



# A G E N D A

Meeting of the  
**Scotts Valley City Council**  
**In-Person and Remote Access**  
**Date: February 1, 2023**  
**Time: 6:00 PM**

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference <a href="https://us02web.zoom.us/j/84611601027">https://us02web.zoom.us/j/84611601027</a>	The agenda was posted on 1-27-2023 at City Hall, SV Senior Center, SV Public Works and on the Internet at <a href="http://www.scottsvalley.org">www.scottsvalley.org</a> .

ELECTED OFFICIALS	CITY STAFF MEMBERS
Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	Mali LaGoe, City Manager Kirsten Powell, City Attorney Cathie Simonovich, City Clerk Lauren Lambert, Deputy City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS
<p><b>Notice regarding City Council Meetings:</b>            The City Council meets regularly on the 1st and 3rd Wednesday of each month at 6:00 PM in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066, and via Zoom Webinar remote access.</p> <p><b>Agenda and Agenda Packet Materials:</b>            The City Council agenda and the complete agenda packet are available for review by 5:00 PM the Friday before the Wednesday meeting on the Internet at the City's website: <a href="http://www.scottsvalley.org">www.scottsvalley.org</a> and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at <a href="http://www.scottsvalley.org">www.scottsvalley.org</a>.</p> <p><b>Public Participation:</b>            The meeting will be available on Zoom and livestreamed to the City of Scotts Valley's YouTube channel: <a href="https://www.youtube.com/channel/UC...">City of Scotts Valley, California - YouTube</a>            For those wishing to participate via Zoom you can join the following ways:            Zoom Webinar meeting link: <a href="https://us02web.zoom.us/j/84611601027">https://us02web.zoom.us/j/84611601027</a></p>

Or dial one of these numbers: (669) 900-9128 or (669) 444-9171  
Webinar ID: 846 1160 1027

Whether attendance is in-person or remote, you will be given opportunities to provide public comment at the appropriate times throughout the meeting. The time limit is up to 3 minutes for an individual, or 5 minutes for someone who is representing a group of three or more, at the discretion of the Mayor. Please note that this is not a question-and-answer time, but simply a time to provide comments to the Council. At the appropriate times during the meeting for public comment, on items not on the agenda, and on specific agenda items, the Mayor will announce that public comment will be accepted.

**How to comment via in-person attendance:**

Please proceed to the public comment podium when the Mayor opens the item for public comment.

**How to comment via Zoom Webinar:**

Use the webinar attendee option to “raise hand” when the Mayor opens the item for public comment. The Clerk will unmute you when it is your turn. If you have joined via Zoom phone call, dial \*9 or your phone to “raise your hand”, and the Clerk will unmute you when it is your turn.

**CALL TO ORDER 6:00 PM**

**PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

**ROLL CALL**

**COMMITTEE REPORTS**

Council members are appointed to committees which are either City committees or committees dealing with other jurisdictions. This portion of the agenda allows the committee member to present oral or written reports to the Council regarding their committee assignments. It also allows the Council to make comments and give the committee member direction, as required.

**CITY MANAGER REPORT**

**PUBLIC COMMENT TIME**

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

**ALTERATIONS TO CONSENT AGENDA**

Council can remove or add items to the Consent Agenda.

**CONSENT AGENDA**

The Consent Agenda is comprised of items which are intended to be non-controversial and are approved without discussion. Persons wishing to speak on any item may request the item be

moved to the Regular Agenda by raising their hand to be recognized by the Mayor. An item will only be moved from the Consent Agenda to the Regular Agenda if a City Council Member requests it to be moved and a majority of the Council agrees.

- A. Approve City Council regular meeting minutes of 12-07-2022 and 01-18-2023; and special meeting minutes of 01-18-2023
- B. Approve check registers dated 01-19-2023 and 01-26-2023
- C. Second reading and adoption of Ordinance No. 16-ZC-232 to change the zoning on Lot 1 from Service Commercial (C-S) to Medium High Residential (R-M-6) and Ordinance No. 16-ZC-233 approving a planned development district overlay (PD18-002) for the development of mixed-use commercial and residential development which includes 24,973 sf. of commercial, eight townhomes, and 44 apartments, on a 3.56 acre parcel located at the intersection of Mt. Hermon Road and Glen Canyon Road/APN 022-162-76

**ALTERATIONS TO REGULAR AGENDA**

Council can remove or add items to the Regular Agenda.

**REGULAR AGENDA**

Persons wishing to speak on any item may do so by raising their hand to be recognized by the Mayor.

- 1. Future Council agenda items  
(This portion of the Regular Agenda allows the Council to determine items to be placed on a future agenda and to choose a date, if so desired.)

**CONVENE TO CLOSED SESSION**

**CLOSED SESSION SUBJECT(S)**

- (1) Public Employee Annual Performance Evaluation  
Legal Authority: Government Code Section 54957(b)(1)  
Position: City Manager  
Staff Present: City Manager, City Attorney

**RECONVENE TO OPEN SESSION**

**REPORT ON ACTION TAKE DURING CLOSED SESSION**

**ADJOURNMENT**

**ADA NOTICE**

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5600 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

**PROCEDURAL INFORMATION FOR THE PUBLIC**

**THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN APPROVAL OF A RESOLUTION:**

1. Move the Resolution number for approval.
2. Second the motion.
3. Vote by body, a roll call vote is not required.

**THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN INTRODUCTION/ADOPTION OF AN ORDINANCE:**

1. Move the Ordinance number for introduction (or adoption).
2. Move the Ordinance be introduced by title only and waive the reading of the text.
3. Read the Ordinance title.
4. Second the motion.
5. Vote by body, a roll call vote is not required.

**THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN PUBLIC COMMENT/PUBLIC HEARINGS:**

Unless otherwise determined by the presiding officer of the meeting:

1. Three minutes allowed per individual to speak.
2. Five minutes allowed per individual representing a group of three or more.



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# MINUTES

Meeting of the  
**Scotts Valley City Council**  
**Date: December 7, 2022**  
**Time: 6:00 PM**

<b>CONTACT INFORMATION</b>	<b>MEETING LOCATION</b>	<b>POSTING</b>
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 and Zoom Video Conference	The agenda was posted at City Hall, the SV Public Works Building, the SV Senior Center and on the Internet at <a href="http://www.scottsvalley.org">www.scottsvalley.org</a>

## **CALL TO ORDER 6:00 PM**

The City Council meeting was called to order at 6:06 PM.

## **PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

<b>ROLL CALL</b>	
<b>ELECTED OFFICIALS PRESENT:</b> Donna Lind, Mayor Jack Dilles, Council Member Randy Johnson, Council Member Derek Timm, Council Member	<b>CITY STAFF MEMBERS PRESENT:</b> Mali LaGoe, City Manager Kirsten Powell, City Attorney Taylor Bateman, Community Development Director Chris Lamm, Public Works Director/City Engineer
<b>ELECTED OFFICIALS ABSENT:</b> Jim Reed, Vice Mayor	Cathie Simonovich, City Clerk Lauren Lambert, Deputy City Clerk

## **COMMITTEE REPORTS**

CM Dilles attended the Affordable Housing Subcommittee meeting along with CM Timm. The focus of the meeting was the Oak Creek Park project which will be discussed later in the agenda.

CM Dilles attended a meeting of the Integrated Waste Management Local Taskforce, and they discussed issues surrounding implementing organics recycling countywide.

CM Dilles attended a webinar which was presented by the State Legislative Analyst's office where they made some predictions about where the economy and the state budget are heading.

CM Dilles had a conversation about public banks with a retired banker. The County has put out Requests for Proposals for determining the viability of public banks.

CM Timm, as mentioned by CM Dilles, attended the Affordable Housing Subcommittee.

CM Timm, along with CM Johnson, attended a Town Center Subcommittee meeting where they focused on the timeline for the project.

CM Timm thanked the City Staff for putting together the Diversity, Equity and Inclusion (DEI) training. The training was very valuable, and the Council Members appreciated the opportunity to participate in the training.

CM Johnson attended a meeting of the Regional Transportation Commission (RTC). They discussed the two phases of the EIR study which will analyze costs and projections of the potential rail system. CM Johnson voted against the EIR study; however it did pass.

CM Johnson attended the Town Center Subcommittee meeting and emphasized that the plan is moving forward.

Mayor Lind thanked the Exchange Club, the Police Department and the City Staff for supporting the annual tree lighting event, *Light up the Night*. This was a successful event, and the proceeds will go to Valley Churches United.

Mayor Lind, along with CM Timm, attended the ribbon cutting ceremony for Dientes in Santa Cruz.

