and Recreation Commission passed a motion to decline consideration of APN 077-104-01 located at 9750 Mill Street for inclusion into the County park system as reflected in the attached Commission's minutes and the Board Item scheduled for September 23, 1997.

If you have any questions, please give me a call at 462-8309

Environmental Review Initial Study

ATTACHMENT 6
APPLICATION 97-0421

EXHIBIT 1

VII. AGENDA FOR NEXT MEETING

September 15, 1997

- A. Tom Burns, Redevelopment Agency, Presentation of Conceptual Plans
 - * Jose Avenue Park
 - * Anna Jean Cummings Park

October 20, 1997

- A. Jose Avenue Park - Public Hearing

November 10, 1997

- A. Anna Jean Cummings Park - Public Hearing

VIII. ADJOURNMENT

The meeting adjourned at 9:55 p.m.



COUNTY OF SANTA CRUZ

BARRY C. SAMUEL
DIRECTOR

(408) 462-8300
FAX (408) 462-8330
TDD (408) 454-1453

9000 SOQUEL AVE., SUITE 101 SANTA CRUZ, CALIFORNIA 95062

0524

September 4, 1997

AGENDA: SEPTEMBER 23, 1997

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: PARK ACQUISITION REPORT FOR 9750 MILL STREET (APN 077-104-01)

Dear Members of the Board:

The County Planning Department has requested clarification from the Parks and Recreation Commission regarding interest in acquiring a parcel of land for the expansion of Ben Lomond Park, as envisioned in the Ben Lomond Town Plan.

When considering a building, development, or subdivision application on a parcel of land indicated in the General Plan as a potential park site, the Parks Department, in conjunction with the Parks and Recreation Commission, are to advise your Board and the Planning Commission regarding the possible acquisition of land into the County's park system. If the Parks and Recreation Commission, and subsequently, your Board determines that such acquisition would benefit the County, and the County has the resources to acquire the property, then the owner of such parcel shall be compensated based on the fair market value of the property. If the Parks and Recreation Commission recommends acquisition of only part of the parcel, which would allow the project to proceed in the proposed form or a modified form, the Commission's recommendation would then be forwarded to the Planning Commission for incorporation into the final design of the project. If the Parks and Recreation Commission, and subsequently your Board determines that acquiring such a site is not appropriate or feasible, then the proposed project shall be subject only to the regulation of the basic zone district. This authority is granted in Sections 13.10.415 thru 13.10.418 of the County Code.

A Development Permit (Application #97-0421), has been filed with the County Planning Department for one parcel (APN 077-104-01) located at 9570 Mill Street in Ben Lomond, at the intersection of Highway 9 and Mill Street (Attachment A). The application for a development permit is for the demolition of an existing garage and reconstruction of a two-story structure, which will be used for two residential units on the first floor, and a commercial retail/office on the second floor. The entire project area totals 13,331 square feet, of 0.33 acres. The existing zoning for the site is C-1 (Neighborhood Commercial). This site is not listed in the Revised General Plan adopted by your Board on May 24, 1994, as a potential park land (Attachment B).

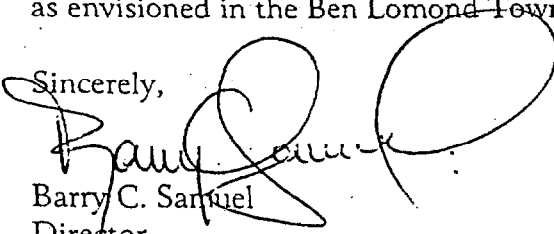
The Ben Lomond Town Plan, adopted by your Board on May 12, 1990, suggested the possible expansion of the Ben Lomond Park and/or the relocation of Park Hall to include this parcel located at the intersection of Highway 9 and Mill Street (Attachments C, D & E). This site is located on the other side of Mill Street from Ben Lomond Park. In order to accomplish the expansion of the of the park per the Town Plan, it would require the realignment of Mill Street as indicated in Attachment D and the procurement of APN 077-141-16, which is listed in the General Plan for potential acquisition as park land. The estimates in the Town Plan to realign Mill Street to Fillmore are \$350,000 - \$420,000, and construction of park amenities would be an additional \$151,000 to \$221,000 (Attachment F). These figures exclude the cost of land acquisition associated with the park, storm drainage, utility improvements or housing relocation. Based on these numbers, such an expansion would be a considerable project. 0525

The town of Ben Lomond has two County parks, which are Ben Lomond Park and Highlands Park. Ben Lomond Park consists of 1.1 acres, offers a playground, basketball court, picnic area, restroom facility, and summer swimming. Ben Lomond Park has undergone a community-sponsored renovation process, which has been partly underwritten with funds from the 1986 and 1988 State Park Bond Acts appropriated to Alba Recreation District. Highlands Park consists of 25.3 acres located on Highway 9, approximately one mile south of the town of Ben Lomond. Highlands Park includes a playground, three tennis courts, two group picnic areas, a beautiful house with an adjacent lawn area and gazebo suitable for weddings, meetings, parties, a combination sports field, and is adjacent to the San Lorenzo River.

Parks Department staff have not been able to identify any funding sources for this acquisition, or the subsequent acquisition and realignment of Mill Street. Therefore, staff's recommendation to the Parks and Recreation Commission was to decline consideration of APN 077-104-01 for inclusion into the County Parks system. The Commission voted 4/0 in agreement with the staff recommendation as indicated in the attached letter from the Parks Commission Chair (Attachment G).

It is therefore RECOMMENDED that your Board decline consideration of the acquisition of APN 077-104-01 located at 9570 Mill Street in Ben Lomond for inclusion into the County Park system as envisioned in the Ben Lomond Town Plan.

Sincerely,


Barry C. Samuel
Director

RECOMMENDED:

