



Staff Report to the Planning Commission

Application Number: **181579**

Applicant: MidPen Housing

Agenda Date: August 28, 2019

Owner: Santa Cruz County

Agenda Item #: 7

APNs: 026-741-12, 13, 14 & 15

Time: After 9:00 a.m.

Site Address: 1412, 1438, 1500 & 1514 Capitola Road, Santa Cruz

Project Description: Proposal to adjust four parcels of 0.97 acres, 0.97 acres, 1.04 acres and 0.67 acres to three parcels (two commercial condominium lots within a 1.24-acre common area and a 2.36-acre parcel) and a street dedication of 0.05 acres and to construct a mixed-use development consisting of: 1) a two-story, 11,048 square foot dental office (Dientes) and a two-story, 19,297 square foot medical clinic (Santa Cruz Community Health Center), connected by a shared access tower; 2) four three-story residential buildings totaling 61,275 square feet containing 56 affordable residential apartments, a manager's apartment and a community center; 3) a 338 square foot maintenance shed; 4) a public park/plaza; 5) a private residential open space; 6) a private community garden, 7) shared parking, and 8) three business identification signs and two residential monument signs with a combined area of 200 square feet, in the C-1 (Neighborhood Commercial) district. In addition, at the 2.36-acre residential portion of the site, the project includes adding the Regional Housing Need ("R" Combining) district to the existing C-1 zoning and a request for a 20% Residential Density Bonus.

Location: Parcels located on the south side of Capitola Road opposite the point where 15th and 16th Avenues meet Capitola Road and between Leila Court and 17th Avenue (1412, 1438, 1500 and 1514 Capitola Road).

Permits Required: Approval of a Vesting Tentative Map, a Commercial Development Permit, a Zoning Map Amendment; a Planned Unit Development; a Sign Exception and Design Review.

Supervisory District: First District (District Supervisor: John Leopold)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act, pursuant to Public Resources Code (PRC) section 21159.25
- Adopt a Resolution recommending that the Board of Supervisors approve Application 181579 based on the attached findings and conditions.

Project Setting

The project site, which consists of four existing legal parcels APNs 026-741-12, 13, 14 and 15, is located on the south side of Capitola Road, an east-west arterial with bike lanes and sidewalks. The 3.65-acre property is bounded to the west, and south by single-family and multi-family residential neighborhoods characterized by a wide variety of one and two-story homes and apartment complexes. To the north and east there are commercially zoned parcels, although the parcel to the east is currently underdeveloped and, except for a small commercial building and associated parking close to Capitola Road, is currently vacant land. The nearby commercial developments are characterized by one and two-story buildings occupied by a mix of commercial uses that include a local market, a laundromat, a coffee shop, a liquor store, mixed-use retail/office/residential buildings and automobile services. There are also some nonconforming residences on commercially zoned parcels along Capitola Road and 17th Avenue. The Live Oak Elementary school is located approximately 500 feet east of the project site at the southeast corner of 17th Avenue and Capitola Road, and the Live Oak Community Resources Center is located on the east side of 17th Avenue, 150 feet north of the intersection with Capitola Road. There is a Metro bus stop in front of the property served by Metro Routes 69A and 69W, which provides service to downtown Santa Cruz and Watsonville, Cabrillo College and the Capitola Mall.

The architectural character of the surrounding buildings is eclectic. Building exteriors generally reflect traditional shapes (gable, hipped and flat roofs) and exteriors are for the most part clad in wood or cement plaster materials. Design styles continue to evolve as the community redevelops over time.

Currently, APNs 026-741-13 and 14 are developed with small, one-story residential structures both of which are located close to Capitola Road in the northern portion of the parcel. APNs 026-741-12 and 15 are currently vacant. Except for the two dwellings and their associated driveways, the remainder of the project site is characterized primarily by non-native grassland within which there are groupings of trees, mostly along the existing property lines and toward the northern half of the parcel closer to Capitola Road. Some of the existing trees are of a significant size. Of particular importance is a mature Fern Pine located in front of the existing dwelling at 1438 Capitola Road, close to the front property line, that is prominent in views from the street.

Project Background

The four subject parcels were acquired by the County of Santa Cruz Redevelopment Agency (RDA) between 1994 and 1997, following Environmental Review (93-0725). The Capitola Road site was initially acquired by the RDA for the purpose of future construction of a public library; however, several factors prevented this project from moving forward and the library was eventually constructed on an alternative site on Portola Drive. However, the RDA held the property with the intention of allowing market conditions to improve and provide for a feasible redevelopment of the site for commercial or mixed commercial/residential uses. In the interim Commercial Development Permit (02-0479) was approved to convert the existing single-family dwelling at 1438 Capitola Road to be a temporary office for the Live Oak Community Resources Center. In February 2011 the Resource Center relocated to a permanent facility at 1740 17th Avenue.

In 2006 and in 2008, the RDA contracted with consultants to prepare a market analysis and to evaluate a variety of development scenarios for the site. Several inquiries were received from potential developers but, due to the economic downturn in 2008, plans to redevelop the site again stalled.

In June 2011, the California State Legislature dissolved the state's redevelopment agencies. Subsequently, in 2012, the County of Santa Cruz Board of Supervisors adopted a resolution to become the Redevelopment Successor Agency (RSA) for the County's RDA and assumed the responsibility for ownership and management of former RDA properties, including the Capitola Road site.

In September 2013, a Long-Range Property Management Plan (LRPMP) was adopted to address the disposition and use of the Capitola Road property. As required under the LRPMP, The County reviewed the applicable zoning regulations and entitlement processes applicable to the Capitola Road property to in order to determine the marketability of the site. Public meetings were also held to obtain community input.

On May 23, 2017, in accordance with the LRPMP, a Request for Qualifications (RFQ) was approved by the Board of Supervisors to seek qualified and experienced developers to enter into an exclusive negotiation agreement for the purchase and development of the Capitola Road site for a mixed-use, neighborhood-serving commercial project. The RFQ included an appendix outlining the outcome of a community workshop held on April 20, 2017 to guide the vision for the site.

On August 4, 2017, three responses to the RFQ were received from MidPen Housing, City Ventures and For the Future Housing. For the Future Housing was subsequently disqualified from the process due to procedural violations. Upon review of the responses, MidPen Housing was selected as the preferred developer based upon a proposal for a mixed-use development.

Subsequently, at a public hearing held on December 12, 2017 (continued from December 5, 2017) the Board of Supervisors unanimously approved an Exclusive Negotiation Agreement with MidPen Housing for the Capitola Road site. The Board also authorized the Planning Director to enter into a Predevelopment Loan Agreement with MidPen Housing, for the development of an affordable housing project.

Project Description

This application is a proposal to develop a mixed-use project consisting of a two-story commercial building, with a central public plaza located adjacent to Capitola Road, behind which, in the mid-section of the site, would be four three-story multi-family residential buildings surrounding a private open space. All the proposed structures would be within a landscaped setting that includes parking, circulation, open space and a community garden.

Affordable Housing Community: The residential portion of the development would be owned and operated by an affiliate of MidPen Housing Corporation. The housing community is proposed to include 56 affordable apartment homes, a manager's unit and community facilities for use by tenants. Specifically, community facilities include a community room with a kitchen and computers, a learning center for the provision of children's afterschool services, a laundry

room, a restroom, a property management office and a secure bicycle storage room. The residential buildings are proposed to be constructed around a landscaped central green space that will contain two separate barbecue areas with picnic tables, other seating and a children's playground.

Commercial Building: The proposed commercial development fronting Capitola Road includes a two-story building that is separated into two distinct habitable spaces, connected by a non-habitable shared access tower and walkways. The eastern wing of the building includes a medical clinic with office spaces that would be owned and operated by Santa Cruz Community Health Centers (SCCHC) and a ground-floor community serving retail space that is currently envisioned to be a pharmacy. The western wing of the building would be a dental clinic with administrative spaces that would be owned and operated by Dientes Community Dental (Dientes). Between the two sections of the commercial building and fronting onto Capitola Road, a large public plaza is proposed that includes a sunken green space, seating, sculptures and an interpretive historical installation honoring Robert Merriman and the history of the site. This publicly accessible plaza, which is designed for neighborhood gatherings, will be maintained jointly by the three development partners. Adjacent to the western property boundary, there would be a landscaped green space with a pedestrian pathway connecting the proposed apartments to Capitola Road and to the bus stop. This area would also contain a private community garden for use by the residential tenants.

Regulatory Framework

To permit the development of a mixed-use project on land within the C-1 (Neighborhood Commercial) zone district, a Commercial Development Permit is required in accordance with County Code section 13.10.332(B). To accommodate the mixed-use project, the four existing parcels will be adjusted to create two separate land areas, one of 1.24 acres adjacent to Capitola Road, which would be developed with the proposed medical/dental/retail commercial building and one of 2.36 acres which, would be developed with the proposed affordable housing complex. Further, so that SCCHC and Dientes will each be able to own a portion of the commercial building, the northern land area will be designated as a common area parcel containing two air-space condominium lots one in each wing of the proposed building. Because the proposed adjustment results in the creation of condominium parcels, this requires the approval of a Tentative Map to recognize the three resulting parcels and required street dedication.

To most accurately reflect the residential-only use on the 2.36-acre parcel at the south of the project site, a Zoning Map Amendment is proposed which will add the Regional Housing Need ("R"- Combining) zone district to this portion of the mixed-use development. In conjunction with the proposed rezoning, as required by County Code 13.10.170, the project also requires a Master Plan for the entire development and the approval of a Planned Unit Development (PUD) for the residential parcel. The PUD is required, at a minimum, to include a specified development envelope as well as information on the massing, height, and intensity of development. Further, in order that the 57 dwelling units are consistent with the "R"-Combining district for the residential parcel, a Residential Density Bonus has also been requested.

Signage is proposed to be erected on the commercial building for the medical/dental office and pharmacy uses and for the housing complex. To allow for the placement of three business identification signs and two free-standing residential monument signs, with a combined area of 200 square feet, a Sign Exception is required to exceed the 140 square feet total maximum sign area that would be allowed under the Sign ordinance, County Code section 13.10.581.

Zoning & General Plan Consistency

The Capitola Road site, which is approximately 3.65 acres in size, is located in the C-1 (Neighborhood Commercial) zone district, a designation that allows the development of mixed-use projects, subject to restrictions on the total building area that may be developed for residential use. The proposed mixed-use development is a conditionally permitted use within the zone district and the zoning is consistent with the site's C-N (Neighborhood Commercial) General Plan designation.

The project has been designed in accordance with County Code section 13.10.332 "Commercial Uses Chart," which allows medical and dental offices within the C-1 zone district, where the floor area of the office space does not exceed 50% of the total building area. The combined floor area of the SCCHC and Dientes offices would be 29,061 square feet, or 31.7% of the 91,620 square feet of the building area of the entire development. In addition, the project includes a 1,266 square foot neighborhood retail space that is currently envisioned as a pharmacy.

The mixed-use project has also been designed in accordance with County Code section 13.10.332 and General Plan policy 2.12.3, which allow residential uses on commercial sites up to a maximum of 50% of the floor area of the entire development, or 67% of the floor area if the project is 100% affordable. The residential portion of the project is for 100% affordable units and the total floor area of the residential use would be 61,275 square feet, which represents 66.9% of the total 91,620 square foot floor area of the development.

County Code section 13.10.332, also sets out that that residential uses within the C-1 zone district be developed in accordance with the density standards for the Urban High Residential General Plan designation, which allows up to 17.4 units/acre. Applying these standards to the 3.6-acre net developable site area (excluding the right-of-way dedication), up to 62 units could be constructed. The proposed includes 57 units, less than the maximum number of units that could be developed. This represents a density of 15.8 units per acre.

The proposed commercial and residential buildings have been designed in accordance with all required site and development standards for the C-1 zone district, as set out in County Code section 13.10.333, as applied to the development site as a whole, and as set out in the table below:

LOCATION		C-1 STANDARD*	PROPOSED
Front Yard (to Capitola Road)	To proposed commercial buildings	Minimum 10 feet	10 feet (from plan-line)
East Side Yard (abutting C zoning)	To proposed commercial buildings	Minimum 0 feet	68 feet
	To proposed residential buildings	Minimum 0 feet	51 feet

West Side Yard (abutting R zoning)	To proposed commercial buildings	Minimum 30 feet	80 feet
	To proposed residential buildings	Minimum 30 feet	114 feet
Rear Yard (abutting R zoning)	To proposed residential buildings	Minimum 30 feet	56 feet
Height	Proposed commercial buildings	Three stories but not to exceed 35 feet	Building #1 two stories 32 feet Building #2 two stories 30 feet Stair tower two stories 29 ft 4 in
	Proposed residential buildings	Three stories but not to exceed 35 feet	Building #3 three stories 33 ft 1 in Building #4 three stories 33 ft 5 in Building #5 three stories 33 ft 2 in Building #6 three stories 34 ft 2 in

* Additional standards including setbacks to the proposed maintenance shed in the southeastern corner of the site are specified in the PUD.

Zoning Map Amendment

While the project, as proposed, is consistent with the existing zoning, at the request of the County, the 2.36-acre residential portion of the project site is proposed to be rezoned to add the Regional Housing Need ("R"- Combining) designation to the existing C-1 zone district. The proposed re-designation would result in a zoning of C-1-R. The purpose of adding the "R" designation is to most accurately reflect the resulting residential use parcel within the mixed-use development. It will also allow the County to have options for ensuring ongoing compliance with Housing Element Policy 1.2 for properties designated for development at a minimum density of 20 dwelling units per acre on the 2.36-acre residential portion of the development. If approved, the rezoning would denote that the residential use and density of the 2.36-acre parcel would be "by right". Accordingly, the residential component of the site is proposed to be developed at 24 units per acre, which, with density bonus provisions, is consistent with the "R"-Combining district. Further discussion of the requested density bonus is included in this staff report.

