CITY OF SANTA CRUZ
809 Center Street
Santa Cruz, California 95060

CITY COUNCIL AGENDA

Regular Meeting
January 12, 2021

1:00 P.M. CLOSED SESSION, ZOOM

2:00 P.M. CONSENT, PUBLIC HEARING, AND ORAL COMMUNICATIONS, ZOOM

COVID-19 ANNOUNCEMENT: This meeting will be held via teleconference ONLY.

In order to minimize exposure to COVID-19 and to comply with the social distancing suggestion, the meeting may be viewed remotely, using any of the following sources:

- **Click on Zoom link (no time delay): https://zoom.us/j/96553881555**
- **Online at http://www.cityofsantacruz.com/government/city-council/council-meetings**
- **Online at Watch - Community Television of Santa Cruz County**
- **Comcast Channel 25**

Or: Call any of the numbers below. If one is busy, try the next one.

- 1-833-548-0282 (Toll Free)
- 1-877-853-5247 (Toll Free)
- 1-888-788-0099
- 1-669-900-9128

Enter the meeting ID number: 965 5388 1555

- When prompted for a Participant ID, press #.
- Press *9 on your phone to "raise your hand" when the Mayor calls for public comment.
  - It will be your turn to speak when the Mayor unmutes you. You will hear an announcement that you have been unmuted. The timer will then be set to 2 minutes. You may hang up once you have commented on your item of interest.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities we ask that you attend fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the City Clerk's Department at 420-5030 at least five days in advance so that we can arrange for such special assistance, or email CityClerk@cityofsantacruz.com. The Cal-Relay system number: 1-800-735-2922.

Si desea asistir a esta reunión pública y necesita ayuda - como un intérprete de lenguaje de señas americano, español u otro equipo especial - favor de llamar al Departamento de la Secretaría de la Ciudad al 420-5030 al menos cinco días antes para que podamos coordinar dicha asistencia especial o envié un correo electrónico a cityclerk@cityofsantacruz.com. El número del sistema Cal-Relay es: 1-800-735-2922.

Closed Session

1:00 PM

Closed Session

1. Conference With Legal Counsel – Liability Claims (Government Code §54956.95)

   Claimant: Brittany Ballin
   Claimant: Gabriela Chapa
   Claimant: Bristol Santa Cruz, LLC.
   Claimant: Dan L. Ebert

   Claims against the City of Santa Cruz

2. Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1))

   1) Santa Cruz Homeless Union, et al. v. City of Santa Cruz, et al.
   US District Court Case No. 5:20-cv-09425-SVK

   2) Save Our Big Trees v. City of Santa Cruz, et al.
   Santa Cruz Superior Court, Case No. 19CV02062

City Council

2:00 PM

Call to Order

Roll Call

Presentation

3. Mayoral Proclamation Declaring January 12, 2021 as Sharon Esther Papo, LCSW, Day

Presiding Officer's Announcements

Statements of Disqualification

Additions and Deletions

Oral Communications Announcement - Community members may address the Council for two minutes or less about any matter not on the agenda during Oral Communications.

City Attorney Report on Closed Session

City Manager Report

4. The City Manager will report and provide updates on the City's business, COVID-19 response, and events.

Council Meeting Calendar

5. The City Council will review the meeting calendar attached to the agenda and revise it as necessary.

Consent Agenda

6. Legislative Subpoena to Compel Pacific Gas and Electric to Provide Information Regarding Collection of the City's Utility Users Tax (CA)

   Motion to issue a legislative subpoena under Section 617 of the City Charter to compel Pacific Gas & Electric to provide information regarding its collection of the City's Utility Users Tax.

7. Resolution Supporting Action(s) to Enhance a Minimum of One Acre of Existing or Historic Freshwater Wetland at the Jessie Street Marsh (CA/PR/PW)

   Resolution supporting action(s) to enhance a minimum of one acre of existing or historic freshwater wetland at the Jessie Street Marsh.

8. Minutes of the December 8, 2020 City Council Meeting (CC)

   Motion to approve as submitted.

9. Appointment of Representatives to External Agencies, Groups, Council Committees and Task Forces (CN)

   1) Motion to appoint representatives to external agencies, groups, City Council committees and task forces for the 2021 calendar year.

   2) Resolution to appoint Santa Cruz Mid-County Groundwater Agency Directors, as required by the Joint Powers Agreement.

   3) Motion to sunset the Council Budget Ad Hoc Committee established on April 28, 2020 and focused on FY 2021 budget, and establish a Council Revenue Ad Hoc Committee to explore and recommend revenue-enhancing options for City Council action.

10. Liability Claims Filed Against the City of Santa Cruz (FN)

    Motion to reject liability claims of a) Brittany Ballin, b) Gabriela Chapa, c) Bristol Santa Cruz, LLC, and d) Dan L. Ebert, based on staff recommendation.

Consent Agenda (continued)

11. 2019 Citywide Sewer/Storm Drain Lining Project (c401511) – Notice of Completion (PW)

    Motion to accept the work of Nor-Cal Pipeline Services (Sacramento, CA) as completed per plans and specifications and authorize the filing of the Notice of Completion for the 2019 Citywide Sewer/Storm Drain Lining Project (c401511).

12. Walnut Avenue Sewer Improvement (c402101) – Notice of Completion (PW)

    Motion to accept the work of KJ Woods Construction Inc. (South San Francisco, CA) as completed per plans and specifications and to authorize the filing of the Notice of Completion for the Walnut Avenue Sewer Improvement (c402101).

End Consent Agenda

Public Hearing

13. 418, 428, 440, 504, 508 Front St. (Application No. CP18-0153) - Assessor's Parcel Numbers 005-151-22, -30, -31, -39, -50 - Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to Remove One Street Tree and Three Heritage Trees, to Combine Five Parcels, Demolish Three Commercial Buildings, Including Two Historic Commercial Buildings, and to Construct a Seven-story, Mixed-use Building with 175 Residential Condos and 11,498 Square Feet of Ground Floor and Levee Front Commercial Space on Property Located within the CBD/CZ-O/FP-O Zone District (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront Subarea of the Downtown Plan (PL)

1) Resolution certifying the Environmental Impact Report.

2) Resolution adopting Findings of Fact, a Mitigation Monitoring and Reporting program, and a Statement of Overriding Conditions.

3) Resolution approving the Nonresidential Demolition Authorization Permit, Coastal Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and street tree removal.

Oral Communications

Adjournment

INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS

ADDENDUM TO CITY COUNCIL AGENDA – JANUARY 12, 2021

14. Finance Department: Portfolio Management Report – Pooled Cash and Investments as of November 30, 2020 - 12/16/20 (FNFYI 336)

15. Planning Department: 831 Water Street – Pre-Application for Mixed-Use Development - 12/15/20 (PLFYI 053)

MAYOR'S PROCLAMATIONS

ADDENDUM TO CITY COUNCIL AGENDA – JANUARY 12, 2021

16. **Mayor Justin Cummings:** Proclaiming December 8, 2020 as "Sister City Friendship with Shingu 45th Anniversary Day," and, from this day forward, recommitting to sustaining the strong friendship and sisterhood between our two countries and cities.

17. **Mayor Donna Meyers:** In acknowledgement of her numerous years of service to our community, proclaiming January 5, 2021 as "Linda Wilshusen Day" and urging all citizens to join in recognizing and honoring her exemplary citizenship for her contributions to our community's ongoing efforts to responsibly and sustainably manage our City's precious natural resources.

Advisory Body Appointments

The following at-large positions are open for reappointment and or reappointment.

Arts Commission	One vacancy
Board of Building and Fire Appeals	Two reappointments
Commission for the Prevention of Violence Against Women	One vacancy and three reappointments
Downtown Commission	One vacancy and one reappointment
Equal Employment Opportunity Committee	One vacancy
Historic Preservation Commission	Two reappointments
Parks and Recreation Commission	Two reappointments
Planning Commission	One reappointment
Sister Cities Committee	One vacancy and one reappointment
Transportation and Public Works Commission	One vacancy and two reappointments
Water Commission	One vacancy and one reappointment

Public Hearing

If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that action either 60 days or 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6 Please refer to code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes “final.” The 60-day rule applies to all public hearings conducted pursuant to the City’s Zoning Ordinance, Title 24, Santa Cruz Municipal Code. The 90-day rule applies to all other public hearings.

City Council Agenda Legislative History Addendum

No information was submitted.

City staff is responsible for providing the City Clerk with such documentation and information for the Legislative History Addendum. The information will be on file in the City Clerk's Department.

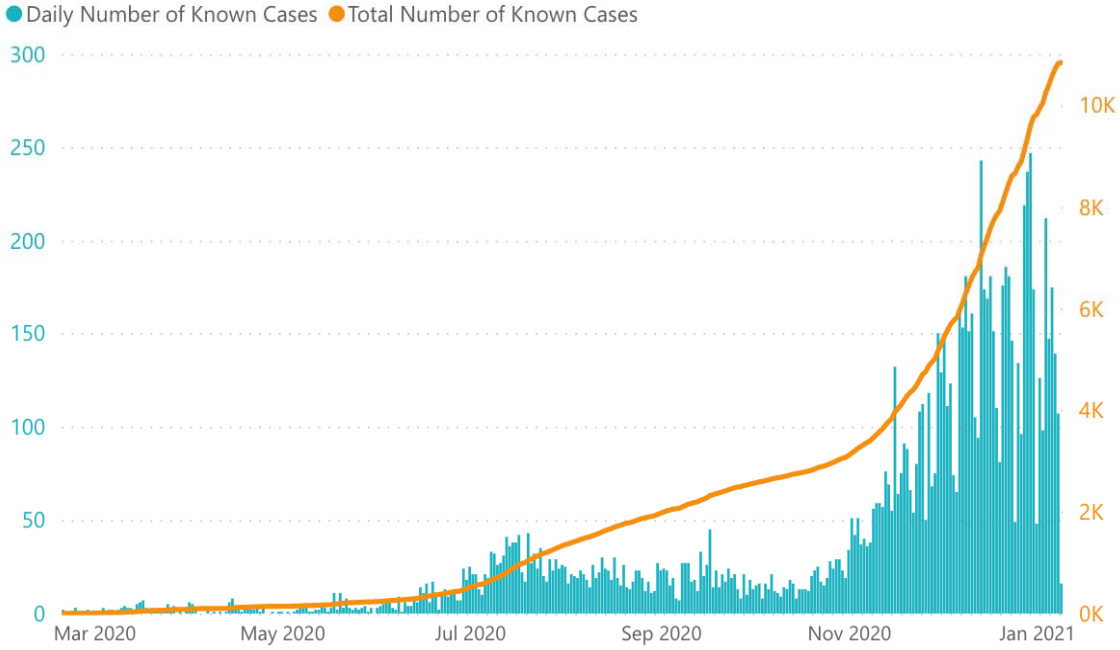
The Addendum is a listing of information specific to City Council business, but which does not appear on a Council meeting agenda. Such entities would include, but not be limited to: Court decisions, Coastal Commission Appeals of City Council actions, Closed Session Agreements/Settlements, which are public record, Association of Monterey Bay Area Governments, Local Agency Formation Commission.

COVID-19 Data Dashboard: Counts of Known Cases Among Santa Cruz County Residents

For additional dashboard details and data definitions select the information icon:

10,833	=	2,736	+	7,991	+	106	334	99,669
Total known cases of COVID-19		Active known cases		Recovered known cases		Deaths due to COVID-19	Required hospitalization while ill with COVID-19	Total number of negative lab test results

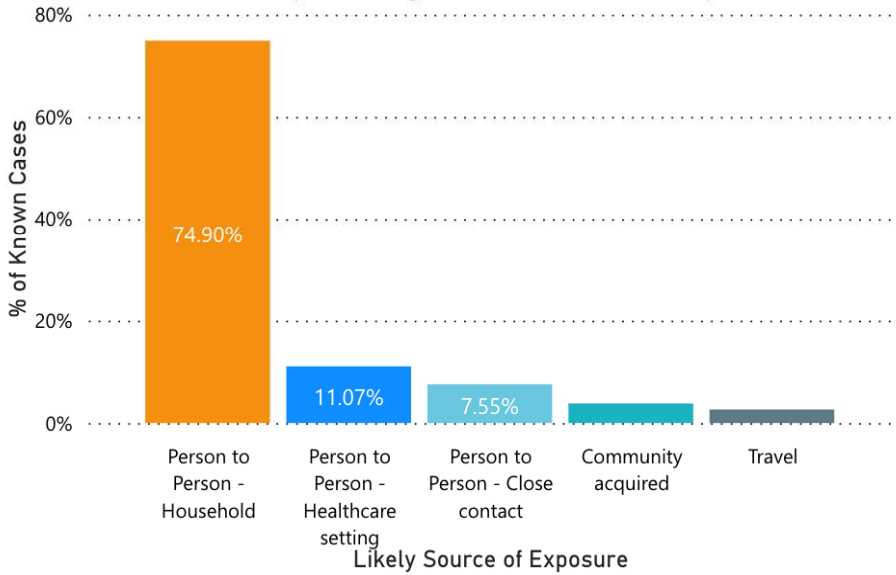
Epidemic curve and total count of known cases



Identified most likely source of exposure to COVID-19 for known cases of COVID-19 among Santa Cruz County residents

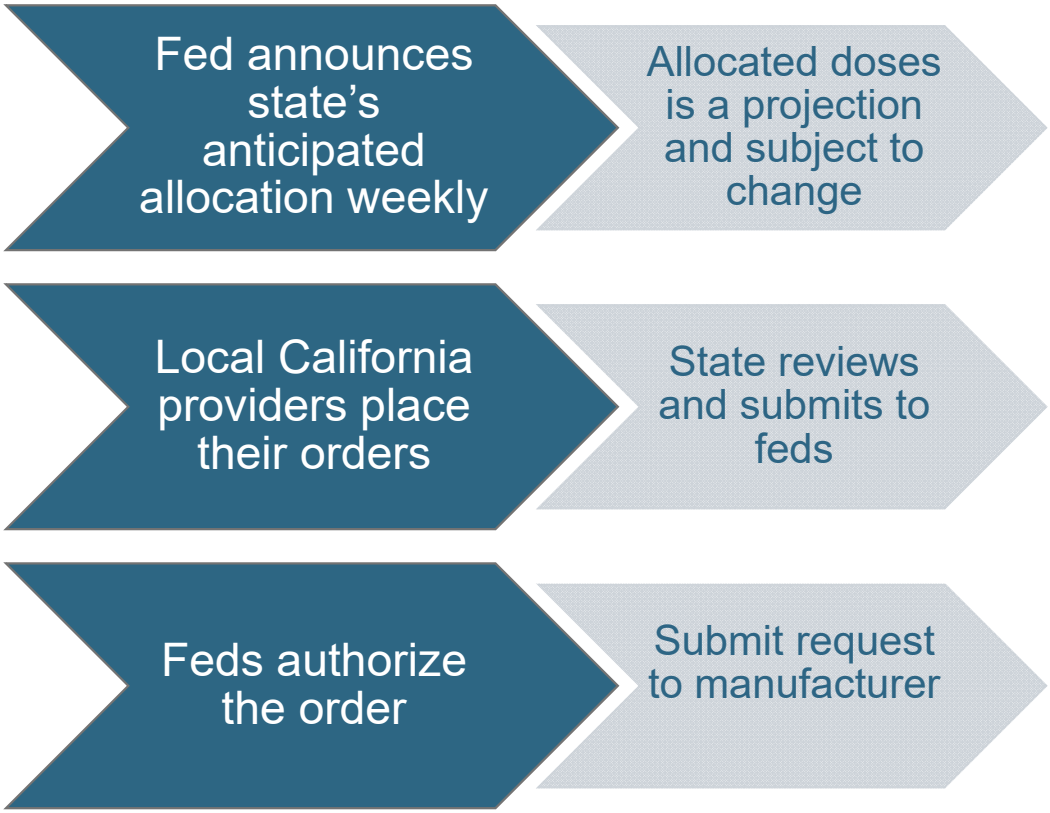
**Recent cases may not be included in the visual representation.*

***Cases currently under investigation are not included in the visual representation.*



Source: santacruzhealth.org/coronavirus

Vaccine Allocation and Administration



Distribution Systems

1. Federal Pharmacy Program
2. Multi-County Entities
3. CalVax (COVID Ready) State Distribution
4. Local Health Jurisdiction (Public Health)

Vaccine Distribution Plan

COVID-19 vaccines will be distributed within Santa Cruz County through the local health care system, including Public Health. At this time, vaccine supplies are limited, and it is uncertain when vaccines will be available for all sectors. Phases and Tiers may change at any time based on recommendations by the CDC and California Department of Public Health.

We are currently here

PHASE 1A

Limited weekly supply

- TIER 1: Acute and healthcare staff, SNF/assisted living facility staff/residents, EMTs, paramedics, dialysis center staff
- TIER 2: Home health and in-home supportive services, public health, primary care staff, FQHCs & urgent care clinics
- Tier 3: Dental/oral health workers, lab workers, pharmacy staff, specialty clinics

PHASE 1B

Limited weekly supply

- TIER 1: Workers in education, childcare, food & agriculture, fire, law enforcement, emergency services and those over 75+
- TIER 2: Workers in facilities & services, critical manufacturing, transportation & logistics. Also, people 65-74, incarcerated people & homeless individuals

PHASE 1C

Limited weekly supply

- Remainder of those 65-74
- Individuals 50 – 64
- Those 16-49 that are high risk
- Workers in chemical, communications, IT, defense, finance, government operations, community-based organizations, water & wastewater

Expected to launch Spring 2021

PHASE 2

When large number of doses available

- All other persons older than 16 that have not already been recommended in Phases 1a, 1b or 1c and general population.

Expected to launch Summer 2021

PHASE 3

When large number of doses available

- Ensuring equitable vaccination access across the entire population. Focus on communities with low coverage.

Meeting Type
Holiday
Jewish Holiday
Regular Meeting
Special Meeting
Study Session (will be added as scheduled)
Budget Hearing

City Council Meeting Calendar for 2021

Please note: Meeting times are not final and are likely to change

DATE	Time	Location	Meeting Type
January 18	**City Hall Closure - Martin Luther King Jr. Day**		
January 19	7:00 p.m.	Council Chambers	Special Meeting - Advisory Body Interviews
January 26	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
February 9	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
February 15	**City Hall Closure - Presidents' Day**		
February 23	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
March 9	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
March 23	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
March 27	**Passover (City observed - beginning at sundown on March 26)**		
April 13	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
April 27	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
TBD	TBD	Council Chambers	Budget Hearings
May 11	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
May 25	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
May 31	**City Hall Closure - Memorial Day**		
June 8	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
June 22	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
July 4	**City Hall Closure - Independence Day**		
July 5	**City Hall Closure - Independence Day (Observed)**		
July 13 and 27 Meetings Cancelled - CITY COUNCIL DARK			
August 10	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
August 24	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
September 6	**Rosh Hashanah (City observed - beginning at sundown on September 5)**		
September 6	**City Hall Closure - Labor Day**		
September 14	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
September 15	**Yom Kippur (City observed - beginning at sundown on September 14)**		
September 28	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
October 12	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m. (no 7pm)	Council Chambers	Council Regular Meeting - Open to the Public
October 26	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public

Meeting Type
Holiday
Jewish Holiday
Regular Meeting
Special Meeting
Study Session (will be added as scheduled)
Budget Hearing

City Council Meeting Calendar for 2021

Please note: Meeting times are not final and are likely to change

DATE	Time	Location	Meeting Type
October 26	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
November 9	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
November 11	**City Hall Closure - Veteran's Day (observed)**		
November 23	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
November 25	**City Hall Closure - Thanksgiving Day**		
November 26	**City Hall Closure - Day After Thanksgiving Day**		
November 28	**Hanukkah (City observed - beginning at sundown on November 27)**		
December 14	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
December 25	**City Hall Closure - Christmas Day**		
December 28 Meeting Cancelled - CITY COUNCIL DARK			

City Council
AGENDA REPORT

DATE: 01/02/2021

AGENDA OF: 01/12/2021

DEPARTMENT: City Attorney

SUBJECT: Legislative Subpoena to Compel Pacific Gas and Electric to Provide Information Regarding Collection of the City's Utility Users Tax (CA)

RECOMMENDATION: Motion to issue a legislative subpoena under Section 617 of the City Charter to compel Pacific Gas & Electric to provide information regarding its collection of the City's Utility Users Tax.

BACKGROUND AND CURRENT STATUS: Pacific Gas & Electric is obligated to collect the City's utility users tax from its customers in the City. The base of that tax is specified in the City's ordinances and includes "the charges made for such electricity, and for any supplemental services or other associated activities directly related to and/or necessary for the provision of electricity to the service users that are provided by" the utility. PG&E, however, does not collect the City's tax, or similar taxes imposed by other cities, on power sales in the City to the extent power use is funded by application of credits for revenues from the State's auction of greenhouse gas credits. The City maintains this is a violation of the City's tax ordinance; PG&E disagrees. To determine the extent of PG&E's under-collection of the City's tax and to assist in resolution of this dispute, information is required from PG&E.

Accordingly, the City Attorney recommends issuing a legislative subpoena to obtain communications and other documents regarding under-collection of the City's tax: (i) between the investor-owned utilities such as PG&E and the Public Utilities Commission; and (ii) among investor-owned utilities, including PG&E, Southern California Edison, and San Diego Gas & Electric Company.

DISCUSSION: ISSUANCE OF A LEGISLATIVE SUBPOENA: Government Code section 37104 recognizes the City's authority to issue a legislative subpoena: "The legislative body may issue subpoenas requiring attendance of witnesses or production of books or other documents for evidence or testimony in any action or proceeding pending before it." A legislative subpoena is proper if "(1) it is authorized by ordinance or similar enactment, (2) it serves a valid legislative purpose, and (3) the witnesses or material subpoenaed are pertinent to the subject matter of the investigation." *(Connecticut Indem. Co. v. Superior Court* (2000) 23 Cal.4th 807, 813.)

A city charter can also authorize the issuance of legislative subpoenas. Section 617 of the Santa Cruz City Charter provides, in relevant part:

> It [the City Council] shall have the power and authority to compel the attendance of witnesses, to examine them under oath, and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify (other than upon constitutional grounds) shall constitute a misdemeanor.

The City has a valid legislative purpose in ensuring it collects the entire utility users tax specified by its utility users tax ordinance. *(City and County of San Francisco v. Uber Technologies, Inc*. (2019) 36 Cal.App.5th 66, 73–74 ("*CCSF v. Uber")* ["The City Attorney has a broad right to investigate, including the use of subpoenas, when it suspects an entity operating within its jurisdiction is violating the law."].) Subpoenas may be "issued in furtherance of City's lawfully authorized concern of carrying out the audit of an uncooperative taxpayer to determine compliance with City's taxing ordinance." (*City of Santa Cruz v. Patel* (2007) 155 Cal.App.4th 234, 251.) In *City of Vacaville v. Pitamber* (2004) 124 Cal.App.4th 739, that city successfully subpoenaed a hotel operator to produce records after the operator refused to comply with the city's TOT ordinance. There, the Court held "[m]atters relating to the investigation and enforcement of tax measures are proper legislative concerns." (*City of Vacaville* at p. 748.)

Recent opinions from the Court of Appeal confirm that legislative subpoenas are flexible tools. *CCSF v. Uber* upheld San Francisco's legislative subpoenas for reports and data Uber submitted to the PUC related to that city's investigation of Uber's possible violations of state and local laws. Uber refused, claiming the PUC had exclusive enforcement authority and that the information was sensitive and proprietary. The city sued to enforce its subpoenas. The trial court issued the order, which was affirmed on appeal.

EXPECTATIONS: We seek documents to establish whether PG&E discussed with the PUC or with other investor-owned utilities the impact of greenhouse gas credits on state and local taxes and fees. We do not know if these documents exist — they may not — but it would be helpful to have them if they do. Also, it is possible that the requests will provide documents that will help us with other aspects of this dispute.

CONCLUSION: Therefore, the City Attorney and outside counsel recommend the City Council act by minute action without resolution or ordinance, to exercise its authority under Section 617 of the City Charter to issue a legislative subpoena to compel PG&E to provide the information described in the attached subpoena.

FISCAL IMPACT: No significant fiscal impact.

Prepared By:	**Approved By:**
Tony Condotti	Martin Bernal
City Attorney	City Manager

ATTACHMENTS:
LEGISLATIVE SUBPOENA.DOCX

IN THE MATTER OF FACTUAL INQUIRY RELATED TO INVESTIGATION OF COMPLIANCE WITH SANTA CRUZ MUNICIPAL CODE TITLE 3, CHAPTER 3.29	LEGISLATIVE SUBPOENA Date: February 23, 2021 Time: 3:00 p.m. Place: City Hall, Council Chambers 809 Center Street, Room 10 Santa Cruz, California 95060

To: Custodian of Records for Pacific Gas & Electric Company
c/o Brian M. Wong (agent for service of process for Pacific Gas & Electric Company)
77 Beale Street
San Francisco, California 941-5

Pursuant to City of Santa Cruz ("City") Charter section 617 and in furtherance of an investigation into apparent noncompliance with Chapter 3.29 of Title 3 of the Santa Cruz Municipal Code, the Santa Cruz Council hereby orders Pacific Gas & Electric Co. ("You" or "PG&E") to appear in person and to produce and permit inspection and copying of all documents, records, and other materials described in **Exhibit A** (the "Records") at the Santa Cruz City Council meeting on February 23, 2021 at 3:00 p.m. or as soon thereafter as the matter is called, to be held at Council Chamber at City Hall, 809 Center Street, Room 10, Santa Cruz, California 95060.

You are not required to appear at the Santa Cruz City Council meeting on the date and time set forth above if, **prior to February 12, 2021**, you produce and permit inspection and copying of the Records, by mailing such materials to the City Council in care of the City Clerk at the following address, together with a certification from an officer authorized to provide that certification, dated and signed under penalty of perjury under the laws of the State of California that the documents provided are true, correct and complete copies of all documents responsive to this Legislative Subpoena:

City Council
c/o Bonnie Bush, City Clerk Administrator
809 Center Street, Room 9
Santa Cruz, California 95060

The subpoenaed items are relevant to the City's investigation of possible violations of law, including its Electricity Users' Tax (Santa Cruz Municipal Code, § 3.29.050), and the documents requested are believed to contain evidence of such violations.

If you demonstrate to the reasonable satisfaction of the Santa Cruz City Attorney that the privacy rights of third parties are in issue, the City Attorney is authorized to enter into an appropriate confidentiality agreement with you.

If you have any questions regarding compliance with this subpoena, contact the City's Special Counsel: John L. Jones II (State Bar No. 225411), Tel: (213) 542-5720, Fax (213) 542-5710.

Please be advised that destruction or concealment of any items requested will result in a referral to law enforcement for criminal prosecution under California Penal Code section 135.

Failure to comply with the commands of this subpoena may subject you to citation for contempt or other penalties before the Superior Court of the State of California

Signed in the City of Santa Cruz this ___ day of _____ 2021

By: _____
Bonnie Bush
City Clerk Administrator

EXHIBIT A

Definitions:

"**Relating to**" as used here means directly or indirectly, in whole or in part, referring to, concerning, evidencing, connected with, commenting on, affecting, responding to, showing, describing, analyzing, reflecting, or constituting.

The term "**all records**" means every document existing in paper or electronic form — whether an original or copy, draft, or final version — known to You and every such document or writing You can locate or discover by reasonably diligent effort.

1. **Request No. 1:** all records of communications between You and the California Public Utilities Commission (the "**Commission**") relating to the on-bill or other treatment of California Industry Assistance Credit ("**IA Credit**") or any guidelines for application of IA Credits from January 1, 2013 through the present (the "**Period**").

2. **Request No. 2:** all records of communications between You and the Commission relating to the on-bill or other treatment of the Residential CA Climate Credit or any guidelines for application of Residential CA Climate Credits during the Period.

3. **Request No. 3:** all records of communications between You and the Commission relating to the on-bill or other treatment of the Small Business CA Climate Credit or any guidelines for application of Small Business CA Climate Credits during the Period.

4. **Request No. 4:** all records of communications between You and Southern California Edison Co., including any corporate affiliate of Southern California Edison Co., (collectively, "**SCE**") relating to the on-bill or other treatment of the IA Credit or any guidelines for application of IA Credits during the Period.

5. **Request No. 5:** all records of communications between You and SCE relating to the on-bill or other treatment of the Residential CA Climate Credit or any guidelines for application of Residential CA Climate Credits during the Period.

6. **Request No. 6:** all records of communications between You and SCE relating to the on-bill or other treatment of the Small Business CA Climate Credit or any guidelines for application of Small Business CA Climate Credits during the Period.

7. **Request No. 7:** all records of communications between You and San Diego Gas & Electric Co., including any corporate affiliate of San Diego Gas & Electric Co., (collectively, "**SDG&E**") relating to the on-bill or other treatment of the IA Credit or any guidelines for application of IA Credits during the Period.

8. **Request No. 8:** all records of communications between You and SDG&E relating to the on-bill or other treatment of the Residential CA Climate Credit or any guidelines for application of Residential CA Climate Credits during the Period.

9. **Request No. 9:** all records of communications between You and SDG&E relating to the on-bill or other treatment of the Small Business CA Climate Credit or any guidelines for application of Small Business CA Climate Credits during the Period.

10. **Request No. 10:** all records of communications (i) between You and the Commission or (ii) between or among any or all of the Commission, You, and any California city or county, relating to the consequences for the calculation of utility user taxes imposed by cities and counties of on-bill or other treatment of IA Credits or any guidelines for application of IA Credits and the implications of such application for the calculation of utility user taxes imposed by one or more California cities and counties.

11. **Request No. 11:** all records of communications (i) between You and the Commission or (ii) between or among any or all of the Commission, You, and any California city or county, relating to the consequences for the calculation of utility user taxes imposed by cities and counties of on-bill or other treatment of IA Credits or any guidelines for application of Residential CA Climate Credits and the implications of such application for the calculation of utility user taxes imposed by one or more California cities and counties.

12. **Request No. 12:** all records of communications (i) between You and the Commission or (ii) between or among any or all of the Commission, You, and any California city or county, relating to the consequences for the calculation of utility user taxes imposed by cities and counties of on-bill or other treatment of IA Credits or any guidelines for application of Small Business CA Climate and the implications of such application for the calculation of utility user taxes imposed by one or more California cities and counties.

13. **Request No. 13:** The City Council directs that you produce the information requested under Request Nos. 1 through 12 above as electronically stored information. This information may be provided in pdf, Microsoft Word, Microsoft Outlook (.pst), or Microsoft Excel format. Upon demonstration to the reasonable satisfaction of the City Attorney that production in this format is not feasible, the information shall be produced in a format to which the City Attorney agrees in writing.

City Council
AGENDA REPORT

DATE: 01/02/2021

AGENDA OF: 01/12/2021

DEPARTMENT: City Attorney

SUBJECT: Resolution Supporting Action(s) to Enhance a Minimum of One Acre of Existing or Historic Freshwater Wetland at the Jessie Street Marsh (CA/PR/PW)

RECOMMENDATION: Resolution supporting action(s) to enhance a minimum of one acre of existing or historic freshwater wetland at the Jessie Street Marsh.

BACKGROUND: On May 11, 2019, the City adopted a Mitigated Negative Declaration ("MND") and approved construction of the Santa Cruz Rail Trail Segment 7 (Phase II) ("Project"). On June 12, 2019, Petitioner Save Our Big Trees ("SOBT") filed a Petition for Writ of Mandate ("Lawsuit") challenging the City's approval of the Project. In the Petition, Petitioners allege that the City violated the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) in various respects. In December of 2020, after several months of on-again, off-again negotiations, the Lawsuit was tentatively resolved and a Settlement Agreement ("Agreement") was executed. Among other provisions, under the terms of the Agreement, the City agreed to compensation of SOBT's legal fees and costs in the amount of $58,000, and to consider adopting a resolution supporting action(s) to enhance a minimum of one acre of existing or historic freshwater wetland at the Jessie Street Marsh, as a pre-condition to SOBT's dismissal of the Lawsuit with prejudice.

DISCUSSION: As noted above, as part of the Settlement the City agreed to schedule for City Council consideration and resolution "supporting action(s) to enhance a minimum of one acre of existing or historic freshwater wetland at the Jessie Street Marsh."[1] The Agreement further specifies that the resolution "shall be drafted in substantive part to:

a. Direct staff to identify feasible elements of the existing Jessie Street Marsh Management Plan or adopt an updated plan ("Updated JSM Plan") that includes enhancement of a minimum of one acre of functional freshwater wetlands. Feasibility as that term is used in this Agreement would be determined by City staff, supported by specific evidence and consistent with the factors set forth in CEQA Guidelines section 15364.

b. Identify Jessie Street Marsh as the preferred site for replanting of willow trees and oak trees as part of mitigation for Project impacts."

---

[1] As defined by the Agreement, "enhance" means "to repair the hydrologic function of freshwater wetlands at Jessie Street Marsh without requiring implementation of a tidal exchange."

Adoption of the draft resolution, attached, fulfills that commitment. Because the existing (1998) Jessie Street Marsh Management Plan already contemplates both enhancement of existing and creation of new freshwater marsh habitat, an amended or updated plan would not be necessary to comply with the terms of the Settlement Agreement.

FISCAL IMPACT: As noted above, as part of the Settlement, the City agreed to compensate for SOBT's legal fees and costs in bringing the Lawsuit. Adoption of the attached Resolution is not anticipated to have any significant fiscal impact, as it does not commit the City to undertaking any specific restoration or enhancement measures.

Prepared By:	**Submitted By:**	**Approved By:**
Tony Condotti City Attorney	Mark Dettle Director of Public Works	Martin Bernal City Manager
	Tony Elliot Director of Parks and Recreation	

ATTACHMENTS:
1. RESOLUTION.DOCX

RESOLUTION NO. NS-XX,XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ SUPPORTING ACTIONS TO ENHANCE A MINIMUM OF ONE ACRE OF EXISTING OR HISTORIC FRESWATER WETLAND AT THE JESSIE STREET MARSH

WHEREAS, on May 11, 2019, the City adopted a Mitigated Negative Declaration ("MND") and approved construction of the Santa Cruz Rail Trail Segment 7 (Phase II) ("Project"); and

WHEREAS, on June 12, 2019, Petitioner Save Our Big Trees ("SOBT") filed a Petition for Writ of Mandate ("Lawsuit") challenging the City's approval of the Project; and

WHEREAS, in the Lawsuit, Petitioners alleged that the City violated the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) in various respects; and

WHEREAS, since the Lawsuit's filing, Petitioner and the City have engaged in extensive settlement negotiations, resulting in a Settlement Agreement ("Agreement") being approved by the parties and executed in December of 2020; and

WHEREAS, under the of the Agreement, the City agreed consider adopting a resolution supporting actions to enhance a minimum of one acre of existing or historic freshwater wetland at the Jessie Street Marsh, as a pre-condition to SOBT's dismissal of the Lawsuit with prejudice.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

1. That the Council of the City of Santa Cruz hereby finds and adopts the recitals above as findings and determinations; and

2. That by adoption of this Resolution the City Council hereby declares its support for action(s) to enhance a minimum of one acre of existing or historic freshwater wetland at the Jessie Street Marsh."[1] Specifically:

    a. The City Council hereby authorizes and directs the City Manager, through the Departments of Parks and Recreation and Public Works, to identify feasible elements of the existing Jessie Street Marsh Management Plan ("Plan") or, alternatively, to prepare for the City Council's further consideration an amendment to the Plan or an updated plan ("Updated JSM Plan") that includes enhancement of a minimum of one acre of functional freshwater wetlands. Feasibility as that term is used in this Agreement shall be determined by City staff, supported by specific evidence and consistent with the factors set forth in CEQA Guidelines section 15364; and

[1] As defined by the Agreement, "enhance" means "to repair the hydrologic function of freshwater wetlands at Jessie Street Marsh without requiring implementation of a tidal exchange."

The City Council hereby identifies Jessie Street Marsh as the preferred site for replanting of willow trees and oak trees as part of mitigation for Project impacts"; and

3. That City Council hereby authorizes the City Manager, through the Departments of Parks and Recreation and Public Works, to take action consistent with this Resolution, while also complying with all applicable city, state, and federal laws and regulations, and coordinating with other local, state, and federal agencies that may have jurisdiction over the Jessie Street Marsh.

PASSED AND ADOPTED this 12th day of January, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Donna Meyers, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

MINUTES ARE UNOFFICIAL UNTIL APPROVED BY COUNCIL

City of Santa Cruz
809 Center Street
Santa Cruz, California 95060

MINUTES OF A CITY COUNCIL MEETING

December 8, 2020

1:00 PM

Mayor Cummings opened the City Council Closed Session at 1:01 p.m. in a public meeting via Zoom, for the purpose of announcing the agenda, and receiving public testimony.

Roll Call

Present: Councilmembers Beiers (via Zoom), Mathews (via Zoom), Brown (via Zoom), Golder (via Zoom), Watkins (via Zoom); Vice Mayor Meyers (via Zoom); Mayor Cummings (via Zoom).

Absent: None.

Staff: City Manager M. Bernal (via Zoom), Assistant City Manager L. Schmidt (via Zoom), City Attorney T. Condotti (via Zoom), Finance Director K. Krause (via Zoom), Deputy City Clerk Administrator J. Wood, City Clerk Administrator B. Bush (via Zoom).

Public Comment

Mayor Cummings opened the public comment period at 1:01 p.m. There were no speakers. Mayor Cummings closed the public comment period at 1:02 p.m.

Closed Session

1. Conference With Legal Counsel – Liability Claims (Government Code §54956.95)

   Claimant: Nationwide Insurance
   Claimant: Gilberto Mora Enriquez
   Claimant: Christine Elizabeth Jacobs

   Claims against the City of Santa Cruz

Closed Session (continued)

2. Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1))

   1) Save Our Big Trees v. City of Santa Cruz
   Santa Cruz Superior Court, Case No. 19CV02062

   2) Regents of the University of California, et al. v. City of Santa Cruz
   Santa Cruz Superior Court, Case No. 20CV02152

At this time, the meeting was closed to the public. (See page 5470 for a report on Closed Session.)

City of Santa Cruz
809 Center Street
Santa Cruz, California 95060

MINUTES OF A CITY COUNCIL MEETING
December 8, 2020

1:45 PM

Call to Order – Mayor Cummings called the meeting to order at 1:46 p.m. via Zoom.

Roll Call

Present: Councilmembers Beiers (via Zoom), Mathews (via Zoom), Brown (via Zoom), Golder (via Zoom), Watkins (via Zoom); Vice Mayor Meyers (via Zoom); Mayor Cummings (via Zoom).

Absent: None.

Staff: City Manager M. Bernal (via Zoom), City Attorney T. Condotti (via Zoom), Assistant City Manager L. Schmidt (via Zoom), Fire Chief J. Hajduk (via Zoom), Finance Director K. Krause (via Zoom), Director of Information Technology K. Morgan (via Zoom), Chief of Police A. Mills (via Zoom), Director of Economic Development B. Lipscomb (via Zoom), Director of Parks and Recreation T. Elliot (via Zoom), Assistant Director of Public Works/City Engineer C. Schneiter (via Zoom), Water Director R. Menard (via Zoom), Director of Planning and Community Development L. Butler (via Zoom), Human Resources Director L. Murphy (via Zoom), Business Liaison R. Unitt (via Zoom), Principal Management Analyst T. Lake (via Zoom), Assistant to the City Manager S. O'Hara (via Zoom), Deputy City Clerk Administrator J. Wood, City Clerk Administrator B. Bush (via Zoom).

Presentations

3. 2020 Officer Jim Howes Community Service Awards

Mayor Cummings presented the Community Member award to Joy Flynn-Wall and Taj Leahy, and the City Employee award to Jessi Bond, Recreation Supervisor.

Presentations (continued)

4. 45th Anniversary of Sister City Friendship with Shingu

Sister Cities Committee members Michele Peregrin, Andrea Rosenfeld, Linda Snook, and Linda Holiday gave a presentation celebrating the 45-year anniversary of the Sister City Friendship with Shingu.

Presiding Officer's Announcements

Statements of Disqualification – None.

Additions and Deletions - None.

Oral Communications Announcement - The Mayor provided a brief announcement about Oral Communications.

City Attorney Report on Closed Session

Conference With Legal Counsel – Liability Claims (Government Code §54956.95)

Claimant: Nationwide Insurance
Claimant: Gilberto Mora Enriquez
Claimant: Christine Elizabeth Jacobs

Claims against the City of Santa Cruz

Council received a status report, took up under agenda item 13, and no reportable action was taken.

Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1))

1) Save Our Big Trees v. City of Santa Cruz
Santa Cruz Superior Court, Case No. 19CV02062

2) Regents of the University of California, et al. v. City of Santa Cruz
Santa Cruz Superior Court, Case No. 20CV02152

Council received a status report, gave direction to legal counsel, and took no reportable action.

City Manager Report

5. The City Manager will report and provide updates on the City's business, COVID-19 response, and events.

City Manager M. Bernal provided an update on the City's response to COVID-19, and called on the Director of Economic Development B. Lipscomb to respond to Councilmember questions regarding local businesses.

Council Meeting Calendar

6. The City Council reviewed and did not revise the meeting calendar attached to the agenda.

Council Memberships in City Groups and Outside Agencies

7. The Presiding Officer provided councilmembers with the opportunity to update Council on any external Committee meetings that occurred since the last Council meeting

Councilmember Brown: Reported on the Regional Transportation Commission.

Councilmember Golder: Reported on Association of Monterey Bay Area Governments (AMBAG), and Santa Cruz County Integrated Waste Management Local Task Force.

Vice Mayor Meyers: Reported on Santa Cruz Metropolitan Transit District Board (METRO), and Cowell Working Group.

Councilmember Mathews: Reported on Visit Santa Cruz, and Downtown Management Corporation.

Consent Agenda

Councilmember Golder made a comment on item 12.

Director of Parks and Recreation T. Elliot responded to Councilmember Golder's comment on item 12.

Councilmember Brown made a comment on item 14.

Assistant Director of Public Works/City Engineer C. Schneiter responded to Councilmember Brown's and Mayor Cummings' questions regarding item 16.

Consent Agenda (continued)

Mayor Cummings opened the public comment period. The following people spoke via teleconference:

Unidentified person commented on item 13.

Garrett Philipp commented on item 10.

Mayor Cummings closed the public comment period.

MOTION: Councilmember Mathews moved, seconded by Vice Mayor Meyers, to approve the Consent Agenda.

ACTION: The motion carried unanimously with the following vote.

AYES:	Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	None.
DISQUALIFIED:	None.

8. Resolution Extending the Emergency Declaration in Connection with COVID-19 Pandemic by Sixty (60) Days (CA)

Resolution No. NS-29,749 was adopted extending Declaration of Emergency in connection with the COVID-19 pandemic.

9. Resolution Extending the Emergency Declaration in Connection with the CZU August Lightning Complex Fire by Sixty (60) Days (CA)

Resolution No. NS-29,750 was adopted extending a Local Emergency Declaration in connection with the CZU August Lightning Complex Fire by sixty (60) days.

10. Minutes from the November 24, 2020 City Council Meeting (CC)

Motion carried to approve as submitted.

Consent Agenda (continued)

11. Certification of the November 3, 2020 General Election (CC)

Resolution No. NS-29,751 was adopted confirming and approving the canvass of ballots and returns for the City of Santa Cruz General Election held on November 3, 2020, and declaring the following result:

The four candidates receiving the highest number of votes for the office of Santa Cruz City Councilmember for full four-year terms are Sonja Brunner, Martine Watkins, Sandy Brown, and Shebreh Kalantari-Johnson.

12. Lifeguard Service Agreement with the City of Capitola (FD)

Resolution No. NS-29,752 was adopted authorizing the City Manager to negotiate and execute a two-year Memorandum of Understanding with the City of Capitola for the provision of lifeguard services and management by the City of Santa Cruz Fire Department on Capitola's Main Beach, in a form acceptable to the City Attorney.

Resolution No. NS-29,753 was adopted appropriating funds from the City of Capitola for lifeguard services and management.

13. Liability Claims Filed Against the City of Santa Cruz (FN)

Motion carried to reject liability claims of a) Nationwide Insurance, b) Gilberto Mora Enriquez, and c) Christine Elizabeth Jacobs, based on staff recommendation.

14. Resolution Amending the City of Santa Cruz Personnel Complement and Classification and Compensation Plans: Implementation of California State Minimum Wage Law for 2021 – All Departments (HR)

Resolution No. NS-29,754 was adopted amending the Classification and Compensation Plans and the FY 2021 Budget Personnel Complement by adjusting the salary ranges of the temporary unclassified positions of Maintenance Worker Aide I, Maintenance Worker Aide II, Office Assistant, Library Aide, Professional and Technical Assistant, Recreation Area Aide, Recreation I, Recreation II, Recreation III, Recreation IV, Recreation V, Pool Lifeguard and Aquatic Instructor/Coach classifications.

Consent Agenda (continued)

15. Approval of MOU between Santa Cruz Sister Cities Committee and Sister Cities Support (PR)

Motion carried to approve the Memorandum of Understanding (MOU), in a form approved by the City Attorney, between Santa Cruz Sister Cities Committee (Committee) and Sister Cities Support.

16. Pacific Avenue Sidewalk, Front Street to Second Street (c401902) – Advertise and Award and Budget Adjustment (PW)

Motion carried to approve the plans and specifications for the Pacific Avenue Sidewalk, between Front Street and Second Street, authorize staff to advertise for bids, authorize the City Manager to execute a contract in a form acceptable to the City Attorney, and authorize the Director of Public Works to execute change orders within the approved project budget.

Resolution No. NS-29,755 was adopted to transfer and appropriate funds, and amend the FY 2021 project budget in the amount of $70,000 ($50,000 from Transportation Development Act fund and $20,000 from Sidewalk in Lieu fund).

17. Richard Heath & Associates Contract Amendment (WT)

Motion carried authorizing the Water Director to execute Contract Amendment No. 1 in the amount of $75,000 with Richard Heath & Associates to fund the Energy and Water Savings Assistance Program in a form to be approved by the City Attorney and to authorize the Water Director to execute future contract amendments within the approved budget.

18. Resolution to Apply for State Water Resources Control Board Funding for the Facilities Improvement Project at the Graham Hill Water Treatment Plant (WT)

Resolution No. NS-29,756 was adopted authorizing the Water Department to apply for State Water Resources Control Board (SWRCB) funding for the Facilities Improvement Project at the Graham Hill Water Treatment Plant in a form to be approved by the City Attorney.

End Consent Agenda

Consent Public Hearing

Mayor Cummings opened the public comment period. The following people spoke via teleconference:

Garrett Philipp commented on item 20.

Robert Norse commented on item 20.

Mayor Cummings closed the public comment period.

Vice Mayor Meyers stated for the record that, regarding item 19, she is not opposed to affordable housing or getting the highest percentage possible, but she has concerns it is a disincentive and may not accomplish desired goals. She looks forward to seeing if it is successful. It is not her intent to deny or reduce the amount of affordable housing, but she is concerned whether the policy will be effective.

MOTION: Councilmember Mathews moved, seconded by Councilmember Watkins, to approve the Consent Public Hearing Agenda.

ACTION: The motion carried with the following vote.

AYES:	Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers (except for item 19); Mayor Cummings.
NOES:	Vice Mayor Meyers voted no on item 19.
ABSENT:	None.
DISQUALIFIED:	None.

19. 2nd Reading and Final Adoption of Ordinance No. 2020-25 Affordable Housing Inclusionary Ordinance Amendment (ED/PL)

    Ordinance No. 2020-25 was adopted amending Title 24 of the Santa Cruz Municipal Code, the Zoning Ordinance, Part One of Chapter 24.16, Affordable Housing Provisions, including Sections 24.16.010 through 24.16.060.

20. 2nd Reading and Final Adoption of Ordinance No. 2020-26 Discriminatory Reports to Law Enforcement Ordinance (PD)

    Ordinance No. 2020-26 was adopted adding Chapter 9.86, Discriminatory Reports to Law Enforcement, to the Santa Cruz Municipal Code.

Public Hearings

21. An Uncodified Emergency Ordinance of the City Council of the City of Santa Cruz Authorizing the Temporary Use of Certain Adjacent Public Streets and Outdoor Areas for All Eligible Businesses Impacted by Indoor Business Closures Related to the COVID-19 Pandemic until October 1, 2021 (ED)

Director of Economic Development B. Lipscomb gave a presentation and responded to Councilmember questions.

Business Liaison R. Unitt responded to Councilmember questions.

Mayor Cummings opened the public comment period. There were no speakers. Mayor Cummings closed the public comment period.

MOTION: Councilmember Watkins moved, seconded by Councilmember Mathews, to adopt emergency Ordinance No. 2020-27 authorizing the temporary use of certain adjacent public streets and outdoor areas for all eligible businesses impacted by indoor business closures related to the COVID-19 pandemic until October 1, 2021.

ACTION: The motion carried unanimously with the following vote.

AYES:	Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	None.
DISQUALIFIED:	None.

22. 2020-2021 HUD AP Substantial Amendment for CDBG-CV3 Funding Allocation (ED)

Principal Management Analyst T. Lake gave a presentation and responded to Councilmember questions.

Assistant to the City Manager S. O'Hara responded to Councilmember questions.

Mayor Cummings opened the public comment period. The following people spoke.

Public Hearings (continued)

22. 2020-2021 HUD AP Substantial Amendment for CDBG-CV3 Funding Allocation (ED) (continued)

SPEAKING VIA TELECONFERENCE:
Lisa Berkowitz
Nicole
Robert Norse

Mayor Cummings closed the public comment period.

MOTION: Vice Mayor Meyers moved, seconded by Councilmember Watkins, to:

- Adopt Resolution No. NS-29,757 amending the 2020-2021 Action Plan and directing staff to submit the Substantial Amendment documents to HUD, authorizing the City Manager to sign an application for federal funding assistance for the 2020-2021 program year for CDBG-CV3, and authorizing the City Manager to execute program/project contracts, loan agreements, contract amendments and related loan documents with Community Development Block Grant (CDBG-CV3) sub-recipients and contractors in connection with Consolidated Plan activities proposed in the 2020-2021 Action Plan Substantial Amendment.

- Adopt Resolution No. NS-29,758 appropriating funds for the FY 2021 Budget and approving the 2020-2021 Annual Action Plan (AAP) budget adjustment.

ACTION: The motion carried unanimously with the following vote.

AYES:	Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	None.
DISQUALIFIED:	None.

Public Hearings (continued)

The below item is continued to January 12, 2021, and will not be discussed.

23. 418, 428, 440, 504, 508 Front St. (Application No. CP18-0153) - Assessor's Parcel Numbers 005-151-22, -30, -31, -39, -50 - Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to Remove One Street Tree and Three Heritage Trees, to Combine Five Parcels, Demolish Three Commercial Buildings, Including Two Historic Commercial Buildings, and to Construct a Seven-story, Mixed-use Building with 175 Residential Condos and 11,498 Square Feet of Ground Floor and Levee Front Commercial Space on Property Located within the CBD/CZ-O/FP-O Zone District (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront Subarea of the Downtown Plan (PL)

This item was continued to the January 12, 2021 meeting and was not discussed.

General Business

24. Removal of Mission Bells (CN)

Mayor Cummings introduced the item.

Director of Parks and Recreation T. Elliot gave a presentation and responded to Councilmember questions.

Martin Rizzo, California State Park Historian for the Santa Cruz District, spoke and responded to Councilmember questions.

Valentin Lopez, Chairman of the Amah Mutsun Tribal Band, spoke and responded to Councilmember questions.

Mayor Cummings opened the public comment period. The following person spoke.

SPEAKING VIA TELECONFERENCE:
Garrett Philipp

Mayor Cummings closed the public comment period.

General Business

24. Removal of Mission Bells (CN) (continued)

MOTION: Councilmember Mathews moved, seconded by Councilmember Brown, to adopt Resolution No. NS-29,759 authorizing removal of the remaining mission bell from the City of Santa Cruz, and directing staff to work with the Mission Plaza community stakeholder group to incorporate multiple historical perspectives and details in the historical interpretation.

ACTION: The motion carried unanimously with the following vote.

AYES:	Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	None.
DISQUALIFIED:	None.

Oral Communications

At 5:24 p.m. Mayor Cummings opened Oral Communications for members of the public who wished to speak regarding items not listed on the City Council agenda.

Unidentified person spoke regarding the differing ideologies of liberals and conservatives, and shared his hopes for the newly elected Council.

Robert Norse spoke regarding homelessness and the lack of winter shelter and played a sound clip from a previous Councilmember.

At 5:33 p.m. Mayor Cummings closed Oral Communications.

Recess – Council recessed at 5:33 p.m. to the 6:30 p.m. session.

City Council

6:30 PM

Call to Order – Mayor Cummings called the meeting to order at 6:31 p.m. via Zoom.

Roll Call

Present: Councilmembers Beiers (via Zoom), Mathews (via Zoom), Brown (via Zoom), Golder (via Zoom), Watkins (via Zoom); Vice Mayor Meyers (via Zoom); Mayor Cummings (via Zoom).

Absent: None.

Staff: City Manager M. Bernal (via Zoom), City Attorney T. Condotti (via Zoom), Fire Chief J. Hajduk (via Zoom), Director of Planning and Community Development L. Butler (via Zoom), Director of Economic Development B. Lipscomb (via Zoom), Human Resources Director L. Murphy (via Zoom), Water Director R. Menard (via Zoom), Deputy City Clerk Administrator J. Wood, City Clerk Administrator B. Bush (via Zoom).

Presentations

25. Mayor to Issue Keys to the City to the following:

- Dr. Jeremy Sanford
- Dr. Michael Stone
- Dr. Isabel Bjork
- Dr. John MacMillan
- Dr. Olena Vaske
- Dr. Marm Kilpatrick
- JoeBen Bevirt
- Raven Tershy
- Curtis Reliford
- Ashtyn Davis
- Santa Cruz Warriors
- Gail Pellerin

Presentations (continued)

26. Remarks by Outgoing Councilmembers Cynthia Mathews and Katherine Beiers

Councilmembers Mathews and Beiers made outgoing remarks.

27. Remarks by Outgoing Mayor, Justin Cummings

Mayor Cummings made outgoing remarks.

28. Installation and Remarks by Councilmembers Elect Martine Watkins, Sandy Brown, Sonja Brunner, and Shebreh Kalantari-Johnson

City Clerk Administrator B. Bush swore in Councilmembers Martine Watkins, Sandy Brown, Sonja Brunner, and Shebreh Kalantari-Johnson.

Councilmembers Watkins, Brown, Brunner, and Kalantari-Johnson spoke.

29. Election and Swearing-in of New Mayor and Vice Mayor for 2021

MOTION: Councilmember Watkins nominated, seconded by Councilmember Golder, to elect Donna Meyers as Mayor.

ACTION: The motion carried unanimously with the following vote.

AYES:	Councilmembers Golder, Brown, Watkins, Brunner, Kalantari-Johnson; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	None.
DISQUALIFIED:	None.

MOTION: Councilmember Brown nominated, seconded by Councilmember Golder, to elect Sonja Brunner as Vice Mayor.

ACTION: The motion carried unanimously with the following vote.

AYES:	Councilmembers Golder, Brown, Watkins, Kalantari-Johnson, Cummings, Brunner; Mayor Meyers.
NOES:	None.
ABSENT:	None.
DISQUALIFIED:	None.

City Clerk Administrator B. Bush swore in Mayor Donna Meyers.

Presentations (continued)

30. Remarks by Incoming Mayor and Vice Mayor

Mayor Meyers and Vice Mayor Brunner spoke.

Adjournment - The City Council adjourned at 8:53 p.m.

Respectfully Submitted:

Julia Wood, Deputy City Clerk Administrator

Attest:

Bonnie Bush, City Clerk Administrator

Approved:

Donna Meyers, Mayor

City Council
AGENDA REPORT

DATE: 01/04/2021

AGENDA OF: 01/12/2021

DEPARTMENT: City Council

SUBJECT: Appointment of Representatives to External Agencies, Groups, Council Committees and Task Forces (CN)

RECOMMENDATION:

1) Motion to appoint representatives to external agencies, groups, City Council committees and task forces for the 2021 calendar year.

2) Resolution to appoint Santa Cruz Mid-County Groundwater Agency Directors, as required by the Joint Powers Agreement.

3) Motion to sunset the Council Budget Ad Hoc Committee established on April 28, 2020 and focused on FY 2021 budget, and establish a Council Revenue Ad Hoc Committee to explore and recommend revenue-enhancing options for City Council action.

BACKGROUND: Each year, the Mayor presents a list of proposed appointments to represent the City of Santa Cruz (City) on a variety of boards, committees and groups both internally and externally. The nominations are presented for City Council review and official appointment.

Additionally, in 2016, the Santa Cruz approved a joint powers agreement making the City a member agency of the Santa Cruz Mid-County Groundwater Agency. This step was taken so that the City would be able to participate in the work to establish the Groundwater Sustainability Agency for the Soquel Aptos Groundwater basin, which is a shared resource for water supply to City, Soquel Creek and Central Water District customers.

The attached resolution is necessary to ratify the City's representation on the San Cruz Mid-County Groundwater Agency Board of Directors.

Finally, the work of the Council Budget Ad Hoc Committee (BC), established on April 28, 2020, has concluded with the successful adoption of budget adjustments for FY 2021 at the City Council's October 8, 2020 Special Meeting. This BC committee should sunset given that its work is completed.

DISCUSSION: Based upon the revised, adopted FY 2021 budget, a key focus for the City will be to explore revenue enhancing measures to offset the City's deficit. To do this, Council may wish to establish a Revenue Ad Hoc Committee to work with staff to explore various revenue

options, including but not limited to a possible ballot item for the November 2021 election. The recommendation is that the City Council appoint a Revenue Ad Hoc Committee comprised of the Mayor, Vice-Mayor, and one Councilmember (to be appointed by the Mayor) for this purpose.

FISCAL IMPACT: None.

Prepared By:	**Submitted By:**
Bonnie Bush	Donna Meyers
City Clerk Administrator	Mayor

ATTACHMENTS:
1. RESOLUTION.DOCX
2. 2021 COUNCIL MEMBERSHIP LIST.DOCX

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ APPROVING THE APPOINTMENT OF TWO DIRECTORS AND ONE ALTERNATE DIRECTOR TO THE SANTA CRUZ MID-COUNTY GROUNDWATER AGENCY BOARD OF DIRECTORS, PURSUANT TO SECTION 6.3.2, 6.4 AND 6.5 OF THE JOINT POWERS AGREEMENT

WHEREAS, pursuant to the provisions of the Santa Cruz Mid-County Groundwater Joint Powers Agency, as required by Section 6.3.2 of the Agreement, the City of Santa Cruz appointed the hereinafter named Santa Cruz Directors, subject to the approval of City Council; and

WHEREAS, pursuant to the provisions of the Santa Cruz Mid-County Groundwater Joint Powers Agency, as required by Sections 6.4 and 6.5, the City of Santa Cruz appointed the hereinafter named Santa Cruz Alternate Director to act as a substitute Director for one of the Member's Directors, subject to the approval of City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Santa Cruz does hereby approve the appointment of COUNCILMEMBER JUSTIN CUMMINGS AND DAVID GREEN BASKIN as Santa Cruz Mid-County Groundwater Agency Board Directors, and WATER COMMISSIONER DOUG ENGFER as Santa Cruz Mid-County Groundwater Agency Alternate Director effective January 14, 2020, to do and perform all acts and duties authorized by the Santa Cruz Mid-County Groundwater Agency.

PASSED AND ADOPTED this 12th day of January, 2021 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Donna Meyers, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

Council Membership in City Groups and Outside Agencies (2021)
Councilmembers may provide direction, request additional information or that a topic raised be agendized for future Council action. The Presiding Officer may request oral updates from Council Ad Hoc Committees.

City Council Standing Committees	Councilmember	Assigned Staff
Community Programs	Watkins, Brown, Kalantari-Johnson	Susie O'Hara Ralph Dimarucut
Public Safety	Watkins, Golder, Cummings	Susie O'Hara

City Council Ad Hoc Committees	Councilmember	Assigned Staff
Council Budget Subcommittee	Meyers, Cummings, Golder	Laura Schmidt Kim Krause

External Governmental Agencies/ Intergovernmental Coordinating Committees	Councilmember	Assigned Staff
Association of Monterey Bay Area Governments (AMBAG)	Cummings, Golder (alternate)	Lee Butler
City–Santa Cruz City Schools Committee	Watkins, Golder, Kalantari-Johnson	Tony Elliot
City Select Committee	Meyers	Martin Bernal
Library Financing Authority	Meyers, Brunner (alternate)	Martin Bernal
Homelessness 2x2 Committee	Meyers, Brunner	Lee Butler
Central Coast Community Energy Policy Board *Central Coast Community Energy Operations Board*	Meyers, Brunner (alternate) Martin Bernal, Mark Dettle (alternate)	Mark Dettle
Measure U Implementation Working Group	Meyers, Cummings, Brown	Lee Butler
Santa Cruz County Integrated Waste Management Local Task Force	Cummings, Golder (alternate)	Bob Nelson, Leslie O'Malley (staff alternate)
Santa Cruz County Consolidated Redevelopment Successor Agency Oversight Board	Meyers	Bonnie Lipscomb
Santa Cruz Metropolitan Transit District Board (METRO)	Meyers, Kalantari-Johnson	Claire Gallogly
Santa Cruz County Regional Transportation Commission (RTC)	Brown, Golder (alternate)	Chris Schneiter
Santa Cruz Mid-County Groundwater Agency	Councilmember Cummings, Water Commissioner David Baskin, Water Commissioner Doug Engfer (alternate)	Rosemary Menard

External Governmental Agencies/ Intergovernmental Coordinating Committees	Councilmember	Assigned Staff
Santa Margarita Groundwater Agency	Water Commissioner Doug Engfer, Water Commissioner David Baskin (citizen alternate)	Rosemary Menard
Local Agency Formation Commission (LAFCO) (Santa Cruz holds the City Seat through May 2022)	Cummings	Martin Bernal

Joint Powers Authorities/City Groups	Staff Appointments	Agency Contact Information
Santa Cruz County Animal Services Authority	Laura Schmidt, Bernie Escalante	Santa Cruz County Animal Services Authority 2200 7th Avenue Santa Cruz, CA 95062 https://www.scanimalshelter.org/
Santa Cruz Public Libraries	Martin Bernal	Santa Cruz Public Libraries 117 Union Street Santa Cruz, CA 95060 https://www.santacruzpl.org/
Santa Cruz Regional 9-1-1	Martin Bernal	Santa Cruz Regional 9-1-1 495 Upper Park Rd. Santa Cruz, CA 95065 (831) 471-1000

External Community Organizations	Councilmember/Staff	Agency Contact Information
Area Agency on Aging (AAA) Advisory Council	Brown, Brunner (Council alternate), Rita Hester (citizen alternate)	Seniors Council, Clay Kempf 234 Santa Cruz Ave. Aptos, CA 95003 Phone: (831) 688-0400
Climate Action Task Force	Cummings, Dr. Tiffany Wise-West (staff)	Dr. Tiffany Wise-West Twise-west@cityofsantacruz.com
Cowell Working Group	Meyers, Tony Elliot (staff)	CWG Facilitated by Save the Waves
Criminal Justice Council	Watkins, Golder (alternate), Andy Mills	Criminal Justice Council of Santa Cruz County cjcsantacruzcounty@gmail.com
Downtown Management Corporation	Meyers, Golder, Bonnie Lipscomb (staff)	Downtown Management Corporation runitt@cityofsatancruz.com 337 Locust Street, Santa Cruz, CA 95060
Santa Cruz County Youth Violence Prevention Initiative	Kalantari-Johnson	jburr@unitedwaysc.org United Way of Santa Cruz County 4450 Capitola Rd, Ste 106 Capitola, CA 95010
Santa Cruz Community Farmers' Market	Watkins, Meyers (alternate) Bonnie Lipscomb (staff)	Mr. Nesh Dillon Executive Director SCCFM P.O. Box 8189 Santa Cruz, CA 95061
Visit Santa Cruz County	Watkins, Brunner, Bonnie Lipscomb (staff)	Visit Santa Cruz County 303 Water Street, Suite 100 Santa Cruz, CA 95060 800-833-3494 or 831-425-1234
Community Action Board (CAB)	Brown, Eve Bertram, UCSC Professor (alternate)	Community Action Board of Santa Cruz County, Inc. 406 Main St. STE 207 Watsonville, CA 95076 831-763-2147

City Council
AGENDA REPORT

DATE: 12/28/2020

AGENDA OF: 01/12/2021

DEPARTMENT: Finance

SUBJECT: Liability Claims Filed Against the City of Santa Cruz (FN)

RECOMMENDATION: Motion to reject liability claims of a) Brittany Ballin, b) Gabriela Chapa, c) Bristol Santa Cruz, LLC, and d) Dan L. Ebert, based on staff recommendation.

BACKGROUND: None.

DISCUSSION: I. Claims to be rejected:

a. Claimant: Brittany Ballin
Date of occurrence: 05/31/2020
Date of claim: 11/10/2020
Amount of claim: $100,000.00

Claimant seeks reimbursement for medical expenses and general damages resulting from injuries allegedly caused by a pot hole on the Santa Cruz Wharf.

Represented by legal counsel

b. Claimant: Gabriela Chapa
Date of occurrence: 11/15/2020
Date of claim: 11/23/2020
Amount of claim: $696.99

Claimant seeks reimbursement for expenses allegedly caused by tripping on uneven sidewalk.

Self-represented

c. Claimant: Bristol Santa Cruz, LLC
Date of occurrence: 12/02/2019
Date of claim: 11/25/2020
Amount of claim: $ 2,317,987.00
Claimant seeks reimbursement for expenses and compensation for damages allegedly caused by a mudslide.

Self-represented

d. Claimant: Dan L. Ebert
Date of occurrence: 8/21/2020
Date of claim: 12/01/2020
Amount of claim: $ 140.89

Claimant seeks reimbursement for damages to vehicle allegedly caused by pothole.

Self-represented

FISCAL IMPACT: No fiscal impact.

Prepared By:	**Submitted By:**	**Approved By:**
Ross Brandon Principal Management Analyst	Kim Krause Finance Director	Martín Bernal City Manager

ATTACHMENTS:
None.

City Council
AGENDA REPORT

DATE: 12/17/2020

AGENDA OF: 01/12/2021

DEPARTMENT: Public Works

SUBJECT: 2019 Citywide Sewer/Storm Drain Lining Project (c401511) – Notice of Completion (PW)

RECOMMENDATION: Motion to accept the work of Nor-Cal Pipeline Services (Sacramento, CA) as completed per plans and specifications and authorize the filing of the Notice of Completion for the 2019 Citywide Sewer/Storm Drain Lining Project (c401511).

BACKGROUND: City Council approved the advertisement for bid of this project during its October 22, 2019 meeting and authorized the City Manager to execute the contract once bids were received. Nor-Cal Pipeline Services was the lowest responsive and responsible bidder and was duly awarded the contract.

Sewer and storm drain pipelines are critical components of the city's underground infrastructure. Many of these pipes are reaching the end of their expected lifetimes and require replacement or rehabilitation. The consequences of pipe failure can be felt immediately in the form of sinkholes and flow blockages. There are additional widespread impacts such as inflow and infiltration that place a costly burden on our wastewater treatment facility to treat addition flow.

DISCUSSION: New technology has provided more cost-effective alternatives to the traditional method of digging up and replacing pipe. Approximately 4,542 lineal feet of sewer and storm drain pipes were rehabilitated using the cured-in-place (CIPP) pipe installation method.

The work for this project is now complete. The Public Works Department inspected the project and found the construction to be in accordance with the plans and specifications.

FISCAL IMPACT: The total cost for this project including engineering and inspection was $362,226.70. The project was fully funded in the Wastewater fund Capital Improvement Program (CIP) under projects c401511 Sewer System Improvements and c401709 CMP Storm Drain Pipe Replacement. There was no impact to the General Fund.

Prepared By:	Submitted By:	Approved By:
David Glucs	Mark R. Dettle	Martin Bernal
Associate Engineer	Director of Public Works	City Manager

ATTACHMENTS:
1. NOTICE OF COMPLETION.DOC

RECORDED AT THE REQUEST OF
City of Santa Cruz, Public Works
ATTN: Dave Glucs

WHEN RECORDED MAIL TO:

CITY CLERK'S DEPARTMENT
809 CENTER STREET, ROOM 9
SANTA CRUZ, CA 95060

(Space above for Recorder's use only)

This instrument is being recorded for the benefit of the City of Santa Cruz. No recording fee is required pursuant to Government Code §27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN, pursuant to Section 8182 of the California Civil Code, of the completion on November 19, 2020 of the 2019 Citywide Sewer/Storm Drain Lining Project as follows:

Rehabilitation of sanitary sewer and storm drain pipelines using cast-in-place pipe (CIPP) installation method on Prospect Court, Coral Street, Market Street, Reed Way, Soquel Avenue, River Street, School Street, Bradley Drive, Columbia Street and Forest Avenue.

The City of Santa Cruz has the following interest in said property described above: City Right-of-Way and Easements.

Said 2019 Citywide Sewer/Storm Drain Lining Project was undertaken on said property pursuant to a contract with Nor-Cal Pipeline Services. Said 2019 Citywide Sewer/Storm Drain Lining Project rehabilitated approximately 4542 linear feet of sanitary sewer and storm drain pipes.

DATED _____

_____
Mark R. Dettle
Director of Public Works
City of Santa Cruz

STATE OF CALIFORNIA)ss
COUNTY OF SANTA CRUZ)

I am the Director of Public Works, City of Santa Cruz. I have read the foregoing Notice of Completion and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on_____ at Santa Cruz, California.

_____
Mark R. Dettle
Director of Public Works
City of Santa Cruz

The filing of this Notice of Completion was authorized by Santa Cruz City Council Minute Order of January 12, 2021.

City Council
AGENDA REPORT

DATE: 12/17/2020

AGENDA OF: 01/12/2021

DEPARTMENT: Public Works

SUBJECT: Walnut Avenue Sewer Improvement (c402101) – Notice of Completion (PW)

RECOMMENDATION: Motion to accept the work of KJ Woods Construction Inc. (South San Francisco, CA) as completed per plans and specifications and to authorize the filing of the Notice of Completion for the Walnut Avenue Sewer Improvement (c402101).

BACKGROUND: At its June 9, 2020 meeting, City Council approved the plans and specifications for the Walnut Avenue Sewer Improvement project and authorized the City Manager to execute the construction contract with KJ Woods Construction Inc. in the amount of $668,000. The project consisted of the replacement of approximately 1200 feet of sewer main and 7 manholes along Walnut Avenue.

DISCUSSION: The work for this project is now complete. The Public Works Department inspected the project and found the construction to be in accordance with the plans and specifications.

FISCAL IMPACT: The Walnut Avenue Sewer Improvement project was fully funded by the FY 2021 Wastewater Enterprise fund. There was no impact to the General Fund.

Prepared By:	**Submitted By:**	**Approved By:**
Jo Murphy	Mark R. Dettle	Martin Bernal
Assistant Engineer II	Director of Public Works	City Manager

ATTACHMENTS:
1. NOTICE OF COMPLETION.DOC

RECORDED AT THE REQUEST OF
City of Santa Cruz, Public Works
Attn: Jo Murphy

WHEN RECORDED MAIL TO:

CITY CLERK'S DEPARTMENT
809 CENTER STREET, ROOM 9
SANTA CRUZ, CA 95060

(Space above for Recorder's use only)

This instrument is being recorded for the benefit of the City of Santa Cruz. No recording fee is required pursuant to Government Code §27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN, pursuant to Section 8182 of the California Civil Code, of the completion on December 14, 2020, of the Walnut Avenue Sewer Improvement Project:

Replacement of 1200' of 12" sanitary sewer mains
Construction of 7 Sanitary Sewer Manholes
Abandonment of 2 Sanitary Sewer Manholes

The City of Santa Cruz has the following interest in said property described above: City Right of Way

Said Walnut Avenue Sewer Improvement Project was undertaken on said property pursuant to a contract with KJ Woods Construction Inc. Said Walnut Avenue Sewer Improvement Project consisted of removing existing sewer mains, installing new sewer mains, installing and reconnecting residential sewer laterals to new main, construction or modifying sanitary sewer manholes, and restoring pavement in the project area.

DATED _____

_____
Mark R. Dettle
Director of Public Works
City of Santa Cruz

STATE OF CALIFORNIA)SS
COUNTY OF SANTA CRUZ)

I am the Director of Public Works, City of Santa Cruz. I have read the foregoing Notice of Completion and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on_____ at Santa Cruz, California.

_____
Mark R. Dettle
Director of Public Works
City of Santa Cruz

The filing of this Notice of Completion was authorized by Santa Cruz City Council Minute Order of January 12, 2021.

CITY COUNCIL
AGENDA REPORT

DATE: January 5, 2020

AGENDA OF: January 12, 2021

DEPARTMENT: Planning and Community Development

SUBJECT: 418, 428, 440, 504, 508 Front St. (Application No. CP18-0153) - Assessor's Parcel Numbers 005-151-22, -30, -31, -39, -50 - Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to Remove One Street Tree and Three Heritage Trees, to Combine Five Parcels, Demolish Three Commercial Buildings, Including Two Historic Commercial Buildings, and to Construct a Seven-story, Mixed-use Building with 175 Residential Condos and 11,498 Square Feet of Ground Floor and Levee Front Commercial Space on Property Located within the CBD/CZ-O/FP-O Zone District (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront Subarea of the Downtown Plan (PL)

RECOMMENDATION:

1) Resolution certifying the Environmental Impact Report.

2) Resolution adopting Findings of Fact, a Mitigation Monitoring and Reporting program, and a Statement of Overriding Conditions.

3) Resolution approving the Nonresidential Demolition Authorization Permit, Coastal Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, Street Tree Removal.

BACKGROUND: The City Council heard this item on November 10, 2020, at which time staff received correspondence from the Coastal Commission expressing concern with the project's consistency with the City's Local Coastal Program (LCP). The City Council continued the item to the December 8, 2020 meeting in order to provide time for staff to review the letter in detail and meet with the Coastal Commission to discuss their concerns. On December 8th, the City Council approved a request by the applicant to continue the item to the January 12, 2021 meeting to allow for them to meet with Coastal Commission staff.

City and Coastal Commission staff met on two occasions since the November 10th City Council meeting. The two meetings allowed for City and Coastal Commission staff to review the project in detail against the Local Coastal Program (LCP). The Coastal Commission staff agreed to submit a revised letter to correct inaccuracies in their original letter.

On December 30, 2020, the City received a subsequent letter from Coastal Commission (Attachment F). The letter states that it is intended to clarify and refine their position on the project. While it acknowledges that the requested design variations can be allowed by the LCP subject to decision-making body discretion, the opinions in the letter are essentially the same as those that are listed in the November 10th letter but are less specific to the design attributes of the building and the proposed site design. Coastal Commission staff encourages the City to carefully evaluate the design variations "in terms of the degree of public benefit/coastal resource enhancement derived from the project." This report includes a robust analysis of how the proposed project complies with applicable criteria necessary to support the requested variations. The December 30th correspondence also encourages the City to require additional affordable housing as an additional public benefit of the project. The letter does not state which policy in the LCP or Coastal Act allows for the City to require such additional affordable housing beyond what is required by the inclusionary ordinance and density bonus.

The November 10th City Council agenda report, as well as the staff report to the Planning Commission, the staff report to the Historic Preservation Commission, and the Environmental Review Checklist and EIR are attached for your review. These documents provide a full analysis of the proposed project and responses to comments that were submitted throughout the two year review process, including the City's responses to the Coastal Commission's December 2019 comment letter. This report focuses primarily on responses to comments submitted by the Coastal Commission at the November 10, 2020 City Council meeting.

DISCUSSION:

Public Comment Opportunities

The Planning Department received an application for the project on August 7, 2018. A noticed community meeting was held on July 1, 2018 and 33 members of the community were in attendance and provided comments on the project. The application was deemed complete on July 19, 2019 and the Planning Department, in conjunction with the City's Environmental Consultant for the project, Dudek Consulting, began the environmental review process pursuant to the California Environmental Quality Act (CEQA) by preparing an Environmental Checklist. The checklist concluded that impacts to Cultural Resources (Historic) and Energy would require additional analysis in an Environmental Impact Report (EIR). A Notice of Preparation (NOP) for the EIR was released on November 20, 2019 which included a notice for the Scoping Meeting to be held on December 4, 2019. The Coastal Commission received a copy of the NOP. A Coastal Commission staff member attended the scoping meeting and submitted comments to the Planning Department on December 16, 2019 (Attachment G).

The comments provided in response to the NOP and during the scoping meeting were carefully considered, and the scope of the EIR was expanded to also include Biological Resources, Geology and Soils, and Land Use. The Coastal Commission's comments were addressed in the Draft Environmental Impact Report (DEIR) in the following sections:

Land Use:
  - Standard of Review: p. 4.5-1-2
  - Variances and Exceptions: Table 4.5-1
  - Conflicts with coastal policies-visual, water quality, coastal hazards, and ESHA (ESHA not included in letter): p. 4.5-9 to 12
  - Access- consistency with Downtown Plan standards is included in Table 4.5-1 and LCP policy compliance summarized on Table 4.5-2
- Aesthetics -Checklist in Appendix D and on p. 4.5-10 of DEIR

The DEIR was released for public comment between May 11 and June 24, 2020. The Coastal Commission received a copy of the DEIR; however, no additional comments were submitted. A Final EIR was released in July 2020 and the Planning Department did not receive additional comments or correspondence from the Coastal Commission. The project was heard by the Historic Preservation Commission on August 5, 2020 and was heard by the Planning Commission on September 3, 2020 at noticed public hearings. The Coastal Commission did not submit written or oral comments at either of these public hearings. The Planning Department was aware of the initial concerns submitted by the Coastal Commission as a part of the Scoping Meeting for the EIR, and recognizing that the project is appealable to their agency, the City and its CEQA consultant exercised diligence in responding to those concerns in preparing the Draft EIR. To City staff, the lack of further communication from Coastal Commission staff implied that their concerns had been addressed.

<u>Response to Comments</u>
The following sections are excerpts from the November 10, 2020 Coastal Commission letter to the City Council and are followed by staff's response to issues raised.

1) **Excerpt from CCC letter: "As proposed, the project is inconsistent with the LCP with respect to the buildings' allowable mass and scale. Specifically, the 2018 LCP amendment authorized a maximum building height of up to 50 feet at this location, where that height could be increased to 70 feet under certain circumstances, and allows up to 5 floors. Again, in changing allowable maximum heights and floors, the Commission was concerned about the coastal resource implications of such increased massing, but was swayed by the City's arguments that such a height was necessary to be able to facilitate projects within that scope that would provide greater public benefits, such as increased affordable housing opportunities. Here, the proposed height of the buildings is 81 feet, or over 60% taller than the maximum base height allowed, and even over 15% taller than even the maximum of 70 feet when certain public benefit criteria are met. The project does not appear to provide even the level of public benefit necessary for the Commission's 70- foot maximum (see also below). And while a maximum of 5 floors is allowed by the LCP when those public benefit criteria are met, the project includes 7. We are concerned with what appears to be a 'check the boxes' approach to identifying the criteria that might allow for height above 50 feet and above 5 floors, and strongly encourage more analytic rigor on this point. This analysis should not be based on the presumption that heights and floors can routinely be increased, but rather it must be grounded in the presumptions laid out by the LCP. Namely, that the allowed maximum height and floors that are appropriate for this site may be modified**

under certain circumstances and upon a showing of, among other things, significant public benefit. We don't believe that such circumstances and showings have adequately been identified for the proposed project."

Staff Response:

The Coastal Commission's letter accurately notes that the project site is located within the Downtown Plan (adopted by the Coastal Commission as part of the LCP) and is within Additional Height Zone B, an area which allows for buildings to exceed the base height of 50 feet to reach a maximum height of 70 feet and six stories (five floors above ground floor commercial) subject to specific criteria. The proposed project includes a density bonus request to allow for one additional story and an additional 7'9" – 10' in height to allow for the construction of the housing project with the additional density bonus units, including the required affordable units.

This section of the letter states that the building is 81 feet tall, while the plans indicate that the building is 77'9" in height. The Coastal Commission noted that they were using the 81-foot building height that was stated in the EIR, a measurement that may have accurately included additional height at the parapet. The Zoning Ordinance requires a flat roofed building to be measured to the top of the parapet, however, the parapet is not only an architectural feature of the building but a screening device for rooftop equipment, so it would not be desirable to reduce the parapet height to provide a "shorter" building. Additionally, the actual circumstances during construction of such a large building often result in a one to two foot range in building height. For these reasons, it would be appropriate to identify the building as ranging between 78 and 81 feet in height, with 81 feet being the maximum permitted. This range does not include rooftop mechanical equipment, which is permitted to encroach five feet above the maximum building height. The applicant is agreeable to an additional condition of approval that would limit the height of mechanical equipment to five feet above the maximum building height, as permitted by the Building and Fire Code. This condition has been included in the attached recommended Conditions of Approval (Attachment C).

It should also be noted that in this letter the Coastal Commission uses the base height to determine the percentage of additional height requested, stating that the buildings are "over 60% taller than the base height allowed." In the City's subsequent meetings with Coastal Commission staff, they clarified that their concern is with the additional height requested as a density bonus waiver, and not the additional height that is permitted in the Downtown Plan in Additional Height Zone B. That being the case, the accurate statement is that the buildings are approximately 11% taller than the allowed height of 70 feet within the Additional Height Zone.

The Coastal Commission's assertions that staff has used a "check the boxes approach" to review coastal resource impacts, that there should not be a presumption that height and floors can be routinely increased, and that a significant public benefit has not been provided, are ambiguous and does not coincide with the guidance provided in the Downtown Plan. The Downtown Plan provides clear criteria upon which to base eligibility for additional height. Staff reviewed the project against these criteria to reach the determination that the project is eligible for additional height in Additional Height Zone B and reviewed impacts to coastal

resources in detail as demonstrated in the staff report and environmental review documents. A summary of staff's analysis of such eligibility was provided on pages 13 and 14 of the staff report to the Planning Commission; however, the exact sections of the plan and staff's responses are provided below for ease of reference and with some minor updates for additional clarity.

2. Additional Height Zone B. The Additional Height Zone B includes properties located on the east side of Front Street between Soquel Avenue and Laurel Street.

a. Eligible Development Projects. The granting of building height above the 50-foot Base Height limit is discretionary and requires a Design Permit with the recommendation of the Director of Planning to the City Council, which must approve the additional height. To achieve approval, the applicant must demonstrate that the proposed project meets the criteria described below. Applicants for development within the Additional Height Zone B may request additional height as indicated below if one of the following conditions is met: (emphases added)

i. The aggregate parcel size is greater than 15,000 square feet;
This condition is met. The resulting parcel size is 42,684 square feet.
ii. The frontage along Front Street is greater than 100 feet;
This condition is met. The resulting frontage along Front Street is approximately 423 feet.
iii. The parcel is located between adjacent structures of three or more floors in height; or
iv. The project qualifies for a density bonus as allowed under either State law or City adopted density bonus ordinance.
This condition is met. The project qualifies for a thirty-five percent density bonus in that the development proposes to restrict fifteen of the required twenty inclusionary units at the Very Low Income level (50% Area Median Income), where restriction at the Low Income Level (80% AMI) would be required by the City's Inclusionary Ordinance. This deeper level of affordability makes the project eligible for a density bonus pursuant to Section 24.16.245 of the Zoning Ordinance and consistent with state law.

b. Additional Height Criteria for Project Approval. The development project shall be found consistent with the following overarching City objectives:

i. The additional height will help to achieve the First Principles of the Downtown Plan (e.g. form, scale, housing, accessibility and open space);
This condition is met as further described in the First Principles below:

- *Form and Character: New buildings should be allowed to develop individual character while retaining qualities of the historic townscape. Issues of articulation, materials, signage, setbacks, scale, massing, form, bulk, solar access and height are critical.*
  The Downtown consists of a variety of building designs ranging from historic buildings, such as the Palomar building, to newer, more modern designs found in the 1547 Pacific building and the recently-approved buildings at the corner of Pacific Avenue, Front Street, and Laurel Street. The proposed design is not

inconsistent with this range and includes a variety of roof designs and exterior materials. The buildings are well articulated with recesses, balconies, and varying rooflines, as shown in the elevations/renderings on sheets 18 and 19 of the plans (Attachment D). The two pedestrian passageways contribute significantly to the form and character of the development by creating three individual buildings rather than one monolithic building, which is discouraged in the Downtown Plan. The proposed density bonus waivers and incentives/concessions for reductions in stepbacks are minimal (20.5% of the frontage stepped back along Front Street where 50% is required above 50-feet in height; stepbacks ranging between 0-10 feet along the Riverwalk where a full 10 foot stepback is required above 50 feet, and a 10 foot encroachment into a required 10 foot stepback above 35 feet at the south pedestrian passageway to allow for two ten foot wide elevators), and will not individually or cumulatively contribute to extraneous visual massing. Pursuant to the Historic Preservation Commission's recommendation and consistent with this First Principle, the applicant revised their design to incorporate elements of the existing historic buildings into the new development, thereby "retaining qualities of the historic townscape."

- *Building Height: Buildings should maintain the scale and character of the existing downtown, with explicit criteria for additional height up to seven stories and provisions to ensure that buildings do not shade key public open spaces. Since this First Principle was established in 1991, the downtown development pattern has largely respected the existing two to three story development pattern with several taller buildings spaced throughout the Pacific Avenue Retail District, providing architectural variation. The 2017 update recognizes these taller buildings also contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City. The 2017 modifications to the Additional Height Zones have been carefully written to recognize the City's successful recovery from the 1989 Loma Prieta earthquake; preserving and enhancing the urban form of the City, without sacrificing the special human scale and character of downtown. New development will not be required to strictly adhere to a 2 and 3 story scale.*

  The development utilizes the Additional Height allowed under Additional Height Zone B, which is clearly permitted and anticipated in this First Principle. The development proposes to provide 15 of the required 20 inclusionary units at a deeper level of affordability than required by the inclusionary ordinance, which, pursuant to density bonus state law, allows for a 35% density bonus of market-rate units and allows for the developer to utilize incentives/concessions and waivers to deviate from development standards that affect the developer's ability to construct the project.
- *Housing: Significant new housing opportunities should be targeted throughout the downtown, including Pacific Avenue, the San Lorenzo riverfront, and South of Laurel. Housing should be comprised of a mix of*

apartments and condominiums. SRO housing should be replaced and dispersed throughout the downtown area.

The density bonus project and additional height constitutes a significant new housing opportunity downtown, and this First Principle specifically cites the San Lorenzo Riverfront as one of the areas throughout Downtown where "significant new housing opportunities should be targeted."

- *Accessibility: A downtown that aesthetically integrates access as a primary design criterion for all improvements to ensure increased opportunities for the public to participate in commercial, governmental, residential, social and cultural activities.*

  The development includes new residential units and will improve the area adjacent to the Riverwalk to create a space for programmed social and cultural activities. The development has been designed with two large pedestrian passageways that encourage public access through the site to the Riverwalk, connecting the river with the downtown, and includes public access to interior elevators as a secondary means of access to the Riverwalk, thereby increasing Riverwalk accessibility to those with limited mobility.

- *Open Space and Streetscape: A strong network of public and private open spaces (streets, sidewalks, public parks, plazas, passageways and courtyards) that creates a socially active and pedestrian-oriented downtown core should be emphasized.*

  The project includes two large pedestrian passageways to connect the downtown core to the Riverwalk and an expansion of the area adjacent to the Riverwalk which will be maintained as a publically-accessible space.

- *Circulation: Downtown should be predominantly pedestrian in nature; movement should be carefully structured to reinforce the character of the place. Pedestrian, bicycle, and transit access to the downtown should be enhanced*

  The project will provide employment and service opportunities through the construction of ground floor commercial spaces at Front Street and facing the Riverwalk. The project also includes the construction of 175 residential units downtown where commercial goods and services, recreational opportunities, employment, and public transportation are within walking and biking distance. The project would also expand usable area and enhance visibility (thus safety) of the Riverwalk, thereby encouraging more pedestrian and bicycle use of that area.

- *Parking: Parking in the downtown core should continue to be provided by the Parking District in a centralized fashion, to maximize shared use and minimize the quantity of stored vehicles.*

  This principle encourages the continued use of the parking district to provide centralized parking. The project will provide all of the required on-site parking for the development and any future uses that require additional parking may utilize the parking district.

ii. The additional height will contribute to an improved social and economic environment by including a concentration of new housing;

This condition is met. The additional height allows for the construction of new housing, including a range of affordability levels that promotes socio-economic diversity. Substantially fewer units would be provided without the additional height, including substantially fewer affordable units. Revenue from the additional height helps fund significant improvements along Front Street, in paseos between Front Street and the Riverwalk, and facing the Riverwalk which will contribute to an improved social and economic environment. Whereas buildings currently backup to the Riverwalk, with an unmonitored space approximately 10 feet below the Riverwalk, the project will provide active uses along an expansion of usable area at the top of the levee that stretches approximately 440 feet of length along the river. With programmed space, outdoor dining, and recreation areas, the project will quite substantially improve the social and economic environment along the Riverwalk. Similarly, the paseos connecting the Riverwalk and Front Street include active building frontages to encourage social interaction and to draw passersby to the Riverwalk.

iii. The form of the development promotes the appearance of a grouping of buildings rather than large monolithic building masses;
This condition is met. The pedestrian passageways create three separate buildings and the proposed architecture and exterior design vary between buildings to provide individuality.

iv. The development receiving additional height will physically and/or financially contribute its fair share (through an Improvement District, Development Agreement or similar mechanisms) to the implementation of internal pedestrian connections between Front Street and the Riverwalk;
This condition is met. The development includes the construction of two pedestrian passageways to connect Front Street and the Riverwalk. It should be noted that the construction of such connections is included here as a criterion for additional height approval and in this way, the Downtown Plan intends for this feature to be considered <u>a benefit</u> provided by the project even though it is also a required feature.

v. The additional height will help to meaningfully achieve one or more of the following key community objectives, including but not limited to: Affordable Housing, Day Care Center, exceed Green Building minimums, Incubator Space for Small Business, Public Access Easements, Public Right-of-way Improvements, Publicly Accessible Open Space, Structured or Shared Parking, and Transportation Demand Management concepts.
This condition is met. The project with the proposed additional height will achieve the key community objective of affordable housing in that the density bonus state law allows for the construction of additional market rate units where a development includes a deeper lever of affordable housing. Of the fifteen percent inclusionary units (20 units), fifteen units are proposed to be provided at the Very Low Income level which allows for a density bonus of

35 percent of the market rate units. The developer has provided diagrammatic evidence that these additional market rate units cannot be constructed without variations to the development standards (Attachment I). The project is consistent with the density bonus state law and results in a development that provides a deeper level of affordability than that which would be achieved by the inclusionary ordinance alone. The additional height and associated additional units will financially support the long term restriction of the Very Low Income affordable units as well as the construction of the proposed public improvements such as public access between the Riverwalk and the downtown core and publically accessible open space at the Riverwalk. Additionally, the key objectives for structured parking is met on the site, and implementation of transportation demand management concepts will be met through condition of approval number 37; however, these key objectives may not be achieved without the support of the additional units provided by the proposed additional height.

vi. Clear demonstration of the public benefit relating to two principle objectives: high quality public access between Front Street and the river, and the appropriate treatment of the riverfront edge along the Riverwalk.
This condition is met. The project provides two high-quality pedestrian connections between Front Street and the river, and an expansion and enhancement of the Riverwalk edge along the Riverwalk. The passageways are proposed to include wide, welcoming staircases; raised landscaped planters; accent pavers; and seating elements. The expanded Riverwalk surface area will consist of a combination of decomposed granite, pavers, lawn features with raised planters, defined flexible active spaces, seating elements, water features, and outdoor dining opportunities. The extension area is at the same grade as the Riverwalk to encourage public access. The improvements line the Riverwalk with commercial spaces, residential amenity space, and upper floor residences which increases the security of the Riverwalk. As item 2.b.iv above does for the passageways, this section clearly calls out the pedestrian connections and Riverwalk treatment as a "public benefit," even though they are required elements for additional height.

The Coastal Commission's assertion that the project does not provide a significant public benefit is not accurate. In our meetings, Coastal Commission staff clarified that they do not feel that the pedestrian passageways or the improvement of the Riverwalk are benefits of the project because they are required in the Downtown Plan as a part of any development project. This conclusion is not consistent with the language in the Downtown Plan that refers to both features as key goals and objectives and as criterion that must be met to allow for a project to utilize additional height, as discussed in Section 2.b.vi above. This is the <u>only</u> applicable reference to a requirement for public benefits in the Downtown Plan, and the project meets this requirement.

Lastly, this section of the letter states: "We are concerned with what appears to be a 'check the boxes' approach to identifying the criteria that might allow for height above 50 feet and

above 5 floors, and strongly encourage more analytic rigor on this point." One needs to look no further than the Coastal Commission's own staff report for the 2018 LCP amendment to increase height in the Downtown Plan to find "analytic rigor grounded in the presumptions laid out in the LCP" to support the increased height for this project. The Commission's 2018 report characterizes the area as "very urban in character" and that the height "will generally be consistent with the existing downtown." In fact, it states "heights are not significantly higher than many of the larger buildings in the existing downtown core, which includes six major buildings over 85 feet in height, several of which are also equipped with parapets, towers, or flag poles that extend over 80 feet." The report also states, "given that the area affected by the proposed amendment is significantly inland, ocean views will not be affected by the proposed amendment" and "the amendment also supports concentration of new development in already developed areas with adequate services and amenities." These statements are in stark contrast to the Coastal Commission's recent assertions that there are coastal resource implications associated with increased height proposed as part of the project.

2) **Excerpt from CCC letter: "In addition, and to help address some of the above-described coastal resource concerns, the 2018 amendment also limits the top floor square footage and top floor length to a maximum of 60% of the square footage of the floor immediately below the top floor and a maximum of 60% of the building's length. The LCP also requires a series of other related setbacks and articulation to help lessen perceived massing, including requiring that any height above the base allowed height be set back by 15 feet from lower building walls. The LCP indicates that the purpose of this proportional floor area relationship and setbacks/articulation is to help promote skyline variation and open-air space to help offset the large scale and massing that might otherwise be allowed in certain circumstances. Although the LCP allows for slight variations to the 60% top floor area limit to be *considered* for buildings that provide publicly accessible pedestrian connections to the Riverwalk, it doesn't *require* that these protective standards be reduced in such cases, and in fact this project provides no more connection than is already required by the LCP. In other words, the clear intent is to allow for some minor changes to upper floor dimensions provided a project provides some offsetting increased public benefits with respect to the connections that is over and above the minimum required by the LCP. Here, that is not the case. The airspace above is actually *more* encumbered by development than the minimum required. This project proposes top floors that are well in excess of the maximum 60% allowed, with one building's top floor area at 100% and the two other buildings' top floors at 82% of their lower floors area. In addition, top floor lengths are roughly 90% as long as the overall building lengths. In short, even if some minor variations might be appropriate, which it does not appear is the case here, the proposed project includes significant variations that essentially negate the intent of the LCP. Therefore, the project is not LCP consistent on these points either."**

Staff Response:
This section begins with a statement that references "above-described coastal resource concerns;" however, the letter does not identify a specific coastal resource that would be impacted by the development. In our meetings with Coastal Commission staff, they have generally stated that the project impacts scenic coastal resources; however, the site is not

identified as a coastal scenic resource on the adopted LCP map (Attachment H). While the project may impact the view of the mountains behind the project site when viewed from the river, this viewshed is not identified as a coastal scenic resource and the impact will be generally consistent with that which would occur with a 70 foot building, as allowed in the Additional Height Zone. The project will not block views of the river from downtown as those are currently blocked by the levee, and the project will not block views of the coast from the Riverwalk. It should be noted that impacts to scenic coastal resources is the primary foundation upon which the Coastal Commission's objections are based; however, there are no maps or policies in the LCP that protect this area as a scenic coastal resource and there are no impacts that occur as a result of the additional height requested with the density bonus.

This section of the letter incorrectly states the required building stepbacks that are applicable to the development. The letter says, "The LCP also requires a series of other related setbacks and articulation to help lessen perceived massing, including requiring that any height above the base allowed height be set back by 15 feet from lower building walls." The Downtown Plan requires a 10-foot stepback above 35 feet along the pedestrian passageways, a 10-foot stepback above 50 feet for at least 50 percent of the Front Street frontage, and a 10-foot stepback above 50 feet for at least 75 percent of the Riverwalk frontage. The Plan states that the purpose of the stepback requirements is to "…promote a pedestrian scale, to increase light to the street, and to reduce overall building mass and scale." As described above, the two pedestrian passageways contribute significantly to the form and character of the development by creating three individual buildings rather than one monolithic building, which is encouraged in the Downtown Plan, and they achieve long-standing goals to provide connectivity between the downtown and the Riverwalk. The proposed density bonus waivers and incentives/concessions for reductions in stepbacks are minimal, as shown on the diagrams provided as Attachment I of this report (20.5% of the frontage stepped back along Front Street where 50% is required above 50 feet in height; stepbacks ranging between 0-10 feet along the Riverwalk where a full 10 foot stepback is required for 75% of the frontage above 50 feet, and a 10-foot encroachment into a required 10-foot stepback above 35 feet at the south pedestrian passageway to allow for two ten foot wide elevators). The proposed reductions in stepback are minor in comparison to the 60- and 30-foot-wide breaks in the building which will be provided as pedestrian passageways and which will most effectively provide light to the street and reduce building massing and scale. The applicant is requesting these minor stepback reductions as density bonus incentives/concessions, and the City has obtained advice from Barbara Kautz of Goldfarb Lipman LLP, who specializes in density bonus law, that the justification provided for the reductions is consistent with the density bonus state law.

The Coastal Commission is correct in that the Downtown Plan includes a limitation on the floor area and length of the top floor of projects utilizing additional height in Additional Height Zone B ("Skyline Architectural Variation"). However, the Coastal Commission's letter incorrectly adds language to this section to state that only "slight" variations can be considered. The letter also incorrectly interprets the intent of that section to mean that "only minor changes to upper floor dimensions" can be considered "provided a project provides some offsetting increased by public benefits with respect to the connections that is over and above the minimum required by the LCP." This language is not included in this section of the

Downtown Plan and is not supported by any other LCP policies, including the policy that was adopted by the Coastal Commission in 2019 that updated Section 24.16.262 of the Zoning Ordinance (Local Coastal Plan Consistency) which was intended to recognize modifications to LCP requirements that are consistent with state density bonus criteria:

"For development within the coastal zone, the requested density bonus and any requested incentive, concession, waiver, modification, modified parking standard, or commercial development bonus shall be consistent with state density bonus criteria. All applicable requirements of the certified Santa Cruz local coastal program shall be met (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access, and open space) with the exception of density the numeric standards changed through state density bonus provisions."

The Downtown Plan states, "Variation to the 60% floor area standard can be considered for projects that incorporate publicly accessible pedestrian connections to the Riverwalk." There is no other language that would indicate that a project is required to provide public benefits *in addition* to publically accessible pedestrian connections to the Riverwalk. For further clarification of this section, it is important to note that all of the project sites in this Additional Height Zone area east of Front Street are subject to the Skyline Architectural Variation requirement; however, not all of the project sites are required to construct pedestrian passageways. Per the Downtown Plan, the only required pedestrian passageways are at the terminus of Cathcart Street and at the future extensions of Maple Alley and Elm Street. This particular project site is required to provide two pedestrian passageways, measuring 60' and 30' wide, respectively, while other project sites may not be required to provide any pedestrian passageways. The Downtown Plan states that the variation to the Skyline Architectural Variation "can be considered" for projects that incorporate publically accessible passageways. One of the primary purposes of the 2017 Downtown Plan amendments to allow for additional height was to provide incentives to private development for the construction of the public passageway, as shown in the excerpts from the City's 2017 agenda report below:

"A fundamental component of improving these public connections to the Riverwalk is to provide development incentives to a degree that will facilitate private construction and maintenance of the public connections, while also allowing for increased opportunities for transit-oriented development in the appropriate locations of the downtown."

"As evidenced by the lack of redevelopment along the Front Street properties over the past 26 years, the desire for public connections to the Riverwalk will not materialize on their own without corresponding development incentives such as increasing the height to allow for more housing and visitor-serving uses."

Although not directly addressed in the staff report, it is logical to conclude that the variation to the Skyline Architectural Variation requirement was also intended to be varied as needed to incentivize the construction of the passageways. Staff has considered the benefits and impacts of the pedestrian passageway requirement, including the reduction of 8,993 square feet of buildable area on the project site as calculated by the applicant (at grade, the impact of

which is actually multiplied as the development capacity is lost on each floor) and the benefits of pedestrian connectivity to the Riverwalk and reduction of building massing. Further, the Coastal Commission's latest comment letter did not identify a coastal resource that will be impacted by the proposed top floor of the building. Commission staff, in subsequent conversations, indicated that views are the concern; however, for the reasons stated above (e.g., that the LCP's map showing the locations of sensitive views does not include this site, context of existing and approved development at the same or even taller heights, etc.), staff does not view the additional 10 feet of building height to be an impact to coastal views.

3) **Excerpt from CCC letter: "In short, the proposed project is inconsistent with the LCP's requirements on maximum height, number of floors, top floor proportional relationship, and required setbacks and we recommend that it be reduced to meet the requirements of the LCP. Again, just two short years ago, these maximum standards were determined by careful analysis (including of economic factors) just two short years ago of the parameters necessary for the City to achieve its goal of providing more affordable housing and other public benefits, while at the same time protecting downtown/River character and aesthetics, protecting the River as a resource itself, and reinforcing the connection from the downtown area to the levee and ultimately to the beach at San Lorenzo Point. We see no reason why the LCP cannot be respected with this project, and again recommend that the project only be approved if consistent with the LCP on these points."**

Staff Response:
In our meetings, Coastal Commission staff noted that they are not clear on where the Coastal Commission stands with regard to the use of the density bonus state law. The state law says that the provisions do not supersede the Coastal Act; however, the 2019 LCP policy referenced above clearly states that the Coastal Commission recognizes that density bonus projects may include numerical differences in standards to allow for the construction of affordable housing projects. For this project, it appears that the Coastal Commission staff are attempting to connect the variations requested as density bonus incentives/concessions and waivers to coastal resource impacts. However, the Coastal Commission staff's letter fails to identify a coastal resource that is impacted by the development, rather, Coastal Commission staff asserted in subsequent meetings that <u>any</u> increase in height above the maximum allowed in Additional Height Zone B is an impact on coastal resources.

The letter also states that the excess height and massing allowed with a density bonus impacts the City's ability to "…achieve its goal of providing more affordable housing and other public benefits, while at the same time protecting downtown/River character and aesthetics, protecting the River as a resource itself, and reinforcing the connection from the downtown area to the levee and ultimately to the beach at San Lorenzo Point." This is a wholly inaccurate statement, and City staff believes it to be a misrepresentation of the project. The project provides a <u>greater</u> degree of affordable housing than would be required in a non-density bonus project. Instead of providing twenty units at the Low Income level (80% AMI) as would be required under the City's inclusionary ordinance, the project includes fifteen units

that will be restricted at the Very Low Income level (50% AMI), and five units that will be restricted at the Low Income level.

The project also provides two high-quality pedestrian passageways between Front Street and the Riverwalk, includes an expansion of the area adjacent to the Riverwalk as publically-accessible open space, and includes ground-floor commercial space and upper-level residential units facing the river. These features directly implement the City's goals and policies to activate the Riverwalk by improving the Riverwalk amenities, creating eyes on the path (thereby improving safety and encouraging additional use), and connecting the downtown to the river. The project also provides housing in the downtown area where residents will have the opportunity to utilize alternative forms of transportation, as the project site is within close proximity to commercial goods and services, recreational areas, and the region's largest public transit station which is directly across the street. All disturbances at the levee will occur west of the Riverwalk path where there are no biotic or riparian resources. The building does not block existing views of the river from downtown in that the river is currently blocked from view by the existing levee and the building will not block views of the river or the coast from the Riverwalk. It is unclear how it could be interpreted that the project height impacts the City's ability to meet its goals of providing affordable housing, providing public benefits, protecting the downtown/river character and aesthetics, protecting the river as a resource, and reinforcing connections between the downtown, the Riverwalk and the beach. As described previously in this report, the project directly achieves all of the goals stated in the Coastal Commission's letter and the proposed height is necessary to achieve the density, affordability and improvements proposed.

4) **Excerpt from CCC letter: "Further, we are aware that State density bonus laws allow for some variations to local development standards to help facilitate affordable housing. But please note that such accommodation is not at the expense of the LCP, which is carrying out another State law, namely the Coastal Act. The LCP, as an extension of the Coastal Act is not a local development standard that may be exceeded under the density bonus laws. In other words, State density bonus laws do not somehow supersede or take precedence over the Coastal Act/LCP (and given they were enacted later than the Coastal Act, the legislature could have done so and did not). Rather, the laws must be synthesized and harmonized as best as possible. Here, the Coastal Act, and the City's LCP that implements it, must be understood in terms of density bonus law requirements, but those requirements do not mean that the proposed project can adversely impact coastal resources."**

Staff Response:
The Coastal Commission is correct that the 2019 LCP policy amendment requires that "All applicable requirements of the certified Santa Cruz local coastal program shall be met (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access, and open space) with the exception of density the numeric standards changed through state density bonus provisions." As described above, the Coastal Commission has not identified how the project is inconsistent with LCP standards or what coastal resources are being impacted by the project, though scenic views were referenced as an area of concern in subsequent conversations with the Coastal Commission staff. Staff has thoroughly reviewed the project with respect to coastal resource impacts and none are known

to exist. As stated above, the project site is not designated as a coastal scenic resource area, and there are no impacts to views towards the river from downtown or towards the coast from the river. Distant mountain views to the northwest may be impacted by the project but these views are not protected in the LCP and there is only a slight difference in impact between a permitted 70 foot tall building and the proposed building. Aside from the statements in the letter, Coastal Commission staff noted in our meetings that they are not clear overall on the direction of the Coastal Commission with respect to any density bonus projects within the Coastal Zone.

5) **Excerpt from CCC letter: "On this point the LCP is also instructive because it allows for some deviation to certain numeric LCP standards to facilitate affordable housing, including height and setbacks, but only if those deviations protect coastal resources. In allowing for such LCP provisions, the Commission found that "[W]hile some of the more quantitative LCP development standards (e.g. those related to height, density, and parking) may be relaxed so as to accommodate the increased residential density for the affordable housing units pursuant to the State Density Bonus Law, the more qualitative LCP policy requirements to protect coastal resources (e.g. related to protection of environmentally sensitive habitats, provision of public access, protection of public views, etc.) must still be adhered to in all cases, notwithstanding any bonus, concession, incentive, waiver, or reduction in development standards allowed under the State Density Bonus Law."**

   Staff Response:
   The Coastal Commission's letter continues to make the same points but fails to identify the coastal resource that is impacted by the project. The Coastal Commission staff generally referenced impacts to coastal viewsheds but did not identify which specific viewshed is of concern and did not respond to our questions about the project site not being within a mapped protected viewshed in the LCP. Staff is in agreement that a project located within the coastal zone must be found to be consistent with the LCP. This evaluation was completed as a part of the project review and EIR and no coastal impacts were found. Conversely, the project was found to implement many goals and policies of the LCP.

6) **Excerpt from CCC letter: "In other words, the Commission (and the subsequent certified LCP text) envisioned that there may be projects where the LCP's standard numeric zoning provisions might be able to be altered (including pursuant to density bonus law) based on case-specific facts demonstrating that such deviations did not adversely affect coastal resources. Given most of the City's LCP is over 30 years old, it seemed a reasonable proposition that there may be cases where those older and more generic Citywide standards might be able to be so varied in a particular site-specific project context without any adverse coastal resource impacts. This proposed project is not such a case because it is not subject to the older and more generic Citywide standards. This is because the Commission, just two years ago, explicitly determined what the largest building that this site could support that would still protect coastal resources when it explicitly established the site-specific mass and scale limits here. In other words, in this case, deviations to LCP numeric standards are *not* allowed because they would result in adverse coastal resource impacts based on the Commission's evaluation of the evidence as applied to this very site, as codified in the LCP. And to the**

extent there was a counter argument that the generic LCP language about potential quantitative variations somehow overrides and takes precedence over the more specific LCP language that applies to this specific site, it is a well-established principle of law that the more specific policies take precedence over less specific and more general policies."

Staff Response:
In this section of the letter, the Coastal Commission asserts that the intent behind the 2019 policy was to only allow for alterations to numeric zoning provisions under density bonus law where a project might be subject to "…older, more generic Citywide standards" and that the LCP determined that the height allowed within the Additional Height Zone was the maximum height that could be constructed without impacts to coastal resources. The 2019 policy did not include these caveats, and there is no language in the Downtown Plan that outright prohibits or even discourages height above the Additional Height Zone height within the Coastal Zone with the use of a density bonus. Instead, the Downtown Plan recognizes the possibility of a density bonus by including a density bonus as criteria for eligibility for additional height, but it does not limit the height to what is allowed under the Additional Height zone. Even if that was the intent of the Coastal Commission, that direction is not provided in the Downtown Plan. Further, this section of the letter claims that the Commission "explicitly determined what the largest building that this site could support that would still protect coastal resources when it explicitly established the site-specific mass and scale limits here." City staff has found no evidence, let alone explicit language, in the Coastal Commission's staff report or the City Council staff report for the 2019 policy amendment, that height above the Additional Height Zone would impact coastal resources.

7) **Excerpt from CCC letter: "We respectfully disagree with your staff's recommendation that you can deviate from LCP standards at this site based on State density bonus law to allow the scale and massing increases discussed above. In addition, we would note that the City's 20% inclusionary housing requirement dictates that this proposed 175-residential unit project provide 35 affordable units or pay a fee to the City to provide for same offsite. Here, the proposed project only includes 20 affordable units, or a little more than half of what is already required, and no inclusionary housing fee. In other words, this proposed project would actually provide less affordable housing than is already required, and on top of that, it proposes mass and scale deviations that are inconsistent with the LCP and that will adversely affect coastal resources when that is prohibited. Again, we do not support a project that is inconsistent with the mass and scale standards established for this site by the Commission two years ago, and we recommend that the project be modified to meet the LCP in those – and all – respects**."

Staff Response:
The Coastal Commission incorrectly calculated the number of inclusionary units required for the project. The project is subject to a 15 percent inclusionary requirement and the number of inclusionary units does not include the density bonus units; therefore, staff's calculation of 15 percent of 133 units (20 inclusionary units) is accurate.

The project was deemed complete on July 19, 2019 under a prior Zoning Ordinance that required ownership projects to provide 15 percent of the units as affordable. Section

24.16.020 of the Zoning Ordinance states that a project is exempt from the current inclusionary requirements if it is a residential development "…for which a complete application was filed with the city prior to the effective date of the ordinance codified in this chapter; provided, that such residential developments comply with any predecessor inclusionary housing requirements in effect on the date the application for the residential development was deemed complete."

Section 24.16.020 of the Zoning Ordinance states: "For purposes of calculating the number of inclusionary units required by this section, any dwelling units authorized as a density bonus pursuant to Part 3 of this chapter shall not be counted as part of the residential development."