SUSAN A. MAURIELLO
County Administrative Officer

cc: Applicant (c/o County Parks), Planning Department, Parks Department

Attachments

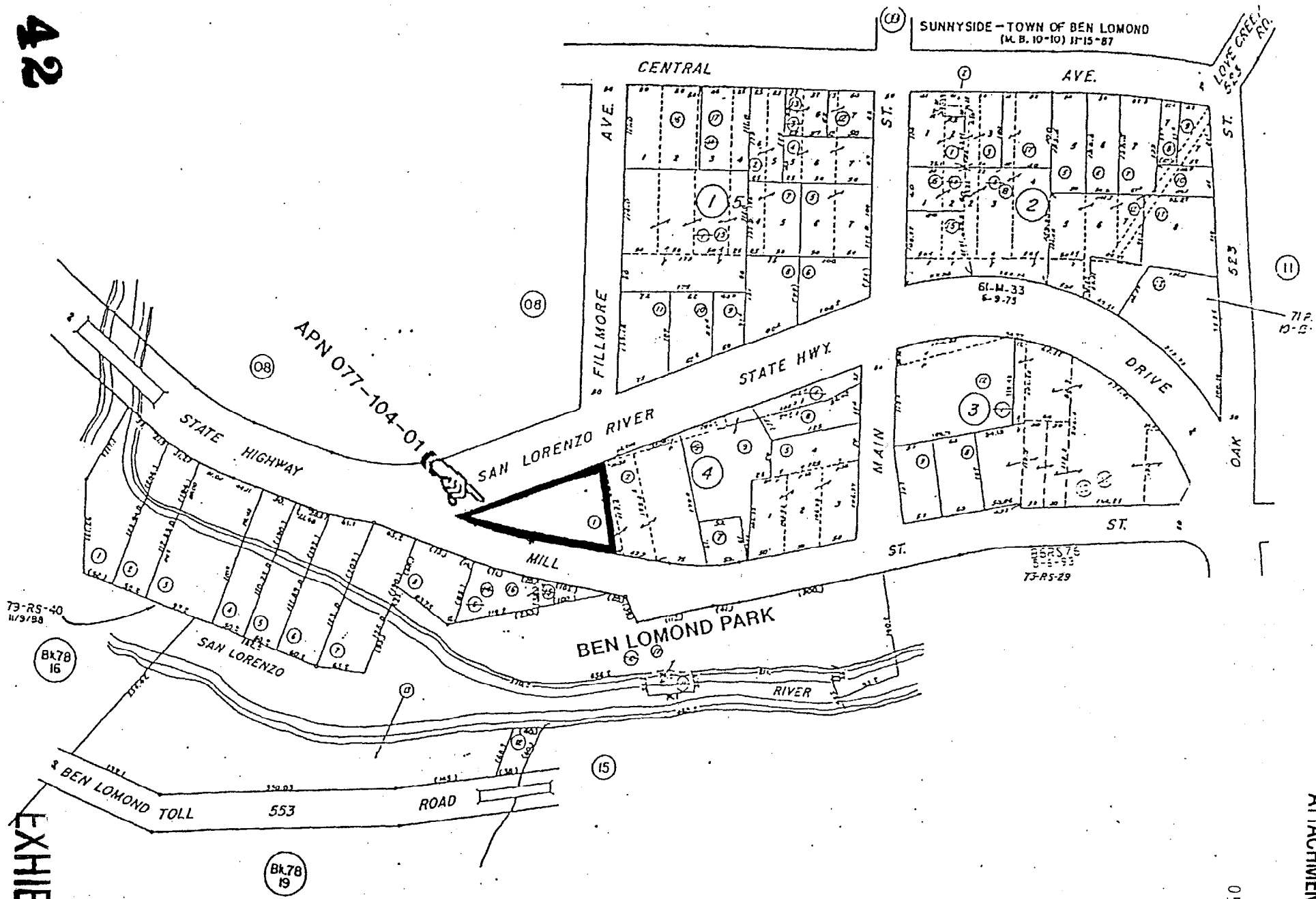
42

EXHIBIT H

42

ATTACHMENT A


EXHIBIT H



ATTACHMENT 2

Figure 7-2 (page 4 of 4)
Santa Cruz County Public Parks and Recreation Facilities

0527

Planning Area	Park Site	APN	Park Type	Status	Gross Acreage*	
					Existing	Proposed
Salsipuedes	Pescadero Creek Reservoir		R	P		N/A
San Andreas	Beaches		R	B		
 San Lorenzo Valley	Alba School	78-011-05	L	E/H/RD	0.5	
	Ben Lomond Dam Park	77-141-12,-13,-16,-17 77-151-08,-18,-21	L	E/P/H	5.2	1.1
	Boulder Creek Junction	81-141-05,-06 81-133-01	L	E/RD	0.9	
	Boulder Creek Elementary School	81-121-05,-06, 81-165-01 81-163-05	L	E/S	2.5	
	Brookdale	79-101-01,-03,-16,-17	L	P/RD		6.4
	Felton Covered Bridge and Park	65-091-04	L	E/H	6.3	
	Highlands Park	72-061-08,-09,-16,-19	L	E/P/H	25.3	6.4
	Garrahan Memorial Park	84-035-06,-07	L	E/RD	1.2	
	Loch Lomond Reservoir		R	E/C	N/A	
	Lompico Community Center and Park	75-101-11; 75-121-04,-05,-06,-07,-08	L	P		1.6
	Quail Hollow Elementary School	77-192-39,-40	L	E/S	4.5	
	Quail Hollow Ranch	74-171-01,-02,-09,-10,-11, -12,-13,-14,-15 73-011-03,-04,-07,-08,-09	L/R	A/E/H	284.6	
	Redwood Elementary School	85-092-02,-06; 85-281-01,-36	L	E/S	8.0	
	San Lorenzo Valley Elementary, Junior High & High School	71-151-24,-25	L	E/S	4.0	
Skyline	Glenwood Area	(Site to be determined)	L	P		N/A
Soquel	Cunnison Lane	37-101-08,-13	N/C	A	5.0	
	Maplethorpe Lane	37-311-41	N	E	0.5	
	O'Neill Ranch	30-011-24,-41	N/C/R	A	83.0	
	Soquel Elementary School	30-153-21	N/C	E/S	4.0	
	Soquel High School	30-011-25	C	E/S	10.0	
	Soquel Lions Park	30-231-55	N	E	0.2	
	Willowbrook Park	37-241-42,-44,-45	N	E	2.8	
	North Main Street Elementary School	30-041-02,-04,-13,-30,-32,-33	N	E/S	5.0	
Summit	Loma Prieta Community Center/English School	96-151-25	L	E/S	5.0	
	Glenwood Reservoir		R	P		N/A
	Mountain School	103-151-24	L	E/S	3.0	
	Soquel Reservoir		R	P		N/A

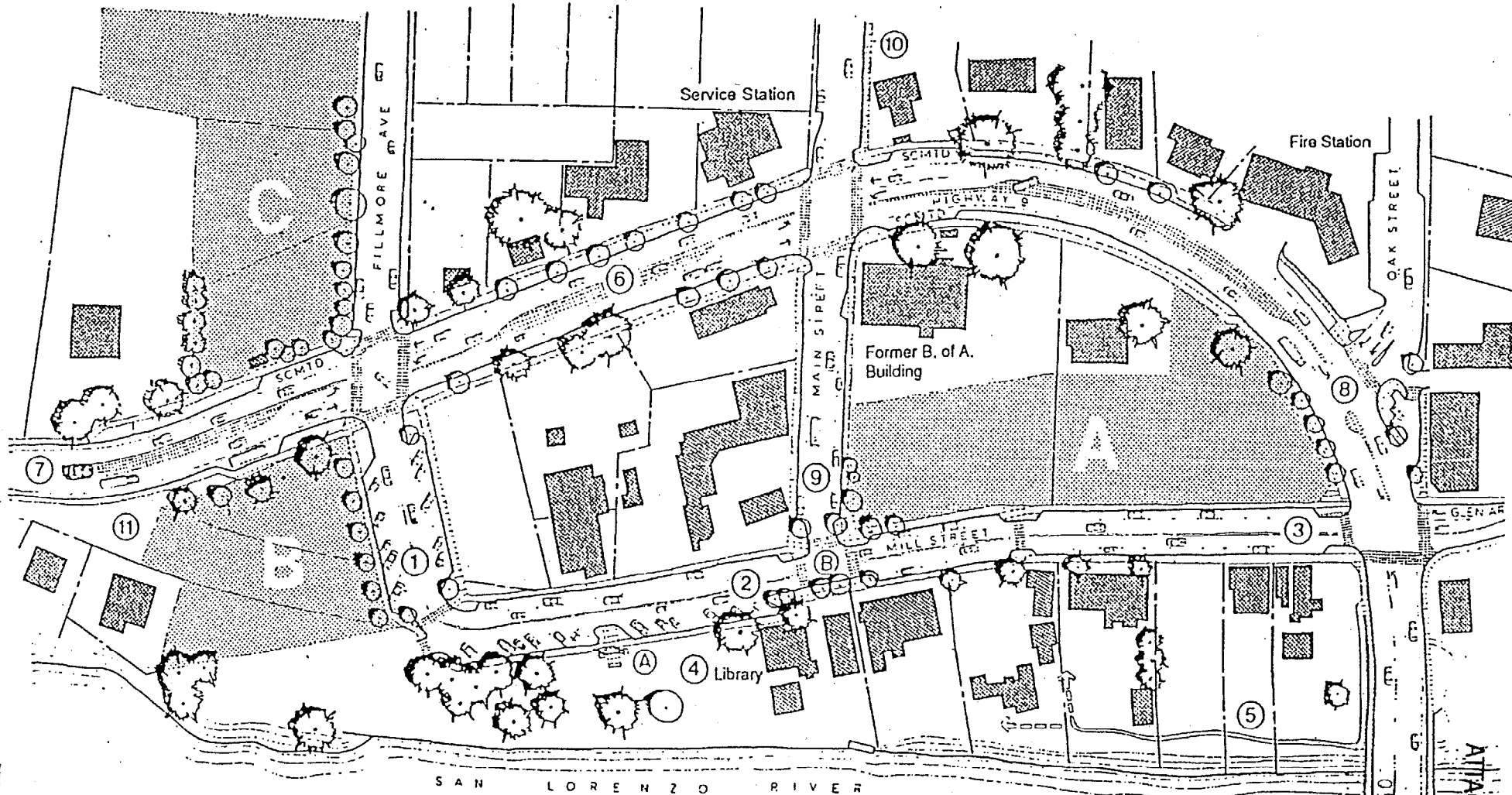
* The acreages associated with school sites are expressed in net usable acreage. All other acreage is expressed in gross acres.