As proposed, the rezoning to add the "R"-Combining district complies with the findings for a Zoning Map Amendment set forth in County Code section 13.10.215(D). In 1994, when the current zoning and General Plan designations were enacted, the need for future development of stand-alone residential buildings within a mixed-use project was not fully anticipated. At that time, it was envisioned that this site would be developed for neighborhood serving commercial uses and that residential uses, if included, would most likely be developed above retail stores. However, to a large degree, retail uses are now economically infeasible. This is due to a decline in demand for retail tenant spaces, a national trend that stems from a variety of factors, including the rise of e-commerce, and an over-supply of retail spaces. Another factor that wasn't considered was that, in order that the proposed project to be economically feasible for a non-profit organization such as MidPen Housing, the creation of a separate residential use parcel would be financially necessary. This applies with regard to both the funding of the initial construction and for ongoing ownership and management of the housing development. The public interest is therefore better served by providing a framework within the project site to

ensure the future provision of affordable housing for the community in conjunction with the development of commercial and community serving uses that will provide expanded job opportunities for local residents. See Exhibit F for a complete list of findings.

Density Bonus for Affordable Housing

In order that the 57 residential units are consistent with the standards the "R"-Combining district, a Residential Density Bonus has been requested. The number of potential units with the Regional Housing Need ("R"- Combining) zone district is determined by multiplying the developable acreage by 20. Where such calculation results in a fractional number, the number of units is determined by rounding up to the nearest whole number. Therefore, for the 2.36-acre parcel that is proposed to be rezoned to the "R"- Combining zone district, 48 units (47.2) would be allowed. The applicant is therefore requesting a 20% Residential Affordable Density Bonus to allow for the provision of 9 additional units beyond the 48 units that would be allowed, which would result in a density of 24 units per acre. In order that the project's 57 units are consistent both with the number of units allowed within the development as a whole based on the existing zoning of the site, and with the standards the "R"-Combining district, a Residential Density Bonus has been requested.

In order to qualify for the density bonus and related concessions as allowed under State law and County Code 17.12.060, the project must provide a minimum of 6 housing units affordable to low-income households. As proposed, the project includes 56 units, 100% of which would be affordable to low and very-low-income households. As set out in County Code section 17.12.065, the proposed residential development could qualify for an up to 75% enhanced density bonus, in that the project developer and future site owner is MidPen Housing, a nonprofit housing development organization, and the project is being developed on land provided by the County. In addition, all rental units in the project, except the property manager's unit, will be subject to an affordability restriction of at least 55 years. Therefore, the project is eligible for the requested 20% density bonus and also qualifies for parking reductions and two concessions or incentives as allowed under County Code section 17.12.040(B). The applicant has not requested any concessions or incentives in that, as designed and laid out the project will comply with the provisions of County Code and no concessions or incentives are required.

The project will be required to enter into an Affordable Housing Density Bonus Agreement to memorialize requirements and benefits related to the density bonus and must also comply with the replacement housing requirements of County Code section 17.12.025, as further set forth in the Affordable Housing and Density Bonus Agreement.

Planned Unit Development

In conjunction with the proposed Rezoning, as required by County Code 13.10.170, a Planned Unit Development (PUD) is required to guide the development of the parcel that is proposed to be rezoned to the "R"-Combining district. The proposed PUD (Exhibit C), which specifically governs only the 2.36-acre parcel to be rezoned, would function essentially as a site-specific zoning ordinance. It therefore incorporates a building envelope that encompasses all of the proposed residential buildings, as well as a community center and private open space, and sets out standards for site design, building placement, massing, etc. for the construction of the proposed affordable housing complex on that parcel as a stand-alone element. The PUD also

recognizes the interconnectedness of the residential component to the project as a whole. Accordingly, the PUD sets up specific development standards that ensure that any future development on the parcel will be compatible with the overall Master Plan, as well as with surrounding properties.

Project Master Plan

In addition to the requirement for a PUD, as set out in County Code 13.10.476(B), a Master Plan is required for the entire project that will define the proposed interior circulation patterns, exterior site access, fire access to both parcels, infrastructure improvements, common areas and amenities as well as a shared parking plan for the commercial and residential uses.

The Master Plan, as depicted on Exhibit D, includes both the affordable multi-family apartment development and a commercial development that includes medical/dental clinics, a retail use and a public plaza. As such, the design and layout of the development includes shared facilities such as parking, roadways, pedestrian pathways, landscaping etc. that constitute part of the overall plan and that will be governed in accordance with recorded Common Interest Ownership agreements between the future property owners. In addition, the Master Plan allows for a potential third driveway access that could link the project site to 17th Avenue as part of a future redevelopment of commercially zoned parcels to the east of the project site.

Further, the Master Plan recognizes that, should an alternate development project be proposed on the 1.24-acre northern portion of the larger project site, the proposed revised project must take into account the development site as a whole. This means that the site would not contain, in total, more than the maximum residential floor area or number of units for the project site than would otherwise be allowed by the C-1 zoning for the entire project.

Vesting Tentative Map

As shown on the Vesting Tentative Map, the four existing parcels will be reconfigured to result in three parcels, two air-space commercial condominium lots within a 1.24-acre (54,014.4-square foot) common-area parcel over the northern one-third of the site and a 2.36-acre (102,801.6-square foot) parcel over the southern two-thirds of the site. The commercial condominium parcels will correspond to the two distinct habitable spaces within the proposed commercial building and are proposed to allow SCCHC and Dientes to each maintain separate ownership of a portion of the proposed commercial building. Shared improvements within the development as a whole including, sidewalks, roadways, parking areas, all landscaping, drainage structures, water lines, sewer laterals, fences, silt and grease traps and common buildings will be governed in accordance with recorded Common Interest Ownership agreements between the resulting three property owners.

Both land parcels, as reconfigured, comply with the minimum 10,000-square foot minimum required for parcels in the C-1 zone district as set out in County Code section 18.10.333(A) "Development Standards for Commercial Districts - Site and Structural Dimensions". The net developable area of the southern parcel would be 102,801.6-square feet and the net developable area of the northern common area parcel would be 54,014.4 square feet (27,007.2 square feet per air-space condominium).

In addition to the three proposed parcels, an area of 0.05 acre along the northern property boundary adjacent to Capitola Road, will also be dedicated for street improvements.

Circulation and Parking

Access from Capitola Road would be provided via two separate driveways, one close to the western property line, opposite 15th Avenue, and one close to the eastern property boundary. In addition, the layout of the site allows for a potential third driveway access that could link the project site to 17th Avenue as part of a future redevelopment of commercially zoned parcels to the east of the project site. All internal circulation driveways would be a minimum of 20 feet wide.

Onsite parking would be provided in a shared parking lot situated primarily in the southwestern corner of the site, with additional parking areas that extend throughout the site. The parking area includes a total of 190 parking spaces for the proposed mixed-use development.

As set out in County Code section 13.10.553(A), “a specific parking plan initiated by the County and approved by the appropriate approving body may supersede those parking standards contained within County Code section 13.10.552, if the purposes of that section are met.” At the request of staff, a Shared Parking Analysis for the proposed project was prepared by Jeff Waller Consulting (Exhibit J). The submitted report, dated May 8, 2019, includes a parking demand estimate (i.e. maximum parking demand per day) for both weekdays and weekends for the proposed project. Due to the mixed-use nature of the proposed project, the peak parking demand for the various site components would occur at different times, thereby allowing for some parking spaces to be shared between different users throughout a typical day. The Parking Analysis shows, based on parking demand surveys for existing high-density residential uses and clinics in Santa Cruz County, as well as on additional hourly parking demand information for all of the project components, that the projected maximum parking demand for the proposed project is estimated at 180 spaces on weekdays. On Saturdays, when limited services and reduced operating hours are proposed for the medical/dental clinics, the maximum parking demand is projected to be 119 spaces and on Sundays, when the clinics would be closed, the parking demand would be significantly lower. It is therefore concluded that, since the highest parking demand estimate is less than the 190 spaces proposed on the project site plan (182 spaces if the 8 accessible spaces are not included), the on-site parking supply will be adequate for the projected parking demand.

In addition to vehicle parking spaces, the project includes a total of 30 bicycle parking spaces for the commercial uses and 79 bicycle spaces, including 69 lockable enclosed spaces and 10 additional spaces, for residential tenants (109 total). As required by County Code sections 13.10.552(A)(6) and 13.10.552(B) a total of 98 spaces are required, 29 for commercial and 69 for residential uses.

Master Occupancy Program

This application includes a Master Occupancy Program setting out the approved initial occupancy of the proposed commercial building and to also allow a streamlined review process for potential future changes of use for of all or part of the commercial area. The Master Occupancy Program is designed to allow a range of future uses that are permitted in the zone district and for which sufficient parking will be available.

The proposed commercial building, except for a 1,266 square foot tenant space at the lower floor of the east wing, is currently designed specifically to accommodate medical/dental office uses. The Master Occupancy Program for the project therefore allows for initial occupancy of this portion of the building by Dientes and SCCHC as currently proposed. Similarly, a pharmacy use is permitted within the 1,266 square foot tenant space. A Program Statement for the proposed mixture of commercial uses is included with this report (Exhibit K). Changes of use of the medical/dental office tenant spaces to another, similar clinic or office use, or of the retail pharmacy to a different pharmacy, would be also be allowed without any additional permit requirement.

Future changes of occupancy within the retail portion of the building, to another use allowed in the Neighborhood Commercial zone district, would be allowed pursuant to an over-the-counter Change of Occupancy Permit where there is no intensification of use. Intensification of a commercial use is defined in County Code as “Any change or expansion of a nonresidential use which will result in both a greater than 10 percent increase in parking need and more than two spaces, or which is determined by the Planning Director likely to result in a significant new or increased impact due to potential traffic generation, noise, smoke, glare, odors, hazardous materials, water use, and/or sewage generation.” This would allow for a change to other uses allowed in the Neighborhood Commercial zone district, such as retail stores or take-out-only food service outlets but would not include uses such as a sit-down restaurant that have a higher parking demand. The determination of parking requirements would be based upon the off-street parking requirements for non-residential uses set out in County Code 13.10.552(B) (or a successor ordinance).

For the larger medical/dental clinic portion of the commercial building, because parking requirements for the proposed development as a whole have been based upon a specific parking plan, prepared in accordance with County Code section 13.10.553(A), future changes of use to another use allowed in the Neighborhood Commercial zone district will require approval of a revised parking analysis for the entire development site. Review of the revised parking plan for the proposed new mixture of uses (including the residential portion of the site) would be subject to administrative review with public notification. However, the requirement for discretionary review may be waived by the Planning Director, or designee, if it can be conclusively determined, without any requirement for a revised parking analysis, that the proposed change of use would result in no intensification of use. In which case, an over-the-counter Change of Occupancy Permit may be issued.

Sign Exception

County Code section 13.10.581-Signs in Commercial Districts, allows up to a maximum of 50 square feet of signage per parcel (based on either a ½ square foot of signage for each one foot of building width or ¼ square foot for each foot of site width). As proposed the commercial building, which includes two condominium parcels, has a width of approximately 232 feet. Based upon ½ square foot for each foot of building width, 116 square feet of signage could be allowed but this would be capped at a maximum of 100 square feet (50 square feet per parcel). For interior lots that have a frontage of less than 40 feet wide at the street, such as the proposed residential use parcel, County Code allows a maximum sign area of 40 square feet. The total maximum area of signage permitted for the site, absent a requirement for a Sign Exception, would therefore be 140 square feet.

As shown on the submitted plans, the application proposes the installation business signage, with a total combined sign area of 168-square feet, for Dientes, SCCHC and the associated pharmacy/retail space and two monument signs with a combined area of 32 square feet for the residential development. The total combined sign area for the development is therefore 200 square feet. The proposed business signs would be mounted directly on the building and have been designed to be an integral part of the design, with individual letters mounted on a architectural band that runs across the front elevations. The monument signs for the residential portion of the development include one sign adjacent to Capitola Road, close to the western driveway entrance, and a second sign located adjacent to the community building at the housing complex, which will not be visible from the street.

To permit the combined sign area of 200 square feet for the proposed development, a Sign Exception has been requested in accordance with County Code section 13.10.587. It should be noted that if the four original parcels, which front onto Capitola Road, had each been developed separately, a total sign area of 200 square feet would have been allowed for the development site.

The proposed Sign Exception is justified in that the proposed signs vary from sign standards in the Santa Cruz County Code only to the extent necessary and appropriate to address site-specific circumstances. Several existing trees along the Capitola Road frontage are to be retained, including a large existing Fern Pine. This means that the commercial buildings will be partially obscured in views from the street and an increase in the allowed business sign area from 100 square feet to 168 square feet is therefore warranted to ensure their visibility to passing traffic. It is important to the success of the commercial uses that patients and visitors can easily locate the clinics and retail store. For the residential signage, because the apartment complex is located away from Capitola Road, one of the two 16 square foot monument signs will be located adjacent to the western driveway entrance where it will be visible from the public street. This is necessary to provide a visual marker identifying the location of the housing community, which would otherwise be difficult to find because it will be hidden behind the proposed commercial structure. The total sign area visible from Capitola Road will be 184 square feet and none of the proposed signage will be illuminated.

Design Review

The proposed mixed-use development encompasses a large site that, at its northern end, relates most strongly to the commercial corridor along Capitola Road and at its southern end, relates more to the adjacent residential neighborhoods. The project has therefore been laid out in two distinct areas and, as a reflection of their different uses and settings, the proposed commercial and residential buildings have been designed with a different but complementary aesthetic. Linking between these two components is created by shared circulation, parking areas and new landscaping with tree and shrub planting that will screen and soften the proposed structures. Wherever possible, existing mature trees have also been retained.