8) **Excerpt from CCC letter: "In closing, we very much recognize the need for affordable housing, and are very supportive of it in the coastal zone and the downtown area of Santa Cruz. As indicated above, the Commission up-zoned this site to be able to provide for same just recently. At the same time, such projects need to ensure coastal resource protection, and the Coastal Act/LCP needs to be respected in that process. Again, State density bonus law does not override the Coastal Act/LCP. Here, we have a proposed project that does not even come close to meeting the already required 20% inclusionary requirement, and that also proposes significant deviations to the LCP to accommodate same, ostensibly because State density bonus law says it can. Again, we respectfully disagree with that analysis, and would hope that the City can find a way to approve a project without LCP inconsistencies, and one that *at least* accounts for and/or provides the 20% inclusionary housing already required."**

   Staff Response:
   The Coastal Commission's conclusion emphasizes that the "…State density bonus law does not override the Coastal Act/LCP." That is an accurate statement and was an issue that was contemplated by the Coastal Commission in 2019 when the LCP was amended to recognize the changes that could be made within the Coastal Zone consistent with the density bonus state law to encourage the development of affordable housing. The policy does not state that additional public benefits must be provided to exceed the numerical standards with a density bonus project. The Downtown Plan was not amended at the time to read that additional height beyond that which is allowed in the Additional Height Zones would be inconsistent with the LCP. The LCP maps were not updated to include additional areas that would be considered a scenic resource. For these reasons, the assertion of "coastal resource impacts" is not supported by the LCP.

Concluding Comments
State law, together with the City's own LCP, recognize that projects requesting a density bonus may be approved in the Coastal Zone to the extent that coastal resources are not impacted. The Coastal Commission correspondence fails to identify the specific coastal resource that is being impacted by this project, but in subsequent conversations, Commission staff have indicated that public views are of concern. The development would not impact views which are identified on the Scenic View map certified by the Coastal Commission as part of the LCP.

It is worthy to note that on November 6, 2020, the Coastal Commission adopted the 2021-2025 Strategic Plan. The Strategic Plan provides a framework of goals, objectives and actions to set priorities and guide the agency's performance for the next five years. It contains a discussion of the Commission's vision, mission, and core values, and program goals. Policy 4.5.3 states:

Develop policy guidance for local governments on developing new or updating LCPs to reduce greenhouse gas emissions, such as through smart growth, complete streets, public transportation, electric vehicle infrastructure, mixed use development, affordable housing, and increased housing density.

The proposed mixed-use project is directly across the street from Metro Transit Center; the County's major transportation hub. The project proposes increased density in an urbanized area that already includes high densities, including the County's densest concentration of employment, goods, and entertainment. The Density Bonus component allows deeper levels of affordability than would otherwise be achieved with a fully conforming project. The proposed project fully embodies the intent of this Coastal Commission policy to reduce greenhouse gas emissions through the approaches identified.

Summary and Recommendation

The project will allow for the construction of a seven-story building with ground-floor commercial uses and 175 upper-level, residential units. The project will result in infill development within the downtown area and in close proximity to the Metro Station, commercial services, personal services, other employment uses, and recreational areas and amenities. The Downtown Plan specifically envisions a project similar to the proposed development in the subject location, and the development is consistent with the goals and policies provided in the Downtown Plan and the General Plan for the redevelopment of Front Street, for the connection between the Pacific Avenue commercial core and the Riverwalk, and for the revitalization of the river as a natural and community amenity. The use of density bonus provisions to facilitate the project results in the creation of units at deeper levels of affordability than would otherwise be provided with the Inclusionary Ordinance. The design of the building is consistent with the design requirements in the Downtown Plan to separate building masses and to provide distinct designs that convey a grouping of buildings. The development has been redesigned to meet the recommendations of the HPC by incorporating some of the details of the historic building facades into the front façade of the building.

The density bonus ordinance is intended to encourage the development of affordable units and allows for the use of incentives/concessions and waivers to vary from development standards that limit the ability to construct such housing projects. This project is consistent with the general requirements in the Downtown Plan and is consistent with density bonus state law, which the project uses to provide minor deviations from massing specifications. Staff has determined that the project will not result in impacts to coastal resources and that the project is consistent with the LCP.

Therefore, it is recommended that the City Council adopt the resolution certifying the Environmental Impact Report, adopt the resolution adopting Findings of Fact, a Mitigation Monitoring and Reporting program, and a Statement of Overriding Conditions, and adopt the

resolution approving the Nonresidential Demolition Authorization Permit, Coastal Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, Street Tree Removal based on the attached findings and conditions of approval.

FISCAL IMPACT: The applicant has paid fees to cover staff costs associated with processing this application. The project, if approved, will result in increased property and sales taxes from the residential and commercial condominiums, respectively, and the project developer will be required to pay traffic as well as other City impact fees and will be required to pay their fair share of improvements along Front Street.

Prepared by:	**Submitted by:**	**Approved by:**
Samantha Haschert Principal Planner	Lee Butler Director of Planning & Community Development	Martín Bernal City Manager

ATTACHMENTS:

A. Draft City Council EIR Certification Resolution
B. Draft City Council EIR Findings, Mitigation Monitoring and Reporting Program, Statement of Overriding Considerations
C. Draft City Council Zoning Permits and Conditions of Approval Resolution
D. Project Plans, prepared by Humphreys and Partners Architects L.P, Architecture and Planning; Jon Worden, Architect; The Guzzardo Partnership Inc., Landscape Architect; and BKF Engineers, Civil Plans.
E. Draft and Final Environmental Impact Report volumes, which together constitute the project EIR (Attached to online agenda. Also available for viewing at: www.cityofsantacruz.com/ceqa
F. Correspondence of the Coastal Commission to the City Council, December 30, 2020.
G. Correspondence of the Coastal Commission to the City Council, November 10, 2020 with December 16, 2019 comments attached.
H. LCP Map CD-3 (Scenic Views)
I. Diagrams for Density Bonus Consideration
J. Staff Memo to the PC regarding the calculation of Inclusionary and Density Bonus affordable units
K. Staff Report to the City Council, November 10, 2020
L. Staff Report to the Planning Commission, September 3, 2020
M. September 3, 2020 Planning Commission Meeting Minutes
N. Staff Report to the Historic Preservation Commission, August 5, 2020
O. August 5, 2020 Historic Preservation Commission Action Summary
P. Public Comments (Includes all public comments received except for those submitted with the EIR which are included in the Draft and Final EIR)

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE RIVERFRONT PROJECT

WHEREAS, a Notice of Preparation ("NOP") of an Environmental Impact Report ("EIR") for the Riverfront Project (the "Project") was issued by the Planning and Community Development Department of the City of Santa Cruz on November 20, 2019; and

WHEREAS, an EIR Scoping Meeting was held on December 4, 2019 to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft Environmental Impact Report ("DEIR" or "Draft EIR") was prepared and issued for agency and public review and comment on May 11, 2020, for a 45-day review period that ended on June 24, 2020; and

WHEREAS, seventeen (17) comment letters were received on the Draft EIR from private individuals as well as private and public entities; and

WHEREAS, a Final Environmental Impact Report ("FEIR" or "Final EIR"), incorporating all comments received on the DEIR and responses to comments was issued on July 27, 2020; and

WHEREAS, the complete Final EIR consists of the May 2020 Draft EIR, comments received on the document, and responses to comments contained in the July 2020 FEIR, modifications made to the text of the Draft EIR that are also included in the FEIR, appendices to the Draft and Final EIRs, and all documents and resources referenced and incorporated by reference in the EIR; and

WHEREAS, the FEIR has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs.

Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Historic Preservation Commission held a public hearing on the Project and the FEIR on August 5, 2020 and issued recommendations to the City Council; and

WHEREAS, the Planning Commission held a public hearing on the Project and the FEIR on September 3, 2020 and issued recommendations to the City Council; and

WHEREAS, the City Council considered the FEIR at a public meeting on November 10, 2020;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

- The City Council certifies that the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and local procedures adopted pursuant thereto.

- The City Council hereby finds that the Final EIR reflects the independent judgment and analysis of the City Council, as required by Public Resources Code Section 21082.1.

- The City Council has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received prior to adopting this resolution.

- The City Council therefore hereby certifies the Final Environmental Impact Report for the Project.

PASSED AND ADOPTED this 12th day of January, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Donna Meyers, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADOPTING FINDINGS OF FACT, A MITIGATION MONITORING AND REPORTING PROGRAM AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE RIVERFRONT PROJECT

WHEREAS, a Notice of Preparation ("NOP") of an Environmental Impact Report ("EIR") for the Riverfront Project (the "Project") was issued by the Planning and Community Development Department of the City of Santa Cruz on November 20, 2019; and

WHEREAS, an EIR Scoping Meeting was held on December 4, 2019 to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft Environmental Impact Report ("DEIR" or "Draft EIR") was prepared and issued for agency and public review and comment on May 11, 2020, for a 45-day review period that ended on June 24, 2020; and

WHEREAS, seventeen (17) comment letters were received on the Draft EIR from private individuals as well as private and public entities; and

WHEREAS, a Final Environmental Impact Report ("FEIR" or "Final EIR"), incorporating all comments received on the DEIR and responses to comments was issued on July 27, 2020; and

WHEREAS, the FEIR has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, the Guidelines for Implementation of the California Resources Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Historic Preservation Commission held a public hearing on the Project and the FEIR on August 5, 2020 and issued recommendations to the City Council; and

WHEREAS, the Planning Commission held a public hearing on the Project and the FEIR on September 3, 2020 and issued recommendations to the City Council; and

WHEREAS, on November 10, 2020, the City Council held a public hearing on the project and continued the item to the December 8, 2020 agenda to allow for analysis of comments submitted by the California Coastal Commission; and

WHEREAS, on December 8, 2020, the City Council continued the item to the January 12, 2021 hearing date at the request of the applicant; and

WHEREAS, on January 12, 2021, the City Council in Resolution No. _____ certified the FEIR for the Project; and

WHEREAS, the complete Final EIR consists of the May 2020 Draft EIR, comments received on the document, and responses to comments contained in the July 2020 FEIR, modifications made to the text of the Draft EIR that are also included in the FEIR, appendices to the Draft and Final EIRs, and all documents and resources referenced and incorporated by reference in the EIR; and

WHEREAS, the Final EIR identified certain significant and potentially significant adverse effects on the environment; and

WHEREAS, the Final EIR outlined various mitigation measures that would substantially lessen or avoid the Project's significant effects on the environment, as well as a reasonable range of feasible alternatives, which would provide some environmental advantages over the Project; and

WHEREAS, the City of Santa Cruz is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible Project alternatives that can substantially lessen or avoid any significant environmental effects of a proposed Project; and

WHEREAS, Public Resources Code Section 21081, subdivision (a), requires a public agency, before approving a Project for which an EIR has been prepared and certified, to adopt findings specifying whether mitigation measures and, in some instances, alternatives discussed in the EIR, have been adopted or rejected as infeasible; and

WHEREAS, Sections I through VIII of Exhibit A to this Resolution is a set of Findings of Fact prepared in order to satisfy the requirements of Public Resources Code section 21081, subdivision (a); and

WHEREAS, as the Findings of Fact explain, the City Council, reflecting the advice of City and Agency Staff, the Planning Commission, and extensive input from the community, has expressed its intention to approve the proposed Project in spite of its significant environmental impacts; and

WHEREAS, in taking this course, the City Council has acted consistently with the CEQA mandate to look to feasible Project mitigations and/or alternatives as a means of substantially lessening or avoiding the environmental effects of the Project as proposed; and

WHEREAS, some of the significant and potentially significant environmental effects associated with the Project, as approved, can either be substantially lessened or avoided through the inclusion of mitigation measures proposed in the Final EIR; and

WHEREAS, the City Council in approving the Project as proposed intends to adopt all mitigation measures set forth in the Findings of Fact; and

WHEREAS, those significant effects that cannot be avoided or substantially lessened by the adoption of feasible mitigation measures will necessarily remain significant and unavoidable; and

WHEREAS, the City Council has determined, based on the reasons and substantial evidence set forth in the Findings of Fact, that none of the alternatives addressed in the Final EIR are feasible and environmentally superior to the Project, except that Alternative 1, is the designated environmentally superior alternative as determined under CEQA, but it is not feasible based on the Findings set forth below; and

WHEREAS, Public Resources Code Section 21081, subdivision (b), and CEQA Guidelines section 15093 require the Agency to adopt a "Statement of Overriding Considerations" before approving a project with significant unavoidable environmental effects; and

WHEREAS, the City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant unavoidable environmental effects associated with the Project as mitigated and adopted, there exist certain overriding economic, social and other considerations for approving the Project that the City Council, in its legislative capacity, believes justify the occurrence or potential occurrence of those impacts and render them acceptable; and

WHEREAS, Sections IX and X of Exhibit A attached hereto is a Statement of Overriding Considerations specifying the economic, social and other benefits that render acceptable the significant unavoidable environmental effects associated with the mitigated Project; and

WHEREAS, the City Council recognizes the City's obligation, pursuant to Public Resources Code Section 21081.6, subdivision (a), to ensure the monitoring of all adopted mitigation measures necessary to substantially lessen or avoid the significant effects of the Project; and

WHEREAS, Exhibit B to this Resolution is the Mitigation Monitoring and Reporting Plan prepared in order to comply with § 21081.6, subdivision (a);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

In approving this resolution, the City Council adopts Sections I through VII of Exhibit A attached hereto in order to satisfy its obligations under Public Resources Code sections 21002 and 21081, subdivision (a);

In approving this resolution, the City of Santa Cruz adopts Sections IX and X of Exhibit A attached hereto in order to satisfy its obligations under Public Resources Code Sections 21081, subdivision (b), and CEQA Guidelines section 15093;

In approving this resolution, City Council adopts Exhibit B attached hereto in order to satisfy its obligations under Public Resources Code Section 21081.6, subdivision (a); and

The City Council hereby approves the Project and directs City Staff to file with the County Clerk and the Office of Planning and Research in Sacramento a Notice of Determination commencing the 30-day statute of limitations for any legal challenge to the Project based on alleged non-compliance with CEQA.

PASSED AND ADOPTED this 12th day of January, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Donna Meyers, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

EXHIBIT A

CEQA FINDINGS OF FACT

and

STATEMENT OF OVERRIDING CONSIDERATIONS

OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ

for the

RIVERFRONT PROJECT

October 21, 2020

I.
INTRODUCTION

The City of Santa Cruz ("City"), as lead agency, prepared an Environmental Impact Report ("EIR") for the Riverfront Project ("the Project"). In its entirety, the EIR consists of the May 2020 Draft EIR ("Draft EIR" or "DEIR") and the July 2020 Final EIR ("Final EIR" or "FEIR"). The EIR is a project-level EIR pursuant to Section 15161 of the State "CEQA Guidelines" (Cal. Code Regs., tit. 14, § 15000 et seq.). The project consists of demolition of existing commercial buildings and construction of a mixed-use building with 175 residential condominium units and 11,498 square feet of commercial space. (DEIR, p. 1-2.)

These findings, as well as the accompanying statement of overriding considerations in Section IX, *infra*, have been prepared in accordance with the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and its implementing guidelines, the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), and the City of Santa Cruz CEQA Guidelines. The FEIR is hereby incorporated by reference to this resolution and this attachment.

II.
PROJECT DESCRIPTION

A. Location

The City of Santa Cruz is located along the northern shore of Monterey Bay, approximately 75 miles south of San Francisco, 25 miles south of San Jose and 40 miles north of Monterey (see Figure 1-1 in DEIR). The Project site is located in the developed downtown area of the City. The approximately 0.98-acre (42,684-square-foot) Project site encompasses five parcels along Front Street and adjacent to the San Lorenzo River levee, at 418, 428, 440, 504, and 508 Front Street (APNs 005-151-39, -22, -30, -31, -50). The Project site also includes approximately 15,500 square feet of City owned property on the landward side of the San Lorenzo River levee. The Project site is partially located within the coastal zone and is located approximately 0.6 miles north of the Monterey Bay. The Project site is shown on Figure 1-2 in the DEIR. The portion of the Project site located in the coastal zone is shown on Figure 2-1 in the DEIR.

The Project site is bounded by a parking lot/business just north of Cathcart Street on the north, the Santa Cruz Riverwalk/San Lorenzo River on the east, a commercial building operating as the Santa Cruz Fellowship Hall on the south, and Front Street on the west. The site currently contains three one-story commercial buildings and at-grade, paved parking lots with associated areas of landscaping. Existing uses on the Project site include a mix of restaurant and service commercial uses and parking lots, including the non-profit movement arts center, The 418 Project. The existing building square footage totals approximately 20,820 square feet, and the existing parking lot totals approximately 21,750 square feet. (DEIR, p. 3-1.)

B. Overview

The Riverfront Project consists of demolition of existing commercial buildings and the construction of a seven-story, mixed-use building with 175 residential condominium units and 11,498 square feet of ground floor and levee-front commercial space. A total of 20 residential units would be designated as affordable housing, with 15 units for very-low-income households and 5 units for low-income households. The Project applicant is seeking a 35-percent density bonus pursuant to state and local law (Government Code Section 65915 and City of Santa Cruz Municipal Code Chapter 24.16, Part 3). Access, parking and levee improvements are proposed. (DEIR, p. 3-4.)

C. Project Objectives

The objectives of the proposed Project provided by the City are as follows; those provided by the Applicant are identified as such:

1. Develop a mixed-used commercial-residential project that supports the following First Principles of the Downtown Plan:
    a) *Form and Character.* Construct new buildings with individual character and architectural articulation.
    b) *Building Height.* Develop a project with buildings that meet the criteria for additional height as the 2017 Downtown Plan update recognizes that taller buildings contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City.
    c) *Housing.* Provide a significant new housing opportunity along the San Lorenzo riverfront, north of Laurel and adjacent to regional transit center.
    d) *Accessibility.* Develop a project that aesthetically integrates access to the site, the San Lorenzo River, and downtown.
    e) *Open Space and Streetscape.* Develop a project that creates public plazas in the form of two pedestrian passageways and open space areas along the riverfront to contribute to a socially active and pedestrian-oriented downtown.
    f) *Circulation.* Construct a housing project in the downtown area that includes project improvements such as increased sidewalk width and pedestrian passageways between the downtown and the Riverwalk in support of a primarily pedestrian-oriented downtown, and that places residents in close proximity to employment opportunities, goods, and services to encourage pedestrian, bicycle, and transit movement.

2. Support the goals of the City of Santa Cruz 2015-2023 Housing Element by:
    a) Developing a project that provides diversity in housing types and affordability levels to accommodate present and future housing needs of Santa Cruz residents.
    b) Developing a project that provides a greater level of affordability than that which is required by the City's Inclusionary Ordinance by utilizing the state Density

Bonus Law to feasibly maximize the number of affordable units that can be approved. (*Applicant Objective*)

c) Construct a project that will contribute to the City's housing needs while promoting an environmentally sustainable, compact community within the Downtown area. (*Applicant Objective*)

3. Provide a mixed-use, transit-priority, pedestrian-oriented project that supports the regional Sustainable Communities Strategies and other City and statewide goals and actions to reduce greenhouse gas emissions and respond to global warming and climate change.

4. In support of San Lorenzo Urban River Plan and Local Coastal Program policies, provide a new development that incorporates design features that encourage active engagement with the Riverwalk, including filling the area adjacent to the Riverwalk with landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk.

5. Construct a project that incorporates pedestrian and/or bicycle connections between Front Street, the Riverwalk, Cathcart Street, and the future extension of Elm Street. (*Applicant Objective*)

6. Provide new and improved public access to the San Lorenzo River through provision of attractive connections to the San Lorenzo River with the development of key east-west public passageways between Front Street and the Riverwalk and a second pedestrian passageway south of the Cathcart Street passageway, consistent with Section 30211 of the Coastal Act, the Downtown Plan, and the San Lorenzo Urban River Plan.

7. Construct a mixed use project that includes wide breaks between buildings to reduce building mass and to retain views to the river levee from Pacific Avenue.

8. Develop a project adjacent to the Riverwalk that is designed to prevent impacts to the adjacent sensitive San Lorenzo River and that will result in clean-up of degraded areas along the back of the levee and so promote public health and safety.

9. Provide greatly enhanced public access to the San Lorenzo River through provision of a new landscaped terrace that provides an amenity and contributes to the open space character and safety along the Riverwalk.

10. Maintain a financially viable project design through the administrative review and approval process to help assure that the project will be constructed. (*Applicant Objective*). (DEIR, pp. 3-2 to 3-4.)

Based on its own review of the EIR and other information and testimony received in connection with the project, the City Council finds these objectives to be acceptable. In choosing to approve the project, the City thus accords these objectives significant weight in considering the feasibility of alternatives analyzed in the EIR, and in invoking overriding considerations in approving the

project. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001–1002 (*CNPS*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507–1508; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*).)

D. Project Description

The proposed Project consists of construction of a seven-story, mixed-use project with residential and commercial uses. The new mixed-use building would be approximately 188,692 gross square feet (GSF). The Project would consist of three buildings, including a parking garage with two levels of parking (one partially below ground and one at grade with Front Street), eight ground-floor commercial units (five on Level 1 along Front Street and three on Level 2 along the Riverwalk) totaling approximately 11,498 square feet, and 175 residential condominium units on the upper six floors. The Project's floor area ratio (FAR) would be 4.4, which is within the allowed FAR for the RVC land use designation established in the General Plan, which allows a FAR of up to 5 in the downtown area.

The proposed residential units include 53 studios, 89 one-bedroom units, and 33 two-bedroom units (approximately 118,285 square feet) on levels two through seven. In addition, the new buildings would include 2,489 square feet of amenity space for residents, such as a lounge, game room, and fitness space; 2,489 square feet of private rooftop outdoor space for the residential units; and 1,568 square feet of lobby space.

The three buildings would be arranged on the site from north to south and would be separated by two pedestrian passageways, providing two publicly accessible connections and plazas adjacent to the Riverwalk with about 15,493 square feet of new public space. The upper floors include "stepbacks" from the street and upper level outdoor deck for the residents. Conceptual Project building elevations that show a conceptual design are provided on Figures 3-2A and 3-2B of the DEIR.

The proposed building height is 81 feet with six stories above the ground floor. Per the Downtown Plan, a project that is located within Additional Height Zone B, is located on a parcel greater than 15,000 square feet and is eligible for a density bonus, is also eligible for additional height up to 70 feet and a maximum of five floors above commercial. The Project meets these requirements for additional height, and the additional 11 feet in height is requested as part of a proposed density bonus as explained in the DEIR.
(DEIR, p. 3-4 through 3-5.)

III.
ENVIRONMENTAL REVIEW PROCESS

In accordance with section 15082 of the CEQA Guidelines, the City issued a Notice of Preparation ("NOP") of a Draft EIR on November 20, 2019. Pursuant to CEQA Guidelines sections 15023, subdivision (c), and 15087, subdivision (f), the State Clearinghouse in the Office

of Planning and Research was responsible for distributing environmental documents to State agencies, departments, boards, and commissions for review and comment. The City followed required procedures with regard to distribution of the appropriate notices and environmental documents to the State Clearinghouse. The State Clearinghouse made that information available to interested agencies for review and comment. The NOP was circulated for a 30-day review period on November 20, 2019. Additionally, one EIR Scoping Meeting was held on December 4, 2019 to receive comments regarding the scope of issues to be addressed in the EIR. The NOP and all comments received on the NOP are presented in Appendix A of the Draft EIR. (DEIR, p. 1-7.)

The EIR includes an analysis of the following issue areas:

- Biological Resources
- Cultural and Tribal Cultural Resources
- Geology and Soils
- Energy Conservation
- Land Use
- CEQA-Required Sections: Significant Unavoidable Impacts, Significant Irreversible Changes, Growth Inducement, Cumulative Impacts, and Alternatives

On May 11, 2020, the City released the Draft EIR to public agencies, other interested parties, the general public, and the State Clearinghouse for a 45-day public review period that ended on June 24, 2020. (DEIR, p. 1-7.) The Final EIR was published on July 27, 2020. The Historic Preservation Commission held a public hearing on the historic alteration permit on August 5, 2020. The Planning Commission held a public hearing on the project and Final EIR on _____, 2020. The City Council held a public hearing on the project and Final EIR on _____, 2020.

IV.
RECORD OF PROCEEDINGS

In accordance with Public Resources Code section 21167.6, subdivision (e), the record of proceedings for the City's decision on the project includes the following documents:

The NOP (November 2019), including related comments from agencies, organizations and individuals, and all other public notices issued by the City in conjunction with the project;

The Draft EIR for the project (May 2020) and all appendices, as well as all documents cited or referenced therein;

The Final EIR for the project (July 2020) and all appendices, as well as all documents cited or referenced therein;

Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the project;

Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;

Any and all resolutions adopted by the City regarding the project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;

Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;

Any documents expressly cited in the Draft and Final EIRs and these findings, in addition to those cited above; and

Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The City Council has relied on all of the documents listed above in reaching its decision on the project, even if not every document was formally presented to the City Council or City Staff as part of the City files generated in connection with the project. Without exception, any documents set forth above not found in the project files fall into one of two categories. Many of them reflect prior planning or legislative decisions of which the City Council was aware in approving the General Plan 2030 project. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391–392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents informed the experts who provided advice to City Staff or consultants, who then provided advice to the City Council. For that reason, such documents form part of the underlying factual basis for the City Council's decisions relating to the adoption of the General Plan 2030. (See Pub. Resources Code, § 21167.6(e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.1

The documents constituting the record of proceedings are available for review by responsible agencies and interested members by appointment at the City of Santa Cruz Planning and Community Development Department, 809 Center Street, Room 101, Santa Cruz, California 95060.

V.
FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute provides that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to provide that "in the event [that] specific economic, social, or other

conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must adopt a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (CEQA Guidelines, § 15091, subd. (a).) Under CEQA, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sequoyah Hills*, *supra*, 23 Cal.App.4th at p. 715.) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); see also *CNPS, supra,* 177 Cal.App.4th at pp. 1001–1002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. CEQA requires the lead agency to adopt feasible mitigation measures or, in some instances, feasible alternatives, to substantially lessen or avoid significant environmental impacts that would otherwise occur.

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons that the agency found the project's benefits outweigh its unavoidable adverse environmental effects. The City's Statement of Overriding Considerations for the project is included herein in Section IX, *infra*.

VI.
MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (Exhibit B) has been prepared for the project, and will be approved by the City Council by the same Resolution that adopts these findings, if

the project is approved. The City will use the Mitigation Monitoring and Reporting Program to track compliance with project mitigation measures. The Mitigation Monitoring and Reporting Program will remain available for public review during the compliance period.

VII.
SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Draft EIR identified significant environmental effects (or impacts) resulting from the implementation of the Riverfront Project. Some of these effects, however, cannot be avoided by the adoption of feasible mitigation measures or alternatives. Thus, these effects will be significant and unavoidable. For reasons set forth in Section IX*, infra*, however, the City has determined that overriding considerations outweigh the significant, unavoidable effects associated with the Riverfront Project implementation.

The City's findings with respect to the project's significant effects and mitigation measures are set forth below for each significant impact. The following statement of findings does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, it provides a summary description of each impact, describes the applicable mitigation measures identified in the Draft EIR or Final EIR and adopted by the City, and states the City's findings on the significance of each impact after imposition of the adopted mitigation measures, accompanied by a brief explanation. Full explanations of these environmental findings and conclusions can be found in the Draft EIR and Final EIR. These findings hereby incorporate by reference the discussion and analysis in those documents supporting the Final EIR's determinations regarding mitigation measures and the project's impacts and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation in the Draft EIR and Final EIR and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Draft EIR and Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

Significant Impacts That Can Be Mitigated to a Less-Than-Significant Level

A. Biological Resources

Impact BIO-4:- Indirect Impacts to Nesting Birds. Future development as a result of the proposed Downtown Plan amendments could result in disturbance to nesting birds if any are present in the vicinity of construction sites along the San Lorenzo River.

The trees on and adjacent to the Project site provide potential nesting habitat for migratory birds; migratory birds are protected under the MBTA and California Fish and Game Code section 3503. The Project would require the removal of 25 trees on the Project site, river levee and along Front Street. Tree removal during the breeding season (generally March 1 to August 1) has the potential to destroy bird nests, eggs or chicks if

any are present during the removal. The Project would be subject to mitigation measures adopted with the Downtown Plan Amendments, which includes Mitigation Measure 4.3-3 requiring a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin during the nesting season. If nesting is identified, construction would need to be delayed or a suitable construction buffer established in order to prevent disturbance to any nesting birds. Therefore, the Project would result in a less-than-significant impact with implementation of mitigation as required in the Downtown Plan Amendments EIR.

Mitigation Measures. Implementation of Mitigation 4.3-3 identified in the Downtown Plan Amendments EIR will mitigate potential impacts of future development on biological resources (migratory birds and raptors) to a less-than-significant level. The measure has been revised as part of the Final EIR to reflect the nesting period for which pre-construction nesting surveys are required by the California Department of Fish and Wildlife in the Lake, Streambed Alteration Agreement with the City of Santa Cruz for maintenance activities along San Lorenzo River and other streams in the City.

> **DPA Mitigation 4.3-3.** Require that a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the MBTA are found, construction may need to be delayed until late-September or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).

FINDING: The potentially significant impact of the Project on biological resources can be mitigated to a less-than-significant level by the imposition of DPA Mitigation 4.3-3, as revised in the FEIR, which has been required or incorporated into the project. The City hereby directs that this mitigation measure be adopted. Changes or alterations have been required in, or incorporated into, the Project which, avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Significant Unavoidable Impacts

B. Cultural and Tribal Cultural Resources

Impact CUL-1. Historical Resources. The proposed Project would cause a substantial adverse change in the significance of a historical resource due to demolition. This is a significant impact.

The proposed Project would result in demolition of two existing structures that are considered historic resources due to listing in the City's Historical Building Survey (428 Front Street) and for eligibility for listing in the California Register of Historical

Resources (both buildings). Based on review of the 2009 DPR forms and additional research and site documentation by Page & Turnbull in 2016, the buildings at 418 and 428 Front Street have been identified as buildings individually eligible for listing to the CRHR. As such, each building qualifies as an historical resource under CEQA.

According to CEQA, a "project with an effect that may cause a substantial adverse change in the significance of an historic resource is a project that may have a significant effect on the environment." Substantial adverse change is defined as: "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired." The significance of an historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance" and that justify or account for its inclusion in, or eligibility for inclusion in, the California Register. Thus, the proposed Project would result in a substantial adverse change in the significance of the CEQA historical resources, due to demolition of both buildings in order to construct the proposed Project.

According to the State CEQA Guidelines section 15064.5(b)(3), generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995, Weeks and Grimmer), shall be considered as mitigated to a level of less than a significant impact on the historical resource. With designs that meet the Secretary of Interior's Standards, any impacts would be considered less than significant. In the present case, the buildings would be completely demolished and would not be restored or rehabilitated. Discussion of potential alternatives to preserve or restore the buildings is presented in Chapter 6.

Demolition of CEQA Historical Resources cannot be mitigated to a less-than-significant level, although mitigation measures can be required. Common mitigation measures for demolition consist of documentation of the resource, typically to the standards of the Historic American Buildings Survey (HABS) and/or interpretation that may include the installation of an interpretive display or video. Section 15126.4(b)(2) of the CEQA Guidelines is clear in this regard: "In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur" (Page & Turnbull 2016).

Mitigation Measures. Implementation of Mitigations CUL-1 and CUL-2 identified in the EIR would reduce the impact on historical resources, but not to a less-than-significant level; therefore, the impact would remain significant and unavoidable.

Mitigation CUL-1. Complete documentation of buildings at 418 and 428 Front Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following:

- Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories.
- *Measured Drawings:* Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).
- *HABS-Level Photographs:* Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.
- *HABS Historical Report:* A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of

reference materials that would be available to the public and inform future research.

Mitigation CUL-2. Prior to the start of Project construction and demolition, the Project proponent shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed Project boundary along a pedestrian walkway or attached to the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the Project site. The interpretive displays illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps.

FINDING: The potentially significant impact of the Project on historical resources cannot be mitigated to a less-than-significant level despite the imposition of Mitigations CUL-1 and CUL-2, which have been required or incorporated into the Project. The City hereby directs that this mitigation measure be adopted. Specific economic, legal, social, technological, or other considerations make infeasible any additional mitigation measures or the project alternatives identified in the EIR that would avoid or reduce the significant impact on historical resources to a less-than-significant level.

VIII.
PROJECT ALTERNATIVES

A. Basis for Alternatives-Feasibility Analysis

As noted earlier, Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of *potentially* feasible alternatives, an agency decision-making body may ultimately conclude that a potentially feasible alternative is actually infeasible. (*CNPS*, *supra*, 177 Cal.App.4th at p. 981, 999.) As explained earlier, grounds for such a conclusion might be the failure of an alternative to fully satisfy project objectives deemed

to be important by decision-makers, or the fact that an alternative fails to promote policy objectives of concern to such decision-makers. (*Id.* at pp. 992, 1000–1003.) Alternatives may also be determined to be economically infeasible and can be rejected on that ground. (*The Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal.App.4th 603, 621–623.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of a proposed project as mitigated, the decision-makers may reject the alternative as infeasible for such reasons.

Under CEQA Guidelines section 15126.6, the alternatives to be discussed in detail in an EIR should be able to "feasibly attain most of the basic objectives of the project[.]" For this reason, the objectives described above in section II(C) of these findings provided the framework for defining possible alternatives. Based on the objectives, the City developed two alternatives in addition to the No Project Alternative that were addressed in detail in the Draft EIR.

Per CEQA Guidelines section 15126.6 and the project's objectives, the following alternatives to the project were identified:

- No Project – Required by CEQA
- Alternative 1 – Partial Preservation – Incorporation of Building Facades into Project
- Alternative 2 – Relocation of Historic Buildings

The City Council finds that that a good faith effort was made to evaluate a range of potentially feasible alternatives in the EIR that are reasonable alternatives to the project and could feasibly obtain most of the basic objectives of the project, even when the alternatives might impede the attainment of the project's objectives and might be more costly. Alternatives were considered that would result in a substantial reduction or elimination of identified significant unavoidable historical resources impacts, as well as the one identified significant impact that could be reduced to a less-than-significant level with mitigation measures outlined in this EIR. (DEIR, pp. 6-7 to 6-15.)

1. Significant Unavoidable Impacts of the Project

Approval of the project will result in the following significant unavoidable impact, which can be lessened, though not avoided or reduced to a less-than-significant level, through implementation of feasible mitigation measures adopted in connection with the project:

Cultural and Tribal Cultural Resoures. Historical resources as described in section VI(B) above.

2. Scope of Necessary Findings and Considerations for Project Alternatives

As noted above, these findings address whether the various alternatives substantially lessen or avoid any of the significant unavoidable impacts associated with the Riverfront Project and also consider the feasibility of each alternative. Under CEQA, "[f]easible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account

economic, environmental, legal, social, and technological factors." (CEQA Guidelines, § 15364.) As explained earlier, the concept of feasibility permits agency decision makers to consider the extent to which an alternative is able to meet some or all of a project's objectives. In addition, the definition of feasibility encompasses "desirability" to the extent that an agency's determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors supported by substantial evidence.

B. Description of Project Alternatives and Determination of Feasibility

Potential alternatives to the proposed Riverfront Project were evaluated with respect to the objectives of the project as discussed in Chapter 6, "Project Alternatives" of the Draft EIR and this section of the findings. The Draft EIR identified and compared in detail the environmental effects of the No Project Alternative and two alternatives listed below with environmental impacts resulting from the project. (See DEIR, pp. 6-7 through 6-15.)

The range of alternatives selected by the City is reasonable given the proposed uses, identified significant impacts and project objectives. The No Project Alternative would avoid all impacts identified for the proposed Project. Of the other alternatives considered, both Alternatives 1 and 2 would lessen the significant unavoidable historical resource impact than would occur with the proposed Project. Alternative 2 could potentially lessen the impact to a less-than-significant level, although there is the possibility that the reconstructed and rehabilitated historical buildings under this alternative may not meet the Secretary of Interior Standards for Reconstruction, and therefore, the impact may remain significant and unavoidable. Of the alternatives considered, Alternative 1 would best achieve project objectives, while also reducing the severity of identified significant impacts and therefore, is considered the environmentally superior alternative of the alternatives reviewed. While Alternative 2 would also lessen the severity of the historical resource impact, it was acknowledged to be potentially infeasible in the DEIR due to lack of identified sites to relocate the historic buildings. A comparison of project features and impacts between the proposed Project and the alternatives is presented in Table 6-1 in the DEIR.

NO PROJECT ALTERNATIVE

1. Description

Section 15126.6(e) of the State CEQA Guidelines requires that the impacts of a "no project" alternative be evaluated in comparison to the proposed project. Section 15126(e) also requires that the No Project Alternative discuss the existing conditions that were in effect at the time the Notice of Preparation was published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

For the purpose of the Alternatives discussion, the No Project Alternative assumes that in the foreseeable future, another project to redevelop the site could be proposed. However, it is noted that no redevelopment of the Project site would be inconsistent with the General Plan and Downtown Plan forecasts and intentions for redevelopment of the site and Project area. Given

adopted City plans for the area, another development project may be proposed for the Project site in the future, although the type and amount of development that may be proposed is unknown at this time.

2. Analysis of No Project Alternative's Ability to Reduce Significant Unavoidable Project Impacts

Table 6-1 of the Draft EIR provides a comparison of impacts between the project and alternatives. The No Project Alternative would not result in construction of the proposed Project and none of the impacts identified in the EIR would occur. No new significant impacts would occur under this alternative. Since redevelopment of the downtown area, including the Project properties, is encouraged in the City's adopted Downtown Plan to provide additional residential uses, it is likely that some form of a mixed-used commercial-residential project would be proposed at some point in the future, although the type and timing of such a project are not known. However, some of the impacts identified in this EIR could result at some unknown time in the future and at an unknown magnitude depending on the development proposal. It is also noted that there are some public improvements and amenities proposed as part of the Project that would not occur under the No Project Alternative, e.g., improved access to the Santa Cruz Riverwalk and an expanded outdoor river area. Thus, the No Project Alternative would not accomplish goals set forth in the Downtown Plan regarding improvements along the Riverwalk, including improved access.

3. Feasibility of No Project Alternative

The No Project alternative would not meet any of the Project objectives.

The No Project Alternative is rejected as infeasible because this alternative would not meet any of the project objectives and would not fulfill the Downtown Plan's goals to provide additional residential units within the plan area. For the foregoing reasons, the City Council determines that the No Project Alternative is infeasible and declines to adopt it.

ALTERNATIVE 1 (Partial Preservation – Incorporation of Building Facades into Project)

1. Description

Alternative 1 involves the partial preservation of the existing historic buildings on the site through retention of the primary historic building facades and incorporating them into the new building. This alternative would involve the preservation of the primary street facades and the demolition of all secondary facades, structure, foundations, and roofs. The street facades would be disassembled in eight- to ten-foot-wide segments, stored at a different location, and re-assembled and incorporated into the Project after completion of subsurface work. As indicated above, it is not possible to retain the facades in place during construction. Under this alternative, there would be no change to the proposed Project uses and site layout, except the design would be altered to incorporate the building facades of the existing on-site historic buildings.

2. Analysis of Alternative 1's Ability to Reduce Significant Unavoidable Project Impacts

Table 6-1 of the Draft EIR provides a comparison of impacts between the project and alternatives. Under this alternative, the identified significant unavoidable impact related to historical resources would be slightly lessened, but would not be reduced to a less-than-significant level. The biological resource and geology/soils impacts would not change. No new significant impacts would occur under this alternative.

3. Feasibility of Alternative 1

Under this alternative, there would be no change to the proposed Project uses and site layout, except the design would be altered to incorporate the building facades of the existing on-site historic buildings. This alternative was determined in the DEIR to meet all Project objectives, although it was acknowledged that it may not meet Objective #10 regarding maintaining a financially viable project. Although Alternative 1 would retain a number of character-defining features of the historic resources, it would not retain the buildings' character-defining massing or height as volumetric structures. Thus, the buildings' significant architectural styles would be conveyed in the features of their facades, but their representation as whole buildings would be compromised. Furthermore, the massing, size, and scale of the new seven-story buildings to be constructed behind the historic primary façades would not be compatible with the one-story historic resources, and the Project would not be in compliance with the Secretary of the Interior's Standards for Rehabilitation. In addition, it would not be feasible to reconstruct the facades in the exact locations of the existing buildings without requiring a new opening to be provided in order to accommodate the mid-block passageway. For these reasons, Alternative 1 would at best only slightly lessen the significant impact of the Project. The facades of the existing buildings are made of various elements that have been altered over time with concrete, and this alternative would require the bracing of the facades, the removal of the roof structures (since they are fully or partially supported by the walls), the disassembly of the walls into 8 to 10 feet wide elements, hauling the elements offsite for storage during construction, and the re-assembly and incorporation into the new building once the subsurface work is completed. This would also require the strengthening of these elements to meet current codes (which entails the placement of a gunnite/shotcrete wall on the inside face of the façade that would serve as a support structure to stitch the various 8 to 10 feet elements (FBA Inc. 2019). Review by the Project structural engineer indicates that this process can be accomplished, however, the overall cost of the process is approximately $1 million, which would add substantially to the cost of constructing the Project but is unlikely to result in any corresponding increase in the value or sales price of the individual units. . (Letter from SC Riverfront, LLC, August 11, 2020.) The substantial additional cost of this alternative as compared to the cost of the proposed Project are so great that a reasonably prudent property owner would not proceed with the alternative. Additionally, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the costs for implementing Alternative 1 likely will have an even greater negative impact on Project feasibility than would have been likely under pre-COVID-19 conditions. For the foregoing reasons the City Council determines that Alternative 1 would not

substantially lessen the significant impact associated with demolition of historic resources and, in the alternative, is infeasible and is hereby rejected.

ALTERNATIVE 2 (Relocation of Historic Buildings)

1. Description

Alternative 2 involves the relocation of the two historic buildings to a new site. Under this alternative, there would be no change to the proposed Project uses and site layout. Due to the nature of the historic buildings' perimeter concrete and CMU walls on non-structural slabs on grade, this alternative would involve deconstruction followed by reconstruction. More specifically, it would involve vertical shoring and bracing of the structures' roofs and walls; removal of existing roofing material; salvaging the roof beams, trusses, and interior columns and supports; and disassembly of all perimeter walls into eight- to ten-foot sections. These materials would be delivered to a new site. Floor slabs, non-structural partition walls, and existing foundations would be demolished and recycled. New foundations and floor slabs would be built at the new site, and all salvaged elements would be reassembled. The buildings would be reconstructed as close to their original forms as possible, while upgrading the buildings to meet current building codes.

2. Analysis of Alternative 2's Ability to Reduce Significant Unavoidable Project Impacts

Table 6-1 of the Draft EIR provides a comparison of impacts between the project and alternatives. Under this alternative, the identified significant unavoidable impact related to historical resources would be substantially lessened and potentially reduced to a less-than-significant impact if the relocated structures could comply with the Secretary of Interior Standards for Reconstruction, but if not, the impact would not be reduced to a less-than-significant level.
The biological resource and geology/soils impacts would not change. No new significant impacts would occur under this alternative.

3. Feasibility of Alternative 2

Under this alternative, there would be no change to the proposed Project uses and site layout. This alternative was determined in the DEIR to meet all Project objectives, except it was acknowledged that it may not meet Objective #10 regarding maintaining a financially viable project. The new location would need to be similar to the existing historic setting which is downtown Santa Cruz. There are no known vacant properties in the downtown area that are not part of a planned future development. Other properties in the vicinity of the Project site that are also located adjacent to the San Lorenzo River are currently developed and/or could be redeveloped in the future under the City's adopted *Downtown Plan*. Therefore, it appears that there are no downtown sites that could accommodate relocation of the two structures. In addition, there are no other nearby sites owned by or potentially available to the applicant that could be used. Another key factor in determining the feasibility of relocation as a viable

alternative is determining if the buildings can be physically moved. Moving the buildings would entail vertical shoring and bracing of the structure's roofs and walls, the removal of existing roofing material, the salvaging of roofs beams, purlins, trusses, and interior columns/supports, the disassembly of all perimeter walls into 8 to 10 feet sections and transporting and re-erecting the structures at a new location site. Floor slabs, non-structural partition walls, and existing foundation will be demolished and recycled. A new foundation and floor slab will be built at the new site, and all salvaged elements will be reassembled to bring the buildings to their original forms as close as possible while upgrading the buildings to standards that are acceptable to the local building official. While this option is theoretically possible, review by the Project structural engineer concluded that it may not be economically or logistically feasible due to the nature of the existing structures (size, material used, and type of construction). A preliminary estimate to disassemble, move, re-assemble, and bring to near current standard is approximately $10.5 million, which would add substantially to the cost of constructing the Project but is unlikely to result in any corresponding increase in the value or sales price of the individual units. (Letter from SC Riverfront, LLC, August 11, 2020.) The substantial additional cost of this alternative as compared to the cost of the proposed Project are so great that a reasonably prudent property owner would not proceed with the alternative. In addition, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the significantly higher costs to implement Alternative 2, even assuming an acceptable alternative site were available, are likely to have an even greater impact on Project feasibility than would have been likely under pre-COVID -19 conditions. For the foregoing reasons, the City Council determines that Alternative 2 is infeasible and is hereby rejected.

IX.
STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, approving the Riverfront Project will result in some significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures. (See section VII, *supra.*) As determined above, however, there are no feasible alternatives to the project that would fully mitigate or substantially lessen the impacts. Despite these effects, the City Council, in accordance with CEQA Guidelines section 15093, chooses to approve the project because, in its judgment, the following economic, social, and other benefits that the project will produce will render the significant effects acceptable.

Any one of these reasons, on its own, is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each remaining individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents included in the Record of Proceedings, as defined in Section IV, above.

1) The State of California has adopted AB 32 Global Warming Solutions Act (2006) and SB375 (Sustainable Communities and Climate Protection Act (2008) with specific

emphasis on promoting transit-oriented development and to link land use planning development decisions with transportation. The goal of these measures is to reduce vehicle miles traveled and thereby reduce Greenhouse Gas Emissions (GHG) through better land use planning. The project represents sound land use planning principles with direct connections being made between increasing density for needed housing in the City and existing nearby transit facilities and commercial uses. The project aligns with the Association of Monterey Bay Area Government (AMBAG) Sustainable Communities Strategy Implementation Project that focuses on infill housing, transportation strategies and measures, and economic development. The project will directly implement many General Plan policies and actions that encourage land use changes that reduce automobile use (Policy LU4.2), encourage mixed uses (Policies LU3.5, LU3.10, LU3.10.1), and encourage the assembly of small parcels along transit (CD3.3, CD3.3.1, CD3.3.2). The project achieves these goals and policies through the consolidation of parcels and construction of residential units above ground floor commercial on an infill site located directly adjacent to the metro transit center and within walking and biking distance to a variety of good, services, employment, and recreational opportunities.

2) As set forth in Government Code section 65580, the City has a responsibility to facilitate the development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environmental damage with the provision of a "decent home and satisfying living environment for every Californian." (Pub. Resources Code, § 21000(g).) The project supports the City's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The project would redevelop an underutilized site, encouraging infill development at a higher density and/or land use intensity. The project is consistent with Goals 1 and 2 of the City's Housing Element in that it would provide a variety of diversity of unit types including 53 studios, 89 one-bedroom units, and 33 two-bedroom units as condominiums and at varying affordability levels, including 15 units reserved for very-low income households and five units reserved for low income households as part of the developer-requester density bonus. The project is consistent with Goal 5 of the Housing Element which seeks to improve housing and the vitality of neighborhoods throughout Santa Cruz by providing adequate public services, community facilities, infrastructure, landscaping and open space, adequate parking, pedestrian and bike routes, as well as eliminating blighted conditions. The project will greatly enhance the existing conditions on the Riverwalk through the establishment of expanded, landscaped, public open space and river-facing residences and commercial spaces.

3) The project supports the community's vision as provided in the General Plan, the Downtown Plan, and the San Lorenzo Urban River Plan for providing pedestrian connections between the downtown and the Santa Cruz Riverwalk and will facilitate improvements to the physical, social, economic, cultural, and environmental character of the downtown. Achieving these connections is a superior benefit over and above the associated significant and unavoidable historical resources impacts that would be associated with the project. The project will enhance opportunities to view and interact

with the San Lorenzo River as a coastal resource, as described in the Downtown Plan Planning Principles and Strategies. The project is designed to be visually compatible with the surrounding downtown, while providing new open space pedestrian plazas and passageways to the Riverwalk which is directly consistent with the First Principles of the Downtown Plan for building height, form and character, and open space/streetscape. The filling of the area adjacent to the levee and associated required landscaping and public project further implements the policies and goals of the Downtown Plan to make the improvement of the riverfront and creation of linkages to the downtown a top priority in that the use of these areas will achieve stewardship and scenic values over the existing conditions near the Riverwalk. The project supports the Coastal Act Scenic and Visual Protection Policy Section 30251 to protect and increase opportunities for viewing the river, a coastal resource. The development will not obstruct public views to the San Lorenzo River from downtown because the levee is an average of about 10 feet above the Front Street sidewalk and already obstructs the view of the river, but the project will increase the ability and opportunities for the public to view the river from the expanded and improved Riverwalk area. A prior policy of the San Lorenzo Urban River Plan (SLURP) specified that new development should maintain views from both taller downtown buildings to the river and from the river trail to distant mountains and ridges, avoiding creation of a development "wall" between the downtown and the River. This policy was eliminated in 2017 and it was noted that the Riverwalk path creates the view corridor. The proposed project will not impact the public, scenic view of the river from the Riverwalk, which is consistent with the amended SLURP.

4) While the CEQA evaluation process for projects has been established to identify adverse impacts to the physical environment, it is only one criterion for a jurisdiction to consider when evaluating the merits of a project. The CEQA process does not identify positive effects on the environment and therefore, is limited in its application when evaluating the full range of changes resulting from land use decisions at a local level. The project contains many positive environmental impacts including: the creation of a transit-oriented development in the downtown, which will directly lead to a reduction in vehicle miles traveled and fewer GHG emissions per capita than development located further away from transit opportunities; improvements to the Riverwalk that will increase public activity along the river; fill adjacent to the river levee to eliminate areas that encourage negative social behavior and degrade and create an unsafe experience for Riverwalk users; the development of restaurants, cafés and other proposed commercial spaces along the Riverwalk that result in economic development for public uses adjacent to the Riverwalk; and finally, increased opportunities for much-needed housing near the City's job centers. The project would result in redevelopment in an area of the City that is designated for that purpose. This combination of positive impacts is one reason that the City finds the benefits outweigh the identified unavoidable environmental impacts in the EIR.

X.
CONCLUSION

As explained earlier, the City Council has balanced these benefits and considerations against the significant unavoidable environmental effects of the project. The City Council hereby concludes

that those impacts are outweighed by these benefits, among others. After balancing the environmental costs against the project's benefits, the City concludes that the benefits outweigh the few adverse environmental impacts. The City believes that the project's benefits outlined above override the significant unavoidable environmental costs associated with the project.

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) for the City of Riverfront Project has been prepared pursuant to the California Environmental Quality Act (CEQA – Public Resources Code, Section 21000 *et seq*.), the CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097). A master copy of this MMRP shall be kept in the office of the City of Santa Cruz Planning and Community Development Department and shall be available for viewing upon request.

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
Biological Resources				
The following mitigation measure was adopted with the Downtown Plan Amendments and is applicable to development projects in the area covered in the EIR, which includes the Project site. <u>The measure has been revised as part of the Final EIR to reflect the nesting period for which pre-construction nesting surveys are required by the California Department of Fish and Wildlife in the Lake, Streambed Alteration Agreement with the City of Santa Cruz for maintenance activities along San Lorenzo River and other streams in the City</u>. **MITIGATION 4.3-3:** Require that a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the MBTA are found, construction may need to be delayed until late September or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).	▪ Include measure as a Project Condition of Approval. ▪ Implementation actions are outlined in the mitigation measure.	▪ Applicant is responsible for preparation of pre-construction bird surveys and submitting City Planning and Community Development Department for review and approval. ▪ Applicant is responsible for complying with any construction buffer requirements identified as a result of the survey.	▪ Prior to removal of trees and initiation of Project construction.	
Cultural Resources				
Mitigation CUL-1: Complete documentation of buildings at 418 and 428 Front Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following: • Project proponent shall work with a qualified	▪ Include measure as a Project Condition of Approval. ▪ Implementation actions are specified in	▪ Applicant is responsible for preparation of the documentation specified in measure and submitting to Planning and Community Development Department	▪ Prior to issuance of Historic Demolition Authorization Permit.	

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories. • *Measured Drawings:* Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). • *HABS-Level Photographs:* Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs	measure.	for review and approval. ▪ City Planning and Community Development Department staff are responsible for review and approval of submitted documentation.		

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography. • *HABS Historical Report:* A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.				
MITIGATION CUL-2: Prior to the start of Project construction and demolition, the Project proponent shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed Project boundary along a pedestrian walkway or attached to	▪ Include measure as a Project Condition of Approval. ▪ Implementation actions are specified in measure.	▪ Applicant is responsible for preparation of the interpretive display and submitting to Planning and Community Development Department for review and approval.	▪ Prior to issuance of Historic Demolition Authorization Permit.	

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the Project site. The interpretive displays illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps.	▪	▪ City Planning and Community Development Department staff are responsible for review and approval of submitted interpretive display.		
Noise				
The following mitigation measure was adopted with the Downtown Plan Amendments and is applicable to development projects in the area covered in the EIR, which includes the Project site. **MITIGATION NOISE-1:** Require preparation and implementation of acoustical studies for future residential development along Front Street to specify building design features that meet state interior sound levels.	▪ Include as Project Condition of Approval. ▪ Implementation actions are outlined in the mitigation measure.	▪ Applicant responsible for preparation and implementation of acoustical study and submittal to Planning and Community Development Department for review and approval..	▪ Prior to issuance of building permit.	
Cumulative Traffic Impacts				
The following mitigation measure was adopted with the Downtown Plan Amendments and is applicable to development projects in the area covered in the EIR, which includes the Project site.	▪ Include as Project Condition of Approval. ▪ Implementation	▪ The City Public Works Department is responsible for establishing and/or updating fair-share program	Prior to final building permit signoff and Project occupancy.	

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
MITIGATION 5-1: Require future development projects within the downtown area to contribute fair-share payments for improvements at the following intersections: Front/Soquel (signal timing and lane modifications); Front/Laurel (westbound lane addition and north and south right-turn overlap); and Pacific/Laurel (southbound left-turn lane addition).	actions are specified in measure.	and establishing total improvement costs and fee per residential and commercial trips generated by the Project. ▪ Applicant is responsible for paying required fee.		

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ APPROVING A COASTAL PERMIT, NON-RESIDENTIAL DEMOLITION AUTHORIZATION PERMIT, DESIGN PERMIT, TENTATIVE MAP, SPECIAL USE PERMIT, ADMINISTRATIVE USE PERMIT, REVOCABLE LICENSE FOR OUTDOOR EXTENSION AREA, HERITAGE TREE REMOVAL PERMIT, AND STREET TREE REMOVAL TO REMOVE ONE STREET TREE AND THREE HERITAGE TREES, TO COMBINE FIVE PARCELS, DEMOLISH THREE COMMERCIAL BUILDINGS INCLUDING TWO HISTORIC COMMERCIAL BUILDINGS, AND TO CONSTRUCT A SEVEN-STORY, MIXED-USE BUILDING WITH 175 RESIDENTIAL CONDOS AND 11,498 SQUARE FEET OF GROUND FLOOR AND LEVEE FRONT COMMERCIAL SPACE ON PROPERTY LOCATED WITHIN THE CBD/CZ-O/FP-O ZONE DISTRICT (CENTRAL BUSINESS DISTRICT, COASTAL ZONE OVERLAY, FLOODPLAIN OVERLAY) AND WITHIN THE FRONT STREET/RIVERFRONT SUBAREA OF THE DOWNTOWN PLAN (APPLICATION NO. CP18-0153)

WHEREAS, SC Riverfront LLC, applicant for properties located at 418, 428, 440, 504, & 508 Front Street ("applicant"), also known as Assessor's Parcel Numbers 005-151-22, -30, -31, -39, and -50 have applied for a Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal for the proposed mixed-use building with 175 residential condominiums and 11,498 square feet of commercial space, residential amenity space, and Riverwalk improvements; and

WHEREAS, the project site and its development is governed by the standards and guidelines contained in Municipal Code Titles 23 and 24, the Subdivision and Zoning Ordinances, and the Downtown Plan; and

WHEREAS, the application has undergone environmental review in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines; and

WHEREAS, more specifically, an Environmental Impact Report (EIR) was prepared and circulated for a 45-day review period which ended on June 24, 2020, and a Final EIR was issued on July 27, 2020; and

WHEREAS, the Historic Preservation Commission conducted a public hearing on August 5, 2020, and voted 5-1-1 to recommended certification of the EIR and approval of the Nonresidential Demolition Authorization Permits with the condition that the front facades of the historic buildings are replicated on the front façade of the mixed-use building; and

WHEREAS, the Planning Commission conducted a public hearing on September 3, 2020, and voted 5-1-1 to recommend that the City Council certify the Environmental Impact Report and approve the project with the additional recommendation to add a condition that the selection of the mural artist will be administered through the Arts Commission of the City of Santa Cruz,

and to require that the total number of affordable units be based on adding the number of required inclusionary units under the City's ordinance to the number of required affordable units under the City's density bonus ordinance with the basis for these changes being conformity with the Coastal Act policy requiring public access, that the City's inclusionary requirements was adopted by a vote of the people and has been in effect since 1980, and that the Housing Accountability Act allows the City to adopt an objective standard that would maximize the City's ability to meet its very low income housing needs; and

WHEREAS, on November 10, 2020, the City Council held a public hearing and continued the project to the December 8, 2020 agenda to allow for analysis of comments submitted by the California Coastal Commission; and

WHEREAS, on December 8, 2020, the City Council held a public hearing and continued the item to the January 12, 2021 hearing date at the request of the applicant; and

WHEREAS, the City Council adopted separate resolutions to certify the EIR and adopt environmental findings and a Mitigation Monitoring Program; and

WHEREAS, the City Council now makes the following findings:

With respect to the Nonresidential Demolition Authorization Permit, Section 24.08.1230 for the demolition of three buildings.

1. **The cultural resources evaluation is accepted as accurate and complete; and the cultural resources evaluation concludes that the building or structure is not eligible for listing on the city historic building survey.**

   The project includes the demolition of three buildings. None of the buildings are listed in the City's Historic Building Survey, the California Register of Historic Resources or the National Register of Historic Places and the parcels are not located in any Historic Districts.

   A Historic Evaluation for the property at 504 Front Street was prepared for the project by Seth Bergstein of *Past Consultants*, who meets the Secretary of the Interior's Professional Qualifications Standards in Architectural History and History. The report makes the following conclusion:

   > *The property contains a commercial building constructed in two building campaigns. The first structure was completed in 1939 for the new location of Sweet Service Company, a wholesale and retail auto parts store. The operation gained further success and the owners constructed an addition to the south wall of the original building in 1957. Sweet Service Company stayed in operation until the early 1980s, when the building became subdivided for other local commercial businesses. Significant remodeling campaigns in 2004 and 2007 installed new entrances, fenestration, detailing and stucco wall cladding on the front (west) and primary elevation. Given the changes made to the original design, the building no*

> *longer possesses sufficient integrity of design, setting, materials, workmanship, feeling and association for it to qualify for listing on the National Register of Historic Places or the California Register of Historical Resources. The subject building is not eligible for the Santa Cruz Historic Resources Inventory because it does not meet City preservation criteria and has been altered substantially.*

Therefore, the building is not eligible for listing on the city's historic building survey.

The buildings at 418 and 428 Front Street were determined to be eligible for listing in 2009 with the preparation of Volume III of the Historic Building Survey, however, at the time, the property owners opted-out of listing the structures. A Historic Resources Memorandum, Significance Diagrams, and an Alternatives Analysis was prepared for the project by *Page & Turnbull*, an architectural and historic preservation firm that meets the professional qualification standards used by the *National Park Service* (published in the Code of Federal Regulations, 36 CFR Part 61). The memorandum evaluates the previously prepared DPR's for the subject sites, as well as the history, architecture, and characteristics of the buildings at 418 and 428 Front Street and the implications of demolition of the buildings under CEQA, including recommendations for mitigation. The report includes Significance Diagrams that identify the primary, secondary, and non-contributing character-defining features. An additional Alternatives Analysis Memo provides recommendations for alternatives to explore in the Environmental Impact Report. For the above reasons, the cultural resources evaluation that was submitted for the subject properties is accepted as accurate and complete.

The DPR's and the report that was completed by *Page & Turnbull* conclude that both sites are eligible for listing on the California Register of Historic Resources. Therefore, pursuant to section 24.08.1230(2)(e), the appropriate environmental review has been completed in accordance with the California Environmental Quality Act to address the proposed demolition of two historic structures that are eligible for listing.

Finding 4 below, articulates why the City is approving demolition of the two buildings deemed eligible for listing on the California Register of Historic Resources.

2. **The project which will replace the demolished building or structure has been, or is concurrently being, approved by the city, and an appropriate building permit has been, or is concurrently being, issued; unless some other practical hardship can be documented rendering this requirement inappropriate.**

   The project that replaces the demolished buildings is concurrently being reviewed by the city and a standard condition of approval is included that requires the demolition permit to be issued concurrently with the building permit for the new development.

3. **The property owner has been advised of the benefits of listing the property on the city historic building survey and incorporating the preservation of the historic resource into the proposed project.**

The property owner has been advised of the benefits of listing the properties and incorporating the preservation of the historic resources into the proposed project. None of the alternatives identified in the Environmental Impact Report are feasible to reduce the impacts to the historic buildings to a less-than-significant level and to allow for construction of the project which implements several General Plan/Local Coastal Program policies, including those in the Downtown Plan. On August 5, 2020, the Historic Preservation Commission voted 5-1-1 to recommend that the facades of the historic buildings at 418 and 428 Front Street are incorporated into the front elevation of the proposed building, regardless of the fact that general building replication does not conform to the Secretary of the Interior's Standards for the treatment of historic properties. The developer has reviewed the historic evaluations prepared by the project historian and has chosen to replicate most of the primary historic characteristics of each building on the front facades including the stepped cornice, curved parapet, and art deco detailing on the building at 418 Front Street and the streamlined horizontality and tile accents on the building at 428 Front Street.

4. **The cultural resources evaluation determines that the resource is eligible for listing on the city historic building survey, appropriate environmental review has been completed in accordance with the California Environmental Quality Act, and the City Council can make a finding of overriding consideration that the replacement project will have public benefits which will outweigh the impact of loss of the historic resource.**

   Cultural resources evaluations were prepared for each building to be demolished and the evaluations concluded that the buildings on the properties at 418 and 428 Front Street are eligible for listing on the city historic building survey and on the California Register of Historic Resources (CRHR). The demolition of a historic resource results in a substantial adverse change in the significance of that resource and is therefore considered to have a significant effect on the environment (CEQA Guidelines Section 21084.1). An Environmental Impact Report (EIR) was prepared for the project and three alternatives were evaluated for feasibility including: 1) No Project Alternative; 2) Partial Preservation, and 3) Relocation of Historic Buildings. A Finding of Overriding Consideration has been made to support the project in that neither of the recommended mitigation measures nor any of the project alternatives would reduce the impacts to a less-than-significant level and feasibly allow for the construction of project which implements several General Plan/LCP policies, including those in the Downtown Plan.

<u>With respect to the Design Permit, Section 24.08.430 for the construction of a multi-family building greater than 50 feet in height in the CBD district.</u>

5. **The site plan shall be consistent with physical development policies of the General Plan, any required or optional element of the General Plan, any area plan or specific plan or other city policy for physical development. If located in the Coastal Zone, a site plan shall also be consistent with policies of the Local Coastal Program.**

The project site is designated as RVC/Downtown Santa Cruz (Regional Visitor Commercial) in the General Plan and is located within the CBD (Central Business District) zone district. The entire project site is located in the Front Street Riverfront Corridor of the Downtown Plan. The RVC/Downtown Santa Cruz General Plan designation is intended to emphasize a mix of uses such as office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions and the CBD zone district is a zone that is intended to implement the objectives of the Downtown Plan. The proposed use of the parcel as a mixed-use commercial/residential project is consistent with the intent of the CBD zone district and the RVC/Downtown Santa Cruz designation, and the proposal to fill the area between the building and the San Lorenzo River levee to expand the Riverwalk area and create additional public open space that highlights the river as a downtown amenity is consistent with the following goals and policies of the General Plan, the Local Coastal Program, the Downtown Plan, and the San Lorenzo Urban River Plan (SLURP):

GENERAL PLAN AND LOCAL COASTAL PROGRAM 1990-2005

- GOAL EQ 1: Protect City residents from the health hazards of air pollution and maintain high air quality standards by implementing air quality monitoring and control strategies that comply with State and Federal Clean Air Acts.
- GOAL EQ 2: Protect water quality of ocean, watershed lands, surface waters and ground water recharge areas from sedimentation, pollution, and salt-water intrusion
- GOAL EQ 5: Implement, to the greatest degree possible, transportation strategies that reduce the consumption of fossil fuels, and energy strategies that increase energy-efficiency and energy conservation in all sectors of energy usage and which increase the production and use of renewable energy sources within the City.
- GOAL L2: Provide for a variety and balance of residential, commercial, and industrial land uses while protecting environmental resources and responding to changing community needs, interests, and development constraints.
- GOAL L3: Protect the quality of, and prevent significant new incursion of urban development into, areas designated as open space or agricultural lands and provide, when possible, permanent protection of these lands, recognizing their value in inhibiting urban sprawl and maintaining City identity, as a natural resource with significant biotic resources and/or their potential for providing scenic, recreational and educational enjoyment.
- GOAL L4: Plan community facilities and services to serve the projected population, allowing development only when adequate facilities and services are provided and are available to serve it.
- GOAL L5: Develop compatible relationships between land-use and circulation patterns and encourage land use patterns that encourage an efficient transportation system and discourage urban sprawl and excessive dependence on the automobile.
- GOAL CD2: Protect and enhance the City's natural setting and scenic resources.
- GOAL C1: Develop a comprehensive, multi-modal circulation planning program that takes as its highest priority reduction of automobile trips by the creation of viable alternative transportation modes, effective transportation systems management programs, and integration of land-use and circulation planning.

- GOAL C2: Develop and promote pedestrian travel as a viable transportation mode by developing and maintaining a safe, comprehensive, convenient, accessible and aesthetically pleasing pedestrian system.
- GOAL ED4: Promote revitalization of the Downtown Central Business District as the City's center for commerce, office, culture, entertainment restaurant activity, and mixed use residential.
- GOAL PR2: Ensure that adequate types, numbers and distribution of recreational facilities are available to residents of Santa Cruz.

GENERAL PLAN 2030:

- HA1.11.6 Consider historic preservation in the development and enforcement of City regulations.
- CD1.1.4 Identify and emphasize distinguishing natural features that strengthen Santa Cruz's visual image (i.e., open space, Monterey Bay).
- CD1.4.2 Consider visual access to nearby natural areas as part of developmental review.
- CD1.5.1 Enhance the prominence of the San Lorenzo River as a natural feature that provides structure, orientation, and recreational enjoyment by including it in surrounding area and management plans.
- CD1.5.2 Provide incentives for new development adjacent to the San Lorenzo River that includes patios overlooking the river, enhanced connections to the levee trails, and other design features that connect the built environment to the river.
- CD3.1.1 Strengthen the linkage between Downtown, the Beach Area, and San Lorenzo River through amendments to corresponding Area Plans and the Zoning Ordinance.
- CD3.1.2 Maintain, update, and implement the City's San Lorenzo Urban River Plan.
- CD3.3.1 Develop incentives to encourage the assembly of small parcels through Area Plan amendments and Zoning Ordinance changes.
- CD3.3.2 Revise the Zoning Ordinance to limit development possibilities for small parcels.
- CD4.1.3 Identify and establish design concepts that make visitor-serving corridors attractive and interesting through landscaping, banners, flags, art, and displays.
- CD4.2.3 Underground utilities when major road improvement or reconstruction is proposed, if possible.
- CD4.3.3 Protect existing significant vegetation and landscaping that provides scenic value along with wildlife habitat and forage.
- CD4.3.4 Maintain an ordinance requiring replacement and maintenance when heritage tree removal is necessary for new development.
- CD4.3.6 Implement streetscape and other landscaping plans in the City's Area and Specific Plans.
- CD5.2.1 Encourage buildings to be oriented towards sidewalks, public plazas, walkways, or rivers and to include features such as public benches and natural seating areas.
- CD5.2.2 Encourage the incorporation of public benches and natural seating areas along public walkways and in public plazas and parks.

- CD5.2.4 Ensure that new and revised design guidelines encourage the use of pedestrian-scaled fenestration, awnings, entrances, landscaping, and other amenities.
- LU 1.1.2 Create incentives for the consolidation of underdeveloped parcels relative to development potential.
- LU1.2.1 Environmental review for specific projects shall be accompanied by sufficient technical data and reviewed by appropriate departments.
- LU2.3.1 Protect, maintain, and enhance publicly accessible coastal and open space areas.
- LU3.1.1 Encourage through incentives and expedited permit processing a variety of housing types, when appropriate.
- LU3.3.1 Amend the Zoning Ordinance to discourage strip commercial development in favor of clustered commercial and mixed-use development along transit corridors.
- LU3.7.1 Allow and encourage development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density.
- LU3.11.2 Ensure appropriate land uses and development standards that do not adversely impact adjacent open spaces.
- LU4.1.1 Support compact mixed-use development Downtown, along primary transportation corridors, and in employment centers.
- M1.1.1 Create walkable, transit-oriented activity centers throughout the city.
- M1.1.2 Connect activity centers with pedestrian and bicycle paths.
- M1.1.3 Implement pedestrian and bicycle improvements that support transit ridership.
- M1.4.2 Allow for future multi-modal use of future rights-of-way by protecting them from development.
- M2.1.2 Encourage use of alternative modes of transportation.
- M2.3.1 Design for and accommodate multiple transportation modes.
- M3.1.1 Seek ways to reduce vehicle trip demand and reduce the number of peak hour vehicle trips.
- M4.1.6 Enhance the pedestrian orientation of the Downtown Central Business District.
- M4.1.7 Require the site and building design facilitate pedestrian activity.
- M4.1.9 Require landscaping in the development, replacement, and repair of sidewalks, including the placement of trees on private property and/or in tree wells on sidewalks.
- ED1.1.6 Revitalize the RiverFront area.
- ED1.7.2 Diversify the range of visitor attractions in Santa Cruz, particularly those that draw on the city's unique natural and cultural assets.
- ED5.1.1 Provide for the development of supporting land uses adjacent to retail shopping areas, while assuring protection of existing residential neighborhoods.
- ED5.3.1 Provide for attractive commercial development (including more intensive and higher quality ground floor retail) along commercial corridors provided the uses are compatible with or transition easily to adjacent residential areas.
- ED5.5.1 Enhance Downtown as a welcoming and inviting destination for residents, visitors, and businesses.
- ED5.5.4 Create a distinctive and active pedestrian environment downtown

- ED5.5.5 Allow for the extension of café and retail uses within the public right-of-way, subject to design standards and management guidelines.
- HZ6.4.8 Minimize the alteration of natural floodplains, stream channels, and natural protective barriers that accommodate or channel floodwaters.
- PR1.1.3 Evaluate all lands, regardless of size, for their potential development as small parks, community gardens, or landscape lots.
- PR1.6.1 Maintain and enhance access for vehicles, transit, bicycles, and pedestrians.
- PR2.2.2 Encourage private sponsorship of special events and programs, historic events, joint projects, and cultural exchanges that involve and benefit the community.
- PR3.1.1 Provide recreational and educational opportunities within the open space lands and coastline consistent with adopted master or management plans.
- PR4.1.3 Maintain and enhance the recreational value of the San Lorenzo River walkway and East and the West Cliff Drive pathways
- NRC1.1.2 Where consistent with riparian and wetland protection, provide actual or visual access of a low-impact nature
- NRC1.1.1 Require setbacks and implementation of standards and guidelines for development and improvements within the city and adjacent to creeks and wetlands as set forth in the Citywide Creeks and Wetlands Management Plan.
- NRC1.3.1 Conserve creek, riparian, and wetland resources in accordance with the adopted City-wide Creeks and Wetlands Management Plan and the San Lorenzo River Plan.
- NRC2.2.1 As part of the CEQA review process for development projects, evaluate and mitigate potential impacts to sensitive habitat (including special-status species) for sites located within or adjacent to these areas.

DOWNTOWN PLAN FIRST PRINCIPALS

- Form and Character. New buildings should be allowed to develop individual character while retaining qualities of the historic townscape. Issues of articulation, materials, signage, setbacks, scale, massing, form, bulk, solar access and height are critical.
- Building Height. Buildings should maintain the scale and character of the existing downtown, with explicit criteria for additional height up to seven stories and provisions to ensure that buildings do not shade key public open spaces. Since this First Principle was established in 1991, the downtown development pattern has largely respected the existing two to three story development pattern with several taller buildings spaced throughout the Pacific Avenue Retail District, providing architectural variation. The 2017 update recognizes these taller buildings also contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City. The 2017 modifications to the Additional Height Zones have been carefully written to recognize the City's successful recovery from the 1989 Loma Prieta earthquake; preserving and enhancing the urban form of the City, without sacrificing the special human scale and character of downtown. New development will not be required to strictly adhere to a 2 and 3 story scale.

- Housing. Significant new housing opportunities should be targeted throughout the downtown, including Pacific Avenue, the San Lorenzo riverfront, and South of Laurel. Housing should be comprised of a mix of apartments and condominiums. SRO housing should be replaced and dispersed throughout the downtown area.
- Accessibility. A downtown that aesthetically integrates access as a primary design criterion for all improvements to ensure increased opportunities for the public to participate in commercial, governmental, residential, social and cultural activities.
- Open Space and Streetscape. A strong network of public and private open spaces (streets, sidewalks, public parks, plazas, passageways and courtyards) that creates a socially active and pedestrian-oriented downtown core should be emphasized.
- Circulation. Downtown should be predominantly pedestrian in nature; movement should be carefully structured to reinforce the character of the place. Pedestrian, bicycle, and transit access to the downtown should be enhanced.
- Parking. Parking in the downtown core should continue to be provided by the Parking District in a centralized fashion, to maximize shared use and minimize the quantity of stored vehicles.

SAN LORENZO URBAN RIVER PLAN (SLURP)

- Improve the scenic and recreational value of the Riverfront
- Improve public access and pedestrian/bicycle movement to and along the River
- Improve the urban and neighborhood interface with the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh
- Incorporate the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh into the surrounding urban fabric of downtown and neighborhoods.
- (Front Street – Significant Riverfront Areas (SRFA))
- SRFA-1: Require new development projects to incorporate design features that encourage active engagement with the Riverwalk such as; filling adjacent to the Riverwalk and landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk or providing a combination of these and/or other design features that support the resource enhancement and river engagement policies of the San Lorenzo River Plan.
- SRFA-2: Require new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and near Elm Street.
- SRFA-3: Maintain the ten-foot setback area between residential and commercial uses adjacent to the levee trail from the western edge of the trail. The area between the property line and the Riverwalk shall be filled to raise the adjacent ground-level use to a similar or higher elevation as the Riverwalk. The public lands between the Riverwalk and the private property may incorporate publicly accessible commercial or residential amenities, such as outdoor public seating. Trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development where feasible and where not in conflict with the required fill or publicly accessible amenities.

The project will result in 175 residential condominiums, ground floor and levee-facing commercial space, an expansion of the open space area adjacent to the Riverwalk, and two pedestrian passageways between Front Street and the Riverwalk. As listed above, the project implements several long-standing goals of the city to enhance the Riverwalk and the river as a natural amenity for scenic, recreational, and educational purposes and provides a variety of housing units downtown to support the existing commercial core and Transit Priority Area where a variety of alternative transportation methods are available.

The project includes minor variations from the physical design and development policies of the Downtown Plan that do not affect the project's consistency with the above policies and goals.

The project site is located within the Coastal Zone and within the Downtown Plan area, which is a developed urban area that was recognized in the Downtown Plan as an area that is desirable for further intensification. An Archaeological Report was submitted which indicates that there is a low potential for archaeological resources on the property; however, standard conditions of approval are included that require reporting to occur if resources are discovered during construction. The site does not contain sensitive habitat and the project will not disturb area east of the Riverwalk where sensitive habitat may be located. The project would have no effect on wildlife movement. The trees on and adjacent to the project site could provide potential nesting habitat for migratory birds which are protected by the Migratory Bird Treaty Act (MBTA) and the proposal is to remove 19 trees on the property that are located within the footprint of the development, within the area of the fill, and one street tree. Conditions of approval require compliance with General Plan Action NRC2.2.1 and associated Table 1, which requires pre-construction nesting bird surveys with establishment of appropriate construction buffers if needed, if tree removal and/or construction were to commence during the nesting season.

The project will enhance public access to the coast by improving the Riverwalk in the location of the project site with and expanded open space area, landscaping, river-facing commercial spaces and residential amenities, and residential units facing the Riverwalk.

6. The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.

The exterior design of the building is contemporary and includes varying designs and pedestrian passageways between the buildings to reflect a grouping a buildings rather than one monolithic structure. All three buildings include projections and recesses to create depth and shadows for variation in the building walls and minimal ornamental features to create a clean and streamlined style. Elements of the historic buildings at 418 and 428 Front Street have been incorporated into the ground floor façade of the building to provide visual representation of the demolished structures as reference for the required interpretative displays. The design is similar to recently constructed and approved buildings in the

vicinity and will modernize the Front Street streetscape. The design and exterior materials meet the goals of the Downtown Plan to allow for individuality in design while preserving the humanistic scale and warmth of the existing downtown.

7. **Design of the site plan shall respect design principles in terms of maintaining a balance of scale, form and proportion, using design components, which are harmonious, materials and colors that blend with elements of the site plan and surrounding areas. Location of structures should take into account maintenance of view; rooftop mechanical equipment shall be incorporated into roof design or screened from adjacent properties. Utility installations such as trash enclosures, storage units, traffic-control devices, transformer vaults and electrical meters shall be accessible and screened.**

   The project is located within Additional Height Zone B in the Downtown Plan and is permitted to a maximum height of 70 feet, subject to specific design and development criteria. The criteria are intended to guide building design to reflect the human scale and pedestrian quality of the downtown and to avoid the creation of monolithic buildings. The project consists of three buildings that are separated by two pedestrian passageways and that are connected by a basement and ground-level parking garage. The design includes variations in roofline, design, and size between buildings to achieve the look of a grouping of buildings, rather than a single, monolithic building. The form of the building is a standard shape, however, the design includes stepbacks, recesses, balconies, open spaces, and pedestrian passageways that minimize the height and mass of the building. As conditioned, the design of the site plan and building design is consistent with the design and development criteria for additional height provided in the Downtown Plan that is intended to address building scale, form, and proportion. The Downtown Plan provides standards for rooftop equipment, stair towers, and elevator housing that are required as a part of the project and the trash enclosure will be designed to meet the standards of the Public Works Department and to blend in with the exterior design of the building. All new utility connections to the development will be placed underground.

8. **Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan shall take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.**

   The project is a mixed-use building with ground-floor and levee-facing commercial and upper-floor apartments. The project site is located within the downtown area where a variety of uses exist in the surrounding vicinity including commercial uses and residences. Intensification of nearby uses is expected as a part of the Downtown Plan in a manner and scale that is comparable to the proposed project.

9. **The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and**

preserve solar access of adjacent properties, and minimize alteration of natural land forms, building profiles, location, and orientation must relate to natural land forms.

There are no natural landforms on the property. The levee is a man-made structure and the adjacent San Lorenzo River is not be impacted by the development in that all disturbance remains west of the Riverwalk and not within the river channel. An Arborist Report was prepared for the project by Kurt Fouts, Arborist Consultant, dated September 9, 2018 which indicates that there are four heritage trees that will be removed as a part of the project. Three of the trees are located along the outside of the levee where new fill will be placed to allow for an expansion of the Riverwalk area and one of the heritage trees is located within the footprint of the development which is encouraged to be constructed to the property line. There is also one, non-heritage street tree (12" red oak) that is recommended for removal due to poor health. The project includes the addition of 21 trees at the expanded Riverwalk area and two new street trees at the Front Street frontage to mitigate the proposed tree removal. A shading diagram was included in the Downtown Plan EIR for a project in the proposed location and of similar mass, height, and orientation. The shading diagram notes that some shading will occur on the river during the afternoon in the winter months and additional review by Biologist Gary Kittleson confirms that the shading will not affect the health of the river or surrounding riparian habitat. The project will not result in excessive shading along Front Street. The project site is located within an area that allows for building heights up to 70 feet under specific conditions; therefore, future infill development on adjacent parcels is anticipated in this location.

10. **The site plan shall be situated and designed to protect views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance visual quality of visually degraded areas.**

    The project site is located within the downtown area and will be visible from the San Lorenzo River but will not likely be visible from the coast or from the trestle bridge at the mouth of the river. The Local Coastal Program indicates that the San Lorenzo River is considered to be a significant coastal viewshed and the project will be located on the outside of the levee and will not affect the views of the river from the Laurel Street or Soquel Ave bridges or from the Riverwalk. The Downtown Plan identifies the east side of Front Street between Laurel Street and Soquel Avenue as an area that is intended to be developed with structures up to 70 feet in height to restore the river as an open space amenity by intensifying commercial and residential uses along the levee and by providing connections to the river from the downtown core. The project will provide ground-level and levee-facing commercial uses that draw pedestrians from Pacific Avenue to Front Street and the Riverwalk, and it will provide upper floor residences that benefit from view of the river. Additionally, the project will contribute to the revitalization of Front Street to support the downtown core and encourage connections between downtown and the Riverwalk and the beach.

11. **The site plan shall minimize the effect of traffic conditions on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and**

pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.

The Downtown Plan was amended in 2017 to allow for an expansion of the Additional Height Zones, which was intended to allow for increased density in the downtown area. A Trip Generation Analysis was prepared for the Downtown Plan EIR, which estimated the construction of 321 apartments on the block east of Front Street, which is the location of the subject project site. The estimates at that time indicated that future development on the block would likely result in 1,864 net daily trips. This estimate was calculated based on

probable use with a 40-percent reduction to account for internal capture, pass-by trips,

walkability, bikeability, and the Metro Transit Center *(Downtown Plan Amendment, July 2017)*.

A Trip Generation Analysis (*Kimley-Horn*, dated July 2019) was prepared for the proposed project using The Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition (2017)*. The project is estimated to generate a net of 854 daily trips, which includes trip credits for existing uses and a 40% reduction described above. This estimate is consistent with the Downtown Plan EIR in that it is less than the estimated increase of 1,864 net daily trips and represents only a portion of the entire block.

There are public improvements that are required as a part of the project to achieve the goals of the Downtown Plan, to meet the requirements in the Municipal Code, and to mitigate the impacts of the project per the Downtown Plan Amendments EIR. The project shall provide sidewalks, street trees, and light standards along the parcel frontage. The project will also require access improvements to and from the site and improvements to the public right of ways including but not limited to, a 'right turn in/right turn out only' restriction at the garage entrance, a double gate system with a roll down gate located at the entrance and arms located at least 75 feet into the garage, card readers, and rapid gate system. The applicant will be required to participate, on a fair share basis, in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel and the applicant will be required to pay the full cost of signal revision at the Front/Metro/ project driveway intersection and will be required to complete such improvements as a part of the project. Additionally, the applicant will be required to participate on a fair share basis in the construction of a two way left-turn lane on Front Street.

Additional public improvement requirements include the improvement of the Riverwalk from Soquel Ave through the project site and would include a new substantial asphalt concrete pathway section, widening of the Riverwalk pathway to 12 feet, and a PCC

parking pad for the service truck that will maintain the on-site private storm water system and improved green bike lane striping across the two driveways.

The project will also be required to provide a Transportation Demand Management Program (TDM) to achieve reduced vehicle miles travelled consistent with Climate Action Plan and General Plan goals and objectives, including but not limited to:

- Provide at least one parking space for, and subsidizing if necessary, a car share program (i.e. zip car) in the publically accessible portion of the parking facility. If unable to secure a partnership with a car share program, this space shall be marked for carpool vehicles.
- Provide information to all residents to enroll in the Cruz511 commute management platform and provide city-provided alternative commute information to all residents. Require all non-residential uses to enroll in Cruz511/GO Santa Cruz TDM program. And provide GO Santa Cruz brochures to all new employees.
- Enter in to a contract agreement with METRO to provide reimbursable transit passes to all residents.

In additional to the above improvements, programs, and fees, the applicant will be required to pay Traffic Impact Fees (TIF) unless phased or deferred payment terms are approved by the Planning and Public Works' Directors. The Traffic Impact Fee is calculated by the Public Works Department prior to building permit issuance and is currently estimated at $254,000.

12. The site plan shall encourage alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicyclists, including covered parking for bicycles and motorcycles where appropriate. Public transit stops and facilities shall be accommodated as appropriate, and other incentive provisions considered which encourage non-auto travel.

The project is located in the downtown area and is within walking and biking distance to a variety of retail stores, personal services, and recreational areas. The metro center and bike rental facilities are also within close proximity and the building will provide bike parking facilities as required by the City Zoning Ordinance. Finding No. 11 above articulates the various Transportation Demand Management strategies that are incorporated as conditions of approval.

13. The site shall provide open space and landscaping which complement buildings and structures. Open space should be useful to residents, employees, or other visitors to the site. Landscaping shall be used to separate and/or screen service and storage areas, separate and/or screen parking areas from other areas, break up expanses of paved area, and define open space for usability and privacy.

The project includes the development of a significant amount of open space both for residents and the public in the form of an expanded Riverwalk area which will be landscaped and will connect with river-facing commercial spaces. The project includes

private balconies, as well as a roof deck and it provides significant landscaping at the street frontages. Parking will be located within the building in a basement and ground level parking garage.

14. **The site plan shall reasonably protect against external and internal noise, vibration and other factors, which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents**.

    The proposed development requires the issuance of a building permit. All units are required to meet all applicable regulations of the California Building Code pertaining to noise, vibration, and other factors affecting indoor and exterior environmental quality. The final building design is conditioned to comply with all recommendations of the project Noise Assessment (prepared by *Charles M. Salter Associates*, Inc., dated November 7, 2018) in order to meet the noise standards of the General Plan which requires 45 decibels or less for interior noise levels and 60 decibels or less in outdoor activity areas. The Noise Assessment recommends the use of higher Sound Transmission Class (STC) rated windows at the frontages of Front Street and for the front portions of the pedestrian passageways.

15. **Signs shall complement the site plan and avoid dominating the site and/or existing buildings on the site or overwhelming the buildings or structures to which they are attached. Multiple signs on a given site should be of a consistent theme.**

    There are no signs proposed as a part of the project. Any future signage requires approval of a Sign Permit prior to installation.

16. **Building and structures shall be so designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling and ventilation.**

    The proposed buildings have been designed to make use of solar radiation and wind for natural heating and cooling by providing operable windows on all elevations, a rooftop deck, and wide pedestrian passageways.

17. **The site plan shall incorporate water-conservation features where possible, including in the design of types of landscaping and in the design of water-using fixtures. In addition, water restricting showerheads and faucets shall be used, as well as water-saving toilets utilizing less than three gallons per flush.**

    The proposed new units and on-site improvements, including new landscaping and irrigation, requires the issuance of a building permit which shall be reviewed for water conservation by the City Water Conservation Office.

18. **In all projects in Industrial (I) Zones, building design shall include measures for reusing heat generated by machinery, computers and artificial lighting.**

The site is not located within the (I) zone district; therefore, this finding is not applicable.

19. In all projects in Industrial (I) Zones, all buildings and structures shall be so designed and oriented to make use of natural lighting wherever possible.

The site is not located within the (I) zone district; therefore, this finding is not applicable.

20. Heating systems for hot tubs and swimming pools shall be solar when possible but in all cases energy efficient.

There are no hot tubs or pools proposed; therefore this finding is not applicable.

21. Enhance the West Cliff Drive streetscape with appropriate building mass, modulation, articulation, coloring and landscaping that is compatible with and would not diminish the visual prominence of the public open space.

The site is not located on West Cliff Drive; therefore, this finding is not applicable.

With respect to the Administrative and Special Use Permits, Section 24.08.050 to allow for greater than 60 residential units in the Downtown Area (SUP), an office use along Front Street (leasing office) (AUP), a combined public private fitness studios and dance school on Front Street (AUP), and an instructional school (418 Project) along Front Street (AUP)

22. The proposed structure or use conforms to the requirements and the intent of this title, and of the General Plan, relevant area plans, and the Coastal Land Use Plan, where appropriate;

The project site is located within the Front Street/Riverfront Corridor, which is a subdistrict of the Downtown Plan area. The Downtown Plan describes the Front Street/Riverfront Corridor as an area in need of redevelopment into a transitional area between the intensive commercial core along Pacific Avenue and the recreational resources provided by the San Lorenzo River. The plan encourages active ground-level uses such as retail and restaurants adjacent to Front Street, and upper floor residences and offices that take advantage of river viewsheds. The project does not result in environmental impacts and locates residential units in a transit priority area where there are many options for alternative transportation. Therefore the mixed-use building with greater than 60 residential units is consistent with the goals and policies of the General Plan, Downtown Plan, and Local Coastal Plan.

Table 4-1 in the Downtown Plan identifies permitted ground level uses in the Front Street/Riverfront Corridor and Table 4-1 in the Downtown Plan identified permitted uses along the Riverwalk. There are some anticipated uses proposed as a part of the project that require the approval of Use Permits:

- The project includes a leasing office as ground floor uses along Front Street. The use is consistent with the criteria established in the Downtown Plan in that the use is not

located along Pacific Avenue or within 75 feet perpendicular to Pacific Avenue; the use is compatible with planned ground level commercial uses and upper level residential uses in that the leasing office directly serves the development, and the building meets the requirements in the Downtown Plan for storefront and building façade guidelines and is capable of being transformed to retail space in the future.

- The applicant indicates that they are in discussion with the owners of the 418 Project to relocate the business to the largest commercial space facing Front Street (Commercial Space C). The agreement has not been finalized; however, this permit includes a request for an Administrative Use Permit to allow for the dance performance center to be located along Front Street in the event that the business is relocated. The space is located on Front Street and is therefore not subject to the criteria in the Downtown Plan for instructional schools along Pacific Avenue or east-west street frontages. The instructional school is an appropriate use along Front Street in that the activity within provides interest and enjoyment to pedestrians and preserves a local business that is an established part of the community.
- The project includes a co-working space at the Riverwalk that is provided as an amenity space for residents and is intended to be made available to members of the public. This use is Principally Permitted in the Downtown Plan and is consistent with the criteria that the use will be compatible with ground and upper level planned uses in that the office space serves residents and members of the public.
- The project includes a combined public/private fitness studio at the Riverwalk level that is intended to be provided as an amenity to residents and available to the public to rent for private fitness classes. The use is consistent with the criteria for Health/Fitness Studios in the Downtown Plan in that the private/public use is consistent upper level residential uses.

The remaining, undefined commercial spaces are required to be designed and constructed to allow for food and drink service uses in addition to retail, and the applicant indicates that the commercial spaces are intended to be filled by businesses that are open to the public, that can take advantage of connected outdoor areas, and that have an active and engaging presence on the street and sidewalk. These types of uses and outdoor areas are highly encouraged for areas within the Downtown Plan and along the Riverwalk and are consistent with the several goals and policies in the Downtown Plan for the development of the Front Street/Riverfront Corridor, including the Planning Principals and Strategies. Pursuant to Table 4-2 of the Downtown Plan, a business is required to obtain approval of an Administrative Use Permit prior to the establishment of a retail use along the Riverfront to ensure that the use is consistent with the goal to activate the Riverwalk and to determine if the use will be compatible with surrounding residential and commercial uses.

23. That any additional conditions stipulated as necessary in the public interest have been imposed;

Conditions of approval are stipulated that require the plans submitted for building permit issuance to include all public and private improvements, all landscaping details, and all details regarding exterior materials and colors as shown on the approved plans to ensure protection of the public interest in the project. Variations to lower-quality materials or

design at the building permit phase will require prior approval of a Modification prior to issuance. The plans are conditioned to provide adequate lighting at the pedestrian passageways and along the expanded Riverwalk area to ensure security for pedestrians but that are also downward facing to reduce off-site glare. Additionally, surveillance cameras are required to be installed at the exterior of the building in accordance with Police Department requirements and the applicant is permitted to close open space areas during the nighttime hours to ensure the safety of the residents.

24. That such use or structure will not constitute a nuisance or be detrimental to the public welfare of the community; and

The mixed-use building does not constitute a nuisance or be detrimental to the public welfare of the community in that the project results in the redevelopment of Front Street which is currently disconnected from the downtown commercial core and less frequented by pedestrians, and the project results in an improvement to the Riverwalk . The addition of residential units and new commercial spaces in the project increases pedestrian traffic in the Front Street area and at the Riverwalk and provides new construction in an area in need of redevelopment. Public improvements are included in the project to respond to traffic impacts.

25. That all thrift store uses shall include a management plan that identifies collection facilities for donated items, operating hours for donation facilities which discourage unsupervised dropoffs, adequate storage areas for sorting the materials, and provides a plan to properly dispose of unusable items in a timely, secure, and orderly fashion and maintains premises in a clean and attractive condition.

A thrift store is not proposed as a part of the project.

With respect to the Coastal Permit, Section 24.08.250 to allow for the construction of a 188,694 square-foot, mixed-use building in the appealable area of the Coastal Zone.

26. Maintain views between the sea and the first public roadway parallel to the sea;

The project site is located in the downtown area, on the east side of Front Street between Front Street and the San Lorenzo River. The project is not located between the sea and the first public roadway parallel to the sea.

27. Protect vegetation, natural habitats and natural resources consistent with the Local Coastal Land Use Plan;

An Arborist Report was prepared for the project by Kurt Fouts, Arborist Consultant, dated September 9, 2018 which indicates that there are four heritage trees that will be removed as a part of the project. Three of the trees are located along the outside of the levee where new fill will be placed to allow for an expansion of the Riverwalk area and one of the heritage

trees is located within the footprint of the development which is encourage to be constructed to the property line. There is also one, non-heritage street tree (12" red oak) that is recommended for removal due to poor health. The project includes the addition of 21 trees at the expanded Riverwalk area and two new street trees at the Front Street frontage to mitigate the proposed tree removal. A shading diagram was included in the Downtown Plan EIR for a project in the proposed location and of similar mass, height, and orientation. The shading diagram was notes that some shading will occur on the river during the afternoon in the winter months and additional review by Biologist Gary Kittleson confirms that the shading will not affect the health of the river or surrounding riparian habitat. The project will not result in excessive shading along Front Street. The project site is located within an area that allows for building heights up to 70 feet under specific conditions; therefore, future infill development on adjacent parcels is anticipated in this location.

28. Be consistent with any applicable design plans and/or area plans incorporated into the Local Coastal Land Use Plan;

The project site is located in the Downtown Plan area within Additional Height Zone B which includes design and development standards for new buildings that are taller than the base height of 55 feet. As conditioned, the project is consistent with these standards with the exception of minor variations and waivers that do not affect the ability for the project to meet the Downtown Plan goals or community objectives, as described further in the associated staff reports.

29. Maintain public access to the coast along any coastline as set forth in the Local Coastal Land Use Plan;

Public access to the coast is positively impacted by the project in that the project site is located between Front Street and the Riverwalk which both provide direct walking, biking, or vehicular access to the coast. The project will promote enhanced access to the Riverwalk, which provides direct pedestrian and bicycle access to the coast, via two connections through the project site, and it will encourage greater use of the Riverwalk by providing active uses and associated public surveillance (or "eyes on") the Riverwalk.

30. Be consistent with the Local Coastal Land Use Plan goal of providing visitor-serving needs as appropriate;

The project includes 175 residential units and ground-floor commercial space on the Front Street frontage and the Riverwalk frontage. Future uses within those commercial spaces will be those that are permitted in the Downtown Plan for the ground-floor including retail sales, eating and drinking establishments, general markets, and commercial entertainment, which all function as visitor-serving amenities. The project will promote enhanced resident and visitor access to the Riverwalk, which provides direct pedestrian and bicycle access to the coast, via two connections through the project site, and it will encourage greater use of the Riverwalk by providing active uses and associated public surveillance (or "eyes on") the Riverwalk.

31. Be consistent with the Local Coastal Land Use Plan goal of encouraging coastal development uses as appropriate.

The project is consistent with the goal of encouraging coastal development uses as appropriate, in that the location of the project facilitates future pedestrian and resident access to the Riverwalk, which provides access to the coast, and the Pacific Avenue downtown core and strengthens the connection between downtown and the beach, which is within walking and biking distance from the project site.

With respect to the Revocable License Findings, Section 24.10.2340(6)(c)

32. The extension area in the particular location on the sidewalk will not adversely affect the use of the public street, will implement the Downtown Recovery Plan, and the General Plan.

The project includes fill between the outer edge of the levee and the building to expand the Riverwalk area west of the existing path. There are commercial spaces, residential amenity spaces, and residential units facing the Riverwalk and the area is conditioned to be maintained as accessible to the public. The permit is conditioned to require the owner to obtain a modified Revocable License Agreement for the use, maintenance, and management of the of the expanded fill areas. The extension area includes landscaping, seating opportunities, and access to the residential units and commercial spaces that bridge the gap between the public and private realm, as encouraged by the Downtown Plan at the Riverwalk. The extension area does not adversely affect the use of the public street in that it is not located adjacent to a public street and is consistent with the goals in the Downtown Plan.

33. The proposed use will not be detrimental to persons residing, visiting, or working in the area.

The extension area at the Riverwalk is not detrimental to the general public in that conditions of approval are included that allow for closure of the pedestrian passageways between dusk and dawn and that require maintenance of the extension area in clean and safe condition, removal of moveable furniture at the close of business, and adequate clearance for the traveled way.

34. The proposed use will conform to all relevant regulations in the Municipal Code, and applicable county regulations and state law.

The use of the extension area conforms to all relevant regulations in the Municipal Code and the Downtown Plan and applicable County regulations and State Law in that the property owner and/or future tenants are required to obtain approval of all pertinent City, County and State agencies prior to construction and use, including but not limited to

accessibility requirements, outdoor food service and alcohol service, and outdoor programmed events.

With respect to the Heritage Tree Removal Findings, Resolution NS-23,710 for the removal of four heritage trees

35. A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

An Arborist Report was prepared for the project by Kurt Fouts, Arborist Consultant, dated September 9, 2018 which indicates that there are four heritage trees that will be removed as a part of the project. Three of the heritage trees are located along the outside of the levee where new fill will be placed to allow for an expansion of the Riverwalk area and one of the heritage trees is located within the footprint of the development. The Downtown Plan requires a building in this location to provide the pedestrian passageways at the proposed widths, encourages the buildings to be constructed to the property lines, and requires the placement of fill between the building and the levee to expand the Riverwalk. The project meets these requirements and as a result, the developable area of the project site is significantly constrained and there is no opportunity to modify the design the preserve the heritage trees. The project includes the addition of 21 trees at the expanded Riverwalk area and two new street trees at the Front Street frontage to mitigate tree removal.

With Respect to the Tentative Subdivision Map, Section 23.26.050 to allow for the creation of commercial and residential condominiums.

36. The proposed tentative map is consistent with the applicable general and specific plans.

The project site is designated as RVC/Downtown Santa Cruz (Regional Visitor Commercial) in the General Plan and is located within the CBD (Central Business District) zone district and within the Coastal Zone. The project site is also located within the Front Street/Riverfront Corridor subarea of the Downtown Plan. The Downtown Santa Cruz/RVC General Plan designation is intended to emphasize a mix of uses such as office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions. The CBD zone district is a zone that is intended to implement the objectives of the Downtown Plan. There is no density range in the CBD or RVC districts however, the project complies with the Floor Area Ratio limitations and the development standards provided in the RVC district and the Downtown Plan with the exception of some standards that are requested as Design Variations and as Density Bonus incentives/concessions and waivers. The project is supported by the goals and policies in the General Plan 2030, the Downtown Plan, the Local Coastal Program, and the San Lorenzo Urban Plan that are listed in finding #5 above.

37. The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

The recordation of a condominium map is consistent with Title 23 of the Municipal Code in that conditions of approval are included that require: the recordation of Covenants, Conditions, and Restrictions (CC&R's), the common area at the Riverwalk is required to mapped as a Public Utility Easement, and the development includes public improvements such as the installation of street light standards and street trees along the parcel frontage, improvement of the Riverwalk path, and participation on a fair share basis in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel and the applicant is required to pay the full cost of signal revision at the Front/Metro/project driveway intersection and is required to complete such improvements as a part of the project. Additionally, the applicant is required to participate on a fair share basis in the construction of a two way left-turn lane on Front Street and is required to pay Traffic Improvement Fees (TIF).

38. The site is physically suitable for the type of development proposed.

A geotechnical report, drainage, grading and erosion control plans have been reviewed and approved by Public Works Department, Building Department, and Water Department for the proposed development. Public water and sewer are available to the serve the site. The project Conditions of Approval assure that the site is physically suitable for the type of development proposed.

39. The site is physically suitable for the proposed density of development.

The site is physically suited for the creation of 175 residential condominiums in that the project is consistent with the maximum Floor Area Ratio provided in the General Plan for the RVC district and, with the exception of the levee which will be filled to create a level area between the building and the Riverwalk, the site is primary flat and is currently developed with commercial buildings and parking lots. The project includes all of the required on-site parking to serve the residential units and commercial spaces and the project is located downtown and is within walking and biking distance of commercial goods and services, recreational areas, and public transportation. The building does not block views of the river from downtown in that there are no views that currently exist given the height of the levee, and the building does not block views of the river from the Riverwalk or other identified scenic vistas.

40. The design of the subdivision or proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design and improvements of the subdivision for the purposes of creating condominiums do not result in substantial environmental damage or injure fish or wildlife in that there are no mapped or known biotic resources on the project site including on the outside edge of the levee, and the project site is currently developed with commercial buildings and parking lots. Conditions of approval are included that require compliance

with the city's bird safety standards and that require downward-facing landscape lighting only that results in no off-site glare to the river.

41. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The improvements and design of the development are in accordance with the State Subdivision Map Act and City's Subdivision Ordinance and the associated improvements do not cause or result in serious public health problems. Public water and sewer are available to serve the site.

42. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or the use of, property within the subdivision.

The design of the subdivision does not conflict with public easements acquired by the public at large for access through or the use of the property in that no such easements are known to exist on the project site. The development includes two publically-accessible pedestrian passageways through the development and includes the expansion of the area adjacent to the publically-accessible Riverwalk to allow for public access through and around the site.

With respect to the Density Bonus and Waiver, Section 24.16.270

43. The housing development is eligible for a density bonus and any concessions, incentives, waivers, modifications, or modified parking standards requested; conforms to all standards for affordability included in this section; and includes a financing mechanism for all implementation and monitoring costs.

The proposed project meets the definition of a housing development as contained in Section 24.16.205(17) of the Zoning Ordinance. The project is eligible for a density bonus and associated density bonus waivers in that eleven percent of the 133 residential units established in the base density project (15 units) will be made available to households at the very low income level (50% Area Median Income) based on affordable rents or affordable ownership costs. Per section 24.16.225 of the Zoning Ordinance, the project qualifies for two Density Bonus incentives/concessions at these affordability levels and the applicant may request a Density Bonus waiver consistent with Section 24.16.255(4) of the Zoning Ordinance.

44. Any requested incentive or concession will result in identifiable and actual cost reductions to provide for affordable rents or affordable ownership costs based upon appropriate financial analysis and documentation if required by Section 24.16.255.

At the Elm Street passageway, the elevator shafts on either side of the passageway encroach 10 feet into the required 10 foot stepback above 35 feet, as required in the Downtown Plan

for the Front Street/Riverfront Corridor. The total area of the 10 foot stepback above 35 feet along each side of the Elm Street passageway is approximately 860 square feet. Each elevator shaft is ten feet wide and represents about 8.5 percent of the each stepback area. Section 24.16.255(2) allows for an applicant to seek approval of specified incentives/concessions without any requirement that the applicant demonstrate to the city that the requested incentive or concession results in identifiable and actual cost reductions to the project to provide for affordable ownership costs. One of the incentives/concessions listed in this code section is a 20 percent reduction in setback area and the applicant has requested two such reductions for the encroachment of the elevator shafts on each side of the Elm Street pedestrian passageways. The project is eligible for such incentives/concessions pursuant to the City's Density Bonus Ordinance and state law requirements and no additional documentation is required.

45. If the density bonus, incentive, or concession is based all or in part on the inclusion of a child care center, the development conforms to the standards included in Section 24.16.235.

The density bonus and requested waivers are not based all or in part on the inclusion of a child care center.

46. If the density bonus incentive or concession is approved for a condominium conversion, the development conforms to the standards included in Section 24.16.240.

The project does not include a condominium conversion.

47. If the incentive or concession includes mixed-use buildings or developments, the nonresidential land uses will reduce the cost of the housing development and the proposed nonresidential uses are compatible with the housing development and with existing or planned development in the area where the proposed housing development will be located.

The project does not include incentives or concessions related to a mixed-use building or nonresidential uses of land.

48. If a waiver or modification is requested, the applicant has shown that the development standards for which the waiver or modification is requested will have the effect of physically precluding the construction of the housing development at the densities or with the incentives or concessions permitted by this Part 3.

Section 24.16.255(4) allows for applicants to seek approval of a density bonus waiver or modification of development standards that will have the effect of physically precluding the construction of a housing development eligible for a density bonus. The applicant is requesting the following waivers to development standards:

- Waiver of stepback requirements to reduce required 10-foot stepbacks above 50 feet on Front Street for 50 percent of the building frontage from 180 feet (50%) to 74 feet (20.5%) based on the combined building frontage.
- Waiver of stepback requirements to reduce required 10-foot stepback above 50 feet on the Riverfront frontage to between 0 and 10 feet.
- Waiver of building height standards in Additional Height Zone B to increase in maximum building height from 70 feet and 5 stories above ground floor commercial to approximately 77'9" – 81' total and 6 stories above ground floor commercial

The applicant has demonstrated that compliance with the required stepback above 50 feet and the maximum height for Additional Height Zone B would physically preclude development of the project at the requested density of 175 units. The applicant has developed the project to and beyond maximum allowed design standards and has, in the process, designed a project with smaller units overall than in the base project and with fewer units than would be allowable with a 35-percent bonus, which supports the inference that the project would be physically precluded without the requested waivers. In addition, the applicant has demonstrated, through detailed drawings, that a reasonable alternative floor plan complying with both the stepback and height requirements reduces the total unit count, as follows:

- In Building No. 1, the Project would lose a net of one studio apartment and three one-bedroom units;
- In Building No. 2, a one-bedroom unit would need to be converted to a studio apartment, with an additional loss of five one-bedroom units and one two-bedroom unit; and
- In Building No. 3, the Project would lose a net of three studio apartments and four one-bedroom units.

This evidence is sufficient to meet the applicant's burden to show that without the requested waivers, the applicant would be physically precluded from developing a 175 unit project; therefore, a waiver of the above listed requirements is appropriate.

49. If a commercial development bonus is requested, the project complies with the requirements of Section 24.16.258, the city has approved the partnered housing agreement, and the bonus has been mutually agreed upon by the city and the commercial developer.

A commercial development bonus is not requested as a part of the project.

50. If the housing development or the commercial development is in the coastal zone, any requested density bonus, incentive, concession, waiver, modification, modified parking standard, or commercial development bonus is consistent with all applicable requirements of the certified Santa Cruz local coastal program, with the exception of density.

The project is located in Exclusion Area B and is eligible for a density bonus in that 11 percent of the 133 units in the base density project will be made available to households at the Very Low Income level (50% AMI). The project includes requests for the incentives/concessions and waivers described in Findings #46 and #50 above and the project site is located within the Coastal Zone. The project is consistent with the goals and policies in the Local Coastal Program in that the project is located in the downtown transit priority area on a site that is currently developed with commercial buildings and parking lots and where the adjacent San Lorenzo River and surrounding riparian habitat is not impacted by the development. The development provides direct access to the Riverwalk that provide a pedestrian and bicycle connection from Highway 1 to the coast. Public water and sewer are available to serve the project site.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz, that Permit Application No. CP18-0153 requesting approval of the project is hereby approved subject to the Conditions of Approval attached hereto as Exhibit "A".

PASSED AND ADOPTED this 12th day of January, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Donna Meyers, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

418, 428, 440, 504, and 508 Front Street - CP18-0153

Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to remove one street tree and three heritage trees, to combine five parcels, demolish three commercial buildings including two historic commercial buildings, and to construct a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground floor and levee front commercial space on property located within the CBD/CZ-O/FP-O zone district and within the Front Street/Riverfront subarea of the Downtown Plan.

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.

2. All plans for future construction which are not covered by this review shall be submitted to the City Planning and Community Development Department for review and approval.

3. The project shall be consistent with applicable Mitigation Measures from the Downtown Plan EIR, the General Plan 2030 EIR, and the project's EIR, including but not limited to those specifically included as conditions herein.

4. The Tentative Subdivision Map shall be exercised by filing a Final Map within thirty-six (36) months of the date of final approval, unless extended in accordance with the Subdivision Ordinance or state law, or it shall become null and void.

5. The final map of the subdivision shall be submitted prior to building permit issuance, showing compliance with all the provisions of Title 23 of the Santa Cruz Municipal Code, or with approved exceptions thereto.

6. If, upon exercise of this permit, this use is at any time determined by the Planning Commission to be incompatible with the surrounding neighborhood, revocation of, or amendment to, this permit by the Planning Commission could occur, in accordance with the processes outlined in the Municipal Code.

7. Use of the property shall meet the standards and shall be developed within limits established by Chapter 24.14 of the Santa Cruz Municipal Code as to the emission of noise, odor, smoke, dust, vibration, wastes, fumes or any public nuisance arising or occurring incidental to its establishment or operation. Construction shall comply with all applicable requirements of the Building Department.

8. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.

9. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.

10. All requirements of the Fire Department, Water Department, Building Department, and Public Works Department shall be met and shall be continuously maintained.

11. A demolition permit shall not be issued unless it is issued simultaneously with a building permit to construct the approved project in its entirety.

12. The applicant shall send notices of demolition to all tenants of the buildings to be demolished at least six months prior to demolition or eviction. The notices shall include contact information for the Economic Development Department for tenants to use as a resource for relocation assistance. Proof of noticing shall be submitted to the Economic Development Department.

13. The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement at the bottom of these conditions, which will become conditions of the building permit:

    "I understand that the subject permit involves construction of a building (project) with an approved Design Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final."

    _____

    Signature of Building Contractor Date

14. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government code Section 66474.9, defend, indemnify and hold harmless the City of Santa Cruz or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but

such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of the City Attorney or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The City shall promptly notify the property owner of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. If the City fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the City harmless.

PRIOR TO RECORDATION OF THE CONDOMINIUM MAP:

15. Prior to the approval of the final map, Covenants, Conditions and Restrictions (CC&Rs) containing the provisions set forth in Section 23.37.010 of the Subdivision Ordinance, shall be filed with the Planning Director. The CC&Rs shall include provisions for:
    - A requirement that any unit that is rented be managed by a single management company designated by the homeowners association to manage all rental units in the residential project
    - An operations plan for trash management.
    - Language shall be included that subsequent homeowner agreements shall not remove any conditions and/or restrictions specifically required by the City without first obtaining an amendment to this approval. The agreement shall be recorded and in full effect prior to issuance of any grading or building permits for the residences.

16. All necessary easements shall be acquired prior to City Council acceptance of the final subdivision map.

17. The specified common area shall be designated as a public utility easement.

18. Permanent monuments shall be furnished and installed by the subdivider as required by the Director of Public Works.

19. All plans and profiles of improvements shall be approved by the Director of Public Works prior to the filing of the final map, and the construction of said improvements shall be in accordance with the City specifications and shall be inspected by the Director of Public Works or his authorized agent.

20. The reproducible mylars of the plans and profiles for said improvements shall be furnished to the Public Works Department and shall become the property of the City of Santa Cruz at the time of approval.

21. Approval of the final plans and the conditions necessary for said approval are not necessarily limited to the approved tentative map conditions listed herein.