## CITY MANAGER REPORT

**Historical Society:** City Manager LaGoe thanked the Historical Society for the holiday lunch event for City Staff on December 6<sup>th</sup>. Staff enjoyed the food, the tours of the Scott House, seeing the artifacts, and visiting with the Historical Society members.

**FlashVote:** This is the City's survey tool, and a new survey regarding the City's recreation program was recently sent out. Please sign up for FlashVote by going to the City's Facebook page. Once signed up, residents will be able to provide valuable feedback on a wide variety of topics of interest pertaining to Scotts Valley.

**City Staffing:** The City recently hired an analyst in the Public Works Department and a new Maintenance Supervisor will also be starting soon. The second round of interviews were completed for the position of Recreation Coordinator.

**Community Garden:** The Recreation Department has been revamping the Community Garden.

**Engineering:** The demolition of the Public Works building will happen in the next couple of weeks. A lot of work has been completed in preparation for this to happen. Additionally, the street stripping project is in process.

**Public Outreach Videos:** The City will be utilizing a free service provide by CGI, to create educational videos about Scotts Valley. This will be useful for both the City and local businesses.

**Technology Improvements:** The new phone system implementation is complete. This was a huge project several years in the making, and it greatly improves service to our customers. Related to this, the City invested in an online training program called Knowledge Wave.

**Maintenance Crews:** City Manager LaGoe thanked the Maintenance crews who have been out in the stormy weather making sure that the storm drains and the roads are clear.

#### **PUBLIC COMMENT TIME**

A video was shown to honor Vice Mayor Reed for his many years of service to Scotts Valley City Council.

#### **ALTERATIONS TO CONSENT AGENDA**

CM Johnson requested that Consent Agenda Item F and Consent Agenda Item G be moved to the regular agenda. The items were moved to the Regular Agenda as Item 1A and Item 1B, respectively.

#### **CONSENT AGENDA**

- A. Approve City Council minutes of 11-16-2022 and 11-18-2022
- B. Approve check registers dated 11-17-2022, 11-21-2022, and 12-01-2022
- C. Approve City Council meeting schedule for 2023
- D. Second reading and approval of Ordinance 157.2 amending Municipal Code Chapter 2.70 – Purchasing
- E. Adopt Resolution No. 1991.2 accepting the Fiscal Year 2021-2022 AB 1600 Development Impact Fee Report
- ~~F. Award Parks Master Plan and Recreation Strategic Plan - moved to Regular Agenda Item 1.A~~

~~G. Approve Skypark play structure purchase and installation – moved to Regular Agenda Item 1.B~~

**M/S: Dilles/Timm**

**To approve the amended Consent Agenda, with Item F and Item G moved to the Regular Agenda as Item 1A and Item 1B, respectively.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

#### ALTERATIONS TO REGULAR AGENDA

**M/S: Dilles/Timm**

**To approve the Regular Agenda as amended to include Item 1A and Item 1B moved from the Consent Agenda.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

#### REGULAR AGENDA

1A. Award Parks Master Plan and Recreation Strategic Plan

1B. Approve Skypark play structure purchase and installation

CM Johnson had questions about the process for the Parks Master Plan and Recreation Strategic Plan and the fiscal aspects of both Item 1A and Item 1B . City Manager LaGoe and Public Works Director Lamm responded to the questions.

**M/S: Johnson/Dilles**

**To approve Regular Agenda Item 1A and Item 1B.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

1. CalPERS Pension Funding Policy approval and Section 115 Trust next steps

City Manager LaGoe introduced this item and turned it over to Mike Myers and Matt DeFilippis from NHA Advisors. Mr. Myers and Mr. DeFilippis presented a PowerPoint presentation and responded to questions from Council

**M/S: Timm/Johnson**

**To approve the Pension Funding Policy, adopt Resolution No. 2017.1 extending the Temporary Project Specific CalPERS Pension Cost Management Committee through June 30, 2023, and to authorize the City Manager and the Committee to evaluate and select a provider responsible for setting up the Section 115 Trust.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

**PUBLIC HEARING(S)** (To be heard after 6:30 p.m.)

1. Public Hearing: Consideration of the Planning Commission's recommendation of approval for Environmental Review, a General Plan Amendment, Zone Change, Planned Development Zoning, Minor Land Division and Planned Development Permit/Design Review application to allow for the construction of a mixed use commercial and residential development on a 3.56-acre site at the intersection of Glen Canyon and Mt. Hermon Road (APN: 022-162-76). Project land uses include 24,973 square feet of commercial, eight townhomes, and 44 apartments.

Community Development Director Bateman introduced Susie Pineda, Contract Planner; and Bill Wiseman from Kimley Horn, California Environmental Quality Act (CEQA) Consultant. Both Ms. Pineda and Mr. Wiseman gave PowerPoint presentations. Written public comments received prior to the publishing of the agenda were included in the agenda packet. Written public comments that were received after the publishing of the agenda will be included as part of the official minutes. Also speaking were Charlie Eadie, Applicant; Greg Eggers, Property Owner; Todd Creamer, Project Engineer; and Matthew Thompson, Architect.

- The public hearing was opened at 7:52 PM

Public comments were received from the applicant Charlie Eadie, Tim Willoughby from Affordable Housing Now; and Scotts Valley residents Walt Heil, Bill Jaeger, Bennett Williamson, Bill Holl, Patrick Shay, Linda Kerner, and Carolyn DeLucia.

- The public hearing was closed at 8:39 PM

Adopt Resolution No. 2020 Certifying the Environmental Impact Report

***M/S: Dilles/Johnson***

***To adopt Resolution No. 2020 certifying a final Environmental Impact Report (EIR 19-004) for the Oak Creek Park project consisting of a mixed use commercial and residential development which includes 24,973 square feet of commercial, eight townhomes, and 44 apartments on a 3.56 acre parcel.***

***Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)***

- Adopt Resolution No. 2020.1 Approving the General Plan Amendment

***M/S: Johnson/Dilles***

***To adopt Resolution No. 2020.1 approving a General Plan Amendment (GPA 18-001) to change the existing general plan land use designation on Lot 1 from service commercial to medium high density residential.***

***Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)***

- Introduce and approve first reading of Ordinance No. 16-ZC-232 Approving the Zone Change

**M/S: Johnson/Dilles**

**To introduce Ordinance No. 16-ZC-232 to approve the Zone Change No. ZC18-001 to change the zoning on Lot 1 from service commercial (C-S) to medium high residential (R-M-6) and waive the reading thereof.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

- Introduce and approve first reading of Ordinance No. 16-ZC-233 Approving the Planned Development Zoning

**M/S: Johnson/Dilles**

**To introduce Ordinance No. 16-ZC-233 to approve a Planned Development District Overlay (PD18-002) for the development of a mixed-use commercial and residential development which includes 24,973 square feet of commercial and 44 apartments, on a 3.56 acre parcel and waive the reading thereof.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

- Adopt Resolution No. 2020.2 Approving the Land Division

**M/S: Dilles/Johnson**

**To adopt Resolution No. 2020.2 approving the minor land division (MLD 18-003) of the Oak Creek Park development to subdivide the existing 155,350 square foot parcel into two lots to allow a mixed use commercial and residential development which includes 24,973 square feet of commercial, eight townhomes, and 44 apartments located at the intersection of Mt. Hermon Road and Glen Canyon Road with conditions of approval as amended by City Council direction this evening.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

- Adopt Resolution No. 2020.3 Approving the Planned Development Permit and Design Review

**M/S: Johnson/Dilles**

**To adopt Resolution No. 2020.3 approving the Planned Development Permit (PD 18-002) and Design Review Permit (DR 18-007) for the Oak Creek Park project, a mixed use residential and commercial project which includes 24,973 square feet of commercial, eight townhomes, and 44 apartments located at the intersection of Mt. Hermon Road and Glen Canyon Road with conditions of approval as amended by City Council direction this evening.**

**Carried 4/0/1 (AYES: Dilles, Johnson, Lind, Timm; NOES: None; ABSENT: Reed)**

**REGULAR AGENDA (resumed)**

- 2. Future Council agenda items  
None

**ADJOURNMENT**

The meeting adjourned at 10:19 PM.

Approved: \_\_\_\_\_  
Jack Dilles Mayor

Attest: \_\_\_\_\_  
Cathie Simonovich, City Clerk

December 4, 2022

**Scotts Valley City Council, via email**

RE: Public Comment - Residential Concerns

Oak Creek Park Develop Plan, APN: 022-162-76, corner of Glen Canyon and Mt. Hermon Road

**Dear distinguished members of the Scotts Valley City Council:**

My wife Tiffany and I have lived in Scotts Valley for over two decades. We have had the pleasure of getting to know some of you through sports and working together to improve our schools.