Commercial Component: The proposed two-story commercial building, which includes three separate tenant spaces within two separate wings that are linked by an access tower and raised walkways, has been designed to be visually compatible and integrated with the character of existing commercial development along Capitola Road and 17th Avenue. The flat-roofed wings of the structure are broken up by a variety of colors and materials that include wood-appearance siding, stone, stucco and natural wood, and include large areas of glazing to link the interior of

the buildings to the public street. The color palette is comprised of both warm earth-tones and muted greys (Exhibit L). To further break up the building and to add visual interest, the main entrances of both SCCHC and Dientes are defined by wood trelliswork that extends vertically to just above the main roofline.

Defined by the U-shaped building and centrally located along the project frontage, is an approximately 6,400 square foot public plaza that includes paved areas with seating and a sunken “lawn”, within which will be egg-shaped sculptural elements that can also be used for seating or children’s play. The space will also contain an interpretive historical installation honoring Robert Merriman and plaque illustrating the history of the site and Live Oak area. The plaza has been designed to be inviting to passers-by as well as to people visiting the medical/dental clinics or retail store, in that the sidewalk along Capitola Road will be diverted into the plaza. This will also allow for retention of an existing Fern Pine to help to screen and soften the project frontage, as well as to help define the character of the plaza.

Residential Component: The three-story buildings that constitute the residential portion of the project would not be significantly visible from Capitola Road, in that they would be located behind the commercial development and away from the public street. To the east, because the land is currently open, undeveloped grassland, there would be no direct impacts. The four proposed structures, which will be built around a private garden for tenants, are set within a landscaped parking area and are screened and softened in views from adjacent residential properties by new tree planting and, from some vantage points, also by existing mature trees. Moreover, the proposed housing community is located as far from adjacent homes as possible. The residential structures are located toward the adjacent commercially zoned parcel to the east and away from the homes on Leila Court to the west, such that the proposed apartments will be 114 feet from the western property boundary. The apartments have also been located as close as possible to the proposed medical/dental clinic so that, at the southern property boundary, the proposed apartments will be 56 feet from the property line.

The proposed structures incorporate architectural design features such as the use of both hip and gabled roofs, varied wall planes and covered porches and decks to help to reduce the visual impact of the development on surrounding residential properties. To further break up the facades wood-effect board siding is proposed, mounted both horizontally and vertically, that will be finished using a variety of colors (Exhibit L). The proposed color scheme includes muted shades of light and dark grey and grey-beige for the walls with red-brown exterior doors and both black and white trim details.

Traffic Impact Analysis

Direct regional access to the project site is provided by Capitola Road, an east-west arterial street and major commute corridor that connects Santa Cruz with Capitola, and by 17th Avenue, a north-south arterial connecting the project site and coastal neighborhoods further south with Highway One.

While the project is exempt from environmental review, in order to provide information on potential transportation impacts a Traffic Impact Analysis dated May 15, 2019, was prepared for the proposed mixed-use development by Jeff Waller, Traffic Engineering Consultant (Exhibit M). As set out in the traffic report, in accordance with the recent amendment to the California

Environmental Quality Act (CEQA) Guidelines, effective January 1, 2019, vehicle miles travelled (VMT) is the most appropriate measure of transportation impacts. The report shows that the proposed development would result in a VMT of 9.2 miles per capita, which is less than the estimated 18.3 miles per capita for Santa Cruz county as a whole. Therefore, the report concludes, the proposed project would not represent a significant impact per its VMT. Moreover, as set out in more detail in the report, the Office of Planning and Research's Technical Advisory on Transportation Impacts in CEQA provides that adding affordable housing to infill locations generally reduces VMT in a community. This reduction is due to an improved jobs-housing match which results in reduced commute distances, especially for low-wage workers. Accordingly, a reduction in VMT results in a more sustainable community overall. Therefore, given that the proposed project is for 100% affordable housing and is located on an infill site, the conclusion that the project would not have a significant impact can be supported.

In addition to evaluating the VMT, the Traffic Impact Analysis evaluated the potential impacts of the proposed development, based upon estimated trip generation and the resulting effects on the existing traffic conditions for to streets in the vicinity. Therefore, in addition to Capitola Road and 17th Avenue, the study included analysis of 7th Avenue, 15th Avenue, 16th Avenue, Brommer Street, Chanticleer Avenue, East Cliff Drive, Portola Drive Soquel Avenue and Soquel Drive. As set out in the report, the project is estimated to generate 995 daily trips, with 85 trips (57 in, 28 out during the AM peak hour and 88 trips (32 in and 56 out) during the PM peak hour. This trip generation, when added to existing traffic volumes, would not significantly impact intersections within the study area, which would continue to operate at or better than their respective level of service standards.

Analysis of projected traffic volume growth in the study area shows that, in the future (by 2040), the intersections on Capitola Road at both 17th Avenue and Chanticleer Avenue, as well as the intersection of Soquel Avenue and Commercial Way/Soquel Avenue, will likely operate below their respective level of service standards. This will be the case whether or not project impacts are added. The traffic report therefore concludes that no project specific mitigations are required. However, under the County's Capital Improvement Program (CIP), Capitola Road is proposed to be widened from one lane to two lanes in each direction and the County project will most likely also include optimization of signal timing at the affected intersections along Capitola Road as recommended in the traffic report. To facilitate this widening, a strip of land along the entire project frontage will be dedicated for street purposes and all improvements associated with the addition of a second eastbound lane are included with the proposed development. In addition, as conditions of approval of the project, the proposed east driveway will operate only as a right turn in and right turn out and left turns out of the west driveway will be restricted between 4pm and 6pm. These requirements, together with the proposed widening of Capitola Road will minimize potential impacts of the project.

Stormwater Management

Existing storm drainage patterns show that the majority of the development site sheet flows to the south and southwest and is captured by catch basins located along the southern and western site boundaries. This system then transfers the water to the public storm system in Capitola Road which eventually discharges into Leona Creek. In addition, an area on the eastern side of the development surface flows to the southeast towards 17th Avenue. It also appears that a portion of the neighboring properties on Leila Court may drain onto the development. To

accurately determine the existing drainage patterns, further detailed survey is required as a condition of approval of this Permit, to verify drainage patterns and ensure project drainage details comply with applicable County standards.

As detailed in the Hydrology and Storm Water Management Report prepared by BKF Engineers, dated May 10, 2019 (Exhibit N), the development proposes to remove the existing storm drainage system up to the closest onsite catch basin at the northwest corner of the project site but will retain the existing storm system connection to the public system in Capitola Road. The new/replacement stormwater system has been designed to comply with all mitigation requirements for large projects outlined in the County Design Criteria and would infiltrate the entire 2-year, 2-hour design storm of the development area, and maintains pre-development flows to Capitola Road for both the 10-year, 15 minute and 25 year, 15 minute design storms. The proposed system provides mitigation for pollutants and hydrologic impacts due to the development through the use of Low Impact Development (LID) measures, specifically pervious pavement. Stormwater will be captured and treated on-site by directing flows to the pervious pavement along the southern and western perimeter of the parking lot. This system has been conditioned to be designed so that it will also take into account any increased drainage area from the portion of the development that currently drains to 17th Avenue.

There are known restrictions downstream in the Capitola Road storm drainage system. Therefore, unless the detailed survey of existing drainage patterns shows that there will be no diversion of site runoff from 17th Avenue, the final project design is required to account for any additional flows to this system. If the final onsite design cannot fully mitigate for diverted and developed flows, the applicant would also be required to coordinate with Public Works staff to determine a cost share/contribution, based upon the calculated additional runoff flows, to ensure that the downstream restricted system is repaired/replaced.

Review for Historic Significance

In 2006, the Board of Supervisors assigned an NR-6 rating to the property at 1438 Capitola Road, meaning a property that has been surveyed and found ineligible for designation as a historic resource, and adopted the associated Department of Parks and Recreation form (DPR) for the property with the NR-6 rating. Correspondence submitted to the Historic Resources Commission (HRC) in 2018 again noted the significance of Robert Merriman as a historic figure in the Spanish Civil War and identified potential inaccuracies in the existing DPR form.

In 2019, as recommended by the HRC and in support of the current project, the applicant submitted a Historic Resource Evaluation (HRE) (Exhibit O) and revised DPR form prepared by the County's Historic Resources Consultant Architectural Resources Group. The well-documented and researched HRE and updated DPR form concurs with the County's NR-6 designation for the property. [The HRE notes that Robert Merriman lived in the home at 1438 Capitola Road from 1923-1928 during his teen years. However, the Capitola Road property would not be considered significant for its association with Robert Merriman, since an existing apartment building in Berkeley where Robert lived when he attended UC Berkeley and was inspired to travel to the Soviet Union and defend the Spanish Republic best represents Robert's formative years.] As stated in the adopted DPR form for this property, a conclusion supported by the HRE and updated DPR form, this NR-6 property does not meet the criteria for designation as a historic resource and is therefore not considered a historic resource under CEQA.

Sensitive Habitat and Existing Trees

The Property is located in an urbanized area, surrounded on all sides by urban uses, with no value as habitat for endangered, rare, or threatened species. Further, the property was evaluated by environmental planning staff to identify if any potential habitat for special status species may occur there. This evaluation involved review of existing resource information including a query of the California Natural Diversity Data Base (CNDDDB) and a reconnaissance level site visit to assess the potential for sensitive habitat on the project site. It was determined based on the results of this evaluation that habitat for State or Federal listed species, or other sensitive habitat, does not occur on the project site. (See email from Juliette Robinson, dated 1/29/2019- Exhibit P)

The Santa Cruz County GIS tool further shows that the project site has no value for the following attributes: Timber Resources, Grasslands, Riparian Woodlands, Biotic Resources, Special Forest, Sandhill Habitat, Sandhill IPHCP, Fishery Resource, Streams, Lakes, Reservoir Protection, Water Supply Watersheds, Least Disturbed Watersheds, Ground Water Recharge.

The existing trees on the project site were assessed by Nigel Belton (Arborist Report dated July 22, 2018 and email dated February 15, 2019 – Exhibit Q). The arborist surveyed 152 trees on site. Of these, 50 trees were recommended for removal by the arborist due to poor overall condition or undesirable species characteristics. Although the required parking and circulation and other elements of the project rendered it impossible to maintain all of the remaining healthy/desirable trees, the project has been designed such that a total of 37 trees will be retained and protected. This includes a large and visually prominent Fern Pine at the project frontage along Capitola Road. Furthermore, the project will comply with the County's 1:1 replacement rate and includes planting a minimum of one new tree for every tree removed.

Environmental Review

The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21159.25 relating to environmental quality.

PRC Section 21159.25 provides that the requirements of CEQA do not apply to residential or mixed-use projects that meet certain conditions. The proposed mixed-use development qualifies for a statutory exemption, in that the project is proposed on legal parcels that are located in an unincorporated area of Santa Cruz County, within an urbanized area and substantially surrounded by qualified urban uses. The site is adequately served by all required utilities and public services and does not have value as habitat for endangered, rare, or threatened species. Furthermore, the proposed project is consistent with all applicable policies of the General Plan and the zoning designation and the residential portion of the project is a multi-family housing development containing 57 units, that conforms to required minimum density criteria. In addition, approval of the project would not result in any significant effects relating to transportation, noise, air quality, greenhouse gas emissions, or water quality. None of the disqualifying criteria that would preclude the use of the exemption apply to the project.

The attached letter from Holland and Knight (the applicant's legal counsel), dated July 22, 2019, accurately evaluates these factors as related to the proposed project (Exhibit R). Staff has reviewed the analysis set out in the letter and concurs with the determination that the project

qualifies for a statutory exemption (Exhibit E) under the provisions of Section 21159.25 of the Public Resources Code.

Public Outreach/Public Comment

Starting in February 2018, following the Board of Supervisors approval of the Exclusive Negotiation Agreement with MidPen Housing for the development of the Capitola Road Commercial Site, an Outreach Organizing Committee (OOC) was convened by MidPen Housing to establish the best method, format and timing and location of future community engagement opportunities. The Committee was made up of local community stakeholders, including members of United Way of Santa Cruz County, the Boys and Girls Club of Santa Cruz county, Live Oak School District, representatives of Communities Organized for Relational Power in Action (COPA), staff from Supervisor Leopold's office, the County of Santa Cruz and the three development partners (MidPen Housing, Santa Cruz Community Health Centers and Dientes Community Dental.

Using the advice and expertise of the OOC, the three development partners jointly hosted two initial community meetings in mid-April 2018, to gather feedback on the conceptual design for the proposed development. This feedback was used to refine the uses, size, scale, configuration and overall aesthetic of the proposed development. In accordance with County Code sections 18.10.211 and 18.10.222 through 225, the revised design was then presented at a community meeting that was held on October 11, 2018. A summary of the meeting is attached with this report (Exhibit S). A complete package that includes notification and presentation materials, photographs of the event etc. is on file with the Planning Department.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "G" ("Findings") for a complete listing of findings and evidence related to the above discussion.

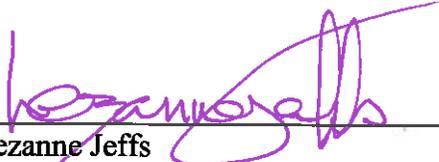
Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Adopt a Resolution recommending that the Board of Supervisors approve Application 181579 based on the attached findings and conditions.