22. The development of the site shall be subject to the provisions of the Zoning Ordinance of the Santa Cruz Municipal Code.

23. Approval of final plans and any conditions necessary for implementation of same in no way modify the original conditions of approval.

24. No permits or work shall commence on the subject property until approval of the final map.

PRIOR TO BUILDING PERMIT APPLICATION:

25. New property descriptions shall be recorded with the County Recorder's Office and a copy of each recorded description provided to the City of Santa Cruz Planning Department and the Water Department.

26. The applicant shall apply for and obtain new addresses for the site from the City Planning Department.

PRIOR TO BUILDING PERMIT ISSUANCE:

27. Section 408 Army Corps of Engineers Permit: Prior to the issuance of a building or demolition permit for the site, the applicant shall submit evidence that a Section 408 Permit has been issued for the project by the Army Corps of Engineers (ACOE). The plans approved by the ACOE must be consistent with the plans submitted for building permit issuance and the applicant must demonstrate that the ACOE has approved the landscaping plans submitted with the building permit application.

28. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the approved plans. All approved exterior finishes and materials shall be clearly notated on the building permit plans.

29. Submit a final color and materials board for review and approval by Planning Staff. All exterior colors and materials shall be consistent with the final approved plans.

30. Plans submitted for building permit issuance shall include civil plans and documents prepared by a licensed civil engineer that include dedications and all improvements required herein, architectural plans prepared by a California licensed architect, and landscape plans. All plan sheets shall be internally consistent.

31. Plans submitted for building permit issuance shall meet all requirements of the Building, Fire, Public Works and Water Departments.

32. Prior to building permit issuance, the applicant shall work with the city to select a mural artist and design concept for both the north and south ends of the development as shown on the plans. A panel consisting of one member of the Arts Commission, one member of the Downtown Association, and the Economic Development Director shall work in coordination with the applicant to select the artist and design.

33. The plans submitted for building permit issuance shall include the following details and/or modifications, subject to review and approval by the Zoning Administrator:

    (a) Plans shall show the height of the building(s) measured to the top of the parapet walls and shall conform with all applicable height requirements.
    (b) Plans shall demonstrate that awnings do not project greater than 6 feet into the public right of way.
    (c) The buildings shall have high quality exterior materials with durable, matte finishes.
    (d) Materials and cross sections showing window and door relief for the replicated storefront facades at 418 and 428 Front Street, in accordance with the approved plans.
    (e) The plans shall include the use of high quality, operable, upper floor windows that are recessed at least six inches from building face.
    (f) The window and door schedules shall clearly note the sound transmission class (STC) ratings for all exterior windows and doors and the ratings shall comply with the recommendations of the Noise Assessment prepared by Charles M. Salter Associates, Inc., dated November 7, 2018. Noise ratings shall also comply with all building codes and shall take into consideration all on-site noise generating equipment. (Mitigation Noise-1)
    (g) An exterior lighting plan shall be provided which shall indicate that all exterior building lighting and landscape lighting is downward-facing and shielded to contain the light source and to minimize off-site glare, and shall demonstrate that all exterior lighting has the ability to provide warm, low-level lighting from sundown to 10 p.m. nightly. Sufficient exterior lighting shall be provided within the pedestrian passageways, the sidewalk, within recessed areas, and within the parking garages to provide security and safety to pedestrians at night.
    (h) Plans shall note that security cameras shall be provided in the parking garages, exterior stairwells, rooftop open space areas, ingress and egress of parking lots, courtyards, and 360-degrees around the exterior of the building.
    (i) All new mechanical equipment and appurtenances, including but not limited to gas and water meters, electrical boxes, roof vents, air conditioners, and antennas that are visible from the public way, the Riverwalk, and from adjacent properties, shall be screened with materials compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator. Rooftop equipment shall meet all setback requirements of the Downtown Plan.
    (j) Ground floor and Riverwalk-facing storefront glass shall be clear, transparent glass and shall not be reflective, tinted, mirrored or otherwise screened from public view.
    (k) The plans shall not include flex/commercial space on the ground floor facing Front Street. All tenant spaces shall be labeled for commercial uses only with the exception of amenity and common spaces such as entryways to the residential units and leasing office/lobby spaces, as shown on the plans.
    (l) All commercial spaces shall be constructed to support a future food service use. Plans must include ducting and venting plans for all commercial spaces. All ducting and venting should be designed to be hidden or incorporated into the building design. Plans shall also show the locations of grease traps, grease lines, and grease storage facilities.

(m) Plans shall reflect an increased mailroom size and the applicant shall provide confirmation that the mailroom meets the size regulations of the United States Postal Service (USPS).

(n) If the project includes the removal of access to the two existing parking spaces on APN 005-151-50 which are currently utilized by APN 005-151-49, then the property owner of APN 005-151-49 shall be responsible for paying in-lieu fees to the Downtown Parking District pursuant to City Council Resolution No. NS-29,538.

(o) Terraced fill between the Riverwalk and the building shall not exceed a height of 24 inches.

(p) Signage shall be included within the parking garage that specifies commercial and residential parking spaces.

(q) Skateboarding mitigation measures, as required by the Police Department , shall be shown on the plans at all stairways, benches, and planters along the pedestrian pathways, Front Street frontage, and Riverwalk facing frontage.

(r) All rooftop mechanical equipment shall be shown to not encroach further than five-feet above the maximum building height of 81-feet.

34. Trash Enclosure. The trash enclosure shall be accessible from the Front Street frontage. If the applicant chooses to instead make the trash container or bins accessible from Front Street, the container/bins shall be removed immediately after emptying to ensure that the bike lane is not obstructed. The trash enclosure shall meet all of the requirements of the Department of Public Works including but not limited to the following features: a 15 yard compactor, a 4 yard mixed recyclables container, 4 yard cardboard container and a 2 yard food waste container. The trash enclosure design shall include a roof to keep storm water from leeching pollutants from the area where the containers are stored and to secure the area from unauthorized entry; a floor drain installed in the slab and connected to the sanitary sewer system; and a hose bib for the purpose of cleaning the interior of the structure. The final trash enclosure design shall be subject to review and approval by the Public Works Department. Please see "City of Santa Cruz Department of Public Works Refuse Container Storage Facility Standard Design Policy."

35. Bird-Safe Design. The plans submitted for building permit issuance shall identify the use of bird-safe, ultraviolet, and/or patterned glass, or other material or method proven to discourage bird strikes, at the windows and balcony railings up to 40-feet in height, with the exception of ground floor glass. Mirrored and/or reflective glass is not permitted anywhere on the building. Uplighting and spotlights are not permitted within any of the landscaped areas.

36. Traffic Engineering. The applicant shall submit the final engineered design for access improvements to and from the site and for improvements to the public right-of-ways, including but not limited to, a 'right turn in/right turn out only' restriction at the garage entrance, a double gate system with a roll down gate at the sidewalk which shall be left open during the day and closed at night and gate arms located at least 75 feet into the garage to allow for queuing of vehicles during peak times, card readers, and rapid gate system. The plans shall include multi-use levee pathway improvements from Soquel Ave to the southern

end of the project site. The pathway shall be improved to accommodate a maintenance vehicle that will be servicing the private storm system. The pathway width will need to match the existing 12' wide pathway, as directed by the City of Santa Cruz Public Works Dept. These improvements shall also include a new substantial asphalt concrete pathway section and a concrete parking pad for the service truck that will be maintaining the on-site private storm water system. Plans shall also include improved green bike lane striping across the two driveways.

37. Transportation Demand Management (TDM). TDM measures shall be prepared and implemented to achieve reduced vehicle miles traveled consistent with Climate Action Plan and General Plan goals and objectives, including but not limited to:

- Provide at least one parking space for, and subsidizing if necessary, a car share program (i.e. zip car) in the publically accessible portion of the parking facility. If unable to secure a partnership with a car share program, this space shall be marked for carpool vehicles.

- Provide information to all residents to enroll in the Cruz511 commute management platform and provide city-provided alternative commute information to all residents.

- Require all non-residential uses to enroll in Cruz511/GO Santa Cruz TDM program and provide GO Santa Cruz brochures to all new employees.

- Enter in to a contract agreement with METRO to provide reimbursable transit passes to all residents. The applicant shall contact John Urgo (jurgo@scmtd.com) at Santa Cruz METRO to develop a reimbursable pass program. Desired program parameters include distribution of transit passes to all residents of the project, where project will reimburse METRO on a monthly/quarterly basis for all rides used. Final agreement will be between project sponsor and METRO and the city shall receive annual reports of total ridership.

38. Electric Vehicle Supply Equipment (EVSE) Installed. Plans shall demonstrate that all EVSE installed parking spaces are provided as required per Section 24.12.241 of the Zoning Ordinance. The project requires a minimum of 17 residential and 2 commercial EVSE installed spaces based on the total of 142 residential and45 commercial parking spaces provided. Additional EVSE installed spaces are highly encouraged.

39. Parking. Plans shall demonstrate that all standard parking spaces shall have minimum dimensions of 8.5 feet x 19 feet and all compact parking spaces shall have minimum dimensions of 7.5 feet x 16 feet. Specifications of equipment and an operations plan shall be provided for all parking stackers and lifts.

40. Bike Parking. Plans shall demonstrate that all bike parking has been provided per Section 24.12.250 if the Zoning Ordinance. Currently, the project requires a minimum of 175 Class 1 spaces and a minimum of 44 Class 2 spaces to serve the residential units, and a minimum of one Class 1 space and five Class 2 spaces to serve the commercial uses. The plans shall

include specifications for the Class 2 bike parking racks including manufacturer, dimensions, and design, and a description of the access privileges to any proposed secure bike parking areas.

41. Landscaping. Landscape and irrigation plans shall be submitted at the time of the building permit application and are subject to review and approval by the Planning Department, the Public Works Department, and the Water Department. The landscape and irrigation plans shall demonstrate compliance with all requirements of the City's Water-Efficient Landscaping Ordinance in Chapter 16.16 of the Santa Cruz Municipal Code prior to issuance of the building permit. Plans submitted for building permit issuance shall reflect the same design, quality of materials, extent of landscaping, site and outdoor improvements, and recreational and design features as shown on the plans. Changes will require modifications to this permit.

    (a) All new street trees shall be a minimum 24-inch box size and the species shall be approved by the City Urban Forester.

    (b) The plans shall include a tree protection plan for all street trees to be preserved. The plan shall comply with the Tree Protection Guidelines and Restrictions, provided in the Arborist Report prepared by Kurt Fouts, dated September 9, 2019, and shall be approved by the City Urban Forester.

    (c) The landscape architect shall confirm that all proposed plans are non-invasive. Native plants and drought-tolerant plants are encouraged.

    (d) The owner shall provide evidence that the planting plan for the levee extension area was approved by the Army Corps of Engineers.

    (e) Landscaping plans shall show that new plantings that are located at the edge of the Riverwalk path shall be planted in the ground unless otherwise required by the Army Corps of Engineers.

    (f) The applicant shall replace any city irrigation lines along the levee that are affected by the project.

    (g) All plantings installed by the city as part of the Public Works Levee Lighting Grant, shall be replaced in-kind pursuant to the Levee Lighting Project, as required by the Public Works Department.

42. Utilities. All utilities and transformer boxes associated with the private development shall be placed underground in accordance with the provisions of Section 24.12.700 through 24.12.740 of the Zoning Ordinance and shall not encroach into the public right-of-way.

43. Utility Testing. Installation and testing of the sewer lines, water systems, and fire hydrants must also be conducted to satisfy the requirements of the Public Works Department, the Water Department, and the Fire Department, prior to the issuance of the building permit.

44. Drainage/Erosion Control. A drainage plan and erosion control plan shall be submitted in conjunction with application for building permits. All erosion control features shall be installed by November 1.

45. Construction Access/Staging Plan. The building permit plans shall include a construction plan that indicates site access areas, staging areas, and parking areas for construction vehicles during all phases of construction. The construction plan shall clearly indicate that vehicles and equipment will not be parked on the street in front of existing adjacent businesses or on the levee or Riverwalk path. The hours of construction shall comply with Chapter 9.36 of the Municipal Code.

46. City Fiber Conduit. Plans submitted for building permit issuance shall show the installation of two 2" schedule 40 conduits along the entire frontage from property line to property line and two utility boxes at each end of the conduits in the public right-of-way (sidewalk) as directed by the Public Works Engineering Dept.

47. Air Quality: Prior to issuance of a building permit for the project, the applicant shall provide the Zoning Administrator with written verification that all permit requirements of the Monterey Bay Air Resources District relative to asbestos investigation and disposal, if necessary, have been fulfilled in accordance with Federal, State and local laws.

48. Nesting Bird Surveys. The applicant shall schedule construction and tree removal to take place between September 1 and January 30 of any given year to avoid the nesting season for birds. If this schedule is not practical, the applicant shall require a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the Migratory Bird Treaty Act (MBTA) are found, construction may need to be delayed until late September or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).
(Mitigation Measure 4.3-3)

49. Stormwater. Plans must comply with Chapter 6B of the City's Best Management Practices Manual-Storm Water BMPs for Private and Public Development Projects, which is available at www.cityofsantacruz.com/LID. Please submit the following items:

    (a) Storm Water Control Plan (SWCP): A final SWCP shall be submitted as part of the project's Building Permit application. The SWCP shall also be submitted in an 8 ½ x 11 inch report format. An electronic copy of the SWCP may be emailed to Suzanne Healy, Associate Planner, at shealy@cityofsantacruz.com.
    (b) Submit an Operations and Maintenance Plan (O&M Plan): The O&M Plan shall include at a minimum: 1) site plan showing the location of drainage structures and structural control measures, 2) O&M procedures, timing, and frequency for

maintenance of LID features and drainage systems, and include applicable BMPs from Chapter 6B of the City's Best Management Practices Manual Storm Water BMPs for Private and Public Development Projects, 3) cost estimates for maintenance, and 4) BMPs for any Special Site Conditions (see pages 30-31), e.g. trash enclosure, parking, etc.

(c) A final O&M Plan shall be submitted as part of the project's Building Permit application. The O&M Plan shall be submitted in an 8 ½ x 11 inch report format, and can be included as a SWCP appendix. The signed Maintenance Agreement shall be included in the O&M Plan as an attachment. An electronic copy of the O&M Plan may be emailed to Suzanne Healy, Associate Planner, at shealy@cityofsantacruz.com.

(d) Maintenance Agreement: Prior to issuance of the Building Permit, the property owner shall sign and submit a BMP maintenance agreement ensuring that they will provide long-term operation and maintenance of structural storm water control measures (see template in Appendix C of Chapter 6B Storm Water BMPs for Private and Public Development Projects). The O&M Plan shall be attached to the signed maintenance agreement. A copy of the signed Maintenance Agreement may be emailed to Suzanne Healy, Associate Planner-PW, at: shealy@cityofsantacruz.com.

(e) The Maintenance Agreement must be included or attached to any HOA agreement if applicable and/or recorded in the CCRs with proof of CCR recordation submitted to the City.

(f) Storm Water LID (Source Control) - Additional source control measures are required if the project will include any of the following site conditions: commercial/industrial facilities, material storage areas, vehicle fueling/maintenance/wash areas, equipment and accessory wash areas, parking garages, outdoor parking areas, pools/spas/water features, trash storage areas, and food service or food processing facilities.

(g) Erosion Control Plan (ECP): An ECP shall be submited with the project's Building Permit application. The ECP shall show the location of all erosion & sediment control BMPs, including the items below, and shall include a detail or typical diagram for each BMP:

1. Perimeter BMPs, such as straw wattles and fiber rolls, to prevent off-site migration of soil, sediment, pollutants, litter, etc.
2. Stabilized construction entrance/exit.
3. Porta-potty
4. Material or soil stockpile pile areas: Please show location and indicate which BMPs will be used to cover and protect stockpiles from run-on and run-off.
5. Storm drain inlets & catch basins (if applicable): Please show on-site and any nearby downstream storm drain inlets/catch basins in the street or parking areas. Please include BMPs to protect storm drain inlets/ catch basins during construction such as catch basin filter fabric or inserts. (Sand bags, gravel bags and straw wattles around storm drain inlets exposed to street traffic are not recommended). If filter fabric, please use Filtrex 8" Soxx with Mirafi140N fabric (or similar) underneath the grate, appropriately sized and secured.
6. On the Erosion Control Sheet, please add the following wording:

- Construction Best Management Practices (BMPs): Project construction and demolition activities shall comply with the City's Storm Water Best Management Practices for Construction. See the City Website at: http://www.cityofsantacruz.com/home/showdocument?id=6031
- BMPs, such as fiber rolls or wattles, shall be inspected periodically during construction and after each significant rain event, and any needed repairs made immediately.
- Check the sidewalk and street daily during the demolition and construction phases for soil or sediment drag-out, and sweep if needed.
- Open bags of particulate, granular or powder materials (such as plaster or concrete) and paints should be stored inside if possible. If these items are stored outside, they must be kept covered/closed and during the rainy season also kept within secondary containment.
- Dumpster lids must be kept closed and secured when not in use.
- Soil stockpiles: Excavated and/or new soil stockpiles must be protected from runoff/run-on by BMPs appropriate for the pile size, location and site conditions, and must be covered with plastic sheeting or tarps when not in use and surrounded by berms, fiber rolls or wattles to prevent run-on and run-off. When excavated soil is moved off-site, check the sidewalk and street for dirt "drag out" and sweep if needed.
- Storm Drain Inlet/Catch Basin Protection (if applicable): Please use filter fabric or inserts for downstream catch basins located on streets. If filter fabric, please use Filtrex 8" Soxx with Mirafi 140N fabric (or similar) underneath the grate, appropriately sized and secured, during construction. Ensure fabric extends a minimum of 6-inches beyond catch basin after placement of grate. Contractor shall remove filter fabric upon completion of project.
- Erosion/sediment control BMPs: Check erosion/sediment control measures/BMPs regularly for damage during construction work. All erosion/sediment control measures shall be inspected after each significant rain event and repairs made immediately upon detection. During the rainy season, use one or more sediment control measures, such as fiber rolls and straw wattles, to prevent sediment from leaving the site.

(h) Landscape Plan or Bio-Retention Areas: Landscape plans should include notes regarding mulch and special notes for bio-retention/rain garden areas as applicable:

1. Mulch: No more than 3 inches of mulch on exposed soil surfaces. If possible, use aged, stabilized, non-floating mulch. Mulch stockpiles: Mulch should be located and stored in such a manner that there is no discharge to the storm drain system. Please specify which BMPs will be used.
2. Wood mulch should not be placed within the ponding area of bio-retention/rain garden areas. Only non-floating mulch shall be used in these areas, such as inorganic mulch (pea gravel, river pebbles or similar products.

3. Fertilizers should not be added in bio-retention, bio-swale or rain garden areas.
4. Plants: Ensure that plants proposed in bio-retention or rain garden areas can withstand both wet feet and drought conditions. For a list of recommended bio-retention plants, please see the website of the Central Coast Low-Impact Development Initiative at http://centralcoastlidi.org/landscape.php.
5. The soil mix to be used in bio-retention/rain garden areas shall be a homogeneous mix of 60-70% fine sand (meeting ASTM D422 or Caltrans Test Method C202) and 30-40% weed-free, manure-free, stable compost. Note: All sands complying with ASTM C33 for fine aggregate comply with sieve size/gradation requirements. The soil mix/media to be used in bio-retention/rain garden areas shall have a minimum infiltration rate of 5 in/hr.

(i) Construction Dewatering Operations: There are several options for construction dewatering discharges that can't be managed on site. One potential option is discharge under a permit from the State Water Board/Regional Water Quality Control Board (e.g. Low-Threat Discharge Permits, Highly Treated Groundwater Discharge Permit, etc.). Please contact the Central Coast Regional Water Quality Control Board for more information at 805-549-3147 or refer to their website at: http://www.waterboards.ca.gov/centralcoast/
Another option is discharge to the sanitary sewer system under a permit from the City. For more information about this permit, including the application process, requirements and fees, please contact a City Public Works Environmental Compliance Inspector at 831-420-5160.

(j) State Construction General Permit: If the project will disturb one acre or more of soil (or is less than one acre but part of a larger development), a Notice of Intent (NOI) must be filed with the State Water Resource Control Board (SWRCB) to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) prior to commencing work. The applicant is responsible for filing a Notice of Intent and for developing a Storm Water Pollution Prevention Plan (SWPPP). Prior to issuance of a building permit, the applicant shall provide the City with proof of coverage under the State Construction General Permit, including a copy of the letter of receipt and Waste Discharger Identification (WDID) number issued by the SWQCB that acknowledges the property owner's submittal of a complete Notice of Intent (NOI) package. For more information on the Construction General Permit, please see the State Water Board website:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

50. Inclusionary Housing and Density Bonus. The project was deemed complete on July 19, 2019 and is subject to the inclusionary housing requirements provided in Ordinance 2018-18 (15% inclusionary requirement). The project also includes a Density Bonus and is subject to the requirements of Part 3 of Chapter 24.16. Specifically, the project includes 133 base units, which results in a requirement for 20 Inclusionary Units at the Lower Income level or 80% Area Median Income (AMI). In order to be eligible for the proposed density bonus, a minimum of 15 units (11%) must be restricted to households that meet the Very Low Income

level of 50% AMI and the remaining five inclusionary units must be made available for rent or sale to households at the Low Income level (80% AMI).

51. Historic Documentation. Prior to issuance of a demolition permit, the applicant shall complete documentation of the buildings at 418 and 428 Front Street in accordance with the Historic American Buildings Survey (HABS) standards, which includes the following: (Mitigation Measure CUL-1)

    (a) Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories.

    (b) Measured Drawings: Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).

    (c) HABS- Level Photographs: Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.

    (d) HABS Historical Report: A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.

52. Historic Interpretative Display: Prior to the issuance of a demolition permit or building permit, the applicant shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are

being demolished. The interpretative display must be located within the proposed project boundary along a pedestrian walkway or attached to the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the project site. The interpretive displays shall illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps. (Mitigation Measure CUL-2)

53. Prior to issuance of a building permit, the property owner shall complete a Flood Zone Hazard Notice Form.

54. Fees. The following fees shall be paid prior to building permit issuance in addition to all other fees required for building permit issuance:

    (a) The applicant shall pay required Traffic Impact Fees (TIF) unless phased or deferred payment terms are approved by the Planning and Public Works' Directors. The TIF is currently estimated at $254,000.

    (b) The applicant shall pay the Park and Recreation Facility Tax pursuant to Chapter 5.72 of the City of Santa Cruz Municipal Code based on the final building permit plans. The open space provided at the levee does not qualify as park space provided by the project.

    (c) The applicant shall pay all applicable parking fees required in the Downtown Parking District. The fees that apply to the project are those that are in effect at the time of building permit issuance. The fees shall be paid in full unless an alternate payment plan is approved in advance by the Director of Public Works.

    (d) The applicant shall agree to participate, on a fair share basis, in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel as noted in Traffic Impact Study (TIS) which is 22.53% of the cost of design and construction. That is currently estimated at $340,361. Construction cost estimates may be revised and could impact this calculation once the projects are designed. Construction is the responsibility of the city, not the applicant.

    (e) The applicant shall pay the full cost of signal revision (design and construction) at the Front/Metro/project driveway intersection. This work shall be completed by the applicant as a part of the project. The applicant's designer shall provide a traffic signal timing and coordination plan to the Public Works Department for review and approval.

(f) The applicant shall agree to participate, on a fair share basis, in the construction of a two way left-turn lane. The fair share calculation reflected in the TIS may need to be revised based on a different cost share for Front Street developments only. The two-way left turn lane shall be implemented prior or post development as determined by the City.

(g) The applicant shall pay required Public Works On-Site and Off-Site Public Improvements Inspection Fee based on the final building permit plans.

DURING CONSTRUCTION:

55. Hours & Noise: Construction activities shall comply with requirements of Chapter 9.36 of the Municipal Code for noise and hours of activity.

56. Tree Preservation: Prior to site grading or any disturbance, all trees and/or tree stands indicated for preservation or approved plans shall be protected through fencing or other approved barricade. Such fencing shall protect vegetation during construction and shall be installed to the satisfaction of the Director of Planning and Community Development.

57. Archaeological/Cultural or Paleontological Discoveries. Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:
    a. Immediately cease all further excavation, disturbance, and work on the project site;
    b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
    c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
    d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.

58. Grading.
    - All grading shall be done in accordance with the latest City of Santa Cruz Municipal Code, Chapter 24.27.
    - All work shall be in accordance with recommendations specified in the geotechnical investigation report prepared.
    - All clearing, site preparation or earth work shall be performed under inspection by the Soils Engineer and to the satisfaction of the Soils Engineer.

- Dust caused by the grading operations shall be controlled by proper watering.
- A grading permit from the Chief Building Official will be required prior to commencement of work.
- A pre-grading conference at the site is required prior to the start of grading with the following people present: owner, contractor, engineer, soils engineer, and City Inspector, or their representatives.
- The engineer will inspect the site after grading has been completed, and inform the City of Santa Cruz whether grading was done in conformance with the grading plans.
- Plans set forth in the schedule, location, and type of planting shall be submitted to the Planning Department for approval upon completion.
- Work shall be done in accordance with approval plans on file in the Building Department.
- Grading shall be done during periods of dry weather, and protective measures shall be incorporated during grading to prevent siltation from any grading project halted due to rain. No earth-moving activities shall occur between October 15 and April 1 unless a winter grading permit is issued by the Building Department.

59. All refuse and recycling activities during construction shall be done in accordance with Chapter 6.12 of the Santa Cruz Municipal Code. Be aware that private companies offering refuse or debris box services are not allowed to operate within the City limits, except under certain limited circumstances detailed in Chapter 6.12.160.

PRIOR TO BUILDING PERMIT FINAL/OCCUPANCY:

60. All requirements of the Building, Fire, Public Works and Water Departments shall be completed prior to occupancy and continuously maintained thereafter.

61. The applicant shall file a trespass letter with the police department every year with proper No Trespassing signage to help enforce trespassing issues.

62. Adequate provisions shall be made to supply water to each of the premises covered by this application. The design of water facilities shall be to standards of the Water Department, and plans therefore must be submitted to the Water Department Director for review and approval prior to the issuance of a building permit.

63. The property owner shall enter into an agreement with the City of Santa Cruz to secure an 18-month bond for landscape maintenance prior to occupancy.

64. All landscaping shall be installed prior to final utility release or issuance of occupancy permits.

65. Security cameras shall be installed in the parking garages, exterior stairwells, rooftop open space areas, ingress and egress of parking lots, courtyards, and 360-degrees around the exterior of the building, or as required by the Police Department.

66. Murals. The murals shall be completed to the satisfaction of the City prior to the issuance of occupancy permits.

67. Easement Agreement for Fill Structure. The applicant shall work with the Public Works Department to record an easement agreement addressing the fill structure adjacent to the levee. The easement agreement shall confirm that the applicant is responsible for ongoing maintenance of the fill area and any damage to the levee resulting from installation or maintenance of the fill, the project or associated work. It shall also be specific as to the design, engineering, and construction of the fill including detailing all utilities, both public and private, within the fill structure. The easement agreement shall also include the tree maintenance responsibilities per the flood control improvement project.

68. Extension Area. Prior to Issuance of a Certificate of Occupancy for the Project, including any Temporary Certificates of Occupancy, Owner shall execute an Agreement with the City by which the Owner shall provide, at Owner's sole cost, the ongoing maintenance and security of all exterior areas of the project, including, without exception, all public and extension areas, such as landscape, furnishings, and improvements along the Riverwalk. This Agreement may establish maintenance credits for the Owner toward any applicable Extension Area Fees based upon Owner's annually documented cost of maintenance and security for the public areas.

69. Revocable License. The Owner or its Tenants, shall be required to execute a Revocable License Agreement with the City for commercial use of any public space included in or adjacent to the Project, under the City's Outdoor Extension Area Ordinance (Santa Cruz Municipal Code Section 24.10.2340). This requirement shall apply regardless of any easement rights that may be granted. The Owner may use credits, if established by the aforementioned Maintenance Agreement, toward any applicable Extension Area fees required by the City for such Extension Areas.

OPERATIONAL CONDITIONS:

70. Prior to commercial/business use of a building or site, owners or tenants shall obtain a Zoning Clearance/Occupancy Permit from the City Planning Department and a Business License from the City Finance Department.

71. Residential portion of on-site parking shall not be not be eligible for Downtown Parking District Permits, until an overnight residential permit is developed and made available.

72. All requirements of the Building, Fire, Public Works and Water Departments shall be continuously maintained.

73. The property owner shall be responsible for the continued maintenance of the building and site in good condition.

74. No signs shall be installed on the site without prior approval of a Master Sign Program.

75. The property owner shall be responsible for the on-going maintenance of the building and site in good condition including maintenance of exterior materials, landscaping, sidewalks, street furniture, lighting, open space areas, upper floor balconies free of clutter, appropriate window treatments, and the parking garages.

76. The open space area at the Riverwalk and the two pedestrian passageways shall remain open to the public during the daytime and during business hours.

77. Future retail uses at the Riverwalk require prior approval of an Administrative Use Permit or as required by the Downtown Plan.

78. This permit does not allow for the service of alcohol or live entertainment with future commercial uses. Any proposed alcohol or live entertainment uses shall obtain approval of a separate Use Permit and/or entertainment permit.

79. All outdoor seating areas shall comply with noise limitations specified in Section 24.14.260 of the Zoning Ordinance.

80. Outdoor amplified music is not permitted if it is audible from off-site.

81. Store displays shall be configured in such a way as to allow pedestrians to see into the store from the sidewalk. Goods, posters, photos or other visual images shall be placed a sufficient distance from the store windows to enable pedestrians to see clearly into the store.

82. All future storefronts shall include storefront landscaping consistent with the requirements in Chapter 4, Section I(4) of the Downtown Plan.

83. Buildings shall provide warm (color temperature equal to incandescent), low-level lighting from sundown to 10:00 PM nightly as an integral part of the façade design to add to the nighttime ambient light level in the downtown and to add nighttime visual interest to the buildings.

84. Security camera recordings shall be accessible to police within 24 hours with a 30-day retention capability.

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Vicinity Map

Date: 10/18/2019
Job #: 16319

RIVERFRONT PROJECT

Santa Cruz, CA

SUBMITTAL PACKAGE

Ownership:

SC RIVERFRONT

Landscape Architect:

The Guzzardo Partnership Inc.
Landscape Architects | Land Planners

Partner Architect:

Architect:

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 ALPHA ROAD · SUITE 300 · DALLAS, TEXAS 75240 - (972) 701 - 9639 · (972) 701 - 9639 FAX
DALLAS · CHICAGO · NEW ORLEANS · NEW YORK · NEWPORT BEACH · ORLANDO
SAN RAMON · SCOTTSDALE · EDMONTON · TORONTO · MONTEVIDEO
www.humphreys.com

Site Summary:

Site Area:	1.04 AC (45,178 sf)	Building Lot Coverage:	+/- 38,424 sf (excl. passageway stairs) (+/- 85%)
Number of Units:	175 du	Cathcart Passage:	+/-60' wide min. per SCDP Sect. E.5.c
Site Density:	+/- 168.7 du/AC	Elm St Passage:	+/-30' wide min. per SCDP Sect. E.5.c

PROJECT SUMMARY

RESIDENTIAL	#	NET SF*		deck	total NRSF	Ave NSF	Mix
Studio							
S1	22	480		-			
S1a	6	440		-			
S2	11	440		-			
S2a	5	440		-			
S3	1	428		212			
S3.1	2	441		220			
S4	1	431		200			
S5	5	448		-			
Subtotal Studio	**53**					457	30.3%
1-bedroom							
A1	50	677		64			
A1a	6	678		64			
A2	6	658		55			
A2.1	5	659		55			
A2a	7	636		55			
A2b	4	614		55			
A3	5	620		-			
A5	6	715		66			
Subtotal 1-bedroom	**89**					668	50.9%
2-bedroom							
B1	12	1,035		57			
B1.1	4	1,024		57			
B2	6	971		55			
B2.1	6	983		55			
TH	5	1,273		127			
Subtotal 2-bedroom	**33**					1,049	18.9%
Total	**175**			**8,249**	**118,285**	**676**	

*NOTE: sf taken to outside of walls and CL of parti walls

*NOTE: sf is approx. and subject to change as more information is known

Amenity Summary:

Commercial:	
Commercial A:	525
Commercial B:	1,141
Commercial C (rest):	3,114
Commercial D:	352
Commercial E:	732
Commercial F (rest):	2,727
Commercial G:	1,042
Commercial H:	1,865
Total Commercial:	**11,498** sf

Amenity:	
Leasing	1,065
Lounge:	1,709
Game Room:	715
Specialty Fitness/ Fitness:	1,926
Circ., Unisex.:	644
Total Amenity:	**6,059** sf

Lobbies:	
Lobby B1:	291
Lobby B2:	359
Lobby B3 (mail):	578
Lobby Commercial:	340
Total Lobbies:	**1,568** sf

Private Outdoor Space:	
Skydeck B2:	1,241
Skydeck B3:	1,248
Total Private O.S.:	**2,489** sf

Gross SF Summary:

	Building 1	Building 2	Building 3	Shared	total
Level 1:	-	-	-	38,458	38,458
Level 2:	5,678	12,790	10,165	-	28,633
Level 3:	5,795	12,587	9,288	-	27,670
Level 4:	5,395	11,812	8,902	-	26,109
Level 5:	4,628	10,640	8,505	-	23,773
Level 6:	4,628	10,638	8,507	-	23,773
Level 7	4,628	8,681	6,969	-	20,278
Total	**30,752**	**67,148**	**52,336**	**38,458**	**188,694**
Level B1:	-	-	-	40,728	40,728

*NOTE: basement not included in GSF

*NOTE: sf taken to outside of walls

*NOTE: sf is approx. and subject to change as more information is known

Net Lot Area:	45,178
FAR:	4.18

Per SCMC 24.22.366, Floor Area: The sum of the gross horizontal real floor area within the perimeter of the outside walls of all buildings, including accessory buildings and accessory dwelling units, on a lot as measured from the exterior surface of the exterior walls, with no deduction for hallways, stairs, closets, wall thickness. The area includes covered residential parking and is the total of all stories. Stairways shall count only once for floor area, however, any portions of buildings, including stairwells, over seventeen feet in interior height, are counted twice for the purposes of computing floor area. Uncovered courtyards or atriums enclosed by three sides and with the space open to the street above the first floor do not count as floor area. Unenclosed porches, balconies, decks, patios, roof overhangs and similar architectural features and non-habitable basements that are fully subterranean below finished grade do not count as floor area.

Units Breakdown Per Building Summary:

	North building						Middle building						South building						Subtotal
	level 2	level 3	level 4	level 5	level 6	level 7	level 2	level 3	level 4	level 5	level 6	level 7	level 2	level 3	level 4	level 5	level 6	level 7	
Studio																			
S1	1	2	2	1	1	1	1	1	1	-	-	-	1	2	2	2	2	2	22
S1a	1	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	6
S2	-	-	-	-	-	-	-	-	-	-	-	-	1	2	2	2	2	2	11
S2a	-	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	5
S3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
S3.1	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	2
S4	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1
S5	-	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	5
1-bedroom																			
A1	-	-	-	-	-	-	5	6	6	6	3	2	2	5	5	5	3	2	50
A1a	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	6
A2	-	-	-	1	1	1	-	-	-	-	-	-	-	-	1	1	1	-	6
A2.1	-	-	-	-	-	-	-	-	1	2	2	-	-	-	-	-	-	-	5
A2a	-	-	1	1	1	1	-	-	1	1	1	-	-	-	-	-	-	-	7
A2b	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	1	1	-	4
A3	-	1	1	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	5
A5	-	-	-	1	1	1	-	-	-	1	1	1	-	-	-	-	-	-	6
2-bedroom																			
B1	1	2	1	-	-	-	1	3	2	-	-	-	-	1	1	-	-	-	12
B1.1	-	-	-	-	-	-	1	1	-	-	-	-	1	1	-	-	-	-	4
B2	-	-	-	-	-	-	1	1	1	1	1	1	-	-	-	-	-	-	6
B2.1	-	-	-	-	-	-	1	1	1	1	1	1	-	-	-	-	-	-	6
TH	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	2	-	5
Subtotal	**3**	**8**	**8**	**7**	**7**	**7**	**11**	**14**	**14**	**13**	**13**	**8**	**6**	**12**	**12**	**12**	**12**	**8**	**175**
			40						**73**						**62**				

Parking Required:

Commercial:		sf	ratio	TOTAL	
Commercial:		11,498	1/400	29	
Leasing/ Fitness:		6,059	1/400	16	
Subtotal Commercial Req.:				**45**	**stalls**

Resident:	# unit	# beds	ratio		TOTAL	
Studio/1-bed	142	142	0.5	*(0.5/bedroom)*	71	
2-bed	33	66	0.5	*(0.5/bedroom)*	33	
Subtotal Resident Req:					**104**	**stalls**
Total Parking Required:					**149**	**stalls**

Parking Provided:

Commercial:		Level B1	Level 1	TOTAL	
Commercial Prime:	8.5' x 19'	-	35	35	
Commercial C:	7.5' x 16'	-	6	6	
Commercial Prime EV :	8.5' x 19'	-	2	2	
Commercial HC:	9' x 19'	-	2	2	
Subtotal Commercial Provided:				**45**	**stalls**

Resident:		Level B1	Level 1	TOTAL	
Prime:	8.5' x 19'	31	14	45	
Prime EV:	8.5' x 19'	14	3	17	
Compact:	7.5' x 16'	4	2	6	
HC:	9' x 19'	3	1	4	
T. Front:	8.5' x 19'	35	-	35	
T. Rear Standard:	8.5' x 19'	29	-	29	
T. Rear Compact:	8.5' x 16'	6	-	6	
Subtotal Resident Provided:		**122**	**20**	**142**	**stalls**
Total Provided:				**187**	**stalls**

*NOTE: 5 existing stalls on Front Street to be removed, see civil sheets for more information

EV Parking Summary:

Required EV Parking:
Residential:
17 stalls (12% of 142 stalls)

Commercial:
2 stalls (45 parking spaces per SCMC 24.12.241.3.b)

Provided EV Parking:
Residential:
17 stalls

Commercial:
2 stalls

Bike Parking Summary:

Required Bike Parking:
Residential:
175 'Class 1' spaces (1/ residential unit)
44 'Class 2' spaces (1/ 4 residential units)

Commercial:
7 (2 +15% of 29 commercial parking req.)

Provided Bike Parking:
Residential:
175 'Class 1' spaces (1/ residential unit)
44 'Class 2' spaces (1/ 4 residential units) (23 racks, see landscape sheet)

Commercial:
2 'Class 1' spaces (20%) (note: shown on level 1 plan in building lobby)
8 'Class 2' spaces (80%) (4 racks, see landscape sheet)

*note: each inverted-U style bike rack provides 2 parking spaces

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

PROJECT INFORMATION
10/18/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

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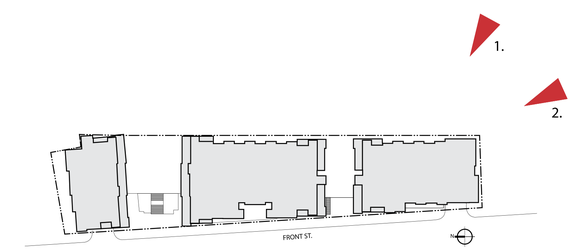
VIEW 2. LOOKING NORTH WEST FROM LAUREL ST BRIDGE

VIEW 1. LOOKING NORTH WEST FROM BROADWAY ST



KEY PLAN

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONTEXT PERSPECTIVE VIEWS
10/18/19

SC RIVERFRONT

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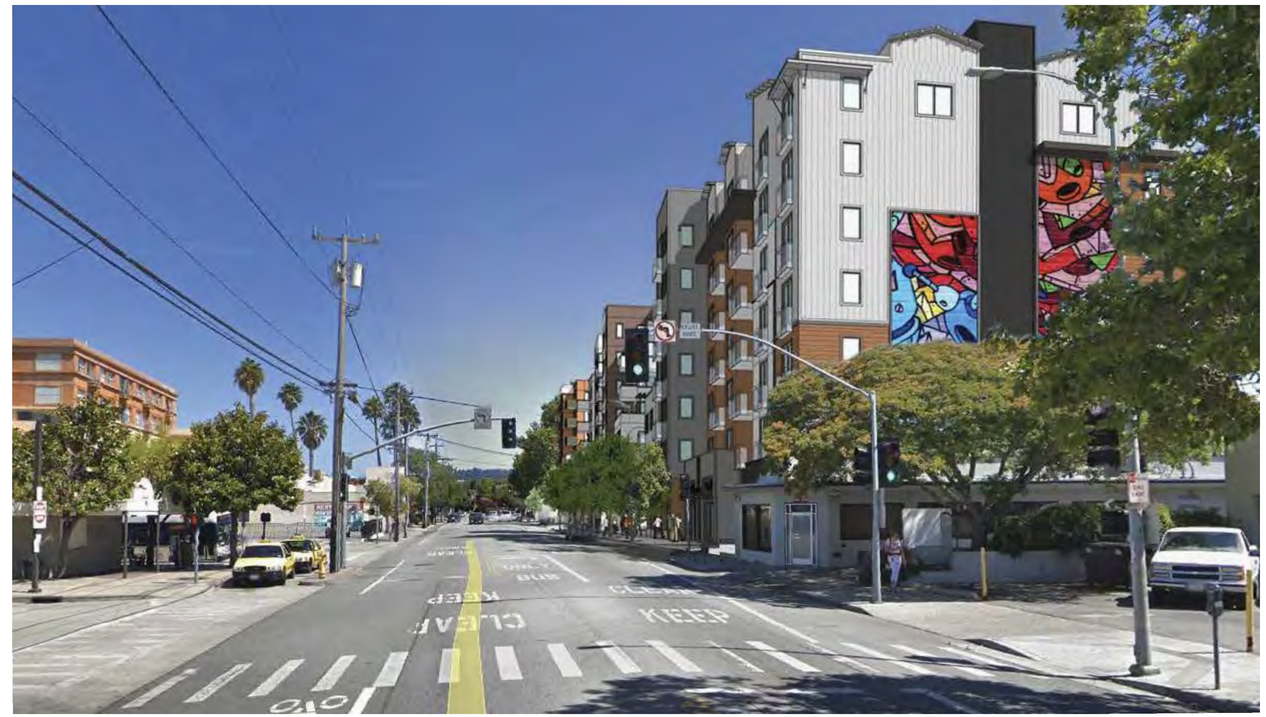
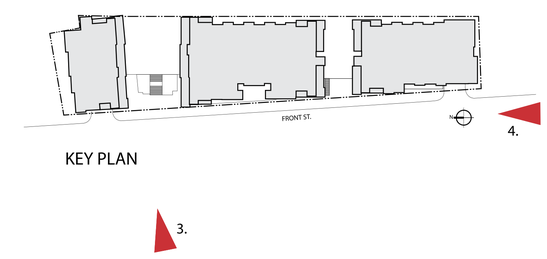


VIEW 4. LOOKING NORTH DOWN FRONT ST

VIEW 3. LOOKING EAST DOWN CATHCART ST



KEY PLAN

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONTEXT PERSPECTIVE VIEWS
10/18/19

SC RIVERFRONT

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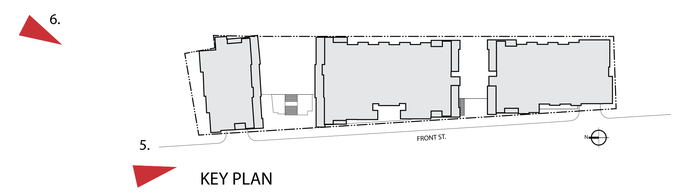
VIEW 6. LOOKING SOUTH WEST FROM SOQUEL AVE BRIDGE

VIEW 5. LOOKING SOUTH DOWN FRONT ST



RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONTEXT PERSPECTIVE VIEWS
10/18/19

SC RIVERFRONT

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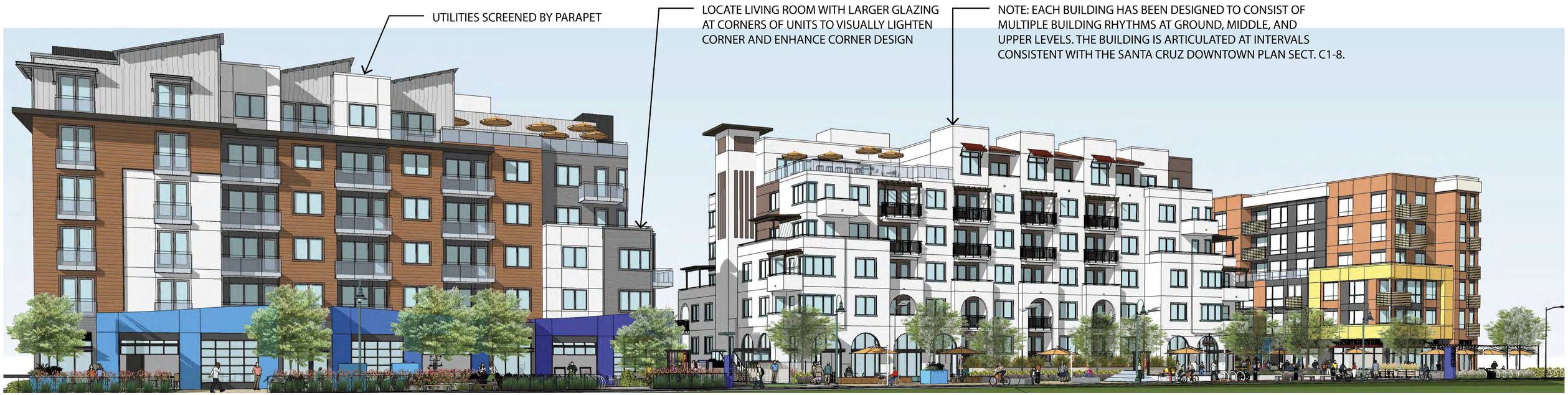
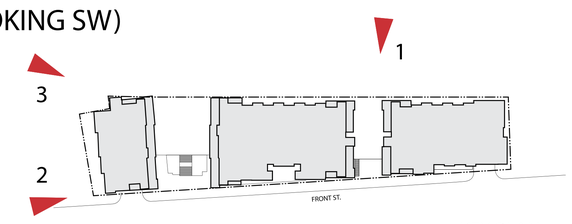


1. VIEW OF LEVEE (EAST) ELEVATION

2. VIEW OF NORTH ELEVATION FROM FRONT STREET (LOOKING SE)

3. VIEW OF NORTH ELEVATION FROM LEVEE (LOOKING SW)



KEY PLAN

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT BUILDING ELEVATION VIEWS
10/18/19

SC RIVERFRONT

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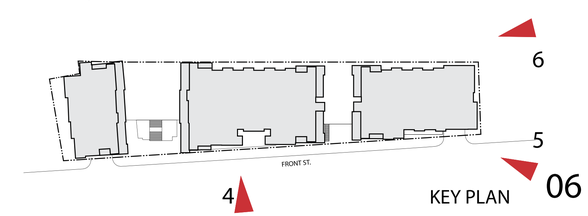
4. VIEW OF FRONT STREET (WEST) ELEVATION

5. VIEW OF SOUTH ELEVATION FROM FRONT STREET (LOOKING NE)

6. VIEW OF SOUTH ELEVATION FROM LEVEE (LOOKING NW)



06

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT BUILDING ELEVATION VIEWS
10/18/19

SC RIVERFRONT

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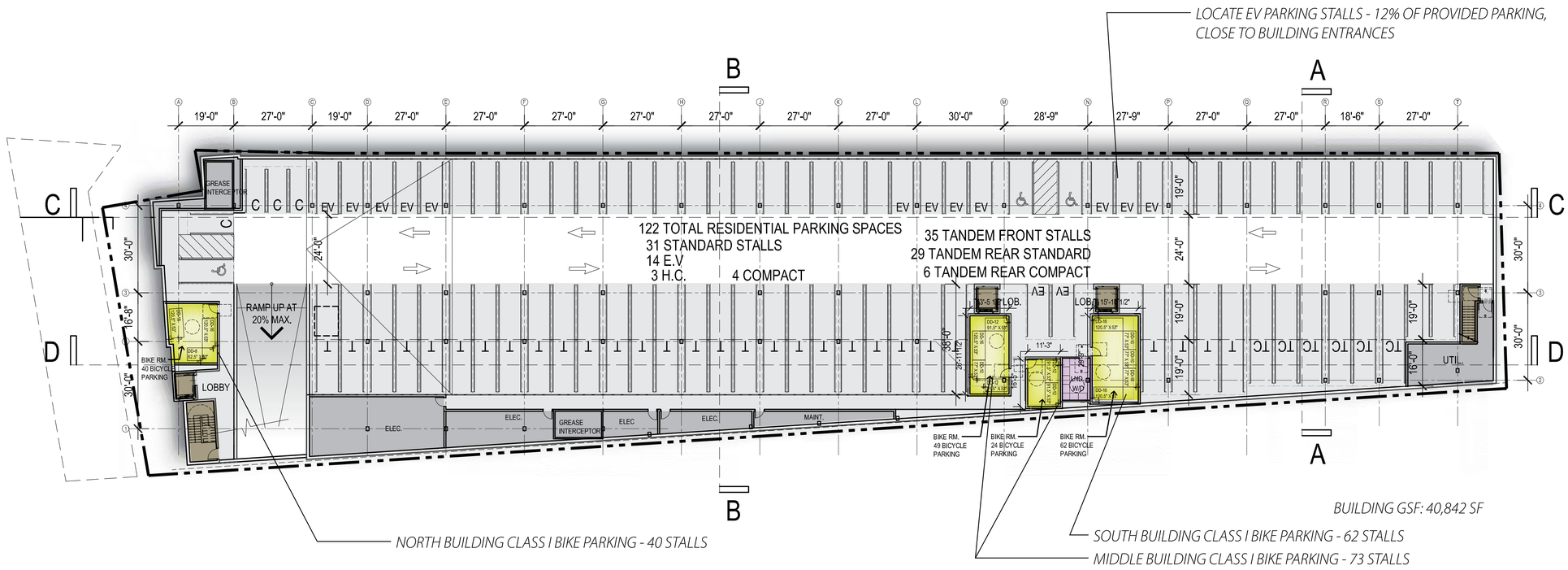

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

07

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

SUB-T PLAN
10/18/19

SC RIVERFRONT

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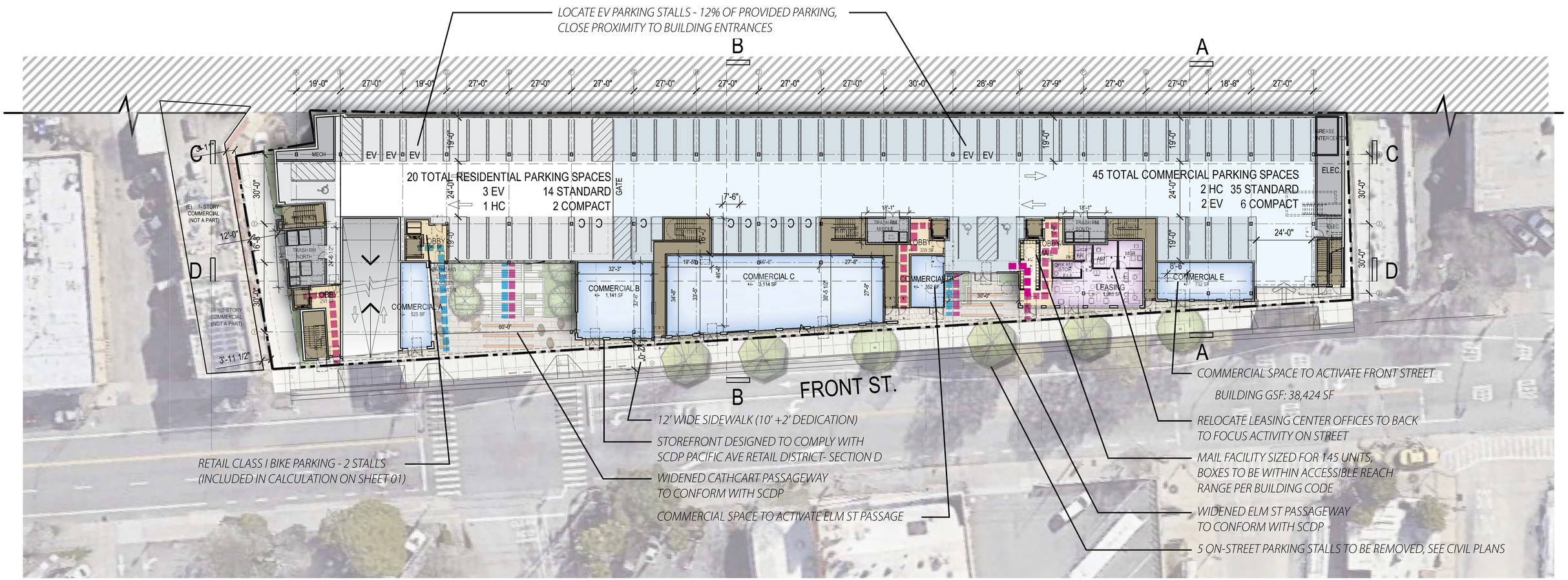

NOTE: FUTURE FOOD SERVICE FACILITY INFRASTRUCTURE TO BE APPROPRIATELY INCORPORATED INTO THE BUILDING DEIGN AND SCREENED FROM VIEW

PUBLIC AMENITY
RESIDENTIAL AMENITY
COMMERCIAL PATH OF TRAVEL
RESIDENTIAL PATH OF TRAVEL

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

08

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 1- FRONT STREET LEVEL PLAN

10/18/19

SC RIVERFRONT

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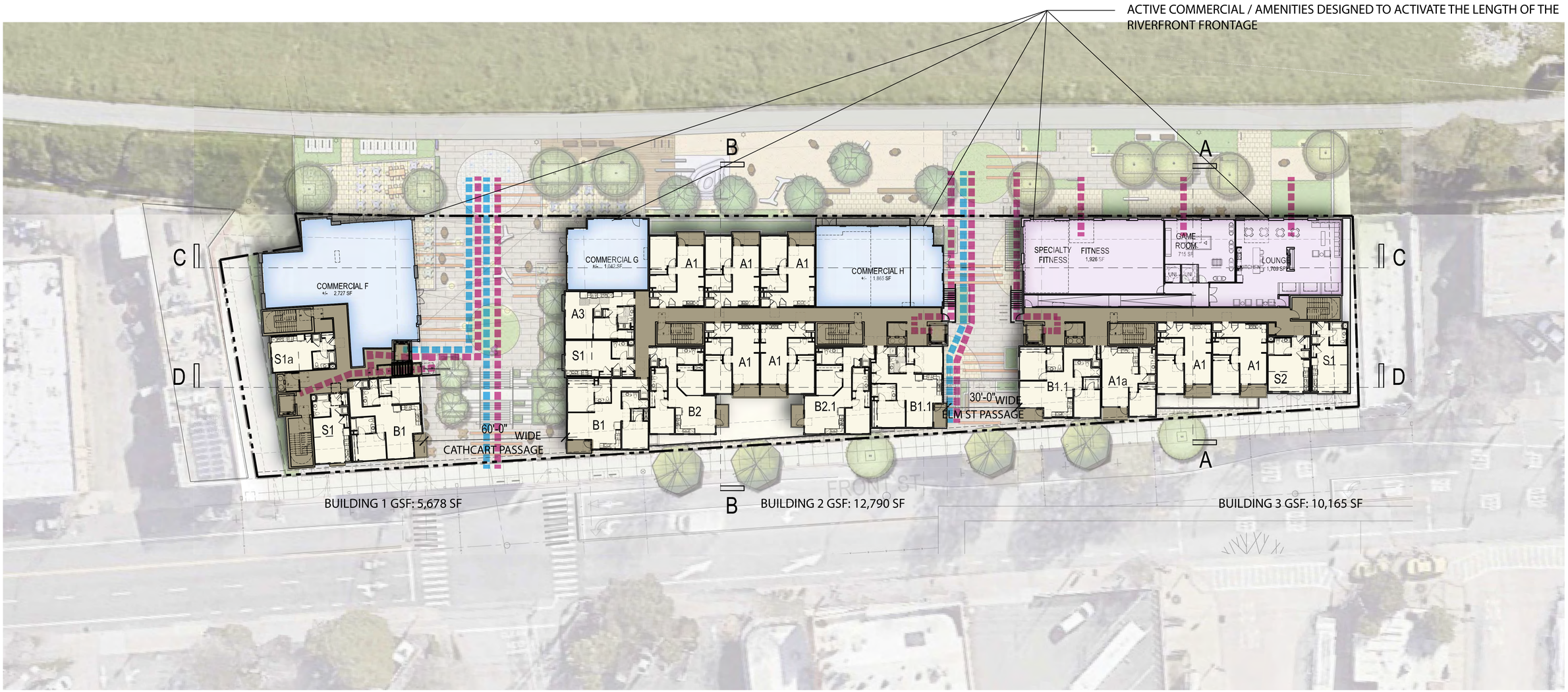

PUBLIC AMENITY
RESIDENTIAL AMENITY
COMMERCIAL PATH OF TRAVEL
RESIDENTIAL PATH OF TRAVEL

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

09

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 2 - LEVEE PLAN

10/18/19

SC RIVERFRONT

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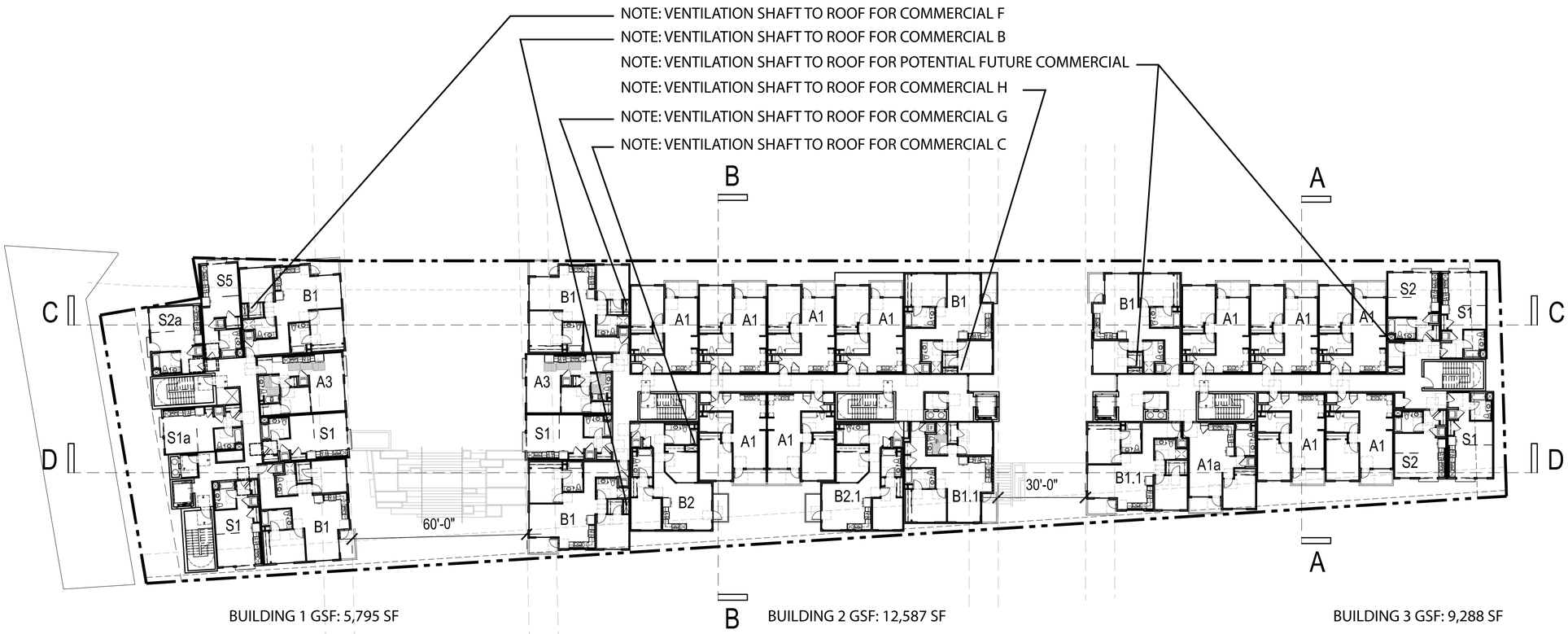

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

10

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 3 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

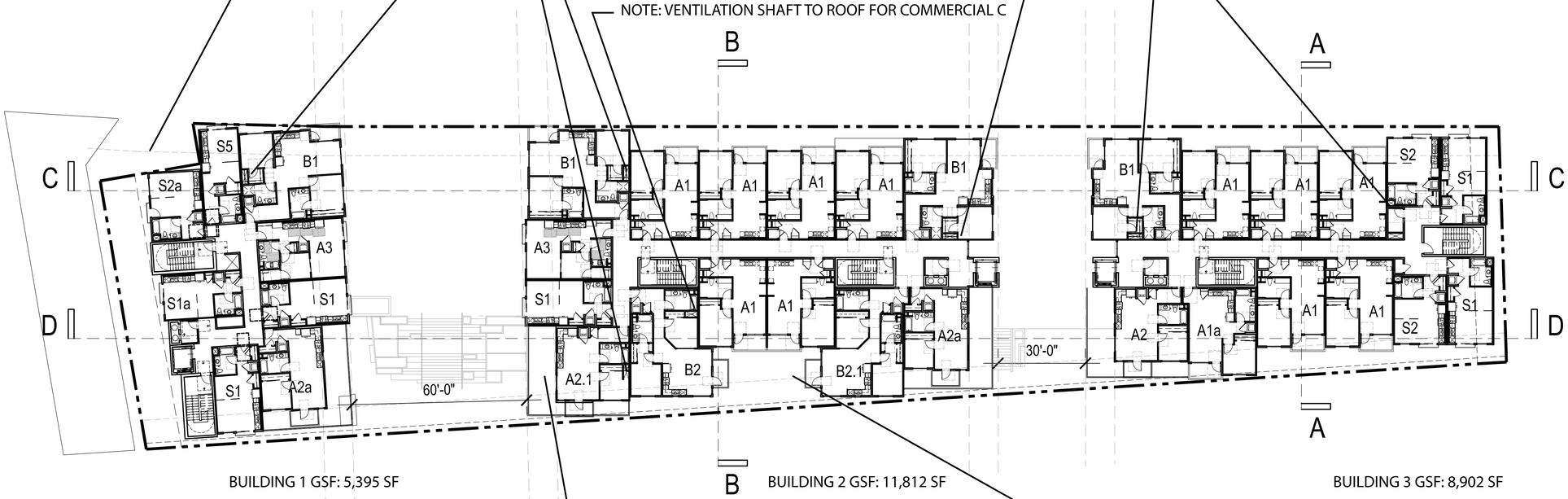
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 5,395 SF

BUILDING 2 GSF: 11,812 SF

BUILDING 3 GSF: 8,902 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 4 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

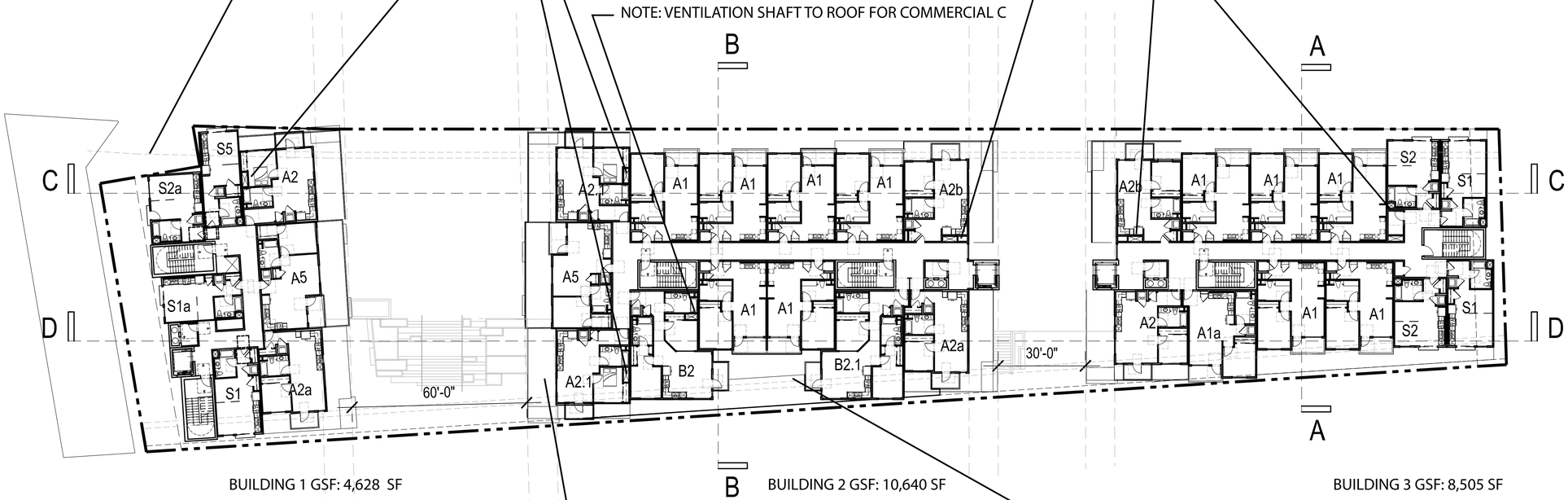
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 4,628 SF

BUILDING 2 GSF: 10,640 SF

BUILDING 3 GSF: 8,505 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N

0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 5 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

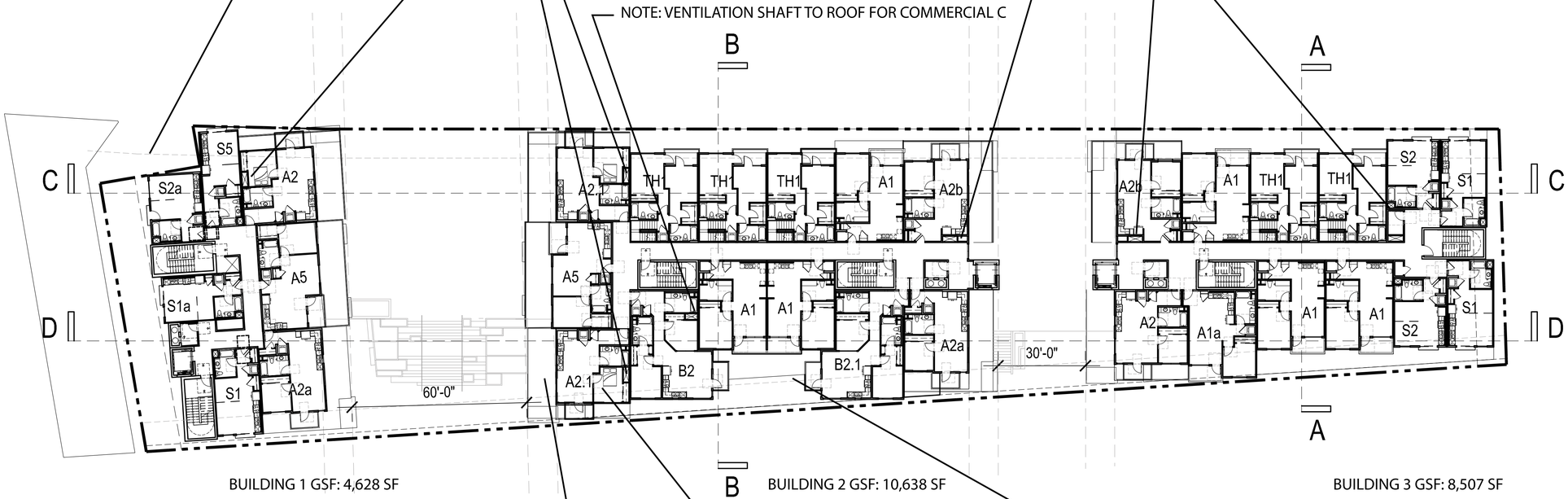
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 4,628 SF

BUILDING 2 GSF: 10,638 SF

BUILDING 3 GSF: 8,507 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: TOP FLOOR REVISED TO BE 98.3% OF FLOOR BELOW (LEVEL 5)

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 6 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

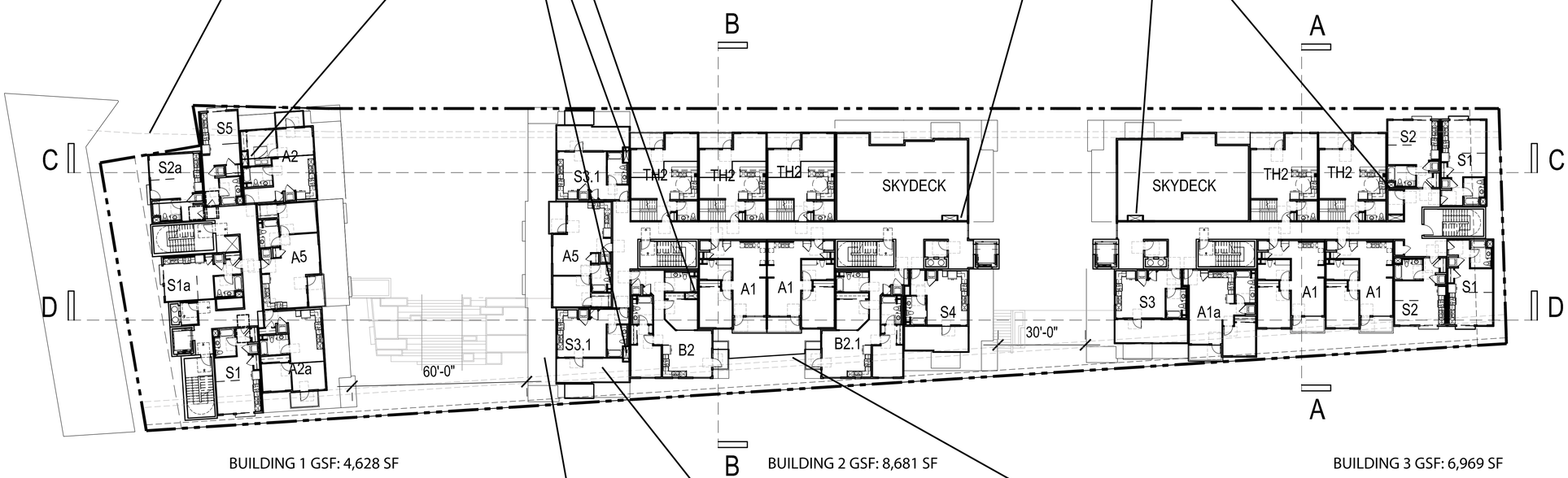
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 4,628 SF

BUILDING 2 GSF: 8,681 SF

BUILDING 3 GSF: 6,969 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: TOP FLOOR REVISED TO BE 98.3% OF FLOOR BELOW (LEVEL 5)

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 7 PLAN
10/18/19

SC RIVERFRONT

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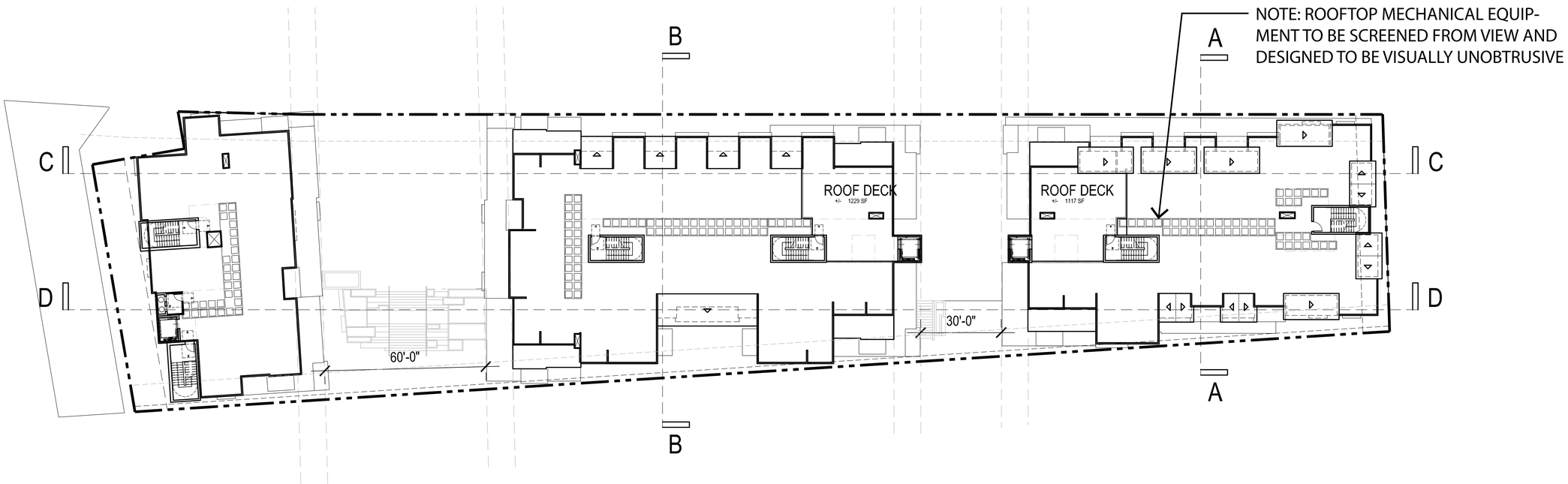

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

ROOF PLAN
10/18/19

SC RIVERFRONT

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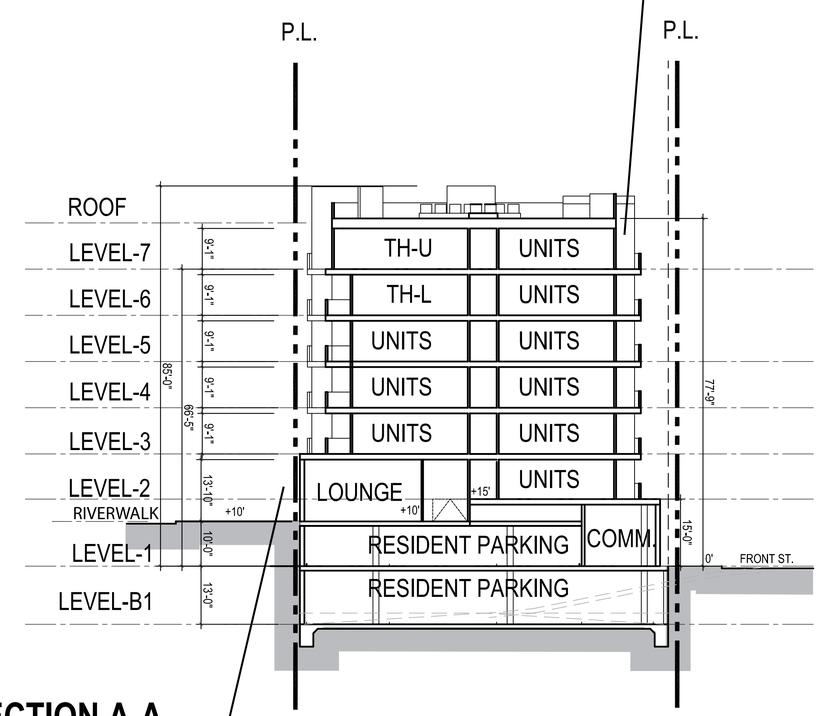
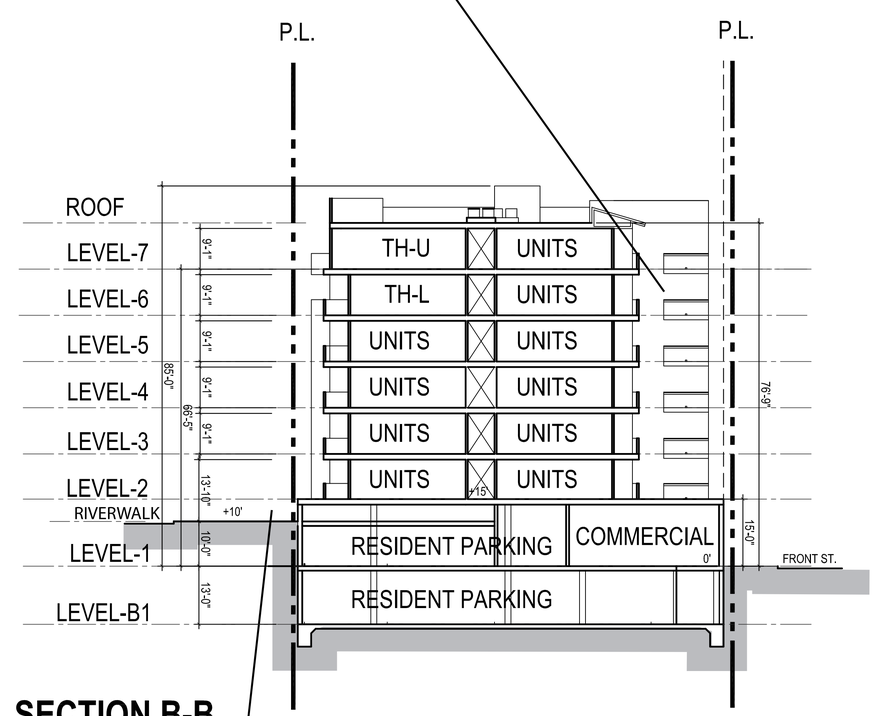
NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

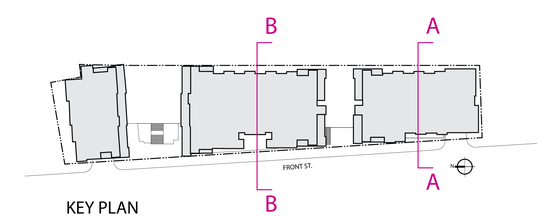


SECTION A-A



SECTION B-B

NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d



KEY PLAN

NOT TO SCALE @ 11x17
SCALE: 1" = 16' @ 24x36

0' 16' 32' 48'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

BUILDING SECTIONS
10/18/19

SC RIVERFRONT

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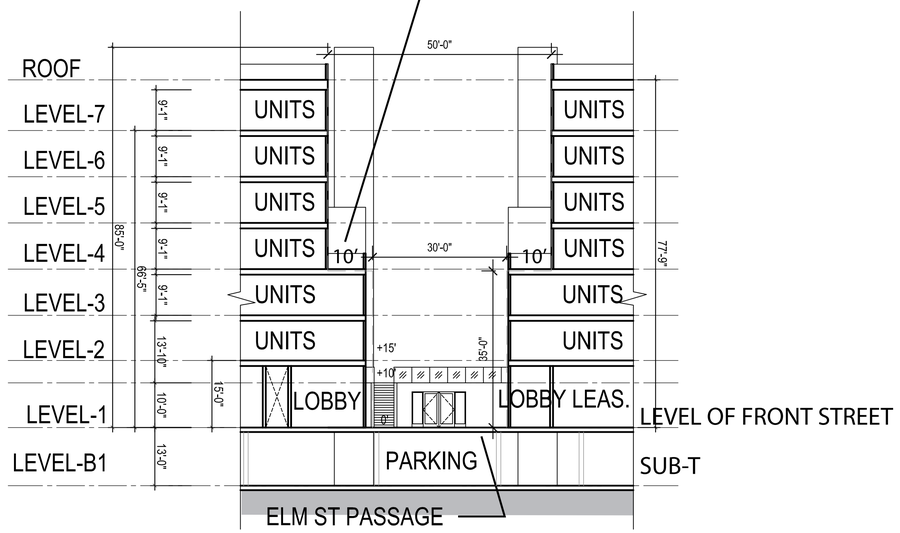
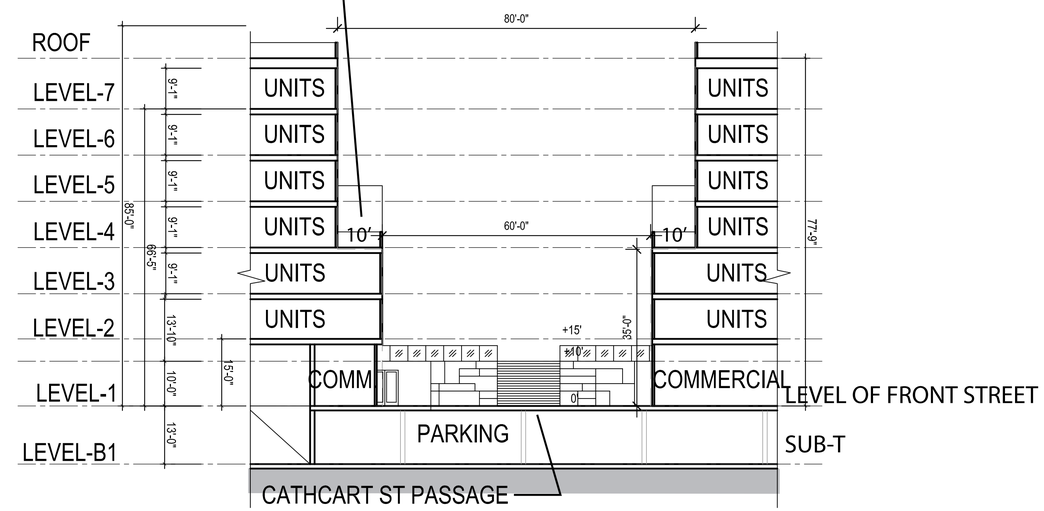
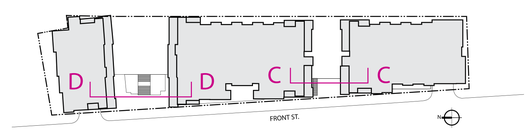
NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10′ FROM THE STREET FOR ANY HEIGHT ABOVE 35′ PER SCDP SECT. 4.E.1.c



SECTION C-C



SECTION D-D



KEY PLAN

NOT TO SCALE @ 11x17
SCALE: 1″ = 16′ @ 24x36

0′ 16′ 32′ 48′

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

BUILDING SECTIONS
10/18/19

SC RIVERFRONT

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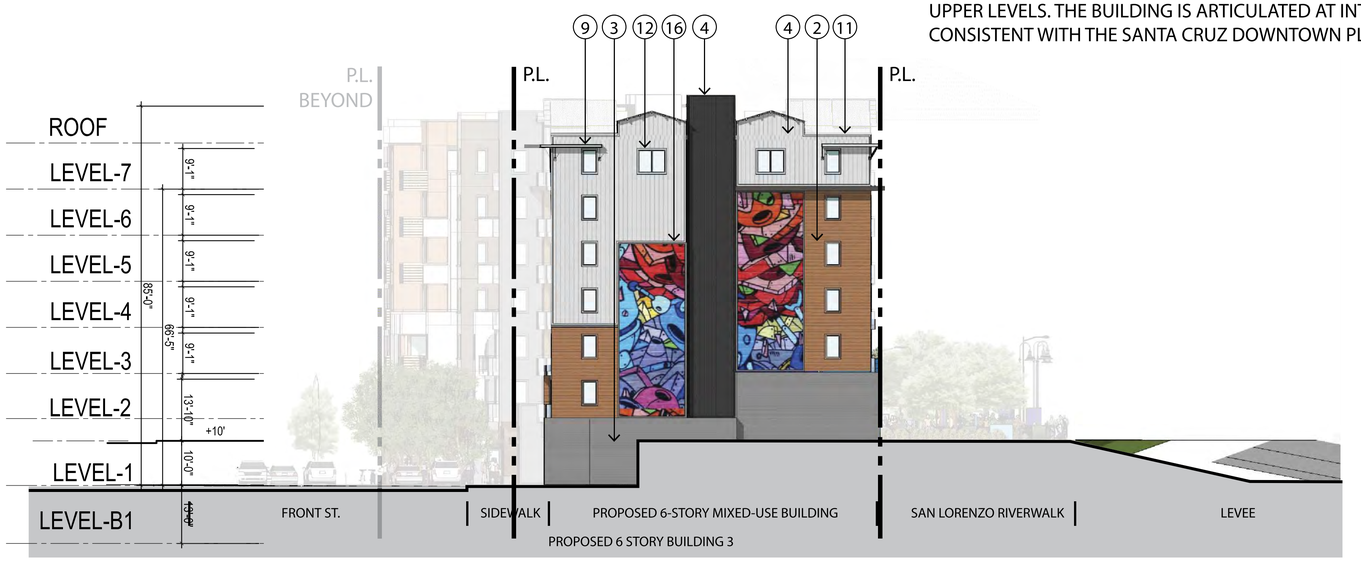
1. WEST (FRONT ST.) ELEVATION

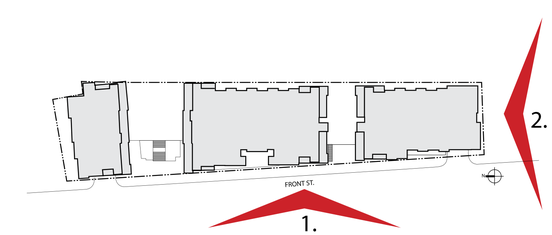
NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.



2. SOUTH ELEVATION

NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.

MATERIAL LEGEND
1. EXTERIOR PLASTER, SAND FINISH
2. HORIZONTAL CEMENTITIOUS SIDING, SMOOTH
3. HORIZONTAL METAL SIDING, RIBBED CHANNEL
4. VERTICAL METAL SIDING, STANDING SEAM
5. THIN BRICK VENEER
6. HORIZONTAL CEMENTITOUS WOOD RAILING
7. PAINTED TUBE STEEL RAILING, GLASS PANEL INSERT
8. PAINTED TUBE STEEL RAILING
9. PAINTED METAL AWNING
10. PAINTED METAL TRELLIS
11. PAINTED CAP/ TRIM, PLASTER OVER EPS
12. VINYL WINDOWS
13. ALUMINUM STOREFRONT
14. ROLL UP GARAGE DOOR, GLASS PANEL
15. CONCRETE ROOF TILE
16. POTENTIAL MURAL LOCATION, DESIGN TO BE DEVELOPED
17. PERFORATED ALUMINUM RAILING



NOT TO SCALE @ 11x17
SCALE: 1" = 16' @ 24x36
0' 16' 32' 48'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT ELEVATIONS
10/18/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

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3. EAST (RIVERWALK) ELEVATION

NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.

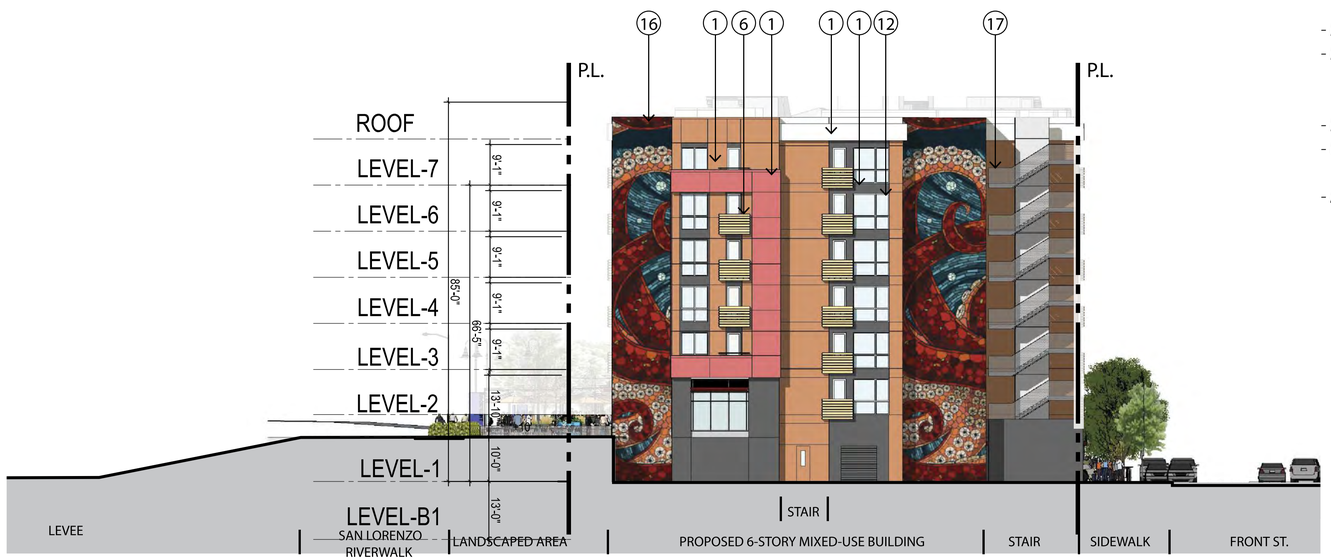
NOTE: STOREFRONT REVISED TO 10' TO REFLECT TALLER CEILING HEIGHT ON LEVEE-FACING COMMERCIAL

NOTE: Poject will incorporate bird-safe strategies consistent with those enumerated in the Downtown Specific Plan, including:

- *Excessive glazing has been avoided.*
- *The mid-block passageways provide opportunities for safe wildlife transit through the site.*
- *Project avoids passageways or atrium that trap birds.*
- *Project proposes using window glazing treatments that create a visual barrier to birds for the majority of glazing within the first 40' of ground level façade facing the Riverwalk.*
- *Exterior illumination will be thoughtfully designed to minimize light pollution*
- *Use of timers and avoiding up-lighting and spotlights and that would be detrimental to wildlife.*
- *Majority of landscaping located to allow views from the building / designed to keep birds away from the building's façade*

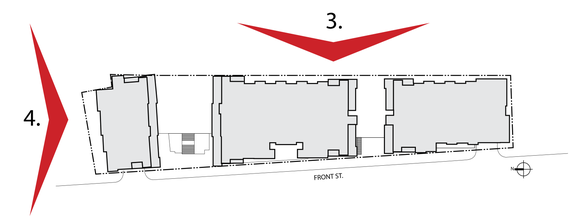
MATERIAL LEGEND

1. EXTERIOR PLASTER, SAND FINISH
2. HORIZONTAL CEMENTITIOUS SIDING, SMOOTH
3. HORIZONTAL METAL SIDING, RIBBED CHANNEL
4. VERTICAL METAL SIDING, STANDING SEAM
5. THIN BRICK VENEER
6. HORIZONTAL CEMENTITOUS WOOD RAILING
7. PAINTED TUBE STEEL RAILING, GLASS PANEL INSERT
8. PAINTED TUBE STEEL RAILING
9. PAINTED METAL AWNING
10. PAINTED METAL TRELLIS
11. PAINTED CAP/ TRIM, PLASTER OVER EPS
12. VINYL WINDOWS
13. ALUMINUM STOREFRONT
14. ROLL UP GARAGE DOOR, GLASS PANEL
15. CONCRETE ROOF TILE
16. POTENTIAL MURAL LOCATION, DESIGN TO BE DEVELOPED
17. PERFORATED ALUMINUM RAILING



4. NORTH ELEVATION

NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.



NOT TO SCALE @ 11x17
SCALE: 1" = 16' @ 24x36

0' 16 32' 48'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT ELEVATIONS
10/18/19

SC RIVERFRONT

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NUMBERS DENOTE MATERIALS

ALL MATERIALS AS SHOWN OR APPROVED EQUAL

1. EXTERIOR PLASTER SAND FINISH

2. HORIZONTAL CEMENT FIBER SIDING, SMOOTH FINISH

3. VERTICAL METAL SIDING, RIBBED CHANNEL

4 VERTICAL METAL SIDING, STANDING SEAM

5. THIN BRICK VENEER

6. HORIZONTAL FIBER RAILING, WOOD FINISH COLOR: JAVA BY RESYSTA

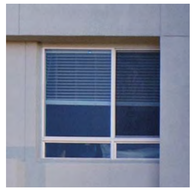
7. PAINTER TUBE STEEL RAILING, GLASS PANEL INSERT

8. PAINTED TUBE STEEL RAILING

9. PAINTED METAL AWNING

10. PAINTED METAL TRELLIS

11. PAINTED CAP WITH TRIM, PLASTER OVER EPS



12. VINYL WINDOWS COLOR: WHITE

13. ALUMINUM STOREFRONT COLOR: CLEAR ANODIZED

14. ROLL UP GARAGE DOOR, GLASS PANEL INSERT, COLOR: BLACK

15. CONCRETE 'S' TILE CAPISTRANO BLEND COLOR: CALIENTE BY EAGLE ROOFING

17. PERFORATED ALUMINUM RAILING

LETTERS DENOTE COLORS

ALL MATERIALS AS SHOWN OR APPROVED EQUAL

A. DUNN EDWARDS DEW380 WHITE

B. DUNN EDWARDS DET466 MONARCH MIGRATION

C. DUNN EDWARDS DE6369 LEGENDARY GREY

D. DUNN EDWARDS DE6359 SILVER SETTING

E. DUNN EDWARDS DE6322 BLACK LEAD

F. DUNN EDWARDS DE6055 WILD WEST

G. DUNN EDWARDS DET453 VERANDA

H. DUNN EDWARDS DET426 FIERY CORAL

J. DUNN EDWARDS DE5347 GOLDEN NECTAR

K. DUNN EDWARDS DE5836 SAIL AWAY

L. DUNN EDWARDS DE5845 AMERICANA

M. DUNN EDWARDS DEA137 DEEP SAPPHIRE

N. ATAS #62 CHARCOAL GREY

P. ATAS #28 SILVERSMITH

Q. ATAS #02 BLACK

R. MEDIUM IRONSPOT #77 BY ENDICOTT

S. LIGHT GREY BLEND BY ENDICOTT

WEST (FRONT STREET) ELEVATION

EAST (RIVERWALK) ELEVATION

NUMBERS DENOTE MATERIALS, LETTERS DENOTE COLORS

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT DETAILS AND MATERIALS
10/18/19

SC RIVERFRONT

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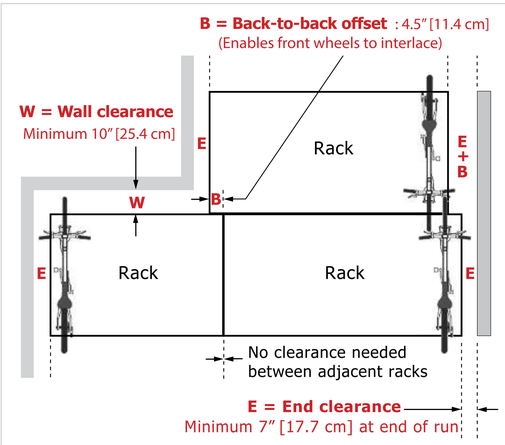
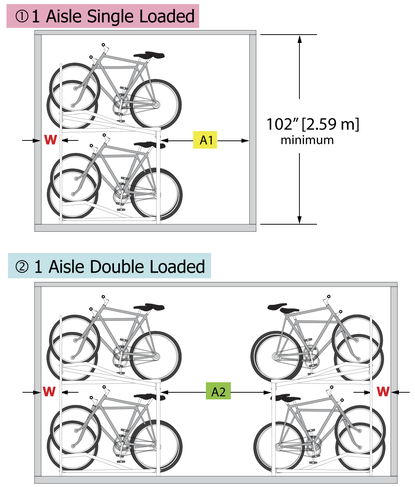


DOUBLE DECKER BIKE PARKING
CLEARANCES - PLAN VIEW

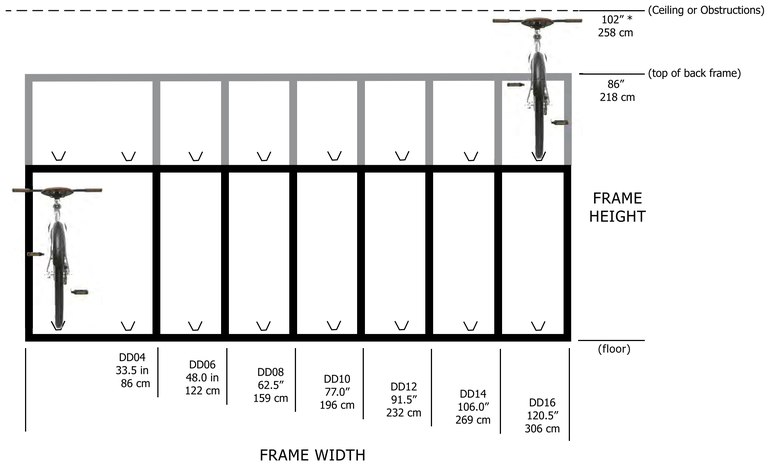


DOUBLE DECKER BIKE PARKING
CLEARANCES - SIDE VIEW

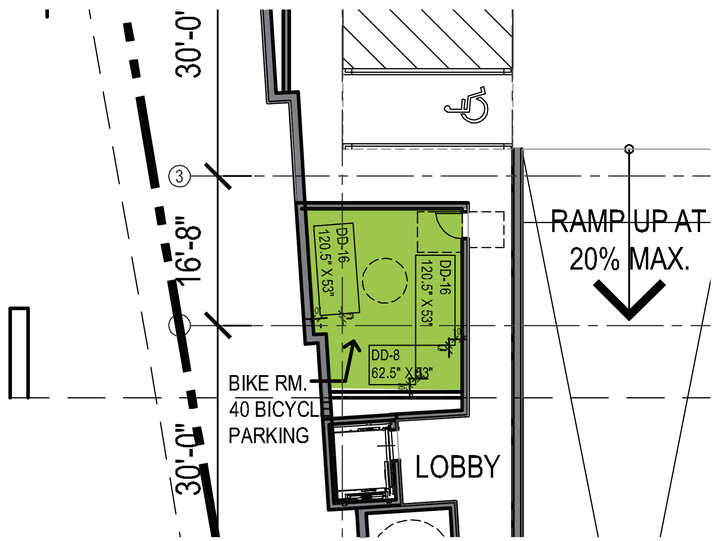
DOUBLE DECKER BIKE PARKING
PERSPECTIVE

Model	Bicycle	Width	Depth	Height
DD04	4	33.5"	53"	86"
DD06	6	48"	53"	86"
DD08	8	62.5"	53"	86"
DD10	10	77"	53"	86"
DD12	12	91.5"	53"	86"
DD14	14	106"	53"	86"
DD16	16	120.5"	53"	86"

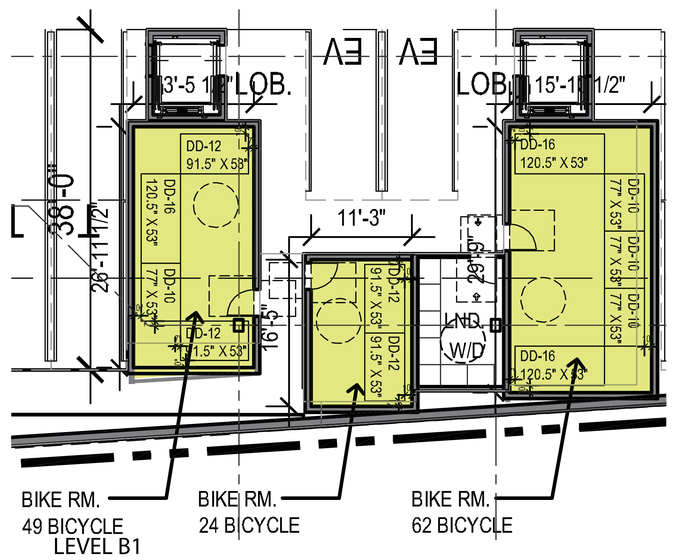
DOUBLE DECKER BIKE PARKING
SIZE TABLE



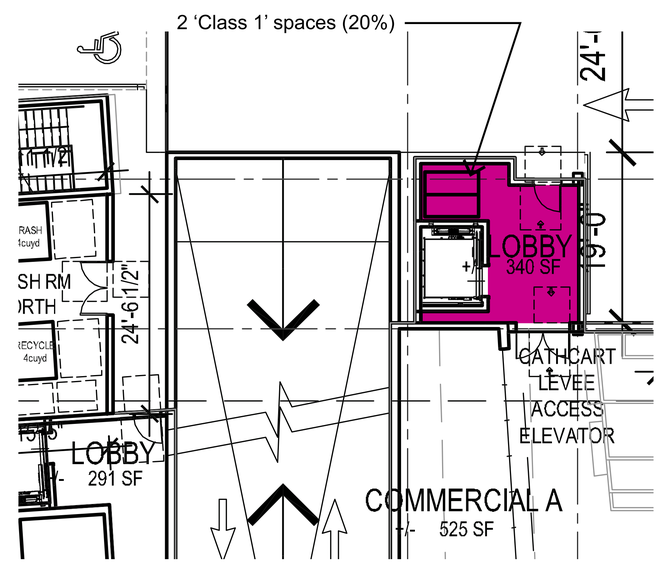
DOUBLE DECKER BIKE PARKING
FRAME WIDTH - FRONT VIEW



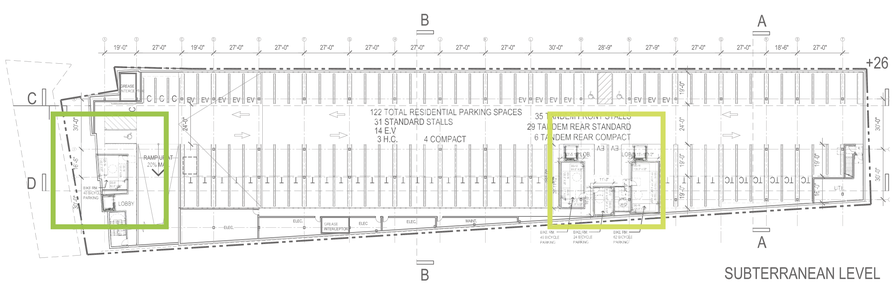
LEVEL B1



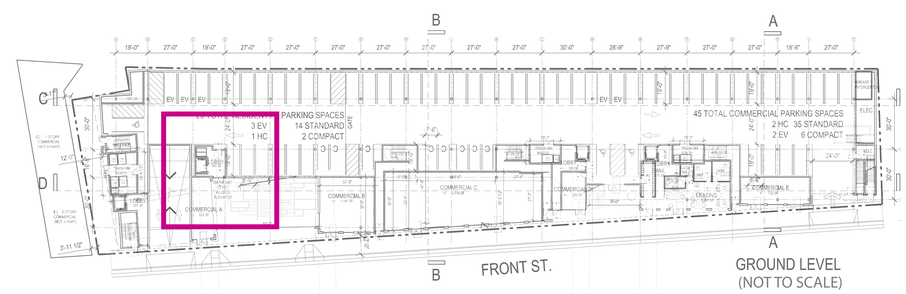
LEVEL B1



LEVEL 1



SUBTERRANEAN LEVEL
(NOT TO SCALE)



GROUND LEVEL
(NOT TO SCALE)

NOT TO SCALE @ 11x17
SCALE: 1/8" = 1'-0" @ 24x36

N 0' 8' 16' 24'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

BIKE PARKING EXHIBIT

10/18/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
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North building TOTAL WEEKLY

Usage	Total SF or # of BDR.	Refuse in CY	Recycle in CY
Retail	8,208	8.21	8.21
Restaurant	5,841	11.68	5.84
Office	0	0.00	0.00
Multifamily	44	4.64	2.32
	Total	24.53	16.37

Middle building TOTAL WEEKLY

Usage	Total SF or # of BDR.	Refuse in CY	Recycle in CY
Retail	352	0.35	0.35
Restaurant	0	0.00	0.00
Office	0	0.00	0.00
Multifamily	96	10.11	5.06
	Total	10.47	5.41

South building TOTAL WEEKLY

Usage	Total SF or # of BDR.	Refuse in CY	Recycle in CY
Retail	732	0.73	0.73
Restaurant	0	0.00	0.00
Office	0	0.00	0.00
Multifamily	68	7.16	3.58
	Total	7.90	4.31

North building 3X WEEKLY PICKUP

Usage	Refuse in CY	Recycle in CY
Retail	2.74	2.74
Restaurant	3.89	1.95
Office	0.00	0.00
Multifamily	1.55	0.77
REQ	8.18	5.46
PROPOSED	10	8

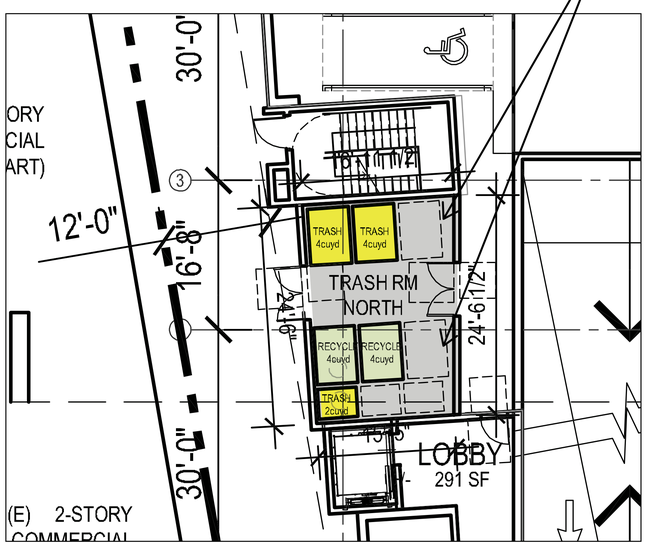
Middle building 3X WEEK PICKUP

Usage	Refuse in CY	Recycle in CY
Retail	0.12	0.12
Restaurant	0.00	0.00
Office	0.00	0.00
Multifamily	3.37	1.69
REQ	3.49	1.80
PROPOSED	4	2

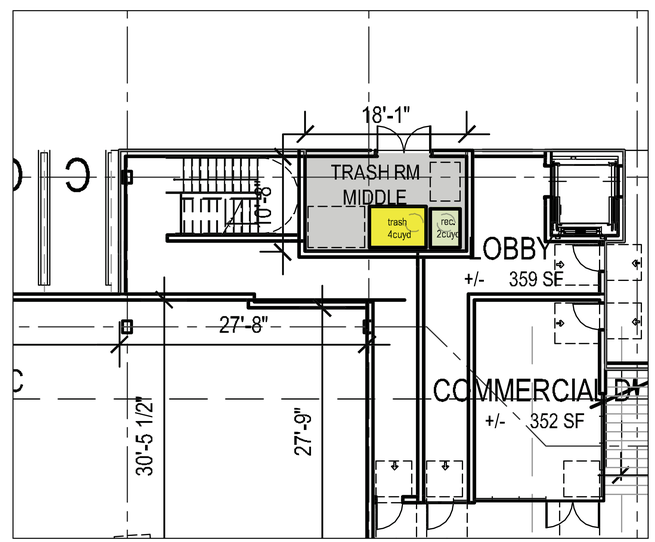
South building 3X WEEK PICKUP

Usage	Refuse in CY	Recycle in CY
Retail	0.24	0.24
Restaurant	0.00	0.00
Office	0.00	0.00
Multifamily	2.39	1.19
REQ	2.63	1.44
PROPOSED	4	2

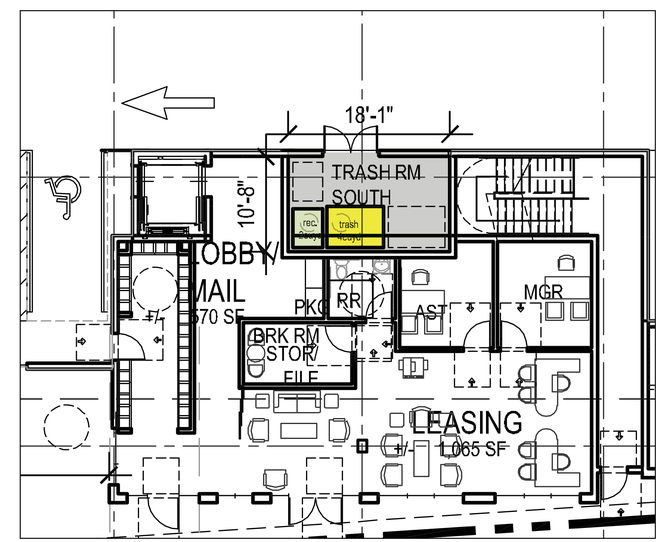
STAGING AREA FOR TRASH ROOM MIDDLE
AND TRASH ROOM SOUTH BINS



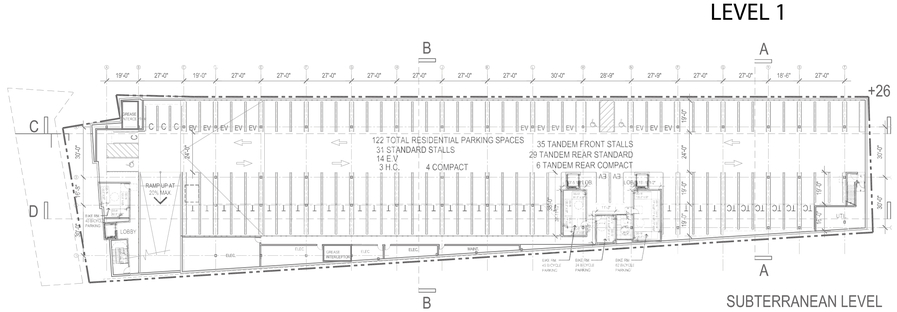
TRASH ROOM NORTH
LEVEL 1



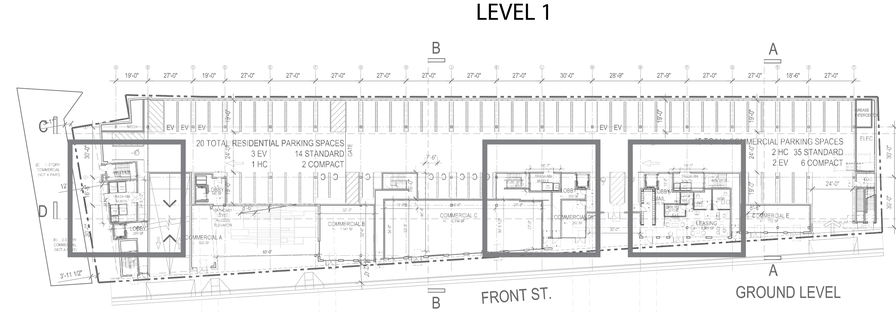
TRASH ROOM MIDDLE
LEVEL 1



TRASH ROOM SOUTH
LEVEL 1



SUBTERRANEAN LEVEL



FRONT ST. GROUND LEVEL

NOT TO SCALE @ 11x17
SCALE: 1/8" = 1'-0" @ 24x36

N 0' 8' 16' 24'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

TRASH EXHIBIT
10/18/19

SC RIVERFRONT

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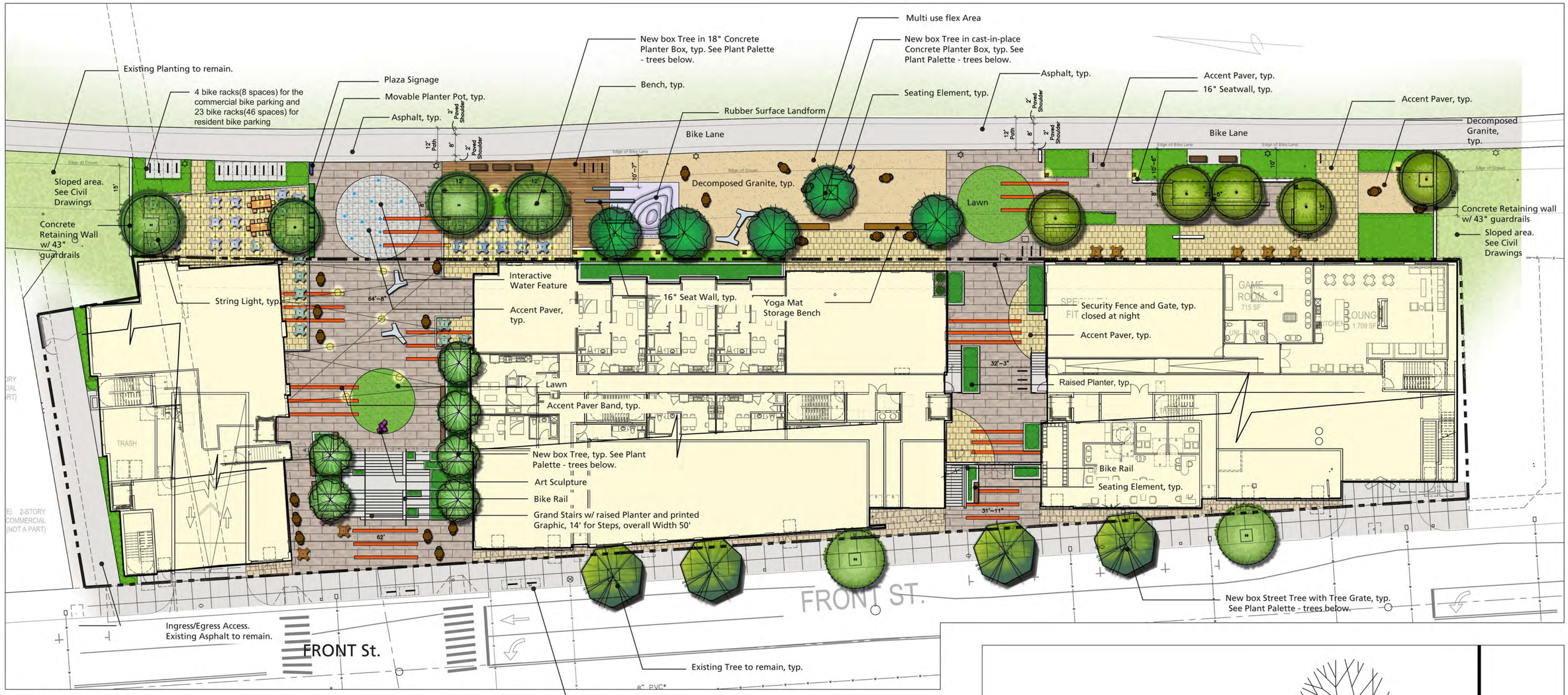

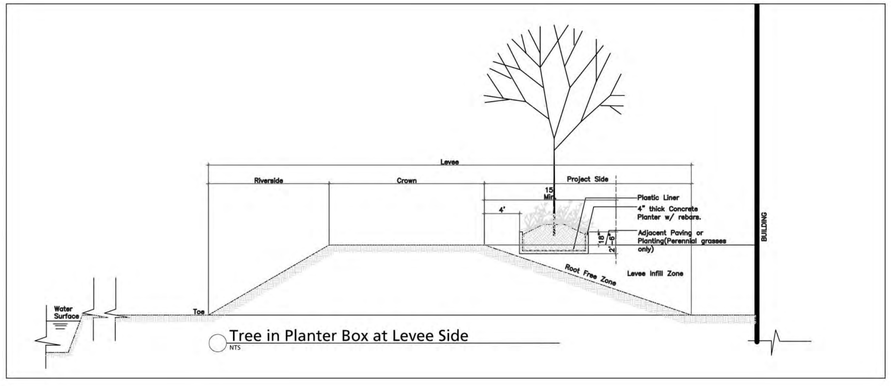

PLANT PALETTE - Trees

Latin Name	Common Name	Mature Width	Mature Height
Pistachia chinensis	Chinese Pistache	45	40
Platanus acerifolia 'Columbia'	London Plane	50	40
Quercus frainetto 'Forest Green'	Hungarian Oak	40	30
Quercus virginiana	Southern Live Oak	40	40
Ulmus parvifolia 'Drake'	Drake Chinese Elm	40	40

PLANT PALETTE - Shrubs and Grasses

SHRUBS					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS	WUCOLS
LC	5 Gal	Loropetalum chinense	Fringe Flower	60" O.C. Drought Tolerant	L
BG	5 Gal	Bouteloua gracilis 'blonde ambition'	Blue grama	24" O.C. Drought Tolerant	L
RC	5 Gal	Rhamnus c. 'Mound San Bruno'	Mound San Bruno Coffeeberry	60" O.C. Native/Drought Tolerant	VL
SL	5 Gal	Salvia clevelandii	Cleveland Sage	30" O.C. Native/Drought Tolerant	L
**If used as or noted on plans as groundcover					
PERENNIALS and GRASSES					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS	WUCOLS
AA	5 Gal	Artemisia abrotanum	Southernwood	24" O.C.	L
AB	5 Gal	Anigozanthos 'Big Red'	Red Kangaroo Paw	24" O.C.	L
FI	1 Gal	Festuca idahoensis 'Siskiyou Blue'	Idaho Fescue	18" O.C. Native/Drought Tolerant	VL
LO	1 Gal	Lomandra 'Lime Tuff'	Dwarf Rush Mat	24" O.C. Drought Tolerant	L
PB	5 Gal	Perovskia 'Blue Spire'	Russian Sage	24" O.C.	L
PH	1 Gal	Pennisetum 'Bunny Tail'	Fountain Grass	24" O.C. Drought Tolerant	L
SA	1 Gal	Sedum spectabile 'Autumn Joy'	Showy Stonecrop	24" O.C.	L
SC	1 Gal	Senecio cineraria	Dusty miller	12" O.C.	L
VB	1 Gal	Verbena bonariensis	Purple Top	24" O.C.	L
GROUNDCOVERS					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS	WUCOLS
ESC	1 Gal	Eschscholzia californica	California Poppy	18" O.C. Native/Drought Tolerant	VL
HEC	1 Gal	Heuchera 'Canyon Pink'	Canyon Pink Coral Bells	18" O.C.	M
SM	1 Gal	Senecio mandraliscae	Kleinia	24" O.C.	L
VINES					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS	WUCOLS
PA	5 Gal	Polygonum aubertii	Silver Lace Vine	Drought Tolerant	L
SCVURPPP APPROVED PLANT LIST FOR STROMWATER TREATMENT					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS	WUCOLS
AM	5 Gal	Arctostaphylos densiflora 'McMinn'	Manzanita	60" O.C. Native/Drought Tolerant	L
BP	1 Gal	Baccharis pilularis	Coyote Brush	36" O.C. Native/Drought Tolerant	L
CA	1 Gal	Calamagrostis acutifolia 'Stricta'	Feather Reed Grass	36" O.C.	L
CT	5 Gal	Chondropetalum tectorum	Small Cape Rush	30" O.C. Drought Tolerant	L
MU	1 Gal	Muhlenbergia rigens	Deer Grass	36" O.C. Native/Drought Tolerant	L
NP	1 Gal	Nassella pulchra	Purple Needlegrass	18" O.C. Drought Tolerant	VL
DL	5 Gal	Dietes 'Lemon Drops'	Fortnight Lily	30" O.C. Drought Tolerant	L
RL	5 Gal	Rhamnus californica 'Little Sur'	Little Sur Coffeeberry	36" O.C. Native/Drought Tolerant	L

SCALE: 1/16" = 1'-0"
0' 8' 16' 32'

L1

Sheet 1 of 1

RIVERFRONT APARTMENTS
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL LANDSCAPE PLAN

September 10, 2019

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
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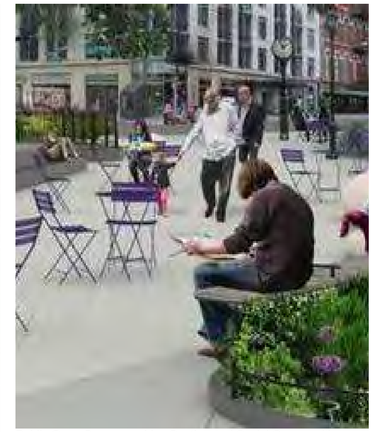
Edcational / Information Boards

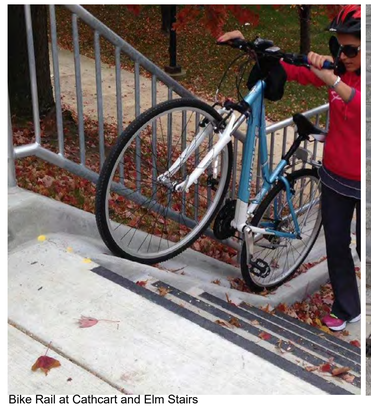
Outdoor Yoga Class

Interactive Xylophone


Public Open Space provides Seating and Social Opportunities

Grand Stairs with Raised Planters

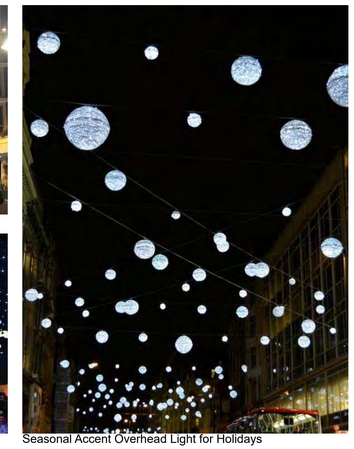
Sculptual Objects



Bike Rail at Cathcart and Elm Stairs

String Light and Outdoor Dining

Seasonal Accent Overhead Light for Special Events


Seasonal Accent Overhead Light for Holidays

Interactive Water Jets in Pavement

Interactive Water Jets in Pavement without Water

Farmer's Market Events

Food Truck Events

Embedded fun Element in Paving

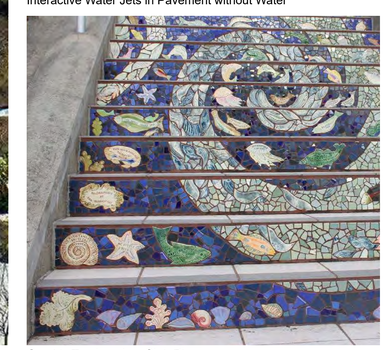
Example of Embedded Words in Paving

Interactive Talk-tube for Kids

Seat Wall Element

Historic Medallion Tells the Story

Linear Park w/ Seating Opportunities


Graphic Treatment on Stair Risers

L2

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL LANDSCAPE IMAGERY
04/11/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

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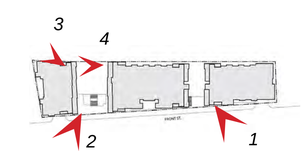
1. ELM STREET ENTRY
Stairs invite visitors to entry. Seatwall edges and accent planting / paving define entries.