We reside at [REDACTED], Scotts Valley, CA 95066 [REDACTED]. Our home is directly behind the northeast corner of the Proposed Mixed Use Building A on Lot 2 of the Oak Creek Park construction project.

I find it interesting that the meeting minutes provided by the Scotts Valley Planning Commission for both the June 9<sup>th</sup> and September 8<sup>th</sup> meetings contain attachments that promote the Development but exclude my comment letters provided to the Planning Commission in advance of each of those respective meetings. I have attached copies of my correspondences to this letter.

Tiffany expressed our concerns at the Scotts Valley Planning Commission meeting on June 9, 2022, and I reiterated them again at the September 8, 2022 meeting. Unfortunately, we feel that most of the concerns we raised were summarily dismissed by the Project Applicant as well as a vocal member of the Scotts Valley Planning Commission who expressly indicated all concerns raised by neighboring parties had been properly addressed.

Please note that we are not trying to stand in the way of the overall Oak Creek Park development plan. We are merely asking for your due consideration of the concerns I outline below before proceeding with your vote on the Oak Creek Park development plan.

**Issue 1: Six Coastal Redwoods:**

One of our major concerns is associated with the health of the six Coastal Redwoods lining the back of my property and the northeast side of the Building A proposed development and any personal or property liability we may have should these trees die as a result of this development. These are the Protected Trees 3A, 4A, 5A, 6A, 7A and 8A in the Tree Assessment Chart - Appendix A on page 17 and the Tree Protection Plan on page 21 of the certified Arborist Report issued on November 10, 2022.

We consistently represented in both Planning Commission meetings that the root systems of a Coastal Redwood may run several feet deep and up to one hundred feet outward from the trunk. We have also noted that these Redwoods likely rely on underground springs running along the properties down the Mount Herman side of the Lucia Lane properties adjacent to this proposed development.

The Building A development plans in Diagram A2.0 appear to show a four-story complex on Lot 2 with the northeast corner of Building A just twenty feet from my adjacent property line. Assuming I have properly interpreted the architectural plan Diagram A6.1, the bottom two stories (underground parking / commercial space, see Page 237 of the City Council agenda documents) will be below grade just twenty feet from my property line and less than 25 feet from my protected Coastal Redwoods.

I specifically questioned during the September 8, 2022 meeting how the Applicant can indicate that only minimal grading not more than 12" (per page 9 of the September meeting notes) will occur near my property line when the Applicant will apparently need to dig over 20 feet down just 20 feet from our adjoining property lines (and less than 25 feet from my Redwoods) in order to build the two-story underground parking structure. See Site Diagram A6.1 for the pictorial view I am referring to. This major excavation within 25 feet of my mature Redwoods will highly likely impact 75% of my Redwoods' root systems in that area. I cannot see how this will not impact the long-term health of our Redwoods. I find the Applicant's not more than 12" grading representation to be intentionally misleading. It appears that the independent arborist has also relied upon this representation in drawing his conclusions per page 12 of his report that the construction will likely have a "low impact" on my Coastal Redwoods. I am also curious how the Arborist can be independent when hired and paid for by the Applicant.

I am asking the City Council to consider having the Applicant and Independent Arborist relook at these representations and findings.

A potential remedy would be for the Applicant to indemnify me against any personal or property damage claims should my Redwoods die and harm another within an agreed to period following the construction.

## **Issue 2: Trash Bin location**

We have also highlighted that I am what is called a "sensitive receptor" as described in the Environmental Impact Report. I have noted that I am highly sensitive and subject to migraines due to various odors and allergens. I remain very concerned about the impact on my health and well-being in that the major trash receptacles (four industrial size trash bins) for the property will be situated approximately 25 feet from the back of my adjacent property line. I understand that my estimated 25 feet setback conflicts with the Applicant's 45 feet setback representation on page 9 of the September 8th Planning Commission meeting minutes. My estimate is based on the Site Diagram A2.0 which shows the northeast corner of Building A on Lot 2 will be right up to the 20-foot setback with the 10 by 30-foot trash bin enclosure located just south of that northeast corner of Building A. It sure does not appear to be 45 feet away from my property.

We ask the City Council to consider having the Applicant seriously consider whether there are any other locations on the 3.5-acre property that can house these trash receptacles in addition to confirming their assertions regarding the location of the bins. We unfortunately feel they have not yet attempted to actually address our concerns with this mass garbage bin location.

**Issue 3: Parking Lot Ventilation**

Considering the prevailing onshore winds, we have raised a similar concern about how the parking lot will vent fumes directly into our property. This will in turn impact my health and our enjoyment of our home. I asked whether there are any venting options to minimize this potential impact. The only response we obtained from the Applicant is that they will rely on natural venting that is in compliant with State building regulations.

We ask the City Council to consider whether there are any parking lot ventilation mitigations that can be further explored.

**Issue 4: Building Height Exception**

We ask the City Council to consider whether it is in Scotts Valley's best interests to allow an over 10 foot exception to our existing building height codes. This exception will likely lead to even further exceptions in the future.

Please contact me on my cell number noted below if you wish to discuss any of the above matters directly.

Thank you for your consideration of the concerns we have raised regarding the proposed Oak Creek Park development.

Sincerely,

Patrick Shay  
[REDACTED]  
Scotts Valley, CA 95066  
[REDACTED]

Attachments:

Comment letter to City of Scotts Valley Planning Commission delivered via email dated June 9, 2022  
Comment letter to City of Scotts Valley Planning Commission delivered via email dated September 6, 2022

CC: City of Scotts Valley Planning Commission, via email.

## 52-unit "Oak Creek Park" housing proposal

Steve [REDACTED]

Sun 12/4/2022 7:00 PM

To: SVCH-cityhall <cityhall@scottsvally.gov>

CyAs Tech

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Hello,

I would like to comment on the Oak Creek Park housing proposal. I live at [REDACTED] and while I typically support growth, there are two significant issues with this proposal.

1. Water. Adding 52 Units will significantly increase usage. If there is no way to offset this, I would suggest reducing the number of units by eliminating a portion of the apartments.
2. Traffic. Currently Glen Canyon to Oak Creek to Quien Sabe to Scotts valley Drive is used as a cut through with a significant amount of traffic and speeding. It is already a safety issue for the residents here. Sans a guarantee of mitigation such as speed bumps on Oak Creek Blvd, I will vigorously oppose this.

Thank you, I can be reached at the number below if needed,

Steve

--

Steve Yatson

+1 831 295 0777  
[REDACTED]

From: Carolyn DeLucia <[REDACTED]>  
Sent: Wednesday, December 7, 2022 9:33 AM  
To: SVCH-cityhall <[cityhall@scottsvalley.gov](mailto:cityhall@scottsvalley.gov)>  
Subject: Oak Creek Park Proposal

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To the Scotts Valley City Council:

I'm writing to express my opposition to development of the Oak Creek Park development as proposed, including adaptation of zoning changes. I was not aware that the Planning Commission held public hearings about this, since I received no notification. The proposed development would directly affect me and my neighbors. My biggest concern is traffic through the residential streets of Quien Sabe/Oak Creek Blvd, and increased traffic on Mount Hermon Road that would further increase safety hazards.

Firstly, drivers on Scotts Valley Drive traveling from north Scotts Valley towards Glen Canyon frequently turn left up Quien Sabe, right onto Oak Creek and "cut over" to Glen Canyon in order to avoid waiting at two left turn signals: one to turn left on Mount Hermon Road and one to turn left on Glen Canyon. The City is aware of this, because there used to be a sign on Scotts Valley Drive before Quien Sabe that stated "No Left Turn" to prevent Oak Creek from being turned into a thoroughfare, but it was removed by a vote of the City Council. I attended the City Council meeting when it's removal was discussed and approved. Despite the City's knowledge of the potential impact to the Scotts Valley Heights neighborhood, and the development even being named Oak Creek, it does not seem the traffic impacts to the residential neighborhood were considered in the plan. This development will **greatly** increase the number of drivers "cutting through" a and create a safety hazard. There are no sidewalks on Oak Creek Blvd and minimal street lighting. Statistics show that pedestrians on streets without sidewalks are **200 percent** more likely to be involved in crashes than pedestrians on streets with sidewalks. (See <https://uli.org/wp-content/uploads/ULI-Documents/Building-Healthy-Corridors-ULI.pdf>).