KEY		
Park Type	Status	
C - Community	A - Land Acquired	N/A - Not Available
L - Local Rural	B - Public & Private Beaches	P - Proposed Acquisition
neighborhood	E - Existing Developed Facility	RD - Recreation District Facility
global	C - City Facility	S - School Facility
	H - Historic Facility	

BEN LOMOND TOWN PLAN

Downtown Design Plan

ATTACHMENT C



For additional information on areas "A," "B," "C," in grey tone:

- A. See the Eastern Mill Street and Community Facilities sections (pages 7 and 12).
See the River Park Expansion section (page 10).
- B. See the Community Facilities section (page 12).



0 70 140
Feet

ATTACHMENT 2

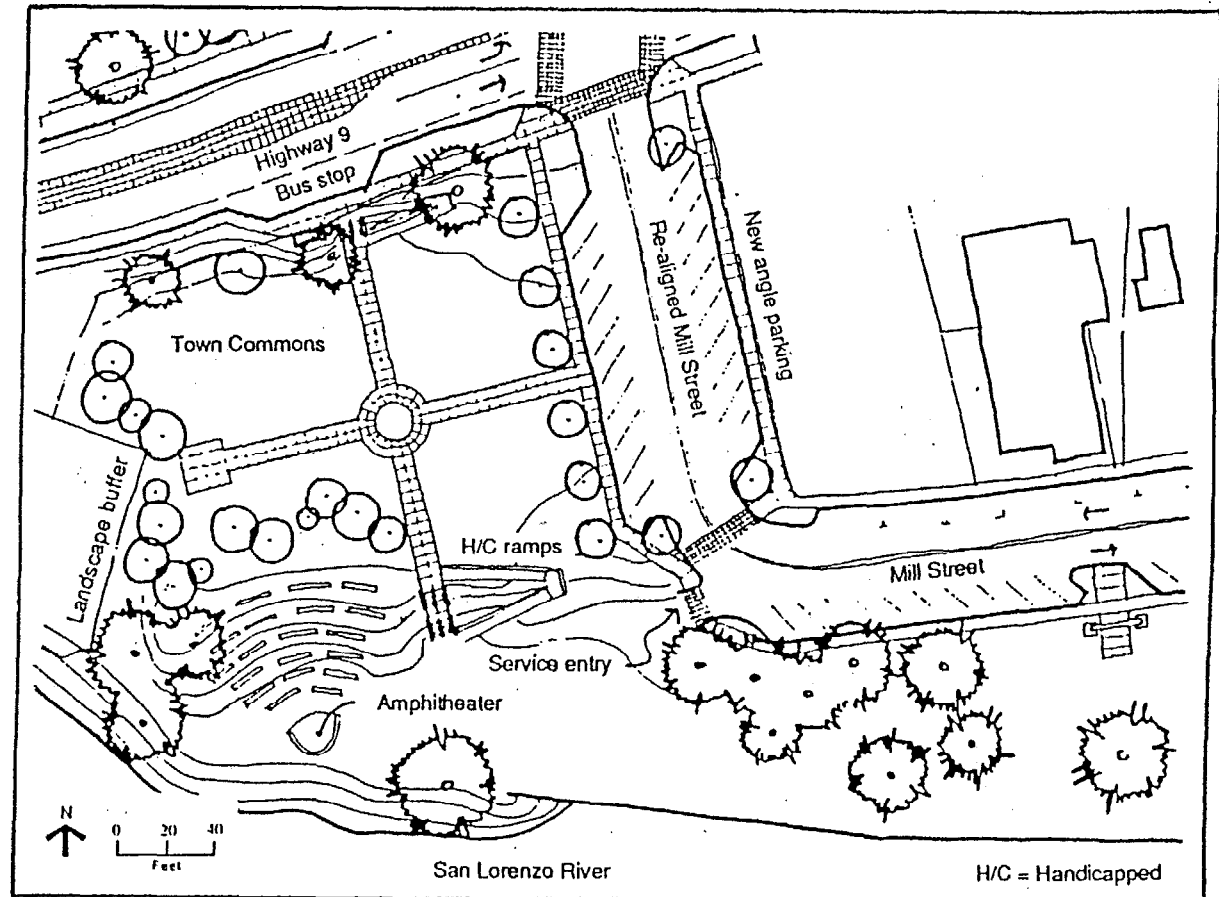
The Ben Lomond River Park

Workshop participants supported the expansion of the existing River Park in conjunction with a re-alignment of Mill Street. An expanded River Park was seen as a way to provide an improved link between the river and the downtown area, and as a visual focus for the Mill Street Promenade.

Workshops participants expressed concern about the existing visual appearance of the park and its ability to meet the needs of the Ben Lomond community (see the workshop section page 28). Many participants consider the existing chain link fences to be an eye-sore and in conflict with the image they have of their community.

River Park Recommendations

- Fencing:** The existing chain link fence should be replaced with a green vinyl coated chain link fence in areas where visual access is required for security reasons and with redwood fencing in all other areas and adjacent to existing residences.
- Entries:** Attractive Park entry areas should be developed which are constructed of light colored materials (for example, white or beige painted wood) compatible with the Mill Street promenade.
- Hours:** Increased pedestrian activity along the Mill Street promenade should lead to an increase in the hours that the River Park is open to the public.



Concept sketch of the proposed expansion of the Ben Lomond River Park; showing the proposed re-aligned section of Mill Street with angle parking, new Bus Stop on Highway 9, new Town Commons, Amphitheatre and Park entries.

- Community input:** Before an expansion or major renovation of the River Park takes place, input from the Ben Lomond community should be obtained through a participatory Park Planning process.

Community Facilities

Park Hall

Park Hall is located on the north side of Mill Street, east of Main street. Park Hall is a community resource which traces its origins back to at least 1887 where a Ben Lomond Township map shows the hall as a stable or barn (see map on page 45). The major part of the current building was built in 1904-05 by Mr. Bill Elsom. In 1908, the hall was purchased by Mr. J.B. Hobson and was used for dances, parties and community gatherings, much as it is used today.