2. CATHCART GRAND STAIRS
Terraced planter elements frame view to sculpture, drawing people to levee dinning and recreational opportunities.

3. CATHCART PLAZA AND LEVEE TRAIL
Interactive water jets in pavement, outdoor dining and seating elements enliven Cathcart Plaza at the Levee trail.

4. CATHCART PLAZA AND LEVEE TRAIL
Wide public walkways allow free pedestrian movement parallel to Levee trail connecting to mounded rubber seating area.



L3

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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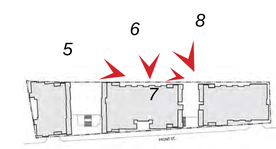
5. LEVEE TRAIL
Looking South with seatwalls, mounded rubber surface, xylophone and flexible active spaces.

6. RELATIONSHIP OF RESIDENTIAL UNITS TO PUBLIC OPEN SPACE
Buffer planting between residential units and multi use flex area allows views and privacy.

7. MULTI USE FLEX AREA WITH VARIED SEATING OPPORTUNITIES AND UMBRELLAS
Movable furniture and umbrellas provide seating and flexibility when no formal events are programmed.

8. ELM PLAZA
View shows rainbow xylophone and historic markers to help draw public. Sliding security gate is only closed at night.



L4

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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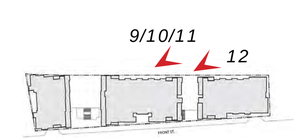
MULTI USE FLEX AREA EVENT SCHEMES

9. FOOD TRUCK EVENT VIEW
Multi use flex area shown being used for a food truck event.

10. DANCE CLASS EVENT VIEW
Multi use flex area shown being used for a dance class.

11. FARMER'S MARKET EVENT VIEW
Multi use flex area shown being used as farmer's market.

12. ELM PLAZA
12 foot wide, paved levee path with edge striping at the 8-foot width mark. Central lawn area modulated by paving stripes with fun words embedded enliven the Levee trial. Potential yoga class in background.



L5

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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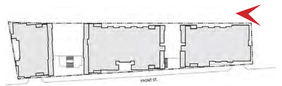
13. LINEAR PARK

Educational / information boards tell story of the River, wildlife or historical moments. Flexible furniture and seatwall provide many seating opportunities.

13



L6

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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RIVERFRONT PROJECT
412-508 FRONT STREET
SANTA CRUZ, CA 95060

SITE MAP
1"=40'

ABBREVIATIONS

AB	AGGREGATE BASE	LG	LIP OF GUTTER
AC	ASPHALT CONCRETE	LP	LOW POINT
ACC	ACCESSIBLE	MH	MANHOLE
ACP	ASBESTOS CEMENT PIPE	N	NORTH
AD	AREA DRAIN	(N)	NEW
ALT	ALTERNATIVE	NTS	NOT TO SCALE
BC	BACK OF CURB	OH	OVERHEAD (WIRES)
BFP	BACKFLOW PREVENTER	PB	PULL BOX
BLDG	BUILDING	PP	POWER POLE
BOT	BOTTOM	(P)	PROPOSED
BW	BOTTOM OF WALL/BACK OF WALK	P/L	PROPERTY LINE
CB	CATCH BASIN	PCC	PORTLAND CEMENT CONCRETE
CI	CURB INLET	P/SBC	POWER/SBC TRENCH
CLR	CLEAR (OD TO OD)	P.F.S.E.	PRIVATE FIRE SERVICE EASEMENT
C&G	CURB AND GUTTER	P.I.E.E.	PRIVATE INGRESS, EGRESS EASEMENT
℄,CL	CENTERLINE	P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
CLF	CHAIN LINK FENCE	P.S.S.E.	PRIVATE SANITARY SEWER EASEMENT
CO	CLEANOUT	P.U.E.	PUBLIC UTILITY EASEMENT
CONC	CONCRETE	PVC	POLYVINYL CHLORIDE PIPE
CONST	CONSTRUCTION	R	RIGHT/RADIUS
CR	CURB RETURN	RCP	REINFORCED CONCRETE PIPE
CW	CROSSWALK	RPA	REDUCED PRESSURE ASSEMBLY
DET/DTL	DETAIL	R/W	RIGHT-OF-WAY
DI	DROP INLET	RWD	REDWOOD
DIP	DUCTILE IRON PIPE	S	SLOPE/SOUTH
D/W	DRIVEWAY	SD	STORM DRAIN
DWG	DRAWING	SDMH	STORM DRAIN MANHOLE
E	EAST/ELECTRIC	SF	SQUARE FEET
(E),EX	EXISTING	SG	SUBGRADE
ELEC	ELECTRIC	SHT	SHEET
ELEV	ELEVATION	S/L	STREET LIGHT
EP	EDGE OF PAVEMENT	SLB	STREET LIGHT BOX
E.V.A.E.	EMERGENCY VEHICLE ACCESS EASEMENT	SLD	SEE LANDSCAPE DRAWINGS
FC	FACE OF CURB	SL	STREET LIGHT CONDUIT
FDC	FIRE DEPT CONNECTION	SS	SANITARY SEWER
FF	FINISH FLOOR	SSCO	SANITARY SEWER CLEANOUT
FG	FINISHED GRADE	SSMH	SANITARY SEWER MANHOLE
FH	FIRE HYDRANT	ST	STREET
FL	FLOWLINE	STD	STANDARD
FT	FEET	S/W	SIDEWALK
FW	FIRE WATER	T, TEL	TELEPHONE
G	GAS	TC	TOP OF CURB
GB	GRADE BREAK	TH	TOP OF HEADER
GR	GRATE	TRC	TOP OF ROLLED CURB
GRD	GROUND	TS	TOP OF STEP
GS	GARAGE SLAB	TSW	TOP OF SCREEN WALL
GYW	GUY WIRE	TW	TOP OF WALL
HP	HIGH POINT	TYP	TYPICAL
I.E.E.	INGRESS, EGRESS EASEMENT	UG	UNDERGROUND
INV	INVERT (ELEVATION)	VCP	VITRIFIED CLAY PIPE
IRR	IRRIGATION	W	WATER/WEST
JP	JOINT UTILITY POLE	WM	WATER METER
JT	JOINT UTILITY TRENCH	WV	WATER VALVE
LAT	LATERAL	XWALK	CROSSWALK
LF	LINEAL FEET		

CIVIL ENGINEER:

BKF ENGINEERS
1730 NORTH FIRST STREET
SUITE 600
SAN JOSE, CA 95112
TEL: (408) 467-9100
ATTN: MITCH BURLEY

OWNER/APPLICANT

OWEN LAWLOR
LAWLOR LAND USE
612 SPRING STREET
SANTA CRUZ, CA 95060
TEL: (831) 457-1331

GENERAL NOTES

1. TOPOGRAPHIC MAPPING WAS PERFORMED BY:
   BOWMAN & WILLIAMS
   1011 CEDAR STREET
   SANTA CRUZ, CA 95060
   SURVEY DATE: 4/04/2016
2. BENCHMARK: BM F4-1A ELEVATION 11.526 NGVD29. EASTSIDE FRONT STREET OPPOSITE METRO CENTER.
3. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALCULATED BEARING FROM THE FOUND 3/4" IRON PIPE AT THE NORTHEAST CORNER OF THE LANDS OF KELLEY ET UX, AND THE FOUND 3/4" IRON PIPE AT THE NORTHEAST CORNER OF THE LANDS OF ALFRED P. AND HAZEL ANKER, AS SHOWN ON SHEET 16 OF 19 OF THE MAP ENTITLED 'SAN LORENZO RIVER FLOOD CONTROL PROJECT', FILED IN VOLUME 42 OF MAPS AT PAGE 16, SANTA CRUZ COUNTY RECORDS, = N 3°57'57" W (208.42 FEET CALCULATED VS 208.41 AS FOUND)
4. CONTOUR INTERVAL IS ONE FOOT. ELEVATIONS AND DISTANCES SHOWN ARE IN DECIMAL FEET.

SHEET INDEX

C1.1	TITLE SHEET
C1.2	CONSTRUCTION NOTES
C2.1	EXISTING CONDITION PLAN
C3.1	DEMOLITION PLAN
C4.1	SITE PLAN
C5.1	GRADING PLAN
C5.2	SITE SECTIONS
C6.1	UTILITY PLAN
C7.1	STORM WATER CONTROL PLAN
C8.1-C8.2	EROSION CONTROL PLAN
C9.1	CONSTRUCTION DETAILS
C9.2	CITY STANDARD DETAILS

ENGINEER'S STATEMENT

THESE IMPROVEMENT PLANS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

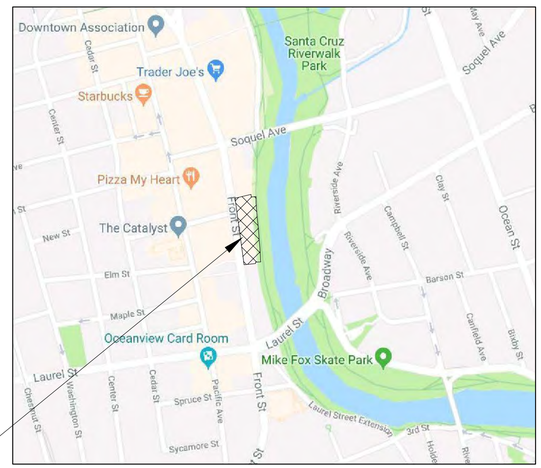
MITCHEL W. BURLEY
CIVIL ENGINEER

DATE

RCE NUMBER: 57874

EXPIRES: 6/30/20

REGISTERED PROFESSIONAL ENGINEER
MITCHEL W. BURLEY
No. 57874
Exp. 6-30-20
CIVIL
STATE OF CALIFORNIA



PROJECT LOCATION

VICINITY MAP
N.T.S.

BKF 100 YEARS
ENGINEERS . SURVEYORS . PLANNERS
1730 NORTH FIRST ST., SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
TITLE SHEET
SANTA CRUZ COUNTY CALIFORNIA

SANTA CRUZ

Revisions	No.

Date 05/20/19
Scale AS SHOWN
Design MWB
Drawn .
Approved .
Job No 20176131

Drawing Number:
C1.1
1 OF 13

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFC\VILPLANS01.dwg
PLOT DATE: 05-20-19 PLOTTED BY: BUR

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GENERAL NOTES

1. APPROVAL OF THESE PLANS DOES NOT RELIEVE THE CONTRACTOR/OWNER OF THE RESPONSIBILITY FOR THE CORRECTION OF MISTAKES, ERRORS OR OMISSIONS.

2. CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE STATE OF CALIFORNIA BEST MANAGEMENT PRACTICES HANDBOOK FOR APPLICABLE CONTROL MEASURES AND EMPLOY ITS PROVISIONS THROUGHOUT ALL CONSTRUCTION.

3. ALL CONTRACTORS WILL BE RESPONSIBLE FOR THE VERIFICATION OF LOCATIONS OF ALL EXISTING UTILITIES IN THE FIELD. ALL CONTRACTORS SHALL CALL U.S.A. (CA. 1-800-277-2600) 48 HOURS BEFORE DIGGING. EXCAVATION FOR UNDERGROUND FACILITIES SHALL NOT BE PERMITTED PRIOR TO CONTACTING UNDERGROUND SERVICE ALERT. UNDER NO CIRCUMSTANCES WILL EXCAVATION COMMENCE BEFORE BEING ISSUED AN IDENTIFICATION NUMBER FROM U.S.A. (SECTION 4210.1 OF THE GOVERNMENT CODE)

4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL PERMITS NECESSARY TO PERFORM THE IMPROVEMENTS IN THESE PLANS FROM THE APPROPRIATE AGENCIES AND TO COMPLY WITH THE AGENCIES' REQUIREMENTS. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL LAWS.

5. WHEN IT IS FOUND THAT FIELD CONDITIONS ARE NOT AS SHOWN ON THE PLANS, THE CONSULTING ENGINEER MUST MAKE REVISIONS AND/OR ADJUSTMENTS TO THE SATISFACTION OF THE CITY ENGINEER/OWNER PRIOR TO FURTHER CONSTRUCTION.

6. CONTRACTOR SHALL CAREFULLY PRESERVE THE SURROUNDING PROPERTY BY CONFINING OPERATION WITHIN THE LIMITS OF WORK AREA. ALL EXISTING UTILITIES AND IMPROVEMENTS THAT BECOME DAMAGED DURING CONSTRUCTION SHALL BE COMPLETELY RESTORED TO THE SATISFACTION OF THE CITY ENGINEER/OWNER AT THE SOLE EXPENSE OF THE CONTRACTOR.

7. ANY DISCHARGE (DURING CONSTRUCTION) OF GROUNDWATER INTO THE DOWNSTREAM STORM SYSTEM MUST BE UNCONTAMINATED. THE CONTRACTOR SHALL MAKE THIS DETERMINATION PRIOR TO ANY DISCHARGE. CONTRACTOR SHALL SECURE A DISCHARGE PERMIT FROM THE RWQCB PRIOR TO CONSTRUCTION.

8. CONSTRUCTION STOCKPILING AND STAGING PLANS SHALL BE SUBMITTED TO ENGINEER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

9. ALL STANDARD STREET MONUMENTS, LOT CORNER PIPES, AND OTHER PERMANENT MONUMENTS DISTURBED DURING THE PROCESS OF CONSTRUCTION SHALL BE REPLACED AT THE SOLE EXPENSE OF THE CONTRACTOR AND A RECORD OF SURVEY OR CORNER RECORD PER SECTION 8771 OF THE PROFESSIONAL LAND SURVEYORS ACT FILED BEFORE ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY.

10. CONTRACTOR SHALL KEEP UP-TO-DATE A COMPLETE RECORD SET OF PRINTS OF THE CONTRACT DRAWINGS SHOWING EVERY CHANGE FROM THE ORIGINAL DRAWINGS MADE DURING THE COURSE OF CONSTRUCTION INCLUDING EXACT LOCATION, SIZES, MATERIALS AND EQUIPMENT. A COMPLETE SET OF CORRECTED AND COMPLETED RECORD DRAWING PRINTS SHALL BE SUBMITTED TO THE ENGINEER PRIOR TO FINAL ACCEPTANCE FOR REVIEW AND APPROVAL BY THE ENGINEER.

11. PROVIDE ACCESS AT ALL TIMES TO ALL ABUTTING PROPERTIES, EXCEPT AS APPROVED BY THE INSPECTOR. 48 HOURS WRITTEN NOTICE MUST BE GIVEN TO THE AFFECTED PROPERTY OWNER(S) WHEN ACCESS IS AFFECTED. TRENCHES SHALL BE BACKFILLED AND PAVED (TEMPORARY CUTBACK ASPHALT) PRIOR TO LEAVING THE JOB SITE EACH WORKDAY. THE INSPECTOR MAY APPROVE STEEL PLATING AT HIS DISCRETION.

12. CONTRACTOR IS REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

13. ALL CONSTRUCTION MATERIALS, EQUIPMENT, AND DEBRIS ARE PROHIBITED FROM BEING STORED IN THE PUBLIC RIGHT OF WAY. LANE CLOSURES FOR PARKING, STORAGE OF MATERIALS AND/OR EQUIPMENT, OR STOCKPILING WILL NOT BE PERMITTED.

14. THE CONTRACTOR SHALL CONFORM TO THE RULES AND REGULATIONS OF THE CONSTRUCTION SAFETY ORDERS OF THE STATE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH PERTAINING TO EXCAVATION AND TRENCHES PER SECTION 306 OF THE STANDARD PROVISIONS.

15. AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL COMPLETION AND ACCEPTANCE OF THE WORK, THE CONTRACTOR SHALL PREVENT THE FORMATION OF AN AIRBORNE DUST NUISANCE PER SECTION 7-8 OF THE STATE STANDARD PROVISIONS. THE CONTRACTOR SHALL PERFORM SUCH TREATMENT WITHIN 2 HOURS AFTER NOTIFICATION BY THE CITY THAT AN AIRBORNE NUISANCE EXISTS.

16. SIDEWALK AND/OR WALKWAY AREAS TO REMAIN FREE AND CLEAR OF ANY OBSTRUCTIONS AND TO ALLOW FOR THE SAFE PASSAGE OF THE GENERAL PUBLIC. ANY CONSTRUCTION FENCING SHALL BE BEHIND THE PROPERTY LINE. ALL CONSTRUCTION-RELATED DEBRIS TO BE PLACED ON PRIVATE PROPERTY.

17. THE EVENT THAT HUMAN REMAINS AND/OR CULTURAL MATERIALS ARE FOUND, ALL PROJECT-RELATED CONSTRUCTION SHALL CEASE WITHIN A 100-FOOT RADIUS. THE CONTRACTOR SHALL, PURSUANT TO SECTION 7050.5 OF THE HEALTH AND SAFETY CODE, AND SECTION 5097.94 OF THE PUBLIC RESOURCES CODE OF THE STATE OF CALIFORNIA, NOTIFY THE SANTA CRUZ COUNTY CORONER IMMEDIATELY.

FIRE PREVENTION NOTES

1. THE ONSITE FIRE HYDRANT SHALL BE FLUSHED AND PLACED IN SERVICE PRIOR TO COMBUSTIBLE MATERIALS BEING BROUGHT ON SITE.

2. FIRE LINES SHALL BE INSTALLED AND MAINTAINED PRIOR TO COMBUSTIBLE MATERIALS BEING BROUGHT ON SITE.

3. FIRE LANES SHALL REMAIN CLEAR THROUGHOUT CONSTRUCTION.

SURFACE IMPROVEMENT NOTES

1. ALL PAVING SHALL CONFORM TO THE GEOTECHNICAL INVESTIGATION AND PAVEMENT DESIGN PREPARED BY ENGEO AND TO THE CITY STANDARD PLANS AND SPECIFICATIONS, AS APPLICABLE.

2. A DEEPENED CURB EXTENDING 3" MIN. BELOW PAVEMENT SUBGRADE SHALL BE INSTALLED AS A PART OF ALL NEW CURB/CURB & GUTTER, WHERE ADJACENT TO LANDSCAPED AREAS.

3. MANHOLES, WATER VALVE BOXES, CLEAN OUT FRAMES AND COVERS SHALL BE BROUGHT TO FINISHED GRADE BY THE CONTRACTOR AFTER PAVING IS COMPLETED.

4. GRADE BREAKS ON CURBS AND SIDEWALKS SHALL BE ROUNDED OFF (WHILE CONCRETE FINISHING WORK IS IN PROGRESS) DURING IN FORM WORK AND FINISHED SURFACING.

5. POSITIVE SURFACE GRADIENTS OF AT LEAST 2% MUST BE PROVIDED ADJACENT TO FOUNDATIONS IN ORDER TO DIRECT SURFACE WATER TOWARD COLLECTION AND DISCHARGE FACILITIES.

UTILITY NOTES

1. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY (OFF-SITE) SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SANTA CRUZ AND THE CITY OF SANTA CRUZ WATER DEPARTMENT STANDARD SPECIFICATIONS AND DETAILS, UNLESS OTHERWISE NOTED. ALL WORK ON PRIVATE PROPERTY (ON-SITE) SHALL BE DONE IN ACCORDANCE WITH THESE PLANS, NOTES AND DETAILS, AS OUTLINED HEREIN.

2. ACCURATE VERIFICATION AS TO SIZE, LOCATION, AND DEPTH OF EXISTING UNDERGROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE LOCATION AND DEPTHS OF EXISTING UNDERGROUND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE POSITIONS BASED UPON THE INFORMATION AVAILABLE TO THE ENGINEER. ANY ADDED COST TO THE CONTRACTOR AS A RESULT OF THE ACTUAL LOCATIONS OF EXISTING UTILITIES BEING DIFFERENT FROM THAT SHOWN ON THE PLANS SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED AND MERGED IN THE CONTRACT PRICES.

3. CONTRACTOR SHALL VERIFY ALL ELEVATIONS AND LOCATIONS OF EXISTING PIPES AND UTILITIES BEFORE EXCAVATION WORK OR MAKING CONNECTION.

4. THE NEW PIPELINE CROSSING THE EXISTING UTILITIES ARE SHOWN ACCORDING TO THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL VERIFY THAT TYPE, SIZE, LOCATION AND DEPTH OF ALL THE UTILITY CROSSINGS (BOTH MAINS AND LATERALS) ARE CORRECT AS SHOWN. NO GUARANTEE IS MADE THAT ALL EXISTING UTILITIES (BOTH MAINS AND LATERALS) ARE SHOWN. THE CONTRACTOR SHALL EXERCISE CAUTION WHEN EXCAVATING AND SHALL PROTECT ALL EXISTING UTILITIES (BOTH MAINS AND LATERALS) FROM DAMAGE DUE TO HIS OPERATION.

5. ALL UTILITY STRUCTURES INCLUDING BUT NOT LIMITED TO MANHOLES, CATCH BASINS, WATER VALVES, FIRE HYDRANTS, CABLE TV, TELEPHONE AND ELECTRIC VAULTS AND PULL BOXES ETC. THAT LIE WITHIN THE PUBLIC RIGHT OF WAY, EASEMENTS OR AREAS AFFECTED BY THE WORK ON THE PROJECT SHALL BE ADJUSTED TO GRADE BY THE CONTRACTOR OF THE RESPECTIVE UTILITY COMPANY FOR WHICH THE CONTRACTOR IS RESPONSIBLE TO COORDINATE.

6. UTILITY TRENCHING AND BACKFILL WORK SHALL COMPLY WITH THE RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT, PROJECT NO. 14071.000.000, PREPARED BY ENGEO INC., DATED JULY 24, 2017.

7. CONTRACTOR SHALL COORDINATE UTILITY INFORMATION SHOWN ON THE PLANS WITH INSTALLATION OF PG&E, CABLE, TELEPHONE AND/OR JOINT TRENCH LAYOUT AND DETAILS.

8. CONTRACTOR SHALL VERIFY ALL EXISTING INVERT ELEVATIONS FOR STORM DRAIN AND SANITARY SEWER CONSTRUCTION PRIOR TO COMMENCEMENT OF ANY WORK. ALL WORK FOR STORM AND SANITARY SEWER INSTALLATION SHALL BEGIN AT THE DOWNSTREAM CONNECTION POINT. THIS WILL ALLOW FOR ANY NECESSARY ADJUSTMENTS TO BE MADE PRIOR TO THE INSTALLATION OF THE ENTIRE LINE. IF THE CONTRACTOR FAILS TO BEGIN AT THE DOWNSTREAM CONNECTION POINT AND WORKS DOWNSTREAM, CONTRACTOR SHALL PROCEED AT CONTRACTOR'S OWN RISK AND BE RESPONSIBLE FOR ANY ADJUSTMENTS NECESSARY.

9. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND SERVICE LATERALS FROM DAMAGE DUE TO CONTRACTOR'S OPERATIONS. ANY AND ALL UTILITY LINES, SERVICES, STRUCTURES, ETC. THAT ARE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED TO THE SATISFACTION OF THE CITY ENGINEER, AT THE SOLE EXPENSE OF CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE AND REPAIRS TO THE SERVICE TRENCH AND PAVEMENT FOR A ONE-YEAR WARRANTY PERIOD AFTER ACCEPTANCE OF THE WORK BY THE CITY. ONE YEAR AFTER ACCEPTANCE, THE CITY WILL MAKE A FINAL INSPECTION. IF REPAIRS HAVE TO BE MADE, THE CONTRACTOR OR DEVELOPER WILL BE NOTIFIED TO MAKE REPAIRS.

10. JOINT TRENCH LINES AND APPURTENANCES ARE SHOWN FOR INFORMATION ONLY. CONTRACTOR SHALL REFERENCE OTHER PLANS FOR INSTALLATION OF THESE FACILITIES.

11. CONTRACTOR SHALL STENCIL ALL CATCH BASINS WITH THE NON-POINT-SOURCE "NO DUMPING" MESSAGE PER CITY OF SANTA CRUZ STANDARDS.

12. IN THE EVENT OF WET UNSTABLE TRENCH BOTTOM OR IF GROUND WATER IS ENCOUNTERED, DEWATERING WILL BE REQUIRED. CONTRACTOR SHALL CONTACT THE GEOTECHNICAL ENGINEER FOR DEWATERING RECOMMENDATIONS.

13. ON-SITE POLYVINYL CHLORIDE (PVC) SANITARY PIPE AND FITTINGS 4" AND LARGER SHALL CONFORM TO ASTM D3034 AND F-679, SDR 26 WITH BELL AND SPIGOT TYPE RUBBER-GASKETED JOINTS, AS MANUFACTURED BY JM EAGLE, OR APPROVED EQUAL. POLYVINYL CHLORIDE PIPE AND FITTINGS 3" AND SMALLER SHALL BE SOLVENT-WELD, SCHEDULE 80.

14. SANITARY SEWER CLEANOUT FRAMES AND COVERS SHALL BE BE CHRISTY, MODEL G5, OR APPROVED EQUAL.

15. THE INSTALLED PIPE SHALL BE TESTED WITH LOW PRESSURE AIR IN ACCORDANCE WITH ASTM C828. WYES SHALL BE PLUGGED DURING THE TEST. IF THE PIPE FAILS THE AIR TEST, THE CONTRACTOR SHALL LOCATE THE SOURCE(S) OF THE LEAK AND REPAIR THE DEFECT(S) OR RELAY THE PIPE, AS NECESSARY. THE PIPE SHALL THEN BE RETESTED UNTIL A SATISFACTORY RESULT IS OBTAINED. ANY LEAKS DEVELOPED BEFORE THE END OF A 1-YEAR GUARANTEE PERIOD SHALL BE EXPEDITIOUSLY REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.

16. OFF-SITE (PUBLIC) STORM SEWER PIPE SHALL BE RCP. REINFORCED CONCRETE (RCP) STORM PIPE SHALL BE CLASS IV, MINIMUM WALL THICKNESS "B", CONFORMING TO ASTM C76 AND SHALL HAVE RUBBER-GASKETED JOINTS CONFORMING TO ASTM C361 AND C443.

17. ON-SITE (PRIVATE) STORM SEWER PIPE SHALL BE PVC OR RCP. PVC STORM SEWER PIPE & FITTINGS SHALL BE ASTM D-3034 SDR 35 "RING-TITE" PVC GRAVITY SEWER PIPE AS MANUFACTURED BY JM EAGLE OR APPROVED EQUAL. RCP STORM PIPE SHALL BE CLASS IV, MINIMUM WALL THICKNESS "B", CONFORMING TO ASTM C76 AND SHALL HAVE RUBBER-GASKETED JOINTS CONFORMING TO ASTM C361 AND C443.

18. ALL MANHOLES SHALL CONFORM TO CITY OF SANTA CRUZ STANDARD DETAILS.

19. ON-SITE (PRIVATE) STORM DRAIN INLETS SHALL BE U.S. CONCRETE OR APPROVED EQUAL, WITH FIELD POURED BASE. INSTALL GALVANIZED, TRAFFIC RATED FRAME AND GRATE WHERE SUBJECT TO VEHICULAR TRAFFIC.

20. AREA DRAINS IN LANDSCAPE AREAS SHALL BE DURA-DRAIN "P" SERIES AS MANUFACTURED BY KRISTAR ENTERPRISES, ADS LOW PROFILE AS MANUFACTURERED BY ADS PIPE OR APPROVED EQUAL. AREA DRAINS IN HARDSCAPE AREAS SHALL BE ZURN, MODEL ZN-513, OR APPROVED EQUAL

NOTE TO CONTRACTOR:

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT TO BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.

UTILITY NOTES CONT.

20. ALL WATER MAINS IN THE CITY RIGHT-OF-WAY SHALL BE PER THE CITY OF SANTA CRUZ WATER DEPARTMENT (SCWD) STANDARDS.

A. ON PROVIDER SIDE OF METER:
LARGE SIZE SERVICE AND DISTRIBUTION PIPES: 4" THROUGH 24": PER SCWD STANDARDS

SMALL SIZE SERVICE PIPES: 3/4" THROUGH 3": PER SCWD STANDARDS

B. ON CONSUMER SIDE OF METER:
SMALL SIZE SERVICE PIPES: 3/4" THROUGH 3": COPPER PIPE OR PVC

21. ON-SITE PIPE:
A. LARGE SIZE SERVICE AND DISTRIBUTION PIPES: (4" THROUGH 24"):
DIP: PIPE: ANSI/AWWA C151/A21.51, THICKNESS, CLASS 50 MIN.
FITTINGS: COMPACT: AWWA C153.
PIPE AND FITTING LINING: CEMENT MORTAR, AWWA C104.
PIPE AND FITTING COATING: ASPHALTIC COATING, AWWA C151
UNRESTRAINED JOINTS: MECHANICAL JOINT: AWWA C111.

PVC: PIPE: AWWA C900
FITTINGS: DUCTIE IRON, SEE ABOVE.
UNRESTRAINED JOINTS: PUSH-ON BELL AND SPIGOT; AWWA C900

B. SMALL SIZE SERVICE PIPES: (3/4" THROUGH 3"):

COPPER: PIPE & AND FITTINGS: ASTM B88, TYPE K, SEAMLESS WATER TUBE, ANNEALED.
JOINTS: RESTRAIN BY COUPLINGS.

PVC: PIPE & FITTINGS: ASTM D1785, SCHEDULE 80. RESTRAIN WITH SOLVENT CEMENT. DO NOT USE THREADED PIPE.

SOLVENT CEMENT: ASTM D2564.

22. THE CONTRACTOR/OWNER SHALL VIDEO THE EXISTING 48" STORM DRAIN MAIN THREE TIMES: PRE-CONSTRUCTION; POST-CONSTRUCTION OF THE BUILDING FOUNDATION; AND POST-CONSTRUCTION OF THE PROJECT.

GRADING AND PAVING

1. ALL GRADING AND PAVING WORK SHALL COMPLY WITH THE RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT, PROJECT NO. 252341, PREPARED BY TRC SOLUTIONS, DATED MARCH 22, 2016. ALL GRADING WORK SHALL BE OBSERVED AND APPROVED BY THE SOIL ENGINEER. THE SOIL ENGINEER, SHALL BE NOTIFIED AT LEAST 48 HOURS BEFORE BEGINNING ANY GRADING OPERATIONS. UNOBSERVED AND UNAPPROVED GRADING WORK SHALL BE REMOVED AND REPLACED UNDER OBSERVATION.

2. PAVEMENT EXCAVATION IN THE PUBLIC RIGHT OF WAY SHALL INCLUDE REMOVAL AND DISPOSAL OF EXISTING A.C. PAVEMENT AND PCC CURB REQUIRED FOR THE CONSTRUCTION OF NEW SURFACE IMPROVEMENTS. THE CONTRACTOR SHALL SAW-CUT EXISTING PAVEMENT AT LOCATIONS AS SHOWN ON THE PLANS PRIOR TO REMOVAL OF EXISTING PAVEMENT. ALL EXCAVATED MATERIALS SHALL BE REMOVED FROM THE PROJECT SITE AND DISPOSED OF IN AN AREA PROVIDED BY THE CONTRACTOR.

3. CONTRACTOR SHALL GRADE TO THE LINE AND ELEVATIONS SHOWN ON THE PLANS WITHIN THE FOLLOWING HORIZONTAL AND VERTICAL TOLERANCES AS INDICATED.

HORIZONTAL	VERTICAL
+0.1' TO −0.1'	0.1'

4. AGGREGATE BASE SHALL CONFORM TO CLASS 2 AGGREGATE BASE, 1-1/2" MAXIMUM, PER SECTION 26 OF THE STATE STANDARD SPECIFICATIONS, AND SHALL HAVE A MINIMUM COMPACTION OF 95% RELATIVE, UNLESS OTHERWISE NOTED. NON-CRYSTALLIZING TYPE WEED KILLER SHALL BE SPREAD OVER THE AGGREGATE BASE IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

5. ASPHALT CONCRETE SHALL CONFORM TO TYPE B, 3/4" MAXIMUM, MEDIUM GRADING, PER SECTION 39 OF THE STATE STANDARD SPECIFICATIONS, UNLESS OTHERWISE NOTED.

6. PRIME COAT OF SC-70 LIQUID ASPHALT CONFORMING TO THE PROVISIONS OF SECTION 37 OF THE STATE STANDARD SPECIFICATIONS SHALL BE APPLIED AT THE RATE OF 0.15± TO .0.25± GALLONS PER SQUARE YARD TO THE SURFACE OF AGGREGATE BASE PRIOR TO PLACEMENT OF NEW ASPHALT CONCRETE.

7. TACK COAT SS-1 ASPHALTIC EMULSION CONFORMING TO SECTIONS 37 AND 94 OF THE STATE STANDARD SPECIFICATIONS SHALL BE APPLIED AT THE RATE OF 0.05± TO 0.10± GALLONS PER SQUARE YARD TO EXISTING ASPHALT CONCRETE SURFACES AND VERTICAL SURFACES PRIOR TO PLACEMENT OF NEW ASPHALT CONCRETE.

8. FOG SEAL COAT OF ASPHALTIC EMULSION AND WATER CONFORMING TO SECTIONS 37 AND 94 OF THE STATE STANDARD SPECIFICATIONS SHALL BE APPLIED TO FINISH PAVING WHEN COMPLETE AND PRIOR TO STRIPING.

9. PORTLAND CEMENT CONCRETE SHALL CONFORM TO CLASS B, WITH A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI.

10. GRADE BREAKS ON ASPHALT CONCRETE AND PORTLAND CEMENT CONCRETE SHALL BE ROUNDED OFF DURING FORM WORK AND/OR FINISHED SURFACING TO THE SATISFACTION OF THE OWNER/ENGINEER.

11. CURB AND GUTTER SUBGRADE TOP 6 INCHES SHALL BE COMPACTED TO A MINIMUM 95% RELATIVE COMPACTION.

12. REFER TO LANDSCAPE PLANS FOR ARCHITECTURAL TREATMENT OF PORTLAND CEMENT CONCRETE. ALL PCC PAVEMENT SECTION THICKNESS SHOWN SHALL BE BASED ON NET THICKNESS WHICH EXCLUDES INDENTATION FOR ARCHITECTURAL PURPOSES.

13. CONTRACTOR SHALL ADJUST ALL INLETS, VALVE BOXES, MONITORING WELLS AND OTHER UTILITY STRUCTURES WHICH ARE TO REMAIN TO THE NEW FINISH GRADE.

SUBSURFACE NOTES

1. STRUCTURAL FILL SHALL BE COMPACTED TO THE
2. RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT.

3. ON-SITE TRENCH BACKFILL SHALL BE COMPACTED TO THE RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT.

REGISTERED PROFESSIONAL ENGINEER
MITCHEL W. BURLEY
No. 57874
Exp. 6-30-20
CIVIL
STATE OF CALIFORNIA

NOTIFICATION

1. IF ANY DAMAGE OCCURS TO AN UNDERGROUND FACILITY THAT RESULTS IN THE ESCAPE OF ANY FLAMMABLE, TOXIC OR CORROSIVE GAS OR LIQUID OR ENDANGERS LIFE, HEALTH, OR PROPERTY, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE UTILITY OWNER AND CALL THE 911 EMERGENCY TELEPHONE NUMBER TO NOTIFY LOCAL PUBLIC SAFETY OFFICIALS.

2. THE CONTRACTOR SHALL PROVIDE THE NAME AND TELEPHONE NUMBER OF THE AUTHORIZED REPRESENTATIVE (SUPERINTENDENT) OF THE WORK TO THE CITY IN WRITING PRIOR TO THE START OF WORK.

3. CONTRACTOR SHALL REFERENCE CITY STANDARD PLANS AND SPECIFICATIONS FOR ALL WORK IN THE PUBLIC RIGHT-OF-WAY, UNLESS OTHERWISE NOTED.

CITY OF SANTA CRUZ WATER DEPARTMENT

STANDARD CONSTRUCTION NOTES

1. ALL WORK ON THE WATER SYSTEM SHALL BE IN CONFORMANCE WITH THE CITY OF SANTA CRUZ WATER SYSTEM STANDARD SPECIFICATIONS AND DETAILS DECEMBER 2009 REVISION.

2. THE CONTRACTOR SHALL SUBMIT AT LEAST 2 COPIES OF THE PROJECT SCHEDULE AND SUBMITTALS FOR ALL MATERIALS THAT WILL BECOME THE PROPERTY OF SCWD. DELIVER TO THE PROJECT ENGINEER PRIOR TO START OF CONSTRUCTION AND WITH SUFFICIENT TIME TO VERIFY COMPLIANCE: 212 LOCUST STREET, SUITE C SANTA CRUZ, CA 95060.

3. THE CONTRACTOR SHALL SUBMIT THE CONTACT INFORMATION FOR AND IF REQUIRED, PROVIDE THE QUALIFICATIONS OF AN INDEPENDENT GEOTECHNICAL ENGINEERING FIRM QUALIFIED TO CONDUCT COMPACTION TESTING. THE MINIMUM COMPACTION TEST FREQUENCY SHALL BE ONCE EVERY 50 LINEAL FEET IN EACH BACKFILL TYPE, EXCEPT CLSM. ALL COSTS ASSOCIATED WITH SUCH TESTING AND POSSIBLE RETESTING OF FAILED AREAS OR AREAS THAT HAVE BEEN RE-EXCAVATED SUBSEQUENT TO INITIAL TESTING, SHALL BE BORNE BY THE CONTRACTOR. DOCUMENTATION OF TEST RESULTS SHALL BE SUBMITTED TO INSPECTOR WITHIN 24 HOURS OF TESTING.

4. A MINIMUM OF TWO WORKING DAYS ADVANCED NOTICE SHALL BE GIVEN TO THE CITY OF SANTA CRUZ WATER DEPARTMENT (SCWD) BEFORE CONSTRUCTION ON ANY PORTION OF THE WATER SYSTEM. A MINIMUM OF TWO WORKING DAYS WRITTEN NOTICE SHALL BE GIVEN TO ALL CUSTOMERS IN THE AREA OF CONSTRUCTION PRIOR TO COMMENCEMENT OF WORK. NOTIFICATION DOOR HANGERS WILL BE PROVIDED BY SCWD TO BE DISTRIBUTED BY THE CONTRACTOR.

5. A MINIMUM OF THREE WORKING DAYS ADVANCED NOTICE SHALL BE GIVEN TO THE SCWD IN ORDER TO SCHEDULE A SHUT DOWN OF THE SYSTEM. VALVES CONNECTED TO THE EXISTING SYSTEM SHALL BE OPERATED BY SCWD PERSONNEL ONLY. CONTRACTOR SHALL PRE-DIG SYSTEM CONNECTION LOCATIONS SUFFICIENTLY IN ADVANCE OF SCHEDULED SHUTDOWN TO VERIFY EXISTING CONDITIONS AND OBTAIN EXACT MATERIALS NEEDED TO COMPLETE THE CONNECTION IN ORDER TO REDUCE THE POSSIBILITY OF A PROLONGED OR FALSE SHUTDOWN. SCWD SHALL NOT BE HELD RESPONSIBLE FOR CONSTRUCTION DELAYS DUE TO INABILITY TO OBTAIN A COMPLETE SHUTDOWN.

6. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY EQUIPMENT FOR PRESSURE AND LEAKAGE TESTING. SCWD WILL PROVIDE MATERIAL AND EQUIPMENT AND PERFORM THE INITIAL DISINFECTION AND WATER QUALITY TESTING OF THE PIPELINE. MAINLINE CHLORINATION MUST BE SCHEDULED FOR A MONDAY OR TUESDAY MORNING DUE TO LABORATORY TESTING CONSTRAINTS.

7. A SERVICE TO BE "RENEWED" SHALL CONSIST OF INSTALLING NEW COPPER SERVICE PIPE FROM THE NEW MAIN TO THE METER. A SERVICE TO BE "RECONNECTED" SHALL CONSIST OF CONNECTING NEW COPPER SERVICE PIPE FROM THE NEW MAIN TO THE EXISTING SERVICE LINE. UNDER NO CIRCUMSTANCE SHALL COPPER SERVICES BE CRIMPED AS A METHOD OF RECONNECTION.

8. NO EXISTING SERVICES SHALL BE RECONNECTED UNTIL THE NEW MAIN HAS BEEN FLUSHED, HYDROSTATICALLY TESTED, DISINFECTED, HAS PASSED ALL WATER QUALITY TESTING, AND HAS BEEN TIED INTO THE SYSTEM.

9. ALL VALVES AND FITTINGS (EXCEPT TRANSITION COUPLINGS AT SYSTEM CONNECTIONS) SHALL HAVE RESTRAINTS INCORPORATED INTO THE JOINTS AND FOR ALL OTHER JOINTS WITHIN A DISTANCE OF SUCH FITTING AS DEFINED BY STANDARD DETAIL #18.

10. MINIMUM SEPARATION FROM OTHER PARALLEL AND CROSSING UTILITIES SHALL BE MAINTAINED PER CALIFORNIA CODE OF REGULATIONS. IF CONDITIONS REQUIRE CONSTRUCTION AT CLEARANCES LESS THAN THOSE PRESCRIBED BY CALIFORNIA CODE, APPROVAL FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH SHALL BE OBTAINED PRIOR TO PROCEEDING.

11. CONTRACTOR SHALL EXPOSE THE CORPORATION STOPS AND PROVIDE A MINIMUM OF TWO WORKING DAYS NOTICE TO SCWD TO SCHEDULE SHUTOFF AND INSPECTION OF EXISTING SERVICE LINES TO BE RETIRED ON A MAIN TO REMAIN IN SERVICE. CONTRACTOR SHALL REMOVE METER BOXES AND RESTORE SIDEWALK AND PAVING. SERVICE LINES SHALL NOT BE CRIMPED AS A METHOD OF RETIREMENT.

12. EXISTING VALVES TO BE RETIRED MUST HAVE OPEN/CLOSE STATUS BE CONFIRMED BY SCWD PRIOR TO THE VALVE BOX REMOVAL, THE HOLE BACKFILLED WITH SLURRY-CEMENT OR CONCRETE, AND PAVEMENT TO MATCH EXISTING.

13. EXACT FIRE HYDRANT LOCATIONS MUST BE APPROVED BY THE APPLICABLE FIRE DEPARTMENT, PUBLIC WORKS DEPARTMENT, AND SCWD PRIOR TO INSTALLATION.

14. UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND EXISTING UTILITIES AND UNDERGROUND STRUCTURES MAY NOT BE SHOWN. LOCATION OF EXISTING UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE VERIFIED PRIOR TO THE SAWCUT AND EXCAVATION FOR INSTALLATION OF THE NEW FACILITY TO CONFIRM CONSTRUCTABILITY IN THE PROPOSED ALIGNMENT. IF DURING THE COURSE OF WORK, THE CONTRACTOR ENCOUNTERS ANY EXISTING UTILITIES OR OTHER CONFLICTING STRUCTURES THAT FORCE THE REALIGNMENT OF THE NEW PIPELINE AT A DIFFERENT GRADE, OR REQUIRE OTHER MINOR ALTERATIONS, SUCH RELAYING OR MINOR ALTERATIONS WILL BE MADE AT NO ADDITIONAL EXPENSE TO THE CITY. CALL UNDERGROUND SERVICE ALERT AT LEAST TWO WORKING DAYS BEFORE DIGGING AT 811/ (800) 227-2600. ALWAYS CONFIRM STATUS AND SAFETY OF SUSPECTED ABANDONED FACILITIES PRIOR TO REMOVAL.

15. SHOULD ANY UTILITY OR PROPERTY BE DAMAGED BY THE OPERATIONS OF THE CONTRACTOR, IMMEDIATELY NOTIFY THE OWNER AND THE WATER DEPARTMENT. ANY NON-PRESSURIZED SEWER OR DRAINAGE PIPELINES OR ABANDONED FACILITIES ARE NOT REQUIRED TO BE MARKED. DAMAGE TO NON-PRESSURIZED SEWER OR DRAINAGE PIPELINES DURING THE COURSE OF WORK IS SOLELY THE RESPONSIBILITY OF THE CONTRACTOR.

16. THE CONTRACTOR SHALL KEEP THE CONSTRUCTION SITE IN A NEAT AND CLEAN CONDITION AT ALL TIMES. ALL TRASH AND EXCESS EXCAVATED MATERIAL SHALL BE REMOVED FROM THE SITE AS NEEDED AND AT THE END OF EACH WORK DAY. STREET AREAS SHALL BE SWEPT AS NEEDED AND AT THE END OF EACH WORK DAY. IF DUST PROBLEMS SHOULD OCCUR, DUST CONTROL SHALL BE PROVIDED BY THE CONTRACTOR AT CONTRACTOR'S EXPENSE AND TO THE SATISFACTION OF THE SCWD AND OTHER REGULATORY AGENCIES.

17. CONTRACTOR SHALL KEEP ON SITE AND READY AT ALL TIMES DURING CONSTRUCTION ALL EQUIPMENT AND MATERIALS NEEDED TO BE IMPLEMENTED TO ENSURE THE PROTECTION OF ALL SURFACE WATER BODIES AND SEWER AND STORM DRAIN SYSTEMS FROM RUNOFF WHICH MAY BE CONTAMINATED BY SEDIMENT, SAWCUT SLURRY OR OTHER POLLUTION IN THE EVENT OF EMERGENCY WATER FACILITY BREAKAGE, TRENCH DEWATERING ACTIVITY, OR WET WEATHER EVENT THAT MAY ERODE STOCKPILES OR EXPOSED SOIL AREAS.

18. APPROVAL BY THE CITY OF SANTA CRUZ WATER DEPARTMENT FOR THE FIRE SERVICE INSTALLATION SHALL ONLY BE FOR THE SERVICE LINE LOCATION AND THE CONNECTION TO THE CITY WATER SYSTEM. THE FIRE SERVICE SIZE AND DESIGN APPROVAL ARE THE RESPONSIBILITY OF THE LOCAL FIRE PROTECTION AGENCY.

19. CONTRACTOR SHALL COMPLY WITH ALL CURRENT FEDERAL, STATE AND LOCAL LAWS, STANDARDS, AND REGULATORY AGENCY REQUIREMENTS CONCERNING THE HANDLING OF ASBESTOS CONTAINING MATERIALS. CONTRACTOR SHALL SUBMIT A COPY OF ALL RELAVANT CAL/OSHA DOCUMENTATION, AND DOCUMENTED WORKER TRAINING TO CITY PRIOR TO HANDLING ANY ASBESTOS CONTAINING MATERIALS. ASBESTOS DISTURBANCE AND/OR REMOVAL ACTIVITIES SHALL BE CONDUCTED BY PROPERLY TRAINED, ACCREDITED, AND LICENSED PERSONNEL USING PROPER PROTECTIVE EQUIPMENT. TRANSITE PIPE SHALL BE CUT ONLY WITH A SNAP TYPE CUTTER IN A POSTED REGULATED AREA AND NEVER WITH AN ABRASIVE SAW. FIELD CUT TRANSITE PIPE ENDS SHALL NOT BE RE-BEVELED. REMOVE ALL DISTURBED ASBESTOS CONTAINING MATERIALS AS INTACT AS POSSIBLE AND IMMEDIATELY SEAL IN LEAK-TIGHT SIX MIL THICK POLY WRAP WITH PROPER LABELING. CONTRACTOR SHALL SUBMIT A COPY OF THE NON-HAZARDOUS WASTE MANIFEST TO CITY TO DOCUMENT PROPER DISPOSAL.

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RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
CONSTRUCTION NOTES
SANTA CRUZ — SANTA CRUZ COUNTY — CALIFORNIA

Date 05/20/19	No.	Revisions
Scale		
Design MWB		
Drawn .		
Approved .		
Job No 20176131		

Drawing Number: C1.2

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFCIVILPLANS01.dwg
PLOT DATE: 05-20-19 PLOTTED BY: BUR

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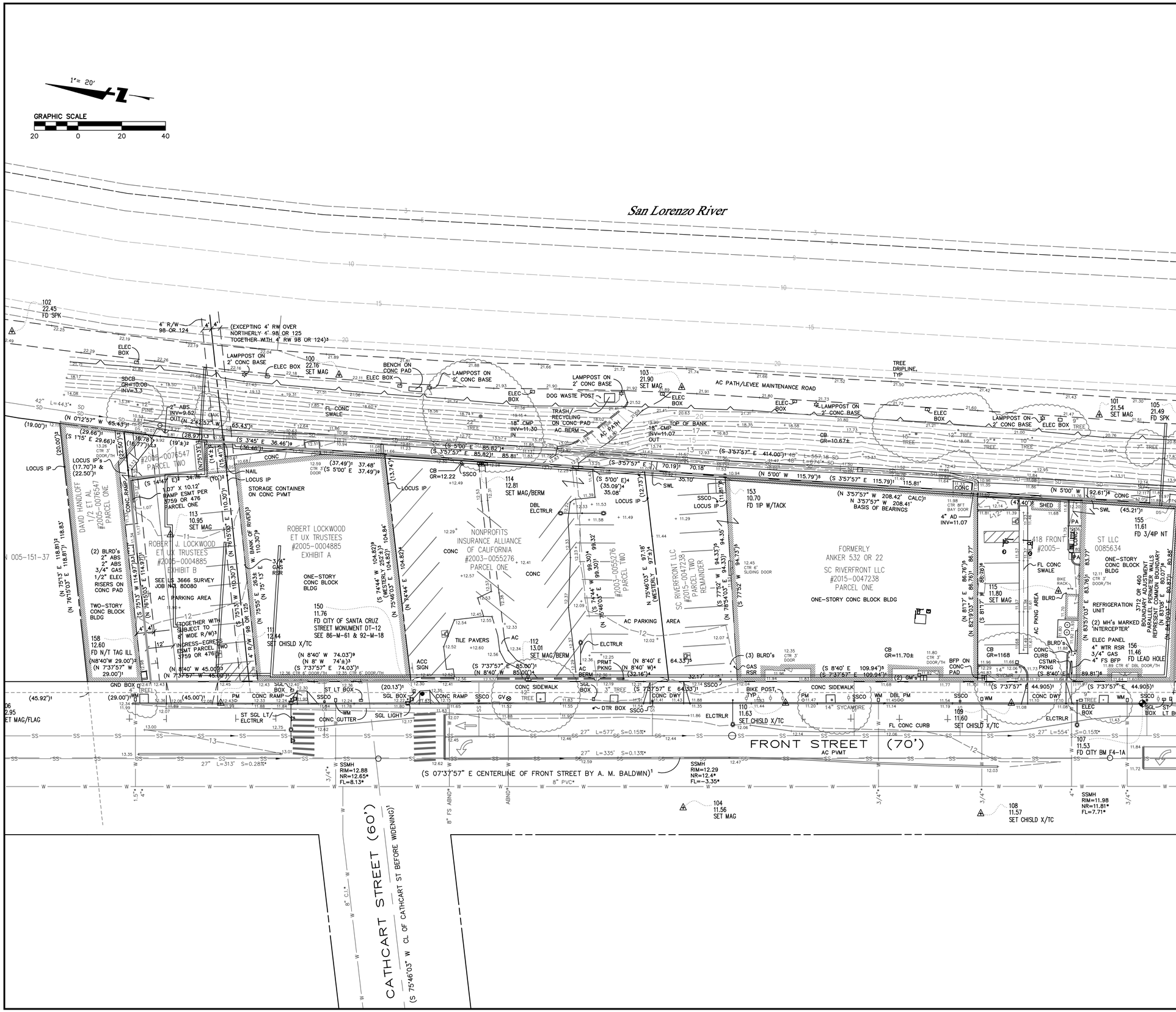

LEGEND

PROPERTY LINE	
(E) WOOD FENCE	X X
EXISTING EASEMENT	
EXISTING ELECTRICAL LINE	E
EXISTING GAS LINE	G
EXISTING STORM DRAIN	SD
EXISTING SANITARY SEWER	SS
EXISTING DOMESTIC WATER	W
EXISTING JOINT TRENCH	JT
EXISTING STORM DRAIN MANHOLE	
EXISTING JOINT TRENCH	
EXISTING STORM DRAIN JUNCTION BOX	
FIRE HYDRANT	
GUY ANCHOR	
JOINT POLE	
SIGN	
SPOT ELEVATION	+46.21
TREE AS NOTED	
VALVE AS NOTED	
CONTOUR LINE	46.21

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RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
EXISTING CONDITION PLAN

SANTA CRUZ COUNTY, CALIFORNIA

SANTA CRUZ

Revisions

No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
Drawn
Approved
Job No 20176131

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BAILEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
C2.1

3 OF 13

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PLOT DATE: 05-20-19 PLOTTED BY: BUR

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DEMOLITION KEY NOTES

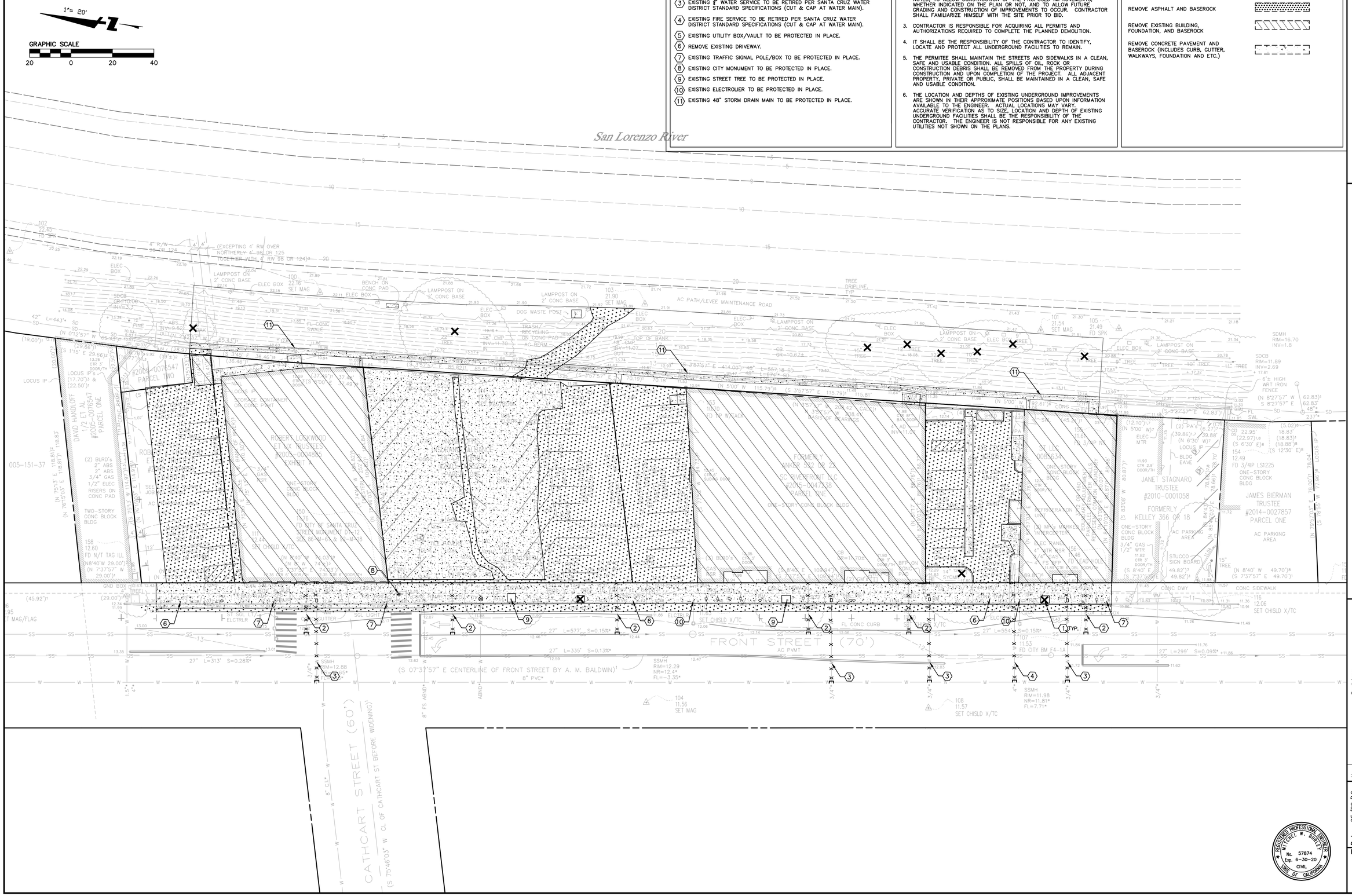
1. EXISTING TREE TO BE REMOVED, SEE LANDSCAPE PLANS.
2. EXISTING SANITARY SEWER LINE TO BE REMOVED. CAP LINE AS SHOWN PER SANTA CRUZ STANDARDS.
3. EXISTING 2" WATER SERVICE TO BE RETIRED PER SANTA CRUZ WATER DISTRICT STANDARD SPECIFICATIONS (CUT & CAP AT WATER MAIN).
4. EXISTING FIRE SERVICE TO BE RETIRED PER SANTA CRUZ WATER DISTRICT STANDARD SPECIFICATIONS (CUT & CAP AT WATER MAIN).
5. EXISTING UTILITY BOX/VAULT TO BE PROTECTED IN PLACE.
6. REMOVE EXISTING DRIVEWAY.
7. EXISTING TRAFFIC SIGNAL POLE/BOX TO BE PROTECTED IN PLACE.
8. EXISTING CITY MONUMENT TO BE PROTECTED IN PLACE.
9. EXISTING STREET TREE TO BE PROTECTED IN PLACE.
10. EXISTING ELECTROLIER TO BE PROTECTED IN PLACE.
11. EXISTING 48" STORM DRAIN MAIN TO BE PROTECTED IN PLACE.

GENERAL NOTES

1. COORDINATE REMOVALS WITH PROPOSED BUILDING AND UTILITY PLANS.
2. ITEMS SHOWN TO BE REMOVED ARE INDICATED PER BEST INFORMATION AVAILABLE TO THE ENGINEER. IT IS THE INTENTION OF THESE PLANS TO REMOVE ALL EXISTING UTILITIES AND IMPROVEMENTS, UNLESS OTHERWISE NOTED, TO ALLOW CONSTRUCTION OF THE PROPOSED IMPROVEMENTS, WHETHER INDICATED ON THE PLAN OR NOT, AND TO ALLOW FUTURE GRADING AND CONSTRUCTION OF IMPROVEMENTS TO OCCUR. CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SITE PRIOR TO BID.
3. CONTRACTOR IS RESPONSIBLE FOR ACQUIRING ALL PERMITS AND AUTHORIZATIONS REQUIRED TO COMPLETE THE PLANNED DEMOLITION.
4. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IDENTIFY, LOCATE AND PROTECT ALL UNDERGROUND FACILITIES TO REMAIN.
5. THE PERMITEE SHALL MAINTAIN THE STREETS AND SIDEWALKS IN A CLEAN, SAFE AND USABLE CONDITION. ALL SPILLS OF OIL, ROCK OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PROPERTY DURING CONSTRUCTION AND UPON COMPLETION OF THE PROJECT. ALL ADJACENT PROPERTY, PRIVATE OR PUBLIC, SHALL BE MAINTAINED IN A CLEAN, SAFE AND USABLE CONDITION.
6. THE LOCATION AND DEPTHS OF EXISTING UNDERGROUND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE POSITIONS BASED UPON INFORMATION AVAILABLE TO THE ENGINEER. ACTUAL LOCATIONS MAY VARY. ACCURATE VERIFICATION AS TO SIZE, LOCATION AND DEPTH OF EXISTING UNDERGROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE ENGINEER IS NOT RESPONSIBLE FOR ANY EXISTING UTILITIES NOT SHOWN ON THE PLANS.

LEGEND

- PROPERTY LINE
- TREE TO BE REMOVED
- REMOVE ASPHALT AND BASEROCK
- REMOVE EXISTING BUILDING, FOUNDATION, AND BASEROCK
- REMOVE CONCRETE PAVEMENT AND BASEROCK (INCLUDES CURB, GUTTER, WALKWAYS, FOUNDATION AND ETC.)



RIVERFRONT PROJECT
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DEMOLITION PLAN

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Revisions

No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

Drawing Number:
C3.1

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BURLEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

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GENERAL NOTES

1. CONTRACTOR SHALL REMOVE AND REPAIR ALL DAMAGED CURB, GUTTER, AND SIDEWALK ALONG THE PROPERTY FRONTAGE AND REPLACE IN KIND PER CITY STANDARD DETAIL 8, SHEET C10.2.

CONSTRUCTION KEY NOTES

1. CONSTRUCT DRIVEWAY APPROACH PER CITY OF SANTA CRUZ STANDARDS, SEE SHEET C10.2.
2. INSTALL DETECTABLE WARNING PER DETAIL 3, SHEET C10.0.
3. CONSTRUCT VERTICAL CURB & GUTTER AND SIDEWALK PER CITY OF SANTA CRUZ STANDARDS. SEE SHEET C10.2.
4. CONCRETE AC PAVEMENT CONFORM
5. EDGE STRIPING AT THE 8-FOOT WIDTH MARK OF 12 FOOT WIDE, PAVED LEVEE PATH

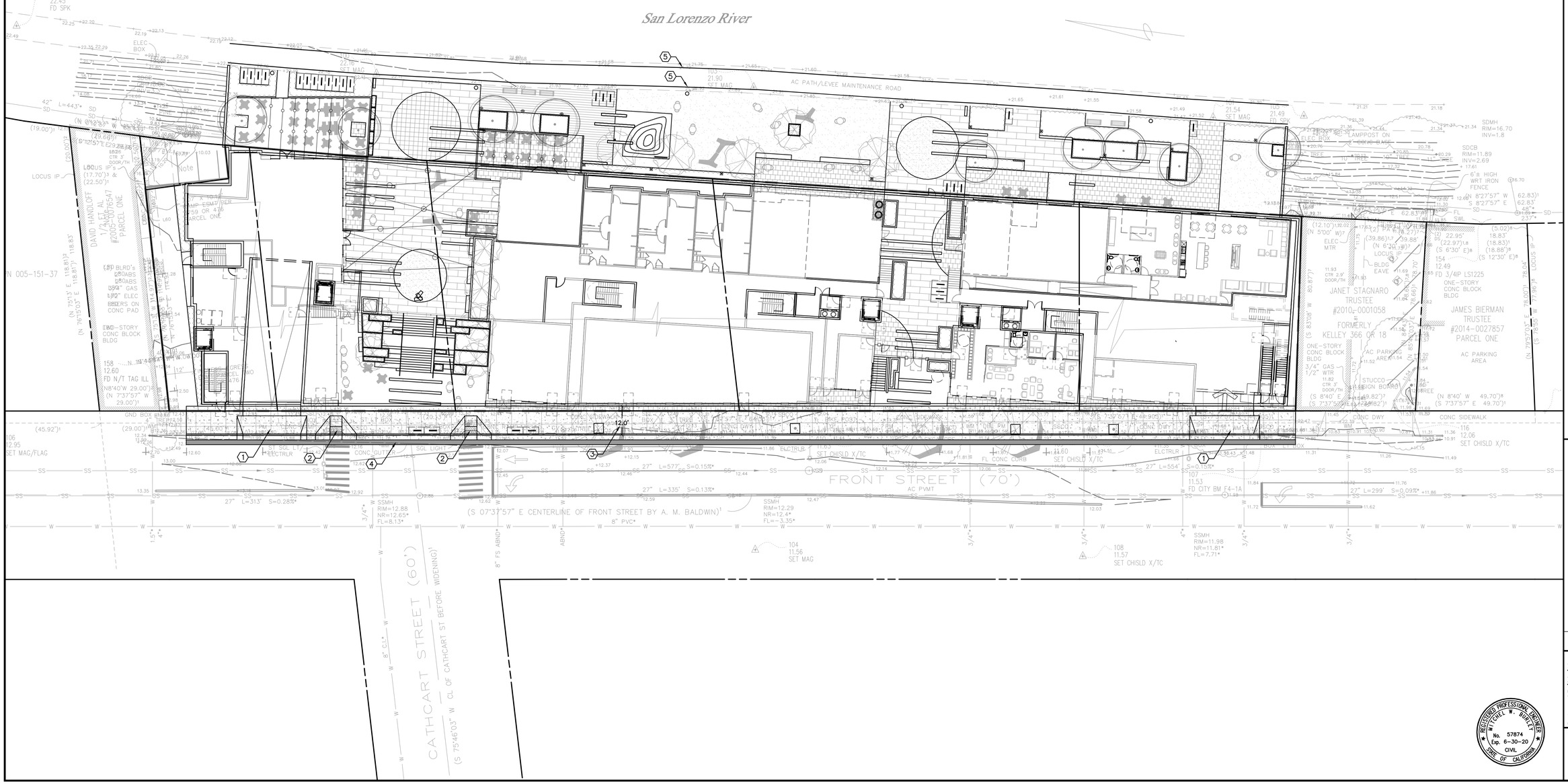
LEGEND

- PROPERTY LINE
- VERTICAL CURB AND GUTTER
- RETAINING WALL (SEE STRUCTURAL PLANS)
- AC PAVEMENT
- CONCRETE PAVEMENT

1"= 20'

GRAPHIC SCALE

20 0 20 40



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SITE PLAN

SANTA CRUZ COUNTY CALIFORNIA

SANTA CRUZ

Revisions

No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BURLEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
C4.1
5 OF 13

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1" = 20'

GRAPHIC SCALE

20 0 20 40

GENERAL NOTES

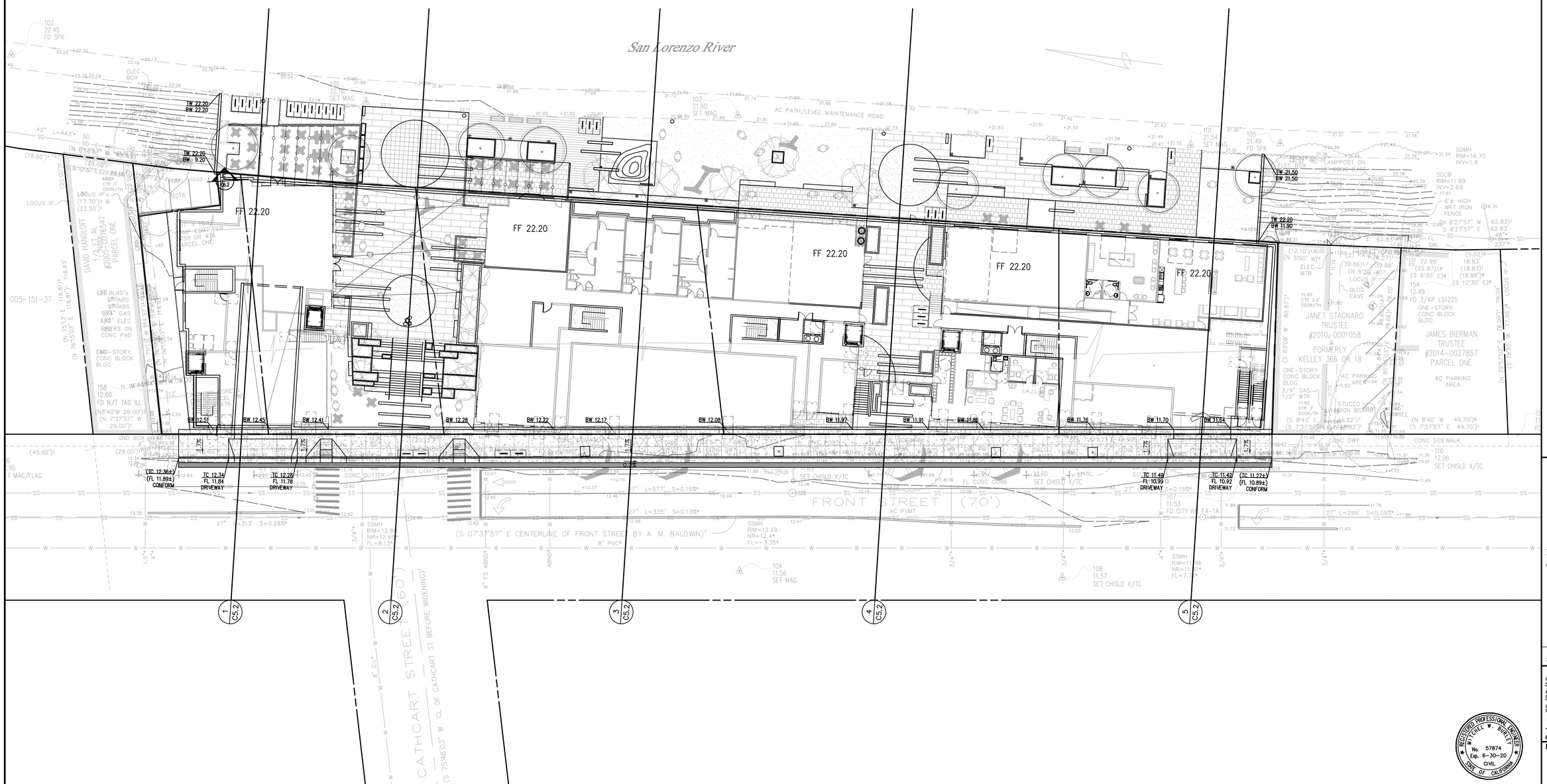
1. FINISHED GRADE AT LANDSCAPED AREAS ADJACENT TO THE BUILDING SHALL BE MINIMUM 8" BELOW FINISH FLOOR.
2. LANDSCAPED FINISHED GRADES AROUND THE PERIMETER OF BUILDING SHOULD BE COMPACTED AND SLOPED AT A 3% MIN. GRADIENT AWAY FROM FOUNDATION.
3. ALL PAVED AREAS ARE TO SLOPE A MINIMUM OF 0.5% AND MAXIMUM OF 8% ACCESSIBLE STALLS AND LOADING ZONES ARE TO SLOPE AT A MAXIMUM OF 2% IN ALL DIRECTIONS. ACCESSIBLE PATHWAYS ARE TO SLOPE AT A MAXIMUM OF 4.9% IN THE DIRECTION OF TRAVEL AND THE SLOPE CROSSWAYS TO THE DIRECTION OF TRAVEL SHALL BE AT A MAXIMUM OF 2%.
4. CONTRACTOR SHALL REMOVE AND REPAIR ALL DAMAGED CURB, GUTTER, AND SIDEWALK ALONG THE PROPERTY FRONTAGE PER CITY DIRECTION AND REPLACE IN KIND PER CITY STANDARD DETAIL 8, SHEET C10.2.

LEGEND

DIRECTION OF FLOW (HARDSCAPE)	
DIRECTION OF FLOW (LANDSCAPE)	
STORM DRAIN JUNCTION BOX	SDJB
STORM DRAIN CLEAN OUT	SDCO
STORM DRAIN AREA DRAIN	AD
STORM DRAIN CATCH BASIN/OVERFLOW DRAIN	CB/OFD
STORM DRAIN INLET	DI
TRENCH DRAIN	
SANITARY SEWER MANHOLE	SSMH
SANITARY SEWER CLEANOUT	SSCO
OVERLAND STORM DRAIN RELEASE	
FF STEP	

LEGEND

PROPERTY LINE	
VERTICAL CURB & GUTTER	
RETAINING WALL	
DIRECTION OF FLOW	
FINISH FLOOR ELEVATION	FF 36.05
TOP OF CURB ELEVATION	TC 36.05
FINISHED GRADE ELEVATION	FG 36.05
FLOW LINE ELEVATION ELEVATION	FL 36.05
TOP OF WALL	TW 36.05
BOTTOM OF WALL/BACK OF WALK	BW 36.05
HIGH POINT	HP
LOW POINT	LP
PAVEMENT ELEVATION	PV 36.05



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Revisions

No.	

Date 05/20/19
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Design MWB
Drawn .
Approved .
Job No 20176131

Drawing Number:
C5.1

6 OF 13

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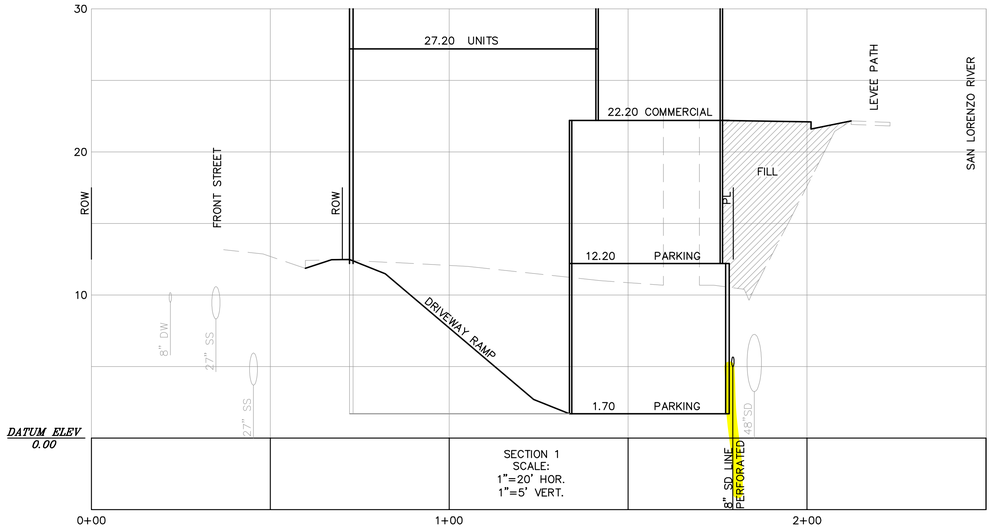

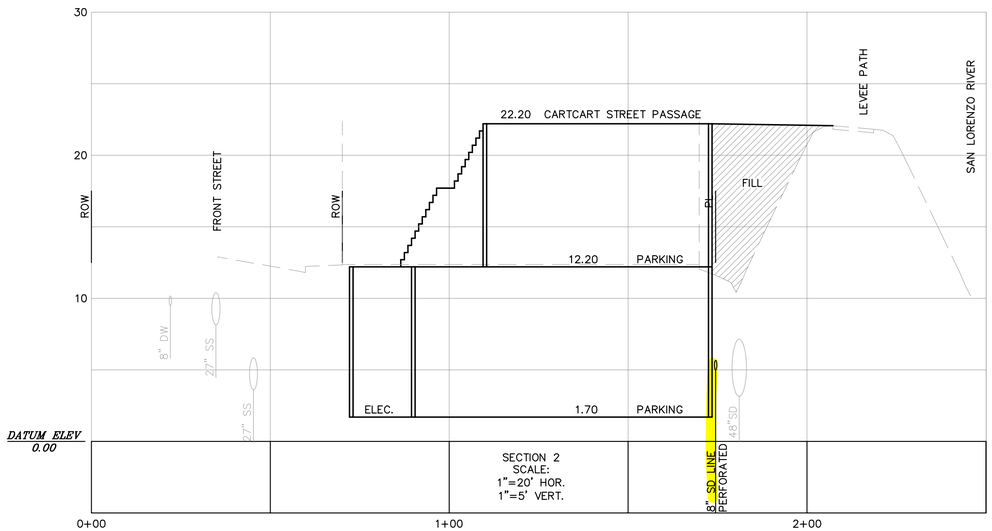

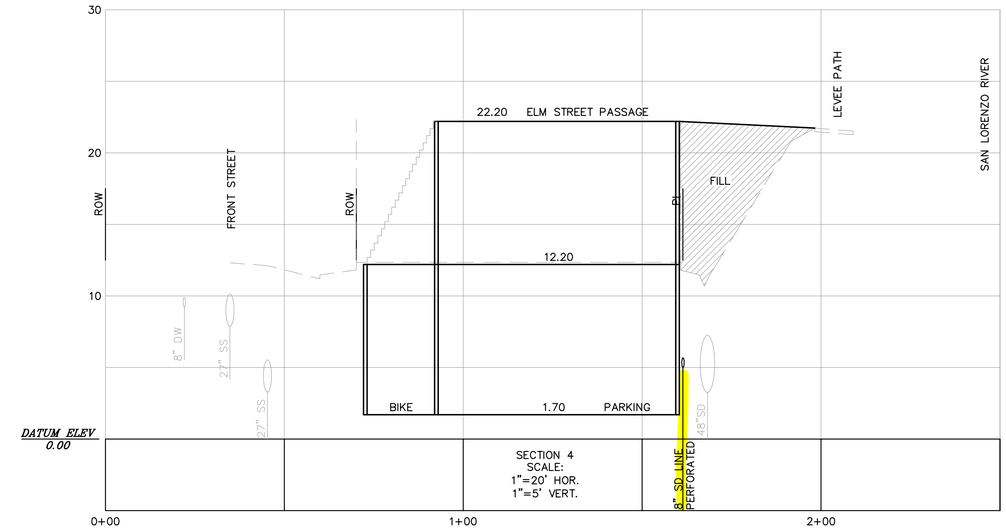

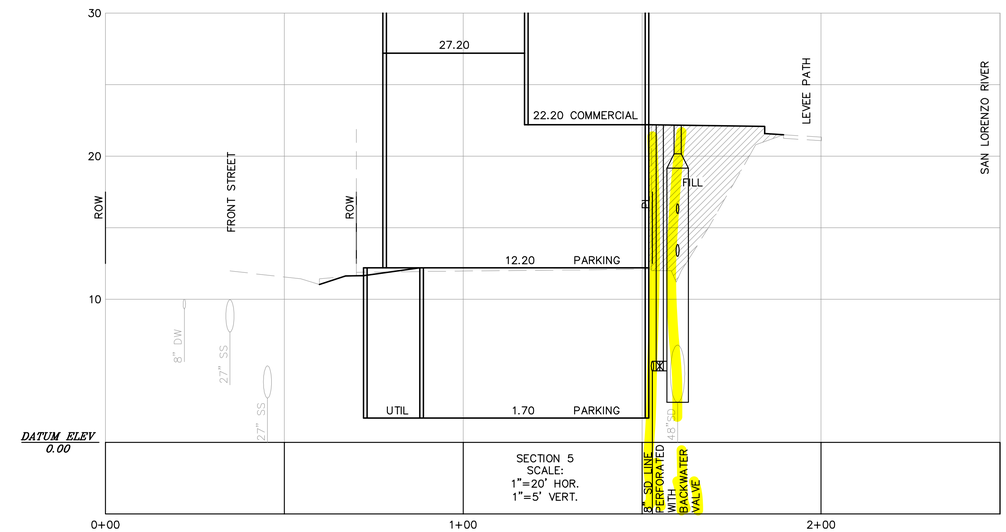

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No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

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Drawing Number:
C5.2
7 OF 13

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GENERAL NOTES

1. ALL SEWER PIPES SHALL BE INSTALLED PER SANTA CRUZ STANDARD DETAIL 1, SHEET C10.2.

CONSTRUCTION KEY NOTES

6. NEW 8" FIRE SERVICE (TO SERVE FIRE SPRINKLERS ONLY) INSTALLATION WITH A SCWD APPROVED DOUBLE-CHECK DETECTOR ASSEMBLY BACKFLOW DEVICE INSTALLATION AS PER SCWD DETAIL 9.
7. NEW 4" DOMESTIC WATER SERVICE INSTALLATION WITH A SCWD APPROVED REDUCED PRESSURE BACKFLOW DEVICE AND WATER METER AS PER SCWD DETAIL 6.
8. INSTALL CHRISTY G05 VALVE BOX AND G05C LID PER SANTA CRUZ WATER SYSTEM STANDARD SPECIFICATIONS.

CONSTRUCTION KEY NOTES

1. INSTALL 12"x12" STORM DRAIN JUNCTION BOX PER DETAIL 7, SHEET C10.1.
2. INSTALL STORM DRAIN TREATMENT MANHOLE PER DETAIL 7, SHEET C10.1.
3. INSTALL SANITARY SEWER CLEANOUT & LATERAL PER SANTA CRUZ STANDARD DETAIL 2, SHEET C10.2. SEE PLUMBING PLANS FOR CONTINUATION INTO THE BUILDING.
4. INSTALL AREA DRAIN PER DETAIL 10, SHEET C10.1.
5. INSTALL SANITARY SEWER MANHOLE PER SANTA CRUZ STANDARD DETAILS.

LEGEND

FIRE HYDRANT/FIRE DEPT. CONNECTION	FH/FDC
REDUCED PRESSURE BACKFLOW DEVICE	
DOUBLE-CHECK DETECTOR ASSEMBLY	
WATER VALVE	WV
CHECK VALVE	CV
WATER METER	WM

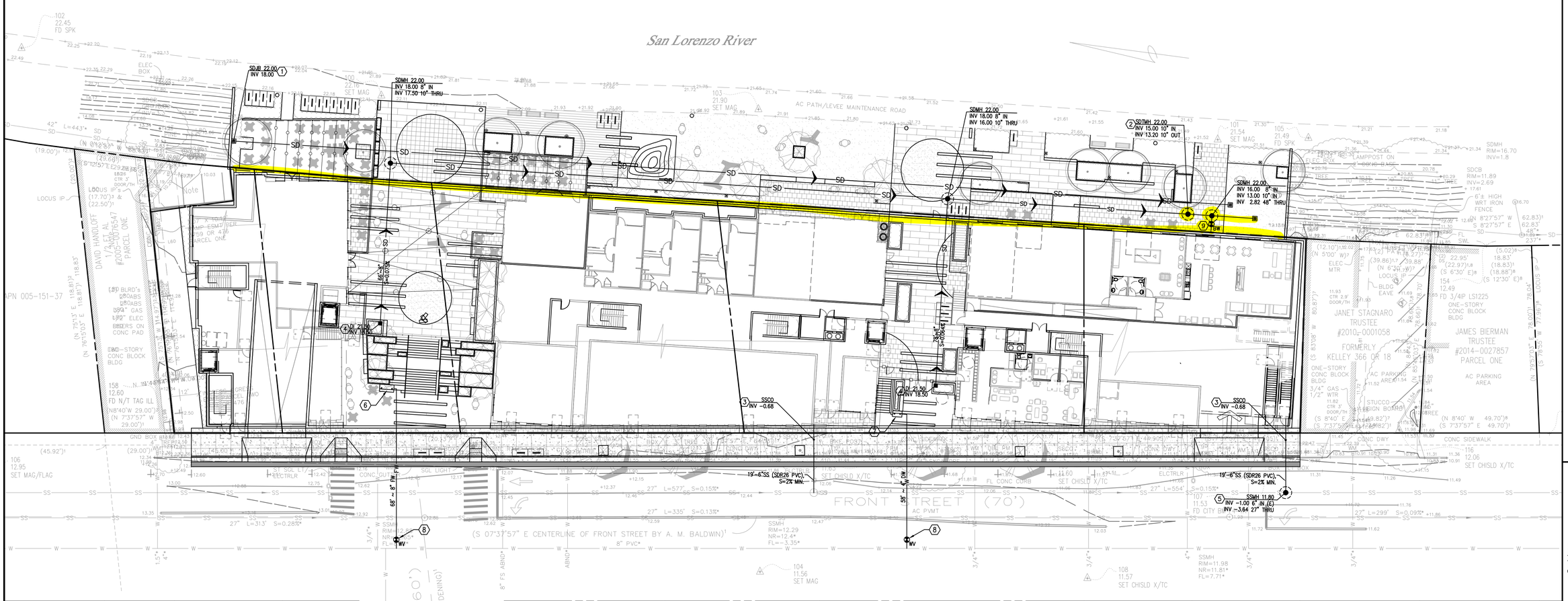
LEGEND

PROPERTY LINE	
CURB AND GUTTER	
SANITARY LINE	10" SDR 26 PVC SS
OVERFLOW STORM DRAIN LINE (TREATED)	12" HDPE
STORM DRAIN LINE (UNTREATED)	6"/8" HDPE SD
TRENCH DRAIN	
WATER LINE	8" W
GAS LINE	G
JOINT TRENCH	JT
AREA DRAIN	AD
SANITARY SEWER MANHOLE	SSMH
SANITARY SEWER CLEANOUT	SSCO
STORM DRAIN MANHOLE	SDMH
STORM DRAIN CLEAN OUT	SDCO
STORM DRAIN CATCH BASIN/DRAIN INLET	CB/DI
STORM DRAIN JUNCTION BOX	SDJB

1"= 20'

GRAPHIC SCALE

20 0 20 40



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No.	

Date 05/20/19
Scale 1" = 20'
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Drawn .
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REGISTERED PROFESSIONAL ENGINEER MICHAEL W. BUSELEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

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8 OF 13

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TABLE 1

TREATMENT CONTROL MEASURE SUMMARY TABLE

DRAINAGE AREAS	DRAINAGE AREA SIZE (SQ. FT.)	PERVIOUS SURFACE (SQ. FT.)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SQ. FT.)	TYPE OF IMPERVIOUS SURFACE	WATER QUANTITY (FLOW AND/OR VOLUME GENERATED)		PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
						REQUIRED	PROVIDED		
A-1	15,493	2,082	LANDSCAPE	13,411	CONCRETE	545 SF	638 SF	SCM-1 BIORETENTION BASIN 1	YES
A-2	42,684	0	N/A	42,684	ROOF CONCRETE	0.18 CFS	0.21 CFS	SCM-2 PERK FILTER MANHOLE 1	YES

TABLE 2

TIER 3 SIMPLE METHOD CALC		
	0.865	=total imperv (13411 sf)/total lot size (15493 sf)
C	0.682	=(0.858*I^3)-(0.78*I^2)+(0.774*I)+0.04
Rainfall depth, d (ft)	0.167	=2"/12 Santa Cruz 95TH percentile - WMZ1, 4 & 10
Tributary Area, A (sf)	6706	0.5*Replaced imperv (13411 sf)

Retention Volume (cf)	**762**	=C*d*A
Retention Volume - void ratio included (cf)	**1906**	=Volume/0.4
Area of Basin Required (sf)	**545**	= 4% (total imperv+0.1*total perv)
Area of Basin Provided (sf)	**638**	= Area of basin required
Depth of Rock (ft)	**3.0**	=Retention volume/Area of basin provided

NOTES:
1. CALCULATIONS WERE DONE PER CHAPTER 6B OF THE BEST MANAGEMENT PRACTICES MANUAL FOR THE CITY'S STORM WATER MANAGEMENT PROGRAM.
2. THE PROJECT RUNOFF DISCHARGES INTO 48" CITY STORM DRAIN LINE, AND OUTFALLS DIRECTLY INTO THE SAN LORENZO RIVER, THEREFORE THIS PROJECT IS NOT SUBJECT TO TIER 4 REQUIREMENTS: PEAK MANAGEMENT.
3. MAINTENANCE ACCESS TO SCM-1 AND SCM-2 SHALL BE AVAILABLE FROM SAN LORENZO RIVER LEVEE TRAIL DRIVEWAY AT SOQUEL AVENUE.

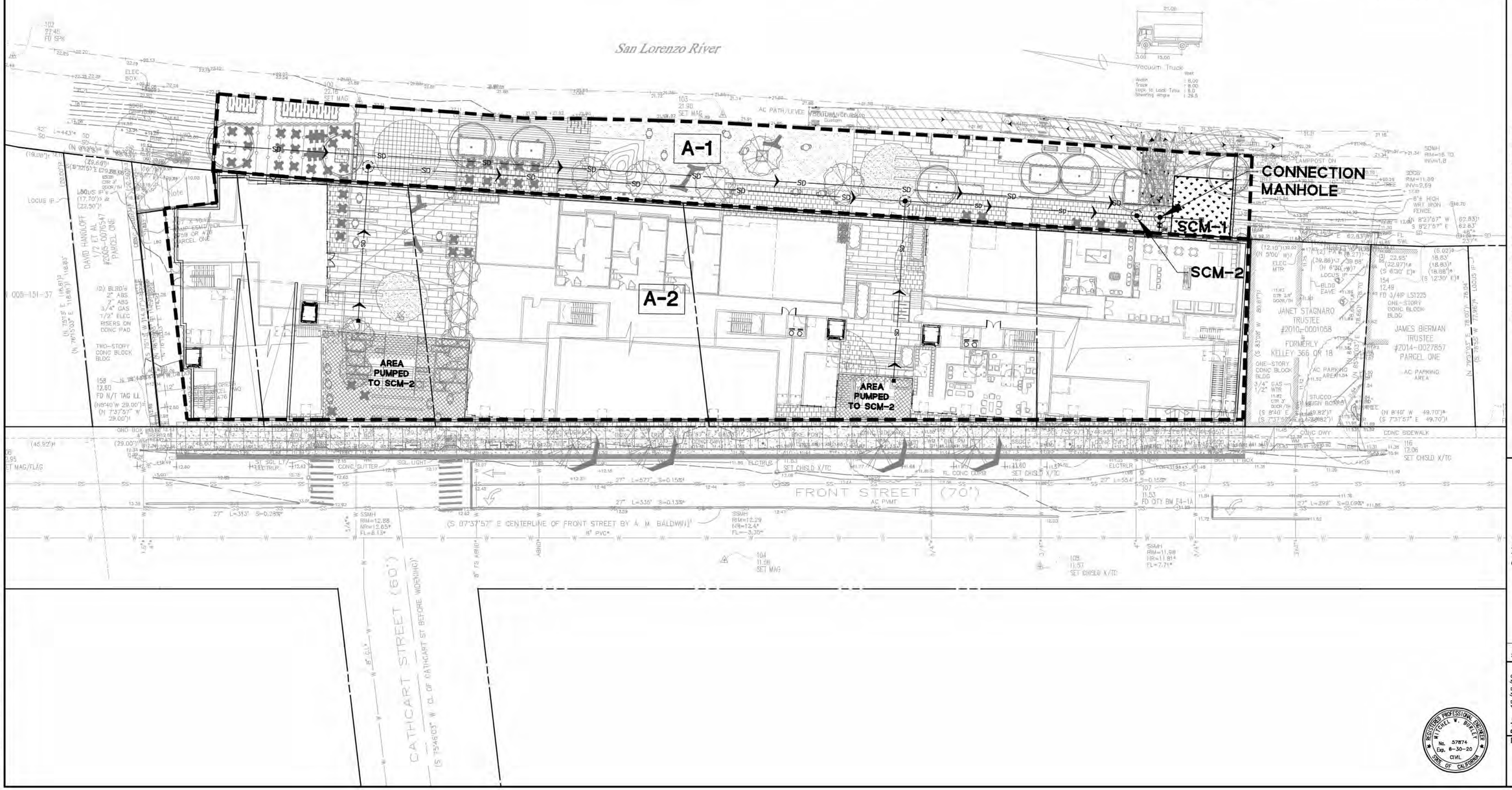
LEGEND

- PROJECT PROPERTY LINE
- RETAINING WALL
- DRAINAGE RELEASE PATH
- CATCH BASIN
- AREA DRAIN
- DRAINAGE MANAGEMENT AREA BOUNDARY — A-X
- STORMWATER CONTROL MEASURE — SCM-#
- STORM DRAIN LINE (UNTREATED) — SD
- TRENCH DRAIN

1" = 20'

GRAPHIC SCALE

20 0 20 40



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Revisions | No.

Date 10/10/19
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EROSION CONTROL NOTES

17. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED BY THE OWNER AND/OR THE CALIFORNIA REGIONAL WATER CONTROL BOARD (CRWQCB) BASED ON FIELD REVIEWS OF THE SITE.
18. DAMAGED EROSION CONTROL DEVICES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AS SOON AS PRACTICAL AFTER THE DAMAGE OCCURS.
19. ALL EXPOSED DISTURBED SURFACES SHALL BE HYDROSEEDED WITH BROME SEED SPREAD AT THE RATE OF 5 POUNDS PER 1000 SQUARE FEET, OR APPROVED EQUAL. SEEDING AND WATERING SHALL BE MAINTAINED AS REQUIRED TO ENSURE GROWTH. HYDROSEEDED AREAS SHALL THEN BE COVERED WITH STRAW MULCH AND STABILIZED BY CRIMPING OR THE APPLICATION OF A LIQUID TACKIFIER.
20. DURING GRADING OPERATIONS, THE SITE SHALL BE WATERED ON A DAILY BASIS WITH MINIMAL WATER AND NO RUNOFF TO STORM DRAIN SYSTEM TO MINIMIZE THE RELEASE OF DUST AND OTHER PARTICULATE MATTER.
21. EARTHWORK SHALL NOT BE PERFORMED DURING UNFAVORABLE CONDITIONS. AFTER INTERRUPTION OF WORK DUE TO HEAVY RAIN, THE ENGINEER SHALL APPROVE EARTHWORK BEFORE RESUMPTION OF EARTHMOVING OPERATIONS.
22. CONTRACTOR SHALL BE RESPONSIBLE TO PUT IN PLACE THE NECESSARY MEANS AND EXECUTE PROPER METHODS TO PROTECT EARTHWORK AGAINST UNFAVORABLE WEATHER CONDITIONS. CONTRACTOR SHALL NOT BE PAID FOR ANY DELAY OR ADDITIONAL WORK TO REMEDY PREVIOUS EARTHWORK RESULTING FROM THE CONTRACTOR'S NEGLIGENCE TO PROTECT THE SITE.
23. IT IS THE CONTRACTOR'S RESPONSIBILITY TO COMPLETE AND SUBMIT THE ANNUAL COMPLIANCE STATUS REPORT OF THE CONSTRUCTION STORM WATER GENERAL PERMIT ON THE SEPTEMBER 1ST OF EACH YEAR THE PROJECT IS IN CONSTRUCTION.
24. THIS PROJECT SHALL COMPLY WITH APPLICABLE PROVISIONS IN THE STATE OF CALIFORNIA GENERAL PERMIT FOR STORMWATER DISCHARGES, ORDER NO. 2009-0009-DWQ.
25. SITE CONSTRUCTION ENTRANCE & EXIT: CHECK THE SIDEWALK AND STREET DAILY DURING THE DEMOLITION AND CONSTRUCTION PHASES FOR SOIL OR SEDIMENT DRAG-OUT, AND SWEEP IF NEEDED.

EROSION CONTROL NOTES

9. ALL TRUCK TIRES SHALL BE CLEANED PRIOR TO EXITING THE PROPERTY.
10. THE CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES AS REQUIRED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (CRWQCB).
11. DURING PERIODS WHEN STORMS ARE FORECAST:
    a. EXCAVATED SOILS MAY NOT BE PLACED IN THE STREETS OR ON PAVED AREAS.
    b. ANY EXCAVATED SOILS SHOULD BE REMOVED FROM THE SITE BY THE END OF THE DAY.
    c. WHERE STOCKPILING IS NECESSARY, USE A TARPAULIN OR SURROUND THE STOCKPILED MATERIAL WITH FIBER ROLLS, SILT FENCE, OR OTHER RUNOFF CONTROLS.
    d. USE INLET CONTROLS (E.G. FILTER MAT) FOR STORM DRAINS ADJACENT TO STOCKPILED SOIL.
    e. THOROUGHLY SWEEP ALL PAVED AREAS EXPOSED TO SOIL EXCAVATION AND PLACEMENT.
12. DURING PERIODS WHEN STORMS ARE NOT FORECAST –
    a. PREVENT STOCKPILED MATERIAL FROM ENTERING THE STORM DRAIN SYSTEM.
    b. THOROUGHLY REMOVE LOOSE SOIL VIA SWEEPING FOLLOWING REMOVAL OF DIRT.
13. THIS EROSION CONTROL PLAN IS FOR CONSTRUCTION YEAR ROUND. OPEN SPACE AREAS ARE TO BE PLANTED BY SEPTEMBER 15 (BEFORE RAINY SEASON). IF THESE CONDITIONS ARE NOT MET, CONTRACTOR SHALL SUBMIT AN EROSION CONTROL PLAN TO THE PROJECT ENGINEER THAT REFLECTS CURRENT SITE CONDITIONS FOR REVIEW AND APPROVAL.
14. EROSION CONTROL MEASURES SHOWN ON THIS PLAN SHALL BE MAINTAINED REPAIRED AND REPLACED AFTER EACH SIGNIFICANT RAINFALL OR AS DIRECTED BY THE CITY OF SANTA CRUZ AND/OR THE CALIFORNIA REGIONAL WATER CONTROL BOARD (CRWQCB).
15. ALL DRAINAGE INLETS WITHIN AND NEAR THE PROJECT SITE SHALL BE PROVIDED WITH SEDIMENT TRAPS OR SEDIMENT BARRIERS AS PER THIS PLAN.
16. SEDIMENT DAMS AND TRAPS SHALL BE CHECKED FOR SEDIMENT ACCUMULATION AFTER EACH SIGNIFICANT RAINFALL. SEDIMENT SHALL BE REMOVED FROM THESE DEVICES WHEN IT HAS ACCUMULATED TO THREE-QUARTER OF THE ORIGINAL STORAGE HEIGHT

EROSION CONTROL NOTES

1. SHEET C8.0 & C8.1 ARE INTENDED TO BE USED FOR EROSION CONTROL ONLY.
2. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. IN GENERAL, THE CONTRACTOR IS RESPONSIBLE FOR KEEPING ANY SEDIMENT FROM LEAVING THE SITE. FIBER ROLLS, SAND BAGS, AND SILT FENCES SHALL BE USED BY THE CONTRACTOR ON AN AS NEEDED BASIS TO INHIBIT SILT FROM LEAVING THE SITE AND ENTERING THE STORM DRAIN SYSTEM. ALL EXISTING, TEMPORARY, OR PERMANENT CATCH BASINS SHALL USE ONE OF THE SEDIMENT BARRIERS SHOWN.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS INCURRED WITH ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL MEASURE MAINTENANCE THROUGHOUT THE DURATION OF THE PROJECT.
4. THE CONTRACTOR WILL BE LIABLE FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATE OWNED AND MAINTAINED ROAD CAUSED BY THE CONTRACTOR'S GRADING ACTIVITIES, AND WILL BE RESPONSIBLE FOR THE CLEANUP OF ANY MATERIAL SPILLED ON ANY PUBLIC ROAD ON THE HAUL ROUTE. ADJACENT PUBLIC ROADS SHALL BE CLEANED AT THE END OF EACH WORKING DAY.
5. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE OPERABLE YEAR ROUND OR UNTIL VEGETATION IS ESTABLISHED ON LANDSCAPED SURFACES.
6. DURING THE RAINY SEASON, ALL PAVED AREAS ARE TO BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE IS TO BE MAINTAINED SO AS TO MINIMIZE SEDIMENT-LADEN RUNOFF TO ANY STORM DRAIN SYSTEM.
7. ALL EROSION CONTROL FACILITIES MUST BE MONITORED AS REQUIRED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (CRWQCB). ALL SLOPES SHALL BE REPAIRED AS SOON AS POSSIBLE WHEN DAMAGED. CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPS) – PROJECT CONSTRUCTION AND DEMOLITION ACTIVITIES SHALL COMPLY WITH THE CITY'S STORM WATER BEST MANAGEMENT PRACTICES FOR CONSTRUCTION. SEE THE CITY WEBSITE AT: HTTP://WWW.CITYOFSANTACRUZ.COM/HOME/SHOWDOCUMENT?DID=6031.
8. BORROW AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES (TARPS, FIBER ROLLS, SILT FENCES, ETC.) TO ENSURE SILT DOES NOT LEAVE THE SITE OR ENTER THE STORM DRAIN SYSTEM

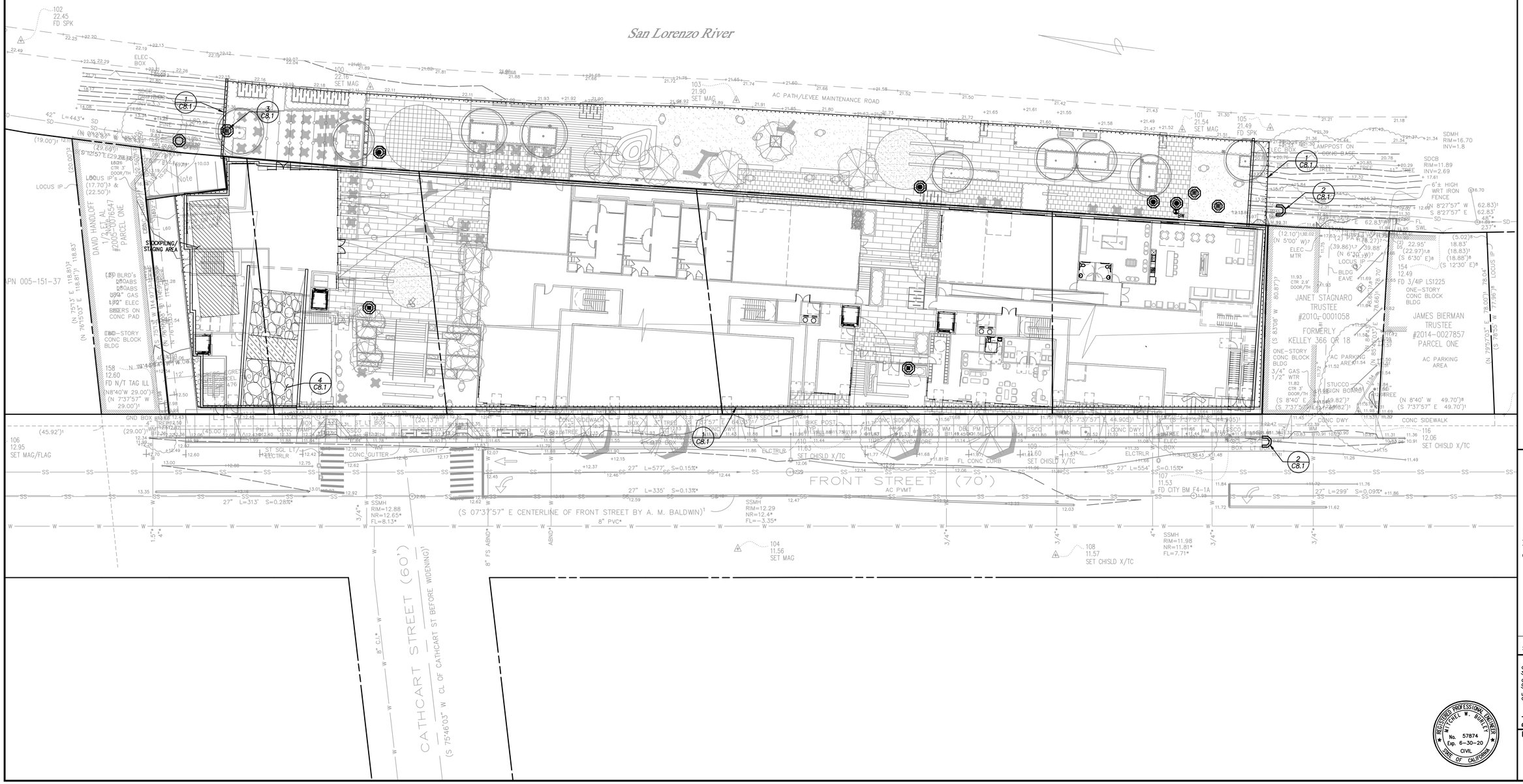
LEGEND

- PROPERTY LINE
- FIBER ROLL; SEE DETAIL 1 ON SHEET C8.1
- X — X — TEMPORARY 6' CONSTRUCTION FENCE
- STABLIZED CONSTRUCTION ENTRANCE/EXIT SEE DETAIL 4 ON SHEET C8.1
- ENTRANCE/EXIT TIRE WASH SEE DETAIL 4 ON SHEET C8.1
- STORM DRAIN INLET PROTECTION, SEE DETAIL 3 ON SHEET C8.1
- INLET PROTECTION, SEE DETAIL 2 ON SHEET C8.1

1" = 20'

GRAPHIC SCALE

20 0 20 40



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Revisions

No.	