In addition, Mt. Hermon Road is one of the busiest streets in Santa Cruz County, and it is unsafe. The lights are not synced, intersections are at times clogged and completely blocked, and red lights are ignored. I did not see that the applicant submitted an analysis by a traffic engineer demonstrating that Mt. Hermon Road can accommodate the increase in traffic and allow for bus access. The proposed development is close to the Middle School where traffic is at times severely congested, putting students in danger.

I am requesting that you vote against this project as is, and against rezoning to Medium High Residential, and I am also requesting that impacts to the surrounding residential neighborhood be addressed by a traffic engineer.

**From:** Alasdair Drysdale [REDACTED]  
**Sent:** Tuesday, December 6, 2022 1:20 PM  
**To:** Susie Pineda <[spineda@m-group.us](mailto:spineda@m-group.us)>  
**Subject:** Re: Oak Creek Development

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you know the content is safe. Be aware that the sending address can be faked or manipulated.

Hi Susie,

In case I don't make it to the meeting tomorrow, I just wanted to reiterate some points that I don't think have been addressed. Sorry to sound like a broken record.

1. We still have not seen an artist's rendering of what the project would look like from Thomas Terrace, despite two requests. This suggests the developer doesn't care what his neighbors think. In the absence of being able to see this, it's impossible to support the development.
2. We are deeply concerned about how the closest townhouses can be built with the ground floor level with our property when there is such a steep slope and drop off at that corner (see photo). Something doesn't add up. Can the slope map be checked for accuracy? Can the city engineer take a look? As currently proposed the last townhouse would have to be substantially higher than Mt Hermon Rd.
3. We still have not heard whether that last block of townhouses can be built at a lower grade so that they do not impede our view so much. Incidentally this would also address concern #2.
4. We would like confirmation that the developer will build an attractive fence, provide screening vegetation, and seek approval from the Fire Dept of a wooden gate.

Best

Alasdair



December 6, 2022



Scotts Valley, CA 95066

RE: Oak Creek Park Development (APN: 022-162-76, corner of Glen Canyon and Mt. Herman)

Dear Mr. Shay,

Thank you for your inquiry regarding the proposed Oak Creek Park development and the anticipated impacts to your six coast redwood trees.

I have read your letter with the information you shared about the roots of your coast redwoods, and the possible impacts to them based on the proposed development. While it is true that some roots may extend for a great distance (equal to the height of the tree), this information does not change my findings and recommendation in my arborist report dated 11/10/2022.

Although there may be some root loss to your coast redwood trees, based on my experience and industry standards, the impacts to the trees will not be significant. The redwoods will tolerate any root loss that occurs, and the trees should thrive for the long term.

Best regards,

*Kurt Fouts*

Kurt Fouts      ISA Certified Arborist WE0681A  
ISA Tree Risk Assessment Qualification





# MINUTES

Meeting of the  
**Scotts Valley City Council**  
**In-Person and Remote Access**  
**Date: January 18, 2023**  
**Time: 6:00 PM**

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 and Zoom Video Conference	The agenda was posted at City Hall, the SV Public Works Building, the SV Senior Center and on the Internet at <a href="http://www.scottsvalley.org">www.scottsvalley.org</a>

## CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:26 PM.

## PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

## ROLL CALL

ELECTED OFFICIALS PRESENT:	CITY STAFF MEMBERS PRESENT:
Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member (remote appearance per AB 2449)	Mali LaGoe, City Manager Kirsten Powell, City Attorney Cathie Simonovich, City Clerk Lauren Lambert, Deputy City Clerk

## COMMITTEE REPORTS

CM Lind attended a meeting of the Local Area Formation Commission (LAFCO) where they adopted the sphere of influence establishing a district for the Pajaro Valley Healthcare District. They also approved a contract to hire Piret Harmon to be a water consultant.

CM Lind attended a meeting of the Santa Cruz Metropolitan Transit District (METRO) Finance/Personnel and she shared a press release from the meeting that announced the launch of the ‘One Ride at a Time’ campaign. A couple of the buses will be wrapped with a decorative wrap that supports the message of the campaign which highlights the environmental benefits of transit, encourages ridership and protects Santa Cruz County’s natural resources.

CM Johnson attended a meeting of the Regional Transportation Commission (RTC) where they deferred on the subject of placing 100 rail cars on the tracks, mostly near Watsonville.

CM Timm attended the Chamber's Economic Recovery Taskforce meeting where they discussed the recent impacts on small businesses due to the storms. They also looked at the Chamber's 2023 initiatives. Nominations are open until February 1<sup>st</sup> for the community awards. Please visit the Scotts Valley Chamber of Commerce website for the nomination information.

Mayor Dilles attended the County Redevelopment Agency (RDA) Oversight Committee meeting, and he was appointed to continue to be Vice Chair of this organization. The committee approved Scotts Valley's Recognized Obligation Payment (ROP) schedule and Administrative Budget.

Mayor Dilles attended the Seniors Advisory Council, and they discussed the Governor's Proposed Budget and noted slight increases, and no take aways, for the programs for which they receive money from the State for the local senior programs. Project Scout gave a presentation regarding their program to assist with income tax return preparation for seniors. The Live Oak school district which owns the land which houses Meals on Wheels and the Senior Network services extended the eviction order to June of 2023.

Mayor Dilles attended a meeting of the Revenue Taxation Committee of the League of California City where they gave background information on how the committee process works, how the legislative process works at the State, and what the next steps will be for the committee. There will be three meetings in 2023 for the purpose of advocating for funding from the State.

## CITY MANAGER REPORT

**Staff Appreciation:** City Manager LaGoe thanked the Council for their acknowledgment and appreciation for the staff and their response to the storm. A lunch was hosted in the Council Chambers for the Public Works staff members to thank the staff for their dedication and hard work.

**D.A.R.E. (Drug Abuse Resistance Education) Program:** The D.A.R.E. 11-week program put on by the Scotts Valley Police Department began this week for all 5<sup>th</sup> graders in Scotts Valley schools. Council Members will be invited to graduation when it gets scheduled, most likely in April.

**Leadership Santa Cruz:** This event was originally scheduled for January 6<sup>th</sup> but was postponed to January 20<sup>th</sup> due to the storms. This will be in the Council Chambers and Mayor Dilles, Councilmember Lind, and City Manager LaGoe will be participating in this event.

**Finance and Human Resources Departments:** The staff have been busy working on the new software implementation and have been attending several meetings a week with the vendors. The 2023-2024 budget will be built in OpenGov which will allow us to communicate the budget in a more accessible and transparent way with the community. The staff is also implementing the new HR payroll system.

**City Hall Internet Upgrade:** Thank you to CyAs Tech for assisting with getting upgraded internet speeds to City Hall!

**Staffing:** The new Recreation Coordinator started this week, the new Senior Planner will start next week, and final interviews were completed for the Administrative Services Director candidates.

### **PUBLIC COMMENT TIME**

CM Lind noted that the Fallen Officers Ball that will be held on February 25, 2023 from 5:30 PM to 11:00 PM at the Coconut Grove in Santa Cruz. This is the Fallen Officers Foundation's major fundraiser of the year and will include a silent auction and a live auction. More information can be found on the website: [Fallen Officer Foundation \(scfof.org\)](http://scfof.org).

### **APPROVAL OF CONSENT AGENDA WITH NO ALTERATIONS**

*M/S: Timm/Lind*

*To approve the Consent Agenda.*

*Carried 5/0 (AYES: Dilles, Lind, Johnson, Timm, Timms)*

### **CONSENT AGENDA**

- A. Approve City Council minutes of 12-21-2022
- B. Approve check registers dated 12-22-2022, 01-05-2023, and 01-12-2023
- C. Approve the 2023 Scotts Valley Interjurisdictional Committee, Commission, Board and Council appointments, Standing Committee and Liaison appointments and adopt resolutions establishing project specific subcommittees
- D. Ratify the appointments of Nancy Diaz and Anna Pissanetzky to serve on the Senior Center Board, with an effective date of January 18, 2023
- E. Adopt Resolution No. 2021 ratifying the 2022 Fire Code amendments
- F. Adopt Resolution No. 1955.24 approving the Salary Schedules for the Assistant Planner and Associate Planner positions

### **REGULAR AGENDA**

1. Future Council agenda items

None

**ADJOURNMENT**

The meeting adjourned at 6:42 PM.