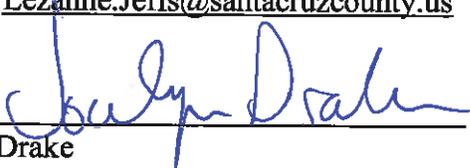
Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

Report Prepared By: _____


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E-mail: Lezanne.Jeffs@santacruzcounty.us

Report Reviewed By: _____


Jocelyn Drake
Principal Planner
Development Review
Santa Cruz County Planning Department

Exhibits

- A. Resolution recommending that the Board of Supervisors approve a Zoning Map Amendment, Planned Unit Development Permit and Development Permit requests
- B. Rezoning – Ordinance
- C. Planned Unit Development –Ordinance and Development Standards
- D. Project plans
- E. Statutory Exemption (CEQA determination)
- F. Findings
- G. Conditions of Approval
- H. Parcel information
- I. Assessor, Location, Zoning and General Plan Maps
- J. Shared Parking Analysis prepared by Jeff Waller Consulting, dated May 8, 2019
- K. Program Statement
- L. Exterior Colors and Materials Plan
- M. Traffic Impact Analysis, prepared by Jeff Waller Consulting, dated May 15, 2019
- N. Storm Water Management Report prepared by BKF Engineers, dated May 10, 2019 (includes Geotechnical Report prepared by Earth Systems, dated Novembet 6, 2018)
- O. Historic Resource Evaluation, prepared by Architectural Resources Group, dated February 2019
- P. Sensitive Habitats - email from Juliette Robinson, dated 1/29/2019
- Q. Arborist Report, dated July 22, 2018 and email dated February 15, 2019
- R. Letter from Holland and Knight, dated July 22, 2019
- S. Results of Neighborhood Meeting
- T. Will-serve letters
- U. Geotechnical (soils) Report review letter
- V. Neighborhood Notification
- W. Comments & Correspondence

Application #: 181579
APN: 026-741-12, 13, 14 & 15
Owner: Santa Cruz County

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Public Resources Code, Section 21159.25, relating to environmental quality (AB 1804), for the reason(s) which have been specified in this document.

Application Number: 181579
Assessor Parcel Number: 026-741-12, 13, 14 & 15
Project Location: 1412, 1438, 1500 & 1514 Capitola Road, Santa Cruz

Project Description: Construct a mixed-use development consisting of a two-story commercial building and four three-story residential buildings containing 56 affordable residential apartments, a manager's unit and a community center.

Person or Agency Proposing Project: MidPen Housing

Contact Phone Number: (831) 707-2134

- A. The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C. **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- D. **Statutory Exemption** other than a Ministerial Project - Exemption for Multi-Family and Mixed-Use Housing Projects (Public Resources Code, Section 21159.25, relating to environmental quality [AB 1804]).
- E. **Categorical Exemption**

F. Reasons why the project is exempt:

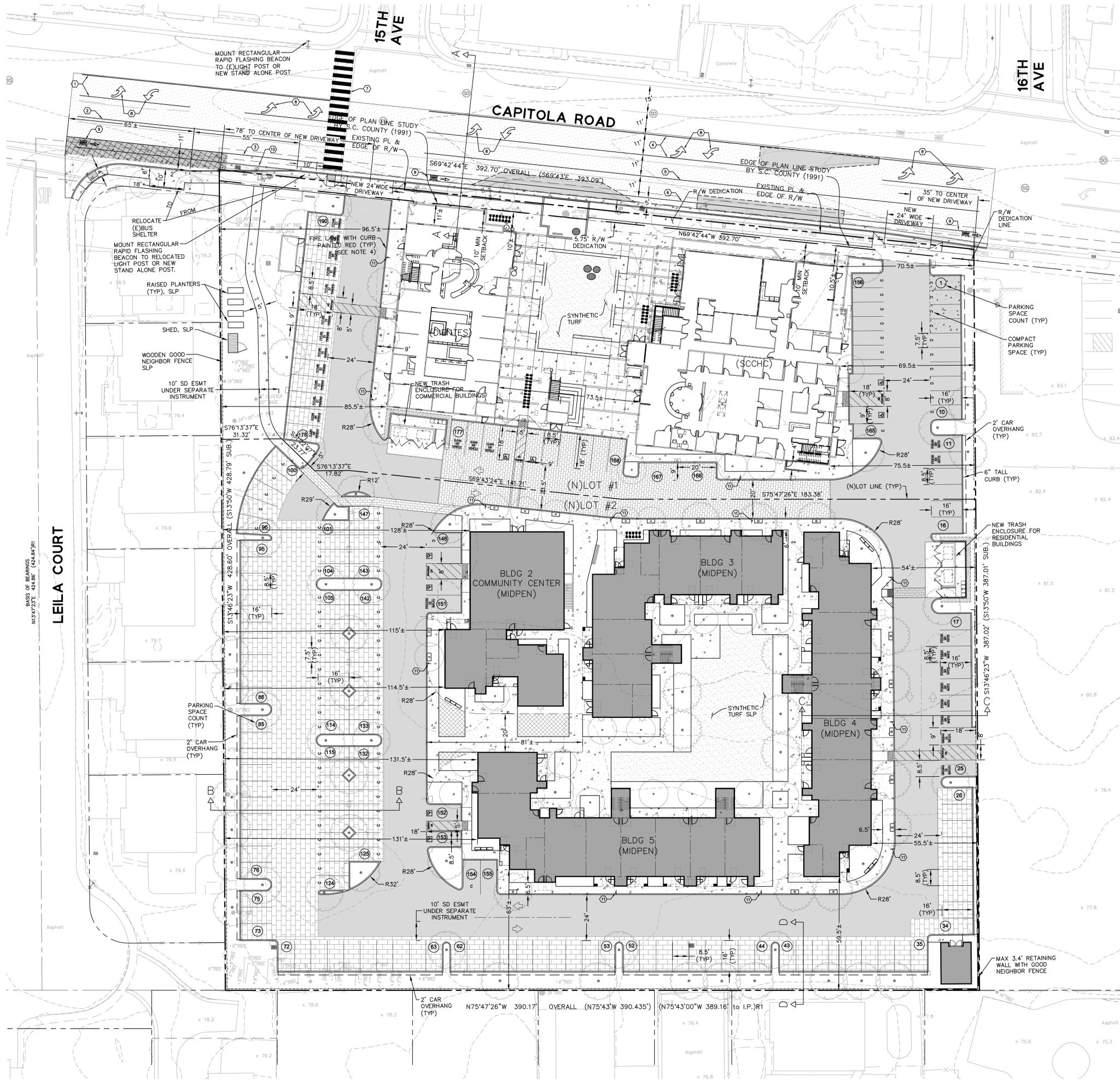
Construction of a mixed-use housing project on a less than 5-acres site located within an unincorporated area of Santa Cruz County that is substantially surrounded by qualified urban uses and where all public utilities are available. The project is consistent with the current General Plan and the applicable zoning designation and regulations and will consist of a mix of multi-family and commercial uses where at least two-thirds of the square footage of the development will be designated for residential use and where the density of the project will exceed the average density of adjoining residential properties. No significant effects relating to traffic, noise, air quality, greenhouse gas emissions would result from project implementation and the project site has no value as habitat for endangered, rare or threatened species.

In addition, none of the conditions described in Section 21159.25(c) apply to this project.

Lezanne Jeffs, Project Planner

Date: _____

EXHIBIT E



- LEGEND**
- PROPERTY LINE
 - - - (N)PROPERTY LINE
 - - - ADJACENT LOT LINE
 - - - (N)EASEMENT LINE
 - - - SAWCUT LINE
 - ⊗ RAPID FLASHING BEACONS
 - ⊕ CROSS SECTION
 - ▨ DECORATIVE PAVING (SEE LANDSCAPE PLANS)
 - ▩ TURFBLOCK FOR EMERGENCY VEHICLE ACCESS (SEE LANDSCAPE PLANS)
 - ▭ CONCRETE PAVEMENT
 - ▨ 3"(AC)TYPE B WITH 9" CLASS 2 AGGREGATE PAVEMENT
 - ▨ REINFORCED CONCRETE SLAB FOR MINIMAL BASE EXCAVATION NEAR TREE ROOTS
 - ▨ PERVIOUS PAVEMENT
 - ▨ 2" MIN AC GRIND AND OVERLAY
 - Ⓟ PARKING SPACE COUNT
 - ▨ 4" (AC) TYPE B WITH 12" CLASS 2 AGGREGATE PAVEMENT

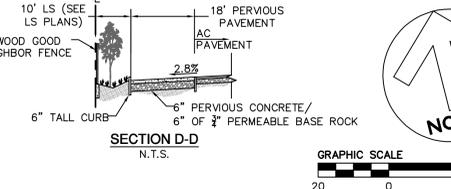
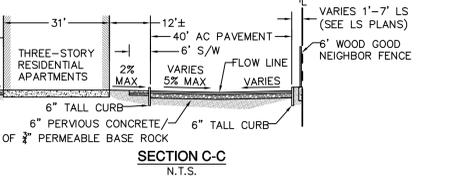
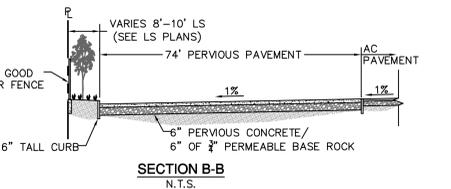
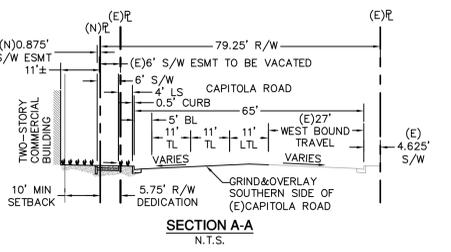
- ABBREVIATIONS**
- | | |
|---------------------|---|
| AC ASPHALT CONCRETE | OC ON CENTER |
| BL BIKE LANE | PL PROPERTY LINE |
| BLDG BUILDING | R/W RIGHT OF WAY |
| (E) EXISTING | SC SANTA CRUZ |
| ESMT EASEMENT | SCCHC SANTA CRUZ COMMUNITY HEALTH CENTERS |
| LF LINEAL FEET | SD STORM DRAIN |
| LS LANDSCAPE | SLP SEE LANDSCAPE PLAN |
| LTL LEFT TURN LANE | S/W SIDEWALK |
| (N) NEW | TL THRU LANE |
| NTS NOT TO SCALE | (TYP) TYPICAL |

- NOTES**
- OVERLAND RELEASE, SANITARY SEWER, AND RECIPROCAL ACCESS/PARKING EASEMENTS WILL BE UNDER SEPARATE INSTRUMENT AND WILL BE SHOWN ON LOT LINE ADJUSTMENT.
 - ALL SIGNING AND STRIPING IN PUBLIC RIGHT-OF-WAY MUST CONFORM TO THE LATEST PROVISIONS OF THE CALIFORNIA MUTCD, CALTRANS STANDARD PLANS AND SPECIFICATIONS, AND SANTA CRUZ COUNTY STANDARD DETAILS AND REQUIREMENTS.
 - ALL MARKINGS SHOWN ARE BASED ON THE 2014 CALIFORNIA MUTCD.
 - ALL INTERIOR ROADS SHALL BE FIRE LANES WITH CURBS PAINTED RED.

- SIGNING AND STRIPING KEY NOTES**
- 130± LF OF 4" SOLID & DASHED YELLOW LINES, DETAIL 31
 - 130± LF OF 4" DASHED WHITE LINE WITH MARKERS, DETAIL 9
 - 130± LF OF 6" SOLID WHITE LINE, DETAIL 39
 - 290± LF OF 4" SOLID & DASHED YELLOW LINES, DETAIL 31
 - 290± LF OF 4" DASHED WHITE LINE WITH MARKERS, DETAIL 9
 - 290± LF OF 6" SOLID WHITE LINE, DETAIL 39
 - 16 SOLID YELLOW CROSSWALK STRIPES (10' LONG, 2' WIDE, SPACED 4' OC)
 - TYPE IV(L) ARROW
 - BICYCLE LANE PAVEMENT MARKINGS, FIGURE 9C-3
 - 115± LF OF 4" SOLID WHITE LINE, DETAIL 27B
 - FIRE LANE SIGN, SHEET A110 DETAIL 9

SUMMARY TABLE

NEW LOT NO.	OWNER	AREA (SF)	BUILDING AREA (SF)
1	DIENTES&SCCHC	54,081	15,796
2	MIDPEN	102,772	20,843
R/W	SC COUNTY	2,258	0



WR&D
WALD RUPPKE & DOST ARCHITECTS LLP

2340 GARDEN ROAD, SUITE 100
MONTEREY, CALIFORNIA 93940
PHONE: 831.649.4642
FAX: 831.649.3530
WWW.WRDARCH.COM

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PHONE: 831.205.5880
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**MID-PEN HOUSING
1500 CAPITOLA ROAD MIXED-USE**

MID-PEN HOUSING CORP
MID-PEN DEVELOPMENT OFFICE
275 MAIN STREET, SUITE 204, WATSONVILLE, CA 95076
A.P.N.: 026-741-12, 026-741-13, 026-741-14, 026-741-15

JOB NO:
176343

PRINT DATE:
10.15.2019

DRAWN BY:
CHECKED BY:
SET ISSUED:

SHEET NAME:
**PRELIMINARY
SITE PLAN**

SHEET NO.:
C1.0

FILE NAME:

THE USE OF THE NAME AND REPRESENTATION IS RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLISHED. ANY REPRODUCTION OR PUBLICATION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT AND VISUAL CONTACT WITH THEM CONSTITUTES FRAUD. PLEASE ENJOY THE ACCEPTANCE OF THESE RESTRICTIONS.