Date 05/20/19
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Design MWB
Drawn .
Approved .
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Drawing Number:
C8.1

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFCIVILPLANS01.dwg
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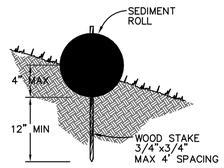
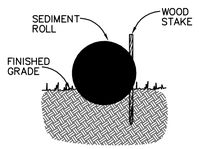


ENTRENCHMENT DETAIL IN SLOPE AREA



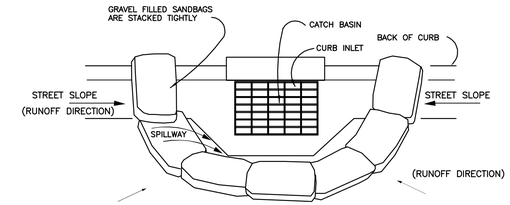
ENTRENCHMENT DETAIL IN FLAT AREA

NOTES:

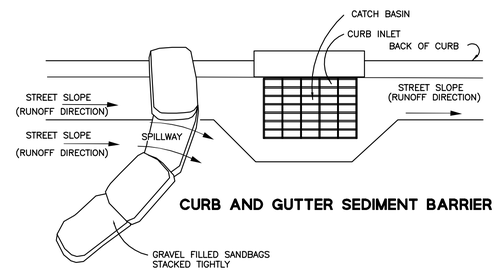
1. USE REED & GRAHAM, INC. GEOSYNTHETICS STRAW WATTLE FIBER ROLL (COMES IN 9" X 25' ROLLS) OR APPROVED EQUIVALENT.
2. FIBER ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE FIBER ROLL IN A TRENCH, 3" – 5" DEEP, DUG ON CONTOUR.
3. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND FIBER ROLL. THE TOP OF THE STRUCTURE (PONDING HEIGHT) MUST BE WELL BELOW THE GROUND ELEVATION DOWNSLOPE TO PREVENT RUNOFF FROM BY-PASSING THE INLET.
4. EXCAVATION OF A BASIN ADJACENT TO THE DROP INLET OR A TEMPORARY DIKE ON THE DOWNSLOPE OF THE STRUCTURE MAY BE NECESSARY. IN PAVED AREAS, USE SAND BAGS TO SECURE FIBER ROLLS IN PLACE OF WOOD STAKE.

1 – FIBER ROLL

SCALE: NTS



CURB INLET SEDIMENT BARRIER



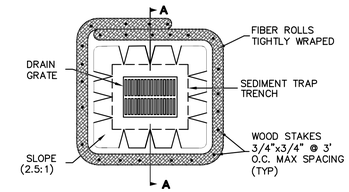
CURB AND GUTTER SEDIMENT BARRIER

NOTES:

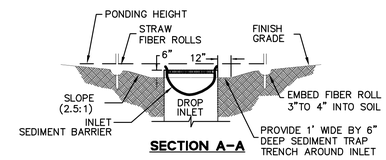
1. PLACE CURB TYPE SEDIMENT BARRIERS ON GENTLY SLOPING STREETS, WHERE WATER CAN POND AND ALLOW SEDIMENT TO SEPARATE FROM RUNOFF.
2. SANDBAGS OF EITHER BURLAP OR WOVEN GEOTEXTILE FABRIC, ARE FILLED WITH GRAVEL, LAYERED AND PACKED TIGHTLY
3. LEAVE ONE SANDBAG GAP IN THE TOP ROW TO PROVIDE A SPILLWAY OVERFLOW. TOP OF SPILLWAY SHALL BE LOWER THAN TOP OF CURB.
4. INSPECT BARRIERS AND REMOVE SEDIMENT AFTER EACH STORM EVENT, SEDIMENT AND GRAVEL MUST BE REMOVED FROM THE TRAVELED WAY IMMEDIATELY.
5. REMOVE BAG AND FILTER FABRIC ONCE CONSTRUCTION IS COMPLETE.
6. INSTALL FILTREX SOX WITH MIRAFI FABRIC, APPROPRIATELY SIZED AND SECURED, UNDER THE STORM DRAIN INLET GRATE.

2 – INLET PROTECTION (TYPE A)

SCALE: NTS



PLAN VIEW



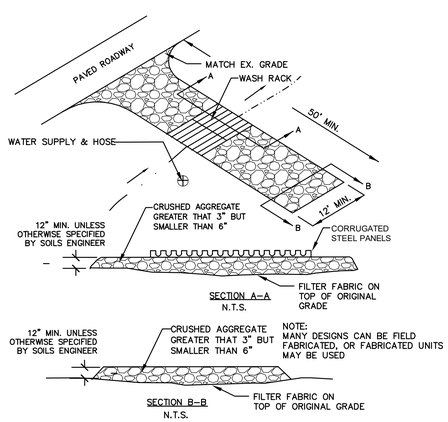
SECTION A–A

NOTE:

1. PLACE FIBER ROLLS AROUND THE INLET CONSISTENT WITH BASIN SEDIMENT BARRIER DETAIL ON THE SHEET. FIBER ROLLS ARE TUBES MADE FROM STRAW BOUND WITH PLASTIC NETTING. THEY ARE APPROXIMATELY 8" DIAMETER AND 20–30 FEET LONG.

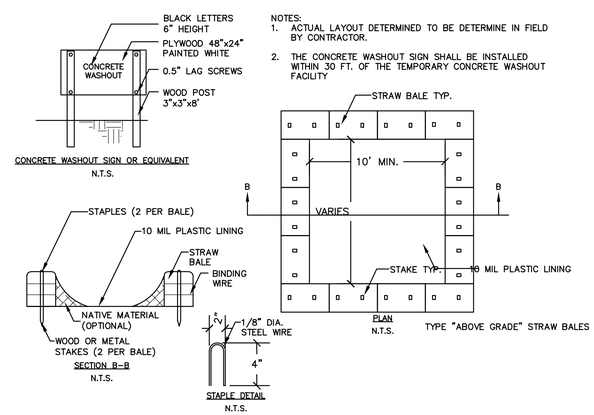
3 – INLET PROTECTION (TYPE B)

SCALE: NTS



4 – ENTRANCE / OUTLET TIRE WASH

SCALE: NTS



6 – CONCRETE WASTE MANAGEMENT

SCALE: NTS

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SANTA CRUZ COUNTY, CALIFORNIA

SANTA CRUZ

Revisions

No.	

Date 05/20/19
Scale AS SHOWN
Design MWB
Drawn .
Approved .
Job No 20176131

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BUSELEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
C8.2
11 OF 13

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFC\VILPLANS01.dwg
PLOT DATE: 05-20-19 PLOTTED BY: BUR

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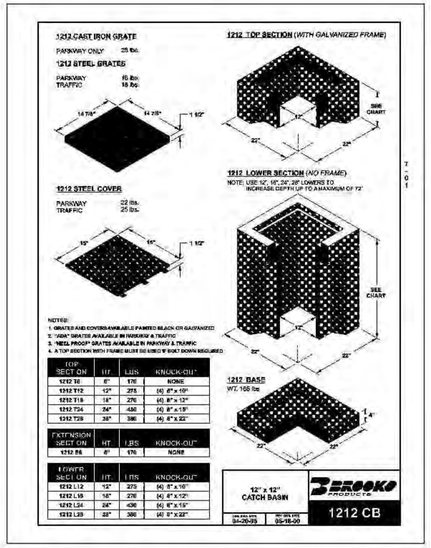
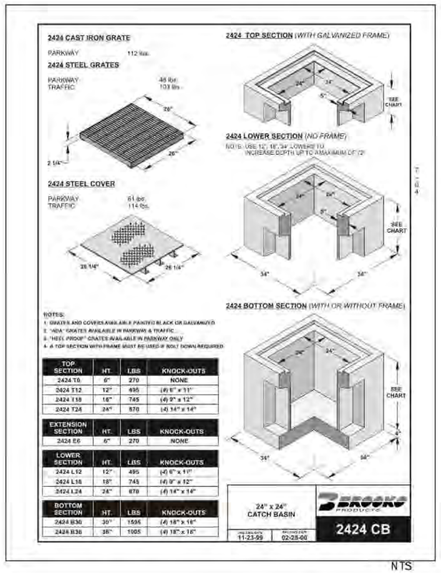
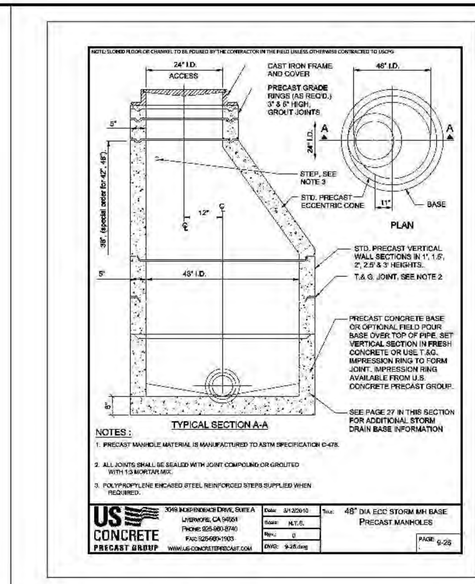




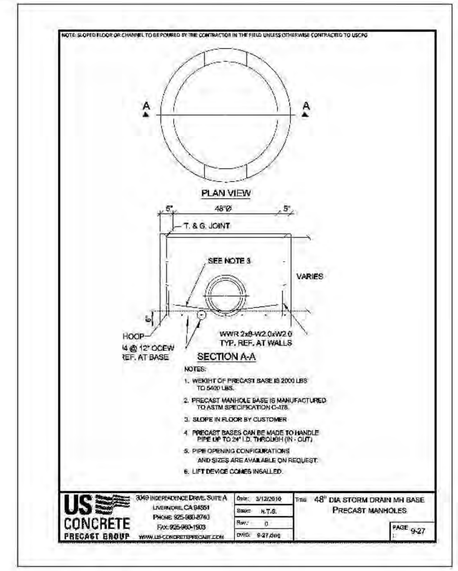
NTS

1 CATCH BASIN/ DROP INLET/ JUNCTION BOX DETAIL



NTS

2 STORM DRAIN MANHOLE



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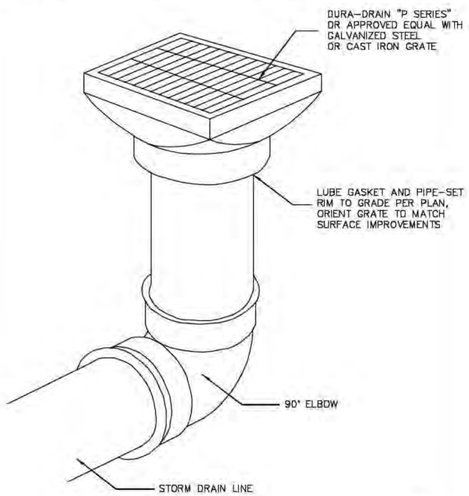
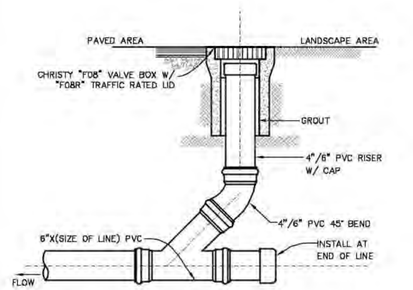
3 SDMH BASE



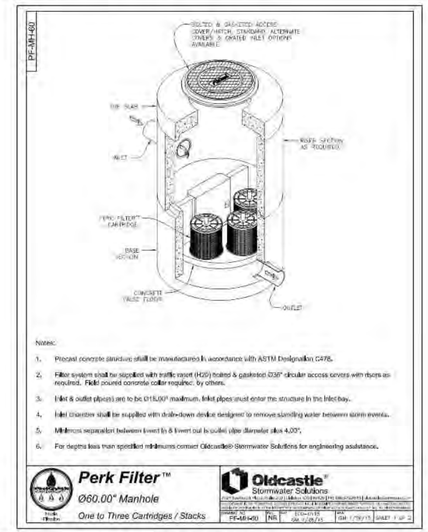
NTS

4 LANDSCAPE AREA DRAIN



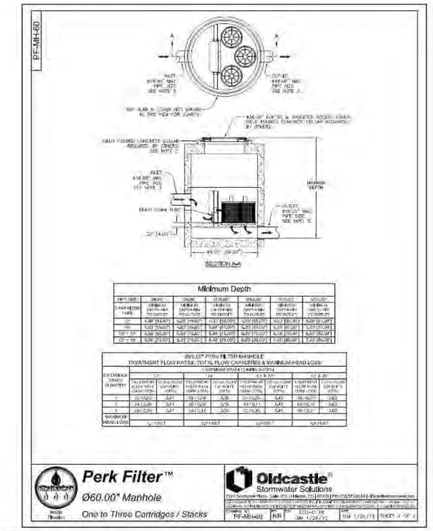
NTS

5 STORM DRAIN/SANITARY SEWER CLEANOUT



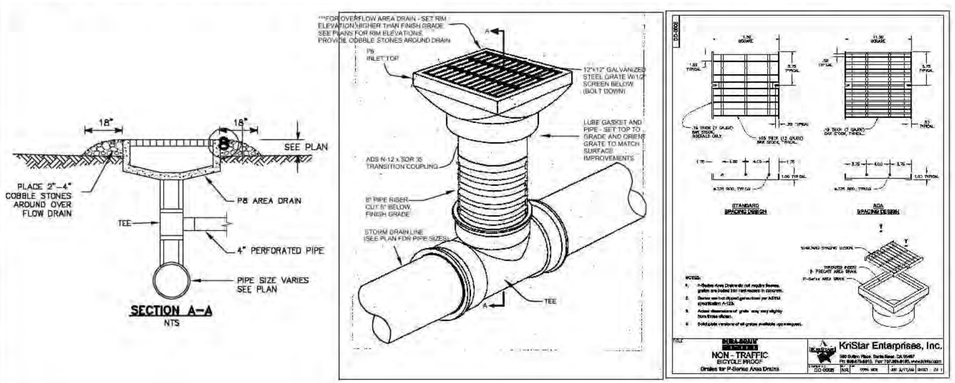
NTS

6 SD TREATMENT MANHOLE



NTS

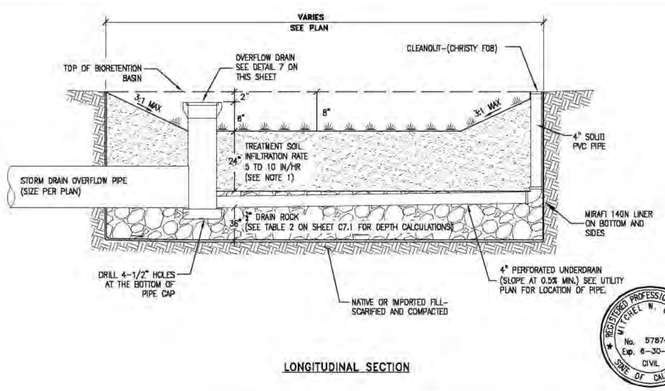
7 OVERFLOW DRAIN



8 BIORETENTION BASIN DETAIL

NOTES

1. TREATMENT SOIL MIX SHALL MEET REQUIREMENTS AS SPECIFIED IN CHAPTER 6B OF THE BEST MANAGEMENT PRACTICES MANUAL FOR THE CITY OF SANTA CRUZ.
2. THE BIOTREATMENT SOIL MIX USED IN ALL BIORETENTION AREAS SHALL COMPLY WITH THE SPECIFICATIONS IN ATTACHMENT L OF THE RWQCB MUNICIPAL REGIONAL PERMIT. IF THE BIOTREATMENT SOIL MIX SUPPLIER IS INCLUDED ON SCVURPPP'S "BIOTREATMENT SOIL MIX SUPPLIER LIST" (SUPPLIER LIST), A BIOTREATMENT SOIL MIX SUPPLIER CERTIFICATION STATEMENT (CERTIFICATION STATEMENT) SHALL BE COMPLETED BY THE SUPPLIER AND SUBMITTED TO THE CITY/PROJECT ENGINEER A MINIMUM OF 14 DAYS PRIOR TO DELIVERY OF THE MATERIAL TO THE JOB SITE. IF THE BIOTREATMENT SOIL MIX SUPPLIER IS NOT INCLUDED ON THE SUPPLIER LIST, A BIOTREATMENT SOILS MIX VERIFICATION CHECKLIST (VERIFICATION CHECKLIST) SHALL BE COMPLETED BY THE SUPPLIER AND SUBMITTED TO THE CITY/PROJECT ENGINEER A MINIMUM OF 14 DAYS PRIOR TO DELIVERY OF THE MATERIAL TO THE JOB SITE. COPIES OF THE SUPPLIER LIST, CERTIFICATION STATEMENT AND VERIFICATION CHECKLIST CAN BE DOWNLOADED FROM THE COUNTYWIDE PROGRAM'S WEBSITE AT HTTP://WWW.SCVURPPP-W2K.COM/ND_WP.SHTML
3. PERFORATED PIPE SHALL BE SOLVENT WELD PVC SDR 35 (OR APPROVED EQUAL) WITH PERFORATIONS FACED DOWN. LOCATION OF THE PIPE VARIES, SEE PLAN.
4. FOR ANY LINER PENETRATIONS, RADIAL-CUT THE LINER FOR PIPE. MASTIC AND SEAL WITH PIPE CLAMP TO INSURE WATER-TIGHT SEAL.
5. MAINTAIN SPECIFIED DEPTH BENEATH PERFORATED PIPE.



REGISTERED PROFESSIONAL ENGINEER MICHAEL W. BAILEY No. 57674 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

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CIVIL DETAILS
SANTA CRUZ COUNTY, CALIFORNIA

Revisions: No.

Date 10/10/19
Scale AS SHOWN
Design MWB
Drawn
Approved
Job No 20176131

Drawing Number: C9.1

12 OF 13

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\PFC\VILPLANS01.dwg
PLOT DATE: 10-10-19 PLOTTED BY: BUP

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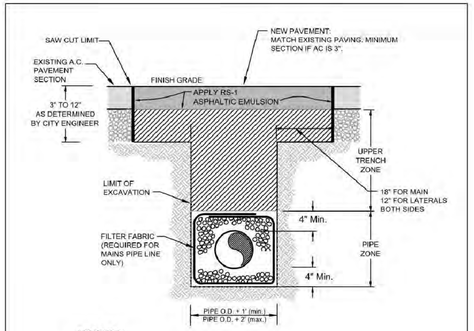


NOTES:

THIS DETAIL APPLIES TO ALL EXCAVATIONS IN CITY STREETS OR SIDEWALKS.

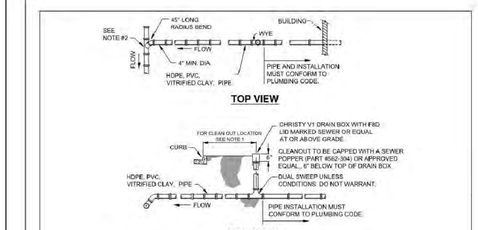
1. ***PIPE ZONE BACK FILL SHALL BE:***
   - **A.** ¾" CRUSHED OR ANGULAR ROCK WITH 100% PASSING 1", 80-100% PASSING 3/4", 0-30% PASSING NO. 4 SIEVE, AND 0-10% PASSING NO. 8 SIEVE.
   - **B.** ROCK SHALL BE ENVELOPED WITH FILTER FABRIC FOR MAIN PIPE ONLY.
2. ***UPPER TRENCH MATERIAL SHALL BE:***
   - **A.** CLSM (2 SACK CEMENT SAND SLURRY); OR
   - **B.** CLASS 2 AGGREGATE BASE PER CALTRANS SPECIFICATIONS.

     IF AGGREGATE BASE IS USED THE UPPER 2' SHALL BE COMPACTED TO 95% RELATIVE COMPACTION. REMAINING MATERIAL SHALL BE COMPACTED TO 90%. A CIVIL ENGINEER HIRED BY THE CONTRACTOR MUST CERTIFY THAT COMPACTION REQUIREMENTS ARE MET.
3. ***SHOVEL-SLICE PIPE BEDDING UNDER THE HAUNCHES OF THE PIPE.***
4. ***ALL TRAFFIC STRIPPING MUST BE REINSTALLED PER CALTRANS STANDARDS.***

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	SEWER PIPE TRENCH DETAIL	DATE: MARCH 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 1 OF 20

NTS

SEWER PIPE TRENCH



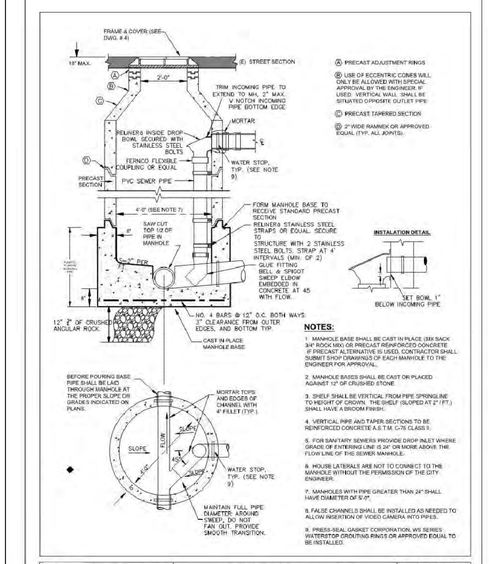
NOTES:

1. LOCATE CLEANOUT BOX IN SIDEWALK OR DRIVEWAY. IF THERE IS NO SIDEWALK LOCATE CLEANOUT 16" TO 12" BEHIND FACE OF CURB. IF LOCATED IN A DRIVEWAY, BOX SHALL HAVE A TRAFFIC RATED LID.
2. LATERAL CONNECTIONS:
   - A) **LATERAL CONNECTION TO 6" MAIN PIPELINE**: REPLACE A PORTION OF MAIN WITH A MANUFACTURED WYE.
   - B) **LATERAL CONNECTION TO 8" AND 10" MAIN PIPELINE**: CORE DRILL AND USE A ROMAC "CS" SEWER SADDLE OR USE A NDS FLEXIBLE SADDLE WHEN RECONNECTING AT EXISTING LATERAL CONNECTION LOCATION.
   - C) **LATERAL CONNECTION TO 12" AND LARGER MAIN PIPELINE**: WITH APPROVAL BY THE PUBLIC WORKS INSPECTOR, THE CONTRACTOR SHALL CORE DRILL AND USE INSERTA TEE INSTALLED BY CERTIFIED *INSERTA TEE*® INSTALLER.
3. ANY PIPE REPAIR COUPLING SHALL BE *FERNCO* SHEER BAND WITH 24 GAUGE STAINLESS STEEL BANDS AND SHEAR BAND OR APPROVED EQUAL.
4. PIPE SHALL BE:
   - A) HDPE - SOLID WALL SDR 26. OR
   - B) PVC SDR 26 GASKET SEWER PIPE ASTM 3034. OR
   - C) VITRIFIED CLAY SEWER PIPE ASTM C 700, WITH COMPRESSION JOINT ASTM C 425.
5. PROVIDE THREE FEET OF COVER UNLESS PROPER SLOPE TO SEWER MAIN DICTATES LESS COVER.
6. IF CONNECTION TO MAIN PIPELINE IS GREATER THAN 6 FEET DEEP USE A CHIMNEY CONNECTION FULLY SUPPORTED WITH A 2-SACK SLURRY.
7. SLOPE SHALL NOT BE LESS THAN ¼" PER FOOT.
8. A MINIMUM OF 2" OF BEDDING SHALL BE PROVIDED. FOLLOW CITY TYPICAL PIPE TRENCH DETAIL.
9. IF THE RIM OF ANY FIXTURE (IN THE BUILDING) IS BELOW THE ELEVATION OF THE NEXT UPSTREAM SEWER MANHOLE COVER, THEN A BAGWATER VALVE IS REQUIRED. VALVE SHALL BE LOCATED BETWEEN THE BUILDING AND CLEANOUT. USE *CLEAN CHECK* BACK FLOW PREVENTION DEVICE OR APPROVED EQUAL.
10. ALL PIPES REHABILITATED WITH THE LINING PROCESS SHALL BE TELEVISED TO SHOW THE FULL LENGTH OF LINING AND THE CONNECTION AT THE MAIN. INSPECTION SHALL BE PERFORMED WHILE THE PUBLIC WORKS INSPECTOR IS ON SITE, OR A TAPE OR DVD SHALL BE PROVIDED TO THE INSPECTOR FOR REVIEW.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	SEWER LATERAL	DATE: AUGUST 2009
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 2 OF 20

NTS

SEWER LATERAL



Ⓐ PRECAST ADJUSTMENT RINGS

Ⓑ USE OF ECCENTRIC CONES WALL ONLY BE ALLOWED WITH SPECIAL APPROVAL BY THE ENGINEER. IF USED: VERTICAL WALL SHALL BE SITUATED OPPOSITE OUTLET PIPE.

Ⓒ PRECAST TAPERED SECTION

Ⓓ 2" WIDE RAMNEK OR APPROVED EQUAL (TYP. ALL JOINTS).

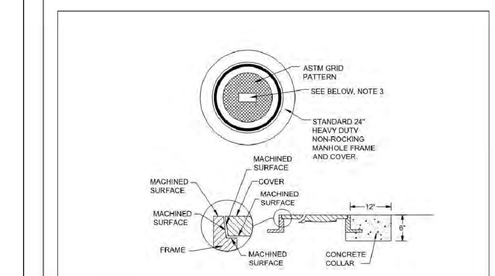
NOTES:

1. MANHOLE BASE SHALL BE CAST IN PLACE (SIX SACK 3/4" ROCK MIX) OR PRECAST REINFORCED CONCRETE. IF PRECAST ALTERNATIVE IS USED, CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF EACH MANHOLE TO THE ENGINEER FOR APPROVAL.
2. MANHOLE BASES SHALL BE CAST OR PLACED AGAINST 12" OF CRUSHED STONE.
3. SHELF SHALL BE VERTICAL FROM PIPE SPRINGLINE TO HEIGHT OF CROWN. THE SHELF (SLOPED AT 2" / FT.) SHALL HAVE A BROOM FINISH.
4. VERTICAL PIPE AND TAPER SECTIONS TO BE REINFORCED CONCRETE A.S.T.M. C-76 CLASS II.
5. FOR SANITARY SEWERS PROVIDE DROP INLET WHERE GRADE OF ENTERING LINE IS 24" OR MORE ABOVE THE FLOW LINE OF THE SEWER MANHOLE.
6. HOUSE LATERALS ARE NOT TO CONNECT TO THE MANHOLE WITHOUT THE PERMISSION OF THE CITY ENGINEER.
7. MANHOLES WITH PIPE GREATER THAN 24" SHALL HAVE DIAMETER OF 6'-0".
8. FALSE CHANNELS SHALL BE INSTALLED AS NEEDED TO ALLOW INSERTION OF VIDEO CAMERA INTO PIPES.
9. PRESS-SEAL GASKET CORPORATION, WR SERIES WATERSTOP CRUTCHES RINGS OR APPROVED EQUAL TO BE INSTALLED.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	STANDARD MANHOLE	DATE: FEBRUARY 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 3 OF 20

NTS

STANDARD MANHOLE



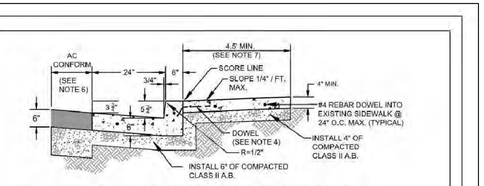
NOTES:

1. FRAME AND COVER SHALL BE BY THE SAME MANUFACTURER. FOUNDRY NAME SHALL BE STAMPED ON FRAME AND COVER. FRAME AND COVER TO BE PHEONIX IRON WORKS CAT No. P-1090, OR D & L SUPPLY No.A-1024, OR APPROVED SUBMITTED EQUAL.
2. FRAMES & COVERS SHALL BE FULLY MACHINED ON A TOTAL OF FIVE SURFACES TO ENSURE INTERCHANGABILITY AND A CLOSE, QUIET FIT. MACHINED VERTICAL SURFACES SHALL BE SLOPED.
3. COVER SHALL BE MARKED "SANITARY SEWER" OR "STORM DRAIN" AS APPRORIATE.
4. COVER SURFACE SHALL BE SKID RESISTANT PER ASTM SPECIAL PUBLICATION.
5. ALL CASTINGS SHALL BE DIPPED IN ASPHALT PAINT.
6. ALL MATERIAL USED IN MANUFACTURING SHALL CONFORM TO ASTM SPECIFICATION A159-64T-G3000 OR OR UNITED STATES GOVERNMENT SPECIFICATION QQ1-653, MANUFACTURED UNDER U.S. PATENT No. 3289556.
7. STORM DRAIN MANHOLES SHALL HAVE OPEN PICKHOLES. SANITARY SEWER MANHOLE COVERS SHALL HAVE CLOSED PICKHOLES. BOTTOM GASKETS MAY BE REQUIRED BY CITY ENGINEER ON SANITARY SEWER MANHOLE COVERS TO PREVENT INFILITRATION.
8. APPROXIMATE WEIGHT COMPONENTS: COVER - 140lbs.
   FRAME - 130 lbs.
   TOTAL - 270 lbs.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	MANHOLE FRAME AND COVER	DATE: APRIL 2003
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 4 OF 20

NTS

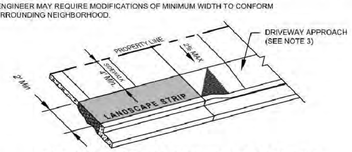
MANHOLE FRAME AND COVER



STANDARD CURB, GUTTER & SIDEWALK

NOTES:

1. ALL CONCRETE TO BE SIX SACK, CLASS "A" PLANT MIXED PCC.
2. COMPACT SUBBASE SOIL TO 95% RELATIVE COMPACTION AT OPTIMUM MOISTURE CONTENT TO A DEPTH OF 6".
3. STANDARD CURB, GUTTER AND SIDEWALK SHALL BE A MONOLITHIC POUR UNLESS CURB AND GUTTER ARE EXISTING.
4. IF ANY CURB, GUTTER OR SIDEWALK ARE EXISTING, DOWEL INTO EXISTING CONCRETE EVERY24". USE 18" LONG #4 DOWELS, INSERT 4" INTO CURB. BEND DOWEL AT BACK OF CURB AS SHOWN.
5. SCORE SIDEWALK EVERY 4 FT. PLACE EXPANSION JOINTS EVERY 60 FEET WITH DEEP JOINTS EVERY 12 FT.
6. WIDTH OF A.C. CONFORM SHALL BE A MINIMUM OF 2 FEET. A.C. CONFORM SHALL BE A MINIMUM OF 6" THICK ON TOP OF 6" OF CLASS II A.B.
7. CITY ENGINEER MAY REQUIRE MODIFICATIONS OF MINIMUM WIDTH TO CONFORM TO SURROUNDING NEIGHBORHOOD.



SIDEWALK LANDSCAPE STRIP INSTALLATION

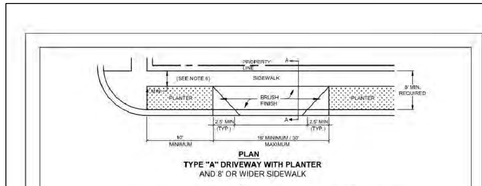
NOTES:

1. PROPERTIES THAT HAVE A 6 FT. OR GREATER PROPERTY LINE SETBACK FROM THE STREET WILL BE REQUIRED TO INSTALL A LANDSCAPE STRIP BETWEEN THE BACK OF CURB AND SIDEWALK.
2. SLOPE SIDEWALK AND LANDSCAPING STRIP TOWARD CURB AT 1/4" / FT. (2%) MAX.
3. FOR DRIVEWAY APPROACH CONSTRUCTION SEE CITY DETAIL 9 OF 23 TYPE "A" DRIVEWAY WITH PLANTER.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	CURB, GUTTER AND SIDEWALK	DATE: MARCH 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 8 OF 20

NTS

CURB, GUTTER & SIDEWALK



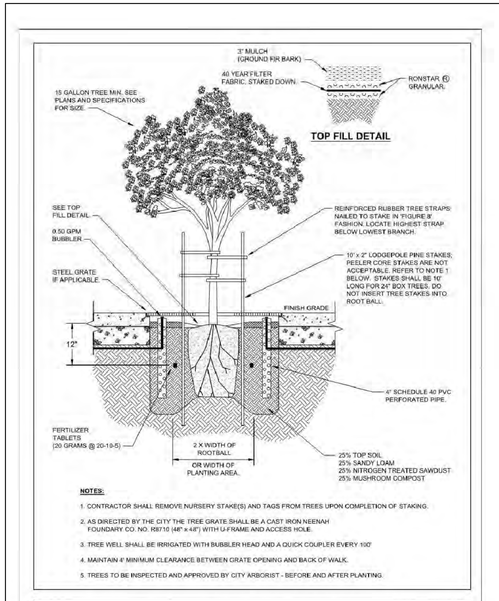
NOTES:

1. SIDEWALK AREA ADJACENT TO DRIVEWAY APPROACH SHALL HAVE A 2% CROSS SLOPE.
2. ALL CONCRETE TO BE SIX SACK, CLASS "A" CONCRETE.
3. ALL CONCRETE SHALL BE REINFORCED WITH #4 BARS AT 18" O.C. BOTH WAYS OR WELDED WIRE MESH 4"X4" W4/W4.
4. MAINTAIN 2" OF COVER FOR REINFORCEMENT.
5. NATIVE SUBBASE SHALL BE COMPACTED. IF MATERIAL IS SILT OR CLAY IT SHALL BE "FIRM" ACCORDING TO ASTM. OTHERWISE EXCAVATE TO 12" BELOW FINISH GRADE AND REPLACE WITH CLASS II AGGREGATE BASE AND COMPACT.
6. WIDTH MAY BE REDUCED TO 3' WITH APPROVAL FROM THE CITY ENGINEER.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	DRIVEWAY APPROACH	DATE: APRIL 2003
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 9 OF 20

NTS

DRIVEWAY APPROACH DETAIL



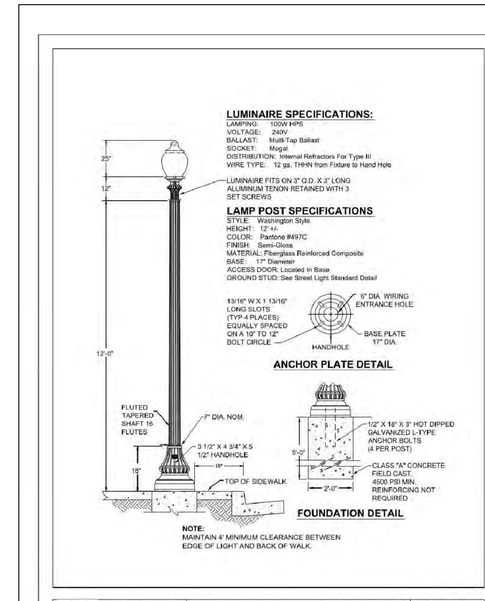
NOTES:

1. CONTRACTOR SHALL REMOVE NURSERY STAKE(S) AND TAGS FROM TREES UPON COMPLETION OF STAKING.
2. AS DIRECTED BY THE CITY THE TREE GRATE SHALL BE A CAST IRON NEENAH FOUNDARY CO. NO. R3710 (48" x 48") WITH U-FRAME AND ACCESS HOLE.
3. TREE WELL SHALL BE IRRIGATED WITH BUBBLER HEAD AND A QUICK COUPLER EVERY 100'
4. MAINTAIN 4' MINIMUM CLEARANCE BETWEEN GRATE OPENING AND BACK OF WALK.
5. TREES TO BE INSPECTED AND APPROVED BY CITY ARBORIST - BEFORE AND AFTER PLANTING.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	TREE PLANTING DETAIL	DATE: MARCH 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 15 OF 20

NTS

TREE PLANTER



CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	DECORATIVE STREET LIGHTING	DATE: APRIL 2003
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 17 OF 20

NTS

DECORATIVE STREET LIGHTING

REGISTERED PROFESSIONAL ENGINEER MITCHELL W. BURLE No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

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RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
CITY DETAILS
SANTA CRUZ COUNTY, CALIFORNIA

SANTA CRUZ

Revisions	No.

Date	05/20/19
Scale	AS SHOWN
Design	MWB
Drawn	.
Approved	.
Job No	20176131

Drawing Number:
C9.2
13 OF 13

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFCIVILPLANS01.dwg
PLOT DATE: 05-20-19 PLOTTED BY: BUR

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C2.1 Existing Condition Plan
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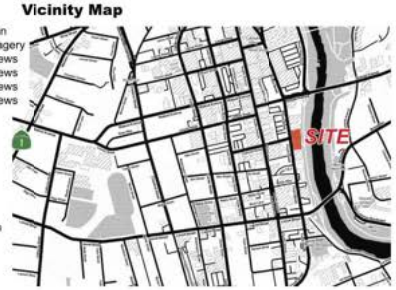
C6.1 Utility Plan
C7.1 Storm Water Control Plan
C8.1 Erosion Control Plan
C8.2 Erosion Control Details
C9.1 Construction Details
C9.2 City Standard Details

Vicinity Map



Date: 8/22/2020
Job #: 16319

RIVERFRONT PROJECT

Santa Cruz, CA

HPC ALTERNATE FACADE STUDY

Ownership:
SC RIVERFRONT

Landscape Architect:
The Guzzardo Partnership Inc.
Landscape Architects | Land Planners

Partner Architect:

Architect:
HUMPHREYS & PARTNERS ARCHITECTS, L.P.

BDE ARCHITECTURE

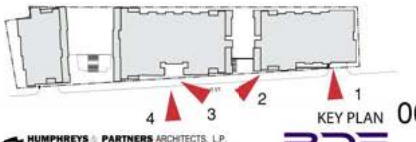
8/22/2020

1. RESIDENTAL LOBBY 428 FRONT ST.

2. RESIDENTAL LOBBY DETAIL 428 FRONT ST.

3. COMMERICAL ENTRY DETAIL 418 FRONT ST.

4. COMMERICAL ENTRY 418 FRONT ST.



KEY PLAN

06.5

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT ALTERNATIVE HISTORICALY RESPONSIVE FACADE VIEWS

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.

BDE ARCHITECTURE

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NUMBERS DENOTE MATERIALS

ALL MATERIALS AS SHOWN OR APPROVED EQUAL

1. EXTERIOR PLASTER SAND FINISH

2. HORIZONTAL CEMENT FIBER SIDING, SMOOTH FINISH

3. VERTICAL METAL SIDING, RIBBED CHANNEL

4 VERTICAL METAL SIDING, STANDING SEAM

5. THIN BRICK VENEER

6. HORIZONTAL FIBER RAILING, WOOD FINISH COLOR: JAVA BY RESYSTA

7. PAINTED TUBE STEEL RAILING, PERFORATED STEEL PANEL INSERT

8. PAINTED TUBE STEEL RAILING

9. PAINTED METAL AWNING

10. PAINTED METAL TRELLIS

11. PAINTED CAP WITH TRIM, PLASTER OVER EPS

12. VINYL WINDOWS COLOR: WHITE

13. ALUMINUM STOREFRONT COLOR: CLEAR ANODIZED

14. ROLL UP GARAGE DOOR, GLASS PANEL INSERT, COLOR: BLACK

15. CONCRETE'S'TILE CAPISTRANO BLEND COLOR: CALIENTE BY EAGLE ROOFING

17. PERFORATED ALUMINUM RAILING

LETTERS DENOTE COLORS

ALL MATERIALS AS SHOWN OR APPROVED EQUAL

A. DUNN EDWARDS DEW380 WHITE

B. DUNN EDWARDS DET466 MONARCH MIGRATION

C. DUNN EDWARDS DE6369 LEGENDARY GREY

D. DUNN EDWARDS DE6359 SILVER SETTING

E. DUNN EDWARDS DE6322 BLACK LEAD

F. DUNN EDWARDS DE6055 WILD WEST

G. DUNN EDWARDS DET453 VERANDA

H. DUNN EDWARDS DET426 FIERY CORAL

J. DUNN EDWARDS DE5347 GOLDEN NECTAR

K. DUNN EDWARDS DE5836 SAIL AWAY

L. DUNN EDWARDS DES845 AMERICANA

M. DUNN EDWARDS DEA137 DEEP SAPPHIRE

N. ATAS #62 CHARCOAL GREY

P. ATAS #28 SILVERSMITH

Q. ATAS #02 BLACK

S. LIGHT GREY BLEND BY ENDICOTT

WEST (FRONT STREET) ELEVATION

EAST (RIVERWALK) ELEVATION

NUMBERS DENOTE MATERIALS, LETTERS DENOTE COLORS

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT DETAILS AND MATERIALS
8/22/2020

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.

BDE ARCHITECTURE

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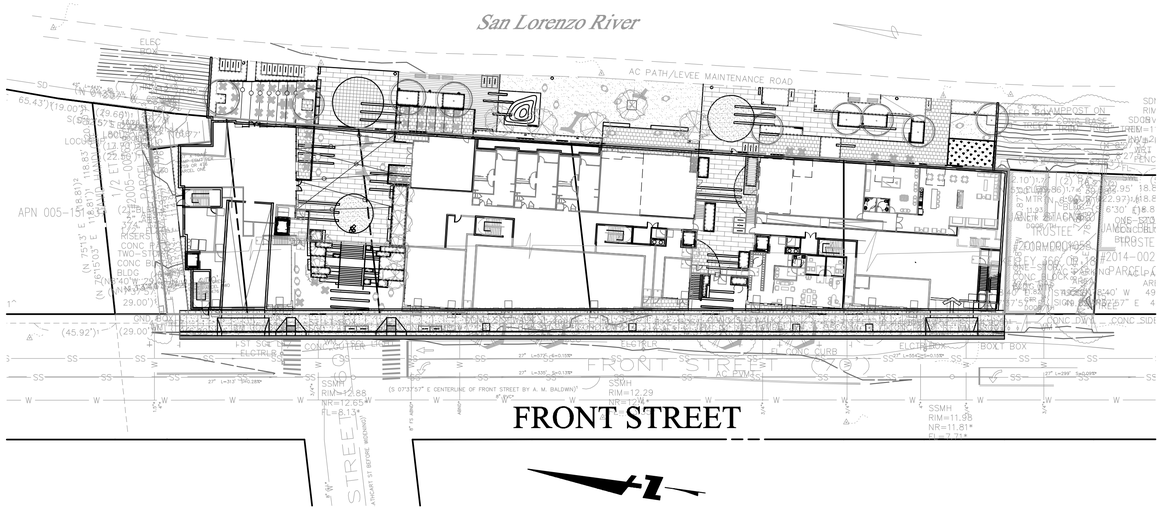
TENTATIVE MAP
RIVERFRONT PROJECT
412-508 FRONT STREET
SANTA CRUZ, CA 95060



SITE MAP
1"=40'

SHEET INDEX

TM 1.1	TITLE SHEET	TM 5.2	SITE SECTIONS
TM 2.1	EXISTING CONDITION PLAN	TM 6.1	UTILITY PLAN
TM 3.1	LOT LAYOUT PLAN	TM 7.1	STORMWATER CONTROL PLAN
TM 4.1	SITE PLAN	TM 7.2	CIVIL DETAILS
TM 5.1	GRADING PLAN		

ABBREVIATIONS

AB	AGGREGATE BASE	LG	LIP OF GUTTER
AC	ASPHALT CONCRETE	LP	LOW POINT
ACC	ACCESSIBLE	MH	MANHOLE
ACP	ASBESTOS CEMENT PIPE	N	NORTH
AD	AREA DRAIN	(N)	NEW
ALT	ALTERNATIVE	NTS	NOT TO SCALE
BC	BACK OF CURB	OH	OVERHEAD (WIRES)
BFP	BACKFLOW PREVENTER	PB	PULL BOX
BLDG	BUILDING	PP	POWER POLE
BOT	BOTTOM	(P)	PROPOSED
BW	BOTTOM OF WALL/BACK OF WALK	P/L	PROPERTY LINE
CB	CATCH BASIN	PCC	PORTLAND CEMENT CONCRETE
CI	CURB INLET	P/SBC	POWER/SBC TRENCH
CLR	CLEAR (OD TO OD)	P.F.S.E.	PRIVATE FIRE SERVICE EASEMENT
C&G	CURB AND GUTTER	P.I.E.E.	PRIVATE INGRESS, EGRESS EASEMENT
℄,CL	CENTERLINE	P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
CLF	CHAIN LINK FENCE	P.S.S.E.	PRIVATE SANITARY SEWER EASEMENT
CO	CLEANOUT	P.U.E.	PUBLIC UTILITY EASEMENT
CONC	CONCRETE	PVC	POLYVINYL CHLORIDE PIPE
CONST	CONSTRUCTION	R	RIGHT/RADIUS
CR	CURB RETURN	RCP	REINFORCED CONCRETE PIPE
CW	CROSSWALK	RPA	REDUCED PRESSURE ASSEMBLY
DET/DTL	DETAIL	R/W	RIGHT-OF-WAY
DI	DROP INLET	RWD	REDWOOD
DIP	DUCTILE IRON PIPE	S	SLOPE/SOUTH
D/W	DRIVEWAY	SD	STORM DRAIN
DWG	DRAWING	SDMH	STORM DRAIN MANHOLE
E	EAST/ELECTRIC	SF	SQUARE FEET
(E),EX	EXISTING	SG	SUBGRADE
ELEC	ELECTRIC	SHT	SHEET
ELEV	ELEVATION	S/L	STREET LIGHT
EP	EDGE OF PAVEMENT	SLB	STREET LIGHT BOX
E.V.A.E.	EMERGENCY VEHICLE ACCESS EASEMENT	SLD	SEE LANDSCAPE DRAWINGS
FC	FACE OF CURB	SL	STREET LIGHT CONDUIT
FDC	FIRE DEPT CONNECTION	SS	SANITARY SEWER
FF	FINISH FLOOR	SSCO	SANITARY SEWER CLEANOUT
FG	FINISHED GRADE	SSMH	SANITARY SEWER MANHOLE
FH	FIRE HYDRANT	ST	STREET
FL	FLOWLINE	STD	STANDARD
FT	FEET	S/W	SIDEWALK
FW	FIRE WATER	T, TEL	TELEPHONE
G	GAS	TC	TOP OF CURB
GB	GRADE BREAK	TH	TOP OF HEADER
GR	GRATE	TRC	TOP OF ROLLED CURB
GRD	GROUND	TS	TOP OF STEP
GS	GARAGE SLAB	TSW	TOP OF SCREEN WALL
GYW	GUY WIRE	TW	TOP OF WALL
HP	HIGH POINT	TYP	TYPICAL
I.E.E.	INGRESS, EGRESS EASEMENT	UG	UNDERGROUND
INV	INVERT (ELEVATION)	VCP	VITRIFIED CLAY PIPE
IRR	IRRIGATION	W	WATER/WEST
JP	JOINT UTILITY POLE	WM	WATER METER
JT	JOINT UTILITY TRENCH	WV	WATER VALVE
LAT	LATERAL	XWALK	CROSSWALK
LF	LINEAL FEET		

GENERAL NOTES

1. TENTATIVE MAP: THIS TENTATIVE MAP IS BEING FILED IN ACCORDANCE WITH CHAPTER 3, ARTICLE 2, SECTION 66452 OF THE SUBDIVISION MAP ACT.
2. TENTATIVE MAP: THIS TENTATIVE MAP CONFORMS TO THE REQUIREMENTS OF CHAPTER 23.16.020 "TENTATIVE SUBDIVISION MAPS" OF THE CITY OF SANTA CRUZ MUNICIPAL CODE.
3. CONDOMINIUM: LOT 1 ON SHEET 3.1 IS SUBDIVIDED FOR CONDOMINIUM PURPOSES WITH A MAXIMUM OF 175 RESIDENTIAL CONDOMINIUM UNITS AND 8 COMMERCIAL CONDOMINIUM UNITS.
4. TOPOGRAPHY: TOPOGRAPHIC MAPPING WAS PERFORMED BY BOWMAN & WILLIAMS, 1011 CEDAR STREET, SANTA CRUZ, CA 95060. SURVEY DATE: 4/04/2016.
5. BENCHMARK: BM F4-1A ELEVATION 11.526 NGVD29. EASTSIDE FRONT STREET OPPOSITE METRO CENTER.
6. BOUNDARY: BOUNDARY AND EASEMENTS SHOWN PER BOWMAN & WILLIAMS, 1011 CEDAR STREET, SANTA CRUZ, CA 95060. SURVEY DATE: 4/04/2016.
7. UTILITIES: UTILITY SIZING AND LOCATIONS ARE PRELIMINARY AND SUBJECT TO FINAL ENGINEERING DESIGN.
8. LOTS: THE PROJECT WILL MERGE FIVE (5) EXISTING LOTS AND CREATE ONE (1) LOT FOR CONDOMINIUM PURPOSES.
9. EASEMENTS: EASEMENTS HAVE BEEN PROPOSED FOR PUBLIC ACCESS AND EMERGENCY VEHICLE ACCESS OVER PRIVATE LOT 1.

SUBDIVIDER'S STATEMENT

OWNER/SUBDIVIDER:	OWEN LAWLOR LAWLOR LAND USE 612 SPRING STREET SANTA CRUZ, CA 95060 TEL: (831) 457-1331
ENGINEER:	BKF ENGINEERS 1730 NORTH FIRST STREET SUITE 600 SAN JOSE, CA 95112 TEL: (408) 467-9100 ATTN: MITCH BURLEY
AREA:	ACREAGE - 1.04 AC
ASSESSORS PARCEL NO:	005-151-22, 30, 31, 39 AND 50
ZONE DISTRICT:	CBD: CENTRAL BUSINESS DISTRICT
SETBACKS:	SANTA CRUZ ZONING ORDINANCE/DEVELOPMENT AGREEMENT
EXISTING USE:	COMMERCIAL
PROPOSED USE:	175 RESIDENTIAL CONDOMINIUM UNITS (MAXIMUM) AND 8 COMMERCIAL USES (LOT 1)
PROPOSED IMPROVEMENTS:	DEMOLISH EXISTING BUILDINGS AND SITE IMPROVEMENTS AND MERGE FIVE (5) EXISTING PARCELS FOR THE CONSTRUCTION OF 175 RESIDENTIAL UNITS, 8 COMMERCIAL UNITS AND CONSTRUCT STREET INFRASTRUCTURE AND PROVIDE UTILITY SERVICES. INCLUDING STORM, SANITARY, WATER, GAS, ELECTRIC AND TELEPHONE.

SURVEYOR'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH THE STATE OF CALIFORNIA SUBDIVISION MAP ACT.

DAVIS THRESH, L.S.
ASSOCIATE/PROJECT MANAGER
BKF ENGINEERS

DATE

REGISTERED LAND SURVEYOR
DAVIS THRESH
EXP. 9/30/20
No. 6868
STATE OF CALIFORNIA

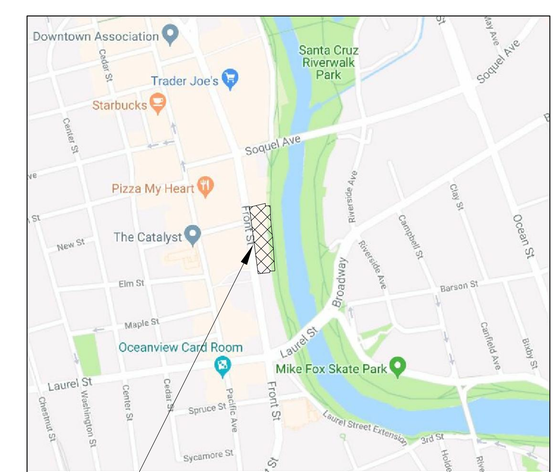
ENGINEER'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

MITCHEL W. BURLEY, P.E.
PROJECT MANAGER
BKF ENGINEERS

DATE

REGISTERED PROFESSIONAL ENGINEER
MITCHEL W. BURLEY
No. 57874
Exp. 6-30-20
CIVIL
STATE OF CALIFORNIA



PROJECT LOCATION

VICINITY MAP
N.T.S.

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TENTATIVE MAP / RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
TITLE SHEET
SANTA CRUZ COUNTY, CALIFORNIA
SANTA CRUZ

Revisions	No.

Date 06/13/19
Scale AS SHOWN
Design MWB
Drawn .
Approved .
Job No 20176131

Drawing Number:
C1.1
1 OF 9

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFTENTMAP.dwg
PLOT DATE: 06-14-19 PLOTTED BY: BUR

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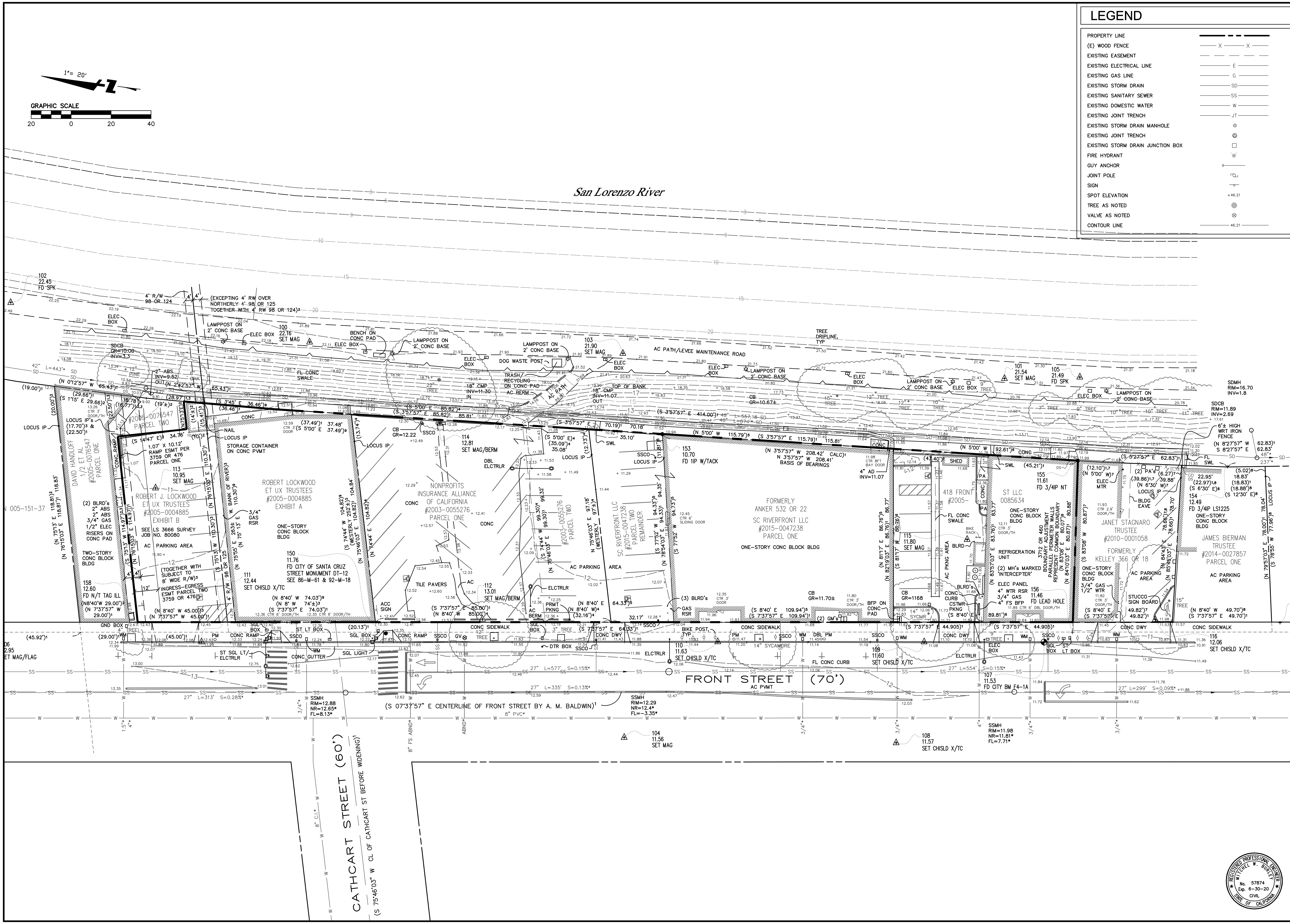

TENTATIVE MAP / RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
EXISTING CONDITION PLAN

SANTA CRUZ — SANTA CRUZ COUNTY — CALIFORNIA

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Date 06/13/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BURLEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
C2.1
2 OF 9

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFTENTMAP.dwg
PLOT DATE: 06-13-19 PLOTTED BY: BUR

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1"= 20'

GRAPHIC SCALE

20 0 20 40

San Lorenzo River

LOT 1
FOR CONDOMINIUM PURPOSES
(175 RESIDENTIAL UNITS, 8 COMMERCIAL UNITS)

PROPOSED PUBLIC ACCESS EASEMENT

PROPOSED PUBLIC ACCESS EASEMENT

S 3°57'57" E 401.90'

S 7°37'57" E 468.11'

FRONT STREET (70')

(S 07°37'57" E CENTERLINE OF FRONT STREET BY A. M. BALDWIN)[1]

CATHCART STREET (60')

(S 75°46'03" W CL OF CATHCART ST BEFORE WIDENING)[1]

ROBERT LOCKWOOD ET UX TRUSTEES #2005-0004885 EXHIBIT A

ROBERT J. LOCKWOOD ET UX TRUSTEES #2005-0004885 EXHIBIT B

SEE LS 3666 SURVEY JOB NO. 80080

DAVID HANDLOFF 1/2 ET AL #2005-0076547 PARCEL ONE

#2005-0076547 PARCEL TWO

NONPROFITS INSURANCE ALLIANCE OF CALIFORNIA #2003-0055276 PARCEL ONE

#2003-0055276 PARCEL TWO

SC RIVERFRONT LLC #2015-0047238 PARCEL TWO REMAINDER

FORMERLY ANKER 532 OR 22 SC RIVERFRONT LLC #2015-0047238 PARCEL ONE

418 FRONT #2005-

ST LLC 0085634

JANET STAGNARO TRUSTEE #2010-0001058 FORMERLY KELLEY 366 OR 18

JAMES BIERMAN TRUSTEE #2014-0027857 PARCEL ONE

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BUSLEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

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TENTATIVE MAP / RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
LOT LAYOUT PLAN

SANTA CRUZ COUNTY CALIFORNIA

SANTA CRUZ

Revisions	No.

Date 06/13/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

Drawing Number:
C3.1

3 OF 9

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PLOT DATE: 06-14-19 PLOTTED BY: BUR

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GENERAL NOTES

1. CONTRACTOR SHALL REMOVE AND REPAIR ALL DAMAGED CURB, GUTTER, AND SIDEWALK ALONG THE PROPERTY FRONTAGE AND REPLACE IN KIND PER CITY STANDARDS.

CONSTRUCTION KEY NOTES

1. CONSTRUCT DRIVEWAY APPROACH PER CITY OF SANTA CRUZ STANDARDS.
2. INSTALL DETECTABLE WARNING.
3. CONSTRUCT VERTICAL CURB & GUTTER AND SIDEWALK PER CITY OF SANTA CRUZ STANDARDS.
4. CONCRETE AC PAVEMENT CONFORM
5. EDGE STRIPING AT THE 8-FOOT WIDTH MARK OF 12 FOOT WIDE, PAVED LEVEE PATH

LEGEND

PROPERTY LINE

VERTICAL CURB AND GUTTER

RETAINING WALL (SEE STRUCTURAL PLANS)

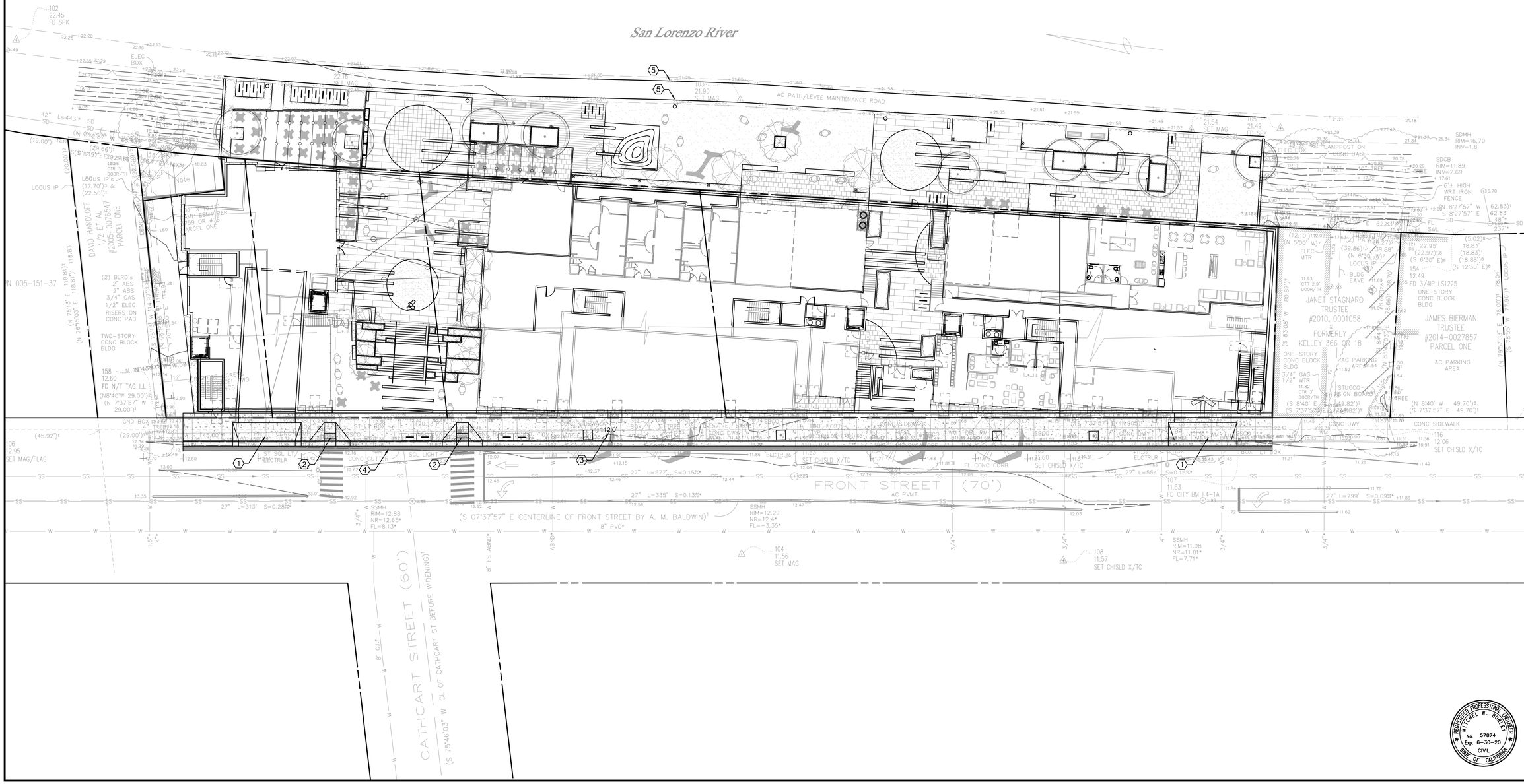
AC PAVEMENT

CONCRETE PAVEMENT

1" = 20'

GRAPHIC SCALE

20 0 20 40



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TENTATIVE MAP / RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
SITE PLAN

SANTA CRUZ COUNTY CALIFORNIA

SANTA CRUZ

Revisions

No.	

Date 06/13/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

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Drawing Number:
C4.1
4 OF 9

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PLOT DATE: 06-13-19 PLOTTED BY: BUR

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1" = 20'

GRAPHIC SCALE

20 0 20 40

GENERAL NOTES

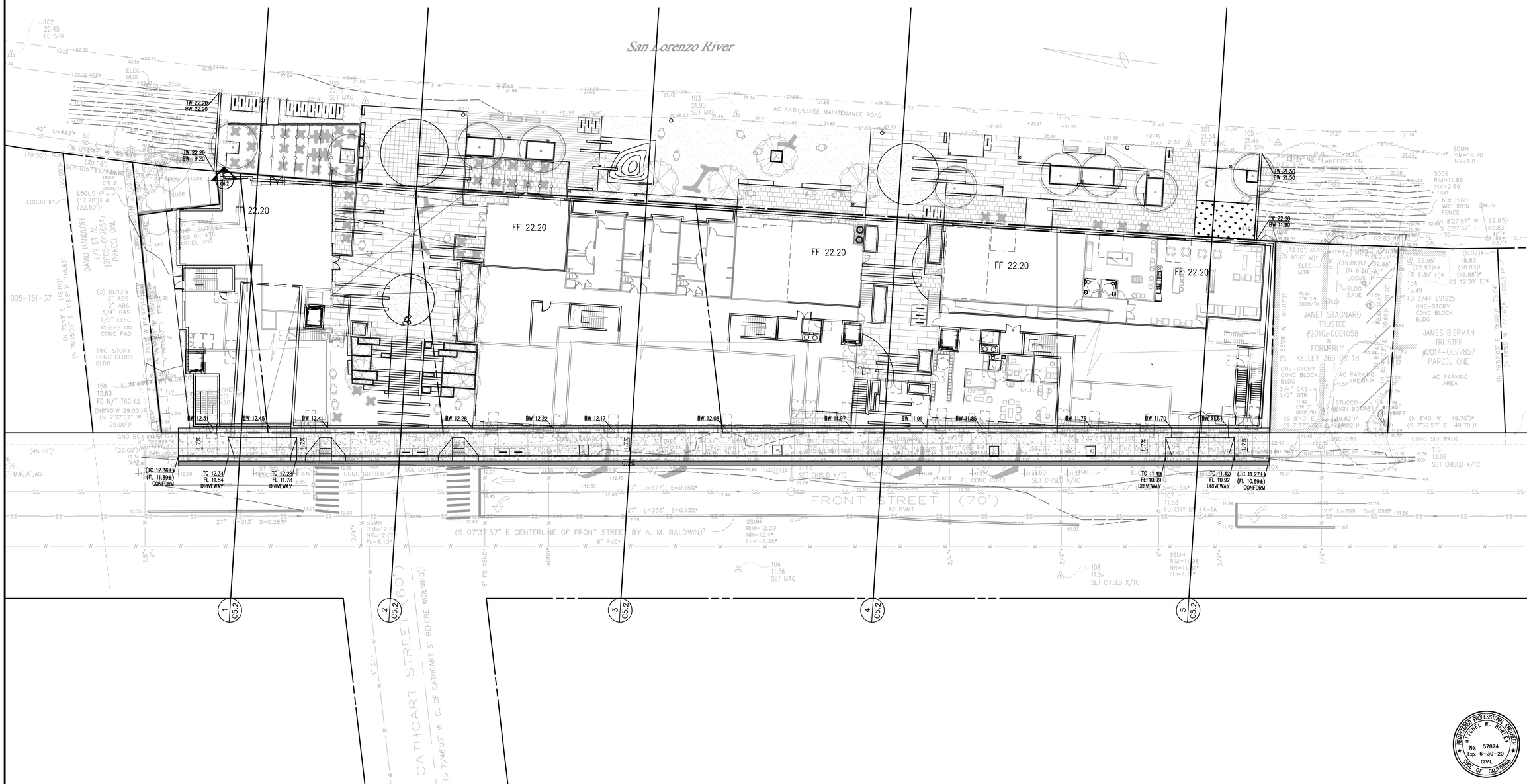
1. FINISHED GRADE AT LANDSCAPED AREAS ADJACENT TO THE BUILDING SHALL BE MINIMUM 8" BELOW FINISH FLOOR.
2. LANDSCAPED FINISHED GRADES AROUND THE PERIMETER OF BUILDING SHOULD BE COMPACTED AND SLOPED AT A 3% MIN. GRADIENT AWAY FROM FOUNDATION.
3. ALL PAVED AREAS ARE TO SLOPE A MINIMUM OF 0.5% AND MAXIMUM OF 8% ACCESSIBLE STALLS AND LOADING ZONES ARE TO SLOPE AT A MAXIMUM OF 2% IN ALL DIRECTIONS. ACCESSIBLE PATHWAYS ARE TO SLOPE AT A MAXIMUM OF 4.9% IN THE DIRECTION OF TRAVEL AND THE SLOPE CROSSWAYS TO THE DIRECTION OF TRAVEL SHALL BE AT A MAXIMUM OF 2%.
4. CONTRACTOR SHALL REMOVE AND REPAIR ALL DAMAGED CURB, GUTTER, AND SIDEWALK ALONG THE PROPERTY FRONTAGE PER CITY DIRECTION AND REPLACE IN KIND PER CITY STANDARDS.

LEGEND

DIRECTION OF FLOW (HARDSCAPE)	
DIRECTION OF FLOW (LANDSCAPE)	
STORM DRAIN JUNCTION BOX	SDJB
STORM DRAIN CLEAN OUT	SDCO
STORM DRAIN AREA DRAIN	AD
STORM DRAIN CATCH BASIN/OVERFLOW DRAIN	CB/OFD
STORM DRAIN INLET	DI
TRENCH DRAIN	
SANITARY SEWER MANHOLE	SSMH
SANITARY SEWER CLEANOUT	SSCO
OVERLAND STORM DRAIN RELEASE	
FF STEP	

LEGEND

PROPERTY LINE	
VERTICAL CURB & GUTTER	
RETAINING WALL	
DIRECTION OF FLOW	
FINISH FLOOR ELEVATION	FF 36.05
TOP OF CURB ELEVATION	TC 36.05
FINISHED GRADE ELEVATION	FG 36.05
FLOW LINE ELEVATION ELEVATION	FL 36.05
TOP OF WALL	TW 36.05
BOTTOM OF WALL/BACK OF WALK	BW 36.05
HIGH POINT	HP
LOW POINT	LP
PAVEMENT ELEVATION	PV 36.05



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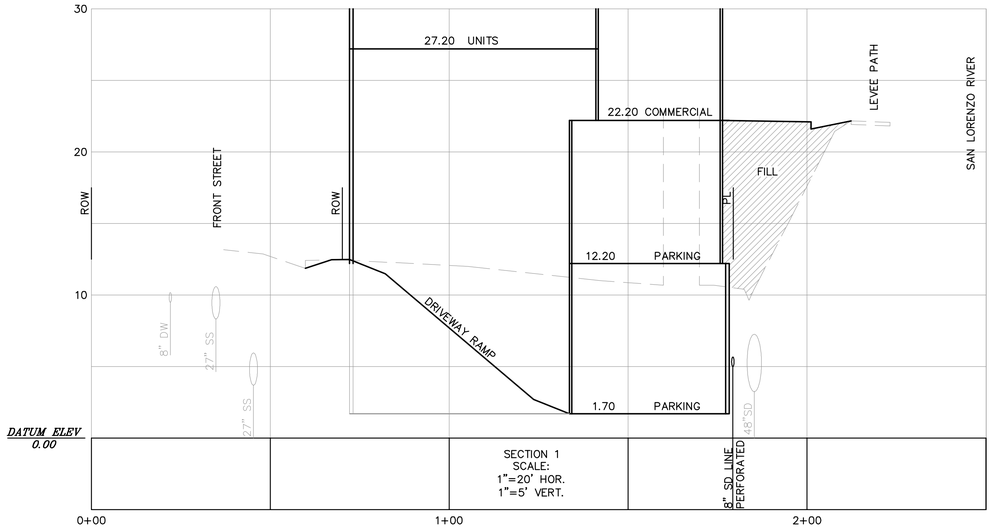

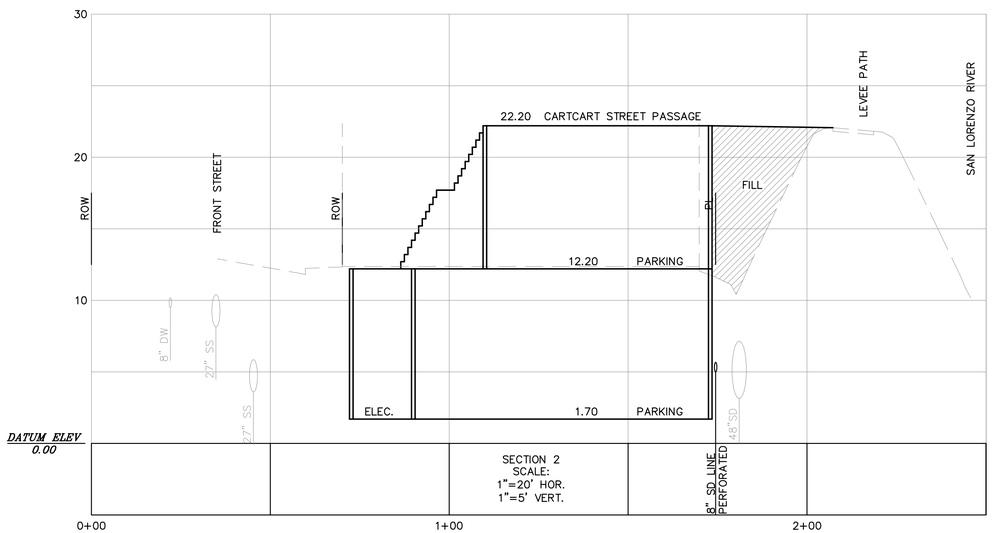

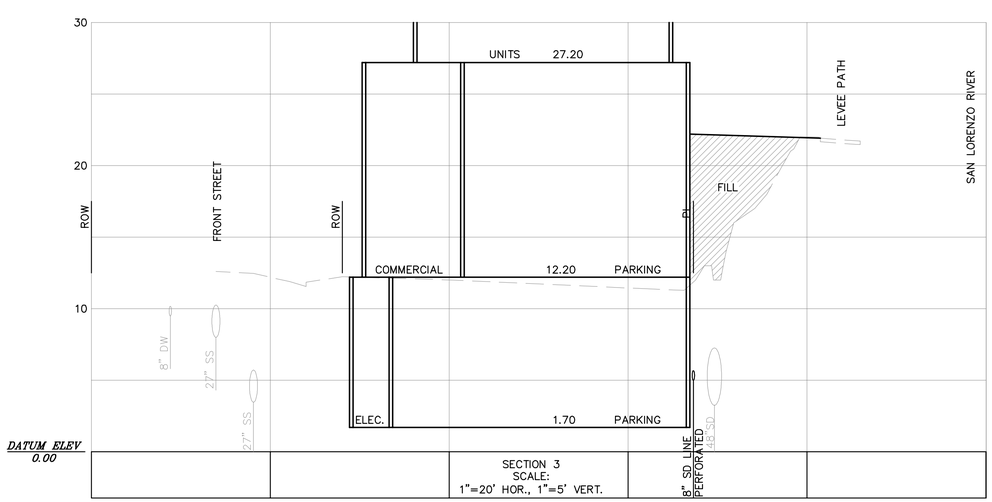

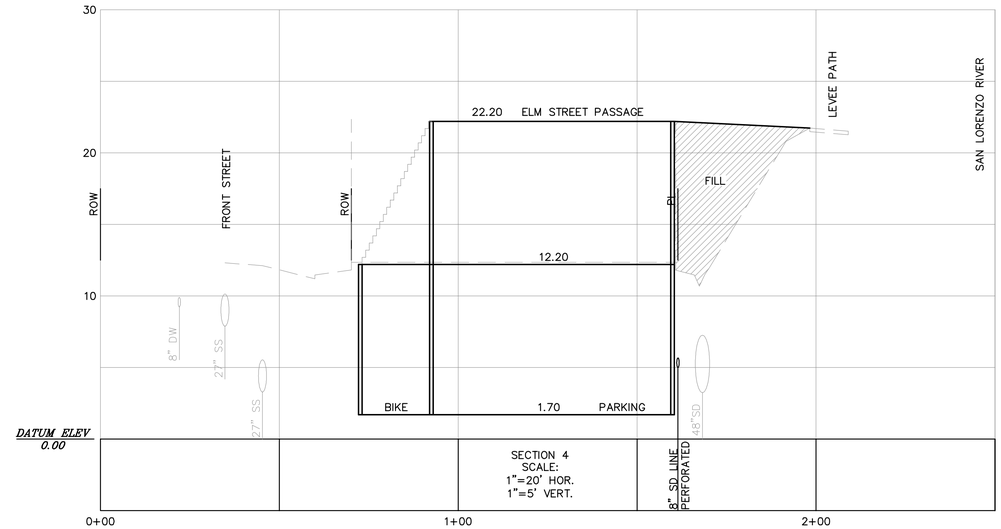

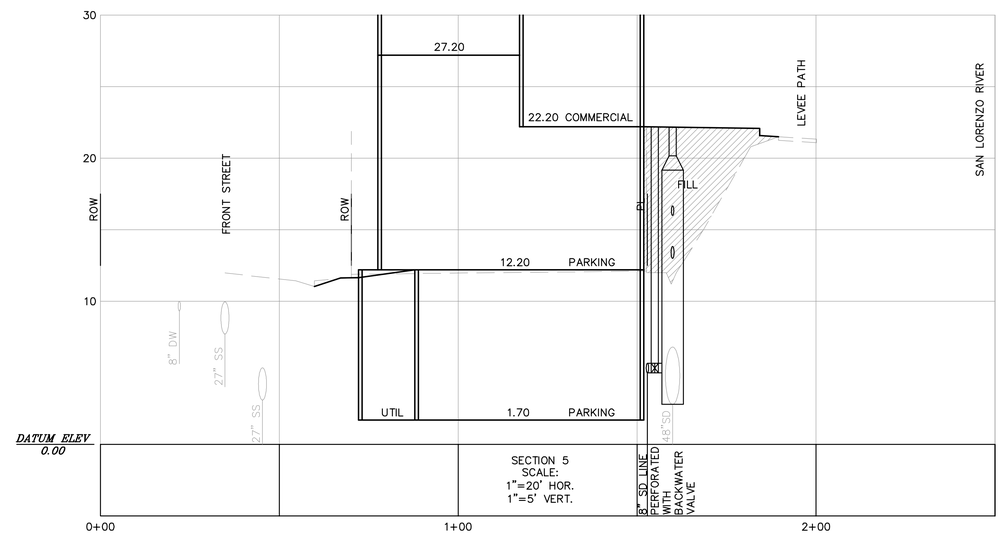

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GENERAL NOTES

1. ALL SEWER PIPES SHALL BE INSTALLED PER SANTA CRUZ STANDARD DETAILS.

CONSTRUCTION KEY NOTES

6. NEW 8" FIRE SERVICE (TO SERVE FIRE SPRINKLERS ONLY) INSTALLATION WITH A SCWD APPROVED DOUBLE-CHECK DETECTOR ASSEMBLY BACKFLOW DEVICE INSTALLATION AS PER SCWD DETAIL 9.
7. NEW 4" DOMESTIC WATER SERVICE INSTALLATION WITH A SCWD APPROVED REDUCED PRESSURE BACKFLOW DEVICE AND WATER METER AS PER SCWD DETAIL 6.
8. INSTALL CHRISTY G05 VALVE BOX AND G05C LID PER SANTA CRUZ WATER SYSTEM STANDARD SPECIFICATIONS.

CONSTRUCTION KEY NOTES

1. INSTALL 12"x12" STORM DRAIN JUNCTION BOX PER DETAIL 7, SHEET C7.2.
2. INSTALL STORM DRAIN TREATMENT MANHOLE PER DETAIL 7, SHEET C7.2.
3. INSTALL SANITARY SEWER CLEANOUT & LATERAL PER SANTA CRUZ STANDARD DETAILS. SEE PLUMBING PLANS FOR CONTINUATION INTO THE BUILDING.
4. INSTALL AREA DRAIN.
5. INSTALL SANITARY SEWER MANHOLE PER SANTA CRUZ STANDARD DETAILS.

LEGEND

FIRE HYDRANT/FIRE DEPT. CONNECTION	FH/FDC
REDUCED PRESSURE BACKFLOW DEVICE	
DOUBLE-CHECK DETECTOR ASSEMBLY	
WATER VALVE	WV
CHECK VALVE	CV
WATER METER	WM

LEGEND

PROPERTY LINE	
CURB AND GUTTER	
SANITARY LINE	10" SDR 26 PVC SS
OVERFLOW STORM DRAIN LINE (TREATED)	12" HDPE
STORM DRAIN LINE (UNTREATED)	6"/8" HDPE SD
TRENCH DRAIN	
WATER LINE	8" W
GAS LINE	G
JOINT TRENCH	JT
AREA DRAIN	AD
SANITARY SEWER MANHOLE	SSMH
SANITARY SEWER CLEANOUT	SSCO
STORM DRAIN MANHOLE	SDMH
STORM DRAIN CLEAN OUT	SDCO
STORM DRAIN CATCH BASIN/DRAIN INLET	CB/DI
STORM DRAIN JUNCTION BOX	SDJB

1"= 20'

GRAPHIC SCALE

20 0 20 40

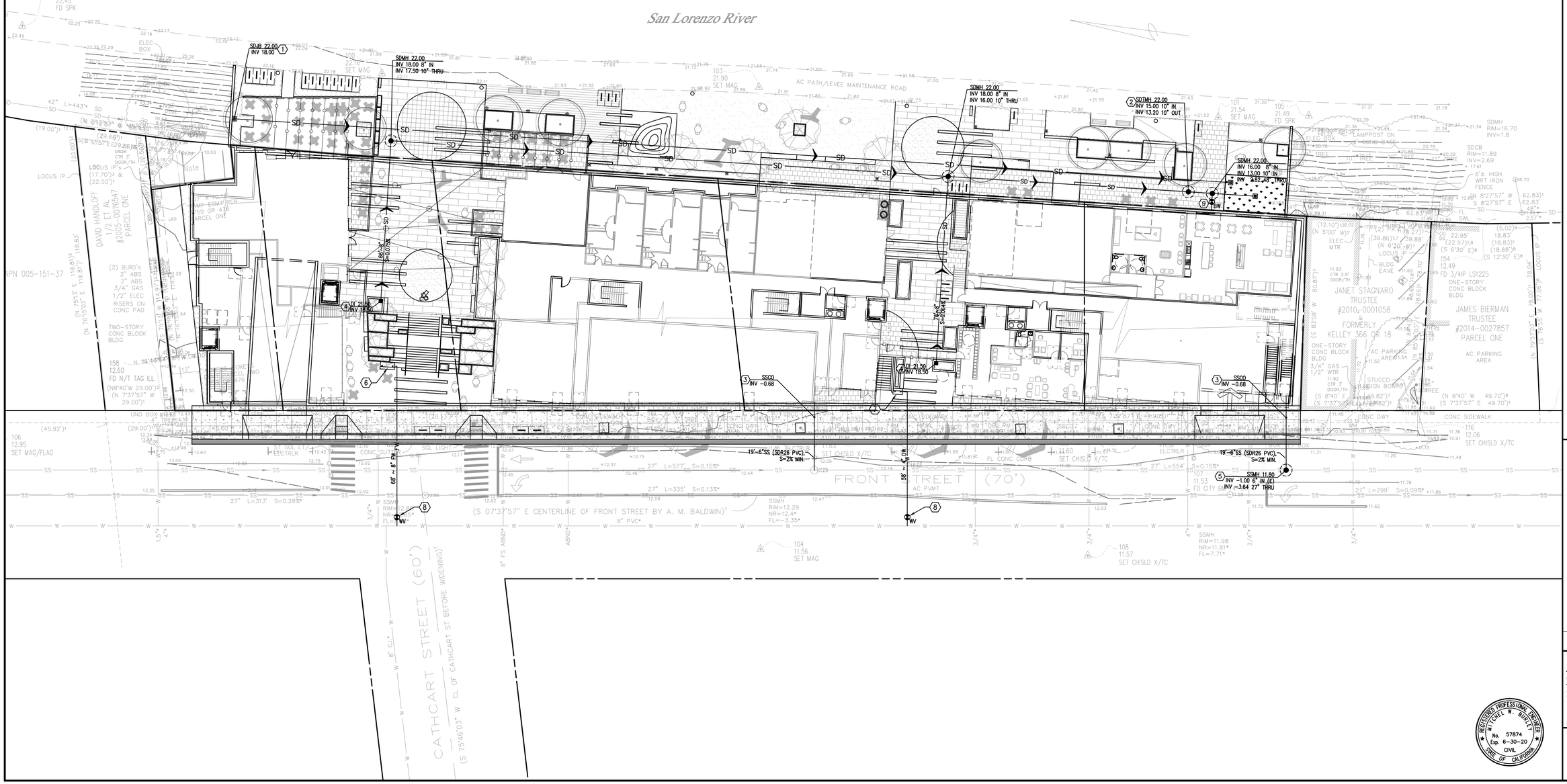

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TABLE 1

TREATMENT CONTROL MEASURE SUMMARY TABLE

DRAINAGE AREAS	DRAINAGE AREA SIZE (SQ. FT.)	PERVIOUS SURFACE (SQ. FT.)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SQ. FT.)	TYPE OF IMPERVIOUS SURFACE	WATER QUANTITY (FLOW AND/OR VOLUME GENERATED)		PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
						REQUIRED	PROVIDED		
A–1	15,493	7,427	LANDSCAPE	8,066	CONCRETE	352 SF	383 SF	SCM–1 BIORETENTION BASIN 1	YES
A–2	42,684	0	N/A	42,684	ROOF CONCRETE	0.18 CFS	0.21 CFS	SCM–2 PERK FILTER MANHOLE 1	YES

TABLE 2

TIER 3 SIMPLE METHOD CALC		
i	0.521	=total imperv (8066 sf)/total lot size (15493 sf)
C	0.353	=(0.858*I^3)-(0.78*I^2)+(0.774*I)+0.04
Rainfall depth, d (ft)	0.167	=2"/12 Santa Cruz 95TH percentile - WMZ 1,4 & 10
Tributary Area, A (sf)	6945	=New imperv (6202 sf)+ 0*Replaced imperv (1864 sf) + 0.1*new pervious (7427 sf)
Retention Volume (cf)	**408**	=C*d*A
Retention Volume - void ratio included (cf)	**1020**	=Volume/0.4
Area of Basin Required (sf)	**352**	= 4% (total imperv+ 0.1*total perv)
Area of Basin Provided (sf)	**383**	≥ Area of basin required
Depth of Rock (ft)	**2.7**	=Retention volume/Area of basin provided

NOTES:

1. CALCULATIONS WERE DONE PER CHAPTER 6B OF THE BEST MANAGEMENT PRACTICES MANUAL FOR THE CITY'S STORM WATER MANAGEMENT PROGRAM.
2. THE PROJECT RUNOFF DISCHARGES INTO 48" CITY STORM DRAIN LINE, AND OUTFALLS DIRECTLY INTO THE SAN LORENZO RIVER, THEREFORE THIS PROJECT IS NOT SUBJECT TO TIER 4 REQUIREMENTS: PEAK MANAGEMENT.
3. MAINTENANCE ACCESS TO SCM–1 AND SCM–2 SHALL BE AVAILABLE FROM SAN LORENZO RIVER LEVEE TRAIL DRIVEWAY AT SOQUEL AVENUE.

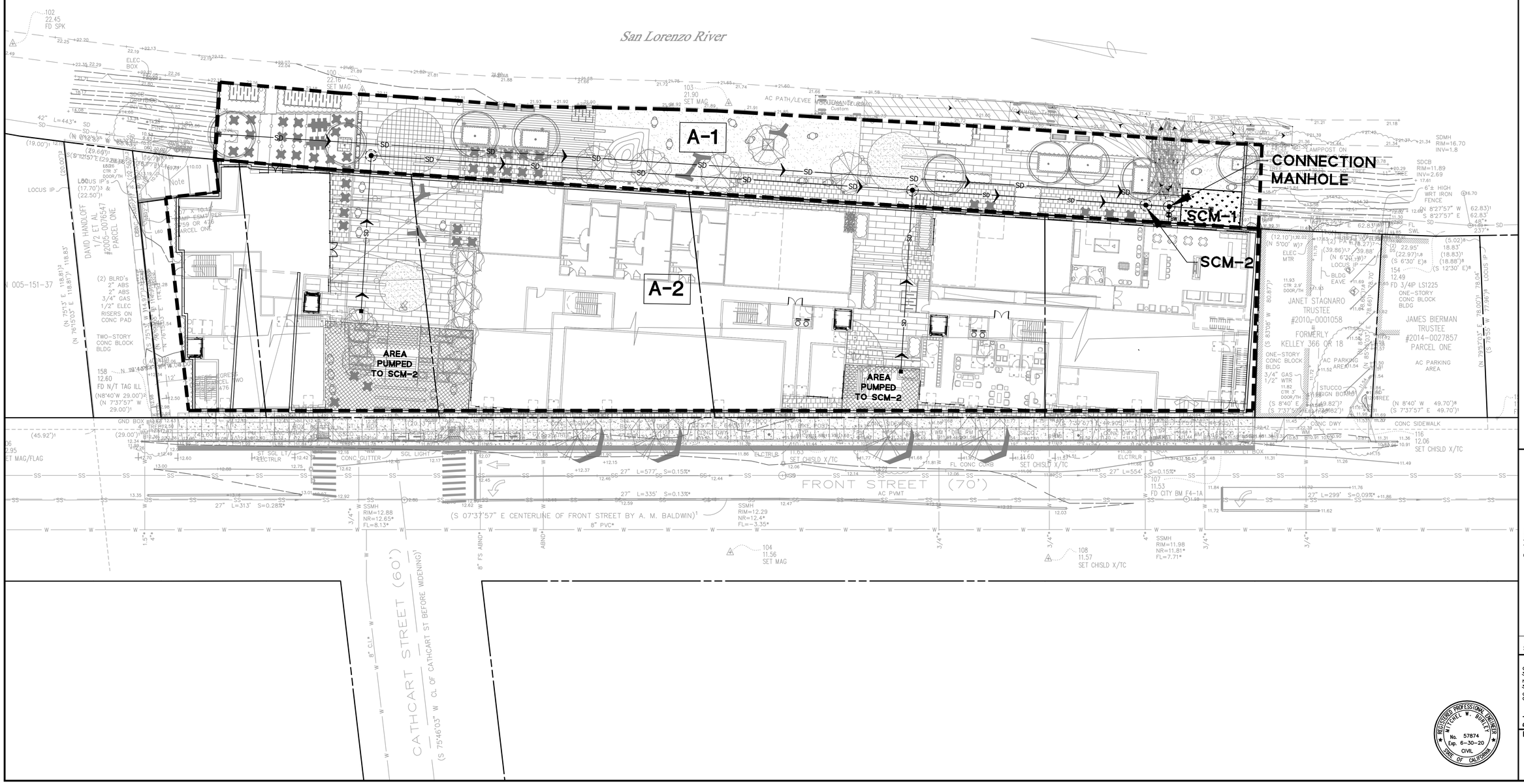
LEGEND

- PROJECT PROPERTY LINE
- RETAINING WALL
- DRAINAGE RELEASE PATH
- CATCH BASIN
- AREA DRAIN
- DRAINAGE MANAGEMENT AREA BOUNDARY — A-X
- STORMWATER CONTROL MEASURE — SCM-#
- STORM DRAIN LINE (UNTREATED) — SD
- TRENCH DRAIN

1"= 20'

GRAPHIC SCALE

20 0 20 40



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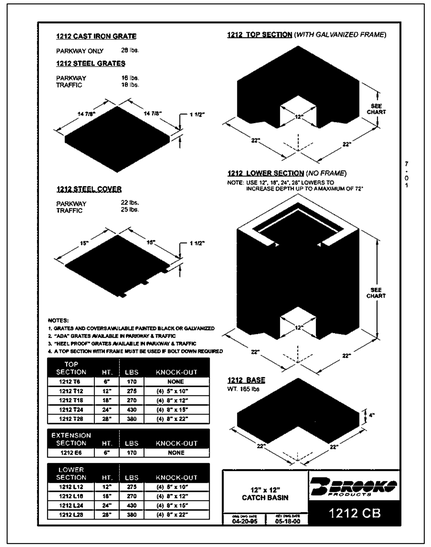
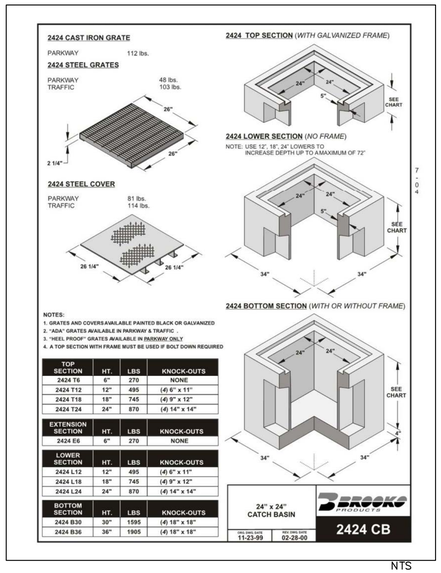
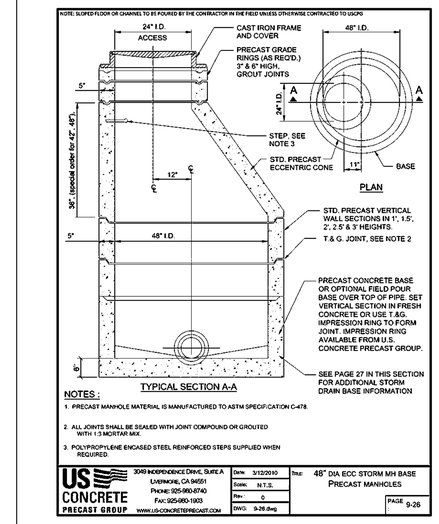




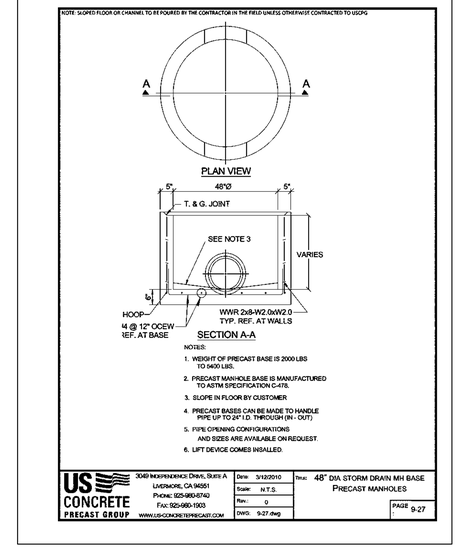
NTS

1 CATCH BASIN/ DROP INLET/ JUNCTION BOX DETAIL



NTS

2 STORM DRAIN MANHOLE



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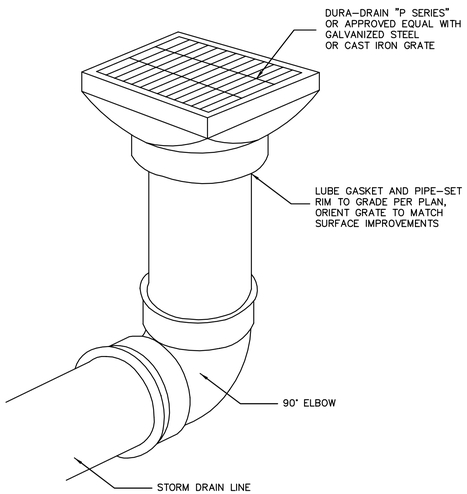
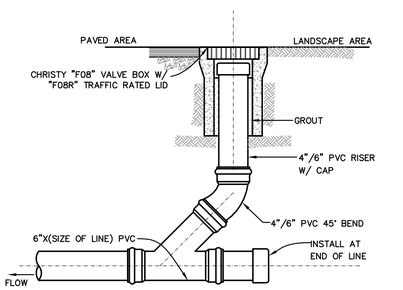
3 SDMH BASE



NTS

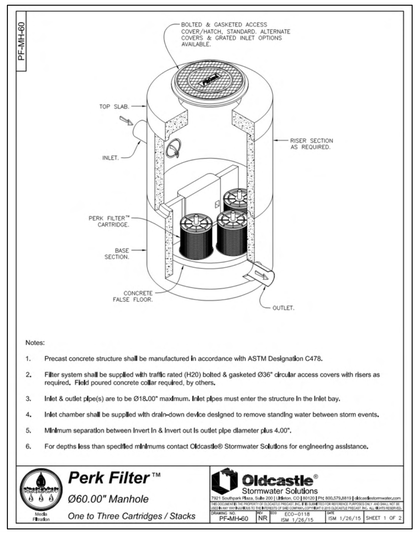
4 LANDSCAPE AREA DRAIN



NOTES:
1. ALL PVC PIPE TO BE SDR 35.
2. LIDS SHALL BE MARKED "SD" FOR STORM DRAIN & "SS" FOR SANITARY SEWER..
3. INSTALL H20 TRAFFIC LOADING FRAME & COVER WHEN CLEAN-OUTS ARE SUBJECT TO VEHICULAR TRAFFIC

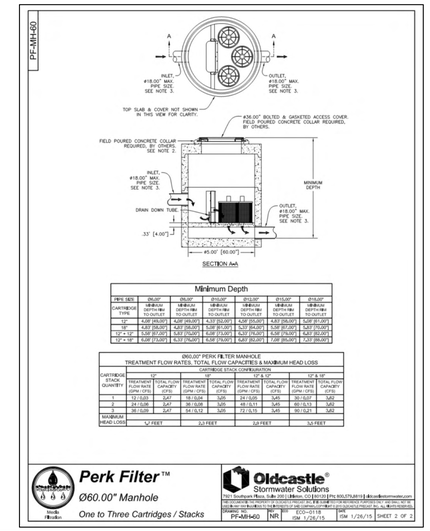
NTS

5 STORM DRAIN/SANITARY SEWER CLEANOUT



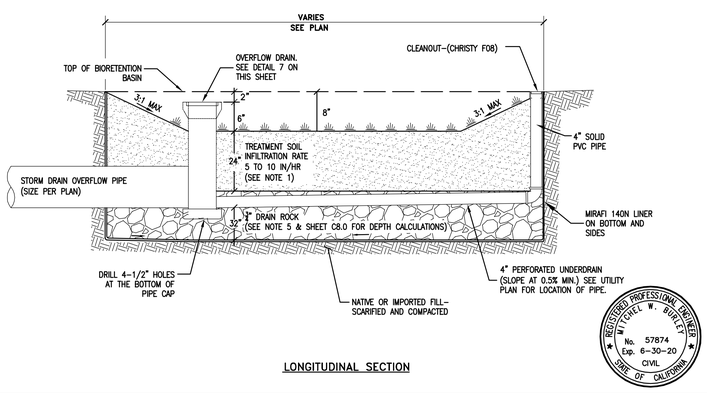
NTS

6 SD TREATMENT MANHOLE



NTS

7 OVERFLOW DRAIN



8 BIORETENTION BASIN DETAIL

NOTES

1. TREATMENT SOIL MIX SHALL MEET REQUIREMENTS AS SPECIFIED IN CHAPTER 6B OF THE BEST MANAGEMENT PRACTICES MANUAL FOR THE CITY OF SANTA CRUZ.
2. THE BIOTREATMENT SOIL MIX USED IN ALL BIORETENTION AREAS SHALL COMPLY WITH THE SPECIFICATIONS IN ATTACHMENT L OF THE RWQCB MUNICIPAL REGIONAL PERMIT. IF THE BIOTREATMENT SOIL MIX SUPPLIER IS INCLUDED ON SCVURPPP'S "BIOTREATMENT SOIL MIX SUPPLIER LIST" (SUPPLIER LIST), A BIOTREATMENT SOIL MIX SUPPLIER CERTIFICATION STATEMENT (CERTIFICATION STATEMENT) SHALL BE COMPLETED BY THE SUPPLIER AND SUBMITTED TO THE CITY/PROJECT ENGINEER A MINIMUM OF 14 DAYS PRIOR TO DELIVERY OF THE MATERIAL TO THE JOB SITE. IF THE BIOTREATMENT SOIL MIX SUPPLIER IS NOT INCLUDED ON THE SUPPLIER LIST, A BIOTREATMENT SOILS MIX VERIFICATION CHECKLIST (VERIFICATION CHECKLIST) SHALL BE COMPLETED BY THE SUPPLIER AND SUBMITTED TO THE CITY/PROJECT ENGINEER A MINIMUM OF 14 DAYS PRIOR TO DELIVERY OF THE MATERIAL TO THE JOB SITE. COPIES OF THE SUPPLIER LIST, CERTIFICATION STATEMENT AND VERIFICATION CHECKLIST CAN BE DOWNLOADED FROM THE COUNTYWIDE PROGRAM'S WEBSITE AT HTTP://WWW.SCVURPPP-W2K.COM/ND_WP.SHTML
3. PERFORATED PIPE SHALL BE SOLVENT WELD PVC SDR 35 (OR APPROVED EQUAL) WITH PERFORATIONS FACED DOWN. LOCATION OF THE PIPE VARIES, SEE PLAN.
4. FOR ANY LINER PENETRATIONS, RADIAL-CUT THE LINER FOR PIPE. MASTIC AND SEAL WITH PIPE CLAMP TO INSURE WATER-TIGHT SEAL.
5. MAINTAIN SPECIFIED DEPTH BENEATH PERFORATED PIPE.

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FINAL ENVIRONMENTAL IMPACT REPORT

Riverfront Project

SCH NO: 2019110392

City of Santa Cruz
Planning and Community Development Department

July 2020

Cover Rendering from Project Site Plans, Humpfreys & Partners Architects, L.P.

FINAL

ENVIRONMENTAL IMPACT REPORT

RIVERFRONT PROJECT

SCH#2019110392

PREPARED FOR

CITY OF SANTA CRUZ
Planning and Community Development Department

PREPARED BY

DUDEK
Santa Cruz, California

July 2020

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APPENDICES

A. Mitigation Monitoring and Reporting Program

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CHAPTER 1
INTRODUCTION

1.1 PURPOSE OF THE EIR

This EIR has been prepared for the City of Santa Cruz (City), which is the lead agency for the Riverfront Project (Project). This document, together with the Draft EIR dated May 2020, constitute the Final EIR for the proposed RIverfront Project. This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA), which is found in the California Public Resources Code, Division 13, and with the State CEQA Guidelines, which are found in Title 14 of the California Code of Regulations, commencing with section 15000.

As stated in the CEQA Guidelines section 15002, the basic purposes of CEQA are to:

- ❒ Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- ❒ Identify the ways that environmental damage can be avoided or significantly reduced.
- ❒ Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- ❒ Disclose to the public the reasons a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Pursuant to State CEQA Guidelines section 15121, an EIR is an informational document to inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency. While the information in the EIR does not control the ultimate decision about the project, the agency must consider the information in the EIR and respond to each significant effect identified in the EIR by making findings pursuant to Public Resources Code section 21081.

Pursuant to CEQA (Public Resources Code section 21002), public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures, which would substantially lessen the significant environmental effects of such projects. Pursuant to section 15021 of the State CEQA Guidelines, CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. According to the State CEQA Guidelines, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. This section further indicates that CEQA recognizes that in determining whether and how a project

should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors, and an agency shall prepare a "statement of overriding considerations" as to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment. The environmental review process is further explained below in subsection 1.4.

1.2 PROJECT OVERVIEW

The proposed Riverfront Project (Project) consists of demolition of existing commercial buildings and the construction of a seven-story, 188,694-square-foot, mixed-use building with 175 residential condominium units and 11,498 square feet of ground floor and levee-front commercial space. A total of 20 residential units would be designated as affordable housing, with 15 units for very-low-income households and 5 units for low-income households. The Project applicant is seeking a 35-percent density bonus pursuant to state and local law (Government Code Section 65915 and City of Santa Cruz Municipal Code Chapter 24.16, Part 3). See Chapter 3, Project Description, in the Draft EIR volume for a full description of the Project.

1.3 SCOPE OF THE EIR

1.3.1 Review of Environmental Impacts

The focus of the environmental review process is upon significant environmental effects. As defined in section 15382 of the CEQA Guidelines, a "significant effect on the environment" is:

> ... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether a physical change is significant.

In evaluating the significance of the environmental effects of a project, the State CEQA Guidelines require the lead agency to consider direct physical changes in the environment and reasonably foreseeable indirect physical changes in the environment which may be caused by the project (CEQA Guidelines section 15064[d]). A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. An indirect physical change in the environment is a physical change in the environment, which is not immediately related to the project, but which is caused indirectly by the project. An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project.

CEQA Guidelines section 15064(e) further indicates that economic and social changes resulting from a project shall not be treated as significant effects on the environment, although they may be used to determine that a physical change shall be regarded as a significant effect on the environment. In addition, where a reasonably foreseeable physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project.

1.3.2 Consideration of Existing Environmental Documents

In analyzing a proposed project, the City may consider whether existing environmental documents already provide an adequate analysis of potential environmental impacts. An earlier analysis may be used where, pursuant to tiering, program EIR, or other CEQA provisions, if it can be determined that one or more effects have been adequately analyzed in an earlier EIR or negative declaration (State CEQA Guidelines section 15063(c)(3)(D)). If an earlier analysis is used, the Initial Study checklist discussion should identify: a) the earlier analyses and state where they are available for review; b) identify which effects were adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis; and c) describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

In preparing this EIR, the City considered earlier analyses in the General Plan 2030 EIR and in the Downtown Plan Amendments EIR. On June 26, 2012, the Santa Cruz City Council adopted the *General Plan 2030* after certifying an EIR for the plan. The *General Plan 2030* EIR includes the Draft EIR volume (September 2011) and the Final EIR volume (April 2012). The General Plan EIR reviewed all of the recommended topics included on the Appendix G environmental checklist in the State CEQA Guidelines as well as all sections required to be included in an EIR. The General Plan EIR is a "program" EIR prepared pursuant to State CEQA Guidelines Section 15168, which reviewed environmental impacts associated with future development and buildout within the City's planning area that would be accommodated by the General Plan.

The Santa Cruz City Council approved amendments to the Downtown Plan (formerly Downtown Recovery Plan [DRP]) in November 2017. A program EIR was prepared pursuant to section 15168 of the State CEQA Guidelines, which evaluated effects of the 2017 Plan amendments and was certified on November 14, 2017; the EIR includes the Draft EIR volume (July 2017) and the Final EIR volume (October 2017). The Downtown Plan amendments included additional height allowances under specified circumstances and other revised development standards that could lead to potential increased development in the downtown area. Potential future development within the Downtown Plan area with the amendments was estimated by City staff as 880 new residential units, 305,007 square feet of commercial uses, and 124,057 square feet of office uses, resulting in a net increase of 711 residential units, approximately 2,200 square feet of office space, and a decrease in commercial space of approximately 14,700 square feet. This level of potential

new development in the downtown area was evaluated in the EIR, including potential development on the Project site. The Downtown Plan Amendments EIR evaluated impacts of this level of potential future development and addressed aesthetics, air quality and greenhouse gas emissions, biological resources, cultural and tribal cultural resources, hydrology and water quality, public services, transportation and traffic, water and wastewater utilities, and land use. The EIR also evaluated amendments to the *General Plan 2030* and the City's Local Coastal Program (LCP) related to the downtown area.

CEQA also allows a lead agency to avoid repeating analyses that were already provided in a certified General Plan EIR for a development project that is consistent with the General Plan. Public Resources Code section 21083.3 and its parallel CEQA Guidelines provision, section 15183, provide for streamlined environmental review for projects consistent with the General Plan for which an EIR was certified. Under these provisions of CEQA, a project that is consistent with a General Plan that was adopted pursuant to a certified EIR, could be potentially partially or wholly exempt from further CEQA analyses.

1.3.3 Riverfront Project EIR Scope of Work

The City considered earlier analyses in the certified General Plan 2030 and Downtown Plan Amendments EIRs when it prepared an Environmental Checklist for the proposed Project to determine whether impact analyses in these EIRs had adequately addressed any potential impacts of the proposed Project, consistent with the provisions of Public Resources Code section 21083.3 and CEQA Guidelines section 15183. The Project site is designated Regional Visitor Commercial (RVC) in the City's *General Plan 2030* and is zoned Central Business District (CBD). The proposed Project is consistent with both designations, and the General Plan strongly encourages mixed-use development in RVC districts. For the Downtown Area, the General Plan indicates that the Regional Visitor Commercial designation "emphasizes a mix of regional office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions such as entertainment venues," and that the Downtown Recovery Plan provides detailed requirements for this area. In the downtown area, the General Plan allows a floor area ratio (FAR) of up to 5.0. The Project's proposed FAR is 4.44, which is within the allowed FAR established in the General Plan as amended in 2017 as part of the Downtown Plan Amendments.

While the *General Plan 2030* EIR considered the impacts of repurposing, intensifying, and redeveloping existing developed parcels in the City as a whole, specific future development of the Project site was not noted or specifically evaluated in the General Plan EIR, and there were no site-specific impacts identified for the Project site. However, as part of the overall estimated buildout, the EIR considered construction of new housing units and non-residential uses in the City with an estimated buildout of 3,350 new residential units and approximately 1,090,000 square feet of commercial uses throughout the City by the year 2030 (City of Santa Cruz 2012, DEIR volume-page 3-13). Since adoption of the General Plan, approximately 1,840 residential units, including single-family homes and accessory dwelling units, and 545,000 square feet of commercial space have been constructed or approved throughout the City. Thus, the proposed 175 residential units and

approximately 11,500 square feet of commercial space would be within the remaining residential and commercial buildout estimates considered in the city-wide General Plan EIR impact analyses.

The Downtown Plan Amendments EIR assessed potential future development with an estimated net increase of 711 residential units and approximately 2,200 square feet of office space with a decrease in commercial space of approximately 14,700 square feet in the downtown area. The Project site is located in the "Area X" considered in the Downtown Plan Amendments EIR, which is located on the east side of Front Street between Laurel and Soquel. The Downtown Plan EIR estimated that buildout with the Downtown Plan Amendments could potentially result in a net increase of approximately 321 residential units and approximately 11,200 square feet of commercial space in this area. Thus, the proposed 175 residential units and 11,498 square feet of commercial space, which is a reduction in current commercial square footage, are within the amount of development considered in the Downtown Plan EIR for all areas evaluated, as well as the specific area in which the proposed Project is located.

An environmental checklist was prepared for the proposed Project in support of the EIR Notice of Preparation (NOP). The NOP is included in Appendix A, and the checklist is included in Appendix B. The purpose of the checklist was to evaluate the impact categories covered in the City's certified Downtown Plan Amendments EIR and General Plan EIR to determine whether the Project's impacts had been adequately analyzed in previous EIRs pursuant to CEQA or whether any new significant impacts peculiar to the Project or Project site would result. Where an impact resulting from the project was previously adequately analyzed, the review provides a cross-reference to the pages in the Downtown Plan Amendments EIR and/or General Plan EIR where information and analysis may be found relative to the environmental issue listed under each topic. The checklist also identifies whether the Project involves new significant impacts or substantially more severe impacts than analyzed in the Downtown Plan Amendments EIR and/or General Plan EIR or new significant impacts not peculiar to the site or Project. The checklist concluded that cultural resources (historical resources) and energy required additional analysis. (See Appendix B for further explanation.)

Based on the analyses in the Environmental Checklist and responses to the NOP (as discussed below), this EIR evaluates potentially significant impacts for the topics listed below. As a result of the EIR scoping process, the City also chose to further analyze issues related to biological resources, geology/soils, and land use in the EIR. The EIR also evaluates topics required by CEQA and CEQA Guidelines for all EIRs, including growth inducement, project alternatives, and cumulative impacts. Other issues not included in the EIR are evaluated in the 2019 Environmental Checklist, which is included in Appendix B and also is available for review on the Planning Department's website at: www.cityofsantacruz.com/CEQA.