Approved: \_\_\_\_\_  
Jack Dilles, Mayor

Attest: \_\_\_\_\_  
Cathie Simonovich, City Clerk



# MINUTES

Special Meeting of the  
**Scotts Valley City Council**  
**In-person and Remote Access**  
**Date: January 18, 2023**  
**Time: 6:00 PM**

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 and Zoom Video Conference	The agenda was posted at City Hall, SV Senior Center, SV Public Works and on the Internet at <a href="http://www.scottsvally.org">www.scottsvally.org</a> .

## CALL TO ORDER 6:00 PM

The Special Meeting of the City Council was called to order at 6:02 PM.

City Attorney Powell announced that Council Member Timms is attending the League of California Cities training for new Council Members in Sacramento and therefore will be attending the City Council special meeting and the City Council regular meeting remotely pursuant to AB 2449. Council Member Timms noted that there was no one over the age of 18 years old in his meeting space.

## PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

## ROLL CALL

<b>ELECTED OFFICIALS PRESENT:</b> Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	<b>CITY STAFF MEMBERS PRESENT:</b> Mali LaGoe, City Manager Kirsten Powell, City Attorney Taylor Bateman, Community Development Director Chris Lamm, Public Works Director/City Engineer Cathie Simonovich, City Clerk Lauren Lambert, Deputy City Clerk
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## PUBLIC COMMENT TIME

None.

**REGULAR AGENDA**

1. Consider approval of Resolution No. 2022 declaring a local emergency regarding the atmospheric river winter storms and naming the City Manager the Director of Civil Defense and Disaster

City Manager LaGoe introduced this item, and Public Works Director Lamm presented a PowerPoint and responded to questions from Council.

**M/S: Lind/Timm**

**To adopt Resolution No. 2022 declaring a local emergency regarding the atmospheric river winter storms and naming the City Manager the Director of Civil Defense and Disaster.**

**Carried 5/0 (AYES: Dilles, Lind, Johnson, Timm, Timms)**

**ADJOURNMENT**

The meeting adjourned at 6:26 PM.

Approved: \_\_\_\_\_  
Jack Dilles, Mayor

Attest: \_\_\_\_\_  
Cathie Simonovich, City Clerk

AGENDA ITEM B

DATE: 02-01-2023

SCOTTS VALLEY ACCOUNTS PAYABLE  
01/19/2023 19:44:55 Check Register

CITY OF SCOTTS VALLEY  
GL050S-V08.19 COVERPAGE  
GL540R

Report Selection:

RUN GROUP... 011923 COMMENT... 01/19/2023 A/P

DATA-JE-ID DATA COMMENT  
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W-01192023-517 01/19/2023 A/P

Run Instructions:

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BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
001840	A TOOL SHED, INC.	125872	01/19/23	833.00
005060	A.BAGLEY CPA TAX &	125873	01/19/23	168.75
003597	ADAMS ASHBY GROUP, INC	125874	01/19/23	2,937.50
003497	ALVAREZ INDUSTRIES, INC	125875	01/19/23	1,606.00
001670	AT &T	125876	01/19/23	3,548.12
000097	AT&T	125877	01/19/23	68.01
003170	BOGARD CONSTRUCTION INC	125878	01/19/23	2,147.50
004080	CARL V. PRIMAVERA, D.D.S	125879	01/19/23	97.00
003787	CARMEL AREA WASTEWATER D	125880	01/19/23	6,201.00
005057	CITY OF FOSTER CITY	125881	01/19/23	540.00
002091	COMCAST	125882	01/19/23	323.26
002091	COMCAST	125883	01/19/23	169.64
002091	COMCAST	125884	01/19/23	393.23
002091	COMCAST	125885	01/19/23	215.40
005059	CORNER POCKET TRANSPORTS	125886	01/19/23	960.00
000037	CRYSTAL SPRINGS WATER CO	125887	01/19/23	71.25
000037	CRYSTAL SPRINGS WATER CO	125888	01/19/23	40.60
000389	DASSEL'S PETROLEUM INC	125889	01/19/23	5,194.79
000207	DEPARTMENT OF JUSTICE	125890	01/19/23	64.00
000231	DOCTORS ON DUTY	125891	01/19/23	190.00
004073	DU-ALL SAFETY, LLC	125892	01/19/23	5,797.95
001362	DUNCAN AUTO TECH	125893	01/19/23	606.82
001537	DYNAMIC PRESS	125894	01/19/23	60.36
001597	ENVIRONMENTAL INNOVATION	125895	01/19/23	7,994.38
000202	FEDERAL EXPRESS	125896	01/19/23	111.26
003253	FIRST ALARM	125897	01/19/23	585.27
000984	FIRST AMERICAN TITLE COM	125898	01/19/23	500.00
000283	HOSE SHOP	125899	01/19/23	54.38
003266	INTERGRITY AUTOMOTIVE	125900	01/19/23	1,805.97
001992	KOSMONT COMPANIES, INC	125901	01/19/23	284.70
001243	LIEBERT CASSIDY WHITMORE	125902	01/19/23	489.50
001673	LINCOLN FINANCIAL GROUP	125903	01/19/23	1,429.37
003913	LONG/AMANDA	125904	01/19/23	326.40
000195	MESITI-MILLER ENGINEERIN	125905	01/19/23	6,370.50
005058	MULTIQUIP INC. (FILE 236	125906	01/19/23	1,174.87
005056	NEWT GARDEN LLC	125907	01/19/23	2,829.00
003493	NHA ADVISORS	125908	01/19/23	631.25
000101	PACIFIC GAS & ELECTRIC C	125909	01/19/23	381.47
003165	PHENOVA, INC	125910	01/19/23	358.75
004045	PHILLIP D NEUMAN	125911	01/19/23	5,280.39
000723	PIED PIPER INC./THE	125912	01/19/23	155.50
003503	PURETEC INDUSTRIAL WATER	125913	01/19/23	157.25
.15921	RICK GROSS	125914	01/19/23	543.00
000134	S.V. WATER DISTRICT	125915	01/19/23	4,801.87
001894	S.V. WATER DISTRICT - BU	125916	01/19/23	64.38
001364	SANTA CRUZ COUNTY	125917	01/19/23	21,781.60
003367	SANTA CRUZ LIVE SCAN, IN	125918	01/19/23	60.00
000319	SCOTTS VALLEY CAR WASH	125919	01/19/23	244.86

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
000228	SOIL CONTROL LAB	125920	01/19/23	1,226.00	
003928	SOUTH BAY REGIONAL PUBLI	125921	01/19/23	177.00	
001085	SYCAL ENGINEERING INC	125922	01/19/23	4,021.55	
002064	TRUCK SERVICES	125923	01/19/23	380.00	
004030	U.S. BANK CORPORATE	125924	01/19/23	16,758.64	
000151	VISION SERVICE PLAN	125925	01/19/23	1,197.00	
003145	WAGE WORKS	125926	01/19/23	101.06	
005018	WATSONVILLE DIESEL	125927	01/19/23	649.60	
000154	WINCHESTER AUTO STORES	125928	01/19/23	164.56	
001625	YOSHIDA DDS/NOREEN	125929	01/19/23	1,100.00	
	GENERAL CHECKING ACCOUNT			116,425.51	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				116,425.51

RECORDS PRINTED - 000177

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
001	GENERAL	75,211.95
002	RECYCLING/ENVIRONMENTAL	7,114.38
004	RECREATION	1,562.57
010	WASTEWATER OPERATIONS	17,197.82
011	TERTIARY TREATMENT PLANT	612.00
028	SENIOR CENTER	1,673.07
077	SKYPARK MAINT ASSESS DIST	123.22
088	LIBRARY FACILITIES-MEAS "S"	2,147.50
112	DENTAL INS INTERNAL SERV	1,523.40
123	COMMUNITY FACILITY CENTER	1,707.60
150	GENERAL CAPITAL IMPROVEMENTS	315.29
155	TRANSPORTATION FUNDS-MEAS D	6,370.50
312	POLICE - BUDGET ACT OF 2016	866.21
TOTAL ALL FUNDS		116,425.51

BANK RECAP:

BANK	NAME	DISBURSEMENTS
BA	GENERAL CHECKING ACCOUNT	116,425.51
TOTAL ALL BANKS		116,425.51

SCOTTS VALLEY ACCOUNTS PAYABLE  
01/26/2023 13:52:15 Check Register

CITY OF SCOTTS VALLEY  
GL050S-V08.19 COVERPAGE  
GL540R

Report Selection:

RUN GROUP... 012623 COMMENT... 01/26/2023 A/P

DATA-JE-ID DATA COMMENT  
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W-01262023-557 01/26/2023 A/P

Run Instructions:

Jobq	Banner	Copies	Form	Printer	Hold	Space	LPI	Lines	CPI	CP	SP	RT
L		01			Y	S	6	066	10			

