



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131

April 5, 2021

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

AGENDA DATE: April 14, 2021

AGENDA ITEM: 7

SUBJECT: DETERMINATION RELATED TO GENERAL PLAN CONSISTENCY OF PROPOSED SUMMARY VACATION AND DISPOSITION OF THE EASTERN END OF THE RIGHT-OF-WAY FOR NORTH POLO DRIVE WHERE IT RUNS ADJACENT TO AND THROUGH APNS 041-191-50, 041-191-46, 041-191-51 AND 041-191-49

Recommended Action(s)

Staff recommends that the Planning Commission adopt the attached Resolution (Exhibit "A"), and forward it for consideration by the Board of Supervisors in considering its action on the requested summary vacation of a portion of North Polo Drive:

- a) Finding that the requested summary vacation and disposition of the eastern end of the right-of-way for North Polo Drive, where it runs adjacent to and through APNs 041-191-50, 041-191-46, 041-191-51 and 041-191-49, is inconsistent with the Santa Cruz County General Plan; and
- b) Recommending that the Board of Supervisors confirm this determination and deny the proposed Summary Vacation.

Executive Summary

On June 11, 2019, an application was submitted to the Planning Department for the Summary Vacation of the County's rights to the above-described portion of the right-of-way for North Polo Drive in Aptos. This application was referred to the Real Property Division of the Department of Public Works for processing and the review commenced on March 6, 2020, at which time the required fees were submitted.

Subsequently, on March 1, 2021 the Department of Public Works sent a memo to the Planning Director requesting a determination as to whether the disposition of the property would conform with the County General Plan, pursuant to Government Code 65402 (Exhibit "B"). The Planning Director has referred this matter to the Planning Commission to act as the planning agency for the purposes of making the General Plan consistency determination.

Background

On April 11, 2018, application 181078, for a Lot Line Adjustment, Residential Development Permit, Riparian Exception and Variances, was submitted to the Planning Department, to adjust the property lines of APNs 041-191-50, 46, 51 and 49 and to construct a single-family dwelling, an Accessory

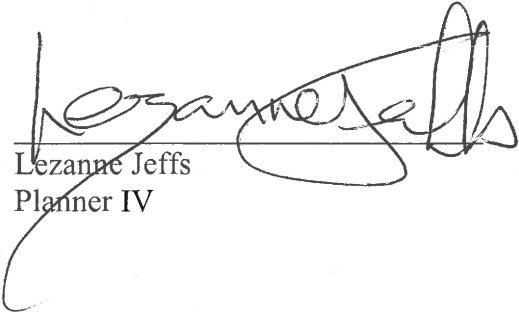
Dwelling Unit (ADU) and related accessory structures on two of the resulting parcels, to designate building envelopes for future development on the remaining two parcels and to construct an 18-foot wide access road within the southern half of the 40-foot right-of way for North Polo Drive. All proposed structures were located almost entirely within the northern half of the right-of-way. The above referenced application was considered at a public hearing conducted by the Deputy Zoning Administrator, on March 15, 2019. At that hearing Planning Department staff recommended denial of application 181078, in large part because of the location of proposed structures within a right-of-way, the public and private rights to which had not been conclusively shown to have been extinguished.

Following public discussions on the project, Anna DiBenedetto, of DiBenedetto & Lapcevic, LLC, Counsel acting on behalf of the owners of APNs 041-191-50, 46, 51 and 49, requested a continuance of application 181078, to resolve unanswered questions regarding North Polo Drive. Accordingly, a continuance to a "date uncertain" was granted by the Zoning Administrator (Exhibits "C" and "D" - Minutes and follow-up letter).

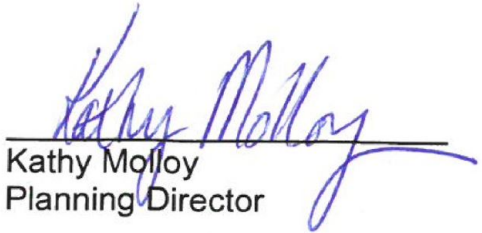
Subsequently, an application for a Summary Vacation was submitted for the disposition of the County's rights over the eastern end of the right-of-way for North Polo Drive, where it runs adjacent to and through the applicant's properties. This application for a Summary Vacation does address any private rights that may exist, only the public rights and interests.

Lack of Conformity with the General Plan

Staff believes that the summary vacation and disposition of the eastern end of the right-of-way for North Polo Drive, where it runs adjacent to and through APNs 041-191-50, 041-191-46, 041-191-51 and 041-191-49 would not be consistent with the Santa Cruz County General Plan Objective 3.14 (Recreational Access) and Policy 3.14.2 (Priority to Recreational Improvements), or with General Plan Objective 7.1a (Parks and Recreation Opportunities) and Policy 7.1.5 (Access to Recreation Facilities), as set out in Exhibit "E" of this report. Key factors include that Master Development Permit 91-0749 for the Polo Grounds Neighborhood/Community/Regional Park (Permit and conditions of approval – Exhibit "F"), which implemented the "Site Development Master Plan for the Polo Grounds Neighborhood /Community/Regional Park in Aptos (1989)" and the associated certified EIR (1994), required as a condition of approval that the right-of-way for North Polo Drive, where it extends beyond the existing County maintained road, be improved as an access road with two 12-foot wide paved travel lanes and one 6 to 8-foot wide parking lane on the park side of the street (Exhibit "G" - Memo from the Parks Department dated November 19, 2018 re Application 181078). The proposed vacation/disposition of this portion of the right-of-way for North Polo Drive would render infeasible the development of the roadway and parking required to facilitate the development of new park facilities as set out in the Master Plan, would remove the public's right of access within the right-of-way, and would therefore reduce the potential range of recreational access and facilities that would be available for public enjoyment of the Polo Grounds County Park.