- ❒ Biological Resources
- ❒ Cultural Resources
- ❒ Geology and Soils
- ❒ Energy Conservation
- ❒ Land Use

Where applicable and as noted, this EIR tiers from the Downtown Plan Amendments EIR, (SCH#2017022050), which was certified on November 14, 2017. Pursuant to Public Resources Code section 21068.5, "tiering" or "tier" means the coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report. According to CEQA Guidelines section 15152, agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering shall be limited to situations where a project is consistent with the general plan and zoning. As discussed above the proposed Project is consistent with the General Plan designation, as well as the zoning designation (see Section 4.5, Land Use, for further discussion).

The Project site is located within the geographical area covered by the Downtown Plan Amendments EIR, and the proposed development is within the level of development analyzed in the EIR. Therefore, the City has determined that the proposed Project is within the scope of activities outlined in the prior Downtown Plan Amendments EIR and its impacts were generally analyzed in the EIR. The analyses in this EIR focus in greater detail on the environmental effects that could result from the proposed Project at the proposed location.

The EIR also draws from the City of Santa Cruz *General Plan 2030* EIR (SCH#2009032007), which was certified on June 26, 2012. Relevant sections of the General Plan EIR, as well as the Downtown Plan Amendments EIR, are incorporated by reference in accordance with section 15150 of the State CEQA Guidelines. The specific sections of these prior EIRs that are relied upon and incorporated by reference in this EIR are noted and explained in the relevant sections of this EIR.

The Downtown Plan Amendments EIR and General Plan EIR are available for review at the City of Santa Cruz Planning and Community Development Department (809 Center Street, Room 101, Santa Cruz, California) by appointment during normal business hours (Monday through Thursday, 7:30 AM to 12 PM and 1 PM to 3 PM). See City contact information in section 1.4.2 to make an appointment. Both EIRs are also available online on the City's website at:

- Downtown Plan Amendments EIR
  http://www.cityofsantacruz.com/Home/Components/BusinessDirectory/BusinessDirectory/101/2849
- General Plan 2030 EIR
  http://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/long-range-policy-planning/general-plan

1.4 ENVIRONMENTAL REVIEW AND APPROVAL PROCESS

1.4.1 Scoping

Under CEQA, the lead agency for a project is the public agency with primary responsibility for carrying out or approving the project, and for implementing the requirements of CEQA. CEQA Guidelines section 15083 authorizes and encourages an early consultation or scoping process to help identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed and considered in an EIR, and to help resolve the concerns of affected regulatory agencies, organizations, and the public. Scoping is designed to explore issues for environmental evaluation, ensuring that important considerations are not overlooked and uncovering concerns that might otherwise go unrecognized.

A Notice of Preparation (NOP) for this EIR was circulated for a 30-day comment period on November 20, 2019. The NOP was circulated to the State Clearinghouse and to local, regional, and federal agencies in accordance with State CEQA Guidelines. The NOP also was sent to organizations and interested citizens that have requested notification in the past. The NOP is included in Appendix A. A public scoping meeting was held on December 4, 2019 to receive oral comments on the EIR scope.

Written comments were received in response to the NOP from three public agencies (California Coastal Commission, California Native Heritage Commission, and FEMA) and three individuals. These letters are included in Appendix A. The comments have been taken into consideration in the preparation of this EIR for comments that address environmental issues.

1.4.2 Public Review of Draft EIR

The Draft EIR was published and circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public review period from May 11 through June 24, 2020. The City of Santa Cruz encouraged public agencies, organizations, community groups, and all other interested persons to provide written comments on the Draft EIR prior to the end of the 45-day public review period. Section 15204(a) provides guidance on the focus of review of EIRs, indicating that in reviewing draft EIRs, persons and public agencies "should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated," and that comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. This section further states that: "CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR."

Seventeen letters or emails of comment were received including from one public agency, two organizations and 14 individuals. Agencies, organizations and individuals that submitted written comments on the draft EIR are outlined below.

A. State & Local Agencies

1. Santa Cruz County Regional Transportation Commission

B. Organizations

1. Bike Santa Cruz County
2. Sierra Club

C. Individuals

1. Christine Fahrenbach
2. Margo Fisher
3. Gillian Greensite
4. Carolyn Israel
5. Susan Kauffman
6. Kristin (No Last Name)
7. Jane Mio
8. Vivienne Orgel
9. Holly Schipper
10. Russell Weisz
11. Online Comments: John Frazer, Linda Rosewood, David Mintz, John Hall

This Final EIR volume includes written responses to significant environmental issues raised in comments received during the public review period in accordance with CEQA Guidelines section 15088. The Final EIR also includes Draft EIR text changes and additions that became necessary after consideration of public comments. (See CEQA Guidelines, § 15088, subd. (c)).)

1.4.3 Final EIR / Project Approval

The Final EIR, which includes both the Draft and Final EIR documents, will be presented to the City Council. The City Council will make the final decision on certification of the EIR and the Riverfront Project. The Project also will be reviewed by the City Historic Preservation Commission and the Planning Commission, which will provide a recommendation to the City Council. The City Council must ultimately certify that it has reviewed and considered the information in the EIR, that the EIR has been completed in conformity with the requirements of CEQA, and that the document reflects the City's independent judgment.

Pursuant to sections 21002, 21002.1 and 21081 of CEQA and sections 15091 and 15093 of the State CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:
   1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects on the environment.
   2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by such other agency.
   3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Although these determinations (especially regarding feasibility) are made by the public agency's final decision-making body based on the entirety of the agency's administrative record as it exists after completion of a Final EIR, the Draft EIR must provide information regarding the significant effects of the proposed project and must identify the potentially feasible mitigation measures and alternatives to be considered by that decision-making body.

1.4.4 Adoption of Mitigation Monitoring & Reporting Program

CEQA requires that a program to monitor and report on mitigation measures be adopted by a lead agency as part of the project approval process. CEQA requires that such a program be adopted at the time the agency approves a project or determines to carry out a project for which an EIR has been prepared to ensure that mitigation measures identified in the EIR are implemented. The Mitigation Monitoring and Reporting Program proposed for adoption by the City is included in Appendix A of this document.

1.5 ORGANIZATION OF DRAFT EIR

The content and format of this Draft EIR are designed to meet the requirements of CEQA and the CEQA Guidelines (sections 15122 through 15132). This Draft EIR is organized into the following chapters:

- ❒ **Chapter 1, Introduction,** explains the CEQA process; describes the scope and purpose of this Draft EIR; provides information on the review and approval process; identifies intended uses of the EIR; and outlines the organization of the Draft EIR document.

- ❒ **Chapter 2, Summary,** presents an overview of the Project; provides a summary of the impacts of the Project and mitigation measures; provides a summary of the alternatives being considered; includes a discussion of known areas of controversy; and lists the topics not carried forward for further analysis.
- ❒ **Chapter 3, Changes to Draft EIR**, outlines revisions to the Draft EIR text as a result of review of comments and responses as may be needed. Additional clarification provided by City staff also is included.
- ❒ **Chapter 4, Public Comments and Responses**, includes each comment letter with responses to comments immediately following the comment letter.
- ❒ **Appendix A** includes the Mitigation Monitoring and Reporting Program for the Project.

CHAPTER 2
SUMMARY

2.1 INTRODUCTION

This chapter provides a brief description of the proposed Riverfront Project (Project), known areas of controversy or concern, project alternatives, all potentially significant impacts identified during the course of this environmental analysis, and issues to be resolved. This summary is intended as an overview and should be used in conjunction with a thorough reading of the EIR. The text of this report, including figures, tables and appendices, serves as the basis for this summary.

2.2 PROJECT OVERVIEW

This Environmental Impact Report (EIR) addresses the potential environmental effects of construction of a mixed-use project in downtown Santa Cruz. The Riverfront Project consists of demolition of existing commercial buildings and the construction of a seven-story, 188,694-square-foot, mixed-use building with 175 residential condominium units and 11,498 square feet of ground floor and levee-front commercial space. A total of 20 residential units would be designated as affordable housing, with 15 units for very-low-income households and 5 units for low-income households. The Project applicant is seeking a 35-percent density bonus pursuant to state and local law (Government Code Section 65915 and City of Santa Cruz Municipal Code Chapter 24.16, Part 3). See Chapter 3, Project Description, for a full description of the Project.

2.3 AREAS OF CONTROVERSY OR CONCERN

The following issues of concern were raised during the scoping process for the Project, including oral comments received at a public scoping meeting and written comments received in response to circulation of the EIR Notice of Preparation (NOP). Comments in response to the NOP are included in Appendix A. As indicated in Chapter 1, Introduction, the comments have been taken into consideration in the preparation of this EIR for comments that raise environmental issues. See Appendix B for review of other topics not addressed in the EIR.

- ❒ Biological resource impacts, including habitat modification, habitat loss, and impacts to wildlife movement and nesting birds;
- ❒ Impacts to archaeological resources;
- ❒ Effects of ground improvement methods and foundation design on San Lorenzo River, groundwater and water quality;
- ❒ Project energy use; and
- ❒ Impacts to coastal resources and consistency with the City's Local Coastal Program.

2.4 SUMMARY OF ALTERNATIVES

CEQA Guidelines require that an EIR describe and evaluate alternatives to the Project that could eliminate significant adverse Project impacts or reduce them to a less-than-significant level. The following alternatives are evaluated in Chapter 6.

- ❒ No Project: Required by CEQA
- ❒ Alternative 1: Partial Preservation – Incorporation of Building Facades into Project
- ❒ Alternative 2: Relocation of Historic Buildings

Table 6-1 in Chapter 6 presents a comparison of Project impacts between the proposed Project and the alternatives. The No Project Alternative would avoid all impacts identified for the proposed Project. Of the other alternatives considered Alternative 1 would best achieve Project objectives, while also reducing the severity of identified significant impacts and therefore, is considered the environmentally superior alternative of the alternatives reviewed. While Alternative 2 would also lessen the severity of the historical resource impact, it may be potentially infeasible due to lack of identified sites to relocate the historic buildings and issues related to disassembling, moving and re-assembling the buildings.

2.5 SUMMARY OF IMPACTS AND MITIGATION MEASURES

All impacts identified in the subsequent environmental analyses are summarized in this section. This summary groups impacts of similar ranking together, beginning with significant unavoidable impacts, followed by significant impacts that can be mitigated to a less-than-significant level, followed by impacts not found to be significant. The discussions in the Initial Study of impacts that are not being addressed in detail in the text of the Draft EIR are intended to satisfy the requirement of CEQA Guidelines section 15128 that an EIR "shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and therefore were not discussed in detail in the EIR." The Initial Study is included in Appendix A of this EIR. A summary of less-than-significant and no impacts identified in the Initial study is presented at the end of this section.

2.5.1 Significant Unavoidable Impacts

The following impacts were found to be potentially significant, and while mitigation measures have been identified in some cases, the impact cannot be reduced to a less-than-significant level.

Impact CUL-1: **Historical Resources.** The proposed Project would cause a substantial adverse change in the significance of a historical resource due to demolition.

Mitigation Measures

Implementation of Mitigation Measures CUL-1 and CUL-2 would reduce the impact, but not to a less-than-significant level; therefore, the impact would remain *significant and unavoidable*. Alternatives to rehabilitate and/or protect the buildings are discussed in Chapter 6.

Mitigation CUL-1: Complete documentation of buildings at 418 and 428 Front Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following:

- Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories.
- *Measured Drawings:* Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).
- *HABS-Level Photographs:* Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest

HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.

- *HABS Historical Report:* A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.

MITIGATION CUL-2: Prior to the start of Project construction and demolition, the Project proponent shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed Project boundary along a pedestrian walkway or attached to the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the Project site. The interpretive displays illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps.

2.5.2 Significant Impacts

The following impacts were found to be potentially significant, but could be reduced to a less-than-significant level with implementation of identified mitigation measures should the City's decision-makers impose the measures on the Project at the time of final action on the Project.

Impact BIO-4: **Indirect Impacts to Nesting Birds.** Future development as a result of the proposed Downtown Plan amendments could result in disturbance to nesting birds if any are present in the vicinity of construction sites along the San Lorenzo River.

Mitigation Measures

implementation of the following mitigation measure identified in the Downtown Plan Amendments EIR will be required of the proposed project. The measure has been revised as part of the Final EIR to reflect the nesting period for which pre-construction nesting surveys are required by the California Department of Fish and Wildlife in the Lake, Streambed Alteration Agreement with the City of Santa Cruz for maintenance activities along San Lorenzo River and other streams in the City.

DPA EIR MITIGATION 4.3-3: Require that a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 ~~March and late July~~ to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the MBTA are found, construction may need to be delayed until late September ~~August~~ or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).

The following mitigation measures were adopted with the Downtown Plan Amendments and are applicable to development projects in the area covered in the EIR, which includes the Project site. Therefore, the following mitigation measures are also required for the Project. (See Appendix B for further discussion.)

DPA MITIGATION 5-1: *Cumulative Impacts*. Require future development projects within the downtown area to contribute fair-share payments for improvements at the following intersections: Front/Soquel (signal timing and lane modifications); Front/Laurel (westbound lane addition and north and south right-turn

overlap), and Pacific/Laurel (southbound left-turn lane addition).

DPA MITIGATION NOISE-1: Require preparation and implementation of acoustical studies for future residential development along Front Street to specify building design features that meet state interior sound levels.

2.5.3 Less-Than-Significant Impacts

The following impacts were found to be less-than-significant. Mitigation measures are not required.

Impact BIO-1: **Indirect Impacts to Special Status Species.** Project development could result in indirect impacts to riparian and aquatic special status species due to increased shading due to increased building heights and stormwater runoff, but would not substantially affect habitats.

Impact BIO-3: **Indirect Impacts to Sensitive Riparian Habitat.** Project development could result in indirect impacts to birds in the area that could lead to bird mortalities.

Impact CUL-2: **Archaeological Resources.** The proposed Project would not cause a substantial adverse change in the significance of an archaeological resource.

Impact CUL-3: **Human Remains.** The proposed Project would not disturb human remains.

Impact CUL-4: **Tribal Cultural Resources.** The proposed Project would not cause a substantial adverse change in the significance of a tribal cultural resource.

Impact GEO-1: **Exposure to Seismic Hazards.** The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death resulting from seismic ground shaking, landslides, or seismic related ground failure, including liquefaction with implementation of recommendations in the Project geotechnical investigation.

Impact GEO-2: **Soils and Erosion.** The proposed Project would not result in substantial erosion or loss of topsoil.

Impact GEO-3: **Unstable Geologic Units or Soils.** The proposed Project would not be located on a geologic unit or soil that is unstable or would become unstable as a result of the Project.

Impact GEO-4: **Expansive Soils.** The Project would be located on areas of expansive soils, but would not result in hazards to the Project building or people with implementation of recommendations of the Project geotechnical report.

Impact ENER-1: The Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy.

Impact ENER-2: The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

2.5.4 No Impacts

No impacts were identified for the following issues evaluated in the EIR; see Appendix B for discussion of other topics.

- BIO-2: Wetland Habitat
- BIO-4: Wildlife Corridors
- BIO-5: Conflict with Ordinances
- BIO-6: Conflicts with Habitat Conservation Plan or Natural Community Conservation Plan
- BIO-7: Substantially Reduce Fish or Wildlife Species Habitat
- BIO-8: Cause a Fish or Wildlife Population Decline
- BIO-9: Threaten to Eliminate a Plant or Animal Community
- GEO-1(i): Fault Rupture
- GEO-5: Use of Septic Systems
- LAND-1: Division of Established Community
- LAND-2: Conflicts with Policies and Regulations

2.6 ISSUES TO BE RESOLVED

CEQA Guidelines section 15123 requires the Summary to identify "issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects." This EIR has presented mitigation measures and project alternatives, and the City Council will consider the Final EIR when considering the proposed Project. In considering whether to approve the Project, the City Council will take into consideration the environmental consequences of the Project with mitigation measures and project alternatives, as well as other factors related to feasibility. "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors (State CEQA Guidelines, section 15364). Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of

infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or already owns the alternative site). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, feasibility under CEQA encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

CHAPTER 3
CHANGES TO DRAFT EIR

3.1 INTRODUCTION

This chapter identifies revisions to the text in the Draft EIR based on consideration of comments received during the public review period. Changes to Draft EIR text that are identified below are shown in underlined type for new text and ~~strikeout~~ type for deleted text.

3.2 REVISIONS TO DRAFT EIR TEXT

3.2.1 Changes to Chapter 2, Summary

Page 2-5 Revise Mitigation Measure DPA EIR MITIGATION 4.3-3 to provide an extended nesting bird season as shown in Chapter 2 of this document.

3.2.2 Changes to Section 4.1 – Biological Resources

Page 4.1-12 Add the following new text after the second sentence of the first full paragraph as follows:

A biological site reconnaissance was conducted in July 2020 in order to provide an update to vegetation and habitat on the landward side of the San Lorenzo River levee that is proposed to be filled as part of the Project. The landward side of the site is a disturbed, sloped area between a paved pedestrian path at the top of the levee and developed parcels along Front Street. The survey area was comprised of annual grassland and scrub-shrub habitat with scattered trees present, with annual grassland being the dominant vegetation community, consisting of primarily non-native species. There was no evidence of hydric vegetation or hydrology. Therefore, no wetlands are present on the site.

Page 4.1-19 Add the following to the last full paragraph:

Additionally, the proposed placement of fill on approximately 15,500 square feet of the landward side of the San Lorenzo River levee would not result in removal of riparian or sensitive habitat.

Page 4.1-20 Revise Mitigation Measure DPA EIR MITIGATION 4.3-3 to provide an extended nesting bird season as shown in Chapter 2 of this document.

Page 4.1-20 Add the following after the last full sentence:

Resolution NS-23, 710 adopted by the City Council in April 1998 establishes the criteria for permitting removal of a heritage tree and indicates that one or more of the following findings must be made by the Director of Parks and Recreation:

1) The heritage tree or heritage shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way;
2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; or
3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

Resolution NS-21, 436 sets forth the tree replacement/mitigation requirements for approved removal of a heritage tree to include replanting three 15-gallon or one 24-inch size specimen or the current retail value which shall be determined by the Director of Parks and Recreation.

Page 4.1-20 Correct and expand the first two sentences of the last paragraph as follows.

The proposed Project would result in removal of 18 ~~20~~ trees on the Project site and levee fill area and one ~~five~~ street tree~~s~~. ~~Five~~ Four of the on-site trees ~~and three of the street trees~~ to be are removed are heritage trees pursuant to City regulations. One street tree will be removed, but it is not a heritage tree. Two additional trees are intended to be retained but may be removed due to the design of the end walls to contain the levee fill.

Page 4.1-21 Add the following paragraph to the beginning of the first full paragraph:

The removal of trees on the landward side of the river levee is proposed in accordance with directives in the Downtown Plan to provide an expanded outdoor open space connection between the existing Santa Cruz Riverwalk and new development. Specifically, the development standards and design guidelines for the Front Street/Riverfront Corridor indicate that the "interface between the public Riverwalk and the adjacent private development is a vitally important element of the Downtown Plan," and the Plan's stated key performance criteria include:

> b. Levee Fill. All development shall fill the western slope of the levee (which may include both public and private property) as directed by the City of Santa Cruz and Army Corps of Engineers to create a level condition between the Riverwalk and the adjacent building. The filled area may terrace up from the maximum 24-

inch wall to the finished floor of the development in a way that allows for the outdoor spaces to be publicly accessible.

Thus, the proposed Project plans cannot be altered to retain four identified heritage trees on the landward side of the San Lorenzo River levee and comply with key development standards for the area in the Downtown Plan. The Downtown Plan does indicate that "trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development where feasible and where not in conflict with the required fill or publicly accessible amenities." However, in the present case it is not feasible to retain the trees and also place required fill to provide the expanded amenities on the top of the levee.

Page 4.1-21 Revise the first full paragraph as follows:

The Project landscaping plan includes planting 14 trees on the river levee fill and six trees on the Project site with the following tree species: Chinese pistache (*Pistachia chinensis*), London plane tree (*Platanus acerifolia* 'Columbia'), Hungarian oak (*Quercus frainetto* 'Forest Green'), southern live oak (*Quercus virginiana*), and Drake Chinese elm (*Ulmus parvifolia* 'Drake'). The planting of 20 trees would replace the four ~~five~~ on-site heritage trees removed and would exceed City replacement requirements. ~~For each of the five street trees removed along Front Street,~~ The Project would include planting of one replacement tree in a species listed on the City's Approved Street Tree List for the one street tree that will removed. Therefore, the Project includes replacement trees in accordance with City requirements for removal of four ~~five~~ heritage trees.

Page 4.1-21 Add the following to the end of the page:

Mitigation Measures

No mitigation measures are required as a significant impact has not been identified.

3.2.3 Changes to References Section

Page 7-2 Add the following reference:

California Department of Fish and Wildlife. August 6, 2019. "Amendment of Lake or Streambed Alteration, Notification No. 1600-2013-0176-R3, City of Santa Cruz Routine Maintenance Activities."

3.3 REVISIONS TO DRAFT EIR APPENDIX B

Page 62 Add the following new paragraph after the first full paragraph:

There is an existing ramp from the Santa Cruz Riverwalk on the San Lorenzo River levee that extends into an existing parking lot on the Project site. The ramp is used by both pedestrians and bicyclists to access the Riverwalk from Front Street. Bicycle and pedestrian access to the Riverwalk also is provided at Soquel Avenue and Laurel Street. Currently, there are bike lanes on both sides of the street.

The existing ramp would be removed as part of the Project. However, a new staircase to the Riverwalk would be provided from each of the two proposed pedestrian walkways. The Project proposes use of a "bike rail" along the stairways from the pedestrian paths to provide bicycle access to the Riverwalk.

The Downtown Plan indicates that bicycle access shall be provided at the extension of Elm Street to serve as the "primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street." Yet, the Plan does not specify a design treatment or recommendation of how this should be provided. Neither the City's Active Transportation Plan nor the San Lorenzo River Urban Design Plan (SLURP) provide specific recommendations for bicycle access to/from the levee in the vicinity of the Project site. The SLURP includes a goal to "Improve public access and pedestrian/bicycle movement to and along the River." In 2018, the California Coastal Commission approved an amendment to the City's Local Coastal Program (LCP) that modified policies developed from the SLURP as coastal policies. A new policy (6-SLR-5.2) was added that requires new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street, but again, does not specify a preferred design treatment.

Since the Project provides a bicycle (and pedestrian) connection to the levee Riverwalk, the Project would not result in conflicts with existing plans. Because the Project provides bicycle access and does not conflict with a program, ordinance or policy addressing the circulation system, the Project would not result in a significant impact related to bicycle transportation.

CHAPTER 4
COMMENTS AND RESPONSES

4.1 INTRODUCTION

This chapter provides responses to individual comments that were submitted by agencies, organizations, and individuals as summarized below in subsection 4.2. Each letter of comment is included in subsection 4.3; a response to each comment is provided immediately following each letter. Appropriate changes that have been made to the Draft EIR (DEIR) text based on these comments and responses are provided in Chapter 3, Changes to Draft EIR.

State CEQA Guidelines section 15088(a) requires a lead agency to evaluate comments on environmental issues and provide written responses. Section 15204(a) provides guidance on the focus of review of EIRs as follows:

> In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

In reviewing comments and providing responses on the following pages, this section of the CEQA Guidelines will be considered. The focus will be on providing responses to significant environmental issues.

4.2 LIST OF COMMENT LETTERS RECEIVED

The DEIR was published and circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public review period from May 11, 2020 through

June 24, 2020. Seventeen letters of comment were received; agencies, organizations and individuals that submitted written comments on the DEIR are outlined below.

A. State & Local Agencies

A1 Santa Cruz County Regional Transportation Commission

B. Organizations

B1 Bike Santa Cruz County
B2 Sierra Club

C. Individuals

C1 Christine Fahrenbach
C2 Margo Fisher
C3 Gillian Greensite
C4 Carolyn Israel
C5 Susan Kauffman
C6 Kristin (No Last Name)
C7 Jane Mio
C8 Vivienne Orgel
C9 Holly Schipper
C10 Russell Weisz
C11 Online Comments: John Frazer, Linda Rosewood, David Mintz, John Hall

4.3 COMMENT LETTERS AND RESPONSES

Agencies, organizations, and individuals that submitted written comments on the DEIR are outlined above in section 4.2. Each comment letter is included in this section. As indicated above, CEQA Guidelines section 15088(a) requires a lead agency to evaluate comments on environmental issues and provide a written response to all substantive comments. A response to each comment is provided immediately following each letter. As indicated in subsection 4.1 above, the emphasis of the responses will be on significant environmental issues raised by the commenters. (CEQA Guidelines, § 15204, subd. (a).) Appropriate changes that have been made to the DEIR text based on these comments and responses are provided in the Chapter 3, Changes to DEIR.

SCCRTC
SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
1523 Pacific Ave., Santa Cruz, CA 95060-3911 • (831) 460-3200 FAX (831) 460-3215 EMAIL info@sccrtc.org

June 24, 2020

Samantha Haschert
City of Santa Cruz Planning and Community Department
701 Ocean Street, Room 101
Santa Cruz, California 95060

RE: Draft Environmental Impact Report (DEIR) for the Riverfront Project

Dear Ms. Haschert,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for City of Santa Cruz's (City) Riverfront Project (Project). The Santa Cruz County Regional Transportation Commission (RTC) serves as the Regional Transportation Planning Agency (RTPA) for Santa Cruz County. The RTC is responsible for delivering a full range of convenient, reliable and efficient transportation choices for the community, including projects funded by Measure D (2016).

The Project consists of construction of three seven-story, residential and commercial buildings with 175 residential units, 11,498 square feet of ground floor, a levee-front commercial space and a two-level parking garage. The buildings would be arranged on the site from north to south and would be separated by two pedestrian passageways, providing two publicly accessible connections and plazas adjacent to the Riverwalk with about 15,493 square feet of new public space. The Project site is located in the developed downtown area of the City and encompasses five parcels along Front Street and adjacent to the San Lorenzo levee.

RTC submits the following comments regarding the project:

A1-1 • RTC supports improvements to regional transportation facilities in the project vicinity including Chesnut/Mission and Highway 1 at River Street intersections. RTC recommends that improvements to these regional facilities include safety and efficiency measures for bicycles, pedestrians and transit.

A1-2 • The Project supports the RTC's 2040 Regional Transportation Plan (RTP) goals intended to foster sustainable, equitable, and accessible transportation throughout the County by constructing housing and commercial services near transit and active transportation facilities, thereby providing residents and visitors opportunities the use of alternative modes of transportation. This is consistent with RTC's RTP Target 1A: *Increase the percentage of people that can travel to key destinations (employment and population centers, and multimodal trip destinations) within a 30-minute walk, bike, or transit trip by 20 percent by 2020 and 47 percent by 2040.*

A1-3

- RTC supports the construction of new pedestrian pathways which provide direct access between destinations and improve overall pedestrian connectivity. RTC staff recommends that the two proposed pathways include provisions for lighting within the facility and fully accessible pedestrian facilities, such as curb cuts.

A1-4

- RTC also supports that the DEIR considers estimated project impact to regional vehicle miles travelled (VMT). As noted in the DEIR, CEQA Guidelines identify Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate transportation projects. RTC supports VMT as a metric to evaluate impacts of transportation projects. The 2040 Regional Transportation Plan utilizes VMT as an indicator of an environmental, and equitable transportation system that supports investment in the local economy.

- The Project's downtown location and its proximity to transit, bicycle and pedestrian facilities provides opportunities to reduce VMT. The project includes: 175 Class 1 (i.e., secure, weather-protected) bicycle parking spaces; 44 Class 2 (i.e., bike racks) bicycle parking spaces for residents; two Class 1 bicycle parking spaces; and, eight Class 2 bicycle parking spaces for commercial uses to support trips made by bicycling.

  RTC also encourages the project sponsor to coordinate with the RTC's Cruz511 Program to maximize the number of transit, bicycle and walking trips made by residents and visitors. Cruz511 offers access to an online "trip manager" system in Santa Cruz County (https:\\my.cruz511.org) that provides employers, residents, and visitors access to rideshare matching, multi-modal trip planning, bikeshare and transit resources, and integration with a host of other mobility services such as Waze and Strava. Employers can also conduct workplace challenges where commuters in the program earn rewards by tracking and confirming their sustainable trips, then redeem them instantly for premium rewards. Potentially the same type of challenge could be conducted within a residential building. Cruz511 staff will coordinate with the employee transportation coordinator (ETC) to setup the employer commute network, provide program collateral, and assist with outreach and onboarding employees into the commute network.

A1-5

- RTC staff recommends the project sponsor discourage the provision of unlimited, free parking for employees in favor of effective, long-term employer-based Transportation Demand Management (TDM) programs. For example, the project sponsor should consider working with the City's TDM program, GO Santa Cruz, which provides incentives for downtown employees choose alternative modes of transportation for their commutes. Additionally, staff recommends that the project sponsor consider providing preferential parking for carpools and vanpools, and incentives for residents or visitors to use transit.

Thank you for considering RTC's comments on the Riverfront Project. If you have any questions about these comments, please contact Grace Blakeslee of my staff at gblakeslee@sccrtc.org.

Sincerely,

Guy Preston
Executive Director

LETTER A1 – Santa Cruz County Regional Transportation Commission (RTC)

A1-1 Support for Regional Improvements. The comment states that the RTC supports improvements to regional transportation facilities in the project vicinity including Chestnut/Mission and Highway 1 at River Street intersections. RTC recommends that improvements to these regional facilities include safety and efficiency measures for bicycles, pedestrians and transit. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

A1-2 Project Supports Regional Transportation Plan Goals. The comment indicates that the Project supports the RTC's 2040 Regional Transportation Plan (RTP) goals intended to foster sustainable, equitable, and accessible transportation throughout the County by constructing housing and commercial services near transit and active transportation facilities. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

A1-3 Pedestrian Pathways. The comments states that RTC supports the construction of new pedestrian pathways which provide direct access between destinations and improve overall pedestrian connectivity. RTC staff recommends that the two proposed pathways include provisions for lighting within the facility and fully accessible pedestrian facilities, such as curb cuts. *Response:* The comment is acknowledged, but does not address analyses in the DEIR, but provides recommendations for design of the pedestrian pathways, which will be considered by City staff and decision-makers. No further response is required.

A1-4 Vehicle Miles Traveled (VMT). The comment supports the DEIR's consideration of project impact to regional vehicle miles traveled (VMT) and notes that the Project's downtown location and proximity to transit, bicycle and pedestrian facilities provides opportunities to reduce VMT. The commenter encourages the project sponsor to coordinate with the RTC's Cruz511 Program to maximize the number of transit, bicycle and walking trips made by residents and visitors. *Response:* The comment regarding VMT is acknowledged. It is noted that since circulation of the DEIR, the City of Santa Cruz adopted a VMT transportation threshold on June 9, 2020 in accordance with CEQA and state requirements. Because the proposed Project is located within one-half mile of a high quality transit corridor (the Santa Cruz Metro Center) and given its mixed-use character, the project would be screened from further review. The Project would result in a VMT of 11.0 as reported on page 66 of Appendix B of the DEIR, which is the below the adopted threshold of 11.9. Additionally, as indicated on page 66 of the DEIR Appendix B, CEQA Guidelines section 15064.3(b) state that projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less-than-significant transportation impact.

A1-5 Parking Recommendations. The comment states that RTC staff recommends the project sponsor to discourage provision of unlimited, free parking for employees in favor of effective, long-term employer-based Transportation Demand Management (TDM) programs, to consider providing preferential parking for carpools and vanpools, and to provide incentives for residents and visitors to use transit. *Response:* The comment is acknowledged, but does not address analyses in the DEIR, but provides recommendations for the project sponsor to incorporate TDM measures into the project.

BIKE SANTA CRUZ COUNTY
333 Soquel Avenue • Santa Cruz, CA 95060
(831) 425–0665 www.bikesantacruzcounty.org

June 8, 2020

Samantha Haschert
City Planning Department
809 Center Street
Santa Cruz, CA 95060
shaschert@cityofsantacruz.com

RE: Proposed Front St./Riverfront Apartments

Dear Ms. Haschert:

B1-1 Bike Santa Cruz requests that the City require the developer of the proposed Front St./Riverfront Apartments to incorporate a ridable bicycle connection from the end of Cathcart Street to the San Lorenzo River levee path. Also, the City should remove the remaining on-street parking on Front Street to result in a safer, more ridable bike lane, and the developer should account for this in the project's final plans.

B1-2 The draft EIR fails to mention any impacts on bicycle transportation. In discussing public connections to the River on page 4.5-14, only pedestrian access is mentioned, not bicycle access, which will be negatively impacted. Currently, there is a bikeable ramp from the parking lot just south of the end of Cathcart to the levee. The developer proposes to eliminate it. The nearest remaining levee connection to the north will be off of Soquel Avenue and to the south will be through the parking lot south of Sherwin-Williams.

The current proposal -- showing wide steps leading from the end of Cathcart to the levee -- is an inadequate substitution for removing the current pathway. The project plans envision cyclists traveling between Cathcart and the levee either taking an elevator or walking their bikes up the steps on a "bike rail" – a narrow incline built into the edge of the stairs. Thus, first, this means that their cycling would be interrupted – they would have to become pedestrians trying to navigate this rail or using the elevator. Second, these would be very inconvenient options. It would be awkward and difficult at best to push a bike up the rail and control it down the rail. This incline would not be usable if one had a pannier on the railing side of their bike, had a bike trailer, had a recumbent, or had a heavy eBike. Those future residents using the levee to bike commute would have to take their bikes up and down the stairs every day because the entrance to their bike parking is off of Front Street. The alternative of using the elevator would also require dismounting along with waiting and going inside. The elevator would not be an available alternative when being serviced or when power is off.

The removal of the current bike ramp must be mitigated with a ridable alternative. There is ample room -- a 60-foot passageway – in which to accommodate a rideable path. Attached is a sketch from the *River Plan* that appears to illustrate steps with ramps on either side from Cathcart to the River. Another model is the entrance to the Gateway Plaza from River Street consisting of a ramp to one side and stairs to the other (please see photo).

B1-3 The EIR states that the project is consistent with various planning documents. But, The *City of Santa Cruz Downtown Plan*, the *Santa Cruz City Active Transportation Plan* and *San Lorenzo Urban River Plan* all emphasize bicycle access to the River levee. Although the *Downtown Plan* says, "bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street," no bikeable ramp at this location is shown in the proposed plans either. Furthermore, Elm Street does not go through to Front Street (it is blocked by the Transit Center where bikes are prohibited from being ridden through) and is only one way without bike lanes. Cathcart has bike lanes in both directions and a continued connection to the River levee would be very convenient for and beneficial to cyclists. The developer has promoted the proposed project as interfacing with levee bicycle and pedestrian activity. Incorporating a bike connection from Cathcart would bring patrons to his businesses fronting the River. It would also be usable by those in wheelchairs or who have trouble walking up or down stairs.

B1-4 The proposed project will also have an adverse impact on those biking because there will be more motor vehicle traffic along Front Street and crossing the bike lane to enter or exit the parking garage. The current northbound bike lane configuration is less than ideal as it meanders to skirt the on-street parking spaces. Thus, cyclists are prevented from riding in a straight line, which is the safest, most predictable way to ride. Additionally, the vehicle movements into and out of the spaces and the passengers entering and exiting the vehicles conflict with the adjacent narrow bike lane. Furthermore, vehicles often park over the space markings into the bike lane, especially large ones (please see photo for an example).

B1-5 The current plans show that five on-street parking spaces will be removed. This should be positive for cyclists, provided that space becomes part of the bike lane. There is one additional space north of Cathcart on Front Street adjacent to the proposed project that is located where a garage entrance will be, so we assume that will be removed as well. The bottom line should be that the developer accommodates all anticipated short- and long-term motor vehicle parking on site, and the City eliminates the on-street parking to provide straight and wider bike lanes.

Thank you.

Sincerely,

For Bike Santa Cruz County
333 Soquel Avenue
Santa Cruz, CA 95062

Cc: Transportation and Public Works Commission c/o Chair Peggy Dolgenos
Downtown Commission c/o Chair Deidre Hamilton
Mayor Cummings
Councilmembers Beiers, Mathews, Brown, Golder, Meyers, Watkins

attachments: Vehicle parked into Front St. Bike Lane, Example of dual stairs and ramp, End of Cathcart St. showing ramp around steps in urban river plan

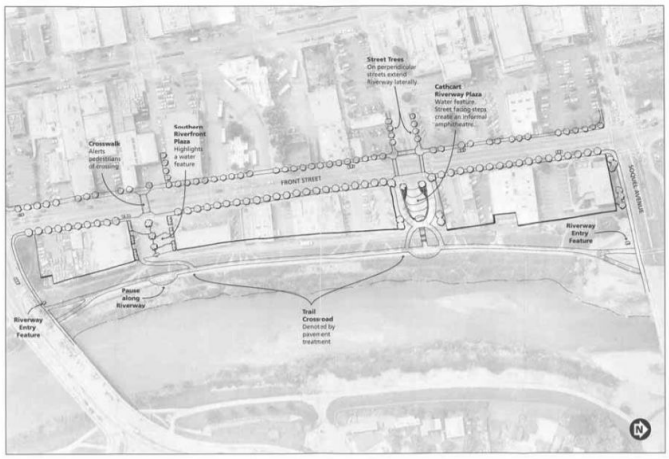

Figure 50
Conceptual Plan for
Front Street Plaza at Cathcart Street

LETTER B1 – Bike Santa Cruz County – Gina Cole

B1-1 Bicycle Access and Removal of Parking on Front Street. The commenter requests that the City require the developer to incorporate a ridable bicycle connection from the end of Cathcart Street to the San Lorenzo River levee path and that the City should remove the remaining on-street parking on Front Street to result in a safer, more ridable bike lane. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required. However, responses are provided to the commenter's specific comments below.

B1-2 Impacts to Bicycle Transportation. The comment states that the DEIR fails to mention impacts on bicycle transportation. The comment states that the existing bikeable ramp from the top of the river levee to the site would be removed, that the proposed "bike rail" along the stairway to the levee is inconvenient and that a rideable alternative be provided. *Response:* Transportation impacts are addressed on pages 62 to 66 of Appendix B of the DEIR. On page 62, the discussion indicates that the Project is in proximity to transit, bike lanes, and multi-use paths. The commenter is correct in that the existing ramp from the levee to an existing parking lot on the Project site would be removed. However, as indicated in the comment, the Project proposes use of a "bike rail" along the stairway from the pedestrian paths to the river. The Downtown Plan does indicate that bicycle access shall be provided at the extension of Elm Street, but the Plan does not specify a preferred or recommended design method. Neither the City's Active Transportation Plan nor the San Lorenzo River Urban Design Plan provide specific recommendations for bicycle access in the vicinity of the Project site; see also Response to Comment B1-3. Because the Project provides bicycle access and does not conflict with a program, ordinance or policy addressing the circulation system as further explained in Response to Comment B1-3, a significant impact related to bicycle transportation was not identified. The DEIR text has been expanded to provide this discussion; see section 3.3 in the "Changes to Draft EIR" section of this document. The commenter's recommendation for a "rideable" alternative to the proposed Project bike rail along stairways is acknowledged, and will be further considered by City staff and decision-makers.

B1-3 Conflicts with City Plans. The comment states that *City of Santa Cruz Downtown Plan*, the *Santa Cruz City Active Transportation Plan* and *San Lorenzo Urban River Plan* all emphasize bicycle access to the River levee. The comment states that the *Downtown Plan* says, "bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street," but no bikeable ramp at this location is shown in the proposed plans. The comment further recommends that incorporating a bike connection from Cathcart Street since Elm Street does not currently go through to Front Street. *Response:* The referenced plans do support enhanced access to the Santa Cruz Riverwalk. As indicated in the comment, the Downtown Plan does indicate that bicycle access shall be provided

at the extension of Elm Street to serve as the "primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street." Yet, the Plan does not specify a design treatment or recommendation of how this should be provided. Neither the City's Active Transportation Plan nor the San Lorenzo River Urban Design Plan (SLURP) provide specific recommendations for bicycle access to/from the levee in the vicinity of the Project site. The SLURP includes a goal to "Improve public access and pedestrian/bicycle movement to and along the River." In 2018, the California Coastal Commission approved an amendment to the City's Local Coastal Program (LCP) that modified policies developed from the SLURP as coastal policies. A new policy (6-SLR-5.2) was added that requires new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street, but again, does not specify a preferred design treatment. Since the Project provides a bicycle connection to the levee Riverwalk, the Project would not result in conflicts with existing plans.

B1-4 Traffic Impacts on Biking. The comment states that increased motor vehicle trips will have an adverse impact on biking due to vehicles entering and exiting the site. *Response:* Standard conditions of approval will be applied to the Project to include stop and warning signs for cars exiting the site, and the entrances will be set back from the sidewalk and street in prevent cars from extending into the sidewalk or bike lane. Therefore, no adverse effects to cyclists or pedestrians are anticipated.

B1-5 Removal of Parking. The comment states that the removal of five on-street parking spaces should be positive for cyclists provided the space becomes part of the bike lane and that the City eliminate on-street parking to provide straight and wider bike lanes. *Response:* The comment is acknowledged, but does not address analyses in the DEIR. However, all on-street parking along the Project frontage will be removed, and the City is in the process of developing a plan to remove all on-street parking on the east side of Front Street. Currently, there are bike lanes on both sides of the street. The Downtown Plan indicates that on Front Street, "pedestrian safety and closing gaps in the existing system of bicycle lanes are the first priorities for use of the roadway space gained from shifting curbside parking to public off-street parking."

SANTA CRUZ COUNTY GROUP
Of The Ventana Chapter
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Samantha Haschert
City Planning Department
809 Center Street
Santa Cruz, CA 95060
shaschert@cityofsantacruz.com

Re: Riverfront Project Draft Environmental Impact Report (DEIR)
June 23, 2020

B2-1 The Sierra Club has completed its review of the Draft Environmental Impact Report for the Riverfront Project/Front Street and is concerned that the document is lacking in several important respects, as discussed further below. The Sierra Club found significant impacts not properly addressed in this Draft Environmental Impact Report with regard to the following topics: Natural Resources and Conservation; Bicycle and Pedestrian Design; Water Use; Solar Energy; Community Design; and Bird-Safe Design Standards.

The Sierra Club would like to reference Santa Cruz's General Plan's chapter on Land Use (p. 35), which has guiding principles for development and preservation: "Sustainability, environmental quality, land uses, and development are inexorably linked. By providing for the city's continued economic growth and high quality of life without compromising the needs of future generations, sustainable land uses respond to environmental values widely held in the community. At the heart of this Plan is sustainable development."

Further, the Sierra Club notes that the City's "Urban River Plan articulates a community vision a wildlife area as well as a public amenity for recreation, transportation, and open space. It contains recommendations for habitat enhancement, public access and trail improvements." (2008, p. H-1).

The Urban River Plan goals are to a) Improve the scenic and recreational value of the Riverfront; b) Improve public access and pedestrian/bicycle movement to and along the San Lorenzo River; and c) Improve the urban and neighborhood interface with the San Lorenzo River," (2008, p.H-2).

It is with this vision and these goals in mind that we offer the following comments on the DEIR for the Riverfront Project.

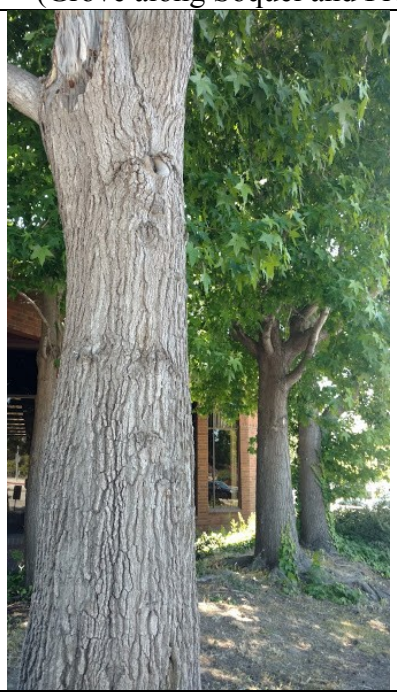
NATURAL RESOURCES AND CONSERVATON - URBAN TREES

B2-2 In the DEIR, the arborist reports that from "17 to 26 of the total 33 trees within and near the project may be removed." Large groups of trees are key to supporting the climate via carbon sequestration and as habitat for birds and other wildlife. One tree can capture from 40 to 60 pounds of carbon each year. We believe that these removals represent significant impacts and that these trees should not be removed.

B2-3 In the General Plan in the Natural Resources and Conservation chapter speaks about the importance of the Urban Forest (p.120) : "The tree is metaphor for sustainability. The urban forest is more than trees; it is the sum total of all vegetation growing in the urban area, a critical element of a livable urban environment, and a part of the urban ecosystem. Urban forestry manages trees, forests, and natural systems in and around urban areas for the health and well-being of communities."

Protecting these 26 trees and the vegetation would allow our urban to store over 1040 pounds to 2000 pounds (or 1 ton) of carbon each year. We surveyed the area and found old Magnolia, Buckeye and Maple trees, some that had trunks of 6 to 8 feet diameter and over 40 feet high along the river path and at the corner of Soquel and Front Streets.

(Grove along Soquel and Front; more tree photos on last page)



Recommendations:

1. Require that the project protect our urban forest and not cut or damage the trees along perimeter, which includes trees and vegetation on the river path.
2. Require the project to not cut or harm the heritage grove of tall trees on the corner of Front and Soquel.

BICYCLE AND PEDESTRIAN DESIGN / ADA ACCESSIBILITY

B2-4 We have highlighted below some of the numerous references in City Plans and documents which stress the importance of bicycle and pedestrian orientation of new development, in order to underscore how strongly this view is reflected in City documents.

The "Mobility chapter of General Plan 2030 looks at ways to facilitate transportation alternatives, keep transportation and road systems safe and efficient, and systematically interconnect bicycle and pedestrian ways. The [mobility] proposals below **aim to encourage greater use of alternative transportation modes and reduce automobile travel**." (p.51)

- M1.1 Reduce automobile dependence by encouraging appropriate neighborhood and activity center development. Cf. ED5.1, LU4.2; and M1.5.1, M2.4.2, 3.1.2, and 4.3.
- M1.1.1 Create walkable, transit-oriented activity centers throughout the city. Cf. ED5.1, LU4.2; and M2.4.2, 3.1.2, and 4.3
- M1.1.2 Connect activity centers with pedestrian and bicycle paths. Cf. M4.3.
- M1.1.3 Implement pedestrian and bicycle improvements that support transit ridership.
- M1.1.4 Amend the Zoning Ordinance to create an activity-center-oriented urban form.

The City General Plan chapter on Land use states: "Future growth and change will be focused in the Downtown and along corridors **where transit, bicycling, and walking can be strengthened as primary modes of travel."** (p.37)

Goals from the City of Santa Cruz General Plan (p.32) encourage pedestrian-friendly design and increase people moving about by foot downtown include, from "Community Design CD5.2:

- Require new development to include elements that relate to the pedestrian scale.
- Cf. CD4.3.1, M1.3.
- CD5.2.1 Encourage buildings to be oriented towards side-walks, public plazas, walkways, or rivers and to include features such as public benches and natural seating areas.
- CD5.2.2 Encourage the incorporation of public benches and natural seating areas along public walkways and in public plazas and parks. Cf. LU1.1.3, M1.6, M1.6.3, and ED5.4.
- CD5.2.3 Design parking strategies at a district or neighbor-hood-wide level to foster a pedestrian-oriented environment. Cf. LU1.1.3, M1.5, M1.5.3, and ED5.4.
- CD5.2.4 Ensure that new and revised design guidelines encourage the use of pedestrian-scaled fenestration, awnings, entrances, landscaping, and other amenities."

Further, the Urban River Plan goals are to:

- improve the scenic and recreational value of the Riverfront;
- Improve public access and pedestrian/bicycle movement to and along the San Lorenzo River; (2008, p.H-2)

Also, the City of Santa Cruz General Plan (at page 26), describes the downtown with "The San Lorenzo River—an important defining feature—flows through the center of Santa Cruz" and "pedestrian and bicycle paths along the levees provide views of the river" The Plan also reminds us that "At a community design workshop held in 2006, participants' highest-ranked goal was to create a "River Walk" district in Santa Cruz, with shops and restaurants along the river."

Lastly, from the City General Plan's Community Design section CD1.5.2 (p.28) "Provide incentives for new development adjacent to the San Lorenzo River that includes patios overlooking the river, enhanced connections to the levee trails, and other design features that connect the built environment to the river".

In addition, we note that transportation is the largest contributor to climate change; Senate Bill (SB) 743 (2013), creates a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires the CEQA Guidelines to provide an alternative for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Public Resources Code Section 21099(b)(1).) Measurements of transportation impacts may include "vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated." Transportation impacts related to air quality, noise and safety must still be analyzed under CEQA where appropriate. SB 743 also amended congestion management law.

Comments:

On page 4.5-14 of the DEIR, in the Standard for the section of Public Connections to the River, the Project "includes two pedestrian passageways that will provide publicly accessible connections at required widths." Bicycle access is not mentioned here and it will be negatively impacted, since the developer plans to eliminate the bike ramp (from the parking lot just south of the end of Cathcart Street to the levee.) The nearest remaining levee connection to the north will be off of Soquel Avenue and to the south will be through the parking lot south of Sherwin-Williams.

The project plan forces cyclists traveling between Cathcart and the levee to dismount, take an elevator or walk their bikes up the steps on a "bike rail" incline. This means that bicycling would be interrupted and pushing a bike up stairs and a hill is not possible for all people and will discourage bike commuting altogether.

B2-5 The DEIR is not consistent with The *City of Santa Cruz Downtown Plan*, the *Santa Cruz City Active Transportation Plan* and *San Lorenzo Urban River Plan* which all emphasize bicycle access to the River levee. Although the *Downtown Plan* says, "bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street," no bike ramp at this location is shown in the proposed plans either. A ramp would also be usable by those in wheelchairs or those who have trouble walking up or down stairs.

B2-6 With increased motor vehicle traffic along Front Street, this plan will have an adverse effect on cycling and pedestrian safety since cars must cross the bike lane to enter or exit the parking garage. Also, in this design, cyclists are prevented from riding in a straight line, which is the safest, most predictable way to ride.

Additionally, the vehicle moving into and out of the on-street parking spaces with the car passengers entering and exiting the vehicles are a danger to bicyclists within the adjacent, narrow, curving bike lane. Furthermore, vehicles often park over the space markings and into the bike lane, especially large ones.

B2-7 This project will be walking distance to Downtown shopping and the Transit Center, a perfect place for residents to not have a car. It is possible to reward tenants that do not have a car or use a parking space by lowering their rent or giving them free bus passes. National Sierra Club Transportation policy calls for

- eliminating parking subsidies and minimum requirements to encourage shifts to biking, walking, scooting, carpooling and transit;
- to greatly reduce or eliminate parking in areas served well by public transit.

This agrees with the General Plan, as seen below:

- M 1.5 Reduce the need for parking and promote parking efficiency. Cf. CD5.2.3, ED5.4 and PR1.6.3.
- M1.5.1 Increase land use efficiency and the walkability of activity centers. Cf. LU4.2, M1.1, M3.1.2, M4.3. (p.54)

Recommendations:

B2-8

1. As in the General Plan, require that "New development adjacent to the San Lorenzo River should include enhanced connections to the levee trails, and other design features that connect the built environment to the river, with " bike paths "and patios overlooking the river."
2. Create the "River Walk District" that citizens ranked the highest priority, increasing walkability and emphasizing nature and walkability along the river.

B2-9

3. Require a path that cyclists and those in wheel chairs can continually ride; on the ample 60-foot passageway, to accommodate a bike path.
4. Require that all on-street parking on Front Street be removed so the bike lane is safe, free of the danger of obstacles, i.e. car doors and pedestrians.
5. Require that the Front Street bike lane be wider and straight (not meandering).
6. Require incentives to reduce cars and car parking for the tenants
7. Require the developer to design safe, attractive, tree-lined ADA accessible, pedestrian walkways , with local public art and native trees and vegetation leading from the project into the transit center and into downtown.

WATER USE; WATER-NEUTRAL GROWTH

B2-10 The City of Santa Cruz's water management plan states that "Santa Cruz has long faced challenges with the reliability of its water supply and with droughts." Development with its additional water demand increases our risk of drought and not having enough water for all residents. The Climate Crisis is also increasing extremely dry weather so the City must act responsibly. Water-neutral policies will allow reasonable growth to continue without eroding our water security. The City Water Department report, " Adequacy of Municipal Water Supplies to Support Future Development" , (2004) stated:

"Continuing to provide water to new customers upon request, (as is the current practice), may do harm to existing customers by making the potential water shortage situation worse than it would otherwise be."

Recommendation:

- Implement water offsets for this development.

SOLAR ENERGY

B2-11 As part of our state's ongoing battle against climate change, the California Building Standards Commission and the California Energy Commission approved a 2020 mandate requiring all newly-built homes to be equipped with a solar power system. With our current climate emergency, we urge you to require this project to follow these solar guidelines, even though the plan may be exempt. The California solar mandate is part of an initiative by the California Energy Commission to have at least 50% of the state's energy produced from clean energy sources by 2030. Now the state has set the goal of drawing 100 percent of its electricity from renewable energy sources in order to sharply reduce greenhouse gas emissions. With this in mind, we urge you to also require solar to heat water which is the most energy, cost and climate-effective way to heat water, not using natural gas at all.

According to Drew Bohan, executive director of the California Energy Commission, "With extreme weather events becoming more frequent, there is even greater need for buildings that are efficient," Bohan said, "[these solar building standards] will continue to keep costs down, better withstand the impacts of climate change, and reduce greenhouse gas emissions."

Recommendation:

1. Follow the General plan Natural Resources and Conservation chapter (p.125) regarding energy use and new construction:

- NRC7.4.2 Require that new construction and major remodeling projects in City facilities use high-efficiency or zero-waste [energy, garbage creation and water] fixtures.

- NRC7.1.4 Require new development to provide for passive and natural heating and cooling opportunities, including beneficial site orientation and dedication of solar easements.

BIRD-SAFE DESIGN STANDARDS

B2-12 The City recently adopted Bird-safe building design standards that "apply to any portions of buildings or structures that are located adjacent to or within 300 feet of and could reflect areas with a General Plan land use designation of CR, PR, NA, or AG, any open waterway mapped in the City-wide Creeks and Wetlands Management Plan, or any area deemed by the Zoning Administrator to need consideration for bird-safe design due to proximity to natural features" [such as this tall project on San Lorenzo River bird sanctuary].

The project appears to address aspects of this concern, with the DEIR stating that "The architectural features that require glazing treatment are 90 percent of all glazing within 40 feet above grade. Staff will work with developers to decide on best design measures. Glazing treatment shall follow the 2" x 4" rule: spaces of untreated glazing must have a maximum height of two inches and a maximum width of four inches. Birds cannot see untreated glazing and may attempt to fly through "openings" greater than these dimensions. 2" x 2" spacing is highly encouraged. Pattern elements should be at least 1/8" thick. Glazing treatment shall include at least one of the following: Bird safe glass approved for use by the American Bird Conservancy; Fritted windows; Patterned windows; UV pattern film (not appropriate for all locations);Window nets; Window screens ;Any American Bird Conservancy approved product: https://abcbirds.org/get-involved/bird-smart-glass/;Other design measures that have been identified by qualified professionals as providing adequate bird protections"

However, due to the absolute importance of using bird-safe designs, we request that this issue be more clearly and specifically addressed to assure compliance to bird safe design, structurally and with regard to lighting.

Recommendation: Require the project to include all elements of bird safe design, given its sensitive location. Require stands of trees, which are bird habitat and should not to be removed.

COMMUNITY DESIGN

B2-13 An 81 foot large structure will dominate and overwhelm the river, rather than "emphasize the distinguishing natural features that strengthen Santa Cruz's visual image" and downtown. This size and scale will not "ensure that the scale of this new development preserve important public scenic views.", instead it will obstruct the view on the river. An oversized 81 foot tall building will not be part of the General Plan's goals to "develop complimentary scale" that "ensure development is compatible with the character of the area". Neither will it "reflect the character of the downtown district" which maintains heights of 50 feet or less.

In the DEIR Land Use 4.5-12: (page 31) According to "the Downtown Plan, building heights shall not exceed 50 in the Front Street/Riverfront Corridor." However, it states " the applicant is requesting approval of 11 feet in height beyond the 70 foot height allowance ([to] 81 feet maximum)." We recommend against approving this request.

We see the City Plan's guidance differently, and base our concern on the following City Plans: The City's "Urban River Plan articulates a community vision, a wildlife area as well as a public amenity for recreation, ,transportation, and open space. It contains recommendations for habitat enhancement, public access and trail improvements." In the General Plan, the Community Design chapter speaks to retaining the City's character and preserving the community and tourist values of our unique, smaller town appearance. Here are the relevant community design goals:

- CD1.5 Ensure that new development adjacent to the San Lorenzo River relates to the river in its design.
- CD1.5.1 Enhance the prominence of the San Lorenzo River as a natural feature that provides structure, orientation, and recreational enjoyment by including it in surrounding area and management plans.
- CD1.1.4 Identify and emphasize distinguishing natural features that strengthen Santa Cruz's visual image (i.e., open space, San Lorenzo River).
- CD1.2 Ensure that the scale, bulk, and setbacks of new development preserve important public scenic views and vistas.
- CD1.2.1 Develop complimentary siting, scale, landscaping, and other design guidelines to protect important public views and ensure that development is compatible with the character of the area.
- CD1.2.2 Develop minimum standards and guidelines for residential, commercial, and industrial development that reflect the character and needs of the districts.

In the DEIR 4.5-27, figure 4.5-1, the photos of the development on the river demonstrate how this very tall structure towers over the gentle hills of the river valley and does not blend with the surrounding downtown buildings. With the surrounding height of the downtown's buildings at 50 feet, this building will leaps 31 feet over all other buildings. Breaking out the building skyline in the 81 feet of height conflicts with the language in the General Plan regarding Community Design of buildings, it will be the

tallest building on the river and in this downtown area, this design does not "relate to the river" nor "enhance the prominence of the river".

Recommendations: Require the project to lower the height of the building to 50 feet, which matches with the surrounding area and preserves the special downtown character.

SUMMARY

We trust our suggestions for improving the review of this project will be carefully considered. Thank you for the opportunity to submit our comments and suggestions. Should you have any questions or wish to discuss these matters in more detail, please contact the undersigned at the contact email provided above.

Keresha Durham,
Conservation Committee Member

Michael Guth,
Conservation Committee Chair
Sierra Club, Santa Cruz County Group

(large tree on river levee)

LETTER B2 – Sierra Club – Keresha Durham and Michael Guth

B2-1 EIR Concerns. The comment states that the Sierra Club found significant impacts not properly addressed in this Draft Environmental Impact Report with regard to the following topics: Natural Resources and Conservation; Bicycle and Pedestrian Design; Water Use; Solar Energy; Community Design; and Bird-Safe Design Standards. The comment also references the City's General Plan's Land Use chapter and goals in the "Urban River Plan." *Response:* Comment is acknowledged, and specific responses to commenter's specific comments is provided below. The City disagrees that significant impacts were not properly addressed as explained in the responses below.

B2-2 Urban Trees. The comment states that the DEIR states that the arborist reports that from "17 to 26 of the total 33 trees within and near the project may be removed." Large groups of trees are key to supporting the climate via carbon sequestration and as habitat for birds and other wildlife. The commenters believe that these removals represent significant impacts and that these trees should not be removed. *Response:* The comment incorrectly quotes the DEIR, which does not say 17 to 26 trees will be removed. The DEIR indicates that 20 trees previously planted on the landward side of the levee will be removed; see DEIR pages 4.3-20 to 4.3-21. The text has been corrected to state that 19 trees will be removed, including one street tree, and that two additional trees are intended to be retained but may be removed due to the design of the end walls. See section 3.2.2 in Chapter 2, "Changes to Draft EIR" of this document.

Regarding carbon sequestration, the CalEEMod program that calculates air and greenhouse gas emissions assumes an active growing period of 20 years. Thereafter, the accumulation of carbon in biomass slows with age, and will be completely offset by losses from clipping, pruning, and occasional death. Actual active growing periods are subject to, among other things, species, climate regime, and planting density. Note that trees may also be replaced at the end of the 20-year cycle, which would result in additional years of carbon sequestration. However, this would be offset by the potential net release of carbon from the removal of the replaced tree. As indicated on page 4.1-21, the Project landscaping plan includes planting 14 trees on the river levee fill and six trees on the Project site. The planting of 20 trees would replace the four on-site heritage trees removed and would exceed City replacement requirements for heritage trees. The replacement trees would also replace all removed trees. The Project would include planting one replacement tree for the one street tree removed in a species listed on the City's Approved Street Tree List. Therefore, the new trees will replace/balance out the trees to be removed with regard to carbon sequestration/loss.

B2-3 Protection of Trees. The comment states that protecting the 26 trees to be removed would store carbon and asks that Project protect the urban forest and not cut or damage the trees or cut or harm the heritage grove of tall trees on the corner of Front and Soquel. *Response:* See Response to Comment B2-2 regarding the number of trees to be

removed and carbon sequestration. The commenter's request that the Project not remove onsite trees is acknowledged. The impact of tree removal is discussed on pages 4.1-20 to 4.21, and text has been expanded; see section 3.2.2 of Chapter 3, Changes to Draft EIR, of this document. The Project complies with City regulations regarding replacement of removed heritage trees. See also Response to Comment B3-1 regarding tree removal on the landward side of the levee. The referenced tree grove on the corner of Front Street and Soquel is not part of the Project site and would not be affected by the Project.

B2-4 Bicycle and Pedestrian Design/Access. The comment references policies and actions from the City's General Plan 2030 and from the San Lorenzo Urban River Plan and notes changes in State requirements for traffic impact analyses. The comment states that the EIR does not mention bicycle access, which will be negatively impacted with removal of the existing bike ramp from the top of the river levee to the site, and that the proposed "bike rail" along the stairway to the levee or use of an elevator would interrupt bicycling. The comment also notes that changes in state law regarding transportation analyses and that transportation impacts related to air quality, noise and safety must still be analyzed under CEQA where appropriate. *Response:* See Response to Comment B1-2 regarding bicycle transportation impacts. See DEIR Appendix B regarding air quality, noise and transportation impacts. It is not clear what "safety" is in reference to, but where applicable related to transportation safety hazards, emergency access, and/or police protection, see discussions in DEIR Appendix B.

B2-5 Conflicts with City Plans. The comment states that the DEIR is not consistent with the *City of Santa Cruz Downtown Plan*, the *Santa Cruz City Active Transportation Plan* and *San Lorenzo Urban River Plan*, which all emphasize bicycle access to the River levee. The comment states that although the *Downtown Plan* says, "bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street," no bike ramp at this location is shown in the proposed plans. *Response:* See Response to Comment B1-3.

B2-6 Traffic Impacts on Biking. The comment states that increased motor vehicle traffic along Front Street will have an adverse impact on biking due to vehicles entering and exiting the Project parking garage and vehicles moving into and out of on-street parking spaces. *Response:* See Response to Comment B1-4.

B2-7 Bus Passes and Parking Subsidies. The comment states that the Project location is a perfect place for residents to not have a car, it is possible to reward tenants that do not have a car or use a parking space by lowering their rent or giving them free bus passes. The Comment also notes National Sierra Club Transportation policy calls for eliminating parking subsidies and minimum requirements to encourage shifts to biking, walking, scooting, carpooling and transit and to greatly reduce or eliminate parking in areas served well by public transit. *Response:* The comment is acknowledged, but does not

address analyses in the DEIR, but provides recommendations regarding free bike passes or lowered rent for tenants that do not have a car.

B2-8 Connections to the San Lorenzo River. The comment states that the General Plan and requires that "New development adjacent to the San Lorenzo River should include enhanced connections to the levee trails, and other design features that connect the built environment to the river, with " bike paths "and patios overlooking the river." The comment also recommends creation of the "River Walk District" that citizens ranked the highest priority, increasing walkability and emphasizing nature and walkability along the river. *Response:* The comment is acknowledged, but does not address analyses in the DEIR, but provides general recommendations regarding provision of connections to the San Lorenzo River. It is noted that the referenced General Plan action (CD1.5.2) is misquoted in the comment. The action as included in the *General Plan 2030* as amended, reads as follows, and does not reference bike paths: "Provide incentives for new development adjacent to the San Lorenzo River that includes patios overlooking the river, enhanced connections to the levee trails, and other design features that connect the built environment to the river."

B2-9 Recommendations. The comment lists recommendations for the Project that include a bike path for continuous riding, removal of on-street parking on Front Street, widening and straightening the Front Street bike lane, requiring incentives to reduce cars and parking, and requiring safe, attractive, tree-lined pedestrian walkways. *Response:* The comment is acknowledged, but does not address analyses in the DEIR, but provides recommendations for bike and pedestrian access. See Response to Comment B1-5 regarding bike lanes and parking on Front Street.

B2-10 Water Demand. The comment references the City's Urban Water Management Plan and an outdated 2004 report and recommends that "water offsets" be implemented for the development. *Response:* The City does not have a policy or requirement that a development not generate any new water demand or that a development offset its water demand. However, as reported in the Downtown Plan Amendments EIR, the City's 2015 Urban Water Management Plan indicates that the City has seen a trend of declining water demand since the year 2000 as a result of several factors, and total water demand within the City's water service area is projected to decline over the 20-year UWMP period due to continued implementation of conservation programs and other efficiency measures. The adopted 2015 UWMP forecasts a 20-year water demand forecast at approximately 3,200 MGY, which is slightly reduced from the estimated 3,500 MGY forecast in the 2010 UWMP due to continuing conservation efforts (City of Santa Cruz, August 2016). The UWMP predicts a decrease in water use of approximately 100 MGY over the next 20 years despite regional population growth forecasts. Therefore, the City's conservation programs have been successful in that overall water demand has continued to increase, although development has increased.

B2-11 Solar Energy. The comment recommends that solar energy be required to heat water which is the most energy, cost and climate-effective way to heat water and recommends following General Plan policies regarding energy use and new construction, including requiring new construction in City facilities use high-efficiency or zero-waste [energy, garbage creation and water] fixtures (NRC7.4.2) and requiring new development to provide for passive and natural heating and cooling opportunities, including beneficial site orientation and dedication of solar easements (RC7.1.4). *Response:* The comment is acknowledged, but does not address analyses in the DEIR, but will be considered by City staff and decision-makers. However, it is noted that the DEIR analyses did not identify a significant impact related to wasteful, inefficient or unnecessary consumption of energy. It is also noted that water and energy conserving features would be included in building plans in accordance with state and local regulations. For high rise residential buildings of four or more habitable stories, mandatory measures for "solar-ready" design are required in the building code (e.g., identify areas for panels, equipment, conduits). The applicant also has to follow prescriptive or performance approach. They will be required to address this on the building permit plans.

B2-12 Bird-Safe Building Design Standards. The comment notes the City's adoption of bird-safe building design standards for buildings facing the San Lorenzo River and quotes a passage from guidelines on the use of glazing treatment in windows as bird-safe measures. Furthermore, it asks that the DEIR address compliance with the design standards more clearly, and it recommends that the DEIR include all elements of bird-safe design because of the sensitive nature of the Riverfront area, and that the project include planting of stands of trees to provide bird habitat. *Response:* The DEIR fully addresses all bird-safe design standards from the Downtown Plan, as amended through 2017. Issues addressed in the DEIR Biological Resources section on pages 4.1-17 to 4.1-19, were based on review of the project plans included:

- Minimization of the total area of exterior glass facing the San Lorenzo River.
- Avoidance of mirrors and large areas of reflective glass.
- Avoidance of transparent glass skyways, walkways, or entryways, free-standing glass walls, and transparent building corners.
- Utilization of glass/window treatments that create a visual signal or barrier to help alert birds to the presence of glass; avoiding funneling of open space into a building façade.
- Strategically placing of landscaping to reduce reflection and views of foliage inside or through glass.
- Avoidance/minimization of up-lighting and spotlights, turning off or shielding non-emergency lighting at night, to minimize light from buildings that is visible to birds, especially during migration.

In addition, while the current design adheres to the requirements of the Downtown Plan for bird-safe buildings, the final building design details will be determined during the building permitting process when detailed building plans are provided, at which time it

will be reviewed for adherence to all applicable building design standards in the plan. With regard to planting of stands of trees, doing so would likely be contrary to the bird-safe design standards. Installing high-quality bird habitat within the project site would increase the risk of bird building strikes by bringing more birds closer to the buildings. See Response to Comment B2-2 and B2-3 regarding replacement of removed trees.

B2-13 Building Heights. The comment states that the Project will obstruct the view of the river, and commenter recommends against approval of the request for additional height. The comment cites General Plan Community Design policies and actions, and states that the proposed 81-foot height conflicts with the General Plan. The comment recommends that the Project building height be 50 feet. *Response:* Comment is noted, but does not address analyses in the DEIR, and recommendations for reduced height will be considered by the City's decision-makers. As explained on page 4.5-12, the City Council must approve the additional height request that may be allowed pursuant to the Downtown Plan. Additionally, the applicant is requesting approval of 11 feet in height beyond the 70 foot height allowance (81 feet maximum) as part of a proposed density bonus as explained in Chapter 3, Project Description of the DEIR.

It is noted that there are no views of the San Lorenzo River from Front Street, except for limited views of the landward side of the existing river levee. Views of the river are blocked due to existing development and the San Lorenzo River levee as indicated on page 4.5-10 of the DEIR, and the Project would not obstruct views of the river or other scenic views. As discussed on page 4.5-10, the certified Downtown Plan Amendments EIR found that future development along the river with potential increased building heights to 70 feet would obscure a portion of distant mountain views, which would also occur under the allowed existing base heights of 50 feet. The proposed Project height of 81 feet would not result in greater blockage of limited distant mountain views than was already evaluated and disclosed in the Downtown Plan Amendments EIR with buildings at a 70-foot height.

From: Christine Fahrenbach <cmfahrenbach@gmail.com>
Sent: Sunday, May 17, 2020 8:39 AM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Riverfront Apartments

To Whom it May Concern:

C1-1 Regarding the Riverfront Apartment project: Seven Stories seems too tall for the area. How about 4? Parking? There is already not enough parking in this area. Also lots of traffic as it is. I do not favor the building of any housing unless a significant portion is designated as lower income such that people who work in SC—such as teachers, service oriented professionals, social workers, health workers, county workers etc. Please consider non- retail space—affordable for a dance / yoga studio, public meeting rooms etc. Mixed use seems to imply that space would not be limited to retail and condos.

I wish you all the best for this project and deeply hope that it meets the needs of Santa Cruz as a whole. And I hope that this development does not become a housing project for highly paid workers who commute over the hill.

Best,
Christine Fahrenbach, PhD
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null

LETTER C1 – Christine Fahrenbach

C1-1 Building Heights, Traffic and Housing. The comment states opinions about the proposed building height seems too tall, there is traffic and not enough parking in the area, and commenter does not favor building housing unless a significant portion is designated to lower income people that work in Santa Cruz and non-retail space. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

From: Margo Fisher <margo.fisher@gmail.com>
Sent: Tuesday, June 16, 2020 12:50 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Front Street apartments

C2-1 Three 7 story unattractive buildings on the river with 7 dinky trees and no apparent open or park like space. Blocks any view of the river.
As a resident of Santa Cruz I do not want these buildings approved. We can do much better than this a long our beautiful river!
Respectfully yours,
Margo Fisher

Sent from my iPhone

LETTER C2 – Margo Fisher

C2-1 Opinion on Project. The commenter states that the buildings are unattractive with no apparent open or park space, and the commenter does not want the project approved. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

Samantha Haschert
City Planning Department
809 Center Street
Santa Cruz, CA 95060
shaschert@cityofsantacruz.com

Re: Riverfront Project Draft Environmental Impact Report (DEIR)
June 24th, 2020

I have reviewed the DEIR for the Riverfront Project and am submitting the following comments for your review and response.

C3-1 The Project includes the removal of twenty trees on the Project site and levee fill area and five street trees. Five of the onsite trees and three street trees are designated as heritage trees under the city's Heritage Tree Ordinance.

Under section **4.1 Biological Resources,** the removal of these eight heritage trees for the Project is discussed and dismissed as having ***no impact*** (Impact Bio-5*)* based solely on the Project's meeting the required replacement tree numbers under the city's Heritage Tree Ordinance. The DEIR fails to reference the Criteria for Removal of Heritage Trees under Resolution NS-73, 710 and merely states that such criteria exist.

Resolution NS-23, 710 adopted by the City Council in April 1998 establishes the criteria for permitting removal of a heritage tree, including the following:
A heritage tree can be removed if, ***"a construction project design cannot be altered to accommodate existing heritage trees."*** This criterion is neither referenced nor evaluated vis-a-vis the Project.

This omission needs to be corrected with specific findings that demonstrate why the Project **cannot** be altered to save heritage tree(s) if a finding of *no impact* is to be asserted in the EIR. Provision of alternative designs that spare the heritage trees should be included.

Respectfully submitted,

Gillian

Gillian Greensite
gilliangreensite@gmail.com

LETTER C3 – Gillian Greensite

C3-1 Heritage Tree Removal. The comment states that removal of eight heritage trees is discussed as having *no impact* (Impact Bio-5*)* based on the Project's meeting the required replacement tree numbers under the city's Heritage Tree Ordinance, but the DEIR fails to reference the Criteria for Removal of Heritage Trees, which includes "a construction project design cannot be altered to accommodate existing heritage trees." The comment states that this omission needs to be corrected with specific findings that demonstrate why the Project cannot be altered to save heritage tree(s) if a finding of *no impact* is to be asserted in the EIR. *Response:* The DEIR text has been expanded to identify the criteria for removal of heritage trees and discussion of how the Project meets the cited criterion for removal. As explained in the expanded text, the removal of trees on the landward side of the river levee is proposed in accordance with directives in the Downtown Plan to provide an expanded outdoor open space connection between the existing Santa Cruz Riverwalk and new development. See section 3.2.2 of Chapter 3, Changes to Draft EIR, of this document. The DEIR text also has been revised to provide the correct tree removal, which includes four heritage tree on the Project site and one non-heritage street tree. See section 3.2.2 of Chapter 2, "Changes to Draft EIR" of this document.

From: Carolyn Trupti Israel [mailto:cappy@baymoon.com]
Sent: Tuesday, June 16, 2020 3:03 PM
To: Samantha Haschert
Subject: Building next to San Lorenzo River

Esteemed City Councellors and planners--

C4-1 The plan for this complex extremely close to the San Lorenzo River appears to limit wildlife in an extreme and unacceptable way. As well, it appears to be in an unsafe position in the increasingly likely instance of flooding. In the twenty-some years I've lived in Santa Cruz, the river has come up to that level at least once, and the earth is on an irreversable process of heating, leading to increasingly chaotic weather patterns, storms that linger, dropping vast amounts of rainwater.

Thank you,

Carolyn Israel, 95060-2655

LETTER C4 – Carolyn Israel

C4-1 San Lorenzo River. The comment states that the Project is extremely close to the San Lorenzo River and appears to limit wildlife in an extreme and unacceptable way and also appears to be in an unsafe position in the likely instance of flooding. *Response:* The comment is acknowledged, but does not address analyses in the DEIR. However, it is noted the biological resources are addressed in the DEIR on in the Section 4.1, Biological Resources, and issues related to flood hazards are addressed in the Environmental Checklist on pages 51 to 53 of Appendix B of the DEIR.

From: Susan Kauffman [mailto:highsierra2@gmail.com]
Sent: Wednesday, June 24, 2020 4:56 PM
To: Samantha Haschert
Subject: Draft EIR comments Riverfront project: Front St, S Cruz

C4-1 Seven stories high and 175 households is out out proportion, (too massive), too dense and too high for along the river in downtown Santa Cruz. It would in no way be compatible with the surrounding development. Please drastically reduce the height, size of the structure, and number of units. Something small scale would fit in much better. Also, there's already way too much traffic downdown. Please do not move forward with a project anywhere near this scale which will add traffic from 175 additional households. Also, it is already horribly unsafe to ride bikes downtown. This project should be nixed.
Very Sincerely,
Susan Kauffman
28 Hanover Ct Santa Cruz CA 95062

LETTER C5 – Susan Kauffman

C5-1 Project Opposition. The commenter does not support the Project, states that the building height and size are too massive and out of proportion for the area along the river and not compatible with surrounding development. The comment states that there is too much traffic downtown and unsafe for bicyclist. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

From: koakland@ymail.com <koakland@ymail.com>
Sent: Sunday, May 17, 2020 4:35 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Santa Cruz Development Propodal ~ Concerned

Hello Samantha,

I saw your name associated with the attached article so I'm reaching out to you.

Having been a Bay Area resident for 30 years and Santa Cruz for eight... It is beyond deeply disturbing to hear of development (apartment buildings etc) in a historical, world-renowned area of Santa Cruz!!

C6-1 This development should be stopped.

If one looks to other cities in the Bay Area you will find development will impact the areas so negatively, so terribly— Not only destroying the beautiful, quaint look and feel of the area but destroying history, and also the ability to enjoy the area without feeling like you're in the middle of a busy hectic city. The traffic will increase exponentially! There is not sufficient infrastructure to withstand that traffic. This fact is proven over and over again in city after city that didn't stop developers and didn't have the infrastructure.

I have lived in several cities in the bay area and the destruction from development is so detrimental to the people,
to the history, culture, to the livability… It is time to put a stop to it.

PLEASE tell me there is sufficient fight going on… Against this!? Yes?? I sure hope so!!
Let me know.

Once the development happens the beauty and history of that area is forever changed, forever destroyed. There is no going back.

I look forward to your reply.

Regards,
Kristin

LETTER C6 – Kristin (No Last Name)

C6-1 Project Opposition. The commenter does not support the Project and also states that traffic will increase and there is not sufficient infrastructure for traffic. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required. However, transportation and traffic impacts are evaluated on pages 62 to 66 of Appendix B of the DEIR.

City of Santa Cruz
Planning & Community Development Depart.
809 Center St., Rm 101
Santa Cruz, Ca. 95060
Contact: Samantha Haschert, Principal Planner

Jane Mio
215 Mtn. View Ave
Santa Cruz, Ca, 95062

Dear Samantha,

Thank you for the opportunity to submit my comments. Please confirm their arrival.

3.2 Project Objectives

C7-1 The City of Santa Cruz takes great care to describe the beauty, value and special status of the San Lorenzo River (SLR) in all its City Plans as does the Riverfront Project DEIR. The City acknowledges and supports special status of its designated watershed, riparian corridor and Open Space with various goals/policies and actions in its issued governing plans.

- The 2030 General Plan addresses the San Lorenzo River's value as a watershed, Open Space and protects this status with goals/policies and actions in Chapter 9 and 10.

- The 2018 'San Lorenzo River Riparian Conservation Program' assigns the SLR this focus : 'Riparian habitat conservation and protection is a stated objective of local government, local water districts, the Resource Conservation District of Santa Cruz County, state, and federal agencies.'

- The Land Coastal Plan acknowledges the unique, important status of the SLR by listing strong protection for Open Space, riparian corridors and watersheds.
  2.1.4 Enhance the prominence of the San Lorenzo River as a natural feature giving structure, orientation and recreational enjoyment to the City.

- The San Lorenzo Urban River Plan lists as its primary focus and goal: '*the Restoration of the River.*' *and* '*...recognize that the River is first a habitat area for fish and wildlife and second a passive recreational area for enjoyment by the community.*'

The DEIR 3.2 Project Objectives b), d), e) make the case that the proposed Project is a desirable development in order to access the 'sensitive', 'open space character' San Lorenzo River. The reasoning is that the Project will 'improve the significance of the river and the connection to the downtown area.', 'aesthetically integrates access to the site, the San Lorenzo River, etc', ' The document repeatedly refers to the Project's access to the river as a much needed San Lorenzo River improvement thus justifying the Project.

Although the DEIR is using this logic, which demonstrates it is aware of the river, the Objectives fail to reflect the special status that the City of Santa Cruz has assigned to the river location and its special status in their governing Plans.
This approach is enforced by the 3.2 Project Objectives b), d), e), which have to be quantified:

C7-2 b) *Building Height*. Develop a project with buildings that meet the criteria for additional height as the 2017 Downtown Plan update recognizes that taller buildings contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City.

- The Objective is not substantiated by the below listed directives in City's 'General Plan and Local Coastal Program' goals, policies and actions.
- The City Plans' goals/policies and actions do not state that the City is required to plan new, high density development adjacent to the river with its special assigned status when the Front St. higher, bigger sized buildings section, away from the river, aligns with the governing City Plans.
- The City's 'the unique character and scale of Santa Cruz' built environment' with its 'diverse array of building patterns and types' is not maintained with a 81' high .98 acre building adjacent to its designated special status watershed, riparian corridor and Open Space.
- The DEIR finding that 'taller buildings contribute greatly to the architectural fabric of the City...' is not adhering to the City's 'General Plan and Local Coastal Program' goals, policies and actions as listed below.
- The City Plans' goals/policies and actions do not state that the City is required to plan new, high density development adjacent to the river with its special assigned status when the proposed Project would be better integrated on the Front St. section, which swings away from the river and higher, bigger sized buildings are present.

- D. UNIQUE CHARACTER AND SCALE OF THE BUILT ENVIRONMENT Many features contribute to the character and scale of Santa Cruz' built environment. Among them are the diverse array of building patterns and types that have resulted from the City's gradual growth and intensification over more than a century. This is apparent in the current mix and distribution of land-uses, many distinctive areas and neighborhoods, and varied architectural types prominent in Santa Cruz.
- 3.5.3 Encourage rehabilitation and adaptive reuse of historic and architecturally significant buildings rather than demolition. (See policy CR 2.1.2)3.2 Develop new and also implement existing plans and design guidelines for areas of community importance, to preserve and enhance areas contributing to the City's built character. (See policies under CD 6.2.5, L 2.2 and Area and Specific Plan Summaries elements.)

- GOAL CD 3: Maintain and enhance the City's unique built character and emphasize a human/ pedestrian scale to development.
- GOAL L 3: Protect the quality of, and prevent significant new incursion of urban development into, areas designated as open space or agricultural lands and provide, when possible, permanent protection of these lands, recognizing their value in inhibiting urban sprawl and maintaining City identity, as a natural resource with significant biotic resources and/or their potential for providing scenic, recreational and educational enjoyment.
- 1.4 Utilize the environmental review process and maintain Zoning Ordinance Conservation Regulations to ensure protection of natural resources, significant vegetation communities, wildlife habitats, archaeologically sensitive areas, scenic views and also mitigate and protect development from environmental hazards such as earthquakes, floods and fires in the process of land development. (See Policy CR 1.2.2,
- 2.2.1 Develop siting, scale, landscaping and other design guidelines to protect visually sensitive areas and ensure that development is compatible with the character of the area. Areas to be protected include: open-space land uses, foothills, bluffs, scenic coastal areas, Beach Hill, Pogonip, Far West Side, Mission Hill, Moore Creek, DeLaveaga Park, and San Lorenzo River. (See policies CD 1.4, CD 3.5.4)

C7-3 Objective d) *Accessibility*. Develop a project that aesthetically integrates access to the site, the San Lorenzo River, and downtown.

- The GENERAL PLAN and LOCAL COASTAL PROGRAM 1990-2005) does not direct the City to improve the aesthetically access river appeal with a 81' high .98 acre Project when City Plans state that the DEIR Objective can be achieve with well maintained, visually pleasing landscaping, signage upgrades and implementation of the San Lorenzo Urban River Plan and the improvement methods of the 2018 'San Lorenzo River Riparian Conservation Program'.
- The aesthetically San Lorenzo River access is not achieved with a 81feet high, .98 acre Project that blocks any Front St. Open Space visual access.

C7-4 Objectives e) *Open Space and Streetscape* Develop a project that creates public plazas in the form of two pedestrian passageways and open space areas along the riverfront to contribute to a socially active and pedestrian-oriented downtown.

- The City Plans are not directing the City to block Front St. current visual access of the watershed banks with its matured trees in order to achieve 'socially active and pedestrian-oriented downtown'.
- The City Plans do not direct the City to plan a 81 feet, .98 acre Project to reach its Objective of creating two pedestrian passageways via riparian habitat loss due to infill.
- The proposed Project does not integrate nor honors its location adjacent to Sensitive Habitat Areas(4.1), which the DEIR describes as 'riparian habitat and corridors,

wetlands,..etc... of high biological diversity, areas providing important wildlife habitat, and unusual or regionally restricted habitat types.'

- The Project's Objective does not improve Open Space habitat with human 'Streetscape' based on the DEIR statements that 'coastal bird habitat is considered sensitive habitats because of high biological diversity.', and that "high priority" applies to the San Lorenzo River habitat type that is 'considered sensitive habitat in the City (City of Santa Cruz, October 2017-DEIR volume).'
- The Objective fails to prove that the Project is not impacting the City's 'high priority' asset, the San Lorenzo River watershed and the habitat that sustains the riparian corridor, nor is it safeguarding the City's asset with a Project environmental Best Management Plan and ongoing monitoring method in place.
- The Riverfront Project DEIR does not integrate nor adheres to the City's GENERAL PLAN and LOCAL COASTAL PROGRAM 1990-2005 that calls for City Balanced Community planning approach as stated below.

'Environment and development are not separate challenges; they are inexorably linked. Development cannot subsist upon a deteriorating environmental resource base; the environment cannot be protected when growth leaves out of account the costs of environmental degradation.

Meeting essential needs depends in part on achieving full growth potential, and sustainable development clearly requires economic growth in places where needs are not being met, provided the content of growth reflects the broad principles of sustainability and non-exploitation of others and the environment.

In its broadest sense, sustainable development aims to promote harmony among human beings and between humanity and nature. The pursuit of sustainable development requires:

A production system that respects the obligation to preserve the ecological base for development;

A technological system that can search continuously for new solutions; and

An administrative system that is flexible and has the capacity for self-correction.

These requirements are more in the nature of goals that should underlie the City's action in pursuing sustainable development. What matters is the sincerity with which these goals are pursued and the effectiveness with which departures from them are corrected.'

These planning directions are enforced by the Balanced Community goals, policies and actions.

4.1 – BIOLOGICAL RESOURCES

C7-5 Federal Regulations/**Migratory Bird Treaty Act**.

The DEIR fails to adequately address "take" under the Migratory Bird Treaty Act (MBTA). In December 2019, the California Department of Fish and Wildlife (CDFW) and California

Attorney General Xavier Becerra jointly provided an advisory to affirm that California law continues to provide robust protections for birds, including a prohibition on incidental take of migratory birds, notwithstanding the reinterpretation of the MBTA by the U.S. Department of the Interior (DOI). Thus, incidental take must be fully accounted for in the DEIR according to the California's law.

4.2.2 Impacts and Mitigation Measures

Thresholds of Significance

C7-6 **BIO-1** Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service;

Impact BIO-1: Indirect Impacts to Special Status Species. Project development could result in indirect impacts to riparian and aquatic special status species due to increased shading due to increased building heights and stormwater runoff, but would not substantially affect habitats. This is considered a less-than-significant impact.

The proposed Project states an area of fill will occur along 490 linear feet of the levee and would cover approximately 15,500 square feet of the .98 acre development, amounting to approx. .356 acres. The approx. 15,500 square feet will be covered with approximately 3,500 cubic yards of engineered earthen fill on the west levee slope along San Lorenzo River along the Project's eastern boundary.

The Project Objectives acknowledge that the Project is adjacent to Sensitive Habitat Areas(4.1), which the DEIR describes as 'riparian habitat and corridors, wetlands,..etc... of high biological diversity, areas providing important wildlife habitat, and unusual or regionally restricted habitat types.' The 'coastal bird habitat is considered sensitive habitats because of high biological diversity.', which applies to the "high priority" San Lorenzo River habitat type that is 'considered sensitive habitat in the City (City of Santa Cruz, October 2017-DEIR volume).'

Yet throughout the DEIR does not acknowledge nor addresses that the approx. 15,500 square feet fill will be eliminating "high priority" wildlife habitat due to its close vicinity to the City's designated watershed, a riparian corridor and Open Space area. Nor does the DEIR acknowledge that this infill location currently serves as food source, shelter and nesting ground for the San Lorenzo River wildlife, which is a moving, interconnected, interlinking environment, starkly contrasting with an immobile human made project. It is important to take note that a steep decline of the bird, insect and reptile population is owed to the alarming loss of habitat due to human development.

The DEIR is void of any damage or loss habitat concerns that are caused by the proposed Project's infill thus avoiding any mitigation measures. Consequently mitigation measures are absent for the approximately 15,500 square feet habitat replacement. Therefore it is not possible to evaluate if a substantial adverse effect on any riparian habitat or other sensitive natural community is caused by the Project.
This in opposition to State, Fed. local and County directives for riparian corridors.
Furthermore the City is keenly aware that the San Lorenzo River is a prestigious, high biodiverse Natural Resource. The City recognizes the river's status as an important, greatly valued watershed, riparian corridor and Open Space. The City acknowledges this status as a Santa Cruz asset, which it strives to protect with applying diverse, detailed goals/ policies and actions for its safeguard.
The less-than-significant impact Mitigation Measure has to be corrected to be in line with 'LCP 1.4 Utilize the environmental review process and maintain Zoning Ordinance Conservation Regulations to ensure protection of natural resources, significant vegetation communities, wildlife habitats, etc..' (See Policy CR 1.2.2, L 3.2, and policies under Goals EQ 4, CD 6, S 2, S 3, S 4)

C7-7 **BIO-2** Have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

BIO-2 Wetlands. The Project site is adjacent to the San Lorenzo River, however, the Project site does not include wetlands or other habitat. The proposed Project would result in redevelopment of an existing developed site that does not contain native habitat. Therefore, the Project would not result in a substantial adverse effect on a state or federally protect wetland and would result in no impact.

The 3.2 Project Objectives acknowledge that the Project is adjacent to Sensitive Habitat Areas(4.1), which the DEIR describes as 'riparian habitat and corridors, wetlands,..etc... of high biological diversity, areas providing important wildlife habitat, and unusual or regionally restricted habitat types.' The 'coastal bird habitat is considered sensitive habitats because of high biological diversity.', which applies to the "high priority" San Lorenzo River habitat type that is 'considered sensitive habitat in the City (City of Santa Cruz, October 2017-DEIR volume).'
The DEIR based its 4.1 BIO findings on the report of 3/20/19 Dudek 'Federally-listed Species Assessment, San Lorenzo River Levee Fill Placement Project, City Santa Cruz,

California'. The report declares its wetland accuracy limitations: '...thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis. The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted.' (20-21), the data exclusion for 'Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters.'(20-21) Yet this report is the baseline that guided the statements

C7-8 for 4.1 section instead of an up-to-date riparian corridor species inventory list, which is a LCP EQ Policy and Program directive: 4.5.1 Maintain an up-to-date list and map of sensitive, rare and endangered flora and fauna to ensure their protection in the environmental review process.

It is worth noting that the report's ' The 'Probability of Presence Summary' chart(12.21-17.21) lists 25 bird species that '...are most likely to be present in your project area.' 18 of the 25 species have been recorded in the Project's area and its vicinity. This demonstrates that the Project location and its vicinity are part of a rich, diverse riparian corridor bird life.

Unfortunately this report's worthy mention was not integrated nor evaluated in the DEIR findings: 'Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area.'(17-21) Regrettably the proposed Project DEIR is not reflecting the City's protective approach to its Natural Resource by addressing the environmental impact of the habitat loss of this Sensitive Habitat Area(4.1). Nor is it referencing that the Ocean Protection Council of the California Natural Resource Agency raised concerns that 'The state has already lost approximately 90% of its coastal wetlands due primarily to habitat destruction.' and issued the February 2020 'Strategic Plan to Protect California's Coast and Ocean 2020-2025' in order to prevent any further damage or loss of waterbody habitats.

Strategic Plan to Protect California's Coast and Oceans 2020-2025 - OPC-2020-2025-Strategic-Plan-FINAL-20200228.pdf

C7-9 The City is keenly aware that the San Lorenzo River is a prestigious, high biodiverse wetland. The City recognizes the river's status as an important, greatly valued watershed, riparian corridor and Open Space. The City acknowledges this status as a Santa Cruz asset, which it strives to protect with applying diverse, detailed goals/policies and actions for its safeguard. The Project is adjacent to a wetland and in order to do justify its location

close to the San Lorenzo River the City's **Balanced Community for the City's planning approach**: 'Environment and development are not separate challenges; they are inexorably linked. Development cannot subsist upon a deteriorating environmental resource base; the environment cannot be protected when growth leaves out of account the costs of environmental degradation.'

The Local Coastal Plan directs the City with its Balanced Community Land-use L 1.1 to Foster development patterns and develop land use policies that strive to achieve a balance between economic development and housing while protecting the quality of the environment. (See policy L 2.1 and L 4.3). Goal EQ 4.2 states: Preserve and enhance the character and quality of riparian and wetland habitats, as identified on Maps EQ-8 and EQ-11, or as identified through the planning process or as designated through the environmental review process, and LCP 4.2.5 requires: Protect and minimize the impact of development on bird, fish and wildlife habitat in and adjacent to waterways.

For these reasons it is important to reevaluate the no wetland impact of habitat loss caused by the Project's infill and justify the no impact finding for the City's esteem for its asset: the San Lorenzo River wetland.

C7-10 **BIO-3** Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;

Impact BIO-3: Indirect Impacts to Sensitive Riparian Habitat. Project development could result in indirect impacts to birds in the area that could lead to bird mortalities. This is considered a less-than-significant impact.

This mitigation measure is not acceptable in consideration that the San Lorenzo River is designated as 'Sensitive Habitat Area', which includes 'coastal bird habitat' in coastal wetlands that experienced a 90% loss caused by human development.

C7-11 The City of Santa Cruz Bird-Safe Building Design Standards(BSD) need to be applied to their fullest extend since the applicant chose to place the Project adjacent to a protected, high priority wetland area. It is necessary for the DEIR to specify precisely the size of the windows and the treatment method. 50% of glass façade can result in window sizes and untreated surfaces above 40 feet, which can result in bird collision.

It is necessary to acknowledge that birds collide with glass not only with sky reflections but also landscapes impressions. Corner windows present high collision potential. Therefore their glazing treatment is essential to avoid bird collision.

The DEIR is not committing to adhere to the BSD by using 'could' and 'would' when describing an action. The DEIR has to show that these actions will be carried out with appropriate, responsible Mitigation Measures that insist the City of Santa Cruz Bird-Safe Building Design Standards(BSD) will be correctly applied to minimize un-necessary bird collision impacts.

C7-12 **BIO-4** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;

Impact BIO-4: Indirect Impacts to Nesting Birds. Future development as a result of the proposed Downtown Plan amendments could result in disturbance to nesting birds if any are present in the vicinity of construction sites along the San Lorenzo River. This is a potentially significant impact

It is necessary that the DEIR addresses the environmental impact of the extended construction time of approximately 30 months with subsurface excavation estimated at approximately 4 months. It is essential to know what effects are likely to occur and impact the riparian corridor habitat and the nesting impact as birds are exposed to2.5 years of extensive, severe noise levels, drilling vibrations of approximately 10 to 60 feet below the foundation subgrade, extended presence of heavy machinery, so that appropriate mitigation measures can be applied. In order to fulfill its accountability to the City of Santa Cruz the lead of the Project has to adhere to the 'Balanced Community for the City's Planning' directive, which states: 'Development cannot subsist upon a deteriorating environmental resource base; the environment cannot be protected when growth leaves out of account the costs of environmental degradation.'
Santa Cruz is in the important Pacific Migratory Flyway and the San Lorenzo River bird population ranks as # 13 out of a 100 County e-bird Hotspots. The DEIR is not acknowledging the extensive wildlife disturbance the construction will cause to the San Lorenzo River habitats. This impact will not go away by avoiding implementing proper mitigation measures.
Therefore the DEIR has to supply further material for adequate public evaluation.
C7-13 Please note: Nesting season in this document is referred to as between March and late July , or as determined by a qualified biologist. According to the 8/16/19 "Amendment of Lake or Streambed Alteration Agreement", written in collaboration with the California Department of Fish and Wildlife, however, nesting season in Santa Cruz extends from **January 15 to September 1st**. Monitoring for bird nests must be carried out throughout this full time period.

C7-14 **BIO-5** Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

Impact BIO-5: Conflicts with Local Ordinances. Construction of the proposed Project would not result in conflicts with local policies and ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, the Project would result in no impact.

The DEIR lists 13 tree species that account for the 32 existing Project site trees. 8 species, totaling 19 trees are native. 20 of these trees to be removed trees. The Project landscape plan lists 14 replacement trees of non native species. The species name of the remaining 6 trees is not specified. The choice of the 14 non native trees is unacceptable, because these trees do not enhance the riparian corridor's habitats and its wildlife with appropriate food sources, shelter and nesting potential. The DEIR disregard the City Plans directives for the Project's close vicinity to high priority wetlands and misinterprets the value of native trees in this location.
For the DEIR to state that non native trees replacement has no impact is contradicting the City's SLURP, the General Plan 2030, ACOE plans, who all stipulate that the preservation, protection, and enhancement of natural resources is of highest priority.
The Local Coastal Plan specifically specifies in its EQ 4 Goal: 4.6 Encourage the planting and restoration of native rather than non-native vegetation throughout the City and also in areas where plants or habitats are diseased or degraded.
Therefore corrected mitigation measures have to be applied.

Sincerely,
jane mio 6/23/20

LETTER C7 – Jane Mio

C7-1 Project Objectives. The comment references several City plans regarding the San Lorenzo River and states that "Project Objectives b), d), e) make the case that the proposed Project is a desirable development" in order to access the sensitive San Lorenzo River. The comment further claims that the DEIR repeatedly refers to Project access to the river as needed, "thus justifying the Project." The comment states that the objectives fail to reflect the special status the City has assigned to the river and that the referenced objectives "have to be quantified." *Response:* The comments regarding San Lorenzo River are acknowledged. The commenter's claim that the DEIR repeatedly refers Project access to the river as a needed amenity and thus justifies the project is incorrect. Although the comment does not provide specific references, the DEIR does correctly identify applicable plans and policies that in fact encourage and/or require developments to provide/enhance access to and along the San Lorenzo River; see DEIR pages 4.5-6 and discussion on pages 4.5-8 to 4.5-25. Furthermore, the second paragraph on page 3-2 indicates that the development on the Project site is guided by the "First Principles" of the Downtown Plan and also cites other relevant City plans with goals that have been incorporated into the Downtown Plan. The cited objectives are part of Objective 1 on page 3-2 of the DEIR related to building height (b), accessibility to the site, river and downtown (d), and public plazas, pedestrian passageways and open space along the river (e). Project objective 4 references the San Lorenzo Urban River Plan, and objective 8 references a project designed to prevent impacts to the sensitive San Lorenzo River. None of these objectives require quantification. See Responses to Comments C7-2, C7-3 and C7-4 for responses to specific comments on each of these objectives.

C7-2 Objective 1b-Building Height. The comment states that the objective is not substantiated by review of directives in the City's General Plan and LCP that are cited in the comment regarding character and scale of the built environment. The comment also claims that the City Plans' goals, policies, and actions do not state that the City is required to plan new high density development adjacent to the river. *Response:* As explained on page 3-2 of the DEIR and noted in Response to Comment C7-1, the Project objectives and site development were guided by the "First Principles" of the Downtown Plan. Objective 1 follows the topics of the First Principles, but does not include parking. The objectives are tailored to the proposed Project based on these Principles. For building height, the Downtown Plan First Principles state that "Buildings should maintain the scale and character of the existing downtown, with explicit criteria for additional height up to seven stories." This principle further states that the 2017 update to the Downtown Plan "recognizes these taller buildings also contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City." It also states that "The 2017 modifications to the Additional Height Zones have been carefully written to recognize the City's successful recovery from the 1989 Loma Prieta earthquake; preserving and enhancing the urban form of the City, without sacrificing the special human scale and

character of downtown. New development will not be required to strictly adhere to a 2 and 3 story scale." Thus, the cited Project objective is consistent with this First Principle of the Downtown Plan, which also explicitly addresses additional height in the downtown area for which detailed standards are established in the Downtown Plan. See DEIR pages 3-6 to 3-7 for an explanation of why additional heights above what may be permitted in the Downtown Plan can be allowed pursuant to state and local laws on provision of a density bonus with inclusion of a specified level of affordable housing. See section 4.5, Land Use, in the DEIR for review of the Project and potential conflicts with applicable plans and policies. It is also noted that the goals, policies and actions cited in the comment are from the former 1994 General Plan, except for CD1.4 (environmental review process) and CD2.2.1 (development of design guidelines), which are part of the City's certified Local Coastal Program (LCP).

C7-3 Objective 1d-Accessibility. The comment states that the General Plan and LCP do not direct the City to improve river access with an 81-foot high building and "the aesthetically San Lorenzo River access is not achieved" with this height that blocks any Front Street "open space and visual access". *Response:* Commenter's opinion on building height is noted. However, the referenced objective describes provision of access to the site, to the San Lorenzo River, and downtown in accordance with directives in the Downtown Plan. It is noted that there are no views of the San Lorenzo River from Front Street, except for limited views of the landward side of the existing river levee, due to existing development and the San Lorenzo River levee as indicated on page 4.5-10 of the DEIR.

C7-4 Objective 1e-Open Space and Streetscape. The comment states that the City plans do not direct the City to block Front Street visual access of the river and that the proposed Project does not "integrate nor honors its location" adjacent to sensitive habitat. The comment further states that the objective does not improve open space habitat and the objective fails to "prove that the Project is not impacting the City's 'high priority' asset, the San Lorenzo River watershed and habitat." Lastly, the comment states that the DEIR does not integrate nor adhere to the City's General Plan and LCP that calls for "City Balanced Community planning approach" as stated in the comment. *Response:* As indicated in Response to Comment C7-3, there are no views of the San Lorenzo River from Front Street. Commenter's opinion on the Project is noted. The project objective does not seek to improve habitat, but is aimed at the creation of public plazas in the form of two pedestrian passageways and open space areas along the river that will be created by filling the landward side of the levee as explained on page 3-8 of the DEIR. Regarding impacts to the San Lorenzo River, Project objective 8 references a project designed to prevent impacts to the sensitive San Lorenzo River. The purpose of an EIR is to evaluate potentially significant impacts on the physical environment, and thus, the EIR does not need to "integrate nor adhere" to the City's General Plan or LCP as suggested in the comment. See section 4.5, Land Use, in the DEIR for review of the Project and potential conflicts with applicable plans and policies.

C7-5 Migratory Bird Treaty Act. The comment asserts that the DEIR fails to adequately address "take" under the Migratory Bird Treaty Act (MBTA) and implies that it does not fully account for California law with regard to take of migratory birds, in light of the December 2019 advisory of the California attorney general and the California Department of Fish and Wildlife affirming the protection of migratory birds, regardless of current federal interpretation and enforcement of MBTA. *Response:* With regard to the MBTA, the comment alludes to the reinterpretation of MBTA by the acting solicitor of the Department of the Interior in December 2017. In this opinion, the acting solicitor argued that MBTA did not prohibit incidental "taking" or "killing" of migratory birds as a part of otherwise legal activities, but applied only to "intentional take," that is, activities with the specific intent of taking birds. Previously, the federal government had interpreted MBTA as more widely prohibiting actions resulting in take, and the California Fish and Game Code included provisions (principally, FGC 3503 and 3503.5) that similarly prohibited incidental take of birds and their nests or eggs. The December 2019 advisory did not include new regulations, new enforcement guidelines, or any amendment to the Fish and Game Code. Instead, it affirmed the legal protections for migratory birds in the code and that the State of California would continue to enforce these provisions.

The comment is not specific with regard to how the DEIR is deficient in addressing this issue, other than to call attention to the recent advisory by the State of California. Not only does the DEIR analyze impacts to nesting birds on the assumption that incidental take is prohibited by the Fish and Game Code, but it also assumes that the provisions of MBTA as interpreted prior to 2017 are still in place. The DEIR acknowledges this impact as "potentially significant," without mitigation, which is evaluated on pages 4.1-19 to 4.1-20 in the DEIR. The DEIR then states that the project is subject to Mitigation Measure 4.3.3 of the Downtown Plan Amendments EIR (City 2017), which would require nesting bird surveys prior to tree removal or construction activities scheduled to begin during the nesting bird season, which it describes at March 1 to August 1, the nesting period cited in the Downtown Plan Amendments EIR. The measure further requires that, if active nests are found, construction shall be delayed or a buffer shall be erected to protect the nesting birds as long as the nests remain active. The conclusion that this impact was less than significant with implementation of this measure is consistent, not only with the Downtown Plan Amendments EIR, but also with the application of the MBTA and the California Fish and Game Code in approved projects throughout California. See also Response to Comment C7-13 with regard to the nesting bird season described in Mitigation Measure 4.3.3.

C7-6 Impacts to Sensitive Habitat. The comment states that DEIR does not acknowledge or address the impact of placement of fill on the approximately 15,500 square feet on the landward side of the San Lorenzo River levee, which will eliminate "high priority" wildlife habitat due to its close vicinity to the City's designated watershed, a riparian corridor and open Space area, and consequently mitigation measures are absent. The comment asks that the less-than-significant impact and mitigation measure be corrected.

Response: The San Lorenzo River levee is a human-made structure, and the landward side is planted with native and non-native grasses, shrubs, and trees planted as part of the levee improvement project as explained on page 4.1-12. While sensitive riparian and wetland habitat is identified on the river side of the levee, no sensitive habitat has been identified on the landward side. An updated site reconnaissance was conducted as part of the preparation of this Final EIR document, and it was again confirmed that there are is no sensitive habitat or "high priority wildlife habitat" in the area where placement of fill is proposed as suggested in the comment. The DEIR text has been expanded on pages 4.1-12 and 4.1-10 regarding this area; see section 3.2.2 in the "Changes to Draft EIR" section of this document. Therefore, the Project would not result in direct significant impact to riparian or sensitive habitats or a significant indirect impact to sensitive habitat along the San Lorenzo River as discussed on pages 4.1-17 to 4.1-19.

C7-7 Impacts to Wetland Habitat. The comment cites the BIO-2 impact regarding wetlands and states that DEIR findings were based on a report regarding federally listed species that did not include a site visit without an up-to-date "riparian corridor species inventory list." *Response:* As explained in Response to Comment C7-6, the landward side of the San Lorenzo River levee is not considered riparian or sensitive habitat based on reconnaissance reviews conducted during the preparation of the DEIR. A biological site visit conducted in July 2020 found no evidence of wetland indicators. The DEIR text has been expanded; see section 3.2.2 of Chapter 2, "Changes to Draft EIR" of this document.

C7-8 Probability of Presence Summary. The comment cites a summary included in the federally-listed species assessment and states that this "worthy mention was not integrated or evaluated in the DEIR". The comment appears to suggest that implementation of conservation measures are important when birds are likely to occur in the area. The comment also states that the DEIR does not address environmental impact of habitat loss of sensitive habitat area. *Response:* The citation in the comment is regarding probability of presence of birds on the U.S. Fish and Wildlife Birds of Conservation Concern list or species that warrant special attention in the project location. The list provides information on breeding periods to assist scheduling activities or implement avoidance and minimization measures to reduce impacts to migratory birds on the list. Birds of Conservation Concern list is explained on page 4.1-2 of the DEIR, and potential impacts to nesting birds are evaluated on pages 4.1-19 to 4.1-20. See Response to Comments C7-6 and C7-7 regarding loss of sensitive habitat.

C7-9 San Lorenzo River. The comment states that the City recognizes the San Lorenzo River's "status as an important, greatly valued watershed, riparian corridor and Open Space", states that the Project is adjacent to the river and cites the "City's Balanced Community for the City's planning approach" and LCP policies. The comment states "it is important to reevaluate the no wetland impact of habitat loss caused by the Project's infill" and justify the no impact finding for the San Lorenzo River. *Response:* The Project would not result in direct loss of wetland habitat as explained in Response to Comment C7-7.

Indirect impacts to San Lorenzo River sensitive habitat, including special status species and riparian habitat, are evaluated on pages 4.1-15 to 4.1-4.1-19.

C7-10 Indirect Impacts to Sensitive Riparian Habitat. The comment references Impact BIO-3 and states that the mitigation measure is not acceptable in consideration that San Lorenzo River is designated a sensitive habitat that includes coastal bird habitat and coastal wetlands have experienced loss caused by human development. *Response:* Indirect impacts to San Lorenzo River sensitive habitat, including special status species and riparian habitat, are evaluated on pages 4.1-15 to 4.1-4.1-19. The Project complies with the provisions of the City-wide Creeks and Wetlands Management Plan and Downtown Plan regarding required riparian buffers and complies with the City's "Bird-Safe Building Design Standards" and requirements in the Downtown Plan for bird-safe building designs. Thus, the Project would not result in an indirect impact to the adjacent sensitive riparian habitat or birds using the area. The Project would not result in direct loss of wetland habitat as explained in Response to Comment C7-7.

C7-11 Bird-Safe Building Design Standards. The comment states that the City of Santa Cruz Bird-Safe Building Design Standards need to be applied to their fullest and asks that the DEIR specify the size of windows and window glazing treatment method. *Response:* The City's Bird-Safe Building Design Standards do specify glazing treatment requirements that would be applicable to the Project. See also Response to Comment B2-12.

C7-12 Impacts to Nesting Birds. The comment contends that the DEIR does not address the effects of the temporary impacts to nesting birds from the long duration of construction, estimated to be 30 months total, including four months of subsurface excavation. The comment also states that the DEIR does not acknowledge the "extensive wildlife disturbance the construction will cause to the san Lorenzo River habitats." *Response:* With respect to nesting birds, the DEIR does address impacts to birds that may be nesting in the area during construction. The impact discussion focuses on the removal of 20 trees from project activities and states that the project would be subject to pre-construction nesting bird requirements in Mitigation Measure 4.3.3 as set forth in the Downtown Plan Amendments EIR, as well as the requirement to establish construction buffers, if bird nests are found. Although the DEIR discussion focuses on tree removal, it refers to this impact as an indirect impact, applying disturbance to nesting birds in the vicinity of construction, not just within the trees being removed. This analysis is consistent with the Downtown Plan Amendments EIR, and it is consistent with the typical approach to nesting bird issues throughout California. This approach focuses on avoidance of "take" of native nesting birds, their nests, and their eggs, which both the federal Migratory Bird Treaty Act and the California Fish and Game Code prohibit. This prohibition has always applied to avoiding direct disturbance of active bird nests, nest failure, and direct mortality of birds. It has never applied to temporary, if longer-term, reduction of bird occupancy of surrounding habitats. Mitigation Measure 4.3.3, therefore, seeks to ensure no birds are killed by construction and that no on-going bird nesting is disrupted when

construction begins. After construction begins, birds that are tolerant of noise and any vibrations from construction may still nest there. But any avoidance of the area by nesting birds is not "take" by any definition in the MBTA and applicable sections of the Fish and Game Code.

It is also important to note that, as discussed in the DEIR, none of the bird species expected to nest in the vicinity of the project site is considered a special-status species. Riparian vegetation is limited along the San Lorenzo River in the project site vicinity, and neither of the two special-status species discussed in the analysis is expected to nest there. Therefore, the DEIR's approach to protecting native nesting birds appropriately focuses on avoiding take of common nesting species, but also addresses the potential for impacts to any special-status nesting bird species.