In 1911, the building was moved to the present location.

In 1923, the Park Hall Trustees were formed and the building was conveyed to the Trustees from the California-Rio Grande Land and Title Stock Company.

Since being moved to its current site, Park Hall has been a cultural focus for the Ben Lomond community. Currently it is the home of the Mountain Community Theatre and is also used for other groups and activities.

Discussion of Park Hall's future became a focus of the Ben Lomond Town Plan because of a



Existing Park Hall at Mill Street with Ben Lomond Super beyond.

proposal, and offer, from the adjacent Ben Lomond Super Market to donate land and help re-build a new Park Hall at another location, in order to expand Ben Lomond Super (see the Participation Section on page 32).

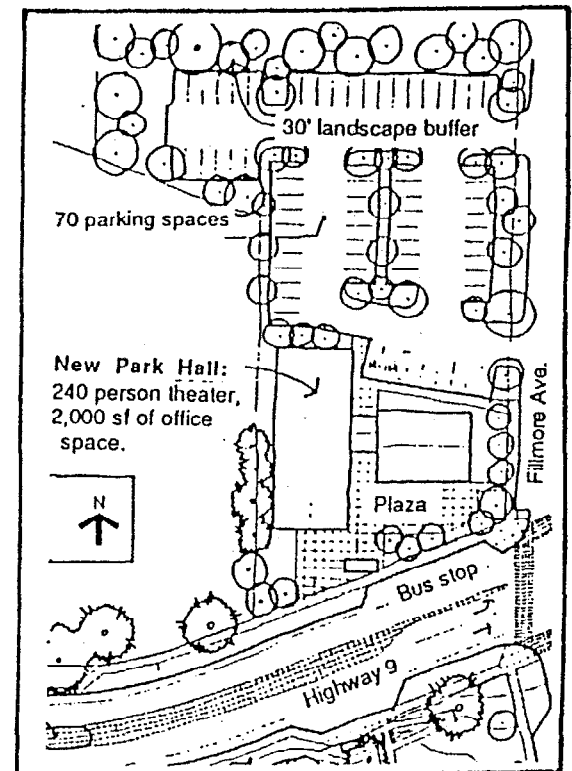
Park Hall in its present form does not meet current County requirements concerning on-site parking and septic disposal and is considered an "existing, non-conforming use". Its status as an existing non-conforming use means that Park Hall could not be rebuilt, or substantially remodeled on the existing site. However, Park Hall is under no obligation to relocate or remodel due to this non-conforming status.

Any future major decisions concerning Park Hall will be made pursuant to the protocols set forth in the Trust document in 1923. (A more complete description of Park Hall and the Park Hall Trustees is contained in the Park Hall Analysis section beginning on page 37).

Due to the community attachment to Park Hall, and the need to explore the physical, fiscal and legal aspects of a future Park Hall at another location, a Park Hall Task Force was established (see page 33). The Task Force met four times and reported back to the community during Workshops #4 and #5.

In addition to leaving Park Hall in its present location, two sites were investigated as possible locations for a new Park Hall facility. The first site is located at the north west corner of Fillmore Ave. and State Highway 9 (see the plan above). This site could accommodate a slightly larger Park Hall and an additional 2,000 square foot office facility. It would also provide a new covered bus shelter in front of a public plaza (see sketch).

The northern section of this site is currently zoned RM (multi-family housing) and its use as parking for Park Hall would require a level 5 zoning administrator public hearing and approval. A thirty foot wide landscaped strip is recommended to buffer the parking area from



Concept sketch of the possible new Park Hall at Fillmore and Highway 9 (see discussion on this page).

residences to the north (see sketch).

The second site evolved from the community workshop process and is located at the proposed River Park expansion site, south of Highway 9 and west of a re-aligned Mill Street (see map on page 13). This site could accommodate a slightly enlarged Park Hall and an additional 3,500 square foot office facility. An outdoor amphitheatre between the Park Hall building and the river would also be possible at this location.

At the conclusion of the fourth Park Hall Task Force meeting, the following consensus was reached:

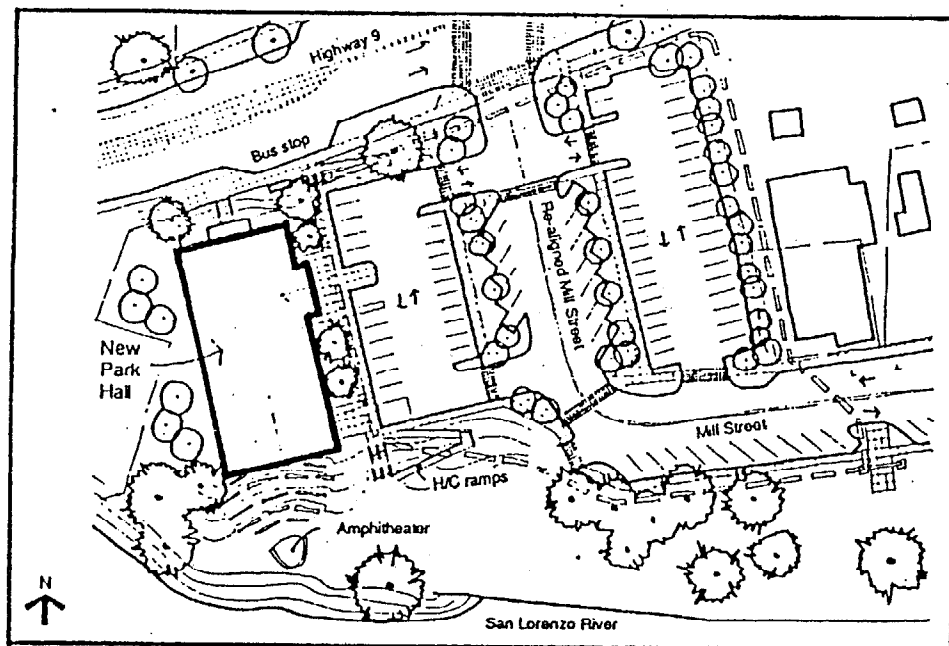
- a) The Task Force was supportive a newly constructed Park Hall at either of the two alternative locations, contingent upon further fiscal analysis.
- b) The Task Force felt that a new Park Hall would be a success at the Fillmore site (from a physical planning perspective), but did give a slight preference to the River Park expansion site for the following reasons;
 - (1) the closer relationship to the River Park, San Lorenzo River and the Mill Street Promenade,
 - (2) having a focus of public activities on the south (or San Lorenzo River) side of Highway 9,

- (3) the feasibility of more office rental space, and
- (4) less neighborhood impacts.

Some workshop participants expressed a desire to relocate some additional community facilities (such as the Library and Wilder Hall) into the design of a new Park Hall. This possibility should be investigated during any new Park Hall design process.

New Park Hall Design Guidelines

- a) **Materials:** The primary exterior finish material should be wood, with the exterior design making reference to the Scottish detailing on the original Park Hall.
- b) **Facilities:** Support facilities and equipment needed by Performing Arts users should be integrated into the building design.



Feasibility sketch of the expanded River Park as a possible site for a new Park Hall

Library Recommendations

- a) **Site:** Because the site of the existing Ben Lomond Library may be located in the floodway area and has very little potential for expansion, it is recommended that a relocation of the library be investigated.
- b) **Location:** If the library is relocated, the new site should be within the Community Commercial District, preferably on the Mill Street Promenade or in a location connected with the River Park. Consideration should also be given to incorporating the library within an expanded Park Hall facility.