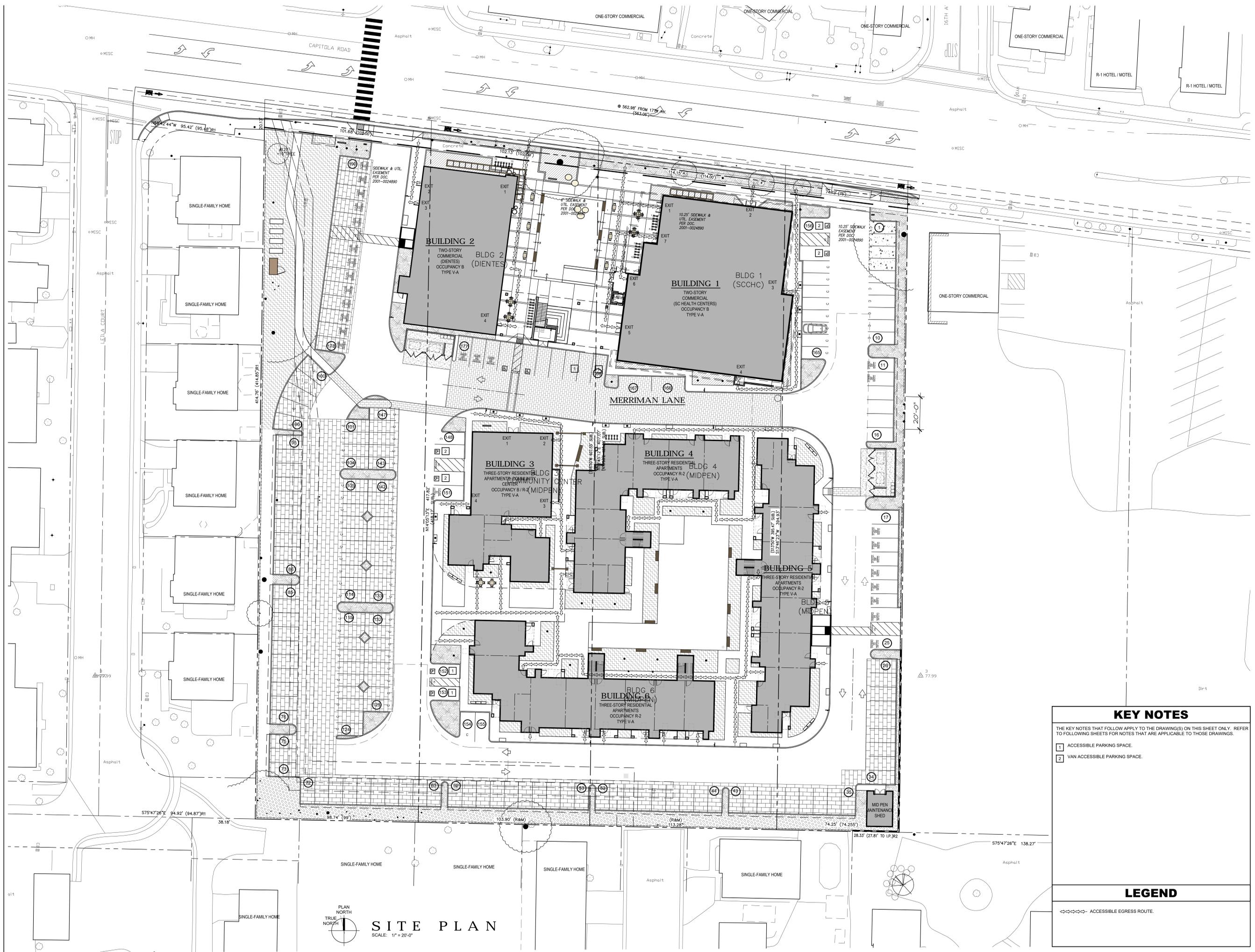


MID-PEN HOUSING
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 WATSONVILLE DEVELOPMENT OFFICE
 275 MAIN STREET, SUITE 204, WATSONVILLE, CA 95076
 A.P.N.: 026-741-12, 026-741-13, 026-741-14, 026-741-15

JOB NO.
17088
 PRINT DATE:
 PLOT DATE: 7.26.2019
 DRAWN BY: VV
 CHECKED BY: HR
 SET ISSUED:
 11/06/2018 COUNTY APPLICATION PACKAGE
 02/15/2019 COUNTY RESUBMITTAL APPLICATION PACKAGE
 05/13/2019 COUNTY RESUBMITTAL APPLICATION PACKAGE

SHEET NAME:
SITE ACCESSIBILITY PLAN
 SHEET NO.:

A011
 FILE NAME: 17088-A011



PLAN NORTH
 TRUE NORTH
SITE PLAN
 SCALE: 1" = 20'-0"

KEY NOTES

THE KEY NOTES THAT FOLLOW APPLY TO THE DRAWING(S) ON THIS SHEET ONLY. REFER TO FOLLOWING SHEETS FOR NOTES THAT ARE APPLICABLE TO THOSE DRAWINGS.

- 1 ACCESSIBLE PARKING SPACE.
- 2 VAN ACCESSIBLE PARKING SPACE.

LEGEND

- ◊◊◊◊◊◊ ACCESSIBLE EGRESS ROUTE.



LEGEND

- (E) TREE TO REMAIN (APPROXIMATE TREE CANOPY) SEE ARBORIST REPORT DATED 1/22/2018 FOR MORE INFORMATION.
- LARGE EVERGREEN TREE**
- ARBUTUS MARINA (MARINA STRAWBERRY TREE)
- QUERCUS ASRIFOLIA (COAST LIVE OAK)
- MEDIUM-TALL FLOWERING TREE**
- LAGERSTROEMIA INDICA 'NATCHEZ' (GRAPE MYRTLE)
- MEDIUM-TALL PLAZA TREE WITH FOLIAGE INTEREST**
- GERCIS CANADENSIS (EASTERN REDBUD)
* WITH FESTOON LIGHTING IN CANOPY
- LARGE DECIDUOUS TREE**
- TILIA CORDATA (LITTLE-LEAF LINDEN)
- ACER RUBRUM (RED MAPLE)
- RESIDENTIAL COURTYARD TREE**
- LAURUS NOBILIS 'SARATOGA' (SARATOGA SHEET EAY)
- GINKGO BILOBA (MADENHAIR TREE)

TREE SUMMARY:

PROPOSED NUMBER OF EXISTING TREES TO REMAIN: 31
 PROPOSED NUMBER OF NEW TREES TO BE PLANTED: 15

NOTES:

1. ALL LIGHTS TO BE DARK SKY, SHIELDED, AND DOWNWARD DIRECTED.
2. REFER TO SHEET L1.02 FOR PLANTING LIST.

- OVERHEAD PARKING AREA LIGHTING
 - LOW-LEVEL WALL LIGHTING
 - DOUBLE SIDED WOOD FENCE (GOOD NEIGHOR)
 - DOUBLE SIDED WOOD FENCE ON RETAINING WALL
 - DECORATIVE BRICK PAVING INLAY
 - ACCESSIBLE SYNTHETIC TURF
 - CROSSWALK WITH DECORATIVE PAVING
 - PERMEABLE PAVING
 - ASPHALT PAVING
 - CONCRETE PAVING
 - PLANTED TURFBLOCK FOR EMERGENCY VEHICLE ACCESS
 - PLAZA PLANT LIST
 - RESIDENTIAL PLANT LIST
 - PARKING LOT AND SCREENING PLANT LIST
 - WATER TOLERANT PLANT LIST
- 1** COMMERCIAL PLAZA GREEN WITH SEATING, TREES, ART SCULPTURES, AND SUNKEN TURF AREA WITH STEP LIGHTS ON STAIRS
 - 2** DECORATIVE CROSSINGS TO COMMUNITY BUILDING AND RESIDENTIAL UNITS
 - 3** COMMUNITY BUILDING ENTRY PLAZA WITH BENCHES, TABLES, AND PLANTING
 - 4** EMERGENCY VEHICLE ACCESS
 - 5** RESIDENTIAL COMMON AREAS WITH P CNIC TABLES, BARBEQUE, AND WASTE RECEPTACLES
 - 6** RESIDENTIAL OPEN PLAY AREA WITH PLAY STRUCTURES (AGES 2-5, 5-8), TURF, AND DRINKING WATER FOUNTAIN
 - 7** POTENTIAL FUTURE VEHICULAR AND PEDESTRIAN MIDBLOCK CONNECTION WITH COLLAPSIBLE BOLLARDS
 - 8** COMMUNITY GARDEN RAISED PLANTERS AND SHED
 - 9** WASTE AND RECYCLE RECEPTACLE ENCLOSURE
 - 10** MAINTENANCE SHED
 - 11** SCREENING FOR LEILA COURT - DOUBLE SIDED FENCE WITH OPTIONAL VERTICAL PLANTING
 - 12** CONCRETE PATH (5'-0" WIDE) FROM CAPITOLA ROAD TO SITE
 - 13** RETAINING WALL, REFER TO CIVIL DRAWINGS
 - 14** HISTORIC WALL MURAL PAYING HOMAGE TO ROBERT MERRIMAN
 - 15** TRELLIS WITH VINES
 - 16** CLUSTER OF POTS WITH PLANTING
 - 17** ARCHED ENTRANCE TO RESIDENTIAL COURTYARD WITH VINES AND INTEGRAL LIGHTING ON COLUMNS
 - 18** CAPITOLA ROAD MONUMENT SIGNAL REFER TO ARCHITECTURAL DRAWINGS
 - 19** BUS STOP
 - 20** EGG SCULPTURES BY ARTIST

**MID-PEN HOUSING
1500 CAPITOLA ROAD MIXED-USE**

MID-PEN HOUSING CORP.
 WATSONVILLE DEVELOPMENT OFFICE
 1500 CAPITOLA ROAD, SUITE 100
 WATSONVILLE, CA 95078
 A.P.N.: 026741112, 026741113, 026741114, 026741115

JOB NO:

17088

PRINT DATE: 05/13/2019

PLT DATE: 05/13/2019

DRAWN BY: JW

CHECKED BY: JL

SET ISSUED:

11880 COUNTY APPLICATION PACKAGE
 RESIDENTIAL DEVELOPMENT
 PRELIMINARY PLANS
 PRELIMINARY PERMITS
 APPLICATION PACKAGE

**SHEET NAME
LANDSCAPE
SITE PLAN**

SHEET NO:

L1.00

FILE NAME:

WR&D
 WALD RUHNKE & DOST
 ARCHITECTS LLP
 2340 GARDEN ROAD, SUITE 100
 MONTEREY, CALIFORNIA 93940
 PHONE: 831.649.4922
 FAX: 831.649.3530
 WWW.WR&D.COM

JONI L. JAFECKI
 ASSOCIATES
 115 WEST 11. STREET, SUITE 100, CA 95078
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PROJECT: 1500 CAPITOLA ROAD MIXED-USE, 1500 CAPITOLA ROAD, WATSONVILLE, CA 95078
 DRAWING: LANDSCAPE ARCHITECTURE, 1500 CAPITOLA ROAD MIXED-USE, 1500 CAPITOLA ROAD, WATSONVILLE, CA 95078
 DATE: 05/13/2019
 SCALE: 1" = 20'-0"

A

PROPERTY INSPECTION PHOTOGRAPHS



1412 CAPITOLA ROAD (PARCEL) VIEWING SOUTH-SOUTHWEST FROM CAPITOLA ROAD



**1412 CAPITOLA ROAD (PARCEL) VIEWING NORTH-NORTHEAST TOWARD CAPITOLA ROAD
FROM NEAR THE WEST PROPERTY CORNER
NOTE STORM SEWER INLET IN LEFT FOREGROUND**



HOUSE AT 1438 CAPITOLA ROAD, VIEWING SOUTH FROM CAPITOLA ROAD



**HOUSE AND EAST DRIVEWAY AT 1438 CAPITOLA ROAD
VIEWING WEST-SOUTHWEST FROM CAPITOLA ROAD**



**WEST DRIVEWAY AND PARKING AREA SOUTH OF HOUSE AT 1438 CAPITOLA ROAD
VIEW IS NORTH FROM NEAR CENTER OF WEST PARCEL BOUNDARY**



PARKING AND STORAGE YARD TO THE SOUTH OF THE HOUSE AT 1438 CAPITOLA ROAD



**PASTURE COMPRISING THE SOUTH HALF OF THE PROPERTY
VIEW IS SOUTHEAST FROM 1438 CAPITOLA ROAD LOOKING ACROSS SOUTH HALF
OF 1500 AND 1514 CAPITOLA ROAD, AND THE VACANT PARCEL BEYOND**



HOUSE AT 1500 CAPITOLA ROAD, VIEWING SOUTH-SOUTHWEST FROM CAPITOLA ROAD



**DRIVEWAY AT 1500 CAPITOLA ROAD
VIEWING SOUTH FROM CAPITOLA ROAD**



**1514 CAPITOLA ROAD (PARCEL)
VIEWING SOUTH FROM CAPITOLA ROAD**



**SOUTH PORTION OF THE PROPERTY VIEWING EAST FROM THE WEST PROPERTY CORNER
STORM SEWER INLET IN FOREGROUND**



**VIEWING NORTH FROM NEAR SOUTH PROPERTY BOUNDARY
TWO HOUSES ARE BEHIND TREES IN MIDDLE BACKGROUND
STORM SEWER INLET IN FOREGROUND**

Recording requested by
County of Santa Cruz
Planning Department

And when recorded mail to:

County of Santa Cruz
Planning Department
Attention: Lezanne Jeffs
Application #: 181579
701 Ocean Street, 4th Floor
Santa Cruz, Ca 95060

Notice

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(CALIFORNIA GOVERNMENT CODE §27361.6)

CONDITIONS OF APPROVAL

Mixed-Use Development 181579

Applicant: Betsy Wilson, MidPen Housing

Property Owner: County of Santa Cruz

Assessor's Parcel Number: 026-741-12,13,14, & 15

Property Address and Location: Located on the south side of Capitola Road (1412, 1438, 1500 and 1514 Capitola Road), opposite the point where 15th and 16th Avenues meet Capitola Road and between Leila Court and 17th Avenue.