Lezanne Jeffs
Planner IV



Kathy Molloy
Planning Director

Exhibits

- A. Resolution finding that the requested summary vacation and disposition of the eastern end of the right-of-way for North Polo Drive, where it runs adjacent to and through APNs 041-191-50, 041-191-46, 041-191-51 and 041-191-49, is inconsistent with the Santa Cruz County General Plan; and recommending that the Board of Supervisors confirm this determination and deny the proposed Summary Vacation.
- B. Memo from the Department of Public Works dated March 1, 2021.
- C. Zoning Administrator Hearing of March 15, 2019, minutes.
- D. Zoning Administrator Hearing of March 15, 2019, follow-up letter.
- E. Summary of General Plan Conformance
- F. Permit and conditions of approval for Master Development Permit 91-0749 for the Polo Grounds Neighborhood/Community/Regional Park
- G. Memo from the Parks Department dated November 19, 2018 re Application 181078

**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:**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY
OF SANTA CRUZ DETERMINING WHETHER A POTENTIAL SUMMARY
VACATION AND DISPOSITION OF THE EASTERN END OF THE RIGHT-
OF-WAY FOR NORTH POLO DRIVE IS CONSISTENT WITH THE
COUNTY OF SANTA CRUZ GENERAL PLAN**

WHEREAS, DiBenedetto & Lapcevic, LLC, acting on behalf of the owners of real property identified with Assessor Parcel Numbers: 041-191-50, 041-191-46, 041-191-51, and 041-191-49 (the “subject parcels”), submitted to the Real Property Division of the Department of Public Works a request for the summary vacation and disposition of the eastern end of the right-of-way for North Polo Drive, where it runs adjacent to and through the subject parcels; and

WHEREAS, in accordance with California Government Code Section 65402, the Planning Department must make a determination regarding whether such a disposition of public rights and interests would be consistent with the County General Plan; and

WHEREAS, the proposed summary vacation and disposition of the eastern end of the right-of-way for North Polo Drive is inconsistent with the General Plan because it would render infeasible the development of the roadway and parking required to facilitate the development of new park facilities as set out in Master Development Permit 91-0749 for the Polo Grounds Neighborhood/Community/Regional Park, which implemented the “Site Development Master Plan for the Polo Grounds Neighborhood/Community/Regional Park in Aptos (1989)” and the associated certified Environmental Impact Report (1994); and

WHEREAS, the Planning Commission at its meeting of April 14, 2021, has considered information and discussed the proposed summary vacation and disposition of the County’s rights and interests to the eastern end of the right-of-way for North Polo Drive, where it runs adjacent to and through the subject parcels;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Santa Cruz hereby finds and determines that the foregoing recitals are adopted as findings as though set forth within the body of this resolution.

BE IT FURTHER RESOLVED that the Planning Commission finds that the proposed summary vacation and disposition of the County’s rights and interests to the eastern end of the right-of-way for North Polo Drive would not be consistent with the General Plan in that it would remove the public’s right of access within the right-of-way and would therefore reduce the potential range of recreational access and facilities that would be available for public enjoyment of the Polo Grounds County Park.

EXHIBIT A 7

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors consider and confirm this determination when it takes action on the proposed Summary Vacation Request, and the Planning Commission recommends that the Board of Supervisors deny the Request.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2021, by the following vote:

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

Chairperson

ATTEST: _____
JOCELYN DRAKE, Secretary

APPROVED AS TO FORM:



DANIEL ZAZUETA
ASSISTANT COUNTY COUNSEL

COUNTY OF SANTA CRUZ
DEPARTMENT OF PUBLIC WORKS
INTER-OFFICE CORRESPONDENCE

DATE: March 1, 2021

TO: Kathy Molloy; Planning Director

FROM: Kimberly Finley; Chief Real Property Agent

SUBJECT: General Plan Consistency Determination regarding Request for Summary Vacation of public easement over APNs 041-191-50; 041-191-46; 041-191-51; 041-191-49

The Department of Public Works is processing a Summary Vacation application which requests that County summarily vacate its interest in a 40-foot right-of-way located at North Polo Drive (Right-of-Way), which runs adjacent to and through the Applicant's properties located at APN: 041-191-50; 041-191-46; 041-191-51; 041-191-49. See attached **Exhibit "A"** June 11, 2019 Summary Vacation Application (Application)¹. This Application was submitted subsequent to a Zoning Administrator Public Hearing held on March 15, 2019 regarding Application 181078 to adjust the lot lines on the above referenced parcels. Planning staff had recommended denial of the application for, among other reasons, lack of clear title given public and private interests that appeared to exist over the right of way area. See attached **Exhibit "B"** March 18, 2019 summary of the March 15, 2019 Zoning Administrator Public Hearing. The Applicant for the Summary Vacation contends that the Right-of-Way meets the criteria set forth in California Streets & Highway Code (SHC) § 8333 (a) and § 8334 (a) and may therefore be summarily vacated.

Summary vacation under SHC § 8333 *et seq.*, is permissive in nature and is not obligatory. Additionally, the disposal of County property unrelated to street widening or street realignment requires the Director of Public Works to determine that said property is not needed by the County (Santa Cruz County Code § 2.14.040 (B).) After review, the Department of Public Works plans to recommend that the Board of Supervisors deny the summary vacation request based on the following:

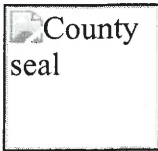
1. The Right-of-Way is needed by the County and for present or prospective public use in association with the approved *Site Development Master Plan for Polo Grounds Neighborhood/Community/ Regional Park in Aptos* (1989), certified EIR (1994), and approved master development permit (permit number 91-0749) as set forth in the memorandum dated November 19, 2018 from the Department of Parks, Open Spaces & Cultural Services regarding the need to preserve this Right-of-Way. See attached **Exhibit "C"** March 15, 2018 memorandum from the Parks Department regarding the need to preserve the Right-of-Way.
2. Applicant has not adequately demonstrated that all private rights have been extinguished in the Right-of-Way. The Department of Public Works concurs with Planning's prior determination that because Applicant's April 4, 2006 quiet title action did not name either the County of Santa Cruz or the Santa Cruz County Financing Authority, the action is not binding against the County's interest in the Right-of-Way.

¹ The June 11, 2019 Summary Vacation Application was originally sent to the Planning Department. On March 6, 2020 the Department of Public Works received the Application with the required at-cost deposit for review.

Additionally, the Applicant did not name every owner in the subdivision in the quiet title action, each which holds a private right to use the Right-of-Way.