Ben Lomond Supermarket Recommendations

- a) **Services:** Due to community interest in additional convenience services expressed at the workshops and through market surveys (see page 39) it is suggested that, if feasible, the planned expansion of Ben Lomond Super include an ATM, drug store, bakery, etc..
- b) **Design:** A new Ben Lomond Super building should;
 - (1) have its facade and main entry related to the Mill Street Promenade,
 - (2) enhance the pedestrian character of the promenade, and
 - (3) relate in scale and massing to the existing buildings across Mill Street.

Cost Estimates

The following are preliminary cost estimates for various public improvements proposed in the Ben Lomond Town Plan. These estimates were prepared using unit costs and should be revised and expanded during the development process as more detailed information and engineering studies become available.

- (1) Re-aligning Mill Street to Fillmore;
Includes estimated property costs of \$215,000. Estimates do not include storm drainage, utility improvements or housing relocation.
Estimated Construction/ Acquisition Cost.....\$350,000.-420,000.
- (2) Expansion of the River Park;
Includes landscaping, irrigation, an amphitheatre, seating and lighting. This estimate also includes a sidewalk and bus stop in the adjacent Highway 9 right-of-way. These costs do not include improvements to the existing Park or property purchase (see item 1)
Estimated Construction Cost.....\$151,000.-221,000.
- (3) Re-aligning Main Street; from Mill Street north to Highway 9.
These costs include repaving, curb islands, integral pavers at crosswalks, street furniture and lighting. Estimates do not include storm drainage or utility improvements.
Estimated Construction Cost.....\$70,000.-90,000.
- (4) State Highway 9 Improvements;
Includes the entire existing Highway right-of-way from the existing bridge south of Mill Street to the area adjacent to the Tyrolean Inn, and including all improvements in the right-of-way, illustrated on the Highway 9 road section (page 15) and on the Downtown Design Plan (page 6). Estimated engineering design costs are included. Estimates do not include storm drainage or utility improvements and undergrounding.
Estimated Construction Cost.....\$745,000.-950,000.
- (5) Highway 9 / Oak Street;
On-street parking and road geometry modifications south of the Fire Station and in front of existing Antique Store (page 17).
Estimated Construction Cost.....\$17,000.-22,000.
- (6) Mill Street Promenade;
Improvements in the existing Mill Street right-of-way from the re-aligned section east to Highway 9 including sidewalk widening, landscape areas, street furniture, lighting, integral paver crosswalks, and a plaza at the potential cul-de-sac. Estimates do not include storm drainage or utility improvements.
Estimated Construction Costs.....\$90,000.-130,000.
- (7) River Walk;
Costs do not include easement purchase or easement agreements.
Estimated Construction Costs.....\$19,000.-24,000.
- (8) Main Street Sidewalk;
Sidewalk from Highway 9 north to the Ben Lomond Post Office. This estimate is for a concrete sidewalk on one side of Main Street without curbs or gutters.
Estimated Construction Costs.....\$3,600.-4,600.
- (9) Highway 9 Bus Shelters;
In four locations as shown on the Downtown Design Plan (page 6). These shelters could also be funded as Conditions of Approval of private development applications.
Estimated Installed Cost.....\$23,000.-29,000.
- (10).....Total of Estimated Costs for start up projects not included in previous costs.....\$25,000.-32,000.

Total of Estimated Construction Costs for
Public Improvements.....\$1,494,600.-2,222,600.

PARKS, OPEN SPACE AND
CULTURAL SERVICES



COUNTY OF SANTA CRUZ

ARRY C. SAMUEL
DIRECTOR

(408) 462-8300
FAX (408) 462-8330
TDD (408) 454-1453

9000 SOQUEL AVE., SUITE 101 SANTA CRUZ, CALIFORNIA 95062

0533

ATTACHMENT G

September 4, 1997

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: MILL STREET PARK - ACQUISITION

Dear Members of the Board:

Per the request of the County Planning Department, the Parks and Recreation Commission, at our meeting of August 18, 1997, considered the proposed park expansion area envisioned in the Ben Lomond Town Plan as it pertains to Development Application #97-0421. The application consists of one parcel located at 9570 Mill Street in Ben Lomond (APN 077-041-01). This parcel was identified in the Ben Lomond Town Plan, adopted by your Board on May 12, 1990, as part of a potential expansion area for either Ben Lomond Park and/or a relocation site for Park Hall. However, this parcel was not included in the General Plan adopted by your Board on May 24, 1994, as potential park land.

In order to accomplish the expansion of the park as envisioned in the Town Plan would require the realignment of Mill Street and the acquisition of APN 077-141-16. The estimates in the Town Plan to realign Mill Street to Fillmore were \$350,000 to \$420,000 and construction of park amenities is another \$151,000 to \$221,000. These figures exclude the cost of land acquisition associated with the park, storm drainage, utility improvements or housing relocation. Based on these numbers, such an expansion project to the park would be a \$1,000,000 venture. The staff of the Parks Department has not been able to identify funding sources for this acquisition, or the subsequent acquisition and realignment of Mill Street. Therefore, staff's recommendation to our Commission was to decline consideration of this parcel for inclusion into the County Parks system.

The Parks and Recreation Commission, on a 4/0 vote, is in agreement with the staff of the County Parks Department, that it is not feasible at this time for the County to acquire the parcel associated with Development Application #97-0421 (APN 077-104-01 & 02) into the County Park system. If your Board deems the expansion of the park warranted for the town of Ben Lomond, then such parcels should be included in the General Plan as potential park lands and be subject to County Code Sections 13.10.415 - 13.10-418.

Sincerely,

Tim Jenkins Chair
Parks & Recreation Commission
County of Santa Cruz

42

EXHIBIT H

COUNTY OF SANTA CRUZ


INTER-OFFICE CORRESPONDENCE

ATTACHMENT 7

0534

DATE: March 17, 1999

TO: Mike Ferry, Planning Department

FROM: John Presleigh, Department of Public Works 

SUBJECT: APPLICATION NO. 97-0421, EDWARDS BUILDING, APN 077-104-01

Traffic and Road Planning Engineering reviewed the plans for the subject building and has the following comments.

1. Caltrans Encroachment Permit - An Encroachment Permit application must be submitted to Caltrans before approval of the building permit application by the County. Work required by the Caltrans Encroachment Permit must be finished prior to occupancy of the building. The December 5, 1997, letter from Charles Larwood of Caltrans to you describes the permit process and includes some revisions.

Sheet A-1

2. Dedication of right of way - All dedications of right of way shall be made before permit approval. Show the limits of the right of way to be dedicated to the County at the intersection of Mill Street and Highway 9 on this sheet and on sheet 2 of 4.

3. Parking spaces - Provide turning radius information to show that a car can park in space No. 14. It appears that a vehicle using space No. 5 would have insufficient area to back out. The plan scales 41 feet from face of curb to face of curb and the standard calls for 43 feet (the length of the space is 18 feet and clearance behind the space into which the car can back is 25 feet). Do spaces No. 4, No. 10 and No. 14 satisfy the minimum required setback from the right of way line with Highway 9?