Planning Area: Live Oak

Exhibit(s):

- C.** Planned Unit Development (“PUD”) - Ordinance and development standards for the development of 57 residential apartments, a community center and private residential open space, within a parcel containing shared parking, circulation and landscaping.
 - D:** Project plans: Vesting Tentative Map – 2 sheets prepared by BKF Engineers, dated 7/9/2019; Architectural, Engineering and Landscape plans – 36 sheets: 25 prepared by Wald, Ruhnke & Dost (WR&D), 11 dated 7/26/19 and 14 dated 5/10/19; 6 sheets prepared by WR&D and BKF Engineers, dated 5/10/19; and 5 sheets prepared by WR&D and Joni L. Janecki & Associates, dated 5/10/19
-

All correspondence and maps relating to this mixed-use development shall carry the Permit number noted above.

- I.** This permit authorizes the construction of a mixed-use development as indicated on the approved Exhibit "D" for this permit. Prior to exercising any rights granted by this Approval, the owner shall:
 - A.** Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof.
 - B.** 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.
 - C.** Record the Conditions of Approval with the Parcel Map. The Conditions of Approval shall be applicable to all resulting parcels.
- II.** A Parcel Map/Condominium Map for the adjusted parcels and air-space condominiums must be recorded prior to the expiration date of the Vesting Tentative Map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No

improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Final Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:

- A. The Parcel Map shall be in general conformance with the approved Vesting Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property or affecting public health and safety shall remain fully applicable.
- B. This adjustment of four existing parcels shall result in three parcels as follows: two air-space condominiums within a common area parcel and one land parcel, and a dedication of land along the northern property boundary for street purposes.
- C. The following items shall be shown on the Final Map:
 - 1. Building envelopes for each parcel in conformance with the approved Master Plan (Exhibit D) and the Planned Unit Development for Lot 2 (see Exhibit C / “Exhibit PUD-A”) and the common areas, located according to the approved Vesting Tentative Map.
 - 2. Show the gross/net area of each lot.
 - 3. All easements and dedications to be recorded prior to recordation of the Parcel Map.
- D. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
 - 1. New parcel numbers for all of the parcels must be assigned by the Assessor’s Office prior to application for a Building Permit on any revised parcel created by this Permit.
 - 2. Lots shall be connected for water service to the City of Santa Cruz Water District. All regulations and conditions of the water district shall be met. Proof of water service availability is required prior to issuance of a building permit on any parcel.
 - 3. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the sanitation district shall be met. Proof of sewer service availability is required prior to issuance of a building permit on any parcel.
 - 4. Construction on the lots shall conform to the Architectural Floor Plans and Elevations, and the Perspective Drawings as stated or depicted in the approved Exhibit "D" and shall also meet the following additional conditions:
 - a. Notwithstanding the approved preliminary architectural plans, all future development on Lot 2 shall comply with the specified development standards as determined by the Planned Unit Development (PUD).

5. All future development on the lots shall comply with the requirements of the approved geotechnical report.
6. A written statement will be submitted, 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.
7. The access driveways and interior roadways around each building shall be designated as a fire lane. The fire lane shall be painted and posted as a fire lane meeting the requirements of Section 22500.1 of the California Vehicle Code.
8. A minimum number of 190 parking spaces shall be provided for the development as a whole: A minimum of one parking space (57 spaces) shall be assigned for the exclusive use of the residential development, one space for each unit. All other parking shall be on a first-come basis within the parking areas shared with the adjacent commercial parcel.
9. The proposed private driveway shall be named. Naming shall meet the requirements of the Santa Cruz County Street Naming and Addressing Ordinance. Application for the street name shall be done through the street naming and Addressing Coordinator in the Santa Cruz County Planning Department. It is suggested that the street be named "Merriman Way" to reflect the history of the site.
10. Prior to any ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. The erosion control plans shall identify the type of erosion control practices to be used and shall include the following:
 - a. Silt and grease traps shall be installed according to the approved improvement plans.
 - b. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.
 - c. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage channel.
11. Earthwork between October 15 and April 15 requires a separate winter grading permit approval from Environmental Planning, that may or may not be granted.
12. Any changes from the approved Exhibit "D", including but not limited to the Vesting Tentative Map, Preliminary Improvement Plans, or architectural and landscaping plans, must be submitted for review and approval by the Planning Department. Changes may be forwarded 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

which 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.

- III. Prior to recordation of the Final Map, the following requirements shall be met:
- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
 - B. Meet all requirements of the Environmental Planning Section of the Planning Department, including the following:**
 - 1. The improvement plan submittal shall comply with all requirements of the soils report (see Soils Report Review file REV181179).
 - 2. Improvement plans shall clearly represent all proposed grading, including any over-excavation and re-compaction as recommended by the geotechnical engineer.
 - 3. Final plans shall reference the soils report by title, author, and date. Final plans should include a statement that the project shall conform to the geotechnical engineer's recommendations.
 - 4. After improvement plans are prepared that are acceptable to all reviewing agencies, please submit an original wet-signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. Please note that the plan review form must reference the final improvement plans to be recorded by last revision date. Any updates to report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of this form may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", "Assistance & Forms", "Soils Engineer Plan Review Form".
 - 5. The improvement plans submittal shall include a phased Stormwater Pollution Control Plan with the staging, storage, stockpile, and vehicle parking areas shown per phase.
 - 6. The applicant shall provide a plan review letter from the project arborist approving the final revised improvement plans once all agency comments have been addressed.
 - C. Meet all requirements of the Central Fire Protection District.
 - D. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following conditions:
 - 1. Provide a complete engineered sewer improvement plan and flow calculations providing a self-cleaning sanitary sewer service to each structure. Plans shall meet all requirements of the Santa Cruz County

Sanitation District (District) including, without limitation, the District Code, the County of Santa Cruz Design Criteria (CDC) Part 4, Sanitary Sewer Design, February 2017 edition, available at <http://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/DESIGNCRITERIA.pdf>

2. The sewer improvement plan shall include the following information:
 - a. Locate and label the existing sewer laterals “To be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure.”
 - b. Show all proposed lateral connections to the private collector lines
 - c. Show locations of any proposed grease traps.
 - d. Show location(s) of the required amalgam separator.
3. The sewer improvement plan shall include the following notes:
 - a. “The sanitary sewer system for these parcels is not a public system. All sanitary sewer lines and facilities on any of the parcels shown are to be privately owned and maintained by the parcel owner, including the laterals to and connections with the public sewer main lines in Capitola Road.”
 - b. “The sanitary sewer system for these parcels shall meet all requirements of the Santa Cruz County Sanitation District (District) including, without limitation, the District Code, the *County of Santa Cruz Design Criteria (CDC) Part 4, Sanitary Sewer Design, February 2017 edition*, and other requirements as determined by the District.”
 - c. “All existing sewer laterals shall be properly abandoned (under separate permit and inspection by District) prior to issuance of any permit for demolition or relocation of any structure on any parcel.”
 - d. “Approval of any building permit for any new structure on any parcel shall be contingent on applicant’s submission and District’s approval of a complete engineered sewer improvement plan and flow calculations providing a self-cleaning sanitary sewer service to each structure.”
 - e. “Approval of any building permit for any new structure on any parcel shall be contingent on applicant’s payment to the District of connection fees, with associated bonding, development, and fixture unit fees; along with either the cost of installed flow metering and odor control equipment.”
4. A Common Interest Ownership Association shall be formed and shall be responsible for the ownership and maintenance of the onsite private sewer system, up to and including the connection at the public sewer main. Applicant/developer shall provide a copy of CC&Rs to the District showing the inclusion of the sewer system maintenance responsibilities prior to the filing of the Parcel Map and building permit issuance.

- E. Meet all requirements of the Department of Public Works, Stormwater Management Services including, without limitation, the following conditions:
1. Provide a predevelopment watershed area map showing existing drainage patterns and clearly depicting the drainage divide for the onsite areas draining to the storm drain system that connects to the system in Capitola Road and the area that drains to the south/southeast. If, as suggested in the response to comments, additional topographic information is needed to determine the existing drainage patterns, this should be obtained to identify local drainage patterns (see Part 1 Section A.1.g of the County Design Criteria, CDC). The map shall include an accounting of the area that drains to Capitola Road and that which drains to the south/southeast.
 2. The May 10, 2019 proposal includes diversion of some site runoff to Capitola Road. There are known restrictions downstream in this system. In order to allow this diversion, the final project design shall:
 - a. EITHER, demonstrate that the proposed on-site mitigations are sized to adequately limit flows from the site to the storm drain system in Capitola Road so that the entire volume of the 25 year post development runoff from the area that currently drains to the south/southwest and the runoff from the 2 year, 2 hour storm from the areas that drain to Capitola Road is infiltrated on-site. Additionally, mitigations that store and/or infiltrate runoff so that the post development 10 and 25-year flow rates are limited to predevelopment flow rates (for the areas that currently drain to Capitola Road). The mitigations and flow control devices shall take into account areas that bypass mitigation (ex: driveways, sidewalk, roadway, landscape areas, etc.).
 - b. OR. provide on-site mitigations that infiltrate and retain the 2-year, 2 hour storm volumes from proposed impervious and semi-impervious areas and mitigations that store and/or infiltrate runoff so that the post development 10 and 25 year flow rates are limited to predevelopment flow rates. Note: this is similar to the proposal provided in the May 10, 2019 plans and analysis as long as a subdrain system with controlled release is provided.
 - c. AND coordinate with Public Works staff to determine a cost share/contribution to ensure that the downstream restricted system will be repaired/replaced.
 3. Provide additional site infiltration testing for the areas proposed for infiltration-based stormwater mitigations. The Geotechnical Engineering Report by Earth Systems revised November 6, 2018 states that the soil percolation rate testing provided only “indicate the infiltration rates at the specific locations” and for “undisturbed native soils, and that site grading, fill placement, and soil compaction can have significant effect on the actual infiltration rates” (pg 15). The infiltration test locations were all located near the northwest property corner and the proposed mitigations are located at other areas of the site. Update the design accordingly. Is an infiltration facility near the southern corner where fill and a retaining wall are proposed

acceptable? How will the design ensure that infiltrated stormwater will be directed into the native soil and not through the retaining wall or to the proposed landscape areas that bypass mitigation? Please ensure that the infiltration volume is located in native soil below the retaining wall.

4. Provide a final Stormwater Management Report that is signed and stamped by the project engineer which addresses the stormwater impacts and mitigations and demonstrates compliance with the CDC.
 - a. Section C.1: Please provide analysis for the project evaluating threshold for mitigation consistent with the footnotes in this section. Mitigation sizing should be based on the all proposed impervious and semi-pervious areas. Semi-pervious surfacing should include pervious pavements and artificial turf areas (if there are subdrains and/or compaction) at least at 50%. If the gravel storage below the pavers or turf is used as retention or detention volume to meet CDC requirements the pavers/turf shall be considered impervious when designing the mitigation (see the second footnote on page 51 of the CDC). Provide a site map showing the extent of pervious, semi-pervious and impervious areas consistent with the analysis.
 - b. Section C.3.a: Please provide information on the project design and provide analysis consistent with this section. Demonstrate how the predevelopment 10 year and 25 year rates (accounting for areas that bypass and areas that do not drain to Capitola Road) will be maintained consistent with comment No. 2 above. The 10 and 25 year flood control volume sizing provided in the May 10, 2019 report assumes constant release of the predevelopment release rate. How is this provided? The controlled release structure should be configured so that the storage volume for the 10 and 25 year storms are provided at an elevation above the controlled release structure.
 - c. Section C.3.b: Please update the project design to meet this requirement. If Option 2A is chosen, demonstrate how the 2 year, 2 hour storm for the area that drains to Capitola Road and the 25 year storm for the area that drains to the south/southeast will be infiltrated and retained on site. If Option 2B is chosen demonstrate how the 2 year, 2 hour storm from all project areas will be infiltrated and retained on site.
 - d. Section C.3.c: Please include a narrative introduction to the concept of stormwater management on the site in the Stormwater Management Report that addresses each of the Site Design and Runoff Reduction measures called for in this section.
 - e. Update the analysis so that mitigation is based on natural site conditions, please see the CDC Part 3 Section C.3.a (C pre should be 0.3). The post development runoff coefficient and watershed area should be based on the areas actually draining to the facilities (for example landscaped areas that do not/should not (for clogging purposes) should not be routed to

the pervious pavement and rock storage areas without treatment/trap for removing debris to prevent clogging.