Given that the Right-of-Way is required for the County's use as described in Exhibit "C", the Public Works Director has not made the findings necessary to refer Applicant's request to the Planning Department and the further analysis described in § 2.14.040 (B) is not required. However, because this Application for summary vacation is directly related to an ongoing Zoning Administrator Public Hearing and Application 181078, both under the jurisdiction of the Planning Department, the Department of Public Works now requests the following: A determination by the Planning Commission as to whether disposition of the property would conform with the County General Plan, and a recommendation to the Board of Supervisors that it confirm such determination.

After receipt of the Planning Commission determination and recommendation to the Board regarding General Plan Consistency (or lack thereof), the Department of Public Works will schedule the matter for Board consideration.



County of Santa Cruz
Zoning Administrator Minutes
Planning Department, 701 Ocean Street, Suite 400, Santa Cruz, CA 95060

Meeting Date : Friday, March 15, 2019 9:00 AM

Location : Board of Supervisors Chambers, Room 525
County Government Center
701 Ocean Street
Santa Cruz, CA 95060

SCHEDULED ITEMS

1. 181018* 2720 Smith Grade, Santa Cruz 95060 APN: 062-111-08

Recognize an as-built habitable accessory structure with a half bathroom (approximately 1,570 sq ft.) on a parcel developed with an existing dwelling in the RA zone district. Requires a Coastal Development Permit, a Residential Development Permit, and acceptance of a Notice of Exemption from further environmental review under the California Environmental Quality Act.
Property located on the southwest side of Smith Grade, approximately 1.8 miles south of the intersection with Bonny Doon Road. (2720 Smith Grade)

SUPERVISORAL DIST: 3

PROJECT PLANNER: Randall Adams, (831) 454-3218

EMAIL: Randall.Adams@santacruzcounty.us

ACTION: Determine that the project is exempt from further environmental review under CEQA and approve application 181018 based on staff findings and conditions.

2. 181205** 4760 Opal Cliff Dr., Santa Cruz 95062 APN: 033-132-09

Proposal to demolish the existing one-story single-family dwelling and construct a two-story single-family dwelling with an attached garage. Requires a Coastal Development Permit and a determination that the project is exempt from further review under CEQA.
Property located in the R-1-5 zone district and on the southeast side of Opal Cliff Drive (4760 Opal Cliff Drive).

SUPERVISORAL DIST: 1

PROJECT PLANNER: Annette Olson, (831) 454-3134

EMAIL: Annette.Olson@santacruzcounty.us

ACTION: Continue item to April 19, 2019.

3. 181024** 379 Beach Dr., Aptos 95003 APN: 043-095-14

Proposal to demolish an existing dwelling and construct a 2,600 square foot three story single family dwelling with approximately 1,000 square feet of non-habitable garage/storage area at the first floor. Requires a Coastal Development Permit, a Variance to reduce the minimum 20 foot front yard to 10 feet, increase the maximum height from 28 feet to 32.5 feet, increase the maximum number of stories from two to three, increase the allowed 50% Floor Area Ratio (FAR) to approximately 60%. Project includes construction of two retaining walls to stabilize a coastal bluff.
Property located on the northeast side of Beach Drive (379 Beach Dr.) approximately 0.43 miles southeast of the intersection with Rio del Mar Blvd.

EXHIBIT C 1

SUPERVISORAL DIST: 2

PROJECT PLANNER: Nathan MacBeth, (831) 454-3118

EMAIL: Nathan.MacBeth@santacruzcounty.us

THIS ITEM HAS BEEN REMOVED FROM THE AGENDA.

4. 181078 No Situs Address APNs: 041-191-46, -49, -50, & -51

Proposal to adjust the lot lines among four legal parcels as determined by Lot Legality Determination 141028 (APNs, 041-191-46, APN 41-191-49, APN 041-191-50 & APN 041-191-51) to result in four parcels of 13,220 square feet (Lot A), 10,388 square feet (Lot B), 14,609 square feet (Lot C), and 8,139 square feet (Lot D) in the R-1-6 zone district; to construct a 1,412 square foot single-family dwelling, a 639 square foot ADU with a 250 square foot attached garage that has a 246 square foot habitable accessory structure with a half-bathroom at the second floor on Lot A; to construct a 2,325 square foot square foot single-family dwelling with an attached 425 square foot garage and a 541 square foot ADU at the second floor on Lot B; to construct an 18 foot wide access road within the right-of-way for North Polo Drive, with a turnaround on Lots C and D, grading of approximately 24 cubic yards of material, and to designate building envelopes on Lots C and D for future development. Requires a Lot Line Adjustment, Variance approvals to reduce the required front yard setbacks on each of the four parcels from 20 feet to 5 feet, a Residential Development Permit for a Habitable Accessory Structure that exceeds one-story and 17 feet in height and to allow for the addition of bathroom facilities, a Development Permit for use of a less than 40 foot right-of-way for site access, Preliminary Grading Approval, a Riparian Exception, and acceptance of a Notice of Exemption from further environmental review under the California Environmental Quality Act. This application also includes a Combined Soils and Geologic Report Review (REV181056), a Biotic Report Review (REV 181057 and an Archaeologic Report Review (REV 181058).

Parcels located on the north side of North Polo Drive, between 1,095 and 1,465 feet northeast of the intersection with Polo Drive in Aptos.

SUPERVISORAL DIST: 2

PROJECT PLANNER: Lezanne Jeffs, (831) 454-2480

EMAIL: Lezanne.Jeffs@santacruzcounty.us

ACTION: Continue the item to a date uncertain.

5. 181170 2606 Paul Minnie Ave., Santa Cruz 95062 APN: 026-043-14

Proposal to demolish an existing single-family dwelling and associated outbuildings and construct two 1,413 square foot, commercial office buildings and a 7,115 square foot, two-story residential building containing 15 for-rent apartments ranging in size from 445 to 680 square feet, and to grade approximately 368 cubic yards of material in the PA zone district. Requires a Commercial Development Permit, and acceptance of a Notice of Exemption from further environmental review under the California Environmental Quality Act. This project also includes a Soils Report Review (REV181104).

Property located on the east side of Paul Minnie Avenue (2606 Paul Minnie Avenue) at approximately 150 feet south of the intersection with Soquel Avenue in Live Oak.

SUPERVISORAL DIST: 1

PROJECT PLANNER: Lezanne Jeffs, (831) 454-2480

EMAIL: Lezanne.Jeffs@santacruzcounty.us

THIS ITEM HAS BEEN REMOVED FROM THE AGENDA.