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
001840	A TOOL SHED, INC.	125930	01/26/23	421.87
001219	ALHAMBRA	125931	01/26/23	157.07
001219	ALHAMBRA	125932	01/26/23	132.28
003497	ALVAREZ INDUSTRIES, INC	125933	01/26/23	1,730.00
005029	ARCPPOINT LABS OF MONTERE	125934	01/26/23	260.00
001670	AT & T	125935	01/26/23	486.87
000097	AT&T	125936	01/26/23	128.37
003746	AVENU HOLDINGS, LLC	125937	01/26/23	4,220.50
001593	BENEDICT DDS/NANNETTE	125938	01/26/23	366.40
000437	BRASS KEY LOCKSMITH	125939	01/26/23	6.57
003134	CRIME SCENE CLEANERS, IN	125940	01/26/23	108.00
000054	EWING IRRIGATION PRODUCT	125941	01/26/23	511.14
004037	FERGUSON ENTERPRISES, LL	125942	01/26/23	51.93
001881	GRAINGER	125943	01/26/23	204.49
000895	GRANITE CONSTRUCTION CO	125944	01/26/23	1,413.58
.15923	HEART TO HEARTS PIP	125945	01/26/23	175.00
001841	IDEXX LABORATORIES, INC.	125946	01/26/23	926.63
.15922	IPMBA	125947	01/26/23	75.00
001950	LEWIS TREE SERVICE INC	125948	01/26/23	9,561.20
001243	LIEBERT CASSIDY WHITMORE	125949	01/26/23	2,863.50
003403	MAR-KEN INTERNATIONAL PO	125950	01/26/23	260.00
000218	MID VALLEY SUPPLY	125951	01/26/23	413.64
000083	MISSION UNIFORM SERVICE	125952	01/26/23	525.04
000101	PACIFIC GAS & ELECTRIC C	125953	01/26/23	146.45
000101	PACIFIC GAS & ELECTRIC C	125954	01/26/23	51,293.65
000723	PIED PIPER INC./THE	125955	01/26/23	66.50
004070	QUAD KNOFF, INC.	125956	01/26/23	1,924.64
003928	SOUTH BAY REGIONAL PUBLI	125957	01/26/23	3,611.00
003973	THOMAS/TYLER	125958	01/26/23	321.44
003548	TORO PETROLEUM CORP	125959	01/26/23	9,314.44
001106	VERIZON WIRELESS	125960	01/26/23	179.98
003924	VIRTUAL PROJECT MANAGER	125961	01/26/23	1,000.00
005018	WATSONVILLE DIESEL	125962	01/26/23	2,237.81
005053	WENTWORTH/CODY	125963	01/26/23	338.59
000154	WINCHESTER AUTO STORES	125964	01/26/23	16.03
	GENERAL CHECKING ACCOUNT			95,449.61

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Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				95,449.61

RECORDS PRINTED - 000067

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
001	GENERAL	39,506.93
004	RECREATION	452.78
010	WASTEWATER OPERATIONS	46,745.55
011	TERTIARY TREATMENT PLANT	4,657.22
028	SENIOR CENTER	995.91
050	PINEWOOD EST LNDSCP MAINT DT	10.18
077	SKYPARK MAINT ASSESS DIST	30.54
112	DENTAL INS INTERNAL SERV	687.84
123	COMMUNITY FACILITY CENTER	438.02
268	PROP 68-PARKS/WATER BOND ACT	1,924.64
TOTAL ALL FUNDS		95,449.61

BANK RECAP:

BANK	NAME	DISBURSEMENTS
BA	GENERAL CHECKING ACCOUNT	95,449.61
TOTAL ALL BANKS		95,449.61

## City of Scotts Valley CITY COUNCIL STAFF REPORT

**DATE:** February 1, 2023

**TO:** Honorable Mayor and City Council

**FROM:** Taylor Bateman, Community Development Director

**APPROVED:** Mali LaGoe, City Manager

**SUBJECT:** **SECOND READING AND ADOPTION OF ORDINANCE NO. 16-ZC-232 TO CHANGE THE ZONING ON LOT 1 FROM SERVICE COMMERCIAL (C-S) TO MEDIUM HIGH RESIDENTIAL (R-M-6) AND 16-ZC-233 APPROVING A PLANNED DEVELOPMENT DISTRICT OVERLAY (PD18-002) FOR THE DEVELOPMENT OF A MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT WHICH INCLUDES 24,973 SF. OF COMMERCIAL, EIGHT TOWNHOMES, AND 44 APARTMENTS, ON A 3.56 ACRE PARCEL LOCATED AT THE INTERSECTION OF MT. HERMON ROAD AND GLEN CANYON ROAD/APN 022-162-76**

### **SUMMARY OF ISSUE**

On December 7, 2022 the City Council introduced Ordinance No. 16-ZC-232 to change the zoning on Lot 1 from Service Commercial (C-S) to Medium High Residential (R-M-6) and 16-ZC-233 approving a Planned Development District overlay (PD18-002) for the development of a mixed-use commercial and residential development which includes 24,973 sf. Of commercial, eight townhomes, and 44 apartments, on a 3.56 acre parcel located at the intersection of Mt. Hermon Road and Glen Canyon Road/APN 022-162-76.

### **FISCAL IMPACT**

This action does not create a fiscal impact.

### **RECOMMENDATION**

It is recommended that the City Council adopt Ordinance No. 16-ZC-232 to change the zoning on Lot 1 from Service Commercial (C-S) to Medium High Residential (R-M-6) and Ordinance No. 16-ZC-233 approving a Planned Development District overlay (PD18-002) for the development of a mixed-use commercial and residential development which includes 24,973 sf. Of commercial, eight townhomes, and 44 apartments, on a 3.56 acre

parcel located at the intersection of Mt. Hermon Road and Glen Canyon Road/APN 022-162-76.

**ATTACHMENTS**

**PAGE**

Ordinance No. 16-ZC-232 .....	3
Ordinance No. 16-ZC-233 .....	7

**ORDINANCE NO. 16-ZC-232**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING ZONE CHANGE NO. ZC18-001 CHANGING THE ZONING ON LOT 1 FROM SERVICE COMMERCIAL (C-S) TO MEDIUM HIGH RESIDENTIAL (R-M-6) FOR A PROJECT LOCATED AT THE INTERSECTION OF MT. HERMON ROAD AND GLEN CANYON ROAD/APN 022-162-76**

**WHEREAS**, the City of Scotts Valley has received an application from Granum Partners (referred to as the “applicant”) for “Oak Creek Park” project to: 1) subdivide the existing 155,350 sf parcel into two lots to allow a mixed-use commercial and residential development which includes 24,973 sf. of commercial, eight townhomes, and 44 apartments; 2) change the existing General Plan land use designation on Lot 1 from Service Commercial to Medium High Residential; 3) change the zoning on Lot 1 from Service Commercial (C-S) to Medium High Residential (R-M-6); 4) add a zoning overlay on Lot 1 Medium High Residential/Planned Development (R-M-6/PD) and Lot 2 Service Commercial/Planned Development (C-S/PD) to allow for exceptions to the zoning regulations and to allow tailored development standards to fit the needs of the project; and 5) approve Planned Development/ Design Review Permits to evaluate the architecture and related site improvements, on the subject site, located at the intersection of Mt. Hermon Road and Glen Canyon Road/APN 022-162-76 (the “Application”); and

**WHEREAS**, substantial evidence which supports the Application has been presented; and

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

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

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

**WHEREAS**, the Consultant prepared a Draft EIR (State Clearinghouse # 2019110250) in accordance with the State CEQA Guidelines and requirements. The Draft EIR was duly noticed, published, and distributed for a 45-day public review period from October 11, 2021 to November 30, 2021 and was made available for public review at the Planning Department at City Hall; and

**WHEREAS**, the City’s Consultant prepared a duly noticed and published Final Environmental Impact Report (“Final EIR”) on June 9, 2022, that was distributed to public agencies that

commented on the Draft EIR, was made available at City Hall, Planning Department, the City's website, and upon request at the Planning Department; and

**WHEREAS**, the Planning Commission held a duly published and noticed public hearing on June 9, 2022, and September 8, 2022, pursuant to the requirements of the Scotts Valley Municipal Code and State Law, to review and consider the Final EIR and the requested planning permits (entitlements), take public testimony, and provide comments and recommendations to the City Council; and, after which, they recommended approval of the Final EIR and project to the City Council, subject to the recommended mitigation measures and amended conditions; and