C7-13 Nesting Bird Season. The comment notes the bird nesting period in the DEIR IS cited as "between March and late July" and cites an unnamed Lake and Streambed Alteration Agreement amendment issued by the California Department of Fish and Wildlife (CDFW) that specifies the nesting season in the area as January 15 to September 1. The comment also states that monitoring for bird nests must be carried out throughout the construction period. *Response:* The cited LSAA is presumably the August 6, 2019 amendment to the City's agreement with CDFW regarding routine maintenance activities on sites on specified stream channels, drainages and waterways within the City limits, including the San Lorenzo River. (Notification No. 1600-2013-0176-R3; CDFW 2019). This agreement changes the nesting season for which surveys would be required from February 1 through August 5 to February 1 through September 1 for activities subject to the permit. The amendment limits vegetation management, such as removal for flood control purposes to the period between September 1 and January 15. The period in which nesting bird surveys are required that is cited in the DEIR, March 1 through August 1, is required in Mitigation Measure 4.3.3 in the Downtown Plan EIR (City 2017. However, the City acknowledges that, in the region, birds may nest during a broader period than that acknowledged in Mitigation Measure 4.3.3. Therefore, Mitigation Measure 4.3.3. as applied to the proposed Project, has been revised to extend the period for requiring pre-construction nesting bird surveys to February 1 through September 1, consistent with these provisions.

With regard to monitoring bird nests throughout the nesting period, it should be noted that, once nests are no longer active and young are not dependent on the nest, monitoring of nests is not required to avoid "take" as defined in either the Migratory Bird Treaty Act or the California Fish and Game Code. Any birds nesting near the construction site once construction begins would not be subject to potential take from construction activities, assuming all activities remain within designated areas.

C7-14 Replacement of Removed Trees. The comment states that the landscaping plan use of non-native trees is unacceptable because they "do not enhance the riparian corridor's

habitats and its wildlife with appropriate food sources, shelter and nesting potential." The comment also states that the DEIR disregards directives in City Plans due to the Project's proximity to "high priority wetlands", misinterprets the value of native trees in this location, and "to state that non-native trees replacement has no impact" contradicts the City's SLURP, the General Plan 2030, and ACOE plans, that all stipulate that the preservation, protection, and enhancement of natural resources is of highest priority. The comment references LCP goal EQ 4 Goal that encourages the planting and restoration of native vegetation, and "corrected mitigation measures have to be applied." *Response:* The standard by which removal and replacement of trees is evaluated in the DEIR relates to whether the Project would conflict with local ordinances protecting biological resources, such as a tree preservation policy or ordinance. See the evaluation on pages 4.1-20 to 4.1-21 and expanded text in section 3.2.2 of Chapter 3, "Changes to Draft EIR" of this document. As explained, the removal of heritage trees meets the criteria for removal and requirements for replacement trees, which do not requirement native trees. While various City plans and policies encourage use of native species, there is no requirement to do so in the Downtown Plan. There are no requirements for habitat restoration for the site, and the proposed tree replacement and planting is not intended to serve as habitat restoration since no sensitive habitat would be removed as explained in Response to Comment C7-6.

From: Vivienne <aviva@cruzio.com>
Sent: Friday, June 12, 2020 8:27 AM
To: City Council <citycouncil@cityofsantacruz.com>; Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: I am strongly opposed to the proposed The Draft EIR for the Riverfront project in Santa Cruz - It will ruin our downtown and hurt the riparian environment

C8-1 **I am strongly opposed to the proposed The Proposal Created with its Draft EIR for the Riverfront project in Santa Cruz - It will ruin our downtown and hurt the riparian environment.**

We have crowded streets, inadequate parking, inadequate natural spaces near our city center, and no need for expensive housing options that privatize our river access and views, when the river should be a shared and enhanced environment…I love the birds and the paths along the river. **I have lived in Santa Cruz since 1975 and want my grandchildren to enjoy the beauty here.**

I have seen the drawings for the proposed complex, and it is way too tall, chunky and dense…I feel that we need to value our river with its diverse wildlife and beauty by creating shared buildings if any - perhaps shopping and cafes that are only 2 or 3 stories, no more, and with their own parking and encouragement for bicycles and buses.

And

WE NEED HOUSING FOR OUR RETAIL AND SERVICE INDUSTRY WORKERS AT THE BOTTOM OF THE PAY SCALE, who commute, get stuck in traffic, and see less of their families due to lack of affordable housing. I believe any new complexes built locally should be **80-100% for low income employed people,** and be organized by not-for-profits or cooperative arrangements with private companies, or whomever has the 99% in mind.

Thanks,

Vivienne Orgel, MSW
_____
www.rustandindigo.com
aviva@cruzio.com

LETTER C8 – Vivienne Orgel

C8-1 Opposed to Project. The comment states strong opposition to the Project and states that the proposed complex is too tall and dense and that the City needs housing for service industry workers. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

From: holly schipper <hollysails@hotmail.com>
Sent: Tuesday, May 12, 2020 8:28 AM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Front st housing

Dear Ms. Haschert,

C9-1 I saw in the paper today about the proposed building on Front street. I not unopposed to having the building, but I am concerned regarding the height of this building. 7 stories seem excessive. I would like to keep our footprint of downtown SC on a smaller basis. I would like to see new buildings going up in this area, but limit the height to 4 stories tall.

C9-2 The other thing I did not see addressed was parking. Is there going to be an underground parking lot with this building?

C9-3 I love the mixed-use plan between retail and residential. Mixing in low-cost housing is another good idea as well.

Best,
Holly Schipper

LETTER C9 – Holly Schipper

C9-1 Building Height. The commenter is not opposed to building, but is concerned about height and suggest a height limit of four stories. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

C9-2 Parking. The commenter did not see parking addressed and asks if there will be underground parking. *Response:* Parking is not a topic that is required for analysis by CEQA. However, the project does include a partially underground parking garage with 187 vehicle spaces and 242 bicycle parking spaces and bike racks as described on page 3-7 of the DEIR. The proposed Project parking complies with City requirements.

C9-3 Support for Mixed Uses. The commenter states support for the mixed uses and "low-cost Housing". *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

From: Russell Weisz [mailto:russweisz1@gmail.com]
Sent: Wednesday, June 24, 2020 3:30 PM
To: Samantha Haschert
Subject: Re: Testing email

Comments on the 508 Front Street DEIR

Inbox

Russell Weisz <russweisz1@gmail.com> 1:14 PM (2 hours ago)

to SHASCHERT

C10-1 On reading the DEIR I was disappointed to see no catalog of bird species observed along the lower area of the river in the vicinity of the proposed development and no count of birds observed. There's no quantitative analysis of potentially impacted birds that I could find in the DEIR. As someone who has volunteered many hours to improve river area habitat in the vicinity of the proposed development, I have seen may bird species including ospreys, red-tailed hawks, peregrine falcons, blue herons, egrets, swallows and many, many other species. I don't think compliance with pertinent city regulations is sufficient environmental analysis for allowing a massive new structure above 80 feet high to be constructed right against the river where I am very concerned it will negatively impact bird habitat.
Sincerely,
Russell Weisz
319 Laguna St
Santa Cruz CA 95060
831 246-1770
russweisz1@gmail.com

On Wed, Jun 24, 2020 at 3:21 PM Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:

Hi Russ,

If you receive this, feel free to reply with your comments.

Thanks,
Sam

Samantha Haschert
Principal Planner
City of Santa Cruz
shaschert@cityofsantacruz.com
(831) 420-5196

LETTER C10 – Russ Weisz

C10-1 Impacts to Birds. The commenter states disappointment at not seeing a "catalog" or count of bird species observed along the river in the vicinity of the proposed development and states that there is no quantitative analysis of potentially impacted birds in the DEIR. Commenter does not think compliance with pertinent city regulations is sufficient environmental analysis for allowing a "massive new structure" adjacent to the river and is concerned that it will negatively impact bird habitat. *Response:* The standards used to evaluate impact significance are based on the State CEQA Guidelines and are identified on page 4.1-13. The focus is on potential impacts to special status species and sensitive habitat impacts, which are addressed in the DEIR. In this regard, a bird count or list of observed birds is not required. The EIR section drew from analyses in the Downtown Plan Amendments EIR, as explained on pages 1-3 to 1-4 of the DEIR, that included review of existing biological studies conducted along the river. Potential indirect impacts to birds present in the vicinity along the San Lorenzo River are addressed on pages 4.1-17 to 4.1-20, including potential impacts to nesting birds.

Submit Date	Thank you for your interest in the project at Front St/Riverfront project. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.	Question/Comment:	Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:
5/13/2020 18:04	N/A	The soils report by TRC is inadequate. The San Lorenzo River mouth used to vary in location from as far North as Neary's Lagoon to where it is currently located. The depth of the alluvial soils vary substantially over that area. The proposed project extends for 460 feet. Only two bore holes were drilled, and one of the holes was not even sampled! The one logged hole was in the middle of the project. We do not know what is happening for 230 feet either side of the hole. I am sure the conditions will vary substantially. The soils engineer should not be providing design criteria without further drilling. Additionally, the allowable loads provided in the report seem ridiculously high- up to 200,000 pounds on an 18 inch pier. My opinion,as a licensed civil engineer, is that this soils report should have critical peer review.	John#Frazer#831 425-8401#scper@aol.com
C11-1			
C11-2			
5/14/2020 3:13	N/A	I'm happy to see that this plan fully embraces the river levee.	Linda#Rosewood##lindarosewood@gmail.com
C11-3			
5/17/2020 14:46	N/A	This proposed project is a terrible cheap-looking overbuilt eyesore.	###

5/20/2020 13:58 C11-4	N/A	Build - but please, please, please assure that the affordable units are included int he project - not promised at some other place or in some other venue. Same for the other large projects. My wife and I understand and support growth, but we want to see the affordable units built on the site of the units - as proposed and as NEEDED. Please do not cave in to have a donation or promise of some other unit. We need affordable units. We need units for people with Section8 Housing vouchers. We have needs for units that are mixed and represent the people who live here - many homeless as they have not place to live. Spend time finding a veteran or other homeless individual with housing assistance a place to live - way, way, way too hard. So, go forward with these projects, do it quickly but I will be yelling and screaming if they do not include the promised affordable units on site - WEST CLIFF too. Great thanks	David#Mintz#7143513836#davemintz1112@gmail.com
6/11/2020 21:13 C11-5	N/A	I am concerned about both the bird habitats being threatened by this project and by the tree removals. Concerning bird habitat, it seems to me that mitigation via improvement of bird habitats *adjacent to the Project* must be included before the project should be approved. Concerning trees, similarly, mitigation must include provision of replacement trees *on or adjacent to* the project. Contributing to a "tree fund" is NOT adequate mitigation for the destruction of 18 trees.	John#Hall#530-574-8157#johnhall@ucsc.edu

LETTER C11 – Online Comments: John Frazer, Linda Rosewood, David Mintz, John Hall

C11-1 Geotechnical Report. The comments states that soils report by TRC is inadequate, only two bore holes were drilled, one of the holes was not even sampled, and conditions will vary throughout the site. The commenter recommends a peer review of the report. *Response:* Review with City staff indicate that the Project geotechnical report was prepared in compliance with state and local requirements, and a peer review is not required. A geotechnical report is a standard requirement at the building permit stage and must include a number of borings that are adequate to support building design plans. Given the close proximity to the river, additional borings will likely be required.

C11-2 Project Opinion. The commenter is "happy to see that this plan fully embraces the river levee". *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

C11-3 Project Opinion. The comment states that the proposed project "is a terrible cheap-looking overbuilt eyesore". *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

C11-4 Affordable Housing. The comment asks that the affordable units included in the project and other large projects be assured as affordable units are needed. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required.

C11-6 Bird Habitat and Tree Removal. The commenter is concerned about both the bird habitats being threatened by this project and by the tree removals. The comment states that mitigation via improvement of bird habitats adjacent to the Project and tree mitigation must be included. *Response:* As discussed in the DEIR on pages 4.1-13 through 4.1-20, the Project would not result in direct impacts to sensitive habitat and the only identified potentially indirect significant impact was related to nesting birds, which can be mitigated to a less-than-significant level with implementation of mitigation identified in the DEIR. As explained on DEIR pages 4.1-20 to 4.1-21, including expanded text in this document (see Chapter 3, "Changes to Draft EIR"), the Project would not result in conflicts with the City's heritage tree removal ordinance. The Project includes replacement trees for each tree removed.

APPENDIX A
Mitigation Monitoring and Reporting Program

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MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) for the City of Riverfront Project has been prepared pursuant to the California Environmental Quality Act (CEQA – Public Resources Code, Section 21000 *et seq*.), the CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097). A master copy of this MMRP shall be kept in the office of the City of Santa Cruz Planning and Community Development Department and shall be available for viewing upon request.

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
Biological Resources				
The following mitigation measure was adopted with the Downtown Plan Amendments and is applicable to development projects in the area covered in the EIR, which includes the Project site. <u>The measure has been revised as part of the Final EIR to reflect the nesting period for which pre-construction nesting surveys are required by the California Department of Fish and Wildlife in the Lake, Streambed Alteration Agreement with the City of Santa Cruz for maintenance activities along San Lorenzo River and other streams in the City</u>. **MITIGATION 4.3-3:** Require that a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the MBTA are found, construction may need to be delayed until late September or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).	▪ Include measure as a Project Condition of Approval. ▪ Implementation actions are outlined in the mitigation measure.	▪ Applicant is responsible for preparation of pre-construction bird surveys and submitting City Planning and Community Development Department for review and approval. ▪ Applicant is responsible for complying with any construction buffer requirements identified as a result of the survey.	▪ Prior to removal of trees and initiation of Project construction.	
Cultural Resources				
Mitigation CUL-1: Complete documentation of buildings at 418 and 428 Front Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following: • Project proponent shall work with a qualified	▪ Include measure as a Project Condition of Approval. ▪ Implementation actions are specified in	▪ Applicant is responsible for preparation of the documentation specified in measure and submitting to Planning and Community Development Department	▪ Prior to issuance of Historic Demolition Authorization Permit.	

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories. • *Measured Drawings:* Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). • *HABS-Level Photographs:* Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs	measure.	for review and approval. ▪ City Planning and Community Development Department staff are responsible for review and approval of submitted documentation.		

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography. • *HABS Historical Report:* A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.				
MITIGATION CUL-2: Prior to the start of Project construction and demolition, the Project proponent shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed Project boundary along a pedestrian walkway or attached to	▪ Include measure as a Project Condition of Approval. ▪ Implementation actions are specified in measure.	▪ Applicant is responsible for preparation of the interpretive display and submitting to Planning and Community Development Department for review and approval.	▪ Prior to issuance of Historic Demolition Authorization Permit.	

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the Project site. The interpretive displays illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps.	▪	▪ City Planning and Community Development Department staff are responsible for review and approval of submitted interpretive display.		
Noise				
The following mitigation measure was adopted with the Downtown Plan Amendments and is applicable to development projects in the area covered in the EIR, which includes the Project site. **MITIGATION NOISE-1:** Require preparation and implementation of acoustical studies for future residential development along Front Street to specify building design features that meet state interior sound levels.	▪ Include as Project Condition of Approval. ▪ Implementation actions are outlined in the mitigation measure.	▪ Applicant responsible for preparation and implementation of acoustical study and submittal to Planning and Community Development Department for review and approval..	▪ Prior to issuance of building permit.	
Cumulative Traffic Impacts				
The following mitigation measure was adopted with the Downtown Plan Amendments and is applicable to development projects in the area covered in the EIR, which includes the Project site.	▪ Include as Project Condition of Approval. ▪ Implementation	▪ The City Public Works Department is responsible for establishing and/or updating fair-share program	Prior to final building permit signoff and Project occupancy.	

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
MITIGATION 5-1: Require future development projects within the downtown area to contribute fair-share payments for improvements at the following intersections: Front/Soquel (signal timing and lane modifications); Front/Laurel (westbound lane addition and north and south right-turn overlap); and Pacific/Laurel (southbound left-turn lane addition).	actions are specified in measure.	and establishing total improvement costs and fee per residential and commercial trips generated by the Project. ▪ Applicant is responsible for paying required fee.		

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
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WEB: WWW.COASTAL.CA.GOV

December 30, 2020

Santa Cruz City Council
809 Center Street, Room 10
Santa Cruz, CA 95060

Subject: Proposed Front Street/Riverfront Project

Dear Mayor Meyers and Councilmembers:

This letter is intended to clarify and refine our November 10, 2020 letter to the City Council on the above-referenced Front Street/Riverfront project. Since that time we have had an opportunity to further discuss the project and the applicable Local Coastal Program (LCP) provisions with your staff, and now have a better understanding of both. While the project continues to exceed the LCP's base size and scale requirements applicable to this site, it appears that most of the exceedances can be allowed by the LCP subject to decision-making body discretion. While we still have some concerns about exercising such discretion to allow for the increased size and scale in this case, we better understand City staff's recommendation. Please consider the following.

We continue to believe that the LCP identifies base maximum size and scale requirements, and base building articulation/variation requirements, for a reason, and that reason is to set the maximum parameters within which a project can be accomplished without significant adverse coastal resource impacts. The City and the Commission did that here in 2018 when the City's Downtown Plan was amended to modify development standards for this and other downtown sites. For better or worse, though, and in addition to such base requirements, the final version of the LCP's amended Downtown Plan includes other provisions that allow for discretionary exceptions to these base standards, including with respect to height and upper floor variation. We have discussed these matters with your staff and can understand why they intend to recommend that you apply your discretion in that respect. Again, and given these baseline standards were established for a good LCP reason, we don't necessarily agree that the exceptions are warranted in this case, but we now understand from where they emanate and why.

Ultimately, we continue to advocate that any LCP-allowed exceptions here be carefully evaluated in terms of the degree of public benefit/coastal resource enhancement derived from the project, and would posit that the discretion you are afforded by the LCP is based on that premise. Thus, in considering these exceptions, we strongly encourage you to focus on the benefits to coastal resources that can come from enhancing public spaces and public utility on the San Lorenzo River side of the project, including to make a more meaningful connection for the public to the River, and on whether such exceptions are actually necessary to derive those benefits. To us, the Downtown Plan

LCP amendments were premised on this core principal first, followed by the need to ensure that any resultant projects were visually sensitive not only to that river context, but in terms of public views more generally. From our perspective, it is simply not clear that the proposed exceptions are necessary in this case to achieve those benefits, and they undoubtedly have the effect of increasing coastal resource impacts related to public views and riverfront aesthetics.

In addition, we very much recognize the need for affordable housing in Santa Cruz, and strongly support affordable housing in the coastal zone and in Santa Cruz's downtown. In fact, the Coastal Act directs that development, including affordable housing units, be provided in places where there are adequate facilities to serve such development, especially where such units can contribute to walkable, vibrant, and sustainable communities. The Coastal Act and LCP clearly encourage the provision of affordable housing, which we also know to be a City goal, and believe that the degree of affordable units provided is also an appropriate LCP metric to consider for any exceptions.

We hope that this letter helps to clarify our position regarding the LCP issues as they affect this proposed project. Ultimately, we are supportive of a project at this location that can maximize enhancement of public spaces and utility along the river and that can maximize affordable housing, but continue to have concerns about the discretionary exceptions proposed, including because it is not clear to us that the proposed exceptions are in fact necessary nor supportable under the LCP in this case. If you have any questions or would like to discuss these matters further, please contact me at (831) 427-4863.

Sincerely,

Ryan Moroney

Ryan Moroney
Central Coast District Supervisor
California Coastal Commission

cc: SC Riverfront LLC, Front Street/Riverfront Project Applicant
Lee Butler, City of Santa Cruz Planning and Community Development Department Director

CALIFORNIA COASTAL COMMISSION
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November 10, 2020

Santa Cruz City Council
809 Center Street, Room 10
Santa Cruz, CA 95060

Subject: Proposed Front Street/Riverfront Project

Dear Mayor Cummings and Councilmembers:

We would like take this opportunity to express our concerns about the proposed Front Street/Riverfront project that is scheduled to be considered at the November 10, 2020 City Council meeting. We appreciate the continued communication with staff from the City's Planning and Community Development Department regarding this project, and we very much recognize the need for more affordable housing opportunities in Santa Cruz. In fact, the Coastal Commission approved a City Local Coastal Program (LCP) amendment in 2018 that was in part meant to help facilitate the provision of such housing downtown, including specifically allowing increased height at the subject site so that such projects could better 'pencil out'. Those heights were and are significant, and not without controversy and detractors due to their potential effects on public views, San Lorenzo River resources, and downtown/River aesthetics, but the Commission ultimately decided to allow such scale and massing given City representations at the time. The project before you now exceeds those LCP established maximum heights by over 60%, and the maximum allowed upper floor dimensions by up to 40%, well in excess of what the LCP allows. As we have previously indicated (see December 16, 2019 letter on this same project, attached hereto and incorporated by reference), we support the City's goals to stimulate well-planned development that can add critically-needed affordable units to the City's housing stock while simultaneously protecting coastal resources. But we are concerned that this project does not adequately meet the balance established and required by the LCP. Please consider the following:

As proposed, the project is inconsistent with the LCP with respect to the buildings' allowable mass and scale. Specifically, the 2018 LCP amendment authorized a maximum building height of up to 50 feet at this location, where that height could be increased to 70 feet under certain circumstances, and allows up to 5 floors. Again, in changing allowable maximum heights and floors, the Commission was concerned about the coastal resource implications of such increased massing, but was swayed by the City's arguments that such a height was necessary to be able to facilitate projects within that scope that would provide greater public benefits, such as increased affordable housing opportunities. Here, the proposed height of the buildings is 81 feet, or over 60% taller than the maximum base height allowed, and even over 15% taller than even the maximum of 70 feet when certain public benefit criteria are met. The project does not

appear to provide even the level of public benefit necessary for the Commission's 70-foot maximum (see also below). And while a maximum of 5 floors is allowed by the LCP when those public benefit criteria are met, the project includes 7. We are concerned with what appears to be a 'check the boxes' approach to identifying the criteria that might allow for height above 50 feet and above 5 floors, and strongly encourage more analytic rigor on this point. This analysis should not be based on the presumption that heights and floors can routinely be increased, but rather it must be grounded in the presumptions laid out by the LCP. Namely, that the allowed maximum height and floors that are appropriate for this site may be modified under certain circumstances and upon a showing of, among other things, significant public benefit. We don't believe that such circumstances and showings have adequately been identified for the proposed project.

In addition, and to help address some of the above-described coastal resource concerns, the 2018 amendment also limits the top floor square footage and top floor length to a maximum of 60% of the square footage of the floor immediately below the top floor and a maximum of 60% of the building's length. The LCP also requires a series of other related setbacks and articulation to help lessen perceived massing, including requiring that any height above the base allowed height be set back by 15 feet from lower building walls. The LCP indicates that the purpose of this proportional floor area relationship and setbacks/articulation is to help promote skyline variation and open-air space to help offset the large scale and massing that might otherwise be allowed in certain circumstances. Although the LCP allows for slight variations to the 60% top floor area limit to be *considered* for buildings that provide publicly accessible pedestrian connections to the Riverwalk, it doesn't *require* that these protective standards be reduced in such cases, and in fact this project provides no more connection than is already required by the LCP. In other words, the clear intent is to allow for some minor changes to upper floor dimensions provided a project provides some offsetting increased public benefits with respect to the connections that is over and above the minimum required by the LCP. Here, that is not the case. The airspace above is actually *more* encumbered by development than the minimum required. This project proposes top floors that are well in excess of the maximum 60% allowed, with one building's top floor area at 100% and the two other buildings' top floors at 82% of their lower floors area. In addition, top floor lengths are roughly 90% as long as the overall building lengths. In short, even if some minor variations might be appropriate, which it does not appear is the case here, the proposed project includes significant variations that essentially negate the intent of the LCP. Therefore, the project is not LCP consistent on these points either.

In short, the proposed project is inconsistent with the LCP's requirements on maximum height, number of floors, top floor proportional relationship, and required setbacks and we recommend that it be reduced to meet the requirements of the LCP. Again, just two short years ago, these maximum standards were determined by careful analysis (including of economic factors) just two short years ago of the parameters necessary for the City to achieve its goal of providing more affordable housing and other public benefits, while at the same time protecting downtown/River character and aesthetics,

protecting the River as a resource itself, and reinforcing the connection from the downtown area to the levee and ultimately to the beach at San Lorenzo Point. We see no reason why the LCP cannot be respected with this project, and again recommend that the project only be approved if consistent with the LCP on these points.

Further, we are aware that State density bonus laws allow for some variations to local development standards to help facilitate affordable housing. But please note that such accommodation is not at the expense of the LCP, which is carrying out another State law, namely the Coastal Act. The LCP, as an extension of the Coastal Act is not a local development standard that may be exceeded under the density bonus laws. In other words, State density bonus laws do not somehow supersede or take precedence over the Coastal Act/LCP (and given they were enacted later than the Coastal Act, the legislature could have done so and did not). Rather, the laws must be synthesized and harmonized as best as possible. Here, the Coastal Act, and the City's LCP that implements it, must be understood in terms of density bonus law requirements, but those requirements do not mean that the proposed project can adversely impact coastal resources.

On this point the LCP is also instructive because it allows for some deviation to certain numeric LCP standards to facilitate affordable housing, including height and setbacks, but only if those deviations protect coastal resources. In allowing for such LCP provisions, the Commission found that "[W]hile some of the more quantitative LCP development standards (e.g. those related to height, density, and parking) may be relaxed so as to accommodate the increased residential density for the affordable housing units pursuant to the State Density Bonus Law, the more qualitative LCP policy requirements to protect coastal resources (e.g. related to protection of environmentally sensitive habitats, provision of public access, protection of public views, etc.) must still be adhered to in all cases, notwithstanding any bonus, concession, incentive, waiver, or reduction in development standards allowed under the State Density Bonus Law."

In other words, the Commission (and the subsequent certified LCP text) envisioned that there may be projects where the LCP's standard numeric zoning provisions might be able to be altered (including pursuant to density bonus law) based on case-specific facts demonstrating that such deviations did not adversely affect coastal resources. Given most of the City's LCP is over 30 years old, it seemed a reasonable proposition that there may be cases where those older and more generic Citywide standards might be able to be so varied in a particular site-specific project context without any adverse coastal resource impacts. This proposed project is not such a case because it is not subject to the older and more generic Citywide standards. This is because the Commission, just two years ago, explicitly determined what the largest building that this site could support that would still protect coastal resources when it explicitly established the site-specific mass and scale limits here. In other words, in this case, deviations to LCP numeric standards are *not* allowed because they would result in adverse coastal resource impacts based on the Commission's evaluation of the evidence as applied to this very site, as codified in the LCP. And to the extent there was a counter argument

that the generic LCP language about potential quantitative variations somehow overrides and takes precedence over the more specific LCP language that applies to this specific site, it is a well-established principle of law that the more specific policies take precedence over less specific and more general policies.

We respectfully disagree with your staff's recommendation that you can deviate from LCP standards at this site based on State density bonus law to allow the scale and massing increases discussed above. In addition, we would note that the City's 20% inclusionary housing requirement dictates that this proposed 175-residential unit project provide 35 affordable units or pay a fee to the City to provide for same offsite. Here, the proposed project only includes 20 affordable units, or a little more than half of what is already required, and no inclusionary housing fee. In other words, this proposed project would actually provide less affordable housing than is already required, and on top of that, it proposes mass and scale deviations that are inconsistent with the LCP and that will adversely affect coastal resources when that is prohibited. Again, we do not support a project that is inconsistent with the mass and scale standards established for this site by the Commission two years ago, and we recommend that the project be modified to meet the LCP in those – and all – respects.

In closing, we very much recognize the need for affordable housing, and are very supportive of it in the coastal zone and the downtown area of Santa Cruz. As indicated above, the Commission up-zoned this site to be able to provide for same just recently. At the same time, such projects need to ensure coastal resource protection, and the Coastal Act/LCP needs to be respected in that process. Again, State density bonus law does not override the Coastal Act/LCP. Here, we have a proposed project that does not even come close to meeting the already required 20% inclusionary requirement, and that also proposes significant deviations to the LCP to accommodate same, ostensibly because State density bonus law says it can. Again, we respectfully disagree with that analysis, and would hope that the City can find a way to approve a project without LCP inconsistencies, and one that *at least* accounts for and/or provides the 20% inclusionary housing already required.

If you have any questions or would like to discuss these matters further, please contact me at (831) 427-4863.

Sincerely,

Ryan Moroney
Central Coast District Supervisor
California Coastal Commission

Enclosure: December 16, 2019 letter on Proposed Front Street/Riverfront Project

cc: SC Riverfront LLC, Front Street/Riverfront Project Applicant
Lee Butler, City of Santa Cruz Planning and Community Development Department Director

CALIFORNIA COASTAL COMMISSION
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December 16, 2019

Samantha Haschert
City of Santa Cruz Planning and Community Development Department
809 Center St., Room 101
Santa Cruz, CA 95060

Re: Notice of Preparation of an Environmental Impact Report for the Riverfront Project

Dear Ms. Haschert:

We received the above referenced Notice of Preparation (NOP) for the City's upcoming environmental impact report (EIR) on the Riverfront Project which proposes to merge five parcels and replace existing commercial buildings and parking lots with one 0.98-acre parcel and a seven-story mixed-use development containing 175 condominiums, 11,498 square feet of new commercial space, and at-grade and underground parking. About one-third of the merged parcel would be in the coastal zone and appeal area. The City's approved Local Coastal Program (LCP) is the standard of review for the portion of the proposed project in the coastal zone.

Thank you for engaging with our office early in the environmental review process; doing so will help identify and address the project's potential impacts to coastal resources. As a preliminary matter, we continue to strongly support the City's efforts to protect its coastal resources while simultaneously working to cultivate the Riverfront character of its downtown, create affordable housing, and protect the river's natural environment. The City's Downtown Plan and recent amendments to the City's LCP enacted to help carry out the Downtown Plan will act in tandem to advance those efforts. The purpose of this letter is to identify issues of LCP consistency as early as possible and propose avoidance and/or mitigation measures to address those issues during the CEQA review process. Our ultimate goal with this approach is to facilitate a streamlined environmental review process. The following comments apply to the portions of the proposed project that are located within the City's coastal zone.

Standard of Review
Much of the basis for the City's current environmental evaluation of this project is based on the City's General Plan 2030 and its associated EIR. However, for the portions of the project that are located in the coastal zone, these documents cannot be used to evaluate this project's impacts on coastal resources because neither the General Plan 2030 nor its EIR are formally adopted into the City's LCP. The project's EIR could help the process of determining how the project potentially impacts coastal resources by aligning some elements of the EIR scope towards the City's LCP. Specifically, the portion of the proposed project that lies in the coastal zone will be evaluated according to the City's certified LCP, including the City's Downtown Plan and the recent LCP amendments associated with the Downtown Plan, as that is the legal standard of review for approving coastal development permits.

Variances and Exceptions

The Riverwalk is a greatly under-utilized coastal access and recreation resource for the City. Accordingly, most of our concern about the scope of the project's EIR centers on the proposed project's use of variances and exceptions that could potentially undermine the development standards for this area of the downtown's coastal zone. The project includes several variances and exceptions to applicable development standards, including waivers for maximum building height, the Skyline Architectural Variation standard, minimum building stepback requirements, and the Downtown Plan's design guidelines, among others. The statutory basis in the LCP for approving or allowing these exceptions and variances is not clear. Please explain the basis for each exception and why each exception is allowable. The EIR should also include a detailed chart or table indicating the Downtown Plan's existing development standards, what the project proposes, and how the standards are either met or exceeded, as well as the LCP-authorized basis for such exceptions or variances.

Visual Resources in the Coastal Zone
It appears that the proposed buildings may adversely impact visual resources if the already substantial design height and bulk allowed by the LCP are increased through the use of variances and exceptions, as discussed above. It is unclear how increasing the maximum building height permitted in the Downtown Plan's "Additional Height Zone B" area from 70 feet to the proposed 81 feet will protect visual resources, or if this proposed increase is even permissible by the LCP. The City's LCP *(Vol. 1, Community Design Element, Goal 2.2 and 2.2.1, p.85)* and the 2017 LCP amendments associated with the Downtown Plan state that the City will preserve important public views and viewsheds through a development's siting, scale, and other specific design guidelines that encourage carefully-planned and appropriately-designed growth. Numeric zoning standards for height and bulk are understood to be maximums to be subsequently modified in order to best meet core LCP policies. The EIR should therefore evaluate how the project's prominent location adjacent to the San Lorenzo River's western levee combined with its proposed 81-foot height (versus the 70-foot maximum allowed in the LCP) and the proposed shape and mass of the buildings (with setback and stepback exceptions) would potentially impact coastal views to the south and downriver towards the ocean. We recommend that the EIR include detailed visual simulations to assess such impacts and that story poles be used to demonstrate buildings' height, setback, and stepback configurations so that the public and decision makers can fully assess such impacts. We also recommend that the EIR show how the currently proposed design and possible design alternatives would provide view corridors from the street toward the river. The EIR should also include an evaluation of the project's impact (seasonally) on sunlight and shade in and around the site. *See LCP Vol. 1, Community Design Element Goal* 2.2.

Water Quality: Storm Water Collection, Treatment, and Discharge
The NOP provides limited details of how the project's storm water collection and treatment system would function. The EIR should include a detailed explanation of the proposed system, including how it is consistent with LCP provisions designed to protect the river's water quality (*See LCP Vol. 1, Environmental Quality Element Goal 2.3.1, and LCP Implementation Plan*

Section 24.14.050). Given the development's net increase in impervious surface area, minimizing storm water run-off and increasing the treatment and filtration of run-off is a high priority for a development site that drains directly into the adjacent river near its outlet to the ocean. The EIR should also examine the degree to which the site's pervious landscaping and other pervious surface area will be designed to function as bioswales to treat and otherwise manage storm water, and should incorporate the principles of "Low Impact Development" as much as possible. Also, in keeping with the increasingly more common design features of contemporary buildings in our dry region, the EIR should include a detailed description of how the project's rainwater run-off from its roofs can be filtered, stored, and used for the project's landscape irrigation or other uses.

Access
According to the NOP, the proposed project includes two pedestrian pathways that will provide public access to the Riverfront and to the project's proposed public plazas. These pathways address a goal shared by the City and Coastal Commission of stimulating public access to the Riverwalk. Although the NOP does not cite specific numbers, our understanding is that the buildings in the proposed project would have reduced setbacks and stepbacks from the pedestrian pathways and the street, which could compromise the aesthetics of the public accessways and outdoor plazas. The EIR should provide the amounts of setbacks and stepbacks and should evaluate the aesthetics and utility of the pedestrian pathways and public plazas in light of the proposed variances and exceptions to the LCP, i.e. will the pathways be well-lit and not overly obscured by shadows or towering building fronts, as these could be factors that adversely affect the public's use of these pathways *(See LCP Vol. 1, Community Design Element, Goal 3.6)*. This effect of reduced setback and stepbacks could, in turn, reduce the appeal of using the public accessways and plazas and hinder public access to the Riverwalk from this project.

Coastal Hazards
The LCP requires that development should be planned and executed to mitigate known and foreseeable coastal hazards (*LCP Vol. 1, Safety Element, Goal 3.1*). Flooding and ground water intrusion are foreseeable risks for a development site on a coastal floodplain. Climate change will likely increase coastal storm intensity, raise sea levels, and allow ocean water to reach farther upriver more frequently as high tides correspondingly increase. The NOP states that the impacts from climate change would likely raise the water table around the site, which is in the 100-year flood plain of the San Lorenzo River. While a levee system now protects the project site and the rest of downtown, the combination of risks that includes sea level rise, elevated water tables, higher seasonal king tides, more intense storms, and reliance on levees to protect dense development located on a flood plain calls for a thorough risk assessment in the EIR. This is especially relevant considering that the project would require significant excavation for foundation piles and an underground parking garage. The NOP mentions a possible risk mitigation measure of relying on existing infrastructure to pump out flood water but this mitigation factor requires uninterrupted electric power and assumes no significant rain event within 10 hours of a flood. With more intense coastal storms predicted to occur with the further

onset of climate change, these assumptions may be optimistic, and thus, unduly expose the project to avoidable hazards. Finally, the NOP mentions a potential mitigation involving raising the elevation of levees to address flooding issues; however, this would require major federal funding that would alter the project's major public accessway to the Riverfront. The EIR should therefore thoroughly evaluate all of these issues, including alternatives that avoid such flooding impacts, as well as mitigation measures that would minimize such impacts.

Other Issues
We concur with the City that the subareas of Cultural Heritage and Energy warrant further review in the forthcoming EIR. Preserving historic buildings in the coastal zone that have significant cultural value and form part of a community's overall heritage is an important element of preserving coastal resources. Commission staff also shares the City's concern regarding the development's energy use and conservation of energy resources, especially related to how the project will generate its own renewable energy and affect the region's overall energy use and carbon emissions.

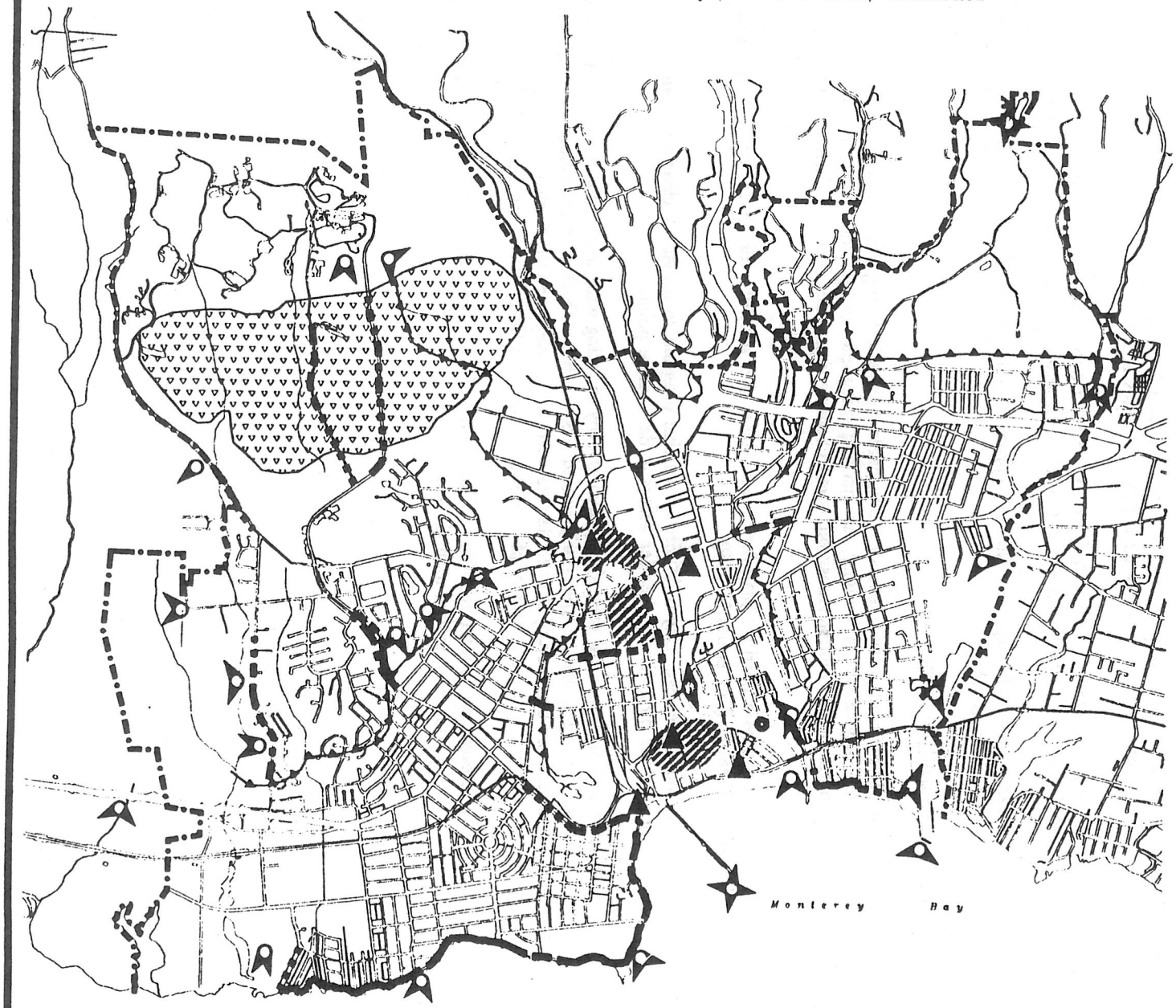
Thank you for considering these comments as you plan the scope of the Riverfront project EIR. Please do not hesitate to contact me at the address or phone number above if you wish to discuss any of the above comments.

Sincerely,

Colin Bowser
Coastal Planner
Central Coast District Office

MAP CD-3: SCENIC VIEWS

The City of Santa Cruz, California



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LEGEND

SCENIC VALUES:

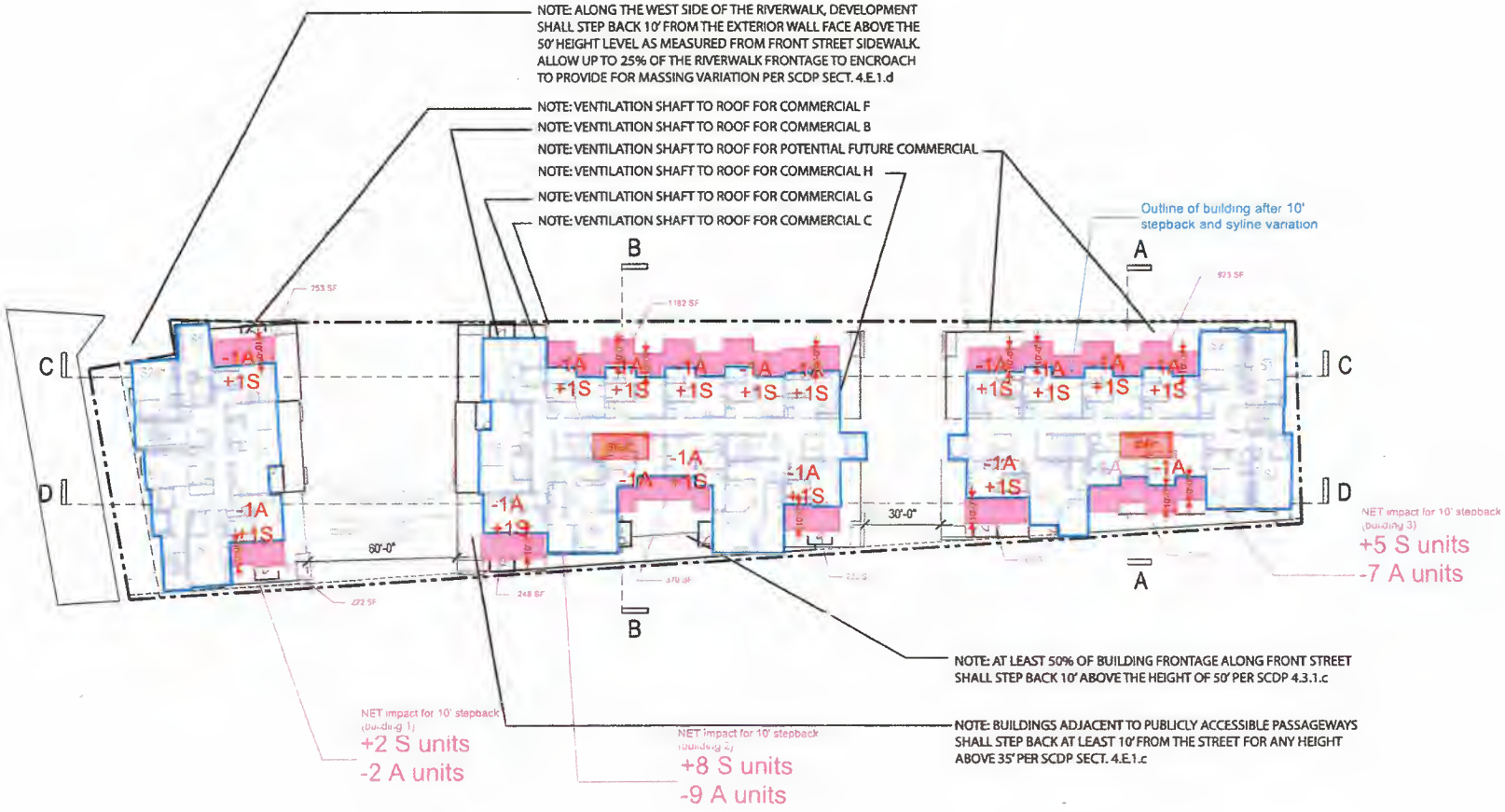
- VIEWPOINTS AND PANORAMAS
- VISUALLY DISTINCTIVE STRUCTURES
- SCENIC DRIVES
- URBAN SKYLINE
- RIDGE SKYLINE
- FOOTHILL SKYLINE

SOURCE: City of Santa Cruz Planning Department, 1992

0 1000 FEET

FILE: \TERRYN\MAPS\GP\CD\SCEN-EIR
REVISED 21:58 10/27/1992

Attachment 1



NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

12

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 5 PLAN
10/18/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd. Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

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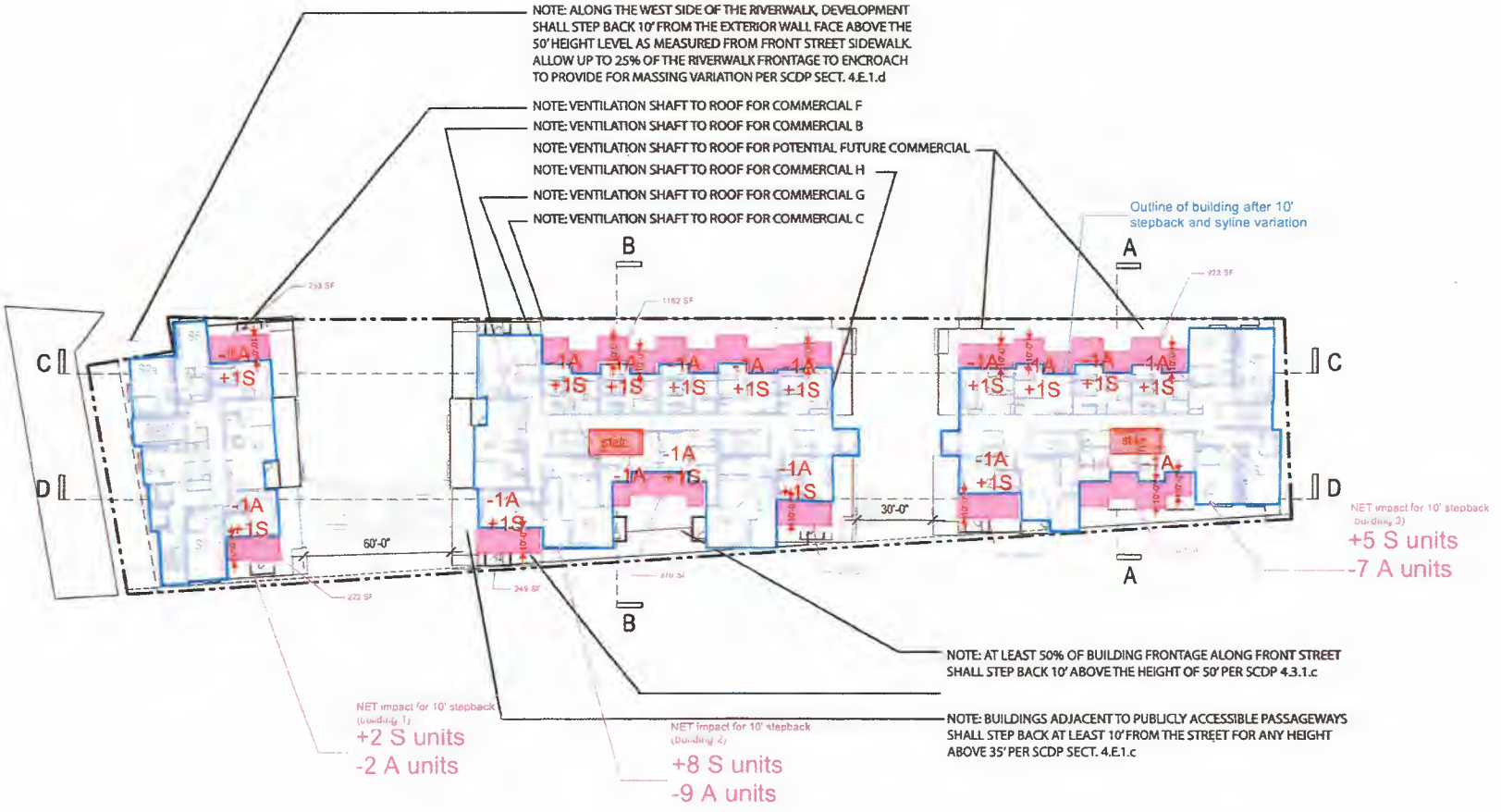
Attachment 2



NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

13

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 6 PLAN
10/18/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
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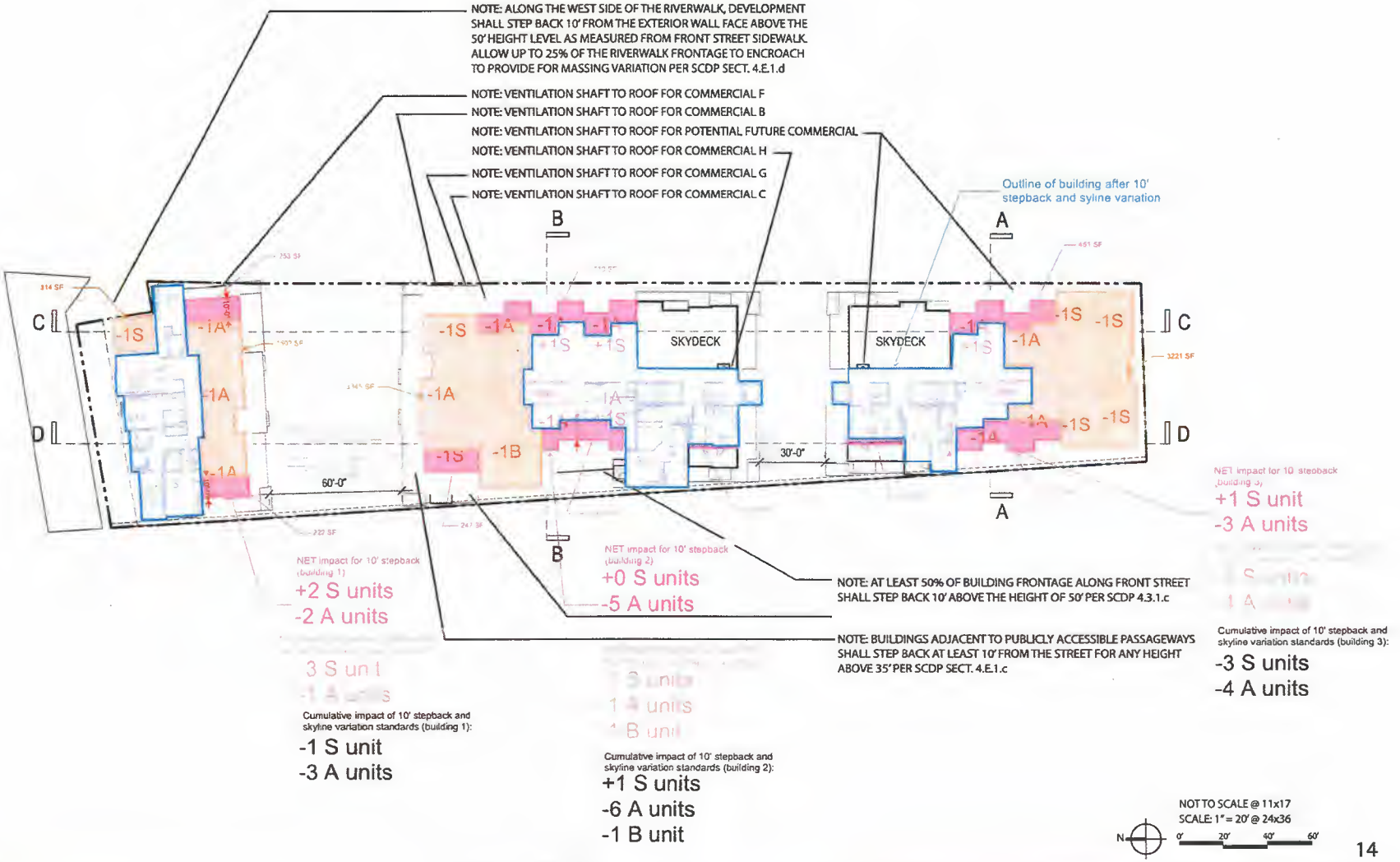
Attachment 3



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M E M O R A N D U M

DATE: September 2, 2020

TO: Planning Commission

FROM: Lee Butler, Planning Director

SUBJECT: Inclusionary Units in a Density Bonus Project

This memo is intended to provide information to the Planning Commission regarding the process for calculating the required number of inclusionary units and affordable units in a density bonus housing development project. This question has been raised in the past and is provided primarily as information to new commissioners.

Question: Are required inclusionary units also counted as affordable units for the purpose of making a housing development eligible for a density bonus?
For example, if a housing development proposes the construction of 10 residential units, it is required to restrict two of the units (20%) as inclusionary units, or units to be made available to low income households. In order for the housing project to be eligible for a 20% density bonus (two additional market rate units), the development would need to restrict 5% of the units for very low income households or 10% for low income households. Could the applicant meet this requirement by providing one of the two required inclusionary units at the affordability level established in the density bonus ordinance? If so, the project would result in ten market rate units (eight of the ten in the base project plus the two market-rate density bonus units), one affordable unit (at the affordability level provided in the density bonus ordinance), and one inclusionary unit.

Answer:
Based on staff analysis and the review of two separate attorneys reviewing the info at the request of staff, inclusionary units can be counted as affordable units for the purpose of density bonus eligibility.

Justification:

<u>Case Law</u>
In 2013, Barbara Kautz of Goldfarb Lipman Attorneys, represented the County of Napa in the case *Latinos Unidos del Valle de Napa y Solano v. County of Napa (2013)* 217 Cal. App. 4th 1160 (Partial Publication Attached). At the request of the City, Ms. Kautz

prepared a response to the question posed above, and the following text is an excerpt from her response as it relates to the above-referenced case.

The Court of Appeal held that **a developer's provision of affordable units required by a local inclusionary ordinance entitled the developer to a density bonus**. (*Id.* at 1169.)

Napa County's density bonus ordinance required developers to provide "target units" (affordable units providing eligibility for a density bonus) *in addition to* the affordable units required by the County's inclusionary ordinance. Latinos Unidos asserted that this was inconsistent with state density bonus law.

Although the County argued that its provision would result in *more* affordable housing, the Court disagreed, finding that "section 65915 imposes a clear and unambiguous duty on municipalities to award a density bonus when a developer agrees to dedicate a certain percentage of the overall units in a development to affordable housing." (*Id.* at 1167.) Regardless of whether the affordable units were provided voluntarily or were required by the County's inclusionary ordinance, if the affordable units qualified the project for a density bonus, the developer was entitled to the bonus and could not be required to provide more affordable units.

<u>Opinion of the City Attorney</u>
The City Attorney's office analyses of the above case further concludes that the court held that the above referenced Napa ordinance requiring both inclusionary and affordable units was inconsistent with the state density bonus law and therefore invalid, reasoning that, "…allowing the County to increase the number of affordable units required for a density bonus would conflict with subdivision (f) of section 65915, which bases the amount of density bonus on the percentage of affordable housing units in the project." **In summary, according to the *Latinos Unidos* decision, a developer is allowed to include affordable inclusionary units in the number of affordable target units necessary to qualify for a density bonus.** This decision has not been modified or overruled by any subsequent decision and the California legislature has not amended Section 65915 to negate the decision's holding.

Staff is available for any questions regarding the above topic should you have any.

Enclosures:

- *Latinos Unidos del Valle de Napa y Solano v. County of Napa (2013)* 217 Cal. App. 4th 1160 Partial Publication
- Goldfarb Lipman Attorneys Law Alert 7/19/13

217 Cal.App.4th 1160 (2013)
159 Cal.Rptr.3d 284

LATINOS UNIDOS DEL VALLE DE NAPA Y SOLANO et al., Plaintiffs and Appellants,

v.

COUNTY OF NAPA, Defendant and Respondent.

No. A135094.

Court of Appeals of California, First District, Division Three.

July 11, 2013.

1162 *1162 Relman, Dane & Colfax, Reed N. Colfax, D. Scott Chang; David Grabill; California Rural Legal Assistance, Ilene J. Jacobs; California Affordable Housing Law Project of the Public Interest Law Project, Craig Castellanet, Michael Rawson; California Rural Legal Assistance and Jeffrey Hoffman for Plaintiffs and Appellants.

Richard A. Marcantonio and Samuel P. Tepperman-Gelfant for Public Advocates Inc., as Amicus Curiae on behalf of Plaintiffs and Appellants.

Goldfarb & Lipman, Juliet E. Cox, Barbara E. Kautz; Minh C. Tran, County Counsel, and Silva Darbinian, Chief Deputy County Counsel, for Defendant and Respondent.

1163 *1163 Jennifer B. Henning for California State Association of Counties as Amicus Curiae on behalf of Defendant and Respondent.

[CERTIFIED FOR PARTIAL PUBLICATION[*]]

OPINION

POLLAK, Acting P. J.—

Latinos Unidos Del Valle de Napa y Solano (Latinos Unidos)[1] and individual plaintiffs Hector Olvera, Antonio Manzo, and Gabriel Deharo appeal from a judgment entered in favor of defendant County of Napa (the county) on their petition for a writ of mandate. Plaintiffs contend that the court erred in rejecting their contentions that (1) the county's 2009 housing element does not substantially comply with the state housing element law (Gov. Code,[2] § 65580 et seq.); (2) the county's density bonus ordinance conflicts with the state density bonus law (§ 65915); and (3) the county's zoning ordinances discriminate against affordable housing and lower income persons in violation of section 65008 and against Latinos and people with disabilities in violation of the federal Fair Housing Act (42 U.S.C. § 3601 et seq.), the California Fair Employment and Housing Act (§ 12900 et seq.) and section 65008. Although we agree with the trial court's conclusions in most respects, in the published portion of this opinion we conclude that the county's density bonus ordinance unlawfully conflicts with the state density bonus law. Accordingly, we shall reverse the judgment in that one respect and remand the matter with appropriate instructions.

PROCEDURAL HISTORY

Latinos Unidos commenced this action in November 2009. In July 2010, Latinos Unidos along with the individual plaintiffs filed a second amended petition for writ of mandate and complaint for declaratory and injunctive relief. Plaintiffs allege that the county's zoning scheme discriminates against low-income and very-low-income persons in violation of section 65008; that the zoning scheme violates the federal Fair Housing Act, the California Fair Employment and Housing Act and section 65008 in that it discourages and interferes with the development of affordable housing, which has a disparate impact on Latinos and people with disabilities; that the county's housing element fails to comply with California's housing element law; and that the county's density bonus ordinance conflicts with the state density bonus law.

1164 *1164 In May and June of 2011, the trial court conducted a hearing on plaintiffs' challenges to the county's housing element, after which the court issued an order holding that the housing element "substantially complied" with state law. The trial court then conducted a multiday hearing on plaintiffs' remaining claims and on February 1, 2012, issued a statement of decision finding in favor of the county on all other claims. Plaintiffs filed a timely notice of appeal.

DISCUSSION

I. The County's Housing Element[*]

II. Density Bonus Law

(1) In 1979, the Legislature enacted the density bonus law, section 65915, which aims to address the shortage of affordable housing in California. (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 823 [65 Cal.Rptr.3d 251].) "Although application of the statute can be complicated, its aim is fairly simple: When a developer agrees to construct a certain percentage of the units in a housing development for low- or very-low-income households, or to construct a senior citizen housing development, the city or county must grant the developer one or more itemized concessions and a `density bonus,' which allows the developer to increase the density of the development by a certain percentage above the maximum allowable limit under local zoning law. [Citation.] In other words, the Density Bonus Law `reward[s] a developer who agrees to build a certain percentage of low-income housing with the opportunity to build more residences than would otherwise be permitted by the applicable local regulations.'" (*Id.* at p. 824, citing § 65915, subds. (a), (b).) To ensure compliance with section 65915, local governments are required to adopt an ordinance establishing procedures for implementing the directives of the statute. (§ 65915, subd. (a).)[16]

1165 *1165 In 2010, the county amended its ordinance implementing the state density bonus law. (Napa County Mun. Code, § 18.107.150.) The county's new density bonus ordinance provides in relevant part: "This section describes those density bonuses provided pursuant to Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code. These density bonuses shall be provided, at the request of an applicant, when that applicant provides target units in addition to the affordable units required by Section 18.107.080 and otherwise complies with the requirements of this chapter." (*Ibid.*) Section 18.107.080, which was enacted at the same time, added an "inclusionary requirement" which requires up to 20 percent of new dwelling units in a residential development project be made available at prices affordable to moderate-income households. (Napa County Mun. Code, § 18.107.080, subd. (A).) Section 18.107.080, subdivision (D) of the Napa County code reiterates that "units that qualify a project for a density bonus pursuant to Government Code Section 65915 and Section 18.107.150 must be provided in addition to the affordable units required by this section and do not meet the affordable housing requirements contained in this section."

Soon after its adoption, plaintiffs amended their complaint in this action to include a cause of action alleging that the county's amended density bonus ordinance conflicts with the state density bonus law. Plaintiffs allege that the county ordinance impermissibly requires the developer to include a higher percentage of affordable units than section 65915
1166 requires in order to obtain a density bonus.[17] The ordinance does so by excluding from the target units *1166 necessary to qualify for the density bonus those units necessary to satisfy the county's inclusionary requirement. "For example, while under state law, density bonuses, concessions and incentives must be allowed where a developer agrees to restrict 10% of the project's units to lower-income households, under the county's ordinance, a developer only qualifies when it has restricted at least 22% of a projects units to lower-income households." Plaintiffs contend the county's ordinance places a greater burden on developers than is permissible under state law. We agree.

(2) In *Friends of Lagoon Valley v. City of Vacaville, supra,* 154 Cal.App.4th at page 823, this court considered essentially the opposite situation, holding that the City of Vacaville could in its discretion award a greater density bonus than the bonus required by section 65915. We explained, "Although the calculations described are complicated, in our view the language of Section 65915 is clear and unambiguous. If a developer agrees to dedicate a certain percentage of the overall units in a development to affordable or senior housing, the Density Bonus Law requires the municipality to grant the developer a density bonus of at least a certain percentage, ranging from a low of 5 percent (for moderate income housing) or 20 percent (for senior and all other affordable housing) to a maximum of 35 percent, depending on the number of affordable housing units provided over the minimum number necessary to qualify for a bonus. [Citation.] Because the statute imposes a

mandatory duty on local governments, and provides a means for developers to enforce this duty through civil proceedings [citation], it is clear that 35 percent represents the maximum amount of bonus a city is required to provide, not the maximum amount a developer can ever obtain. The entire aim of Section 65915 is to provide incentives to developers to construct housing for seniors and low income families. [Citation.] It would undermine this policy to interpret subdivision (g) as imposing an absolute cap, since such a rule would prevent developers from negotiating to obtain a higher density bonus in exchange for including even more low income or senior housing than is provided for in Section 65915." (154 Cal.App.4th at pp. 825-826, italics omitted.) This court also rejected the argument that "a municipality must enact an ordinance any time it
1167 wishes to provide more of a *1167 density bonus than is required by state law." (*Id.* at p. 826.) We explained that "setting up an additional hurdle for municipalities to clear (i.e., passing an ordinance) under these circumstances would be contrary to the spirit of the Density Bonus Law, which is designed to encourage, even require, incentives to developers that construct affordable housing." (*Ibid.*) Accordingly, this court has recognized that section 65915 imposes a clear and unambiguous mandatory duty on municipalities to award a density bonus when a developer agrees to dedicate a certain percentage of the overall units in a development to affordable housing. (154 Cal.App.4th at p. 826.)

The county's attempt to distinguish *Friends of Lagoon Valley v. City of Vacaville* is not persuasive. The county argues that although it may be clear that the statute imposes no cap on how much of a density bonus may be granted by a local entity, there is an ambiguity as to whether the local authority may increase the percentage of affordable housing units necessary to qualify for a density bonus. The county argues that the words "seeks and agrees" in section 65915, subdivision (b) imply that the county has discretion to set the minimum requirements for a density bonus. The key sentence on which this argument is based reads: "A city, county, or city and county shall grant one density bonus ... and incentives or concessions ... when an applicant for a housing development *seeks and agrees* to construct a housing development ..." with certain percentages of affordable housing. (§ 65915, subd. (b), italics added.) The county argues, "The definitions of both `seek' and `agree' connote action that is discretionary and volitional, rather than mandatory, and support the county's requirement that a developer go above and beyond the minimum to receive any density bonus." To resolve this purported ambiguity, the county suggests we consider the legislative history of recent amendments of the statute.

(3) Before resorting to legislative history, however, there must in fact be an ambiguity in the words of the statute. (*People v. Cornett* (2012) 53 Cal.4th 1261, 1265 [139 Cal.Rptr.3d 837, 274 P.3d 456].)

(4) While the language "seeks and agrees to construct" does indeed include a volitional aspect, "`affording the words of the provision their ordinary and usual meaning and viewing them in their statutory context'" (*ibid.*), that language plainly refers to the voluntary nature of the developer's decision to seek permission and agree to proceed with a project dedicating a portion of the development to affordable housing. There is no implication in this language that the developer must seek and agree to do more than required by local ordinances, including any inclusionary requirement for affordable housing. Indeed,
1168 allowing the county to increase the minimum number of affordable units required *1168 for a density bonus would conflict with subdivision (f) of section 65915, which bases the amount of density bonus on the percentage of affordable housing units in the project. (§ 65915, subd. (f).)

Were there any ambiguity, the legislative history provides little help in clarifying it. Although the legislative history does indicate that some legislators sought to impress the county's interpretation into the statute, others disagreed. The exchange within the Legislature is at best inconclusive. As explained in the trial court's discussion of the legislative history, "When Government Code section 65915 was amended in 2005, the original bill was initially amended to delete the phrase `seeks and agrees to construct.' Ultimately, however, the language was reinserted into the bill and included in the statute as amended. An analysis of the third reading of the bill as amended on August 18, 2005, notes specifically that the `seeks and agrees to construct' language that was added back to the bill on June 21, 2005 `was intended to clarify that these density bonus requirements only apply when either: 1) a local government does not have an inclusionary housing ordinance or 2) an applicant proposes to include affordable units over and above those required by a locally adopted ordinance. That amendment was adopted by the Assembly Housing Committee to clarify that issue.' [¶] Contrarily, a Senate floor analysis prepared on August 22, 2005, states that the Assembly amendment reinserting the `seeks and agrees to construct' language `means that any affordable housing units in a development count toward meeting density bonus requirements, regardless of whether or not affordable units are required to be constructed by the local government pursuant to a local ordinance.' However, another Senate floor analysis, prepared by apparently the same person 7 days later, deletes the foregoing interpretation from the analysis. It also includes the following argument by the author of the bill in support of it: [¶] `When AB 435 was heard in the Assembly Housing and Community Development Committee the bill was amended in order to not place the bill at risk. One of the amendments restored the law pertaining to subdivision (b)(1). This subdivision relates

to whether an applicant "agrees" to construct affordable units. My statement before the committee concerning the amendment was: "... A handful of local jurisdictions have argued since 1979 that the density bonus law does not apply until inclusionary requirements have been met. The vast majority of cities, counties and experts take the opposite view, as do I. By adding back language that has been the law since 1979 [the `seeks and agrees to construct'], we will enable this handful of jurisdictions to continue to make their strained argument, but that is not troubling because the language has consistently been interpreted for 25 years by the vast majority of cities, counties and experts to mean that inclusionary requirements count toward meeting density bonus requirements.'"

1169 *1169 We conclude that the interpretation of "the vast majority of cities, counties and experts" correctly reflects the plain meaning of the statutory language. The county's ordinance, which fails to credit low-cost units satisfying the county's inclusionary requirement toward satisfying the density bonus requirements, fails to comply with the state law. To the extent the ordinance requires a developer to dedicate a larger percentage of its units to affordable housing than required by section 65915, the ordinance is void. (*Friends of Lagoon Valley v. City of Vacaville, supra*, 154 Cal.App.4th at p. 830 [An otherwise valid local ordinance that conflicts with the state density bonus law is preempted.]; *Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897 [16 Cal.Rptr.2d 215, 844 P.2d 534] ["`If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.'"].)

The county suggests that if the ordinance is otherwise invalid, the ordinance is "saved" by the provision in Napa County Municipal Code section 18.107.190 that states, "If any section of this chapter conflicts with Government Code Section 65915 or other applicable state law, state law shall supersede this chapter." It argues, "if application of the ordinance to any specific development proposal conflicts with the state Density Bonus Law, the county may not enforce it" and "[f]or this reason alone, this court may affirm the judgment."

(5) The county relies on *Shea Homes Limited Partnership v. County of Alameda* (2003) 110 Cal.App.4th 1246, 1265-1266 [2 Cal.Rptr.3d 739]. In that case, the court rejected a claim that a local agriculture and open space measure adopted by popular vote conflicted with the state density bonus law. The court reasoned that while the challenged measure required the county to meet its state-imposed housing obligations in a particular portion of the county, it also "specifically states that none of its provisions shall be applied so as to preclude the County's compliance with state law housing obligations" and the measure included two mechanisms to ensure compliance with those housing obligations if the restrictions adopted by the measure should prevent it. (*Id.* at pp. 1265-1266.) The "savings" provision included in the county's ordinance in the present case, however, does no more than state the truism that state law prevails over conflicting local law. Napa County Municipal Code section 18.107.190 does not modify any particular provision of the local ordinance nor does it identify any provision of state law that controls under any particular circumstances. (6) Persons reading the ordinance without the benefit of a legal opinion as to the extent of its validity would understand that units satisfying the inclusionary requirement do not count towards the number of units necessary to qualify for the density bonus. Since that requirement does violate the statute, a writ of mandate should be issued to require its removal from the ordinance.

1170 *1170 **III. Housing Discrimination**[*]

DISPOSITION

The judgment is reversed insofar as it finds in favor of the county on plaintiff's second cause of action to compel the county to comply with the state density bonus law but is affirmed in all other respects. The matter is remanded to the trial court for entry of a writ of mandate consistent with this opinion. The parties shall bear their respective costs on appeal.

Siggins, J., and Jenkins, J., concurred.

SIGGINS, J., Concurring.

I fully concur in the decision of the court. I write separately to express my view that a civil action and subsequent appeal, even with calendar preference, will rarely provide an efficacious remedy to address a deficiency in the general planning process.

Work began to update Napa County's (the county) housing element in January 2008, and it was adopted by the board of supervisors that June. This lawsuit was filed in November 2009. The trial court issued its statement of decision and ruled

against plaintiffs on February 1, 2012. The briefing was complete in this court at the end of February 2013. The housing element is to next be revised and updated by June 2015. Thus, we are well into the planning period for the next update.

Against this backdrop, we are to consider whether a challenged plan actually complies in substance with every reasonable objective of the general plan statute. (*Camp v. Board of Supervisors* (1981) 123 Cal.App.3d 334, 348 [176 Cal.Rptr. 620].) If it does not, we may reject it and the county has 120 days to effectuate a compliant plan. (Gov. Code, § 65754.)

In a case like this one where the challengers point to no alternative that would readily fulfill the objectives of the statute, and none is readily apparent in the record, judicial rejection of the plan will only create more uncertainty. Here, I urge the county to carefully consider during this planning period the reservations expressed in Justice Pollak's majority opinion of the feasibility of the selected sites, particularly Napa Pipe.

1171 *1171 The housing element law (Gov. Code, § 65580 et seq.) was intended to facilitate and expedite the construction of affordable housing (Gov. Code, § 65582.1). It is hard to discern the fulfillment of that statutory objective when repeatedly the housing envisioned in adopted plans exists only in concept on paper.

Appellants' petition for review by the Supreme Court was denied October 16, 2013, S212740.

[*] Pursuant to California Rules of Court, rules 8.1105(b) and 8.1110, this opinion is certified for publication with the exception of parts I. and III. of the Discussion.

[1] Latinos Unidos is a nonprofit public benefit corporation that advocates for "non-discriminatory development policies ... that address the needs of all economic segments of the population" in Napa County.

[2] All statutory references are to the Government Code unless otherwise noted.

[*] See footnote, *ante,* page 1160.

[16] Section 65915 provides in relevant part: "(a) When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall provide the applicant with incentives or concessions for the production of housing units and child care facilities as prescribed in this section. All cities, counties, or cities and counties shall adopt an ordinance that specifies how compliance with this section will be implemented.... [¶] (b) [¶] (1) A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and incentives or concessions, as described in subdivision (d), when an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following: [¶] (A) Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code. [¶] (B) Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code. [¶] ... [¶] (D) Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the Civil Code for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase."

[17] Plaintiffs also argue that the county ordinance impermissibly (1) requires long-term affordability covenants on moderate-income units; (2) requires a developer to build at a higher density than allowed by the zoning code in order to qualify for incentives; and (3) restricts concessions and incentives and requires unduly burdensome documentation to receive a density bonus. The trial court refused to consider these arguments, finding that plaintiffs had failed to exhaust their administrative remedies with respect to them, as required by section 65009, subdivision (b)(1), which provides that except in limited inapplicable exceptions, "[i]n an action or proceeding to attack, review, set aside, void, or annul a finding, determination, or decision of a public agency made pursuant to this title at a properly noticed public hearing, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the public agency prior to, or at, the public hearing ...." We agree with the trial court. On appeal, plaintiffs have not identified any specific reference in the documents submitted to the board in which they raised these issues. Rather, they claim that they submitted a letter to the board which "[i]n addition to raising specific concerns regarding the issue involving the inclusionary units, ... states that it is `important that whatever ordinance the county adopts be fully consistent with [§] 615915.' [Citation.] The letter attached an article describing the requirements of § 65915. [Citation.] In addition, a sample density bonus ordinance from another jurisdiction was included as a model for the language that should be incorporated in the Napa County Ordinance." More was required to advise the county that plaintiffs contend the draft ordinance impermissibly imposed the additional restrictions and requirements now challenged. Accordingly, we consider only plaintiffs' argument that the ordinance conflicts with state law by requiring a higher percentage of affordable units for a density bonus than required by section 65915.

[*] See footnote, *ante,* page 1160.

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LAW ALERT

LOCAL DENSITY BONUS ORDINANCES MUST OFFER A DENSITY BONUS FOR REQUIRED AFFORDABLE UNITS

On July 11, 2013, in *Latinos Unidos del Valle de Napa y Solano v. County of Napa ("LUNA"),* the First District Court of Appeal held that cities and counties must provide a State-required density bonus and other incentives for affordable units required by local inclusionary, or "below market rate" ("BMR"), ordinances. A "density bonus" is an increase in the number of housing units otherwise permitted by local zoning. The State's density bonus law requires that local governments provide density bonuses of up to 35 percent when developers "seek and agree to construct" affordable housing.

Napa County, like approximately 130 other cities and counties in the State, has an affordable housing ordinance requiring that a certain percentage of new housing be affordable. In Napa, up to 20 percent of new housing is required to be affordable to moderate-income households.

The County argued that State-mandated density bonuses are necessitated only when developers *voluntarily* agree to provide *more* affordable housing than required by the County's affordable housing ordinance. The County reasoned that offering a density bonus and other incentives for affordable housing already required by its ordinance would not increase the amount of affordable housing in the County. The Court, however, agreed with LUNA that the statute was "unambiguous," requiring local ordinances to provide density bonuses for all affordable housing in a development, whether or not required by an inclusionary ordinance.

This had been an unresolved issue. Some local ordinances provide the bonus for inclusionary units while others do not. That issue is now resolved: bonuses and other incentives must be provided, if requested, for required inclusionary units.

In affected communities, bonuses will now be available for developers providing *less* affordable housing than would otherwise have been required. Napa County's ordinance would have required projects to include 25 to 30 percent affordable housing to receive a density bonus. Now developers may obtain bonuses for providing only the required 20 percent affordable housing.

Application of Decision

LUNA will primarily affect common interest developments (generally those with homeowners' associations) where *on-site, for-sale affordable units* are included in the development pursuant to a local affordable housing ordinance. In

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regard to other types of housing, the effects will vary.

Rental Housing. The Second District Court of Appeal in 2009 (*Palmer/Sixth Street Properties L.P. v. City of Los Angeles*) held that local inclusionary ordinances requiring affordable *rental* housing violate the Costa Hawkins Act, the State law governing rent control. Consequently, many affordable rental units provided since 2009 were provided voluntarily and were eligible for density bonuses even before the Court ruled in *LUNA*.

Proposed legislation (AB 1229) would reinstate the ability of communities to require affordable rental units. Density bonuses will be available for any required affordable rental units.

In Lieu Fees and Rental Impact Fees. Some communities permit developers to pay in-lieu fees rather than provide affordable units. Others, in the wake of *Palmer,* have completed nexus studies and have adopted rental impact fees to mitigate the effect of market-rate rental housing on the need for affordable housing. No density bonuses or other incentives are available under State law where fees are paid and no affordable units are provided.

Off-Site Units and Other Alternatives. The effect of *LUNA* on off-site provision of affordable housing will depend on the particular provisions of local ordinances. State density bonus law permits a density bonus for land donation conforming to a strict set of conditions. Other alternatives will need to be reviewed individually to see if the project is eligible for a density bonus pursuant to State law.

Complying with Both Density Bonus and Inclusionary Requirements.

If developers desire affordable units to meet both local inclusionary and State density bonus requirements, the units must meet both sets of criteria. For instance, for-sale moderate-income units qualify for a density bonus under State law *only* if they are located in a common interest development where all the units are offered for purchase; a single-family home subdivision that is not a common-interest development is not eligible for a density bonus under State law, even if it includes affordable units.

Similarly, many local ordinances require a longer period of affordability than State density bonus law, which requires only 30-year affordability. To meet local requirements, the affordable units would need to be affordable as long as required by the local ordinance. In general, the most restrictive provisions in State law and a local ordinance need to be met for affordable units both to qualify for a density bonus and to meet local inclusionary requirements.

If you have questions about this case, please feel free to contact Barbara Kautz, Juliet Cox, Polly Marshall, or any other attorney at Goldfarb & Lipman LLP for more information.

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CITY COUNCIL
AGENDA REPORT

DATE: November 6, 2020

AGENDA OF: November 10, 2020

DEPARTMENT: Planning and Community Development

SUBJECT: 418, 428, 440, 504, 508 Front St. (Application No. CP18-0153) - Assessor's Parcel Numbers 005-151-22, -30, -31, -39, -50 - Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to Remove One Street Tree and Three Heritage Trees, to Combine Five Parcels, Demolish Three Commercial Buildings, Including Two Historic Commercial Buildings, and to Construct a Seven-story, Mixed-use Building with 175 Residential Condos and 11,498 Square Feet of Ground Floor and Levee Front Commercial Space on Property Located within the CBD/CZ-O/FP-O Zone District (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront Subarea of the Downtown Plan (PL)

RECOMMENDATION:

1) Resolution certifying the Environmental Impact Report
2) Resolution adopting Findings of Fact, a Mitigation Monitoring and Reporting program, and a Statement of Overriding Conditions.
3) Resolution approving the Nonresidential Demolition Authorization Permit, Coastal Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, Street Tree Removal.

BACKGROUND: The proposed project is to combine five parcels that are located on the east side of Front Street between Front Street and the San Lorenzo River, demolish three commercial buildings, construct a seven-story mixed-use building with two pedestrian passageways between downtown and the Riverwalk, and expand the publically-accessible outdoor space at the Riverwalk. The project includes 53 studios, 89 one-bedrooms, and 33 two-bedrooms that will be mapped as condominiums and rented. Twenty of the units will be restricted as affordable to very low and low income households to meet inclusionary housing and density bonus affordability requirements and this restriction will apply in perpetuity pursuant to an Affordable Housing Agreement that is required as a condition of approval of the project.

The project site is located within the Front Street Riverfront Corridor of the Downtown Plan and within Additional Height Zone B that allows for building heights up to seventy feet under specific conditions. The project includes a request for a 31.58 percent Density Bonus with incentives/concessions and density bonus waivers to exceed the maximum 70-foot height limitation by 7'9" and to allow for the building to encroach on the minimum building stepback requirements at the pedestrian passageways and at the Front Street and Riverwalk frontages, as required in the Downtown Plan. The project also includes a request for a Downtown Plan Design Variation to allow for the southernmost pedestrian passageway to be located approximately 80 feet from the future extension of Elm Street where the Downtown Plan requires a maximum distance of 50 feet, and the project requests a Skyline Architectural Variation to the standards provided in the Downtown Plan that require the top story of the building to be limited to 60 percent of the area of the floor below and 60 percent of the building length as measured along Front Street or the Riverwalk.

The project includes fill between the building wall and the levee to expand the area at the top of the levee and adjacent to the Riverwalk to create more usable open space overlooking the river. The fill structure requires approval of a Section 408 permit by the Army Corps of Engineers, and while the permit application has been submitted, it has not yet been approved. A recommended condition of approval requires the applicant to submit evidence of permit approval prior to issuance of a building permit for any site disturbing activities.

Two of the three buildings proposed for demolition were determined to be eligible for listing in the local building survey and in the California Register of Historic Resources (CRHR). As a result, demolition of these buildings is considered to be a significant impact pursuant to the California Environmental Quality Act (CEQA) which must be considered in an Environmental Impact Report (EIR). While many of the environmental impacts associated with this project were previously considered in the Environmental Impact Reports that were adopted with the General Plan 2030 and the 2017 Downtown Plan Revisions, the EIR that was prepared for the proposed project includes additional analyses of impacts to historic resources, biological resources, geology/soils, energy, and land use. While the additional analysis of cultural/historic resources was based on the proposed demolition, the other areas of evaluation were added by city staff based on feedback provided by the public during the scoping meeting that was held on December 4, 2019.

In addition to the public outreach and public comment periods associated with the environmental review process, the proposed project was discussed at a community meeting that was held on July 1, 2019, pursuant to the Council approved Community Outreach Policy for Planning Projects, and the project was heard by the Historic Preservation Commission (HPC) and the Planning Commission at duly noticed public hearings. The issues, concerns, and support for the project that were raised by members of the public during the above described outreach methods are described in detail in the staff report to the Planning Commission (Attachment K).

Section 24.08.1210 of the Zoning Ordinance requires the Zoning Administrator to review the proposed demolition of non-listed, eligible historic resources; however, the Zoning Administrator referred this action to the HPC. On August 5, 2020, the HPC considered the proposed demolition at a noticed public hearing. The HPC discussed the litany of long-standing city goals that would be implemented by the development as well as the need for the preservation of historic buildings. The HPC considered public testimony submitted and indicated that they would like to see greater consideration of historic buildings in preliminary design discussions for

new development. After reviewing the details of the Environmental Impact Report and, after considerable deliberation, the HPC voted 5-1-1 to recommend that the City Council certify the Environmental Impact Report and approve the demolition of the buildings with the condition that the front facades of the historic buildings are replicated on the ground floor of the new building facing Front Street. The HPC recognized that the recommendation for replication would not be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Buildings, however, the majority of the commission felt that replication, in addition to the mitigation measure for the establishment of an interpretive display on the site, was an appropriate balance between historic preservation and the development of the project. Renderings were prepared by the architects to respond to this recommendation following the HPC meeting and are included in Attachment D (labeled as "HPC Alternate Façade Study).

On September 3, 2020, the Planning Commission heard the item at a noticed public hearing. The Planning Commission heard public testimony and considered all aspects of the project. Of the 16 speakers that addressed the Commission that evening, nine were in support of the project, six were in support of the developer providing a feasible space for the relocation of the 418 Project, a movement arts center located in the building at 418 Front Street which is proposed to be demolished, and one speaker was opposed to the project. Two speakers were supportive of the project but raised concerns about the need for bike access through the site by way of a bike ramp in lieu of the proposed bike rail, the need for transfer of ownership protection for the affordable units, and expressed concerns that the height increases were not considered in the EIR and that the units would be rented under short-term leases. The Planning Commission reviewed the revised renderings provided by the applicant to meet the HPC's recommendations to replicate details of the historic buildings onto the front façade of the new development. The Planning Commission was supportive of the revised renderings, as is staff, and agreed that the replication helps to preserve the history of Front Street without impacting the feasibility of the project. The renderings are included in Attachment D of this report. The Planning Commission also felt that the proposal to provide bike access as a rail along the pedestrian stairs is feasible for the development but said that they are hopeful that future projects along the east side of Front Street will be designed to incorporate a bike ramp to the Riverwalk.

The majority of the Planning Commission disagreed (4-2-1) with staff and the opinions of the City Attorney's office and a third-party attorney who specializes in density bonus law that based on case law, the City is required to allow for the inclusionary units to fulfill the affordable housing obligations in a density bonus project. The Planning Commission voted 5-1-1 to recommend that the City Council certify the Environmental Impact Report and approve the project with an additional recommendations to add a condition that the selection of the mural artist will be administered through the Arts Commission of the City of Santa Cruz and to require that the total number of affordable units be based on adding the number of required inclusionary units under the City's ordinance to the number of required affordable units under the City's density bonus ordinance with the basis for these changes being conformity with the Coastal Act policy requiring public access, that the City's inclusionary requirements were adopted by a vote of the people and has been in effect since 1980, and that the Housing Accountability Act allows the City to adopt an objective standard that would maximize the City's ability to meet its very low income housing needs. One commissioner voted against the recommendation of approval of the project altogether based on the addition of the amendment to require affordable density bonus units in addition to inclusionary housing. The recommendation regarding the mural is included in the conditions of approval (#32) and for reasons indicated in the discussion section below, the

recommendation that the density bonus and inclusionary units be "stacked" (or additive and not overlapped) is not included.

The project is described in detail and with additional analyses in the staff reports to the Historic Preservation Commission and the Planning Commission which are attached to this report as Attachments I and J, respectively.

DISCUSSION: As noted above, the August 5, 2020 HPC staff report and the September 3, 2020 Planning Commission staff report contain extensive analyses of the project and its consistency with General Plan, Zoning, and other applicable standards. Those analyses were unaffected by the HPC and Planning Commission discussions, and this report, therefore, focuses on the primary topics of interest that were deliberated at the recent Planning Commission meeting.

418 Project
The applicant indicates that they are in discussion with the owners of the *418 Project* to relocate the business to the largest commercial space facing Front Street (Commercial Space C). The applicants are in the process of working with *418 Project* representatives, though to date, the terms of the lease agreement have not been finalized. Staff recognizes that this business fulfills many goals of the Downtown Plan and while the City cannot legally require the applicant to execute a lease with the *418 Project*, the application includes a request for an Administrative Use Permit to allow for the dance performance center to be located along Front Street, thereby facilitating its incorporation into the project in the event that the lease is executed. The space is located on Front Street and is therefore not subject to the criteria in the Downtown Plan for instructional schools along Pacific Avenue or east-west street frontages. The instructional school is an appropriate use along Front Street in that the activity within would provide interest and enjoyment to pedestrians and would preserve a local business that is an established part of the community.

Consistency with City Goals
The project site is designated as RVC/Downtown Santa Cruz (Regional Visitor Commercial) in the General Plan and is located within the CBD (Central Business District) zone district. The entire project site is located in the Front Street Riverfront Corridor of the Downtown Plan. The RVC/Downtown Santa Cruz General Plan designation is intended to emphasize a mix of uses such as office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions and the CBD zone district is a zone that is intended to implement the objectives of the Downtown Plan. The proposed use of the parcel as a mixed-use commercial/residential project is consistent with the intent of the CBD zone district and the RVC/Downtown Santa Cruz designation, and the proposal to fill the area between the building and the San Lorenzo River levee to expand the Riverwalk area and create additional public open space that highlights the river as a downtown amenity is consistent with several longstanding goals and policies of the General Plan, the Local Coastal Program, the Downtown Plan, and the San Lorenzo Urban River Plan (SLURP) which are included as Attachment F of this report.

The development has a unique architectural character that incorporates the architectural features of the two historic buildings that it will replace, and the building design includes stepbacks, articulation, recesses, and publically-accessible outdoor space that will not disturb the San Lorenzo River or surrounding riparian habitat. The development is consistent with the intent of the additional height zone to allow for environmentally sound infill development without damaging the character of the city. The development provides a significant number of new

housing opportunities along the riverfront that is comprised of condominiums that may be rented in the short-term. The residential units will have direct access to the Riverwalk, the downtown core, and the Metro Center which will encourage walking and biking as the primary form of transportation. The development includes several publically-accessible open space features including two wide pedestrian passageways and an expanded area at the Riverwalk that will contribute to a strong network of public and private open spaces and encourage a socially active and pedestrian-oriented downtown. The development also includes private open space areas at the rooftop and private residential amenity space including a gym, a game room, and a lounge which look out to the Riverwalk. The development will result in an incremental improvement of the scenic and recreational value of the Riverfront and provide direct connections between the downtown core and the Riverwalk to facilitate pedestrian and bike movement between the two areas.

On June 12, 2018, the City Council accepted recommendations from the Housing Blueprint Subcommittee for priority actions that were intended to protect existing housing, produce additional housing, and promote community vitality. The recommendations include a goal to focus City resources and staff to encourage construction or approval of units downtown. The 2017-2019 City Council Two-Year Workplan further emphasizes the need for housing downtown by setting a goal of approving 500-600 housing units downtown within this timeframe. The City has approved 303 housing units in the downtown area since 2017 and the addition of the proposed 175 units would result in 478 approved residential units downtown which moves the city closer to compliance with this goal.

- Pacific Front Laurel: 205 apartments
- 501 Cedar Street: 2 apartments
- 1013 Pacific: 17 condominiums
- Park Pacific: 79 condominiums

Variations to Development Standards

In addition to the project implementing several longstanding goals of the city to create housing downtown and to improve the Riverwalk and connections to the Riverwalk, the project is consistent with the site and building standards for the Front Street Riverfront Corridor area and Additional Height Zone B in the Downtown Plan with the exception of the following variations:

- Skyline Architectural Variation: To promote skyline variation, the top floor of the building shall not exceed 60 percent of the floor area below or 60 percent of the building length as measured along Front Street or the Riverwalk. The project is not consistent with these requirements in that the top floor of the northernmost building is the same area as the floor below and 81 percent of the building length, the middle building is 81.5 percent of the floor below and 88 percent of the building length, and the southernmost building 81 percent of the floor below and 92.8 percent of the building length.

  Staff Analysis: The Downtown Plan states "Variation to the 60% floor area standard can be considered for projects that incorporate publicly accessible pedestrian connections to the Riverwalk." In this way, the code recognizes that a significant portion of the potentially developable area of a site is dedicated to a community serving improvement, and the plan allows for variations to these standards. The proposed project includes two pedestrian passageways which will meet the goals and policies in the General Plan, the Downtown Plan, and the San Lorenzo Urban River Plan, to connect the Riverwalk to the downtown core and

to Front Street, and to highlight the river as a natural urban amenity. For these reasons, the proposal to exceed the maximum top floor area and length are supported.

- Location of Pedestrian Passageway: The southernmost pedestrian passageway is located about 80 feet from the extension of Elm Street, where a maximum distance of 50 feet is required in the downtown plan. This is being requested as a Design Variation pursuant to section E.5.b of Chapter 4 of the Downtown Plan.

  Staff Analysis: The location of the southernmost passageway is favorable to the design because it more effectively breaks up the building mass into three separate buildings. If the passageway was relocated 30 feet to the south to the required location, the building mass would be shifted to the center building, creating a larger building mass along Front Street and a much narrower building south of the passageway with little to no room for ground floor commercial space, given the location of the driveway to the parking garage. The proposed design results in a more desirable balance of the sizes of the buildings and allows for the ground level of all three buildings to include sufficient ground floor commercial spaces. The Planning Director has reviewed the project design and recommends approval of the Design Variation to the City Council due to the advantages associated with the proposed location of the southernmost passageway.

Affordable Housing and Density Bonus

The project is a mixed-use development with greater than five residential units and includes a request for a density bonus; therefore, the required number of affordable units and level of affordability are dictated by a combination of the Inclusionary Housing requirements in Section 24.16.020(4) of the Zoning Ordinance and the affordability requirements for Density Bonus eligibility. As described above, there is no density range in the Central Business District (CBD) where the project site is located, so the base density was determined by developing plans for a fully conforming development, recognizing that the site development standards such as maximum building height, Floor Area Ratio, and required stepbacks limit the size of a development and the number of units within, in a similar way as a density range. This approach to establishing base density was approved by the City Council in a first reading of amendments to the Density Bonus ordinance on October 13, 2020 and was formally adopted by the City Council with the second reading of the amendments on October 27, 2020. The base plans concluded that the project site could support a maximum of 133 residential units above ground floor commercial given the size of units included in that base plan.

The subject application was deemed complete prior to the adoption of the current Inclusionary Ordinance and is subject to a 15 percent inclusionary requirement. With a base density of 133 units, the project is required to make 20 units available to low and moderate income households (80% of the area median income (AMI)) at an affordable ownership cost. As an example, the income limits established by the U.S. Department of Housing and Urban Development (HUD) for FY 2020 in Santa Cruz County indicate a Low Income Limit of $106,200 for a family of four.

The proposal includes a request for a Density Bonus pursuant to Part 3 of Chapter 24.16 of the Zoning Ordinance. The Density Bonus section of the zoning ordinance is consistent with state law requirements that allow for an increase in the number of market rate units in a residential development commensurate the proposed percentage of affordable units. The applicant is proposing to make available 15 of the 20 required inclusionary units to households at the very

low income level (50 percent AMI) and to continue to make available the remaining five inclusionary units to households at the low income level (80 percent AMI). This level of affordability allows for the project to be eligible for a 35 percent density bonus, or 47 additional units. However, the applicant is only requesting 42 additional units which equates to a 31.58 percent density bonus.

As noted above, the Planning Commission disagreed with the opinion of the City Attorney and a third-party attorney, Barbara Kautz of Goldfarb & Lipman, LLP, that established case law prohibits jurisdictions from requiring a developer to provide additional units above and beyond the inclusionary units in order to be eligible for a density bonus. The majority of the Planning Commission agreed that the City has the authority to request the additional affordable units based on the Coastal Act policy requiring public access, that the City's inclusionary requirements were adopted by a vote of the people and have been in effect since 1980, and that the Housing Accountability Act allows for the City to adopt an objective standard that would maximize the City's ability to meet its very low income housing needs. The Planning Commission's recommendation would require the developer to provide at least 15% of the base units as inclusionary units (20 units at 80% AMI), and to meet minimum density bonus requirements and allow for the reduced parking ratio allowed by the density bonus state law, the developer would also need to provide either 11% of the base units at 50% AMI (15 units) or 20% of the base units at 60% AMI (27 units). The density bonus state law allows for the applicant to choose how the density bonus units are provided, therefore, the city cannot require the developer to provide units at the Very Low income level as they are currently proposed. Additionally, the density bonus law is intended to help facilitate the construction of a housing project with affordable housing units, however, an approval of the recommendation to increase the requirement for affordable units would make the density bonus option much less desirable in that the difference between the market rate units gained from the density bonus would be significantly reduced. Both scenarios would allow for the project to be eligible for a 35% density bonus, thereby allowing for the proposed 42 unit, or 31.58% bonus in market rate units; however, the result of the increased affordability requirement at the Very Low Income level would provide only 27 additional market rate units in exchange for 35 affordable units, and at the Low Income level, the density bonus project would require the developer to provide five more restricted affordable units than market rate units gained (47 affordable units, 42 market-rate units). Alternatively, the proposed scenario allows for a 42 unit increase in market rate units above the base of 113 in exchange for 20 affordable units. If the developer determines that the reduction in market rate units is not economically feasible and the project is converted to a non-density bonus project, it would result in the loss of the potential 42 residential units downtown and likely the loss of the 15 units proposed to be provided to Very Low income households, which is the level of affordability needed to meet the City's RHNA numbers. Further, as noted above and as discussed below in detail, staff believes the approach suggested by the Planning Commission to stack inclusionary units on top of density bonus units is inconsistent with case law that directly addresses the issue of overlapping versus stacked requirements.

Staff consulted with the City Attorney as well as the City's consulting affordable housing attorneys Goldfarb and Lipman as part of the review of the project, and it was determined that the City cannot "stack" the density bonus affordability requirements on top of our inclusionary requirements. In 2013, the California Court of Appeal in *Latinos Unidos del Valle De Napa y Solano v. County of Napa* held that the density bonus statute does not allow a city or county to use its inclusionary ordinance to increase the minimum number of affordable units over that

called for by the statute in order to qualify a housing project for a density bonus. In doing so, the court invalidated a section of the Napa County density bonus ordinance that stated "These density bonus units will be provided, at the request of the applicant, when that applicant provides target units in addition to the affordable units required by [Napa 20% inclusionary ordinance] Section 18.107.080." The court held that the Napa ordinance was inconsistent with the state density bonus law and therefore invalid, reasoning that "...allowing the County to increase the number of affordable units required for a density bonus would conflict with subdivision (f) of section 65915, which bases the amount of density bonus on the percentage of affordable housing units in the project." In summary, according to the *Latinos Unidos* decision, required affordable inclusionary units may be used by a developer to qualify a project for a density bonus. This decision has not been modified or overruled by any subsequent decision, and the California Legislature has not amended Section 65915 to negate the decision's holding. It should be noted that the Goldfarb and Lipman law firm represented the County of Napa in this 2013 litigation. A memo providing additional detail on the case was provided to the Planning Commission in advance of the public hearing and is included as Attachment G to this report.

Additionally, staff offers the following responses to the Planning Commission's justification for stacking the inclusionary and density bonus affordable units:

<u>Coastal Commission Public Access Policies</u>. As outlined in Section 30001.5 of the California Coastal Act of 1976, one of the basic goals of the state for the coastal zone is to:

Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.

The Public Access chapter of the Coastal Act includes the following provisions:

30210. In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.
(Amended by Stats. 1978, Ch. 1075.)

30211. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The above provisions make it clear that the term "public access" relates to recreation and not housing.

Up until 1981, the Coastal Act included language (though not within the Public Access Chapter) that sought to protect and provide affordable housing as outlined in the following passage from the California Coastal Commission's Environmental Justice Policy adopted on March 8, 2019:

Although the Legislature removed the Coastal Act mandate to protect and provide for affordable housing in 1981, the Commission retained the authority to encourage affordable housing. The Commission will increase these efforts with project applicants, appellants and local governments, by analyzing the cumulative impacts of incremental housing stock loss, and by

working with local government to adopt local coastal program policies that protect affordable housing and promote a range of affordable new residential development types. The Commission will continue to seek legislative action to regain its previous authority with respect to affordable housing.

This policy document makes it clear that the Coastal Act has no legal authority over affordable housing requirements other than to "encourage" local agencies to provide for it.

Inclusionary Housing Ordinance Adopted by the Voters/Housing Accountability Act (HAA). Measure O was adopted by the voters by initiative in 1979 and established as a City policy "that at least 15 percent of those housing units newly constructed for sale or rental each year shall be capable of purchase or rental by persons with average or below average incomes." The project is consistent with Measure O in that the project that could be constructed without application of the density bonus state law, includes 11 percent of the units restricted to Very Low income households and 4 percent of the units restricted to Low Income households. According to the City Attorney's office, the *Latinos Unidos* decision described above applies to Measure O as well as the City's Inclusionary Ordinance.

Among other things, the HAA requires local agencies to approve housing developments that comply with objective, quantifiable, written development standards. A local agency cannot adopt development standards that are in conflict with State Law, whether they were adopted by a City Council or the voters; the voters have no more authority than the City Council. The *Latinos Unidos* ruling discussed above held that the City cannot require more affordable units than required by density bonus law to qualify a project for a density bonus.

Base Project Used to Calculate Required Number of Inclusionary Units. While not a specific point of contention, it is important to note that the City's Zoning Ordinance includes the process for the calculation of inclusionary units in a Density Bonus project. The ordinance specifically states that any additional market rate units obtained through the density bonus process are not included in the inclusionary calculation. In this way, a project is able to benefit from the additional density while providing the required affordable housing. The following code sections are included to clarify the issue for the public and the Council.

24.16.020 BASIC ON-SITE INCLUSIONARY HOUSING REQUIREMENTS.

8. ***For purposes of calculating the number of inclusionary units required by this section, any dwelling units authorized as a density bonus pursuant to Part 3 of this chapter shall not be counted as part of the residential development****. However, if a developer receives a city rental housing bonus as authorized by Section 24.16.035(4), then all of the dwelling units in the project, including the dwelling units authorized as a density bonus, shall be counted as part of the residential development for purposes of calculating the inclusionary units required by this section.*

24.16.250 CALCULATION OF DENSITY BONUS FOR HOUSING DEVELOPMENTS.

5. ***For purposes of calculating the number of inclusionary units required by Part 1 of this chapter, any dwelling units authorized as a density bonus pursuant to this Part 3 shall not be counted as part of the housing development****. However, if a developer elects to receive a city rental housing bonus as authorized by Section 24.16.220, then all of the dwelling units in the*

project, including the dwelling units authorized as a density bonus, shall be counted as part of the housing development for purposes of calculating the inclusionary units required by Part 1.

The City's Affordable Housing and Density Bonus ordinances do not explicitly discuss the relationship of the inclusionary affordable housing requirement to the density bonus requirement. However, the Density Bonus Ordinance states that a project is eligible for a density bonus, "…if the applicant agrees to construct at least one of the following [specified affordability percentages] and any additional replacement units required by Section 24.16.222." (Section 24.16.215(1).) Nothing in this section implies that the affordable units providing eligibility for a density bonus must be *in addition* to those provided to meet the City's inclusionary ordinance.

For the above reasons, the staff recommendation continues to be that the City Council approve the application with the inclusionary units (at the proposed deeper level of affordability), and that the affordable inclusionary units qualify the project for the density bonus. This action is consistent with other recently approved multi-family housing projects that have utilized the provisions of the density bonus ordinance and state law, and it assures that the City provides the 42 additional density bonus units that the applicant is entitled to under density bonus law and simultaneously provides (as proposed by the applicant) fifteen units restricted to Very Low income households (at 50 percent AMI) and five units restricted to 80 percent AMI.

Incentives/Concessions. Density Bonus state law indicates that the level of affordability proposed by the applicant also makes the project eligible for two incentives/concessions, unlimited density bonus waivers, and modified parking requirements. The applicant is proposing one incentive/concession and three density bonus waivers, which are described below.

At the Elm Street passageway, the elevator shafts on either side of the passageway encroach 10 feet into the required 10 foot stepback above 35 feet, as required in the Downtown Plan for the Front Street/Riverfront Corridor. The total area of the 10 foot stepback above 35 feet along each side of the Elm Street passageway is approximately 860 square feet. Each elevator shaft is ten feet wide and represents about 8.5 percent of the each stepback area. Section 24.16.255(2) allows for an applicant to seek approval of specified incentives/concessions without any requirement that the applicant demonstrate to the City that the requested incentive or concession results in identifiable and actual cost reductions to the project to provide for affordable ownership costs. One of the incentives/concessions listed in this code section is a 20 percent reduction in setback area and the applicant has requested two such reductions for the encroachment of the elevator shafts on each side of the Elm Street pedestrian passageways. The project is eligible for such incentives/concessions pursuant to the City's Density Bonus Ordinance and state law requirements, and no additional documentation is required.

<u>Density Bonus Waivers.</u> Section 24.16.255(4) allows for applicants to seek approval of a density bonus waiver or modification of development standards that will have the effect of physically precluding the construction of a housing development eligible for a density bonus. The applicant is requesting the following waivers to development standards:

- Waiver of stepback requirements to reduce required 10-foot stepbacks above 50 feet on Front Street for 50 percent of the building frontage from 180 feet (50%) to 74 feet (20.5%) based on the combined building frontage.
- Waiver of stepback requirements to reduce required 10-foot stepback above 50 feet on the Riverfront frontage to between 0 and 10 feet.

- Waiver of building height standards in Additional Height Zone B to increase maximum building height from 70 feet and 5 stories above ground floor commercial to approximately 77'9" feet and 6 stories above ground floor commercial.

The applicant has demonstrated that compliance with the required stepbacks above 50 feet and the maximum height for Additional Height Zone B would physically preclude development of the project at the requested density of 175 units. The applicant has developed the project to and beyond maximum allowed design standards and has, in the process, designed a project with smaller units overall than in the base project and with fewer units than would be allowable with a 35-percent bonus, which supports the inference that the project would be physically precluded without the requested waivers. In addition, the applicant has demonstrated, through detailed drawings (Attachment H), that a reasonable alternative floor plan complying with both the stepback and height requirements reduces the total unit count, as follows:

- In Building No. 1, the project would lose a net of one studio apartment and three one-bedroom units;
- In Building No. 2, a one-bedroom unit would need to be converted to a studio apartment, with an additional loss of five one-bedroom units and one two-bedroom unit; and
- In Building No. 3, the project would lose a net of three studio apartments and four one-bedroom units.

This evidence is sufficient to meet the applicant's burden to show that without the requested waivers, the applicant would be physically precluded from developing a 175 unit project.

Health in All Policies (HiAP)

HiAP is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas. HiAP is based on 3 pillars: *equity*, *public health*, and *sustainability*. The goal of HiAP is to ensure that all decision-makers are informed about the health, equity, and sustainability impacts of various policy options during the policy development process. The project location encourages a sustainable and healthy lifestyle given the project's bikable/walkable nature due to its close proximity to commercial uses downtown and recreational amenities downtown and in the beach area. The site is also across the street from the Metro Station, thereby further promoting sustainable transportation use by residents. The project will provide a variety of housing types (studios, one bedroom, and two bedroom units) at a variety of rental or ownership costs, including units available to low income and very low income households. The project is consistent with the HIAP directive for the reasons described above regarding efficient use of land, healthy mobility options, and social diversity.

Environmental Review

An environmental checklist was prepared for the proposed project in support of the EIR Notice of Preparation (NOP). The purpose of the checklist was to evaluate the impact categories covered in the City's certified Downtown Plan Amendments EIR and General Plan 2030 EIR to determine whether the project's impacts had been adequately analyzed in previous EIRs pursuant to CEQA or whether any new significant impacts peculiar to the project or project site would result. Where an impact resulting from the project was previously adequately analyzed, the review provides a cross-reference to the pages in the Downtown Plan Amendments EIR and/or General Plan EIR where information and analyses may be found relative to the environmental issue listed under each topic. The checklist also identifies whether the project involves new significant impacts or substantially more severe impacts than analyzed in the Downtown Plan Amendments EIR and/or General Plan EIR or new significant impacts not peculiar to the site or project. The checklist concluded that cultural resources (historical resources) and energy required

additional analysis. As a result of the EIR scoping process, including comments received from the public at a December 4, 2019 meeting, the City also chose to further analyze issues related to biological resources, geology/soils, and land use in the EIR. The EIR also evaluates topics required by CEQA and CEQA Guidelines for all EIRs, including growth inducement, project alternatives, and cumulative impacts.

Pursuant to State CEQA Guidelines section 15121, an EIR is an informational document to inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency. While the information in the EIR does not control the ultimate decision about the project, the agency must consider the information in the EIR and respond to each significant effect identified in the EIR by making findings pursuant to Public Resources Code section 21081.

Pursuant to CEQA (Public Resources Code section 21002), public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures, which would substantially lessen the significant environmental effects of such projects. Pursuant to section 15021 of the State CEQA Guidelines, CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. According to the State CEQA Guidelines, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. This section further indicates that CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors, and an agency shall prepare a "statement of overriding considerations" as to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

The EIR concluded that significant and potentially significant environmental impacts resulting from the project can either be substantially lessened or avoided with implementation mitigation measures included in the EIR, except for one impact to historical resources (demolition of two historic buildings) which cannot be mitigated to a less-than-significant level and remains significant and unavoidable.

CEQA Guidelines require that an EIR describe and evaluate alternatives to the project that could eliminate significant adverse project impacts or reduce them to a less-than-significant level, and the EIR evaluated two alternatives in addition to the No Project Alternative that is required under CEQA. The alternatives considered in the EIR are: 1) Partial Preservation – Incorporation of Building Facades into Project; and 2) Relocation of Historic Buildings. The staff reports to the Planning Commission and the HPC provide detailed summaries of the analyses of each alternative in the EIR. Both the HPC and PC considered these analyses prior to their recommendation for approval of the demolition of existing buildings and construction of the project with the proposed mitigations and additional conditions of approval.

In accordance with CEQA, it is recommended that despite the occurrence of a significant unavoidable environmental impact associated with the project as mitigated, there exist certain overriding economic, social and other considerations for approving the project that outweigh the occurrence of the significant unavoidable impact to historical resources. These recommended

findings are contained in the CEQA Findings of Fact and Statement of Overriding Considerations in Attachment B of this report.

Applicable policies and mitigation measures from the General Plan 2030, General Plan 2030 EIR, Downtown Plan, and Downtown Plan Amendments EIR have been incorporated into the project or are included as conditions of approval.

The full Draft and Final Environmental Impact Report volumes, which together constitute the project EIR, are included as Attachment E of this report.

Summary and Recommendation
The project will allow for the construction of a seven-story building with ground-floor commercial uses and 175 upper-level, residential units. The project will result in infill development within the downtown area and in close proximity to the Metro Station, commercial services, personal services, other employment uses, and recreational areas and amenities. The Downtown Plan specifically envisions the proposed development in the subject location and the development is consistent with the goals and policies provided in the Downtown Plan and the General Plan for the redevelopment of Front Street, for the connection between the Pacific Avenue commercial core and the Riverwalk, and for the revitalization of the river as a natural and community amenity. Use of the density bonus provisions to facilitate the project results in the creation of units at deeper levels of affordability than would otherwise be provided with the Inclusionary Ordinance. The design of the building is consistent with the design requirements in the Downtown Plan to separate building masses and to provide distinct designs that convey a grouping of buildings. The development has been redesigned to meet the recommendations of the HPC by incorporating some of the details of the historic building facades into the front façade of the building. Therefore, it is recommended that the City Council approve the Nonresidential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Coastal Permit, Revocable License for an Outdoor Extension Areas, Heritage Tree Removal Permit, and Street Tree Removal for the proposed project based on the Findings below and the Conditions of Approval in Exhibit A.

FISCAL IMPACT: The applicant has paid fees to cover staff costs associated with processing this application. The project, if approved, will result in increased property and sales taxes from the residential and commercial condominiums, respectively, and the project developer will be required to pay traffic as well as other City impact fees and will be required to pay their fair share of improvements along Front Street.

Prepared by:	Submitted by:	Approved by:
Samantha Haschert Principal Planner	Lee Butler Director of Planning & Community Development	Martín Bernal City Manager

ATTACHMENTS:

A. Draft City Council EIR Certification Resolution
B. Draft City Council EIR Findings, Mitigation Monitoring and Reporting Program, Statement of Overriding Considerations
C. Draft City Council Zoning Permits and Conditions of Approval Resolution
D. Project Plans, prepared by Humphreys and Partners Architects L.P, Architecture and Planning; Jon Worden, Architect; The Guzzardo Partnership Inc., Landscape Architect; and BKF Engineers, Civil Plans.
E. Draft and Final Environmental Impact Report volumes, which together constitute the project EIR (Attached to online agenda. Also available for viewing at: www.cityofsantacruz.com/ceqa
F. Applicable Goals and Policies in the General Plan, LCP, Downtown Plan, and San Lorenzo Urban River Plan
G. Staff Memo to the PC Regarding Inclusionary and Density Bonus Units
H. Stepback diagrams supporting Density Bonus waivers
I. Staff Report to the Historic Preservation Commission, August 5, 2020
J. August 5, 2020 Historic Preservation Commission Action Summary
K. Staff Report to the Planning Commission, September 3, 2020
L. September 3, 2020 Planning Commission Meeting Minutes
M. Public Comments (Includes all public comments received except for those submitted with the EIR which are included in the Draft and Final EIR)

PLANNING COMMISSION
AGENDA REPORT

DATE: August 28, 2020

AGENDA OF: September 3, 2020

ITEM NO: **CP18-0153** **418, 428, 440, 504, 508 Front St.**

RECOMMENDATION: That the Planning Commission recommend to the City Council certification of the Environmental Impact Report and approval of a Nonresidential Demolition Authorization Permit, Coastal Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, Street Tree Removal based on the findings listed in the attached Draft Resolution and the conditions listed in Exhibit "A".