EXHIBIT C

APPEAL INFORMATION

Denial or approval of any permit by the Zoning Administrator is appealable to the Planning Commission. The appeal must be filed with the required appeal fee within 14 calendar days of action by the Zoning Administrator. To file an appeal you must write a letter to the Planning Commission and include the appeal fee. For more information on appeals, please see the "Planning Appeals" brochure located in the Planning Department lobby, or contact the project planner.

APPEALS OF COASTAL PROJECTS

(*) This project requires a Coastal Zone Permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission; the appeal must be filed within 14 calendar days of action by the Zoning Administrator.

(**) This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Denial or approval of the Coastal Zone Permit is appealable to the Planning Commission; the appeal must be filed within 14 calendar days of action by the Zoning Administrator.

Note regarding Public hearing items: If any person challenges an action taken on the foregoing matter(s) in court, they may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered to the Zoning Administrator at or prior to the public hearing.

Agenda documents may be reviewed at the Planning Department, Room 420, County Government Center, 701 Ocean Street, Santa Cruz.

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. The Board of Supervisors chambers is located in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the ADA Coordinator at 454-3137 (TDD/TTY number is 711) at least 72 hours in advance of the meeting to make arrangements. People with disabilities may request a copy of the agenda in an alternative format. As a courtesy to those persons affected, please attend the meeting smoke and scent free.

EXHIBIT C 1



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131

March 18, 2019

Frank Kruzic
728 N. Branciforte
Santa Cruz, Ca 95062

Subject: **Zoning Administrator hearing - Continuance**
Application #: **181078**; Assessor's Parcel #s: **-41-191-46, 49, 50 & 51**
Owner: **Burns**

Dear Frank Kruzic:

This letter is to inform you of the status of your application to adjust the lot lines among four existing parcels (APNs, 041-191-46, 49, 50 and 51) and to construct a single-family dwelling and an ADU with an attached garage/habitable accessory structure with bathroom facilities on Lot A, a single-family dwelling with an attached garage and an attached ADU on Lot B and an 18 foot wide access road within the right-of-way for North Polo Drive, with a turnaround on Lots C and D. The project also includes associated grading and the approval of building envelopes on Lots C and D for future development.

On March 15, 2019, the above referenced application was considered at a public hearing conducted by Jocelyn Drake, Deputy Zoning Administrator for the County of Santa Cruz. At that hearing Planning Department staff recommended denial of application 181078. This determination was, in large part, based upon the location of the proposed structures within the northern half of the 40-foot right of way for north Polo Drive, the private and public rights to which have not been conclusively shown to have been extinguished. In addition, significant concerns were raised by the Deputy Zoning Administrator, Planning staff and neighbors regarding the compatibility of the proposed development with the surrounding neighborhood and the potential visual impact of the proposed structures on the adjacent County Park. The Deputy Zoning Administrator requested staking of the project site, at the property lines and at the proposed building corners, to show the extent of the proposed development. In addition, as recommended by staff, she requested that story poles be installed where two-story elements are proposed to be constructed. The Deputy Zoning Administrator further recommended that the property owners and/or their representative meet with neighbors from North and South Polo Drives to explain the project and to obtain feedback.

At the hearing, neighbors raised additional concerns regarding the stability of the steep slopes within the Valencia Creek arroyo, wildlife and biotic preservation, the potential for traffic and parking impacts and the adequacy of an 18-foot wide access road to serve four dwellings. At the hearing, staff noted that a full analysis of the project had not been completed. If it can be conclusively shown that the northern 20 feet of the North Polo Drive right-of-way has been legally extinguished, further

EXHIBIT D 7

analysis of the project would be required before it could be determined that the project complies with County Code and the General Plan.

Further, it should be noted that, due to the recommendation for denial, no determination has been made at this time as to whether the proposed project would qualify for an Exemption under the provisions of the California Environmental Quality Act (CEQA). However, as stated by the Zoning Administrator, under the provisions of Title 14, of the California code of Regulations, Article 19, section 15305. "Minor Alterations in Land Use Limitations", it appears that the proposed Lot Line Adjustment would not be exempt from environmental review in that the parcels that are proposed to be adjusted are located in an area with an average slope that exceeds 20%; therefore an Initial Study may need to be prepared before this project may proceed to a second public hearing.

Based upon the above discussions, a continuance was requested by Anna DiBendetto of DiBendetto & Lapcevic, LLP, Counsel acting on behalf of the property owners, in order to resolve unanswered questions regarding North Polo Drive. Accordingly, a continuance to a "date uncertain" was granted by the Zoning Administrator.

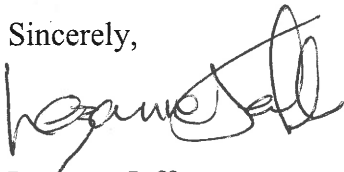
Prior to the scheduling of a further public hearing of application 181078, the following information will need to be provided:

1. Conclusive evidence to show that all private rights to the northern half of the 40-foot right of way for North Polo Drive (formerly North Drive) where it fronts onto the subject parcels, as held by the owners of all properties created by the "Polo Fields Subdivision No. 1", including the Santa Cruz county Public financing Authority (PFA), owner of the Polo Grounds County Park, have been legally extinguished.
2. At such time as it can be shown that all private rights have been extinguished, an application will be required for a Summary Vacation of the County's public rights to the above described section of North Polo Drive. This action requires approval by the Board of Supervisors and may either be reviewed pursuant to a separate application, independent of the current proposal, or may be incorporated into application 181078.
3. Notwithstanding resolution of the issues concerning the location of the proposed development within the northern half of the 40-foot right of way for North Polo Drive as set out in items 1. And 2. above, before the project may proceed the following design review materials will be required to be submitted/implemented:
 - a. The project site shall be staked to show all proposed property corners, the footprints of all proposed structures, and the extent of the entire access road and turnaround.
 - b. Story poles shall be to indicate the height of each of the proposed structures.
 - c. A colors and materials sheet shall be provided for all proposed structures.
 - d. Visual simulation views (viewpoints to be determined by Planning Department staff) shall be prepared to show the proposed development as it would appear in public views from the adjacent Polo Grounds county Park.