**WHEREAS**, the City Council held a duly published and noticed public hearing on December 7, 2022, pursuant to the requirements of the Scotts Valley Municipal Code and State Law, to review and consider the Final EIR, the Application, and all other information in the record including, but not limited to, public testimony; and,

**WHEREAS**, the City Council certified the EIR for the project by adoption of Resolution No. 2020; and

**WHEREAS**, the City Council approved the General Plan Amendment for the project by adoption of Resolution No. 2020.1; and

**WHEREAS**, the City Council desires to amend the zoning for Lot 1 from C-S to R-M-6.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF SCOTTS VALLEY DOES ORDAIN AS FOLLOWS:**

**SECTION 1:** After careful consideration of the Application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Zone Change No. ZC18-001 to change the zoning on Lot 1 from Service Commercial (C-S) to Medium High Residential (R-M-6) for a project located at the intersection of Mt. Hermon Road and Glen Canyon Road/APN 022-162-76, subject to the Zone Change Map in Exhibit A, attached hereto and incorporated herein based on the staff report dated December 7, 2022 and the following finding:

***The change in the zoning district is consistent with the General Plan and the densities are compatible with adjacent uses and densities.*** The change in zoning on Lot 1 from C-S to R-M-6 is consistent with the General Plan because the General Plan designation was changed from Service Commercial to Medium Density Residential. The R-M-6 zoning is consistent with the new General Plan designation. The zoning density of R-M-6 is compatible with the housing development project to the northwest of the Project site. The property is slightly more dense than the residential uses, but the proposed residences are more than 100 feet from those residential uses and are screened by landscaping.

**SECTION 2. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

**SECTION 3. REPEALS CONFLICTING ORDINANCES.** All other ordinances of the City of Scotts Valley which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 4. CEQA COMPLIANCE.** The City Council approved a Final EIR for this project by Resolution No. 2020 on December 7, 2022.

**SECTION 5. EFFECTIVE DATE.** The above and foregoing ordinance was introduced for a first reading on December 7, 2022, and passed and adopted on February 1, 2023, at a duly held meeting of the City Council of the City of Scotts Valley by the following vote:

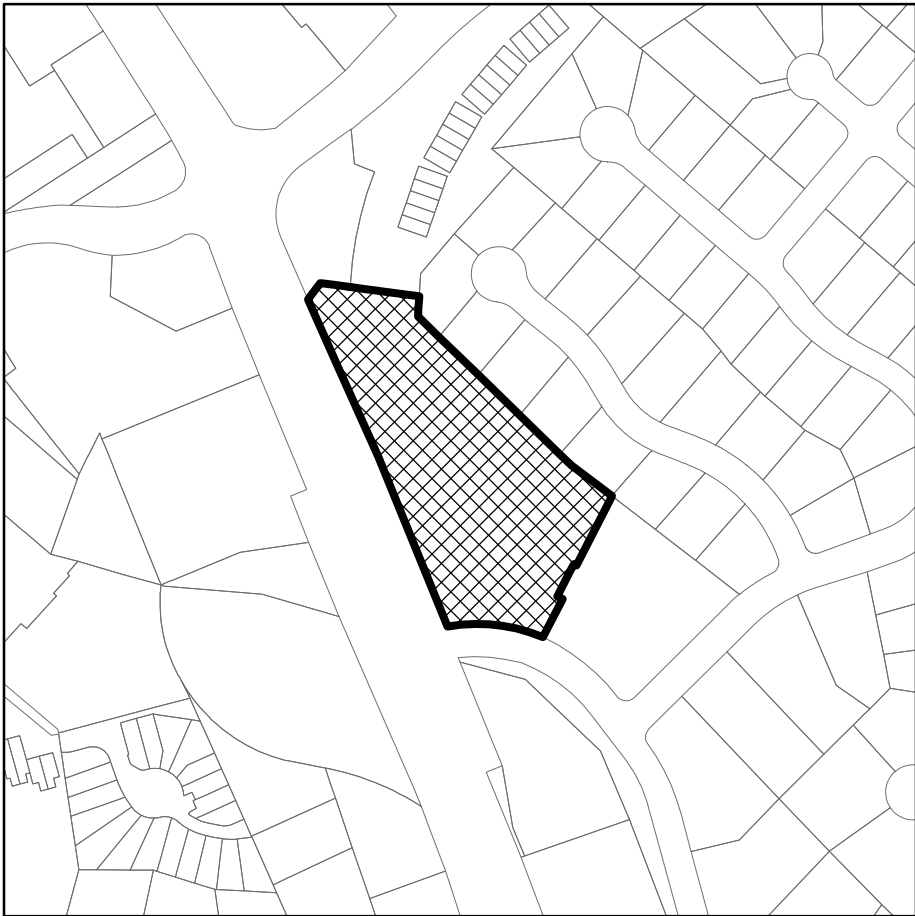
AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED: \_\_\_\_\_  
Jack Dilles, Mayor

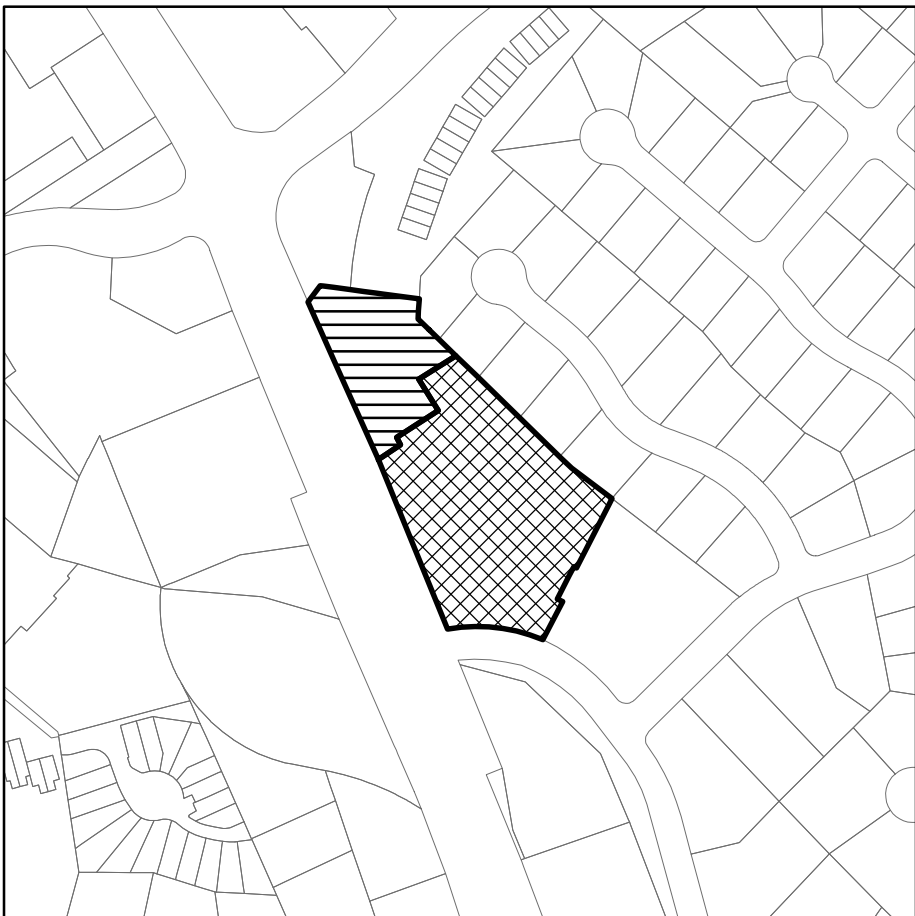
ATTEST: \_\_\_\_\_  
Cathie Simonovich, City Clerk

APPROVED  
AS TO FORM: \_\_\_\_\_  
Kirsten Powell, City Attorney

**Exhibit A**  
**Zone Change Map**  
**City Council Ordinance No. 16-ZC-232**






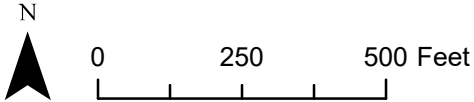
Existing Zoning Classification



Proposed Zoning Classification

**Legend**

-  Project Site (APN 022-162-76)
-  C-S: Commercial Service
-  R-M-6: Medium High Density



**ORDINANCE NO. 16-ZC-233**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT DISTRICT OVERLAY (PD18-002) FOR THE DEVELOPMENT OF A MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT WHICH INCLUDES 24,973 SF. OF COMMERCIAL, EIGHT TOWNHOMES, AND 44 APARTMENTS, ON A 3.56 ACRE PARCEL LOCATED AT THE INTERSECTION OF MT. HERMON ROAD AND GLEN CANYON ROAD/APN 022-162-76**