Sheets A-2 thru A-6, sheet L1 & sheet 1 of 4 - No comments

Sheet 2 of 4

42

Environmental Review Initial Study

ATTACHMENT 7 (sheet 1 of 3)
APPLICATION 99-0044

EXHIBIT H

4. Frontage improvements - Show full frontage improvements as 0535 called for in the Santa Cruz County Planning Department's "Negative Declaration Mitigations" for this project. This includes curb, gutter and sidewalk on Highway 9 and Mill Street. These improvements will require paving the unimproved area outside of the curb return at the west end of the property and reconstructing some of the drainage facilities in the same area. It will also require providing a striping plan for all of the property frontage including the widened intersection of Highway 9 and Mill Street. The developer's engineer should contact Traffic and Road Planning Engineering to discuss the improvements and the striping.

5. Drainage Improvements - Future improvements by the County on Highway 9 will require upgrading the drainage system from 15-inch diameter to 24-inch diameter. The Public Works Department would like to meet with the developer and the engineer to discuss the design, construction and financing of such an upgrade.

6. Mill Street road width - The frontage improvements required in comment number four make it necessary to widen Mill Street to allow for a minimum road width of 28 feet from the face of the proposed curb to the edge of pavement. Obtain and provide any easements or right of way needed to install the curb, gutter and sidewalk and widen the road. Mitigate any impacts to driveways or property frontage on the opposite side of Mill Street caused by the road widening.

7. Future work "by County" - Revise the notes that call for future work to be done "by County" to call for future work to be done "by others."

8. Driveways - Specify the location and provide profiles and structural sections for each driveway including those on the south side of Mill Street that may require alteration due to road widening. The curb, gutter and drainage inlet in each driveway in the development will need to be revised to allow for the concrete apron at the driveway.

9. On street parking - Revise the plans to indicate that parking shall not be permitted along the property frontage on Mill Street and Highway 9. The developer shall pay for installation of red curb or "no parking" signs in these areas and the County shall do the installation.

10. Transition from separated to contiguous sidewalk - Provide curve radii for the sidewalk where it transitions from separated to contiguous at the west end of Highway 9.

11. Limits of pavement replacement - Show the limits and the dimensions of the pavement replacement on Highway 9 and Mill Street.

Sheet 3 of 4 - No comments

Sheet 4 of 4

12. Cross-sections - Modify cross-section 4a to call out the depth of aggregate base and asphalt concrete and the compaction requirements for the work within the State right of way (the structural section within the State right of way should conform to Caltrans guidelines). Change cross-section 4b to call for three inches of asphalt concrete on six inches of aggregate base and call out the compaction requirements for the work within the County right of way. Change note from "Future standard Type "B" gutter" to "Future gutter."

13. General Plan Amendment - We do not oppose the proposed amendment to the General Plan. At this location, Mill Street is stop sign controlled and intersects Highway 9 in a three-legged Y configuration. There are two disadvantages to this configuration. The first is that a driver leaving Mill Street and turning north on Highway 9 must look over his/her shoulder. The second is that it allows southbound traffic on Highway 9 to turn onto Mill Street at a higher than desired speed. The realignment of this intersection, as called for in the General Plan, would eliminate these.

However, the existing configuration can be modified to address these two concerns. The proposed improvements by the developer will modify the intersection to more of a T configuration. This will allow a driver to look to his/her side and not over his/her shoulder. The improvements will also force vehicles to slow down when leaving Highway 9 and entering Mill Street. In addition, Caltrans is currently designing a two-way left turn lane on Highway 9 at this location. This left turn lane will also force cars to slow down.

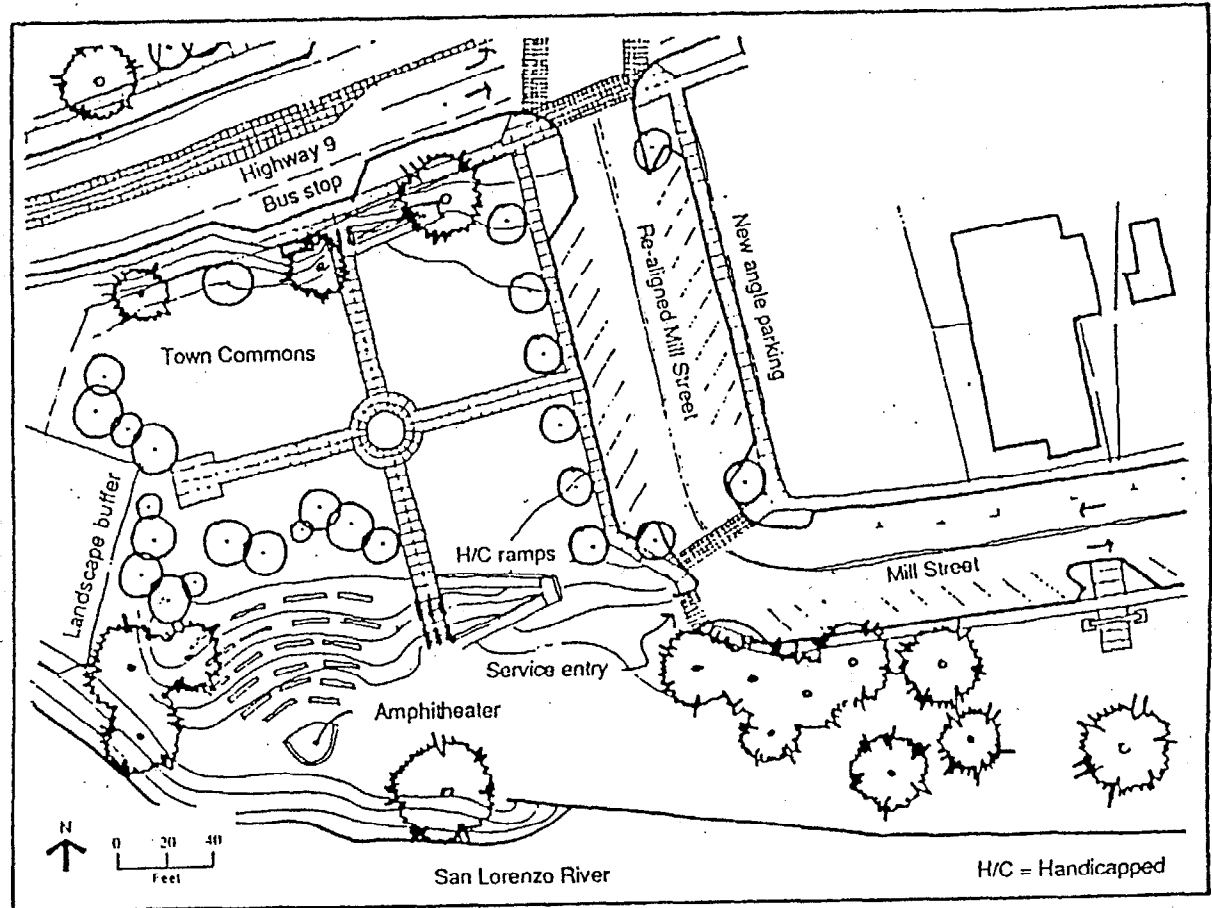
The Ben Lomond River Park

Workshop participants supported the expansion of the existing River Park in conjunction with a re-alignment of Mill Street. An expanded River Park was seen as a way to provide an improved link between the river and the downtown area, and as a visual focus for the Mill Street Promenade.

Workshops participants expressed concern about the existing visual appearance of the park and its ability to meet the needs of the Ben Lomond community (see the workshop section page 28). Many participants consider the existing chain link fences to be an eye-sore and in conflict with the image they have of their community.