- e. Either on the site plan or on a separate Landscape Plan, indicate planting to show how the proposed homes can be screened and buffered in views from the adjacent park.
4. Please note that although your application had previously been found to be complete for further processing, this determination was made because Planning staff understood that your project could not be approved. Therefore, if the current project proceeds, Planning Department may request that you clarify, amplify, correct, or otherwise supplement the information provided as required for this application to move forward. Update letters to the project Geotechnical and Geological reports may also be required if, at the time to project is able to move forward, it has been more than three years since the original reports were prepared.
5. In addition to the above mentioned items, you may be required to submit additional information to comply with the provisions of Division 13 (California Environmental Quality Act) of the Public Resources Code at a future date.

Should you have further questions concerning this application, please contact me at: (831) 454-2480, or e-mail: Lezanne.Jeffs@santacruzcounty.us

Sincerely,



Lezanne Jeffs
Project Planner
Development Review

C.c. Anna Dibenedetto
DiBenedetto & Lapcevic, LLP
1101 Pacific Avenue, suite 320
Santa Cruz, CA 95060

SUMMARY OF GENERAL PLAN CONFORMANCE		
Objective/Policy	Text	Project Consistency
Objective 3.14 Recreational Access	To provide access to the County's recreational resources, using multiple means and recognizing that there will be additional congestion during peak recreational travel periods.	Access to facilities at the Polo Grounds Neighborhood/County/Regional Park is currently from South Polo Drive along the southern edge of the park and from Huntington Drive close to the eastern end of the park. Access to the northern edge of the park is currently limited in that there is no available parking along the existing County maintained right of way and because the eastern extension of the right-of-way for North Polo Drive, where it runs adjacent to and through APNs 041-191-50, 041-191-46, 041-191-51 and 041-191-49 and beyond, has not yet been developed for recreational access. As required by Master Development Permit 91-0749 for the Polo Grounds, which implemented the "Site Development Master Plan for the Polo Grounds Neighborhood/ Community Regional Park in Aptos (1989)" and the certified EIR (1994), the right-of-way for North Polo Drive, where it extends beyond the existing County maintained road, is to be improved to provide vehicle and emergency access along the extension of North Polo Drive. Therefore, the disposition of this right-of-way to allow for the development of private residences is inconsistent with the General Plan Objective 3.14 of providing access to the County's recreational resources, and to Policy 3.14.2 of giving priority to recreational improvements.
Policy 3.14.2 Priority to Recreational Improvements	In the development of transportation improvement programs, consider giving priority to road improvements which provide access to recreational resources.	
Objective 7.1a	To provide a full range of public and private opportunities for access to and enjoyment of park, recreation and scenic areas, including the use of active recreation areas and passive natural open spaces by all ages, income groups and people with disabilities with the primary emphasis on needed recreation facilities and programs for the citizens of Santa Cruz County.	The "Site Development Master Plan for the Polo Grounds Neighborhood/Community/ Regional Park in Aptos (1989)" and the certified EIR (1994) and approved Master Development Permit (permit number 91-0749, includes the existing baseball and soccer fields, a dog park, a bicycle pump track, pedestrian pathways for passive recreation, and a future basketball court that is proposed to be accessed via a new road developed within the 40-foot right-of-way for North Polo Drive where it extends eastwards beyond the end of the current County maintained road. This right-of-way is therefore required to meet the conditions of the approved Parks Master Plan.
Policy 7.1.5 Access to Recreation Facilities	Provide physical access to all recreation facilities through the provision of public transportation, trail system development, protection of prescriptive rights to beach access trails and recreation programs.	The disposition of this property would also be inconsistent with Objective 7.1a of providing a full range of public and private opportunities for access to and enjoyment of the existing and future recreational facilities at the Polo Grounds Park and with Policy 7.1.5 of providing physical access to all recreational facilities.



COUNTY OF SANTA CRUZ
Planning Department

91-0749

PERMIT

Owner County of Santa Cruz, Parks Dept. Permit Number 91-0749
Address 701 Ocean Street Parcel Number(s) 041-201-04
Santa Cruz CA

PROJECT DESCRIPTION AND LOCATION

Permit to construct the Polo Grounds regional, community, and neighborhood park consisting of a community/day care center, a caretakers residence, park maintenance buildings, access roads and parking lots, picnic areas, playgrounds, sports fields and sport courts. Located at the northeast end of Polo Avenue at the intersection of Polo Avenue and North and South Drives, Aptos planning area. Permit consists of a Master Site Plan, a Development Permit, and a Grading Permit.

Approval Date: October 19, 1994

Effective Date: November 4, 1994

Exp. Date (if not exercised) Nov. 4, 1996

Coastal Appeal Exp. Date: _____

Denied by: _____

Denial Date: _____

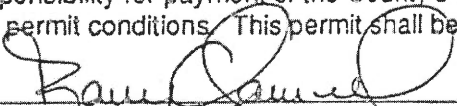
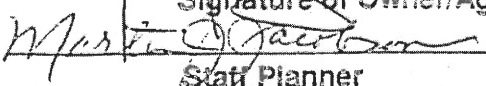
_____ This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 10 working days of action by the Zoning Administrator.

_____ This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110) The appeal must be filed with the Coastal Commission within 10 working days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable to the Planning Commission; the appeal must be filed within 10 working days of action by the Zoning Administrator.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.


Signature of Owner/Agent

Staff Planner

11/10/94
Date
OCT. 20, 1994
Date

EXHIBIT F

Distribution: Applicant - white, File - yellow, Clerical - pink, Coastal Commission - goldenrod

CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMIT #91-0749, INCLUDING
A MASTER SITE PLAN APPROVAL, A GRADING PERMIT, AND A PHASING PROGRAM

Applicant and Owner: County of Santa Cruz;
Parks, Open Space, & Cultural Services
Location: Northeast end of Polo Avenue
at the intersection of Polo Avenue and North and South Drives.
APNs: 041-191-35, 041-201-04

EXHIBITS:

- A. Polo Grounds Master Site Plan
 - B. Mitigation Monitoring Program
-

I. This permit authorizes the construction of the Polo Grounds Regional, Community and Neighborhood Park and the associated site improvements illustrated on Exhibit "A". Park development shall be consistent with Exhibit "A", except as modified by these conditions.

A. This project may be implemented as a phased program pursuant to the following schedule and the accompanying conditions. Each phase shall be reviewed and approved by the Planning Commission in accordance with the public hearing procedures established by Chapter 18.10 of the County Code. When the specific conditions are to be implemented is noted parenthetically following each condition.