**WHEREAS**, the City of Scotts Valley has received an application from Granum Partners (referred to as the “applicant”) for “Oak Creek Park” project to: 1) subdivide the existing 155,350 sf parcel into two lots to allow a mixed-use commercial and residential development which includes 24,973 sf. of commercial, eight townhomes, and 44 apartments; 2) change the existing General Plan land use designation on Lot 1 from Service Commercial to Medium High Residential; 3) change the zoning on Lot 1 from Service Commercial (C-S) to Medium High Residential (R-M-6); 4) add a zoning overlay on Lot 1 Medium High Residential/Planned Development (R-M-6/PD) and Lot 2 Service Commercial/Planned Development (C-S/PD) to allow for exceptions to the zoning regulations and to allow tailored development standards to fit the needs of the project; and 5) approve Planned Development/ Design Review Permits to evaluate the architecture and related site improvements, on the subject site, located at the intersection of Mt. Hermon Road and Glen Canyon Road/APN 022-162-76 (the “Application”); and

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

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

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

**WHEREAS**, the Consultant prepared a Draft EIR (State Clearinghouse # 2019110250) in accordance with the State CEQA Guidelines and requirements. The Draft EIR was duly noticed, published, and distributed for a 45-day public review period from October 11, 2021 to November 30, 2021 and was made available for public review at the Planning Department at City Hall; and

**WHEREAS**, the City’s Consultant prepared a duly noticed and published Final Environmental Impact Report (Final EIR) on June 9, 2022, that was distributed to public

agencies that commented on the Draft EIR, was made available at City Hall, Planning Department, the City's website, and upon request at the Planning Department; and

**WHEREAS**, the Planning Commission held a duly published and noticed public hearing on June 9, 2022, and September 8, 2022, pursuant to the requirements of the Scotts Valley Municipal Code and State Law, to review and consider the Final EIR and the requested planning permits (entitlements), take public testimony, and provide comments and recommendations to the City Council; and, after which, they recommended approval of the Final EIR and project to the City Council, subject to the recommended mitigation measures and amended conditions; and

**WHEREAS**, the City Council held a duly published and noticed public hearing on December 9, 2022, pursuant to the requirements of the Scotts Valley Municipal Code and State Law, to review and consider the Final EIR, the entitlements, and all other information in the record including, but not limited to, public testimony; and,

**WHEREAS**, the City Council certified the Final EIR for the project by adoption of Resolution No. 2020; and

**WHEREAS**, the City Council desires to approve the Planned Development District Overlay.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF SCOTTS VALLEY DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** After careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Planned Development District (PD18-002) for the development of a mixed-use commercial and residential development which includes 24,973 sf. of commercial, eight townhomes, and 44 apartments, on a 3.56 acre parcel located at the intersection of Mt. Hermon Road and Glen Canyon Road/APN 022-162-76, subject to the Planned Development Map in Exhibit A, attached hereto and incorporated herein based on the following, as further clarified in the staff report dated December 7, 2022:

1. ***The proposed Planned Development and Planned Development Permit is consistent with the underlying zoning designation of the City of Scotts Valley General Plan.*** The proposed project is consistent with the land uses prescribed in the Commercial Service and Medium High Density Residential categories of the General Plan. The project is consistent with the purpose and intent of the Commercial Service and R-M-6 land use designation, which allow residential and mixed-use development. The proposed zoning would be R-M-6/Planned Development (R-M-6/PD) for Lot 1 and Service Commercial/Planned Development (C-S/PD) for Lot 2. In addition, the proposed project is consistent with many goals and objectives of the General Plan, including LP-3, The City shall promote the availability of adequate sites for a variety of housing types and densities consistent

with Housing Element goals and environmental constraints; LA-5 The City shall re-designate, as appropriate, non-residential land uses for residential use to meet the identified housing demand if the report of the Planning Director so justifies it; LP-28 The City shall promote availability of commercial sites to accommodate a mix of professional office, service commercial, and shopping center developments consistent with the environmental, service, and economics goals of the City; LP-33 Commercial developments shall be designed and screened in an attractive manner and thereafter maintained so as to integrate the entire development visually with the overall natural beauty of the Planning Area; LO-37 Ensure compatibility between commercial developments and surrounding land uses; and LP-45 Commercial land uses should be concentrated along the urban core of the City. The project is consistent with these General Plan policies in that it includes a General Plan Amendment to re-designate Lot 1 from Service Commercial to Medium High Residential. Residential development on this site expands and improves the City's housing supply by developing high-quality housing on a City-designated "opportunity site," and will provide affordable and market-rate housing. The mixed use development on Lot 2 includes 24,973 sf of commercial space located on a busy commercial corridor, which is consistent with the economic goals and policies of the General Plan. The commercial space is integrated into the overall development as well as compatible with the surrounding land uses.

**SECTION 2. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

**SECTION 3. REPEALS CONFLICTING ORDINANCES.** All other ordinances of the City of Scotts Valley which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 4. CEQA COMPLIANCE.** The City Council approved a Final EIR for this project by Resolution No. 2020 on December 7, 2022.

**SECTION 5. EFFECTIVE DATE.** The above and foregoing ordinance was introduced for a first reading on December 7, 2022, and passed and adopted on February 1, 2023, at a duly held meeting of the City Council of the City of Scotts Valley by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

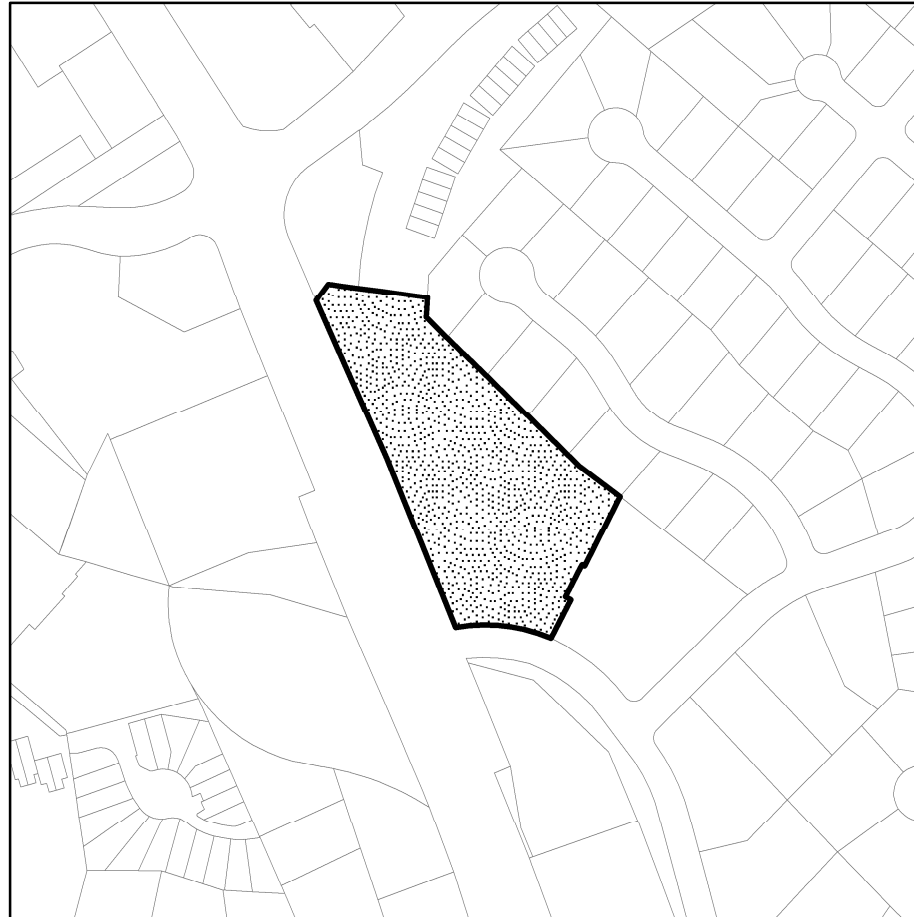
APPROVED: \_\_\_\_\_  
Jack Dilles, Mayor

ATTEST: \_\_\_\_\_  
Cathie Simonovich, City Clerk

APPROVED  
AS TO FORM: \_\_\_\_\_  
Kirsten Powell, City Attorney

# Exhibit A

## Planned Development Map City Council Ordinance No. 16-ZC-233



Oakcreek Park Planned Development (APN 022-162-76)

### Legend

 Planned Development (PD)



0 250 500 Feet