5. Provide final civil plans that are adequately detailed for construction and that:
 - a. Provide additional spot elevations, proposed slopes, downspout locations, grades, or other information to show how runoff from all impervious and semi-pervious surfaces will be routed to the pervious pavement and underground rock retention facilities. Provide elevations for the ridges, grade breaks and storm drain inlets consistent with the drainage design. Ensure that there are no hard connections between inlet and outlet facilities so that runoff is directed to infiltration and storage areas prior to discharge.
 - b. Provide details for the proposed artificial turf areas (compaction, materials, subdrains, etc.). Have these areas been considered impervious when sizing the mitigations? Technical justification shall be provided if these areas will be considered pervious or semi-pervious.
 - c. Provide additional details and specifications for the pervious pavement detail. Specify type of surface, minimum depth of each material consistent with the analysis, geotextile required, if any, minimum void ratio of materials, etc. Include minimum surface infiltration rate acceptable and method for testing the infiltration rate as well as acknowledgement that the applicant/contractor shall provide in-situ testing observed by the County inspector and with results prior to project completion.
 - d. Runoff in areas of porous paving should all be directed through the paver surface to the underlying gravel storage and infiltration. If open inlets are proposed in paver areas provide analysis to support their requirement.
 - e. Provide construction staging so that the pervious pavement and gravel storage areas area constructed after all other site disturbance is completed.
6. The existing 10-foot drainage easement shall be quit claimed and abandoned by both the County Board of Supervisors and the Zone 5 Board of Directors. The existing 10-foot wide storm drain easement on the subject property was accepted by the Santa Cruz County Flood Control and Water Conservation District Zone 5 in 2007 and the Board of Supervisors in 2011. There was a note on sheet C0.0 that this easement was to be quit claimed. Please coordinate with County Real Property staff for the quit claim and abandonment procedures.
7. Update the Parcel Map to provide private drainage easements for all drainage facilities that serve upstream areas, for mitigation facilities and for facilities that cross from one lot through the other. Identify who is responsible for the maintenance of the facilities within the easement/s and include a restriction so that no buildings or structures of any kind are built

within the easement. General Note 4 on sheet TM-1 shall not be included on the Parcel Map, the County will not maintain any storm drain or other drainage facilities on the project site.

8. Provide final stormwater improvement plans that are adequately detailed for construction and that demonstrate compliance with the CDC. Design should include provisions for safe overflow, flow control sizing, capacity analysis, treatment, pollution prevention, drain time and vector control assessment. Plans should clearly describe how runoff from all project areas (roof, hardscapes, landscapes, rear yards, etc.) will be routed and should include details such as: surface and invert elevations, slopes, surface details, flow control structures, clean-out facilities at pipe connections/grade/direction changes, materials, installation requirements, compaction/decompaction requirements, etc. Include specifications for testing surface and subsurface infiltration rates for the pervious pavement and detention/retention facilities prior to construction sign-off.
9. Confirm with the water department and sanitation district that the water and sewer line locations relative to the storm drain and infiltration system/s is acceptable and in conformance with state and local standards.
10. Provide markings stating “No Dumping Drains to Bay” or equivalent at all proposed inlets (See Section C.3.d of the CDC). These markings shall be maintained by the property owner and included in the recorded maintenance agreement (see comment No 12).
11. Provide landscape and architectural plans with surfacing, grading, and drainage information for review for consistency with the civil plans. Include finished grades and sump/treatment facilities adequate to ensure clogging of the pervious surface and underground rock storage areas is avoided
12. Record maintenance agreement(s) for stormwater management and mitigation facilities in compliance with section C.3.e of the CDC. Include watershed map, detailed management activities, maintenance requirements, schedule, signs of system failure (ex: any flows offsite for storms smaller than a 2-year storm, surface ponding, flows through the proposed retaining wall, etc.), and responsible party both in the recorded maintenance agreement as well as the final plans. The maintenance agreement should also include the standard language provided in Fig. SWM-25B of the CDC and all applicable items from section C.3.e. Procedures for inspection, maintenance and reporting requirements of the pervious pavement sections shall follow 2nd Nature’s BMP RAM Field Protocol (see: http://2ndnaturewater.com/documents/BMPRAM_FieldProtocols.pdf). Include methods for surface infiltration testing and minimum acceptable rates before maintenance or reconstruction is required.
13. Provide a letter from the geotechnical engineer reviewing and approving the final stormwater management design. If the final plan includes infiltrative stormwater management facilities the geotechnical letter should confirm that the site soils encountered are consistent with the design infiltration rate used in the design.

14. Zone 5 fees will be assessed on the net increase in permitted impervious area following the Unified Fee Schedule in place at final map approval/building permit issuance. The fees are currently \$1.31 per square foot and are subject to increase based on the amount applicable at permit issuance date. Reduced fees (50%) are assessed for semi-pervious surfacing without liners (such as gravel, base rock, paver blocks, porous pavement, artificial turf, etc.) to offset costs and encourage more extensive use of these materials. For credit for existing impervious area provide documentation that demonstrates the impervious area was installed with a previously approved permit or were in place prior to establishment of Zone 5 in 1969.
- F. A Common Interest Ownership Association (Association) shall be formed for maintenance of all areas under common ownership including, sidewalks, roadways, all landscaping, drainage structures, water lines, sewer laterals, fences, silt and grease traps and buildings. A copy of the CC&R's shall be provided to the Planning Department and other reviewing agencies and shall include the following, which are permit conditions:
1. All landscaping within the common area shall be permanently maintained in a good condition by the Association.
 2. All drainage structures, including silt and grease traps and detention facilities, shall be permanently maintained by the Association.
 3. An annual inspection of the silt and grease traps is required. Reports shall be sent to the Drainage section of the Department of Public Works on an annual basis. Inspections shall be performed prior to October 15 each year. The expense for inspections and report preparation shall be the responsibility of the Association.
 - a. A brief annual report shall be prepared by the trap inspector at the conclusion of each October inspection and submitted to the Drainage section of the Department of Public Works within 5 days of the inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the trap to function adequately.
 4. No additional structures or additions to structures shall be constructed unless consistent with the approved development master plan (Exhibit D) and the approved PUD (Exhibit C). Planning Department review and approval of any such improvements shall be obtained prior to any construction.
 5. No inoperable vehicles or other objects, including trailers, boats etc. shall be stored in the shared parking area or in any other portion of the site.
 6. All fencing shall be maintained.
- G. Engineered improvement plans for all water line extensions required by City of Santa Cruz Water District shall be submitted for the review and approval of the water agency.

- H. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries. Backflow prevention devices must be located in the least visually obtrusive location.
- I. In accordance with the request from the Santa Cruz Metro Transportation District, if possible, extend the concrete pad for the relocated bus shelter to be 5 feet behind the sidewalk (11 ft total from curb to back of the shelter pad)
- J. Park dedication in-lieu fees shall be paid for 104 bedrooms. These fees are currently \$750 per bedroom but are subject to change. A fee credit may be granted for bedrooms in the dwellings that are to be demolished. It is the applicant's responsibility to provide the required information to support of a request for a reduction of fees.
- K. Child Care Development fees shall be paid for 104 bedrooms. These fees are currently \$36 per bedroom but are subject to change. A fee credit may be granted for bedrooms in the dwelling that is to be demolished. It is the applicant's responsibility to provide the required information to support of a request for a reduction of fees.
- L. Transportation Improvement fees shall be paid for 57 dwelling units. These fees are currently \$2,100 per unit but are subject to change. A fee credit may be granted for existing dwellings to be demolished. It is the applicant's responsibility to provide the required information to support of a request for a reduction of fees.
- M. Roadside Improvement fees shall be paid for 57 dwelling units. These fees are currently \$2,100 per unit but are subject to change. A fee credit may be granted for existing dwellings to be demolished. It is the applicant's responsibility to provide the required information to support of a request for a reduction of fees.
- N. Roadside Improvement Fees shall be paid for the commercial uses based upon the trip generation as set out in the Traffic Study at a rate of \$300 per daily trip-end generated (995 X 300 = \$298,500)
- O. Transportation Improvement fees shall be paid for the commercial uses based upon the trip generation as set out in the Traffic Study at a rate of \$300 per daily trip-end generated (995 X 300 = \$298,500)
- P. Prior to recordation of the Final Map, the applicant shall enter into a Regulatory Agreement with the County of Santa Cruz, consistent with the approved Affordable Housing Property Disposition Agreement.
- Q. Submit and secure approval of engineered improvement plans from the Department of Public Works and the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements required by the Subdivision Ordinance, noted on the attached Vesting Tentative Map and/or specified in these

conditions of approval. A subdivision agreement backed by financial securities (equal to 150% of engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work. Improvement plans shall meet the following requirements:

1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval. Plans shall also comply with applicable provisions of the State Building Code regarding accessibility.
 - a. Improvements on Capitola Road shall include the construction of an additional eastbound travel lane and relocation of the existing bike lane by removing the existing traffic island and reconstructing the curb, gutter and sidewalk (as indicated on Exhibit D).
 - b. Note on the plans that the proposed east driveway shall be restricted to operate as a right turn in and right turn out only, at all times.
 2. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils.
 3. Details for the installation of required silt and grease traps to filter runoff from the parking area. Submit a silt and grease trap maintenance agreement to the Department of Public Works.
 4. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15 - October 15, clearly marked disturbance envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works and shall be submitted to Environmental Planning staff for review and approval prior to recording of the Final Map.
- R. Submit a final Landscape Plan for the entire site for review and approval by the Planning Department. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the local water district and the following conservation regulations:
1. Turf Limitation. Turf area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall or dwarf fescue.
 2. Plant Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). Native plants are encouraged. Up to 20

percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area), need not be drought tolerant, provided they are grouped together and can be irrigated separately.

3. 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.
4. 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, over-spray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
 - a. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. 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. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.
 - b. 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 used to maximize the efficiency of water applied to the landscape.
 - c. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
 - d. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
- S. Provide details of the layout of the proposed Community Garden adjacent to the western property boundary, to include the following: location of all planting beds, proposed structures (shed) and that the entire area shall be fenced. In addition, the proposed tree planting in the area surrounding the Community Garden shall be designed to ensure the maximum possible sun exposure to the proposed planting beds.
- T. Provide details of an interpretive historical installation (which could be instead of or in addition to a mural) honoring the history of the site and honoring Robert Merriman. This installation shall include references to his role as Commander of the Abraham Lincoln Brigade, the historical importance of the Abraham Lincoln Brigade fighting fascism in Spain, and reference to Merriman as inspiration for the character Robert Jordan in Hemmingway's "For Whom the Bell Tolls". The design of the installation shall be approved by the Historical Resources Commission.

- IV. Prior to any site disturbance or physical construction on the subject property the following condition(s) shall be met:
- A. In order to prevent impacts to nesting birds and special status bats, tree removal activities shall be limited to the period between November 1 and February 1, if feasible. If the tree must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests and special status bats 3-4 days prior to site disturbance. A report with the biologist's findings shall be provided to the Planning Department, in care of the Resource Planner, prior to removal of the tree. If protected birds are nesting or bats are roosting within the project area, tree removal shall be avoided until the young have fledged and roosts are vacated.
 - B. Prior to site disturbance a preconstruction meeting shall be scheduled 1-4 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the arborist, the grading contractor, the soils engineer and the civil engineer. Tree protection fencing and perimeter erosion control will be inspected by Environmental Planning staff. In addition, findings of the bird and bat surveys (if required) will be reviewed.
 - C. Prior to any grading or land alteration for the project a Qualified Storm Water Pollution Prevention Practitioner (QSP) shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP) and comply with general conditions of the National Pollutant Discharge Elimination System (NPDES) permit and specific conditions of the SWPPP. A Waste Discharge Identification (WDID) shall be provided by the QSP at a pre-construction meeting.
 - D. No land disturbance shall take place prior to issuance of building or grading permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
- V. Building and Grading Permits shall be obtained from the Santa Cruz County Building Official for all proposed structures and all proposed earthwork. Prior to the issuance of Building/Grading Permits, meet the following conditions:
- A. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" and with the approved PUD (Exhibit C) on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1. A copy of the text of these conditions of approval incorporated into the full-

size sheets of the architectural plan set.

2. One elevation for the commercial and residential buildings shall indicate materials and colors as they were approved by this Discretionary Application.
3. Show required off-street parking for 190 cars.
4. Show the location of trash and recycling enclosures
5. Provide final details of all proposed business and residential signage (three (3) building-mounted business signs and two (2) free-standing residential monument signs. The maximum combined sign area is 200 square feet.
6. *The developer shall make the buildings energy self-sufficient by generating, storing and transmitting energy from renewable source(s), to the extent that is feasible, based on: availability of grant funding and other revenue sources, design constraints including building code requirements that point to limited use of gas where more efficient than electricity for some equipment, and construction timeline constraints (Added by BoS 11/5/2019).*
7. *The developer will include plans to include a pre-cast concrete fence along a portion of the property line with Leila Court properties (Added by BoS 11/5/2019).*

C. Meet the following requirements of the Environmental Planning Section of the Planning Department:

1. The applicant shall provide 2 copies of the soils report and any addenda with the building/grading permit applications.
2. Building permit plans shall reference the soils report and any addenda, and include a statement that the project shall conform to the report's recommendations.
3. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form.
4. Submit a site-specific stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual. The Manual may be found on our website at sccoplanning.com by navigating to Environmental / Erosion and Stormwater Pollution Control / Construction Site Stormwater BMP Manual.
5. Submit a drainage plan that complies with the requirements set forth in 2016 California Building Code (CBC) Section 1804.4 and the recommendations of the soils engineer.

6. All tree protection fencing shall be shown on the plans.
 7. Building/grading permit application plans shall clearly represent all proposed grading, including any over-excavation and re-compaction as recommended by the geotechnical engineer.
 8. The building/grading permit application shall provide an accurate “limit of grading/disturbance” line in plan and cross-section view and associated disturbed area (in acres). The line should delineate all disturbed areas, including areas for construction access, material/equipment staging, sidewalk and front yard construction, and installation of retaining walls (including the area necessary to excavate behind the retaining wall during construction).
- D. Meet all requirements of the Central Fire Protection District.
- E. Meet all requirements of the Santa Cruz County Sanitation District including, the following:
1. Submit the complete engineered sewer improvement plan that shows the following additional information:
 - a. A note reading: “At the time of completion of the sanitary sewer system installation, the contractor shall provide as-built drawings of the sanitary sewer system for these parcels prepared by a licensed surveyor, to the satisfaction of the District Engineer.”
 2. Demonstrate that the trash enclosures are fully enclosed to prevent intrusion of wind-driven rain fall or surface runoff from entering the sanitary sewer system. Provide building plans, sections, and details as needed.
 3. Provide and install flow metering and odor control equipment in accordance with Sanitation District Code. Alternatively, a payment equivalent to the cost of the installed equipment may be collected at the time the sewer connection permit is obtained.
 4. For the purpose of calculating more accurate annual sewer service charges, consider the installation of separate water meters or sub-meters to determine quantity of domestic water use for the various non-residential tenancies.
 5. To assist the applicant/developer to determine the quantity of domestic and interior water for the purpose of calculating reduced annual sewer service charges, consider the installation of separate water meters, separating irrigation water from domestic water.
 6. If separate building permits are anticipated for each building, attach an approved (signed by the District) copy of the sewer system plan to any building permit submittal.
 7. Pay all sanitary sewer connection fees. At this time the fees it is estimated to be between \$200,000 and \$250,000, plus the cost of the odor control equipment, approximately \$50,000. Please note that these figures are preliminary and are likely to be revised based on the review of the final plans.