1. Phase I shall include:

- a. Complete the signalization of the Rio Del Mar Boulevard/Soquel Drive/Polo Avenue intersection.
- b. Construction of the Huntington Drive access road and the 78-space parking lot.
- c. Extension of water and sewer lines.
- d. Construction of two soccer fields, two baseball fields, the playground (tot-lot), and one restroom building.

2. Phase II shall include:

- a. Construction of the tennis courts and the remaining sports fields.
- b. Completion of the Huntington Drive road improvements.

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EXHIBIT F.1

- c. Construction of the restroom and concession buildings (in the middle of the athletic fields).
 - d. Construction of the 98-space parking lot.
 - e. Completion of the Polo Avenue road improvements.
 3. Phase III shall include:
 - a. Construction of the Community Center and the caretakers residence at a floor area to be reviewed and approved by the Planning Commission.
- B. Prior to exercising any rights granted by this approval including obtaining grading or building permits, the applicant shall pay an EIR filing fee of \$875.00 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. (Phase I)
- C. Notwithstanding the phasing program outlined above, interim use of the Polo Grounds Park is hereby authorized. Interim use shall consist of the following:
 1. Full development of each playing field provided that adequate access and on-site parking is developed.
 2. Temporary portable restrooms.
 3. Roads and parking area surfaces shall consist of a minimum oil screening over 5 inches of baserock. If access road gradient exceeds 15% slope, 1-1/2 inches of asphaltic concrete shall be provided.
- II. Prior to any site disturbance, the applicant/owner shall obtain a Grading Permit from the County of Santa Cruz Planning Department. All 26 recommendations of the geotechnical/geological report prepared by Applied Soil Mechanics for this project dated June 2, 1989 shall be followed in the construction of buildings and associated development of the site. (All phases)
- III. Prior to issuance of a Grading Permit described in Condition II., and prior to site disturbance, the applicant/owner shall submit a Final Grading, Drainage and Erosion Control Plan prepared by a qualified professional for review and approval of the County Planning Department and the Department of Public Works. Separate Grading Permits may be submitted for the specific phases. However, the entire Grading, Drainage and Erosion Control Plan shall be submitted to the Planning Department prior to commencement of Phase I.
 - A. The Erosion Control Plan shall incorporate the following performance standards:

1. Energy dissipaters shall be placed at all channel or conduit outfalls. (All phases)
 2. Disturbed surfaces shall be revegetated and maintained to establish native or naturalized plant growth. (All phases)
 3. Planting of bare soils shall be done by October 15 of any year and shall include mulching. (All phases)
 4. Jute netting or similar erosion control materials (e.g., filter fabric) will be required on bared soils on steep slopes such as around the Huntington Drive access road. (All phases)
 5. Run-off from developed areas shall be detained or filtered by berms, hale bales, filter fencing, vegetative filter strips, catch basins or other accepted measures to prevent escape of sediments from the flat part of the site. (All phases)
 6. Grading and road construction shall not be permitted between October 15 and April 15 of any year unless a winter operations approval is obtained from County Planning. (All phases)
 7. Measures to retain the increased runoff generated by the project on the site. Measures may include percolation trenches, level spreaders, infiltration basins, oversized underground pipes (for detention storage) and detention basins. If on-site detention is required, the plan shall include engineered hydrologic calculations of pre-development and post-development runoff. (All phases)
- B. The access road from Huntington Drive shall be carefully routed to avoid the bottle brush grass population and redwood forest area. (Phase I)
- C. Prior to final design approval, a registered engineering geologist shall examine the geology of the hillside in the area of the proposed access road to Huntington Drive. Based on subsurface explorations, the geologist shall recommend the specific route of this road and appropriate guidelines and standards for construction. (Phase I)
- IV. Prior to the commencement of building construction, site disturbance, or issuance of the Grading Permit for each applicable phase, the applicant/owner shall:
- A. Submit Final Construction Plans for review and approval by the Santa Cruz County Planning Department Development Review section. The final plans prepared by a qualified professional shall be in substantial compliance with the plans marked Exhibit "A" on file

with the Planning Department. The final plans shall include, but not be limited to, the following:

1. Project structures and their foundations shall be designed according to the Uniform Building Code and other seismic design standards applicable. These standards take into account potential levels of seismic shaking, and amplification due to soil type and thickness. (All phases)
2. Exterior elevations identifying finish materials and colors shall conform to all approved exhibits for this permit. (All phases)
3. Floor plans identifying the type and purpose of each room. (All phases)
4. A site plan showing the location of all site improvements, including, but not limited to, points of ingress and egress, loading and unloading areas, parking areas, turnarounds, trash and recycling enclosures, pedestrian pathways, and utility connections. (All phases)
5. A final sign plan showing location, materials, colors, dimensions, and type and intensity of illumination. (Phase I)
6. The Soquel Creek Water District shall review the approved Master Design plan to determine if improvements will be required to provide adequate funds to meter the site. If necessary, County POSCS shall replace 1,000 lineal feet of the 2 inch main between Soquel Drive/Monroe Avenue intersection and the Polo/Rhodes Avenue intersection with a larger main that can provide at least 1,500 gpm at the park site. (Phase I)
7. Final plans shall note that Santa Cruz County Sanitation District will provide sewer service to the facility and shall meet all requirements of the District. Final engineered plans shall be reviewed and accepted by the District. (phase I)
8. Locate and identify the type, intensity, manufacturer, and technical specifications of all on-site exterior lighting. Light standards (maximum 10-16 feet in height) shall be energy efficient state-of-the-art luminaires with high beam efficiency, sharp cut-off, and glare and spill control. Upward glow shall be eliminated. All exterior lighting shall be for security purposes only. Athletic fields and courts shall not be illuminated for nighttime use. (All phases)
9. The parking, circulation and loading areas shall be surfaced with a minimum of 2 inches of asphalt concrete over 6 inches

of Class II base rock (or other approved equivalent surface). All spaces and loading berths shall be striped or defined by wheel stops. (All phases)