River Park Recommendations

- Fencing:** The existing chain link fence should be replaced with a green vinyl coated chain link fence in areas where visual access is required for security reasons and with redwood fencing in all other areas and adjacent to existing residences.
- Entries:** Attractive Park entry areas should be developed which are constructed of light colored materials (for example, white or beige painted wood) compatible with the Mill Street promenade.
- Hours:** Increased pedestrian activity along the Mill Street promenade should lead to an increase in the hours that the River Park is open to the public.



Concept sketch of the proposed expansion of the Ben Lomond River Park; showing the proposed re-aligned section of Mill Street with angle parking, new Bus Stop on Highway 9, new Town Commons, Amphitheatre and Park entries.

- Community input:** Before an expansion or major renovation of the River Park takes place, input from the Ben Lomond community should be obtained through a participatory Park Planning process.

NAME: Ken Rogers for JE Edwards
APPLICATION: 99-0044
A.P.N.: 77-104-01

0538

NEGATIVE DECLARATION MITIGATIONS

- A. In order to prevent erosion, off site sedimentation, and pollution of creeks, the applicant/owner shall prepare a detailed erosion control plan for the project. The plan shall be integrated with the grading plan, and shall include a clearing and grading schedule, revegetation specifications, temporary road surfacing and construction entry stabilization, details of temporary drainage control including lined swales, erosion protection at the outlets of pipes, sediment barriers around drain inlets, etc. The erosion control plan shall be submitted to Environmental Planning staff for review and approval prior to the approval of a grading permit or building permit.
- B. To prevent drainage discharges from carrying silt, grease, and other contaminants into the storm drain system, the two silt and grease traps in the parking areas shall be maintained according to the following monitoring and maintenance schedule:
1. The trap shall be inspected to determine if it needs cleaning or repair prior to October 15 of each year;
 2. A brief annual report shall be prepared by the inspector to at the conclusion of the October inspection and submitted to the Drainage Section of the Department of public Works within 5 days of inspection. The report shall specify any repairs that have been done or that are needed for the trap to function well.
- C. In order to prevent conflicts with adopted General Plan policies regarding noise, prior to the scheduling of the public hearing, the owner/applicant shall:
1. Submit a noise study, prepared by an acoustic engineer, for review and approval. The study shall either verify that the General Plan thresholds of 60 dbL exterior noise and 45 dbL interior noise will be met as the plan is currently designed, or it shall specify the design modifications that must be incorporated into the plans for the project to meet the thresholds. These modifications may consist of specifications regarding glazing, orientation of windows, soundproof materials, or berms and fencing;
 2. Submit a letter from the acoustical engineer verifying that the plans reflect the necessary modifications.
- D. In order to prevent conflicts with the adopted Ben Lomond town plan, prior to the scheduling of the public hearing, the owner/applicant shall revise the improvement plans to include curb, gutter, and sidewalk along the entire frontage of Mill Street and Highway 9, and obtain approval of the revised plan from the Department of Public Works, Traffic Engineering staff. The sidewalk shall be designed to preserve the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak, see improvement plan, sheet 1, Beautz, 10-1997).
- E. In order to prevent conflicts with adopted General Plan policies regarding landscaping, and to

Environmental Review Initial Study

ATTACHMENT
APPLICATION

8 (sheet 2 of 3)
99-0044

42

EXHIBIT H

mitigate the visual impact of the development on Highway 9, a designated scenic roadway, prior to the scheduling of the public hearing, the owner/applicant shall revise the landscape plan to include the following elements:

0539

- a. Plan shall utilize native species, including Oaks;
- b. Indicate that the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak) will be preserved;
- c. Removal of all Acacia and Scotch Broom on the property, with a plan to maintain the parcel free of non native, invasive species;
- d. Meet the criteria given in General Plan policy 5.10.13.b.

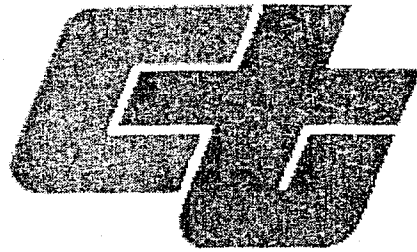
The revised landscape plan shall be reviewed and approved by Planning staff.

Name: Ken Rogers for J.E. and Donna Edwards
Application No. 99-0044
APN: 077-104-01, -02

NEGATIVE DECLARATION MITIGATIONS (REVISED)

- A. In order to prevent erosion, off site sedimentation, and pollution of creeks, the applicant/owner shall prepare a detailed erosion control plan for the project. The plan shall be integrated with the grading plan, and shall include a clearing and grading schedule, re-vegetation specifications, temporary road surfacing and construction entry stabilization, details of temporary drainage control including lined swales, erosion protection at the outlets of pipes, sediment barriers around drain inlets, etc. The erosion control plan shall be submitted to Environmental Planning staff for review and approval prior to the approval of a grading permit or building permit.
- B. To prevent drainage discharges from carrying silt, grease and other contaminants into the storm drain system, the two silt and grease traps in the parking areas shall be maintained according to the following monitoring and maintenance schedule:
1. The trap shall be inspected to determine if it needs cleaning or repair prior to October 15 of each year;
 2. A brief annual report shall be prepared by the inspector at the conclusion of the October inspection and submitted to the Drainage Section of the Department of Public Works within 5 days of inspection. The report shall specify any repairs that have been done or that are needed for the traps to function well.
- C. In order to prevent conflicts with adopted General Plan policies regarding noise, prior to the scheduling of the public hearing, the owner/applicant shall:
1. Submit a noise study, prepared by an acoustic engineer, for review and approval. The study shall either verify that the General Plan thresholds of 69 dBl. exterior noise and 45 dBl. interior noise will be met as the plan is currently designed, or it shall specify the design modifications that must be incorporated into the plans for the project to meet the thresholds. These modifications may consist of specifications regarding glazing, orientation of windows, soundproof materials, or berms and fencing;
 2. Submit a letter from the acoustical engineer verifying that the plans reflect the necessary modifications.

- D. In order to prevent conflicts with the adopted Ben Lomond Town Plan, prior to scheduling of the public hearing, the owner/applicant shall ~~revise the improvement plans to include curb, gutter, and sidewalk along the entire frontage of Mill Street and Highway 9, and obtain approval of the revised plan from the Department of Public works, Traffic Engineering staff.~~ The sidewalk shall be designed to preserve the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak, see improvement plan, sheet 1, Beautz, 10-1997) **enter into a binding, legal agreement with the County of Santa Cruz, to run with the land, that provides for the installation of the required street improvements within a specified period of time, and provides a financial security for the performance of the agreement. This agreement is intended to allow the improvements to be installed by CalTrans, rather than by the owner, as long as they are installed within an agreed upon period of time. The agreement shall be approved by County Counsel prior to execution.**
- E. In order to prevent conflicts with the adopted General Plan policies regarding landscaping, and to mitigate the visual impact of the development on highway 9, a designated scenic roadway, the owner/applicant shall revise the landscape plan to include the following elements:
- a. Plan shall utilize native species, including Oaks;
 - b. Indicate that the two significant existing trees on the parcel (14" Oak near the northwest corner and 14" Locust north of the Oak) **will be preserved that are to be removed to provide continuous sidewalk from Mill street to Highway 9, will be replaced with 24" box size, native trees, at a ratio of 3:1;**
 - c. Removal of all Acacia and Scotch broom on the property, with a plan to maintain the parcel free of non-native invasive species;
 - d. Meet the criteria given in General Plan policy 5.10.13.b



Caltrans

**PUBLIC NOTICE
OPEN HOUSE**

**Thursday, October 12, 2000
Time: 5:00 PM to 8:00 PM**

**Place: Park Hill
9370 Mill Street
Ben Lomond**

The Open House is set up for you to drop in at your convenience between the hours of 5:00 pm and 8:00 pm. There will be a short formal presentation beginning at 6:00 pm.