- F. 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.
- VI. All construction shall be performed according to the approved plans for the Building Permits. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. 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. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria unless otherwise specifically excepted by these conditions of approval. If pedestrian, bicycle or vehicle traffic will be impacted please include a traffic control plan.
- B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan. Approval of winter grading may or may not be granted.
- C. All site improvements shown on the final approved Building Permit plans shall be installed.
- D. All inspections required by the building permits shall be completed to the satisfaction of the County Building Official.
- E. **To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:**
1. Limit all major site preparation work to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation. The construction of individual dwellings proposed by the project shall also be permitted, between 8:00am and 5:00pm on Saturdays to allow for the use of volunteer labor. Interior finish work such as painting, tiling etc., that does not produce sound that might be heard beyond the boundaries of the parcel (hammering, use of an electric drill, sawing etc.) is not restricted.
 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 applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

- F. Two construction/security trailers (maximum 12 feet by 60 feet) are allowed on the site during the construction. The location of the trailer(s) shall conform to all yard setbacks for the C-1 zone district (10-foot front setback; 0-foot east side setback 30-foot west side and rear setbacks) and shall be shown on the site plan for each phase of construction. Compliance with County Code section 13.10.683 or any successor ordinance is required. A building permit is required for the installation of the construction trailer and the construction trailer shall be removed from the site prior to final inspection of the mixed-use development.
- G. Construction of improvements shall comply with the requirements of the approved geotechnical report(s). The project geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report(s).
- H. Prior to the occupancy of the medical building, the applicant/owner(s) must contact Environmental Health Consumer Protection to discuss medical waste practices, proper bio-waste disposal and obtain a Medical Waste Permit. In addition, the applicant must contact the Hazardous Materials (HM) Program Manager for information on obtaining a Hazardous Materials Management Plan (HMMP).
- I. All required improvements shall be installed and inspected by the Department of Public Works and Planning Department prior to final inspection clearance for all structures.
- J. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

VII. Operational Conditions

- A. Master Occupancy Program: All uses listed in the current C-1 (Community Commercial) use charts are allowed within the proposed commercial structure in conformance with the following requirements:
 - 1. Initial Occupancy of the proposed commercial building shall be Santa Cruz Community Health Centers, Dientes dental clinic and a retail pharmacy use as indicated on Exhibit D.
 - 2. Future Changes of Occupancy:
 - a. Changes of use of the medical/dental office tenant spaces to another, similar clinic or office use, or of the retail pharmacy to a different pharmacy are allowed without any additional permit requirement.
 - b. Changes of use within the retail portion of the building to another use

allowed in the Neighborhood Commercial zone district are allowed, pursuant to an over-the-counter Change of Occupancy Permit, where there is no intensification of use. Commercial intensification of use is defined by County Code 13.10.700-I (or a successor ordinance).

- c. Changes of use within the medical/dental clinic portion of the commercial building, to another use allowed in the Neighborhood Commercial zone district are allowed, pursuant to the approval of an Administrative Use Permit that includes public notification (Level IV). Approval of the proposed use shall be based upon a revised parking analysis for the entire development site demonstrating that sufficient parking will be available for all residential and existing/proposed commercial uses. This requirement may be waived by the Planning Director, if it can be conclusively determined, without any requirement for a revised parking analysis, that the proposed change of use would not result in an intensification of use. In which case, an over-the-counter Change of Occupancy Permit may be issued.

B. All uses on the site are required to be properly licensed and inspected as may be required by Federal, State or County standards.

C. Hours of Operation:

1. The hours of operation for Santa Cruz Community Health Centers shall be 8:00am to 8:00pm Monday through Friday. On Saturdays the clinic shall be open for a maximum of 8 hours between 8:00am and 5:00pm (e.g. 8:00am to 4:00pm).
 - a. During Saturday operating hours staffing capacity shall be 50% of the regular weekday level and the clinic shall offer only limited services.
2. The hours of operation for Dientes shall be 8:00am to 5:00pm Monday through Friday. On Saturdays the clinic shall be open for a maximum of 8 hours between 8:00am and 5:00pm (e.g. 9:00am to 5:00pm).
 - a. During Saturday operating hours staffing capacity shall be 40% of the regular weekday level and the clinic shall offer only limited services.
3. The hours of operation for the retail space (pharmacy) shall be between 8:00am to 8:00pm Monday through Friday and on Saturdays and Sundays 8:00am to 6:00pm.

VIII. In the event that future County inspections of the subject property disclose non-compliance 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 and/or necessary enforcement actions, up to and including Approval revocation.

IX. 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.

AMENDMENTS TO THIS DEVELOPMENT PERMIT APPROVAL SHALL BE PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE.

This Vesting Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the date of approval. The Final Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking at least 90 days prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

cc: County Surveyor

By signing below, the owner agrees to accept the terms and conditions of approval of Application 181579 and to accept responsibility for payment of the County's cost for inspections and all other action related to noncompliance with the permit condition. The approval of Application 181579 is null and void in the absence of the owner's signature below.

Property Owner(s) signatures: Executed on: _____ (Date)

(Signature) (Print Name)

(Signature) (Print Name)

(Signature) (Print Name)

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL
BE ATTACHED.**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA, COUNTY OF SANTA CRUZ} ss

On _____, before me, _____, Notary Public, personally appeared _____, who 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 on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature _____
(Signature of Notary Public)

1500 Capitola Road: Development Permit Application Resubmission
Statement of Design Parameters

Site Design Overview

1500 Capitola Road is proposed to be a horizontal mixed-use development consisting of a 57-unit affordable housing development, a dental clinic with administrative space, a medical clinic with office space and ground floor community serving commercial retail space, and a central plaza open to the general public. The residential portion will be owned and operated by an affiliate of MidPen Housing Corporation, and is located in the rear of the development site. The housing community is proposed to include four (4) three-story buildings containing a total of 57 apartment homes, a community building for residents, property management and resident services offices, and enclosed secure bicycle storage. Specifically, the community building ground floor includes a community room with kitchen and computers, a learning center for the provision of children's after school services, a laundry room, a restroom, and a property management office, with two residential units above. The other three buildings wrap around a large central green space with two distinct BBQ and picnic spaces, a children's playground, an open lawn, and seating throughout. New trees will be planted along the perimeter of the open space.

The commercial developments fronting Capitola Road include a two-story medical clinic with administrative spaces that will be owned and operated by Santa Cruz Community Health Centers (SCCHC) and a two-story dental clinic with administrative spaces that will be owned and operated by Dientes Community Dental (Dientes). Additionally, the SCCHC building includes a ground floor, community serving retail space. Both organizations will share an elevator vestibule and central, exterior stairway tower, and a raised walkway will connect the second floors of the two buildings. In between these buildings and fronting Capitola Road is a large public plaza that is designed for neighborhood gatherings, including a sunken green space, seating, artistic sculptures, and a wall mural honoring the history of this site. The three development partners will share site infrastructure, circulation, and parking.

The total gross building square footage on site is 91,493 SF. The gross residential square footage of the site, inclusive of private open space balconies, is 61,275 SF, or 66.9% of the total. The exterior stair tower and elevator vestibule located in the public plaza are not counted towards this total, given that they are both unconditioned spaces.

Compatibility with Surrounding Development

The Live Oak neighborhood has an eclectic mix of one and two story residential and commercial buildings. Architectural styles vary from beach bungalow, arts and crafts, mid-century modern, ranch, Spanish eclectic and post-war minimal traditional styles. Building exteriors generally reflect traditional shapes (gable roofs, hip roofs, flat roofs) and exteriors are often clad in wood or cement plaster materials. Design styles continue to evolve as the community redevelops over time.

The proposed residential units located to the rear of the property include horizontal siding, gable and hip roof shapes in keeping with the architectural design vocabulary visible throughout the community. The scale, pattern and trim work of windows and door openings are also consistent

1500 Capitola Road: Development Permit Application Resubmission
Statement of Design Parameters

with the character of the neighborhood. The proposed commercial buildings located along Capitola Avenue are two story with flat roofs to minimize overall building height and provide scale similar with surrounding commercial structures. The exteriors of these buildings incorporates wood and cement plaster finishes consistent with materials used throughout the community. The contemporary exterior design style and multi-use urban public plaza space provide the community with quality architectural design while respecting the overall scale and character of the neighborhood.

Statement of Design Changes in Resubmittal due to Plan Line Implementation and County Land Dedication

On February 5, 2019, representatives of the County Planning and Public Works Departments met with the Applicant and provided additional feedback regarding required design changes which were not incorporated in to the Agency Comments received on December 19, 2018. Given the proposed future widening of Capitola Road, the County is requiring a Right of Way dedication based upon the 1991 Plan Line Study. Both the County and the Applicant agreed that the elimination of the existing street trees wasn't preferable, nor was placing the sidewalk directly abutting the newly widened road. Therefore, in order to balance tree preservation, pedestrian safety, and overall aesthetic appeal of the development frontage, site design modifications were made.

First, the installation of a continual planting strip along the curb provides a buffer between Capitola Road and the sidewalk and incorporates existing trees #36, #37, #38, and #61. For tree #61, which is the largest and most prominent on the site, the planter already designed in the original submittal was widened based on the revised arborist recommendations and the sidewalk jogs into the public plaza space in order to circumvent the planter without nearing the road. The Applicant has agreed to provide a public access easement for the sidewalk sections that extend into the subject property. Finally, planter pots and vertical greening elements (vine trellises) have been incorporated into the frontages of Buildings #1 and #2's to increase frontage appeal.

Additionally, the revised property boundary subsequently alters the required 10' building setback, which necessitated modification of the footprints of both Building #1 and Building #2. The buildings' frontages were pulled back, shortening the length and then widened to make up for lost space, which consequently caused a small reduction in the public plaza square footage. However, the Applicant contends that the public benefit arising from the aforementioned design changes to the street frontage and sidewalk are appropriately balanced with the public benefit of the plaza.

Lot Line Subdivision

Preliminary Site Plan sheet C1.0 includes the proposed lot line adjustment for the division of the development site amongst the co-applicants, plus the County right-of-way land dedication. As part of the original entitlement submittal, the co-applicants proposed to provide the public plaza area to the County for public use. However, after County Planning discussed this opportunity with the Department of Parks, Open Space and Cultural Services, the County decided against ownership.

1500 Capitola Road: Development Permit Application Resubmission
Statement of Design Parameters

Therefore, the plaza space is now subsumed into the Dientes and SCCHC parcels. The revised adjustment is summarized as follows:

<u>NEW LOT NO.</u>	<u>OWNER</u>	<u>AREA (SF)</u>	<u>BUILDING AREA (SF)</u>
1	DIENTES	27,041	6,045
2	SCCHC	27,040	9,752
3	MIDPEN	102,772	20,827
4/ R/W	SC COUNTY	2,258	–

Sign Program Exception Request

As part of the County Comments received on December 19, 2018, there was a requirement to “request a Sign Exception in accordance with the provisions of County Code section 13.10.587.” The Applicant requests an administrative exception to the sign requirements for C Districts codified in SCCC Section 13.10.581 due to the particular signage needs caused by the horizontal mixed use nature of the proposed project. First, the residential portion of this development will have no frontage on Capitola Road and as a result will need to have a stand-alone monument sign installed to notify residents, visitors, and business services of the residential development’s location. Therefore, we are proposing two freestanding signs for the residential development – one on the northwest corner of the project site, adjacent to the western vehicular driveway and pedestrian pathway leading into the site, and a second at the development’s front entrance adjacent to the community building. Per code, only one business or identification sign is allowed per site, unless the second is a “small pedestrian-oriented” sign. As shown in the Signage Program (Plan Sheet A960), both residential monument signs are proposed to measure 6’-11½” in width, 5’ in height, and 1’-3” in depth and therefore would exceed the code’s sign requirements.

The two commercial buildings at the front of the property will be shielded from Capitola Road by a mature fern pine as well as several younger street trees that County Planning requested be preserved. As a result of these green features, the signage for the Santa Cruz Community Health Centers clinic, Dientes Community Dental clinic, and the proposed retail space will need to be larger than allowed by code to ensure visibility for vehicles driving along Capitola Road and clear identification by patients and visitors. Per Plan Sheet A960, for Building #1, the Health Centers sign will be placed on the façade of the building and will be 52’-8” wide by 3’-5” tall and the Retail Space sign will also be wall mounted and will be 38’-4” wide by 3’-5” tall. For Building #2, the Dientes Dental sign will also be placed on the façade of that building and will be 56’ wide by 3’-5” tall. For building mounted signs, the code states that the sign sizing is ½ square feet of sign area per foot of building width. Building #1 is 109’-2” wide, thereby allowing 54.58 square feet of signage, which the proposed signs exceed. Building #2 is 63’-7” wide, allowing 31.8 square feet of signage, which the proposed sign exceeds.