10. The parking lot shall include at least 231 parking spaces (of which 40% may be designed to compact space standards (7-1/2' x 16') and appropriately marked), 4 handicapped spaces (12' x 18'), and 55 bicycle spaces (2' x 6') designed according to Santa Cruz County Code Section 13.10.552 -.571. (Phases I and II)
11. All new electrical power, telephone, and cable television service connections shall be installed underground. (All phases)
12. All improvements shall comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Regulations. (All phases)
13. All structures shall be designed and constructed in accordance with the "PR" Parks, Recreation and Open Space site and structural dimensions standards specified in Section 13.10.350 et seq. of the County Code. Final designs shall include the following standards to help achieve a positive visual character of the project:
 - a. All buildings (community center, caretaker's house and restrooms) shall have the the same architectural exterior or use uniform exterior architecture elements to achieve design continuity among all structures. (All phases)
 - b. Fencing and signs shall be rustic in appearance and shall be of uniform design. (All phases)
 - c. Reduce night lighting to the minimum necessary for security purposes. All exterior lighting shall be shielded to eliminate glares off-site. Non-glare type of illumination shall be used. (All phases)
 - d. Landscaping shall be planted along the park frontages of North and South Drives that moderates but not completely shields views of the park. Planting shall not result in a "wall" of vegetation but rather focus on using a variety of plant heights and densities planted on a low earth mound. (Phase I)
 - e. Parallel parking on the edge of the through park access road shall be kept to a minimum. (All phases)
14. The restroom building and the rest rooms and kitchen in the community center shall be provided with state-of-the-art

water conservation devices to minimize water demand. Examples are 1.5 gallon flush toilets, low flow urinals and flow restrictions on faucets. (Phase I)

- B. Submit a Final Landscaping Plan for review and approval by the Planning Department's Development Review section. The final Landscaping Plan shall be prepared by a licensed Landscape Architect and including the following:
1. Irrigation shall be planned to avoid runoff. Landscaping shall concentrate on using species native to the locale. (All phases)
 2. Provide adequate backstops behind playing fields. (All phases)
 3. Provide fencing for especially sensitive areas (e.g., protection of evening primrose habitat area). (All phases)
 4. Provide buffer zone between the playing fields and other areas of designated activity and the areas of natural vegetation. Signs should be posted encouraging park uses not to leave designated trails. (All phases)
 5. The proposed Community/Interpretive Center should provide information on the sensitive biological resources in the park, including reasons for avoiding incursions into areas supporting these resources. (Phase III)
 6. Use native plants in site landscaping to the greatest degree feasible and develop a turf maintenance program that minimizes reliance on landscape chemicals. (All phases)
- C. The Landscape Plan shall include specific details on the location, construction, and materials for all trails and include the following:
1. Trails in the park shall be constructed to the following standards:
 - a. Hillside trails generally should not exceed a gradient of 10%. (All phases)
 - b. Creation of informal trails by park users shall be discouraged (e.g., fencing of undesirable access points). (All phases)
 - c. Avoid areas where winter ponding occurs, especially at the old reservoir. (All phases)
 - d. Use water bars or other measures to prevent erosion on steeper trails. (All phases)

6.

- e. Fence (split rail) trails where off-trail use will create serious problems. (All phases)
- 2. The hiking path at the east end of the site shall stay on the flat agricultural portion of the site and not extend into the shrub or live oak habitats or it shall be designed to comply with Condition IV.C.4.b., below. (Phase III)
- 3. This condition consists of two options:
 - a. Remove the proposed pedestrian trail from all presently undisturbed areas (lands not formerly cultivated) at the north end of the site; or (Phase III)
 - b. Conduct aquatic sampling surveys to determine the presence or absence of the of the Santa Cruz long-toed salamander as described in Condition I.B.2. (Mitigation VW-6A). If the survey is positive, construct the trail according to the approved Habitat Conservation Plan described in Mitigation VW-6B. (W-6 from SFEIR) (Phase III)
- 4. Limit trails into forested area at north end of site to:
 - a. Existing trail that leads from level area to Valencia Creek at north end of site; and (Phase II)
 - b. Around periphery of willow habitat at old reservoir. Trails shall be fenced where appropriate (e.g. split rail fence) to encourage users to remain on trails and shall be located beyond the outer drip-line of willow forest. (Phase II)
- 5. The trail proposed along the Valencia Creek bank shall be located away from the edge of the bank and unstable areas of the bank shall be protected with a vegetated berm that separates the trail from the edge of the bank. The trail shall be fenced where appropriate (e.g. split rail fence) to encourage users to remain on the trail. (Phase II)
- C. Meet all requirements of the Department of Public Works Zone 6 of the Santa Cruz County Flood Control and Water Conservation District. (All phases)
- D. Submit proof of water connection fee payment to the Soquel Creek Water District. (Phase I)
- E. Submit proof of sewer connection fee payment to the Santa Cruz County Sanitation District. (Phase I)

V. Construction Activities

- A. If any prehistoric or historic resources are uncovered during project grading or construction, work shall be halted in the area of the find until the resources can be examined and assessed by a professional archaeologist according to the provisions of County Code Section 16.42.100. (All phases)
- B. Require all construction activities to include the following noise attenuation practices:
 1. Restrict construction activities to the hours of 8:00 A.M. to 5:00 P.M. weekdays. (All phases)
 2. Require mufflers on all construction equipment powered with internal combustion engines. (All phases)
 3. Locate noise generating construction equipment such as compressors, generators or concrete pumpers as far as possible from existing residences and shield the equipment with plywood screen barriers where feasible. (All phases)
- C. All proposed roadway and roadside improvements shall be constructed in conformance with the Department of Public Works design criteria. Construction plans shall be reviewed and approved by Public Works prior to construction. Make the following improvements to Polo Avenue:
 1. Widen the roadway and repave where needed to create two 12 foot wide travel lanes. (Phase II)
 2. Accommodate on-street residential parking and construct parking bays consistent with the adopted plan line. (Phase II)
 3. Construct a 4 foot wide pedestrian pathway within the public right-of-way. (Phase II)
 4. Post roadway sections for "Bike Route", "No Polo Grounds Park Parking" and an appropriate speed limit. Signs should be combined wherever possible and kept to a minimum to avoid visual impacts on the neighborhood. All improvements shall be constructed according to a County approved Plan Line for the street. (See T-1 through T-4 in SDEIR, also refer to Mitigation LU-1A). (Phase II)
 5. Realign the Polo Avenue/North Drive/South Drive intersection consistent with the adopted plan line. (Phase II)