Where Do You Come In?

We are encouraging community members and interested parties to attend the Open House and review updated design information. The Open House will give you an opportunity to express your concerns about the proposed action or leave your written comments with CalTrans staff.

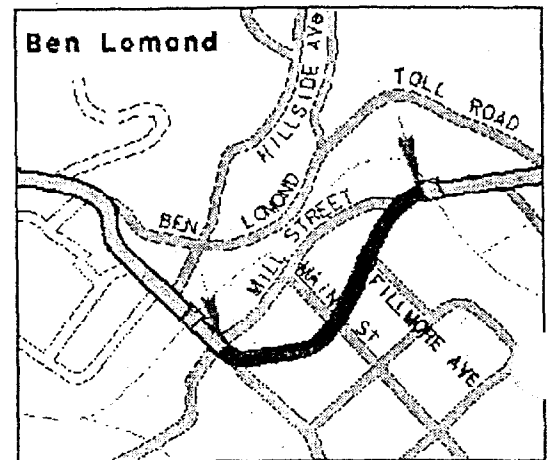
Contact: For more information about this project, please call:

Jenny Linzer or Brian Murnahan at (805) 549-3237 or (805) 549-3138

What's Being Planned? 0542.

CalTrans is planning to improve traffic safety along Highway 9 by adding 1 turn lanes throughout the community of Ben Lomond in Santa Cruz County. Additional streetscape improvements may consist of sidewalks, landscaping, lighting and more. The project is being evaluated to determine the most practical alternatives.

Highway 9/Ben Lomond Safety Project



The project limits are from Glen Arbor/Mill Street signal to the San Lorenzo River Bridge, North of Mill Street.

What's Available?

Design information and maps will be presented along with representatives from project management, engineering, landscape architecture and environmental planning to answer your questions and to take your comments.

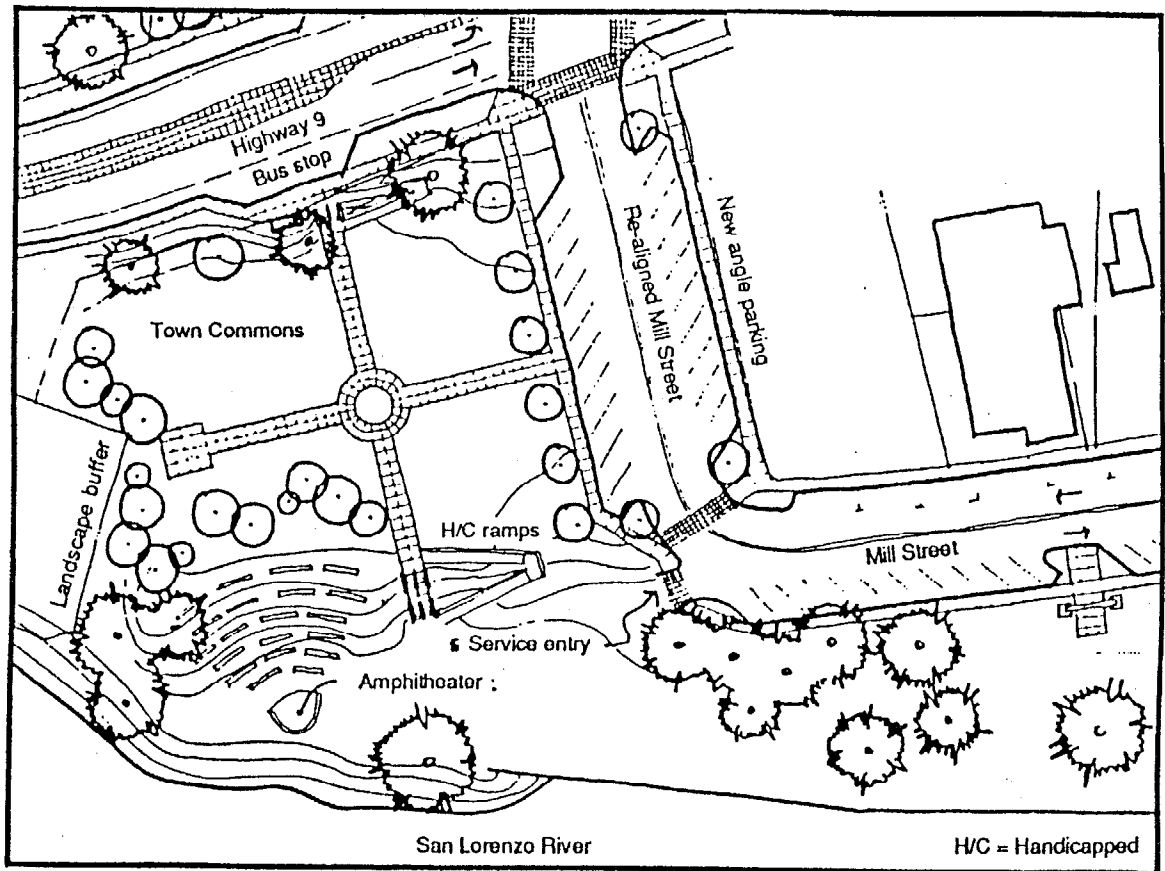
The Ben Lomond River Park

Workshop participants were supported the expansion of the existing River Park in conjunction with a re-alignment of Mill Street. An expanded River Park was seen as a way to provide an improved link between the river and the downtown area, and as a visual focus for the Mill Street Promenade.

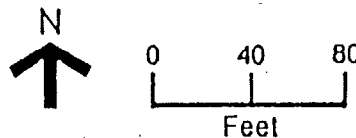
Workshops participants expressed concern about the existing visual appearance of the park and its ability to meet the needs of the Ben Lomond community (see the workshop section page 29). Many participants consider the existing chain link fences to be an eye-sore and in conflict with the image they have of their community.

River Park Recommendations

- Fencing:** The existing chain link fence should be replaced with a green vinyl coated chain link fence in areas where visual access is required for security reasons and with redwood fencing in all other areas and adjacent to existing residences.
- Entries:** Attractive Park entry areas should be developed which are constructed of light colored materials (for example, white or beige painted wood) compatible with the Mill Street promenade.
- Hours:** Increased pedestrian activity along the Mill Street promenade should lead to an increase in the hours that the River Park is open to the public.
- Community input:** Before an expansion or major renovation of the River Park takes place, input from the Ben Lomond community should be obtained through a participatory Park Planning process.



Concept sketch of the proposed expansion of the Ben Lomond River Park; showing the proposed re-aligned section of Mill Street with angle parking, new Bus Stop on Highway 9, new Town Commons, Amphitheatre and Park entries.



← PAGE 10 CONTINUED...

c) **Raised crosswalk:** A Raised crosswalk (or "sleeping policeman") is proposed as a part of the intersection improvements at Mill Street and Main Street. This raised crosswalk would consist of 4 inch high paving blocks with gentle transition ramps along each side (see diagram).

The "sleeping policeman" would help to limit the number of motorists who currently ignore the stop sign at Main Street by requiring a slower speed to negotiate the raised crossing, and also provide improved handicapped access across Mill Street to the River Park area.