- D. Signalize the Rio Del Mar Blvd./Polo Avenue/Soquel Drive intersection and Rio Del Mar overpass/Highway 1 ramps as planned by Caltrans and the County. Also provide exclusive left turn lanes on Rio Del Mar Boulevard and Polo Avenue approaches to Soquel Drive and exclusive right turn lane on the east bound Soquel Drive approach to the intersection. (See T-5 of SDEIR). (Phase I)
- E. Improve the roadways of both North and South Drives to provide two 12 foot wide paved travel lanes and one 6-8 foot wide parking lane on the park side of both streets. (See T-6 and T-7 in SFEIR). (Phase II)
- F. Make the following improvements to Huntington Drive:
 - 1. Widen Huntington Drive to 32 feet to provide two 11-12 foot wide vehicle lanes and two 4 foot wide bicycle lanes. (Phase II)
 - 2. Continue the existing 4 foot wide pedestrian path on the north side of Huntington Drive beyond the junior high school entrance all the way to the park entrance. (Phase II)
 - 3. Provide a left turn lane for northbound traffic at the Huntington Drive access to the park. (See T-8 through T-10 in SDEIR). (Phase II)
- G. Post Polo Avenue with appropriate speed limit signs. (See Mitigation T-2 for signing standards). (Phase I)
- H. The project improvements shall include the following design features to provide adequate fire protection:
 - 1. All Buildings and access routes shall be constructed to comply with all applicable Uniform Fire Code standards and Aptos/La Selva Fire District requirements. (All phases)
 - 2. Hydrants shall be installed and spaced according to Aptos/La Selva Fire District requirements. Minimum fire flow shall be 1,500 gpm. (Phase I)
 - 3. The community center will be constructed with a sprinkler system according to the County Sprinkler Ordinance. (Phase III)
- I. Project improvements shall include the extension of the 10 inch diameter sewer main from the cleanout at the intersection of Polo and Rhodes Avenues to the project site. All toilet and sink drains shall be served by this sewer extension except for the temporary use of chemical toilets. (Phase I)

VI. All construction shall be performed in accordance with the approved plans. Prior to final building inspection and building occupancy, the applicant/owner shall comply with the following:

- A. A letter from the Project Architect and/or Project Engineer shall be submitted to the Planning Department to verify that all site improvements including, but not limited to, building construction, grading, baserock, paving, and drainage, have been completed in accordance with the approved plans. (All phases)
- B. The owner/applicant shall install all irrigation facilities, trees, shrubs, and ground cover specified on the landscape plan.
A letter from the Landscape Architect for the project shall be submitted to the Planning Department to verify that installation of all irrigation, soil amendments, and plants have been completed in accordance with the approved Landscaping Plan's specifications and species list. (All phases)
- C. Complete all required building inspections. (All phases)
- D. Complete all improvements specified in Conditions III., and IV., above.

VII. Operational Conditions.

- A. All site improvements including drainage improvements, paving, and landscaping shall be permanently maintained.
- B. No nighttime use of the play fields or game courts shall occur. This can be accomplished by prohibiting lighting of both the fields and the courts.
- C. Parks, Open Space and Cultural Services shall conform to all provisions of the Trip Reduction Ordinance, Chapter 5.52 of the County Code.
- D. The use of temporary, portable chemical toilets shall meet all requirements of Environmental Health Services.
- E. Outdoor electronically amplified music is prohibited.

VIII. Mitigation Monitoring Program

The mitigation measures contained in Exhibit "B" 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 mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure in Exhibit "B". The purpose of the monitoring is to ensure compliance with the envi-

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.

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 in accordance with Chapter 18.10 of the Santa Cruz County Code.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL UNLESS YOU OBTAIN A GRADING PERMIT AND COMMENCE CONSTRUCTION.



County of Santa Cruz

DEPARTMENT OF PARKS, OPEN SPACE & CULTURAL SERVICES

979 17TH AVENUE, SANTA CRUZ, CA 95062

(831) 454-7901 FAX: (831) 454-7940 TDD: (831) 454-7978

JEFF GAFFNEY
DIRECTOR

MEMORANDUM

TO: Lezanne Jeffs, County Planning Department
FROM: Will Fourt, Park Planner
DATE: November 19, 2018
SUBJECT: Application # 181078

The County Parks Department has reviewed the routing of permit application number 181078 for and has the following comments.

The approved *Site Development Master Plan for Polo Grounds Neighborhood/Community/Regional Park in Aptos* (1989), certified EIR (1994), and approved master development permit (permit number 91-0749), include future planned park facilities and an access road along the extension of North Polo Drive. The master plan includes the existing baseball fields and a future basketball court located close to the proposed grading operations, vehicle and emergency access along the extension of North Polo Drive, and on-street parking along North Polo Drive.

Mitigations and conditions of approval for the project (Mitigation T7 in the Final Supplemental EIR, and Development Permit Condition of Approval V.E) require that both North and South Polo Drives have “two 12 foot wide paved travel lanes and one 6-8 foot wide parking lane on the park side of both streets.”

To the knowledge of County Parks staff, the 40-foot right-of-way has not been extinguished and its status has not changed since the time of the parks master plan and EIR. This right-of-way is required to meet the conditions of the approved parks master plan for this site. Any proposed extension of North Polo Drive must not preclude the future improvements and development of the County Park as approved in the master plan and development permit, which include two travel lanes and on-street parking on the park side of the right-of-way.

EXHIBIT G

In addition to the need to preserve this right-of-way, County Parks has the following comments on this permit application:

1. The required variance to reduce front yard setbacks on each of four residential parcels from 20 feet to 5 feet may not be appropriate in this context. Because these residential units will be immediately adjacent to and directly facing a public County Park, there is a need for appropriate and reasonable screening and buffer space between the public park and residential units, requiring a larger setback.
2. Prior to approving any development at this site, County Parks requests that the lot lines, building footprints, and proposed street improvements are staked in the proposed locations and that Parks staff can review the location and impacts on the existing pathway and other existing and planned County Park facilities prior to approving the application.
3. Any approval of the permit should include language that the applicant acknowledges that the adjacent property is a public County Park, and that future recreational improvements are planned and will be planned within that park, including a basketball court area and other park improvements in close proximity to the site of these parcels.