PROJECT DATA

Property Owner:	SC Riverfront LLC
Applicant:	Owen Lawlor
APN's:	005-151-22, -30, -31, -39, -50
Application Type:	Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to remove one street tree and three heritage trees, to combine five parcels, demolish three commercial buildings including two historic commercial buildings, and to construct a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground floor and levee front commercial space on property located within the CBD/CZ-O/FP-O zone district (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront subarea of the Downtown Plan.
Zoning:	CBD (Central Business District) CZ-O (Coastal Zone Overlay District) FP-O (Floodplain Overlay District)
Project Consistency:	Consistent with zone district with approval of permits
General Plan:	RVC/Downtown Santa Cruz (Regional Visitor Commercial) Front Street/Riverfront Corridor area of the Downtown Plan
Project consistency:	Consistent with approval of permits
Land Use - Existing:	Three multi-tenant commercial buildings

- Proposed: 175-unit residential condominium building with ground-floor and Riverwalk-facing commercial space, residential amenity space, and parking garage.

Lot Area: 42,684 square feet

Environmental Review: Limited Environmental Review for projects consistent with General Plan, Community Plan or Zoning Action pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183. Further analysis of Biological Resources, Cultural Resources, Geology and Soils, Energy Conservation, and Land Use completed in an Environmental Impact Report (EIR), published July 27, 2020.

Associated Documents: The full Draft and Final Environmental Impact Report volumes, which together constitute the project EIR, are available for viewing on the City's website at: www.cityofsantacruz.com/ceqa
Associated project reports are available for viewing at: https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/active-planning-applications-and-status/front-st-riverfront-apartments

Planning Staff: Samantha Haschert

SITE DESCRIPTION

The project site is located on the east side of Front Street between Front Street and the San Lorenzo River. The site has approximately 423 feet of frontage on the street and generally spans the area between the terminus of Cathcart Street and the Downtown Metro Center. The site is zoned CBD (Central Business District)/FP-O (Floodplain Overlay District)/CZ-O (Coastal Zone Overlay District) and is designated as RVC (Regional Visitor Commercial, Downtown Santa Cruz) in the General Plan. The site is surrounded by parcels with the same zoning and general plan designations to the north, west, and south that are developed with commercial and mixed use buildings and uses, with the exception of the Metro Transit District which is located on a parcel zoned for Public Facilities (PF). The San Lorenzo River is located to the east. All five of the existing parcels have frontage on Front Street and back-up to the San Lorenzo River to the east. The Riverwalk is located at the top of the levee which is approximately 10-feet above the grade of Front Street. All of the existing buildings in the project site area are single-story.

The parcels at 418 and 428 Front Street are located within the appealable area of the Coastal Zone (CZ-O) but are outside of the Shoreline Protection Overlay Area (SP-O). The other parcels within the project site are not located within the mapped Coastal Zone Overlay; however, because the project includes a combination of the five parcels and the development is being proposed as a single development over all five properties, approval of a Coastal Permit is required for the project.

The entire project site is also located within the Downtown Plan area, within the Front Street/ Riverfront Corridor and within Additional Height Zone B, which allows for building heights up to seventy feet under specific conditions. The applicant is requesting to construct a 77'9" tall building using State Density Bonus Law which allows for incentives and concessions to development standards when affordable housing thresholds are met. Further analysis of Density Bonus request is provided in the Analysis section below.

The site is mapped as sensitive for archaeological resources and an Archaeological Report was prepared for the project by Basin Research Associates on August 13, 2018. The report concludes that the project site has a low sensitivity for both prehistoric and historic archaeological materials and there appears to be a low potential for exposure of significant historic resources and/or unique archaeological sites during ground disturbing construction. As such, the report does not recommend project redesign, capping, or additional archaeological testing or monitoring during ground disturbing construction. The report does recommend that the standard condition of approval is included to require stopping of work and reporting in the event of an unexpected discovery.

The project site is shown in yellow below.

For illustrative purposes only.

BACKGROUND

The project includes the demolition three existing buildings on the site, none of which are listed in either the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR). None of the buildings are identified as an individual landmark, and the project site is not within any historic districts; however, two of the buildings were identified as historically significant structures in 2009 with the preparation of Volume III of the City's Historic Building Survey but were not formally listed. In 2009, Department of Parks and Recreation Form 523's (DPR's) were prepared for both properties by Archives & Architecture LLC as part of a building survey associated with the preparation of Volume III of the City's

Historic Building Survey. The DPR's concluded that the building at 418 Front Street was constructed circa 1925 and that the property at 428 Front Street was constructed circa 1948. Both buildings are currently filled by commercial tenants, including the 418 Project, a movement arts center, and University Copy Services. The proposed demolition requires an increased level of review under the California Environmental Quality Act (CEQA) and an EIR was prepared to evaluate the cultural impacts of the project. The EIR is described in further detail under the section below titled Environmental Review. Additionally, the proposed demolition requires review by the Zoning Administrator and recommendation of action to the City Council pursuant to section 24.08.1210 of the zoning ordinance; however, the Zoning Administrator referred this action to the Historic Preservation Commission (HPC).

On August 5, 2020, the HPC considered the proposed demolition at a noticed public hearing. The HPC discussed the litany of long-standing city goals that would be implemented by the development as well as the need for the preservation of historic buildings. The HPC considered public testimony submitted and indicated that they would like to see greater consideration of historic buildings in preliminary design discussions for new development. After reviewing the details of the Environmental Impact Report and after considerable deliberation, the HPC voted 5-1-1 to recommend that the City Council certify the Environmental Impact Report and approve the demolition of the buildings with a condition that the front facades of the historic buildings are replicated on the ground floor of the new building facing Front Street. The HPC recognized that the recommendation for replication would not be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Buildings; however, the majority of the commission felt that replication, in addition to the mitigation measure for the establishment of an interpretive display on the site, was an appropriate balance between historic preservation and the development of the project.

PERMITS REQUIRED

The project requires the following permits:

- **Non-Residential Demolition Authorization Permit:** to demolish three commercial structures. (Section 24.08.1210)
- **Tentative Map:** to divide the property into 175 condominium units, common area, and eight commercial spaces.
- **Special Use Permit:** to construct greater than 60 residential units in the Front Street/Riverfront Corridor subarea of the Downtown Plan Area, to allow for outdoor eating areas, and to allow for the proposed outdoor extension area. (Downtown Plan & Sections 24.12.190 & 24.12.192)
- **Administrative Use Permit:** to allow for: 1) co-working spaces facing the Riverwalk and a Leasing Office on Front Street; 2) a combined public/private fitness studio and dance school on Front Street; 3) Riverwalk retail as an "upper floor" use facing the Riverwalk; and 4) to allow for an instructional school (418 Project) not located on Pacific Avenue or on an east-west street.
- **Design Permit:** to construct a mixed-use structure greater than 50 feet in height in Additional Height Zone B (24.08.410(1) and Downtown Plan)

- **Coastal Permit:** to construct an 188,694 square-foot, mixed-use building in the appealable area of the Coastal Zone.
- **Revocable License for Outdoor Extension Area:** to utilize public city property adjacent to the Riverwalk for outdoor seating associated with a private use. (Section 24.12.192)
- **Heritage Tree Removal Permit and Street Tree Removal Approval:** to remove three heritage trees and one non-heritage street tree per Chapter's 9.56 and 13.30 of the Municipal Code.

PUBLIC OUTREACH

The project is considered to be a "significant" project under the City Council's approved Community Outreach Policy for Planning Projects. The project required a community meeting with an increased noticing radius from 300 feet to 1,000 feet from the property lines, and a dedicated project webpage. The community meeting was held on July 1, 2019 and was noticed with signs posted on the property, mailed notices to property owners and tenants within 1,000 feet of the project site, and an advertisement in the Santa Cruz Sentinel. The community meeting was attended by the project development team, several City staff members, and about 26 members of the public. Formal comments were submitted by the public at the community meeting, and City staff noted key issues raised during the meeting. In addition to the community meeting, a project webpage was created and posted to the City of Santa Cruz website and allows for members of the public to submit comments to the project planner.

In addition to the community meeting, the city webpage, and on-site noticing, a public scoping meeting was held on December 4, 2019 to identify potential project-specific impacts that should be considered in the Environmental Impact Report (EIR).

The following key issues/concerns were raised by members of the public during the above described outreach methods:

- Management/programming of the proposed public outdoor space at the levee – See Outdoor Extension Area Section of this report.
- Affordable housing – See Affordable Housing and Density Bonus Section of this report.
- Targeted population for residences – Unknown to City.
- Development in flood zone – See Flood Zone Development section of this report.
- Feasible relocation of the 418 Project – See Zoning/General Plan Consistency and Uses section of this report.
- Construction impacts adjacent to the river – See EIR Section 4.3
- Impacts to riparian habitat along the river – See EIR Section 4.1
- Building size and density not appropriate for Santa Cruz – See Minimum Lot Size/Density/FAR section, Building Height section, Design section, and Density Bonus section of this report.
- Bike Access through pedestrian passageways – See Bike Access Section of this report.
- Relocation of the 418 Project – See the Uses Section of this report.

In addition to these concerns, staff received many comments in support of the location, density, and design of the project. Public comments received are included as an attachment to this report, and comments received as a part of the CEQA review process are included in the Draft EIR and Final EIR.

ANALYSIS

The proposal is to construct a seven-story, 188,694 square foot, mixed-use building with 175 residential condominiums and 11,498 square feet of ground floor and river-facing commercial space on property within the CBD/CZ-O/FP-O zone district and within the Front Street Riverfront Corridor of the Downtown Plan. The intent of the developer is to map the residential units as condominiums but to maintain single ownership and rent the units for the near future.

Zoning/General Plan/Downtown Plan Consistency

The project site is designated as RVC/Downtown Santa Cruz (Regional Visitor Commercial) in the General Plan and is located within the CBD (Central Business District) zone district. The entire project site is located in the Front Street Riverfront Corridor of the Downtown Plan. The RVC/Downtown Santa Cruz General Plan designation is intended to emphasize a mix of uses such as office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions, and the CBD zone district is a zone that is intended to implement the objectives of the Downtown Plan. The proposed use of the parcel as a mixed-use commercial/residential project is consistent with the intent of the CBD zone district and the RVC/Downtown Santa Cruz designation, and the proposal to fill the area between the building and the San Lorenzo River levee to expand the Riverwalk area and create additional public open space that highlights the river as a downtown amenity is consistent with the following goals and policies of the General Plan, the Local Coastal Program, the Downtown Plan, and the San Lorenzo Urban River Plan (SLURP):

GENERAL PLAN AND LOCAL COASTAL PROGRAM 1990-2005

- GOAL EQ 1: Protect City residents from the health hazards of air pollution and maintain high air quality standards by implementing air quality monitoring and control strategies that comply with State and Federal Clean Air Acts.
- GOAL EQ 2: Protect water quality of ocean, watershed lands, surface waters and ground water recharge areas from sedimentation, pollution, and salt-water intrusion
- GOAL EQ 5: Implement, to the greatest degree possible, transportation strategies that reduce the consumption of fossil fuels, and energy strategies that increase energy-efficiency and energy conservation in all sectors of energy usage and which increase the production and use of renewable energy sources within the City.
- GOAL L2: Provide for a variety and balance of residential, commercial, and industrial land uses while protecting environmental resources and responding to changing community needs, interests, and development constraints.
- GOAL L3: Protect the quality of, and prevent significant new incursion of urban development into, areas designated as open space or agricultural lands and provide, when possible, permanent protection of these lands, recognizing their value in inhibiting urban

sprawl and maintaining City identity, as a natural resource with significant biotic resources and/or their potential for providing scenic, recreational and educational enjoyment.

- GOAL L4: Plan community facilities and services to serve the projected population, allowing development only when adequate facilities and services are provided and are available to serve it.
- GOAL L5: Develop compatible relationships between land-use and circulation patterns and encourage land use patterns that encourage an efficient transportation system and discourage urban sprawl and excessive dependence on the automobile.
- GOAL CD2: Protect and enhance the City's natural setting and scenic resources.
- GOAL C1: Develop a comprehensive, multi-modal circulation planning program that takes as its highest priority reduction of automobile trips by the creation of viable alternative transportation modes, effective transportation systems management programs, and integration of land-use and circulation planning.
- GOAL C2: Develop and promote pedestrian travel as a viable transportation mode by developing and maintaining a safe, comprehensive, convenient, accessible and aesthetically pleasing pedestrian system.
- GOAL ED4: Promote revitalization of the Downtown Central Business District as the City's center for commerce, office, culture, entertainment restaurant activity, and mixed use residential.
- GOAL PR2: Ensure that adequate types, numbers and distribution of recreational facilities are available to residents of Santa Cruz.

GENERAL PLAN 2030:

- HA1.11.6 Consider historic preservation in the development and enforcement of City regulations.
- CD1.1.4 Identify and emphasize distinguishing natural features that strengthen Santa Cruz's visual image (i.e., open space, Monterey Bay).
- CD1.4.2 Consider visual access to nearby natural areas as part of developmental review.
- CD1.5.1 Enhance the prominence of the San Lorenzo River as a natural feature that provides structure, orientation, and recreational enjoyment by including it in surrounding area and management plans.
- CD1.5.2 Provide incentives for new development adjacent to the San Lorenzo River that includes patios overlooking the river, enhanced connections to the levee trails, and other design features that connect the built environment to the river.
- CD3.1.1 Strengthen the linkage between Downtown, the Beach Area, and San Lorenzo River through amendments to corresponding Area Plans and the Zoning Ordinance.
- CD3.1.2 Maintain, update, and implement the City's San Lorenzo Urban River Plan.
- CD3.3.1 Develop incentives to encourage the assembly of small parcels through Area Plan amendments and Zoning Ordinance changes.
- CD3.3.2 Revise the Zoning Ordinance to limit development possibilities for small parcels.
- CD4.1.3 Identify and establish design concepts that make visitor-serving corridors attractive and interesting through landscaping, banners, flags, art, and displays.
- CD4.2.3 Underground utilities when major road improvement or reconstruction is proposed, if possible.

- CD4.3.3 Protect existing significant vegetation and landscaping that provides scenic value along with wildlife habitat and forage.
- CD4.3.4 Maintain an ordinance requiring replacement and maintenance when heritage tree removal is necessary for new development.
- CD4.3.6 Implement streetscape and other landscaping plans in the City's Area and Specific Plans.
- CD5.2.1 Encourage buildings to be oriented towards sidewalks, public plazas, walkways, or rivers and to include features such as public benches and natural seating areas.
- CD5.2.2 Encourage the incorporation of public benches and natural seating areas along public walkways and in public plazas and parks.
- CD5.2.4 Ensure that new and revised design guidelines encourage the use of pedestrian-scaled fenestration, awnings, entrances, landscaping, and other amenities.
- LU 1.1.2 Create incentives for the consolidation of underdeveloped parcels relative to development potential.
- LU1.2.1 Environmental review for specific projects shall be accompanied by sufficient technical data and reviewed by appropriate departments.
- LU2.3.1 Protect, maintain, and enhance publicly accessible coastal and open space areas.
- LU3.1.1 Encourage through incentives and expedited permit processing a variety of housing types, when appropriate.
- LU3.3.1 Amend the Zoning Ordinance to discourage strip commercial development in favor of clustered commercial and mixed-use development along transit corridors.
- LU3.7.1 Allow and encourage development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density.
- LU3.11.2 Ensure appropriate land uses and development standards that do not adversely impact adjacent open spaces.
- LU4.1.1 Support compact mixed-use development Downtown, along primary transportation corridors, and in employment centers.
- M1.1.1 Create walkable, transit-oriented activity centers throughout the city.
- M1.1.2 Connect activity centers with pedestrian and bicycle paths.
- M1.1.3 Implement pedestrian and bicycle improvements that support transit ridership.
- M1.4.2 Allow for future multi-modal use of future rights-of-way by protecting them from development.
- M2.1.2 Encourage use of alternative modes of transportation.
- M2.3.1 Design for and accommodate multiple transportation modes.
- M3.1.1 Seek ways to reduce vehicle trip demand and reduce the number of peak hour vehicle trips.
- M4.1.6 Enhance the pedestrian orientation of the Downtown Central Business District.
- M4.1.7 Require the site and building design facilitate pedestrian activity.
- M4.1.9 Require landscaping in the development, replacement, and repair of sidewalks, including the placement of trees on private property and/or in tree wells on sidewalks.
- ED1.1.6 Revitalize the Riverfront area.
- ED1.7.2 Diversify the range of visitor attractions in Santa Cruz, particularly those that draw on the city's unique natural and cultural assets.

- ED5.1.1 Provide for the development of supporting land uses adjacent to retail shopping areas, while assuring protection of existing residential neighborhoods.
- ED5.3.1 Provide for attractive commercial development (including more intensive and higher quality ground floor retail) along commercial corridors provided the uses are compatible with or transition easily to adjacent residential areas.
- ED5.5.1 Enhance Downtown as a welcoming and inviting destination for residents, visitors, and businesses.
- ED5.5.4 Create a distinctive and active pedestrian environment downtown
- ED5.5.5 Allow for the extension of café and retail uses within the public right-of-way, subject to design standards and management guidelines.
- HZ6.4.8 Minimize the alteration of natural floodplains, stream channels, and natural protective barriers that accommodate or channel floodwaters.
- PR1.1.3 Evaluate all lands, regardless of size, for their potential development as small parks, community gardens, or landscape lots.
- PR1.6.1 Maintain and enhance access for vehicles, transit, bicycles, and pedestrians.
- PR2.2.2 Encourage private sponsorship of special events and programs, historic events, joint projects, and cultural exchanges that involve and benefit the community.
- PR3.1.1 Provide recreational and educational opportunities within the open space lands and coastline consistent with adopted master or management plans.
- PR4.1.3 Maintain and enhance the recreational value of the San Lorenzo River walkway and the East and West Cliff Drive pathways
- NRC1.1.2 Where consistent with riparian and wetland protection, provide actual or visual access of a low-impact nature
- NRC1.1.1 Require setbacks and implementation of standards and guidelines for development and improvements within the city and adjacent to creeks and wetlands as set forth in the Citywide Creeks and Wetlands Management Plan.
- NRC1.3.1 Conserve creek, riparian, and wetland resources in accordance with the adopted City-wide Creeks and Wetlands Management Plan and the San Lorenzo River Plan.
- NRC2.2.1 As part of the CEQA review process for development projects, evaluate and mitigate potential impacts to sensitive habitat (including special-status species) for sites located within or adjacent to these areas.

DOWNTOWN PLAN FIRST PRINCIPALS

- Form and Character. New buildings should be allowed to develop individual character while retaining qualities of the historic townscape. Issues of articulation, materials, signage, setbacks, scale, massing, form, bulk, solar access and height are critical.
- Building Height. Buildings should maintain the scale and character of the existing downtown, with explicit criteria for additional height up to seven stories and provisions to ensure that buildings do not shade key public open spaces. Since this First Principle was established in 1991, the downtown development pattern has largely respected the existing two to three story development pattern with several taller buildings spaced throughout the Pacific Avenue Retail District, providing architectural variation. The 2017 update recognizes these taller buildings also contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development

without damaging the character of the City. The 2017 modifications to the Additional Height Zones have been carefully written to recognize the City's successful recovery from the 1989 Loma Prieta earthquake; preserving and enhancing the urban form of the City, without sacrificing the special human scale and character of downtown. New development will not be required to strictly adhere to a 2 and 3 story scale.

- Housing. Significant new housing opportunities should be targeted throughout the downtown, including Pacific Avenue, the San Lorenzo riverfront, and South of Laurel. Housing should be comprised of a mix of apartments and condominiums. SRO housing should be replaced and dispersed throughout the downtown area.
- Accessibility. A downtown that aesthetically integrates access as a primary design criterion for all improvements to ensure increased opportunities for the public to participate in commercial, governmental, residential, social and cultural activities.
- Open Space and Streetscape. A strong network of public and private open spaces (streets, sidewalks, public parks, plazas, passageways and courtyards) that creates a socially active and pedestrian-oriented downtown core should be emphasized.
- Circulation. Downtown should be predominantly pedestrian in nature; movement should be carefully structured to reinforce the character of the place. Pedestrian, bicycle, and transit access to the downtown should be enhanced.
- Parking. Parking in the downtown core should continue to be provided by the Parking District in a centralized fashion, to maximize shared use and minimize the quantity of stored vehicles.

SAN LORENZO URBAN RIVER PLAN (SLURP)

- Improve the scenic and recreational value of the Riverfront
- Improve public access and pedestrian/bicycle movement to and along the River
- Improve the urban and neighborhood interface with the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh
- Incorporate the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh into the surrounding urban fabric of downtown and neighborhoods.
- (Front Street – Significant Riverfront Areas (SRFA))
- SRFA-1: Require new development projects to incorporate design features that encourage active engagement with the Riverwalk such as; filling adjacent to the Riverwalk and landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk or providing a combination of these and/or other design features that support the resource enhancement and river engagement policies of the San Lorenzo River Plan.
- SRFA-2: Require new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and near Elm Street.
- SRFA-3: Maintain the ten-foot setback area between residential and commercial uses adjacent to the levee trail from the western edge of the trail. The area between the property line and the Riverwalk shall be filled to raise the adjacent ground-level use to a similar or higher elevation as the Riverwalk. The public lands between the Riverwalk and the private property may incorporate publicly accessible commercial or residential amenities, such as outdoor public seating. Trees planted as part of the San Lorenzo Flood Control Improvement

Project should be maintained and incorporated into new development where feasible and where not in conflict with the required fill or publicly accessible amenities.

Housing Blueprint – Downtown Housing Creation

- Focus City resources and staff to encourage construction or approval of units downtown with a specific focus on enabling projects in the current development pipeline to break ground.

City Council Two Year Workplan July 2017-June 2019

- Strategic Goal 1, Focus Area 4 – Downtown Projects: Approve 500-600 housing units in downtown.

Minimum Lot Size/Density/FAR

The proposal is to combine five parcels to result in a 42,684 square foot lot, which is greater than the minimum lot size of 5,000 square feet in the CBD zone district. There is no density range specified in the CBD zone district or in the Downtown Plan; however, the project site is subject to a Floor Area Ratio (FAR) range of 2.5 – 5 for the RVC/Downtown Santa Cruz General Plan designation. The proposal is to construct a 188,694 square foot building on a combined lot area of 42,684 square feet which results in a FAR of 4.4, which is at the high end of the permitted range and is in accordance with General Plan Policy LU3.7.1.

The application includes a request for a Density Bonus, therefore, it was necessary to determine the base density of the project site for the purposes of applying a Density Bonus. The applicant prepared base density plans, which reflected a fully-conforming mixed-use development at the project site and which established that the site can support a project with 133 residential units. The requested Density Bonus and Inclusionary Housing requirements are described below in the Affordable Housing section of this report.

Setbacks

The Downtown Plan requires that all new development within the Front Street/Riverfront Corridor is constructed to the property lines. There are exceptions that allow for generous landscaping at gateway areas, recessed areas, step-backs, and articulation (bay windows, balconies, architectural features, etc.) to break up building mass and that allow for the construction of full 12-foot wide sidewalks to be provided along Front Street. Development is encouraged along the property line at the Riverwalk side of the property as well. The proposal is to construct the building without a hard edge along the Front Street and Riverwalk property lines by incorporating slightly projecting and recessed architectural elements on each building face. These features include recessed storefronts and substantial archways and columns along the ground-floor, and balconies and variations in building wall on the upper floors. The only upper floor projections are the Front Street facing balconies that are consistent with the Downtown Plan in that they do not encroach greater than three feet over the public right-of-way. No portion of the buildings will encroach over the property line along the Riverwalk.

Uses

The project site is located within the Front Street/Riverfront Corridor, which is a subdistrict of the Downtown Plan area. The Downtown Plan describes the Front Street/Riverfront Corridor as

an area in need of redevelopment into a transitional area between the intensive commercial core along Pacific Avenue and the recreational resources provided by the San Lorenzo River. The plan encourages active ground-level uses such as retail and restaurants adjacent to Front Street, and upper floor residences and offices that take advantage of river viewsheds.

The proposal is to construct three mixed-use buildings that will be connected by ground floor and basement-level parking, and, in total, the development will include:

- Five ground-floor commercial tenant spaces and a leasing office/lobby facing Front Street;
- Three large commercial tenant spaces facing the Riverwalk in addition to three residential condos elevated five-feet above grade, and residential amenities including a game room, lounge, and fitness area.

Table 4-1 in the Downtown Plan identifies permitted ground level uses in the Front Street/Riverfront Corridor and Table 4-1 in the Downtown Plan identified permitted uses along the Riverwalk. There are some anticipated uses proposed as a part of the project that require the approval of Use Permits:

- The project includes a leasing office as ground floor uses along Front Street. The use is consistent with the criteria established in the Downtown Plan in that the use is not located along Pacific Avenue or within 75 feet perpendicular to Pacific Avenue; the use is compatible with planned ground level commercial uses and upper level residential uses in that the leasing office will directly serve the development, and the building meets the requirements in the Downtown Plan for storefront and building façade guidelines and is capable of being transformed to retail space in the future.
- The applicant indicates that they are in discussion with the owners of the 418 Project to relocate the business to the largest commercial space facing Front Street (Commercial Space C). The agreement has not been finalized; however, this permit includes a request for an Administrative Use Permit to allow for the dance performance center to be located along Front Street in the event that the business is relocated. The space is located on Front Street and is therefore not subject to the criteria in the Downtown Plan for instructional schools along Pacific Avenue or east-west street frontages. The instructional school is an appropriate use along Front Street in that the activity within would provide interest and enjoyment to pedestrians and would preserve a local business that is an established part of the community.
- The project includes a co-working space at the Riverwalk that would be provided as an amenity space for residents and would be made available to members of the public. This use is Principally Permitted in the Downtown Plan and is consistent with the criteria that the use will be compatible with ground and upper level planned uses in that the office space will serve residents and members of the public.
- The project includes a combined public/private fitness studio at the Riverwalk level that is intended to be provided as an amenity to residents and available to the public to rent for private fitness classes. The use is consistent with the criteria for Health/Fitness Studios in the Downtown Plan in that the proposed private/public use is consistent upper level residential uses.

The remaining, undefined commercial spaces will be designed and constructed to allow for food and drink service uses in addition to retail, and the applicant indicates that the commercial spaces are intended to be filled by businesses that are open to the public, that can take advantage of connected outdoor areas, and that have an active and engaging presence on the street and sidewalk. These types of uses and outdoor areas are highly encouraged for areas within the Downtown Plan and along the Riverwalk and are consistent with various goals and policies in the Downtown Plan for the development of the Front Street/Riverfront Corridor, including the Planning Principals and Strategies. Pursuant to Table 4-2 of the Downtown Plan, a tenant will be required to obtain approval of an Administrative Use Permit prior to the establishment of a retail use along the Riverfront to ensure that the use is consistent with the goal to activate the Riverwalk and to determine if the use will be compatible with surrounding residential and commercial uses.

Residential units as upper floor units are permitted and encouraged in the Front Street/Riverfront subarea of the Downtown Plan and adjacent to the Riverwalk as desirable uses. Specifically, the plan states, "Along Front Street, between Soquel Avenue and Laurel Street, the Downtown Plan promotes upper level residential uses, while encouraging commercial uses at the ground level facing Front Street and a mix of commercial and residential uses at the Riverwalk level and above." The residential units facing the Riverwalk comply with the requirements of the Downtown Plan in that they are elevated five feet above the grade of the Riverwalk and there are no entrances to the units facing the Riverwalk. Staff is supportive of the three residential units along the ground level of the Riverwalk because there is a mix of other uses that provide a greater level of activity that encourages pedestrian interest.

The Additional Height Zone of the Downtown Plan also includes goals for upper level residential uses and ground-level commercial uses along Front Street and specifically states, "The City also wishes to promote uses that foster activity and a sense of stewardship, allowing the area to evolve from a service district to an integral part of the overall downtown. In order to achieve this goal, residential uses are considered highly desirable upper-level uses, with active commercial and people-oriented uses at Front Street level."

Building Height

The entire project site is located with "Additional Height Zone B," which is a designation in the Downtown Plan that allows for buildings to exceed the maximum base height of 50 feet and three stories above ground floor commercial. The project site is between 15,000 and 50,000 square feet, therefore the project is eligible for a maximum height of 70 feet and five floors above required ground floor commercial. This specific area of Additional Height Zone B allows for buildings up to six-stories and 70 feet in height subject to specific criteria that are intended to "promote the appearance of multiple buildings of varying heights and to avoid the creation of large, monolithic buildings." The Downtown Plan also provides development standards such as building stepbacks, street frontage limitations, material, fenestration, and/or plane changes, and other horizontal and vertical design variation standards to absorb the height and mass of the building and to create a compatible relationship between adjacent buildings and the pedestrian environment. The proposal is to construct a seven-story, 77'9" tall building, which is greater than the six-story, 70 foot maximum height limit permitted in Additional Height Zone B, and the

applicant is requesting the additional height above 70 feet and six stories as an waiver associated with the Density Bonus request, which is further described below in the Affordable Housing Section.

The project is eligible for additional height in Additional Height Zone B in that the aggregate parcel size is greater than 15,000 square feet, the project site contains greater than 100 feet of frontage on Front Street, and the project is eligible for a density bonus. The project is consistent with the Additional Height Criteria for Approval provided in Section 4.H.2.b of the Downtown Plan in that:

- The additional height allows for additional housing units to be provided downtown, consistent with the First Principals of the Downtown Plan and lending to the concentration of new housing in a transit priority area.
- The development has been designed as three separate buildings to promote the appearance of a grouping of buildings rather than one monolithic building.
- The development includes the construction of two pedestrian passageways that will provide high-quality access between the downtown commercial core and Front Street to the Riverwalk.
- The project will achieve the following key community objectives: the addition of publically-accessible open space adjacent to the Riverwalk; affordable housing; a variety of different sized commercial spaces that can provide incubator space for small businesses; and Transportation Demand Management concepts.

The project is consistent with the Performance Criteria for Building Recessed Breaks in the Additional Height Zone B as described below:

- Building Recessed Breaks: In order to promote the appearance of multiple buildings, Additional Height Zone B requires developments to provide separations or breaks that are open to the sky and that are a minimum of 15 feet wide by 10 feet deep. The proposed project provides two pedestrian passageways that are 60 feet wide and 30 feet wide, respectively, and that are open to the sky and effectively create a clear separation between buildings.

The project is not consistent with the Performance Criteria for Skyline Architectural Variation in the Additional Height Zone B as described below:

- Skyline Architectural Variation: To promote skyline variation, the top floor of the building shall not exceed 60 percent of the floor area below or 60 percent of the building length as measured along Front Street or the Riverwalk. The project is not consistent with these requirements as shown in the table below:

North Building		
Required	**Proposed**	**Complies?**
Max. 7th floor Floor Area = 2,776.80 (6th floor FA= 4,628)	4,628 sq. ft. (100% of floor below)	No
Max. 7th floor building length = 36 feet (Bldg length = 60 feet)	49 feet (81% of building length)	No

Middle Building		
Required	**Proposed**	**Complies?**
Max. 7th floor Floor Area = 6,382 (6th Floor FA= 10,639)	8,681 sq. ft. (81.5% of floor below)	No
Max. 7th floor building length = 96 feet (Bldg length = 160 feet)	142 feet (88% of building length)	No

South Building		
Required	**Proposed**	**Complies?**
Max. 7th floor Floor Area = 5,104 (6th Floor FA= 8,507)	6,969 sq. ft. (81% of floor area)	No
Max. 7th floor building length = 84 feet (Bldg length = 140 feet)	130 feet (92.8% of building length)	No

The Downtown Plan says that: "Variation to the 60% floor area standard can be considered for projects that incorporate publicly accessible pedestrian connections to the Riverwalk." In this way, the code recognizes that a significant portion of the potentially developable area of a site is dedicated to a community serving improvement, and the plan allows for variations to these standards. The proposed project includes two pedestrian passageways which will meet the goals and policies in the General Plan, the Downtown Plan, and the San Lorenzo Urban River Plan, to connect the Riverwalk to the downtown core and to Front Street and to highlight the river as a natural urban amenity. For these reasons, the proposal to exceed the maximum top floor area and length are supported.

Riverwalk Extension Areas
The project includes fill between the building wall and the levee to expand the area at the top of the levee and adjacent to the Riverwalk to create more usable open space overlooking the river. The fill structure requires approval of a Section 408 permit by the Army Corps of Engineers, and while the permit application has been submitted, it has not yet been approved. A condition of approval is included that requires the applicant to submit evidence of permit approval prior to issuance of a building permit for any site disturbing activities.

The expanded area is currently and will continue to be located on city-owned property. Conditions of approval are included that require the applicant to obtain an easement over the fill structure for the maintenance of the structure and improvements within. For the improvements at the top of the levee, the property owner of the subject development will also be required to enter into a revocable license agreement with the city that will allow for the continued use of the property and that will establish the responsibilities for maintenance and public access. There are no specific activities or events proposed within the Riverwalk extension area as a part of this

project; however, these can be considered later through the use of Entertainment Permits. Conditions of approval are included that address lighting conditions, landscaping, and noise within the expanded Riverwalk area.

Design

The Downtown Plan provides specific development criteria for buildings over 50 feet in height, which is discussed in detail in the Building Height section above. The following analysis specifically addresses the proposed exterior design of the building which can also affect building massing.

The project consists of three buildings that are separated by two pedestrian passageways of 60 feet and 30 feet, respectively, and that are connected by an underground and at-grade parking garage. The buildings employ three architectural styles that provide differentiation to result in the look of three individual buildings but that are compatible and provide a unified appearance. The building massing steps back at the pedestrian passageways and at the front and rear elevations to reduce the perceived height of the building from the pedestrian view. Additionally, the proposed exterior design provides large commercial storefront assemblies at the ground level along Front Street and facing the Riverwalk to allow for transparency within the commercial or amenity spaces that will provide interest to pedestrians and encourage the movement of shoppers east from the downtown core to the Riverwalk. Exterior materials include plaster finishes, cementitious siding, and metal siding with accents of brick veneer, wood and steel balcony railings, and metal awnings. The proposed exterior colors are natural including sand and white with yellow and blue accents. The exterior materials are used consistently between the three buildings but are arranged differently to create separate identities.

As described above, the Historic Preservation Commission (HPC) voted to approve the demolition of two historic buildings to accommodate the development but also recommended that the front façades, or elements of the front facades of the historic buildings, are replicated onto the front façade of the new buildings. The developer has reviewed the historic evaluations prepared by the project historian and has chosen to replicate most of the primary historic characteristics of each building on the front facades including the facade's stepped cornice, curved parapet, and art deco detailing on the building at 418 Front Street and the streamlined horizontality and tile accents on the building at 428 Front Street. No design changes are proposed on the upper floors. As described by the HPC, the replicated facades do not meet the Secretary of the Interior's Standards for the Treatment of Historic Buildings but will provide a visual example of the demolished buildings that will enhance the interpretative display (See Figures 1 and 2 below).

Consistent with the Downtown Plan, the ground level design at Front Street and the Riverwalk provides areas of recess, substantial support columns, outdoor plazas, and transparency into commercial and amenity space to create a humanistic scale and warmth that will be experienced by pedestrians. The expanded Riverwalk area will provide for an area for lively future outdoor gatherings that overlook the San Lorenzo River as a natural amenity. The addition of residential units facing the Riverwalk will provide eyes on the levee and views of the river that will enhance the security of the Riverwalk.

Figure 1: 428 Front Street replication:

Figure 2: 418 Front Street replication:

The Downtown Plan and the Zoning Ordinance contain bird-friendly design guidelines that were developed as mitigation measures for impacts to sensitive species in the Downtown Plan EIR (Mitigation 4.3-2). The proposed design does not include areas of mirrored or reflective glass and there are no transparent skyways or walkways proposed which could result in bird impacts. The general notions of bird-friendly design indicate that the most common bird-impact areas occur in the first 40 feet of building height where there are large expanses of glass, particularly that reflect trees or other landscaping. Uplighting/spotlighting at landscaped areas are also known features that encourage bird strikes. The building will have frontage on the river and the proposed windows on the east wall could potentially reflect the riparian vegetation or the open space of the river area. Conditions of approval are included that require the use of bird-safe, ultraviolet, and/or patterned glass, or other material or method proven to discourage bird strikes, at the windows and balcony railings on the east wall of the building up to 40 feet in height with the exception of ground floor glass. Fritting, patterns, or other bird-safe designs may not be compatible for the first-floor given that visibility into the building is key to provide pedestrian interest and/or commercial viability. Furthermore, at this location, the first floor is unlikely to reflect open space or riparian vegetation, certainly to a much lesser extent than upper floors. Conditions of approval are also recommended that prohibit the use of uplighting or spotlights in the landscaped areas and adjacent to the Riverwalk.

Design and Development Variations

The Downtown Plan provides development standards and design guidelines for the Front Street/Riverfront Corridor, the Additional Height Zones, and all CBD zone district areas. The Downtown Plan also recognizes that the plan can never address or respond to all development scenarios and circumstances, thus it provides a Design Variation process by which an applicant can propose an alternative to the requirements. The Downtown Plan describes these as "slight variations" that must be minor in nature, must better achieve stated Plan and community objectives, and must receive a positive recommendation from the Planning Director with final approval by the City Council. The applicant is proposing one such variation to the following requirement:

> *Chapter 4, Section E.5(b): Pedestrian Focus. Such publicly accessible connections shall be predominantly pedestrian in nature and located within 50 feet of the Front Street intersections at the terminus of Cathcart Street and the extensions of Maple and Elm Streets. In addition to the pedestrian access, bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street.*

As described above, the project includes two pedestrian passageways between Front Street and the Riverwalk. The passageways meet the minimum widths required by the Downtown Plan and the northernmost passageway is located at the terminus of Cathcart Street which is also required by the Downtown Plan. As noted in the requirement above, the southernmost passageway is intended to provide a future extension of Elm Street and is therefore required to be within 50 feet of the future extension of Elm Street. The proposed design locates the southernmost pedestrian passageway between 80 and 100 feet from the future extension of Elm Street. This location is not consistent with the Downtown Plan requirements; however, the location is favorable to the

design because it more effectively breaks up the building mass into three separate buildings. If the passageway was relocated 30 feet to the south to the otherwise required location, the building mass would be shifted to the center building, creating a larger building mass along Front Street and a much narrower building south of the passageway with little to no room for ground floor commercial space, given the location of the driveway to the parking garage. The proposed design results in a more desirable balance of the sizes of the buildings and allows for the ground level of all three buildings to include sufficient ground floor commercial spaces. The Planning Director has reviewed the project design and recommends approval of the Design Variation to the City Council due to the advantages associated with the proposed location of the southernmost passageway.

Affordable Housing and Density Bonus

The project is a mixed-use development with greater than five residential units and includes a request for a density bonus; therefore, the required number of affordable units and level of affordability is dictated by a combination of the Inclusionary Housing requirements in Section 24.16.020(4) of the Zoning Ordinance and the affordability requirements for Density Bonus eligibility. As described above, there is no density range in the Central Business District (CBD) where the project site is located, so the base density was determined by developing plans for a fully conforming development, recognizing that the site development standards such as maximum building height, Floor Area Ratio, and required stepbacks limit the size of a development and the number of units within, in a similar way as a density range. The base plans concluded that the project site could support a maximum of 133 residential units above ground floor commercial given the size of units included in that base plan.

The subject application was deemed complete prior to the adoption of the current Inclusionary Ordinance and is subject to a 15 percent inclusionary requirement. Based on the base density of 133 units, the project is required to make 20 units available to low and moderate income households (80% - 120% AMI) at an affordable ownership cost. As an example, the income limits established by The U.S. Department of Housing and Urban Development (HUD) for FY 2020 in Santa Cruz County indicate a Low Income Limit of $106,200 for a family of four.

The proposal includes a request for a Density Bonus pursuant to Part 3 of Chapter 24.16 of the Zoning Ordinance. The Density Bonus section of the zoning ordinance is consistent with state law requirements that allow for an increase in the number of market rate units in a residential development commensurate the proposed percentage of affordable units. The applicant is proposing to make available 15 of the 20 required inclusionary units to households at the very low income level (50 percent AMI) and to continue to make available the remaining five inclusionary units to households at the low income level (80% AMI). This level of affordability allows for the project to be eligible for a 35 percent density bonus, or 47 additional units. However, the applicant is requesting 42 additional units which equates to a 31.58 percent density bonus.

Density Bonus state law indicates that this level of affordability also makes the project eligible for two incentives/concessions, unlimited density bonus waivers, and modified parking requirements.

Incentives/Concessions. At the Elm Street passageway, the elevator shafts on either side of the passageway encroach 10 feet into the required 10 foot stepback above 35 feet, as required in the Downtown Plan for the Front Street/Riverfront Corridor. The total area of the 10 foot stepback above 35 feet along each side of the Elm Street passageway is approximately 860 square feet. Each elevator shaft is ten feet wide and represents about 8.5 percent of the each stepback area. Section 24.16.255(2) allows for an applicant to seek approval of specified incentives/concessions without any requirement that the applicant demonstrate to the city that the requested incentive or concession results in identifiable and actual cost reductions to the project to provide for affordable ownership costs. One of the incentives/concessions listed in this code section is a 20 percent reduction in setback area and the applicant has requested two such reductions for the encroachment of the elevator shafts on each side of the Elm Street pedestrian passageways. The project is eligible for such incentives/concessions pursuant to the City's Density Bonus Ordinance and state law requirements, and no additional documentation is required.

Density Bonus Waivers. Section 24.16.255(4) allows for applicants to seek approval of a density bonus waiver or modification of development standards that will have the effect of physically precluding the construction of a housing development eligible for a density bonus. The applicant is requesting the following waivers to development standards:

- Waiver of stepback requirements to reduce required 10-foot stepbacks above 50 feet on Front Street for 50 percent of the building frontage from 180 feet (50%) to 74 feet (20.5%) based on the combined building frontage.
- Waiver of stepback requirements to reduce required 10-foot stepback above 50 feet on the Riverfront frontage to between 0 and 10 feet.
- Waiver of building height standards in Additional Height Zone B to increase maximum building height from 70 feet and 5 stories above ground floor commercial to approximately 77'9" feet and 6 stories above ground floor commercial

The applicant has demonstrated that compliance with the required stepback above 50 feet and the maximum height for Additional Height Zone B would physically preclude development of the project at the requested density of 175 units. The applicant has developed the project to and beyond maximum allowed design standards and has, in the process, designed a project with smaller units overall than in the base project and with fewer units than would be allowable with a 35-percent bonus, which supports the inference that the project would be physically precluded without the requested waivers. In addition, the applicant has demonstrated, through detailed drawings (Attachment F), that a reasonable alternative floor plan complying with both the stepback and height requirements reduces the total unit count, as follows:

- In Building No. 1, the project would lose a net of one studio apartment and three one-bedroom units;
- In Building No. 2, a one-bedroom unit would need to be converted to a studio apartment, with an additional loss of five one-bedroom units and one two-bedroom unit; and
- In Building No. 3, the project would lose a net of three studio apartments and four one-bedroom units.

This evidence is sufficient to meet the applicant's burden to show that without the requested waivers, the applicant would be physically precluded from developing a 175 unit project.

Parking
The proposed mixed-use development is located within the Downtown Parking District and is subject to the parking ratios provided in Resolution NS-29,538 which allow for a commercial parking ratio of 1 space per 400 square feet. Also, as described above, the project is eligible for a density bonus and, as a result, a modified parking standard for residential units equal to 0.5 spaces per bedroom. As demonstrated in the table below, the project results in a requirement for 148 on-site parking spaces (104 residential parking spaces and 44 commercial parking spaces); and the plans propose to provide 142 residential and 45 commercial parking spaces on the site within a two-story, basement and ground-level garage. There is no deficiency in the parking provided. All of the residential parking spaces provided are proposed to be reserved for use of the residential tenants only. Conditions of approval require that the garages provide all required Electric Vehicle Supply Equipment installed spaces (minimum 23 spaces).

Parking Requirements Per City Zoning Ordinance (Resolution NS-29,538 and Modified Standards Per Density Bonus Ordinance)			
# of Bedrooms	**# of Units**	**Parking Ratio**	**Vehicular Parking Required**
Studio	53	0.5/bedroom	26.5
1	89	0.5/bedroom	44.5
2	33	0.5/bedroom	33
Commercial	11,498 sq.ft.	1/400 sq.ft.	29
Commercial (inc. public/private amenity space)	6,059 sq. ft.	1/400 sq.ft.	15
		Total # of spaces required:	148 104 residential 44 commercial
		Total provided:	142 residential 45 commercial
		Deficient:	0

Traffic/Circulation
The Downtown Plan was amended in 2017 to allow for an expansion of the Additional Height Zones, which was intended to allow for increased density in the downtown area. A Trip Generation Analysis was prepared for the Downtown Plan EIR, which estimated the construction of 321 apartments on the block east of Front Street, which is the location of the subject project site. The estimates at that time indicated that future development on the block would likely result in 1,864 net daily trips. This estimate was calculated based on probable use with a 40-percent reduction to account for internal capture, pass-by trips, walkability, bikability, and the Metro Transit Center *(Downtown Plan Amendment, July 2017)*.

A Trip Generation Analysis (Kimley-Horn, dated July 2019) was prepared for the proposed project using The Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th*

Edition (2017). The project is estimated to generate a net of 854 daily trips, which includes trip credits for existing uses and a 40% reduction described above. This estimate is consistent with the Downtown Plan EIR in that it is less than the estimated increase of 1,864 net daily trips and represents only a portion of the entire block.

Public improvements are required as a part of the project to achieve the goals of the Downtown Plan, to meet the requirements in the Municipal Code, and to mitigate the impacts of the project per the Downtown Plan Amendments EIR. The project shall provide sidewalks, street trees, and light standards along the parcel frontage. The project will also require access improvements to and from the site and improvements to the public right of ways including but not limited to a 'right turn in/right turn out only' restriction at the garage entrance, a double gate system with a roll down gate located at the entrance and arms located at least 75 feet into the garage, card readers, and rapid gate system. The applicant will be required to participate, on a fair share basis, in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel and the applicant will be required to pay the full cost of signal revision at the Front/Metro/ project driveway intersection and will be required to complete such improvements as a part of the project. Additionally, the applicant will be required to participate on a fair share basis in the construction of a two way left-turn lane on Front Street.

Additional public improvement requirements include the improvement of the Riverwalk from Soquel Ave. through the project site and would include a new substantial asphalt concrete pathway section, widening of the Riverwalk pathway to 12 feet, a concrete parking pad for the service truck that will maintain the on-site private storm water system, and improved green bike lane striping across the two driveways.

The project will also be required to provide a Transportation Demand Management Program (TDM) to achieve reduced vehicle miles travelled consistent with Climate Action Plan and General Plan goals and objectives, including but not limited to:

- Provide at least one parking space for, and subsidizing if necessary, a car share program (i.e. zip car) in the publically accessible portion of the parking facility. If unable to secure a partnership with a car share program, this space shall be marked for carpool vehicles.
- Provide information to all residents to enroll in the Cruz511 commute management platform and provide city-provided alternative commute information to all residents. Require all non-residential uses to enroll in Cruz511/GO Santa Cruz TDM program. And provide GO Santa Cruz brochures to all new employees.
- Enter in to a contract agreement with METRO to provide reimbursable transit passes to all residents. For this option, the applicant is required to work with the Santa Cruz METRO to develop a reimbursable pass program. Desired program parameters include distribution of transit passes to all residents of the project, where project will reimburse METRO on a monthly/quarterly basis for all rides used. Final agreement will be between project sponsor and METRO and the city would receive annual reports of total ridership.

In additional to the above improvements, programs, and fees, the applicant will be required to pay Traffic Impact Fees (TIF) unless phased or deferred payment terms are approved by the Planning and Public Works' Directors. The Traffic Impact Fee is calculated by the Public Works Department prior to building permit issuance and is currently estimated at $254,000.

Bike Circulation
As described throughout the report, the project includes two pedestrian passageways that connect Front Street to the Riverwalk. One pedestrian passageway is located at the terminus of Cathcart Street and is 60 feet wide and the other is located at the approximate location of the terminus of the future extension of Elm Street and is 30 feet wide. Both passageways are designed with a stairway, however, bike access is provided with a bike rail and alternative public access to the Riverwalk is provided in an adjacent elevator at the interior of the building. If both the bike rail and elevator do not provide feasible access, the Riverwalk is also accessible at the Laurel Street bridge and the Soquel Avenue bridge, which are located at either end of the block. The bike rail is consistent with policy SRFA-2 in the San Lorenzo Urban River Plan (SLURP) which requires new development projects to incorporate pedestrian and/or bike connections between Front Street and the Riverwalk at appropriate locations such as the extensions of Maple Street and Elm Street.

Coastal Permit
The primary purpose of the Coastal Permit is to ensure that projects are consistent with the Local Coastal Plan policies as they relate to public access and maintaining natural resources and public views of the sea. The project site is located within the Downtown Plan area between Front Street and the San Lorenzo River. The south portion of the project site is located within the Coastal Zone and within the mapped appealable area. The building is proposed to be 77'9" tall and will be visible from the San Lorenzo River but will not likely be visible from the beach or the trestle at the river mouth. The public view from the San Lorenzo River levee is identified as a significant urban viewshed in the General Plan and the project will not impact the views of the river or the coast from the Riverwalk. The levee blocks the view of the river from the downtown area, therefore, the building will not impact existing views of the review from downtown. The development is anticipated in the Downtown Plan as infill development in an urban area and will meet the goals and policies in the Downtown Plan that encourage the development of upper floor residences to take advantage of river viewsheds and ground floor commercial uses that provide connectively between the downtown core, Front Street, and the river. The project will enhance visibility of and access to the river by creating attractive and active pedestrian paseos that lead to the levee level, and it will significantly expand the land area at the top of the levee and provide active uses along the levee, thereby improving the attractiveness of the area, increasing the number of eyes on the levee, enhancing safety on the levee, and encouraging more use of the levee trail along the river.

The project site is currently developed and is located within a developed urban area. An Archaeological Report was submitted which indicates that there is a low potential for archaeological resources on the property; however, standard conditions of approval are included that require reporting to occur if resources are discovered during construction. The project site, including proposed areas of disturbance along the outer edge of the levee, does not contain

sensitive or protected habitat; however, conditions of approval are included to ensure compliance with General Plan Action NRC2.2.1 and associated Table 1, that require the applicant to undertake bird nesting surveys if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. The project would have no effect on wildlife movement.

The project is consistent with several policies listed in the General Plan/Local Coastal Program 1990-2005:

- **GOAL EQ 2: Protect water quality of ocean, watershed lands, surface waters and ground water recharge areas from sedimentation, pollution, and salt-water intrusion.**
  The project is required to comply with the California Water Board Post Construction Stormwater Management Requirements (PCR's) for the management of runoff and erosion control. The project will utilize a filter treatment unit and a bio-retention basin area to satisfy water quality and runoff treatment requirements.
- **GOAL EQ 5: Implement, to the greatest degree possible, transportation strategies that reduce the consumption of fossil fuels, and energy strategies that increase energy-efficiency and energy conservation in all sectors of energy usage and which increase the production and use of renewable energy sources within the City.**
  The project site is located within a transit priority area where it is in close proximity to alternative forms of transportation such as the metro center and publically available rental bikes. The project site is also within walking and biking distance to commercial goods and services, employment opportunities, and recreational areas such as the beach, the boardwalk, the arena, the wharf and West Cliff Drive. The construction of residential units in a transit priority area will reduce the consumption of fossil fuels and encourage energy conservation by providing opportunities for reduced reliance on the automobile.
- **GOAL L2: Provide for a variety and balance of residential, commercial, and industrial land uses while protecting environmental resources and responding to changing community needs, interests, and development constraints.**
  As described above, the project site is located within a transit priority area which will address a changing community interest to reduce car ownership. The project site is located adjacent to the San Lorenzo River and new residential units and commercial areas will face the river which will encourage increased maintenance of the river and adjacent habit which will benefit the environmental resource while providing much needed housing for a variety of income levels.
- **GOAL L3: Protect the quality of, and prevent significant new incursion of urban development into, areas designated as open space or agricultural lands and provide, when possible, permanent protection of these lands, recognizing their value in inhibiting urban sprawl and maintaining City identity, as a natural resource with significant biotic resources and/or their potential for providing scenic, recreational and educational enjoyment.**
  The project will be located adjacent to the Riverwalk and the San Lorenzo River open space area and will only disturb the outer side of the levee and not the riparian habitat inside the river channel. The project will increase the width of the Riverwalk in the

project location to create additional, publically accessible open space area to enhance the river as a natural resource for scenic, recreational, and educational enjoyment. The project site is located in the downtown area which is a developed urban area, therefore the project will not contribute to urban sprawl or the degradation or minimization of open space area or agricultural lands.

- **GOAL L4: Plan community facilities and services to serve the projected population, allowing development only when adequate facilities and services are provided and are available to serve it.**
  While there are no community facilities proposed, the project does include the establishment of additional, publically-accessible, open space area at the Riverwalk to serve the community and all services and utilities are available to serve the development.
- **GOAL L5: Develop compatible relationships between land-use and circulation patterns and encourage land use patterns that encourage an efficient transportation system and discourage urban sprawl and excessive dependence on the automobile.**
  The project site is located in the downtown area which provides many opportunities for alternative transportation including walking/biking, the use of electric rental bikes, the use of public transportation, and the Riverwalk. The project will be in close proximity to commercial goods and services, employment uses, and recreational areas and will encourage an efficient transportation system and will lessen dependence on the automobile.
- **GOAL CD2: Protect and enhance the City's natural setting and scenic resources.**
  The project will protect and enhance the City's natural setting and scenic resources in that the project site is located in the downtown area which is a developed, urban area, and the project will not impact sensitive habitat associated with the river in that ground disturbance will only occur on the outside of the levee and not inside the river channel. The project will enhance the river as a scenic resource by expanding the area of the Riverwalk and by providing commercial uses and residential uses facing the river to activate the river for scenic, recreational, and educational enjoyment. The river is not currently visible from the downtown area due to the height of levee and the project will enhance this connectivity by providing two pedestrian pathways between Front Street and the Riverwalk.
- **GOAL C1: Develop a comprehensive, multi-modal circulation planning program that takes as its highest priority reduction of automobile trips by the creation of viable alternative transportation modes, effective transportation systems management programs, and integration of land-use and circulation planning.**
  The project site is located in the downtown area which is a transit priority area and which provides many options for the use of alternative forms of transportation. Many commercial services, goods, employment uses, and recreational areas and amenities will be able to be accessed by foot or bike. Conditions of approval require the applicant to prepare a Transportation Demand Management Program to achieve reduced vehicle miles travelled consistent with Climate Action Plan and General Plan goals and objectives.
- **GOAL C2: Develop and promote pedestrian travel as a viable transportation mode by developing and maintaining a safe, comprehensive, convenient, accessible and aesthetically pleasing pedestrian system.**

As described above, the project will promote pedestrian travel as a viable transportation mode in that the project site is located across Front Street from the metro center and the downtown commercial core and the beach recreational areas are within walking and biking distance of the development. The Riverwalk is located along the scenic river and provides access between Highway 1 and the coast.

- **GOAL ED4: Promote revitalization of the Downtown Central Business District as the City's center for commerce, office, culture, entertainment restaurant activity, and mixed use residential.**
  The development will add 175 residential units to the downtown area which will support businesses in the downtown vicinity and the new building will provide new commercial spaces on the ground floor and facing the river to support an extension of the downtown core to Front Street and the Riverwalk.
- **GOAL PR2: Ensure that adequate types, numbers and distribution of recreational facilities are available to residents of Santa Cruz.**
  The project site is surrounded by recreational activities that are within walking and biking distance and the development itself provides additional expanded outdoor, publically-accessible open space area at the Riverwalk.

Flood Zone Development

The site is in FEMA Flood Zone A99, which is an area with a one-percent annual chance of flooding that will be protected by a federal flood control system where construction has reached specified legal requirements. The City of Santa Cruz has worked to improve the flood capacity of the San Lorenzo River levees over the past twenty years. In 2002, FEMA re-designated much of the downtown and beach area from A-11 to the A-99 Flood Zone designation in recognition of the significant flood improvements resulting from the San Lorenzo River Flood Control and Environmental Restoration Project. As reported in the General Plan EIR, the project increased the height of the river levees and rehabilitated the three downtown bridges (over the San Lorenzo River) to increase flood flow capacity. Under the A-99 designation, new buildings and improvements are not mandated to meet FEMA flood construction requirements.

Health in All Policies (HiAP)

HiAP is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas. HiAP is based on 3 pillars: *equity*, *public health*, and *sustainability*. The goal of HiAP is to ensure that all decision-makers are informed about the health, equity, and sustainability impacts of various policy options during the policy development process. The project location encourages a sustainable and healthy lifestyle given the project's bikable/walkable nature due to its close proximity to commercial uses downtown and recreational amenities in the beach area. The site is also across the street from the Metro Station thereby further promoting sustainable transportation use by residents. The project will provide a variety of housing types (studios, one bedroom, and two bedroom units) at a variety of rental or ownership costs, including units available to low income and very low income households. The project is consistent with the HIAP directive, for the reasons described above regarding efficient use of land, healthy mobility options, and social diversity.

ENVIRONMENTAL REVIEW

An environmental checklist was prepared for the proposed project in support of the EIR Notice of Preparation (NOP). The purpose of the checklist was to evaluate the impact categories covered in the City's certified Downtown Plan Amendments EIR and General Plan 2030 EIR to determine whether the project's impacts had been adequately analyzed in previous EIRs pursuant to CEQA or whether any new significant impacts peculiar to the project or project site would result. Where an impact resulting from the project was previously adequately analyzed, the review provides a cross-reference to the pages in the Downtown Plan Amendments EIR and/or General Plan EIR where information and analysis may be found relative to the environmental issue listed under each topic. The checklist also identifies whether the project involves new significant impacts or substantially more severe impacts than analyzed in the Downtown Plan Amendments EIR and/or General Plan EIR or new significant impacts not peculiar to the site or project. The checklist concluded that cultural resources (historical resources) and energy required additional analysis. As a result of the EIR scoping process, the City also chose to further analyze issues related to biological resources, geology/soils, and land use in the EIR. The EIR also evaluates topics required by CEQA and CEQA Guidelines for all EIRs, including growth inducement, project alternatives, and cumulative impacts.

Pursuant to State CEQA Guidelines section 15121, an EIR is an informational document to inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency. While the information in the EIR does not control the ultimate decision about the project, the agency must consider the information in the EIR and respond to each significant effect identified in the EIR by making findings pursuant to Public Resources Code section 21081.

Pursuant to CEQA (Public Resources Code section 21002), public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures, which would substantially lessen the significant environmental effects of such projects. Pursuant to section 15021 of the State CEQA Guidelines, CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. According to the State CEQA Guidelines, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. This section further indicates that CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors, and an agency shall prepare a "statement of overriding considerations" as to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

The EIR concluded that significant and potentially significant environmental impacts resulting from the project can either be substantially lessened or avoided with implementation mitigation measures included in the EIR, except for impacts to historical resources which cannot be mitigated to a less-than-significant level and remains significant and unavoidable.

CEQA Guidelines require that an EIR describe and evaluate alternatives to the project that could eliminate significant adverse project impacts or reduce them to a less-than-significant level, and the EIR evaluated two alternatives in addition to the required No Project Alternative. The three alternatives considered in the EIR are: 1) Partial Preservation – Incorporate facades into project design; 2) Relocation of Historic Buildings; and 3) The No Project Alternative – Required by CEQA.

1) Partial Preservation

This alternative involves the partial preservation of the existing historic buildings on the site through retention of the primary historic building facades and incorporating them into the new building. This alternative would involve the preservation of the primary street facades and the demolition of all secondary facades, structure, foundations, and roofs. The street facades would be disassembled in eight- to ten-foot-wide segments, stored at a different location, and re-assembled and incorporated into the Project after completion of subsurface work. As indicated above, it is not possible to retain the facades in place during construction. Under this alternative, there would be no change to the proposed Project uses and site layout, except the design would be altered to incorporate the building facades of the existing on-site historic buildings. Alternative 1 would retain a number of character-defining features of the historic resources, however, it would not retain the buildings' character-defining massing or height as volumetric structures. Thus, the buildings' significant architectural styles would be conveyed in the features of their facades, but their representation as whole buildings would be compromised. Furthermore, the massing, size, and scale of the new seven-story buildings to be constructed behind the historic primary façades would not be compatible with the one-story historic resources, and the Project would not be in compliance with the Secretary of the Interior's Standards for Rehabilitation. In addition, it would not be feasible to reconstruct the facades in the exact locations of the existing buildings without requiring a new opening to be provided in order to accommodate the mid-block passageway. Review by the Project structural engineer indicates that this process can be accomplished; however, the overall cost of the process is unknown, so it is difficult to fully assess the impact of that cost on the viability of the Project. However, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the costs for implementing Alternative 1 likely will have a greater negative impact on project feasibility than would have been likely under pre-COVID-19 conditions. For these reasons, Alternative 1 would at best only slightly lessen the significant impact of the Project. Under this alternative, the identified significant unavoidable impact related to historical resources would be slightly lessened but would not be reduced to a less-than-significant level and the project may not be financially viable under this alternative.

2) Relocation of Historic Buildings

Alternative 2 involves the relocation of the two historic buildings to a new site. Under this alternative, there would be no change to the proposed Project uses and site layout. Due to the nature of the historic buildings' perimeter concrete and CMU walls on non-structural slabs on grade, this alternative would involve deconstruction followed by reconstruction. More specifically, it would involve vertical shoring and bracing of the structures' roofs and walls;

removal of existing roofing material; salvaging the roof beams, trusses, and interior columns and supports; and disassembly of all perimeter walls into eight- to ten-foot sections. These materials would be delivered to a new site. Floor slabs, non-structural partition walls, and existing foundations would be demolished and recycled. New foundations and floor slabs would be built at the new site, and all salvaged elements would be reassembled. The buildings would be reconstructed as close to their original forms as possible, while upgrading the buildings to meet current building codes. The new location would need to be similar to the existing historic setting which is downtown Santa Cruz. There are no known vacant properties in the downtown area that are not part of a planned future development. Other properties in the vicinity of the Project site that are also located adjacent to the San Lorenzo River are currently developed and/or could be redeveloped in the future under the City's adopted *Downtown Plan*. Therefore, it appears that there are no downtown sites that could accommodate relocation of the two structures. In addition, there are no other nearby sites owned by or potentially available to the applicant that could be used. Another key factor in determining the feasibility of relocation as a viable alternative is determining if the buildings can be physically moved, the process of which is described above. While this option is theoretically possible, review by the project structural engineer concluded that it may not be economically or logistically feasible due to the nature of the existing structures (size, material used, and type of construction). Preliminary estimates to disassemble, move, re-assemble, and bring to near current standard will be an eight-figure cost, excluding the cost of land acquisition. In addition, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the significantly higher costs to implement Alternative 2, even assuming an acceptable alternative site were available, are likely to have an even greater impact on project feasibility than would have been likely under pre-COVID-19 conditions. Under this alternative, the identified significant unavoidable impact related to historical resources would be substantially lessened and potentially reduced to a less-than-significant impact if the relocated structure could comply with the Secretary of Interior Standards for Reconstruction, and if not, the impact would not be reduced to a less-than-significant level. Additionally, the project may not be financially viable under this alternative.

3) No Project Alternative

Section 15126.6(e) of the State CEQA Guidelines requires that the impacts of a "no project" alternative be evaluated in comparison to the proposed project. Section 15126(e) also requires that the No Project Alternative discuss the existing conditions that were in effect at the time the Notice of Preparation was published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. For the purpose of the Alternatives discussion, the No Project Alternative assumes that in the foreseeable future, another project to redevelop the site could be proposed. However, it is noted that no redevelopment of the project site would be inconsistent with the General Plan and Downtown Plan forecasts and intentions for redevelopment of the site and project area. Given adopted City plans for the area, another development project may be proposed for the project site in

the future, although the type and amount of development that may be proposed is unknown at this time.

The No Project Alternative would not result in construction of the proposed project and none of the impacts identified in the EIR would occur. No new significant impacts would occur under this alternative. Since redevelopment of the downtown area, including the project properties, is encouraged in the City's adopted Downtown Plan to provide additional residential uses, it is likely that some form of a mixed-used commercial-residential project would be proposed at some point in the future, although the type and timing of such a project are not known. However, some of the impacts identified in this EIR could result at some unknown time in the future and at an unknown magnitude depending on the development proposal. It is also noted that there are some public improvements and amenities proposed as part of the project that would not occur under the No Project Alternative, e.g., improved access to the Santa Cruz Riverwalk and an expanded outdoor river area. Thus, the No Project Alternative would not accomplish goals set forth in the Downtown Plan regarding improvements along the Riverwalk, including improved access.

In accordance with CEQA, it is recommended that despite the occurrence of significant unavoidable environmental effects associated with the project as mitigated, there exist certain overriding economic, social and other considerations for approving the project that outweigh the occurrence of the significant unavoidable impact to historical resources. These recommended findings are contained in the attached statement of overriding considerations.

Applicable policies and mitigation measures from the General Plan 2030, General Plan 2030 EIR, Downtown Plan, and Downtown Plan Amendments EIR have been incorporated into the project or are included as conditions of approval.

The full Draft and Final Environmental Impact Report volumes, which together constitute the project EIR, are available for viewing on the City's website at: www.cityofsantacruz.com/ceqa

SUMMARY AND RECOMMENDATION

The project will allow for the construction of a seven-story building with ground-floor commercial uses and 175 upper-level, residential units. The project will result in infill development within the downtown area and in close proximity to the metro station, commercial services, personal services, other employment uses, and recreational areas and amenities. The Downtown Plan specifically envisions the proposed development in the subject location and the development is consistent with the goals and policies provided in the Downtown Plan and the General Plan for the redevelopment of Front Street, for the connection between the Pacific Avenue commercial core and the Riverwalk, and for the revitalization of the river as a natural amenity. The design of the building is consistent with the design requirements in the Downtown Plan to separate building masses and to provide distinct designs that convey a grouping of buildings. The development has been redesigned to meet the recommendations of the Historic Preservation Commission by incorporating some of the details of the historic building facades into the front façade of the building. Staff recommends that the Planning Commission

recommend that the City Council certify the Environmental Impact Report and recommend approval of the Nonresidential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Coastal Permit, Revocable License for an Outdoor Extension Areas, Heritage Tree Removal Permit, and Street Tree Removal for the proposed project based on the Findings below and the Conditions of Approval in Exhibit A.

Submitted by:	Approved by:
Samantha Haschert Principal Planner	Eric Marlatt Assistant Director

Attachments:

A. Draft City Council EIR Certification Resolution
B. Draft City Council EIR Findings, MMRP, Statement of Overriding Considerations
C. Draft City Council Zoning Permits and Conditions of Approval Resolution
D. Project Plans, prepared by Humphreys and Partners Architects L.P, Architecture and Planning; Jon Worden, Architect; The Guzzardo Partnership Inc., Landscape Architect; and BKF Engineers, Civil Plans.
E. Historic Preservation Commission Staff Report, dated 8/5/2020
F. Stepback diagrams supporting Density Bonus waivers
G. Public Comments (Additional public comments attached to the Historic Preservation Commission staff report)

RESOLUTION NO. NS-xx,xxx

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA CRUZ CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT FOR THE
RIVERFRONT PROJECT

WHEREAS, a Notice of Preparation ("NOP") of an Environmental Impact Report ("EIR") for the Riverfront Project (the "Project") was issued by the Planning and Community Development Department of the City of Santa Cruz on November 20, 2019; and

WHEREAS, an EIR Scoping Meeting was held on December 4, 2019 to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft Environmental Impact Report ("DEIR" or "Draft EIR") was prepared and issued for agency and public review and comment on May 11, 2020, for a 45-day review period that ended on June 24, 2020; and

WHEREAS, seventeen (17) comment letters were received on the Draft EIR from private individuals as well as private and public entities; and

WHEREAS, a Final Environmental Impact Report ("FEIR" or "Final EIR"), incorporating all comments received on the DEIR and responses to comments was issued on July 27, 2020; and

WHEREAS, the complete Final EIR consists of the May 2020 Draft EIR, comments received on the document, and responses to comments contained in the July 2020 FEIR, modifications made to the text of the Draft EIR that are also included in the FEIR, appendices to the Draft and Final EIRs, and all documents and resources referenced and incorporated by reference in the EIR; and

WHEREAS, the FEIR has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs.

Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Historic Preservation Commission held a public hearing on the Project and the FEIR on August 5, 2020 and issued recommendations to the City Council; and

WHEREAS, the Planning Commission held a public hearing on the Project and the FEIR on September 3, 2020 and issued recommendations to the City Council; and

WHEREAS, the City Council considered the FEIR at a public meeting on ___ , 2020;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

- The City Council certifies that the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and local procedures adopted pursuant thereto.
- The City Council hereby finds that the Final EIR reflects the independent judgment and analysis of the City Council, as required by Public Resources Code Section 21082.1.
- The City Council has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received prior to adopting this resolution.
- The City Council therefore hereby certifies the Final Environmental Impact Report for the Project.

PASSED AND ADOPTED this_____day of_____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

RESOLUTION NO. NS-xx,xxx

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADOPTING FINDINGS OF FACT, A MITIGATION MONITORING AND REPORTING PROGRAM AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE RIVERFRONT PROJECT

WHEREAS, a Notice of Preparation ("NOP") of an Environmental Impact Report ("EIR") for the Riverfront Project (the "Project") was issued by the Planning and Community Development Department of the City of Santa Cruz on November 20, 2019; and

WHEREAS, an EIR Scoping Meeting was held on December 4, 2019 to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft Environmental Impact Report ("DEIR" or "Draft EIR") was prepared and issued for agency and public review and comment on May 11, 2020, for a 45-day review period that ended on June 24, 2020; and

WHEREAS, seventeen (17) comment letters were received on the Draft EIR from private individuals as well as private and public entities; and

WHEREAS, a Final Environmental Impact Report ("FEIR" or "Final EIR"), incorporating all comments received on the DEIR and responses to comments was issued on July 27, 2020; and

WHEREAS, the FEIR has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, the Guidelines for Implementation of the California Resources Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Historic Preservation Commission held a public hearing on the Project and the FEIR on August 5, 2020 and issued recommendations to the City Council; and

WHEREAS, the Planning Commission held a public hearing on the Project and the FEIR on September 3, 2020 and issued recommendations to the City Council; and

WHEREAS, on _____, 2020, the City Council in Resolution No. _____ certified the FEIR for the Project; and

WHEREAS, the complete Final EIR consists of the May 2020 Draft EIR, comments received on the document, and responses to comments contained in the July 2020 FEIR, modifications made to the text of the Draft EIR that are also included in the FEIR, appendices to the Draft and Final EIRs, and all documents and resources referenced and incorporated by reference in the EIR; and

WHEREAS, the Final EIR identified certain significant and potentially significant adverse effects on the environment, including cumulative impacts to which the Project would make a cumulatively considerable contribution; and

WHEREAS, the Final EIR outlined various mitigation measures that would substantially lessen or avoid the Project's significant effects on the environment, as well as a reasonable range of feasible alternatives, which would provide some environmental advantages over the Project; and

WHEREAS, the City of Santa Cruz is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible Project alternatives that can substantially lessen or avoid any significant environmental effects of a proposed Project; and

WHEREAS, Public Resources Code Section 21081, subdivision (a), requires a public agency, before approving a Project for which an EIR has been prepared and certified, to adopt findings specifying whether mitigation measures and, in some instances, alternatives discussed in the EIR, have been adopted or rejected as infeasible; and

WHEREAS, Sections I through X of Exhibit A to this Resolution is a set of Findings of Fact prepared in order to satisfy the requirements of Public Resources Code section 21081, subdivision (a); and

WHEREAS, as the Findings of Fact explain, the City Council, reflecting the advice of City and Agency Staff, the Planning Commission, and extensive input from the community, has expressed its intention to approve the proposed Project in spite of its significant environmental impacts; and

WHEREAS, in taking this course, the City Council has acted consistently with the CEQA mandate to look to feasible Project mitigations and/or alternatives as a means of substantially lessening or avoiding the environmental effects of the Project as proposed; and

WHEREAS, some of the significant and potentially significant environmental effects associated with the Project, as approved, can either be substantially lessened or avoided through the inclusion of mitigation measures proposed in the Final EIR; and

WHEREAS, the City Council in approving the Project as proposed intends to adopt all mitigation measures set forth in the Findings of Fact; and

WHEREAS, those significant effects that cannot be avoided or substantially lessened by the adoption of feasible mitigation measures will necessarily remain significant and unavoidable; and

WHEREAS, the City Council has determined, based on the reasons and substantial evidence set forth in the Findings of Fact, that none of the alternatives addressed in the Final EIR are feasible and environmentally superior to the Project, except that Alternative 1, is the designated environmentally superior alternative as determined under CEQA, but it is not feasible based on the Findings set forth below; and

WHEREAS, Public Resources Code Section 21081, subdivision (b), and CEQA Guidelines section 15093 require the Agency to adopt a "Statement of Overriding Considerations" before approving a project with significant unavoidable environmental effects; and

WHEREAS, the City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant unavoidable environmental effects associated with the Project as mitigated and adopted, there exist certain overriding economic, social and other considerations for approving the Project that the City Council, in its legislative capacity, believes justify the occurrence or potential occurrence of those impacts and render them acceptable; and

WHEREAS, Section IX of Exhibit A attached hereto is a Statement of Overriding Considerations specifying the economic, social and other benefits that render acceptable the significant unavoidable environmental effects associated with the mitigated Project; and

WHEREAS, the City Council recognizes the City's obligation, pursuant to Public Resources Code Section 21081.6, subdivision (a), to ensure the monitoring of all adopted mitigation measures necessary to substantially lessen or avoid the significant effects of the Project; and

WHEREAS, Exhibit B to this Resolution is the Mitigation Monitoring and Reporting Plan prepared in order to comply with § 21081.6, subdivision (a);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

In approving this Resolution, the City Council adopts Sections I through VII of Exhibit A attached hereto in order to satisfy its obligations under Public Resources Code sections 21002 and 21081, subdivision (a);

In approving this Resolution, the City of Santa Cruz adopts Section IX of Exhibit A attached hereto in order to satisfy its obligations under Public Resources Code Sections 21081, subdivision (b), and CEQA Guidelines section 15093;

In approving this Resolution, City Council adopts Exhibit B attached hereto in order to satisfy its obligations under Public Resources Code Section 21081.6, subdivision (a); and

The City Council hereby approves the Project and directs City Staff to file with the County Clerk and the Office of Planning and Research in Sacramento a Notice of Determination commencing the 30-day statute of limitations for any legal challenge to the Project based on alleged non-compliance with CEQA.

PASSED AND ADOPTED this____day of_____2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

EXHIBIT A

CEQA FINDINGS OF FACT

and

STATEMENT OF OVERRIDING CONSIDERATIONS

OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ

for the

RIVERFRONT PROJECT

August __, 2020

I.
INTRODUCTION

The City of Santa Cruz ("City"), as lead agency, prepared an Environmental Impact Report ("EIR") for the Riverfront Project ("the Project"). In its entirety, the EIR consists of the May 2020 Draft EIR ("Draft EIR" or "DEIR") and the July 2020 Final EIR ("Final EIR" or "FEIR"). The EIR is a project-level EIR pursuant to Section 15161 of the State "CEQA Guidelines" (Cal. Code Regs., tit. 14, § 15000 et seq.). The project consists of demolition of existing commercial buildings and construction of a mixed-use building with 175 residential condominium units and 11,498 square feet of commercial space. (DEIR, p. 1-2.)

These findings, as well as the accompanying statement of overriding considerations in Section IX, *infra*, have been prepared in accordance with the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and its implementing guidelines, the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), and the City of Santa Cruz CEQA Guidelines. The FEIR is hereby incorporated by reference to this resolution and this attachment.

II.
PROJECT DESCRIPTION

A. Location

The City of Santa Cruz is located along the northern shore of Monterey Bay, approximately 75 miles south of San Francisco, 25 miles south of San Jose and 40 miles north of Monterey (see Figure 1-1 in DEIR). The Project site is located in the developed downtown area of the City. The approximately 0.98-acre (42,684-square-foot) Project site encompasses five parcels along Front Street and adjacent to the San Lorenzo River levee, at 418, 428, 440, 504, and 508 Front Street (APNs 005-151-39, -22, -30, -31, -50). The Project site also includes approximately 15,500 square feet of City owned property on the landward side of the San Lorenzo River levee. The Project site is partially located within the coastal zone and is located approximately 0.6 miles north of the Monterey Bay. The Project site is shown on Figure 1-2 in the DEIR. The portion of the Project site located in the coastal zone is shown on Figure 2-1 in the DEIR.

The Project site is bounded by a parking lot/business just north of Cathcart Street on the north, the Santa Cruz Riverwalk/San Lorenzo River on the east, a commercial building operating as the Santa Cruz Fellowship Hall on the south, and Front Street on the west. The site currently contains three one-story commercial buildings and at-grade, paved parking lots with associated areas of landscaping. Existing uses on the Project site include a mix of restaurant and service commercial uses and parking lots, including the non-profit movement arts center, The 418 Project. The existing building square footage totals approximately 20,820 square feet, and the existing parking lot totals approximately 21,750 square feet. (DEIR, p. 3-1.)

B. Overview

The Riverfront Project consists of demolition of existing commercial buildings and the construction of a seven-story, mixed-use building with 175 residential condominium units and 11,498 square feet of ground floor and levee-front commercial space. A total of 20 residential units would be designated as affordable housing, with 15 units for very-low-income households and 5 units for low-income households. The Project applicant is seeking a 35-percent density bonus pursuant to state and local law (Government Code Section 65915 and City of Santa Cruz Municipal Code Chapter 24.16, Part 3). Access, parking and levee improvements are proposed. (DEIR, p. 3-4.)

C. Project Objectives

The objectives of the proposed Project provided by the City are as follows; those provided by the Applicant are identified as such:

1. Develop a mixed-used commercial-residential project that supports the following First Principles of the Downtown Plan:
    a) *Form and Character.* Construct new buildings with individual character and architectural articulation.
    b) *Building Height.* Develop a project with buildings that meet the criteria for additional height as the 2017 Downtown Plan update recognizes that taller buildings contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City.
    c) *Housing.* Provide a significant new housing opportunity along the San Lorenzo riverfront, north of Laurel and adjacent to regional transit center.
    d) *Accessibility.* Develop a project that aesthetically integrates access to the site, the San Lorenzo River, and downtown.
    e) *Open Space and Streetscape.* Develop a project that creates public plazas in the form of two pedestrian passageways and open space areas along the riverfront to contribute to a socially active and pedestrian-oriented downtown.
    f) *Circulation.* Construct a housing project in the downtown area that includes project improvements such as increased sidewalk width and pedestrian passageways between the downtown and the Riverwalk in support of a primarily pedestrian-oriented downtown, and that places residents in close proximity to employment opportunities, goods, and services to encourage pedestrian, bicycle, and transit movement.

2. Support the goals of the City of Santa Cruz 2015-2023 Housing Element by:
    a) Developing a project that provides diversity in housing types and affordability levels to accommodate present and future housing needs of Santa Cruz residents.
    b) Developing a project that provides a greater level of affordability than that which is required by the City's Inclusionary Ordinance by utilizing the state Density

Bonus Law to feasibly maximize the number of affordable units that can be approved. (*Applicant Objective*)

c) Construct a project that will contribute to the City's housing needs while promoting an environmentally sustainable, compact community within the Downtown area. (*Applicant Objective*)

3. Provide a mixed-use, transit-priority, pedestrian-oriented project that supports the regional Sustainable Communities Strategies and other City and statewide goals and actions to reduce greenhouse gas emissions and respond to global warming and climate change.

4. In support of San Lorenzo Urban River Plan and Local Coastal Program policies, provide a new development that incorporates design features that encourage active engagement with the Riverwalk, including filling the area adjacent to the Riverwalk with landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk.

5. Construct a project that incorporates pedestrian and/or bicycle connections between Front Street, the Riverwalk, Cathcart Street, and the future extension of Elm Street. (*Applicant Objective*)

6. Provide new and improved public access to the San Lorenzo River through provision of attractive connections to the San Lorenzo River with the development of key east-west public passageways between Front Street and the Riverwalk and a second pedestrian passageway south of the Cathcart Street passageway, consistent with Section 30211 of the Coastal Act, the Downtown Plan, and the San Lorenzo Urban River Plan.

7. Construct a mixed use project that includes wide breaks between buildings to reduce building mass and to retain views to the river levee from Pacific Avenue.

8. Develop a project adjacent to the Riverwalk that is designed to prevent impacts to the adjacent sensitive San Lorenzo River and that will result in clean-up of degraded areas along the back of the levee and so promote public health and safety.

9. Provide greatly enhanced public access to the San Lorenzo River through provision of a new landscaped terrace that provides an amenity and contributes to the open space character and safety along the Riverwalk.

10. Maintain a financially viable project design through the administrative review and approval process to help assure that the project will be constructed. (*Applicant Objective*). (DEIR, pp. 3-2 to 3-4.)

Based on its own review of the EIR and other information and testimony received in connection with the project, the City Council finds these objectives to be acceptable. In choosing to approve the project, the City thus accords these objectives significant weight in considering the feasibility of alternatives analyzed in the EIR, and in invoking overriding considerations in approving the

project. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001–1002 (*CNPS*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507–1508; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*).)

D. Project Description

The proposed Project consists of construction of a seven-story, mixed-use project with residential and commercial uses. The new mixed-use building would be approximately 188,692 gross square feet (GSF). The Project would consist of three buildings, including a parking garage with two levels of parking (one partially below ground and one at grade with Front Street), eight ground-floor commercial units (five on Level 1 along Front Street and three on Level 2 along the Riverwalk) totaling approximately 11,498 square feet, and 175 residential condominium units on the upper six floors. The Project's floor area ratio (FAR) would be 4.4, which is within the allowed FAR for the RVC land use designation established in the General Plan, which allows a FAR of up to 5 in the downtown area.

The proposed residential units include 53 studios, 89 one-bedroom units, and 33 two-bedroom units (approximately 118,285 square feet) on levels two through seven. In addition, the new buildings would include 2,489 square feet of amenity space for residents, such as a lounge, game room, and fitness space; 2,489 square feet of private rooftop outdoor space for the residential units; and 1,568 square feet of lobby space.

The three buildings would be arranged on the site from north to south and would be separated by two pedestrian passageways, providing two publicly accessible connections and plazas adjacent to the Riverwalk with about 15,493 square feet of new public space. The upper floors include "stepbacks" from the street and upper level outdoor deck for the residents. Conceptual Project building elevations that show a conceptual design are provided on Figures 3-2A and 3-2B of the DEIR.

The proposed building height is 81 feet with six stories above the ground floor. Per the Downtown Plan, a project that is located within Additional Height Zone B, is located on a parcel greater than 15,000 square feet and is eligible for a density bonus, is also eligible for additional height up to 70 feet and a maximum of five floors above commercial. The Project meets these requirements for additional height, and the additional 11 feet in height is requested as part of a proposed density bonus as explained in the DEIR.
(DEIR, p. 3-4 through 3-5.)

III.
ENVIRONMENTAL REVIEW PROCESS

In accordance with section 15082 of the CEQA Guidelines, the City issued a Notice of Preparation ("NOP") of a Draft EIR on November 20, 2019. Pursuant to CEQA Guidelines sections 15023, subdivision (c), and 15087, subdivision (f), the State Clearinghouse in the Office

of Planning and Research was responsible for distributing environmental documents to State agencies, departments, boards, and commissions for review and comment. The City followed required procedures with regard to distribution of the appropriate notices and environmental documents to the State Clearinghouse. The State Clearinghouse made that information available to interested agencies for review and comment. The NOP was circulated for a 30-day review period on November 20, 2019. Additionally, one EIR Scoping Meeting was held on December 4, 2019 to receive comments regarding the scope of issues to be addressed in the EIR. The NOP and all comments received on the NOP are presented in Appendix A of the Draft EIR. (DEIR, p. 1-7.)

The EIR includes an analysis of the following issue areas:

- Biological Resources
- Cultural and Tribal Cultural Resources
- Geology and Soils
- Energy Conservation
- Land Use
- CEQA-Required Sections: Significant Unavoidable Impacts, Significant Irreversible Changes, Growth Inducement, Cumulative Impacts, and Alternatives

On May 11, 2020, the City released the Draft EIR to public agencies, other interested parties, the general public, and the State Clearinghouse for a 45-day public review period that ended on June 24, 2020. (DEIR, p. 1-7.) The Final EIR was published on July 27, 2020. The Historic Preservation Commission held a public hearing on the historic alteration permit on August 5, 2020. The Planning Commission held a public hearing on the project and Final EIR on _____, 2020. The City Council held a public hearing on the project and Final EIR on _____, 2020.

IV.
RECORD OF PROCEEDINGS

In accordance with Public Resources Code section 21167.6, subdivision (e), the record of proceedings for the City's decision on the project includes the following documents:

The NOP (November 2019), including related comments from agencies, organizations and individuals, and all other public notices issued by the City in conjunction with the project;

The Draft EIR for the project (May 2020) and all appendices, as well as all documents cited or referenced therein;

The Final EIR for the project (July 2020) and all appendices, as well as all documents cited or referenced therein;

Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the project;

Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;

Any and all resolutions adopted by the City regarding the project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;

Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;

Any documents expressly cited in the Draft and Final EIRs and these findings, in addition to those cited above; and

Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The City Council has relied on all of the documents listed above in reaching its decision on the project, even if not every document was formally presented to the City Council or City Staff as part of the City files generated in connection with the project. Without exception, any documents set forth above not found in the project files fall into one of two categories. Many of them reflect prior planning or legislative decisions of which the City Council was aware in approving the General Plan 2030 project. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391–392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents informed the experts who provided advice to City Staff or consultants, who then provided advice to the City Council. For that reason, such documents form part of the underlying factual basis for the City Council's decisions relating to the adoption of the General Plan 2030. (See Pub. Resources Code, § 21167.6(e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.1

The documents constituting the record of proceedings are available for review by responsible agencies and interested members by appointment at the City of Santa Cruz Planning and Community Development Department, 809 Center Street, Room 101, Santa Cruz, California 95060.

V.
FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute provides that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to provide that "in the event [that] specific economic, social, or other

conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must adopt a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (CEQA Guidelines, § 15091, subd. (a).) Under CEQA, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sequoyah Hills*, *supra*, 23 Cal.App.4th at p. 715.) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); see also *CNPS, supra,* 177 Cal.App.4th at pp. 1001–1002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. CEQA requires the lead agency to adopt feasible mitigation measures or, in some instances, feasible alternatives, to substantially lessen or avoid significant environmental impacts that would otherwise occur.

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons that the agency found the project's benefits outweigh its unavoidable adverse environmental effects. The City's Statement of Overriding Considerations for the project is included herein in Section IX, *infra*.

VI.
MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (Exhibit B) has been prepared for the project, and will be approved by the City Council by the same Resolution that adopts these findings, if

the project is approved. The City will use the Mitigation Monitoring and Reporting Program to track compliance with project mitigation measures. The Mitigation Monitoring and Reporting Program will remain available for public review during the compliance period.

VII.
SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Draft EIR identified significant environmental effects (or impacts) resulting from the implementation of the Riverfront Project. Some of these effects, however, cannot be avoided by the adoption of feasible mitigation measures or alternatives. Thus, these effects will be significant and unavoidable. For reasons set forth in Section IX*, infra*, however, the City has determined that overriding considerations outweigh the significant, unavoidable effects associated with the Riverfront Project implementation.

The City's findings with respect to the project's significant effects and mitigation measures are set forth below for each significant impact. The following statement of findings does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, it provides a summary description of each impact, describes the applicable mitigation measures identified in the Draft EIR or Final EIR and adopted by the City, and states the City's findings on the significance of each impact after imposition of the adopted mitigation measures, accompanied by a brief explanation. Full explanations of these environmental findings and conclusions can be found in the Draft EIR and Final EIR. These findings hereby incorporate by reference the discussion and analysis in those documents supporting the Final EIR's determinations regarding mitigation measures and the project's impacts and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation in the Draft EIR and Final EIR and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Draft EIR and Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

Significant Impacts That Can Be Mitigated to a Less-Than-Significant Level

A. Biological Resources

Impact BIO-4:- Indirect Impacts to Nesting Birds. Future development as a result of the proposed Downtown Plan amendments could result in disturbance to nesting birds if any are present in the vicinity of construction sites along the San Lorenzo River.

The trees on and adjacent to the Project site provide potential nesting habitat for migratory birds; migratory birds are protected under the MBTA and California Fish and Game Code section 3503. The Project would require the removal of 25 trees on the Project site, river levee and along Front Street. Tree removal during the breeding season (generally March 1 to August 1) has the potential to destroy bird nests, eggs or chicks if

any are present during the removal. The Project would be subject to mitigation measures adopted with the Downtown Plan Amendments, which includes Mitigation Measure 4.3-3 requiring a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin during the nesting season. If nesting is identified, construction would need to be delayed or a suitable construction buffer established in order to prevent disturbance to any nesting birds. Therefore, the Project would result in a less-than-significant impact with implementation of mitigation as required in the Downtown Plan Amendments EIR.

Mitigation Measures. Implementation of Mitigation 4.3-3 identified in the Downtown Plan Amendments EIR will mitigate potential impacts of future development on biological resources (migratory birds and raptors) to a less-than-significant level. The measure has been revised as part of the Final EIR to reflect the nesting period for which pre-construction nesting surveys are required by the California Department of Fish and Wildlife in the Lake, Streambed Alteration Agreement with the City of Santa Cruz for maintenance activities along San Lorenzo River and other streams in the City.

> **DPA Mitigation 4.3-3.** Require that a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the MBTA are found, construction may need to be delayed until late-September or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).

FINDING: The potentially significant impact of the Project on biological resources can be mitigated to a less-than-significant level by the imposition of DPA Mitigation 4.3-3, as revised in the FEIR, which has been required or incorporated into the project. The City hereby directs that this mitigation measure be adopted. Changes or alterations have been required in, or incorporated into, the Project which, avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Significant Unavoidable Impacts

B. Cultural and Tribal Cultural Resources

Impact CUL-1. Historical Resources. The proposed Project would cause a substantial adverse change in the significance of a historical resource due to demolition. This is a significant impact.

The proposed Project would result in demolition of two existing structures that are considered historic resources due to listing in the City's Historical Building Survey (428 Front Street) and for eligibility for listing in the California Register of Historical

Resources (both buildings). Based on review of the 2009 DPR forms and additional research and site documentation by Page & Turnbull in 2016, the buildings at 418 and 428 Front Street have been identified as buildings individually eligible for listing to the CRHR. As such, each building qualifies as an historical resource under CEQA.

According to CEQA, a "project with an effect that may cause a substantial adverse change in the significance of an historic resource is a project that may have a significant effect on the environment." Substantial adverse change is defined as: "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired." The significance of an historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance" and that justify or account for its inclusion in, or eligibility for inclusion in, the California Register. Thus, the proposed Project would result in a substantial adverse change in the significance of the CEQA historical resources, due to demolition of both buildings in order to construct the proposed Project.

According to the State CEQA Guidelines section 15064.5(b)(3), generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995, Weeks and Grimmer), shall be considered as mitigated to a level of less than a significant impact on the historical resource. With designs that meet the Secretary of Interior's Standards, any impacts would be considered less than significant. In the present case, the buildings would be completely demolished and would not be restored or rehabilitated. Discussion of potential alternatives to preserve or restore the buildings is presented in Chapter 6.

Demolition of CEQA Historical Resources cannot be mitigated to a less-than-significant level, although mitigation measures can be required. Common mitigation measures for demolition consist of documentation of the resource, typically to the standards of the Historic American Buildings Survey (HABS) and/or interpretation that may include the installation of an interpretive display or video. Section 15126.4(b)(2) of the CEQA Guidelines is clear in this regard: "In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur" (Page & Turnbull 2016).

Mitigation Measures. Implementation of Mitigations CUL-1 and CUL-2 identified in the EIR would reduce the impact on historical resources, but not to a less-than-significant level; therefore, the impact would remain significant and unavoidable.

Mitigation CUL-1. Complete documentation of buildings at 418 and 428 Front Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following:

- Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories.
- *Measured Drawings:* Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).
- *HABS-Level Photographs:* Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.
- *HABS Historical Report:* A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of

reference materials that would be available to the public and inform future research.

Mitigation CUL-2. Prior to the start of Project construction and demolition, the Project proponent shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed Project boundary along a pedestrian walkway or attached to the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the Project site. The interpretive displays illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps.

FINDING: The potentially significant impact of the Project on historical resources cannot be mitigated to a less-than-significant level despite the imposition of Mitigations CUL-1 and CUL-2, which have been required or incorporated into the Project. The City hereby directs that this mitigation measure be adopted. Specific economic, legal, social, technological, or other considerations make infeasible any additional mitigation measures or the project alternatives identified in the EIR that would avoid or reduce the significant impact on historical resources to a less-than-significant level.

VIII.
PROJECT ALTERNATIVES

A. Basis for Alternatives-Feasibility Analysis

As noted earlier, Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of *potentially* feasible alternatives, an agency decision-making body may ultimately conclude that a potentially feasible alternative is actually infeasible. (*CNPS*, *supra*, 177 Cal.App.4th at p. 981, 999.) As explained earlier, grounds for such a conclusion might be the failure of an alternative to fully satisfy project objectives deemed

to be important by decision-makers, or the fact that an alternative fails to promote policy objectives of concern to such decision-makers. (*Id.* at pp. 992, 1000–1003.) Alternatives may also be determined to be economically infeasible and can be rejected on that ground. (*The Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal.App.4th 603, 621–623.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of a proposed project as mitigated, the decision-makers may reject the alternative as infeasible for such reasons.

Under CEQA Guidelines section 15126.6, the alternatives to be discussed in detail in an EIR should be able to "feasibly attain most of the basic objectives of the project[.]" For this reason, the objectives described above in section II(C) of these findings provided the framework for defining possible alternatives. Based on the objectives, the City developed two alternatives in addition to the No Project Alternative that were addressed in detail in the Draft EIR.

Per CEQA Guidelines section 15126.6 and the project's objectives, the following alternatives to the project were identified:

- No Project – Required by CEQA
- Alternative 1 – Partial Preservation – Incorporation of Building Facades into Project
- Alternative 2 – Relocation of Historic Buildings

The City Council finds that that a good faith effort was made to evaluate a range of potentially feasible alternatives in the EIR that are reasonable alternatives to the project and could feasibly obtain most of the basic objectives of the project, even when the alternatives might impede the attainment of the project's objectives and might be more costly. Alternatives were considered that would result in a substantial reduction or elimination of identified significant unavoidable historical resources impacts, as well as the one identified significant impact that could be reduced to a less-than-significant level with mitigation measures outlined in this EIR. (DEIR, pp. 6-7 to 6-15.)

1. Significant Unavoidable Impacts of the Project

Approval of the project will result in the following significant unavoidable impact, which can be lessened, though not avoided or reduced to a less-than-significant level, through implementation of feasible mitigation measures adopted in connection with the project:

Cultural and Tribal Cultural Resoures. Historical resources as described in section VI(B) above.

2. Scope of Necessary Findings and Considerations for Project Alternatives

As noted above, these findings address whether the various alternatives substantially lessen or avoid any of the significant unavoidable impacts associated with the Riverfront Project and also consider the feasibility of each alternative. Under CEQA, "[f]easible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account

economic, environmental, legal, social, and technological factors." (CEQA Guidelines, § 15364.) As explained earlier, the concept of feasibility permits agency decision makers to consider the extent to which an alternative is able to meet some or all of a project's objectives. In addition, the definition of feasibility encompasses "desirability" to the extent that an agency's determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors supported by substantial evidence.

B. Description of Project Alternatives and Determination of Feasibility

Potential alternatives to the proposed Riverfront Project were evaluated with respect to the objectives of the project as discussed in Chapter 6, "Project Alternatives" of the Draft EIR and this section of the findings. The Draft EIR identified and compared in detail the environmental effects of the No Project Alternative and two alternatives listed below with environmental impacts resulting from the project. (See DEIR, pp. 6-7 through 6-15.)

The range of alternatives selected by the City is reasonable given the proposed uses, identified significant impacts and project objectives. The No Project Alternative would avoid all impacts identified for the proposed Project. Of the other alternatives considered, both Alternatives 1 and 2 would lessen the significant unavoidable historical resource impact than would occur with the proposed Project. Alternative 2 could potentially lessen the impact to a less-than-significant level, although there is the possibility that the reconstructed and rehabilitated historical buildings under this alternative may not meet the Secretary of Interior Standards for Reconstruction, and therefore, the impact may remain significant and unavoidable. Of the alternatives considered, Alternative 1 would best achieve project objectives, while also reducing the severity of identified significant impacts and therefore, is considered the environmentally superior alternative of the alternatives reviewed. While Alternative 2 would also lessen the severity of the historical resource impact, it was acknowledged to be potentially infeasible in the DEIR due to lack of identified sites to relocate the historic buildings. A comparison of project features and impacts between the proposed Project and the alternatives is presented in Table 6-1 in the DEIR.

NO PROJECT ALTERNATIVE

1. Description

Section 15126.6(e) of the State CEQA Guidelines requires that the impacts of a "no project" alternative be evaluated in comparison to the proposed project. Section 15126(e) also requires that the No Project Alternative discuss the existing conditions that were in effect at the time the Notice of Preparation was published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

For the purpose of the Alternatives discussion, the No Project Alternative assumes that in the foreseeable future, another project to redevelop the site could be proposed. However, it is noted that no redevelopment of the Project site would be inconsistent with the General Plan and Downtown Plan forecasts and intentions for redevelopment of the site and Project area. Given

adopted City plans for the area, another development project may be proposed for the Project site in the future, although the type and amount of development that may be proposed is unknown at this time.

2. Analysis of No Project Alternative's Ability to Reduce Significant Unavoidable Project Impacts

Table 6-1 of the Draft EIR provides a comparison of impacts between the project and alternatives. The No Project Alternative would not result in construction of the proposed Project and none of the impacts identified in the EIR would occur. No new significant impacts would occur under this alternative. Since redevelopment of the downtown area, including the Project properties, is encouraged in the City's adopted Downtown Plan to provide additional residential uses, it is likely that some form of a mixed-used commercial-residential project would be proposed at some point in the future, although the type and timing of such a project are not known. However, some of the impacts identified in this EIR could result at some unknown time in the future and at an unknown magnitude depending on the development proposal. It is also noted that there are some public improvements and amenities proposed as part of the Project that would not occur under the No Project Alternative, e.g., improved access to the Santa Cruz Riverwalk and an expanded outdoor river area. Thus, the No Project Alternative would not accomplish goals set forth in the Downtown Plan regarding improvements along the Riverwalk, including improved access.

3. Feasibility of No Project Alternative

The No Project alternative would not meet any of the Project objectives.

The No Project Alternative is rejected as infeasible because this alternative would not meet any of the project objectives and would not fulfill the Downtown Plan's goals to provide additional residential units within the plan area. For the foregoing reasons, the City Council determines that the No Project Alternative is infeasible and declines to adopt it.

ALTERNATIVE 1 (Partial Preservation – Incorporation of Building Facades into Project)

1. Description

Alternative 1 involves the partial preservation of the existing historic buildings on the site through retention of the primary historic building facades and incorporating them into the new building. This alternative would involve the preservation of the primary street facades and the demolition of all secondary facades, structure, foundations, and roofs. The street facades would be disassembled in eight- to ten-foot-wide segments, stored at a different location, and re-assembled and incorporated into the Project after completion of subsurface work. As indicated above, it is not possible to retain the facades in place during construction. Under this alternative, there would be no change to the proposed Project uses and site layout, except the design would be altered to incorporate the building facades of the existing on-site historic buildings.

2. Analysis of Alternative 1's Ability to Reduce Significant Unavoidable Project Impacts

Table 6-1 of the Draft EIR provides a comparison of impacts between the project and alternatives. Under this alternative, the identified significant unavoidable impact related to historical resources would be slightly lessened, but would not be reduced to a less-than-significant level. The biological resource and geology/soils impacts would not change. No new significant impacts would occur under this alternative.

3. Feasibility of Alternative 1

Under this alternative, there would be no change to the proposed Project uses and site layout, except the design would be altered to incorporate the building facades of the existing on-site historic buildings. This alternative was determined in the DEIR to meet all Project objectives, although it was acknowledged that it may not meet Objective #10 regarding maintaining a financially viable project. Although Alternative 1 would retain a number of character-defining features of the historic resources, it would not retain the buildings' character-defining massing or height as volumetric structures. Thus, the buildings' significant architectural styles would be conveyed in the features of their facades, but their representation as whole buildings would be compromised. Furthermore, the massing, size, and scale of the new seven-story buildings to be constructed behind the historic primary façades would not be compatible with the one-story historic resources, and the Project would not be in compliance with the Secretary of the Interior's Standards for Rehabilitation. In addition, it would not be feasible to reconstruct the facades in the exact locations of the existing buildings without requiring a new opening to be provided in order to accommodate the mid-block passageway. For these reasons, Alternative 1 would at best only slightly lessen the significant impact of the Project. The facades of the existing buildings are made of various elements that have been altered over time with concrete, and this alternative would require the bracing of the facades, the removal of the roof structures (since they are fully or partially supported by the walls), the disassembly of the walls into 8 to 10 feet wide elements, hauling the elements offsite for storage during construction, and the re-assembly and incorporation into the new building once the subsurface work is completed. This would also require the strengthening of these elements to meet current codes (which entails the placement of a gunnite/shotcrete wall on the inside face of the façade that would serve as a support structure to stitch the various 8 to 10 feet elements (FBA Inc. 2019). Review by the Project structural engineer indicates that this process can be accomplished, however, the overall cost of the process is approximately $1 million, which would add substantially to the cost of constructing the Project but is unlikely to result in any corresponding increase in the value or sales price of the individual units. . (Letter from SC Riverfront, LLC, August 11, 2020.) The substantial additional cost of this alternative as compared to the cost of the proposed Project are so great that a reasonably prudent property owner would not proceed with the alternative. Additionally, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the costs for implementing Alternative 1 likely will have an even greater negative impact on Project feasibility than would have been likely under pre-COVID-19 conditions. For the foregoing reasons the City Council determines that Alternative 1 would not

substantially lessen the significant impact associated with demolition of historic resources and, in the alternative, is infeasible and is hereby rejected.

ALTERNATIVE 2 (Relocation of Historic Buildings)

1. Description

Alternative 2 involves the relocation of the two historic buildings to a new site. Under this alternative, there would be no change to the proposed Project uses and site layout. Due to the nature of the historic buildings' perimeter concrete and CMU walls on non-structural slabs on grade, this alternative would involve deconstruction followed by reconstruction. More specifically, it would involve vertical shoring and bracing of the structures' roofs and walls; removal of existing roofing material; salvaging the roof beams, trusses, and interior columns and supports; and disassembly of all perimeter walls into eight- to ten-foot sections. These materials would be delivered to a new site. Floor slabs, non-structural partition walls, and existing foundations would be demolished and recycled. New foundations and floor slabs would be built at the new site, and all salvaged elements would be reassembled. The buildings would be reconstructed as close to their original forms as possible, while upgrading the buildings to meet current building codes.

2. Analysis of Alternative 2's Ability to Reduce Significant Unavoidable Project Impacts

Table 6-1 of the Draft EIR provides a comparison of impacts between the project and alternatives. Under this alternative, the identified significant unavoidable impact related to historical resources would be substantially lessened and potentially reduced to a less-than-significant impact if the relocated structures could comply with the Secretary of Interior Standards for Reconstruction, but if not, the impact would not be reduced to a less-than-significant level.
The biological resource and geology/soils impacts would not change. No new significant impacts would occur under this alternative.

3. Feasibility of Alternative 2

Under this alternative, there would be no change to the proposed Project uses and site layout. This alternative was determined in the DEIR to meet all Project objectives, except it was acknowledged that it may not meet Objective #10 regarding maintaining a financially viable project. The new location would need to be similar to the existing historic setting which is downtown Santa Cruz. There are no known vacant properties in the downtown area that are not part of a planned future development. Other properties in the vicinity of the Project site that are also located adjacent to the San Lorenzo River are currently developed and/or could be redeveloped in the future under the City's adopted *Downtown Plan*. Therefore, it appears that there are no downtown sites that could accommodate relocation of the two structures. In addition, there are no other nearby sites owned by or potentially available to the applicant that could be used. Another key factor in determining the feasibility of relocation as a viable

alternative is determining if the buildings can be physically moved. Moving the buildings would entail vertical shoring and bracing of the structure's roofs and walls, the removal of existing roofing material, the salvaging of roofs beams, purlins, trusses, and interior columns/supports, the disassembly of all perimeter walls into 8 to 10 feet sections and transporting and re-erecting the structures at a new location site. Floor slabs, non-structural partition walls, and existing foundation will be demolished and recycled. A new foundation and floor slab will be built at the new site, and all salvaged elements will be reassembled to bring the buildings to their original forms as close as possible while upgrading the buildings to standards that are acceptable to the local building official. While this option is theoretically possible, review by the Project structural engineer concluded that it may not be economically or logistically feasible due to the nature of the existing structures (size, material used, and type of construction). A preliminary estimate to disassemble, move, re-assemble, and bring to near current standard is approximately $10.5 million, which would add substantially to the cost of constructing the Project but is unlikely to result in any corresponding increase in the value or sales price of the individual units. (Letter from SC Riverfront, LLC, August 11, 2020.) The substantial additional cost of this alternative as compared to the cost of the proposed Project are so great that a reasonably prudent property owner would not proceed with the alternative. In addition, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the significantly higher costs to implement Alternative 2, even assuming an acceptable alternative site were available, are likely to have an even greater impact on Project feasibility than would have been likely under pre-COVID -19 conditions. For the foregoing reasons, the City Council determines that Alternative 2 is infeasible and is hereby rejected.

IX.
STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, approving the Riverfront Project will result in some significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures. (See section VII, *supra.*) As determined above, however, there are no feasible alternatives to the project that would fully mitigate or substantially lessen the impacts. Despite these effects, the City Council, in accordance with CEQA Guidelines section 15093, chooses to approve the project because, in its judgment, the following economic, social, and other benefits that the project will produce will render the significant effects acceptable.

Any one of these reasons, on its own, is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each remaining individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents included in the Record of Proceedings, as defined in Section IV, above.

1) The State of California has adopted AB 32 Global Warming Solutions Act (2006) and SB375 (Sustainable Communities and Climate Protection Act (2008) with specific

emphasis on promoting transit-oriented development and to link land use planning development decisions with transportation. The goal of these measures is to reduce vehicle miles traveled and thereby reduce Greenhouse Gas Emissions (GHG) through better land use planning. The project represents sound land use planning principles with direct connections being made between increasing density for needed housing in the City and existing nearby transit facilities and commercial uses. The project aligns with the Association of Monterey Bay Area Government (AMBAG) Sustainable Communities Strategy Implementation Project that focuses on infill housing, transportation strategies and measures, and economic development. The project will directly implement many General Plan policies and actions that encourage land use changes that reduce automobile use (Policy LU4.2), encourage mixed uses (Policies LU3.5, LU3.10, LU3.10.1), and encourage the assembly of small parcels along transit (CD3.3, CD3.3.1, CD3.3.2). The project achieves these goals and policies through the consolidation of parcels and construction of residential units above ground floor commercial on an infill site located directly adjacent to the metro transit center and within walking and biking distance to a variety of good, services, employment, and recreational opportunities.

2) As set forth in Government Code section 65580, the City has a responsibility to facilitate the development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environmental damage with the provision of a "decent home and satisfying living environment for every Californian." (Pub. Resources Code, § 21000(g).) The project supports the City's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The project would redevelop an underutilized site, encouraging infill development at a higher density and/or land use intensity. The project is consistent with Goals 1 and 2 of the City's Housing Element in that it would provide a variety of diversity of unit types including 53 studios, 89 one-bedroom units, and 33 two-bedroom units as condominiums and at varying affordability levels, including 15 units reserved for very-low income households and five units reserved for low income households as part of the developer-requester density bonus. The project is consistent with Goal 5 of the Housing Element which seeks to improve housing and the vitality of neighborhoods throughout Santa Cruz by providing adequate public services, community facilities, infrastructure, landscaping and open space, adequate parking, pedestrian and bike routes, as well as eliminating blighted conditions. The project will greatly enhance the existing conditions on the Riverwalk through the establishment of expanded, landscaped, public open space and river-facing residences and commercial spaces.

3) The project supports the community's vision as provided in the General Plan, the Downtown Plan, and the San Lorenzo Urban River Plan for providing pedestrian connections between the downtown and the Santa Cruz Riverwalk and will facilitate improvements to the physical, social, economic, cultural, and environmental character of the downtown. Achieving these connections is a superior benefit over and above the associated significant and unavoidable historical resources impacts that would be associated with the project. The project will enhance opportunities to view and interact

with the San Lorenzo River as a coastal resource, as described in the Downtown Plan Planning Principles and Strategies. The project is designed to be visually compatible with the surrounding downtown, while providing new open space pedestrian plazas and passageways to the Riverwalk which is directly consistent with the First Principles of the Downtown Plan for building height, form and character, and open space/streetscape. The filling of the area adjacent to the levee and associated required landscaping and public project further implements the policies and goals of the Downtown Plan to make the improvement of the riverfront and creation of linkages to the downtown a top priority in that the use of these areas will achieve stewardship and scenic values over the existing conditions near the Riverwalk. The project supports the Coastal Act Scenic and Visual Protection Policy Section 30251 to protect and increase opportunities for viewing the river, a coastal resource. The development will not obstruct public views to the San Lorenzo River from downtown because the levee is an average of about 10 feet above the Front Street sidewalk and already obstructs the view of the river, but the project will increase the ability and opportunities for the public to view the river from the expanded and improved Riverwalk area. A prior policy of the San Lorenzo Urban River Plan (SLURP) specified that new development should maintain views from both taller downtown buildings to the river and from the river trail to distant mountains and ridges, avoiding creation of a development "wall" between the downtown and the River. This policy was eliminated in 2017 and it was noted that the Riverwalk path creates the view corridor. The proposed project will not impact the public, scenic view of the river from the Riverwalk, which is consistent with the amended SLURP.

4) While the CEQA evaluation process for projects has been established to identify adverse impacts to the physical environment, it is only one criterion for a jurisdiction to consider when evaluating the merits of a project. The CEQA process does not identify positive effects on the environment and therefore, is limited in its application when evaluating the full range of changes resulting from land use decisions at a local level. The project contains many positive environmental impacts including: the creation of a transit-oriented development in the downtown, which will directly lead to a reduction in vehicle miles traveled and fewer GHG emissions per capita than development located further away from transit opportunities; improvements to the Riverwalk that will increase public activity along the river; fill adjacent to the river levee to eliminate areas that encourage negative social behavior and degrade and create an unsafe experience for Riverwalk users; the development of restaurants, cafés and other proposed commercial spaces along the Riverwalk that result in economic development for public uses adjacent to the Riverwalk; and finally, increased opportunities for much-needed housing near the City's job centers. The project would result in redevelopment in an area of the City that is designated for that purpose. This combination of positive impacts is one reason that the City finds the benefits outweigh the identified unavoidable environmental impacts in the EIR.

X.
CONCLUSION

As explained earlier, the City Council has balanced these benefits and considerations against the significant unavoidable environmental effects of the project. The City Council hereby concludes

that those impacts are outweighed by these benefits, among others. After balancing the environmental costs against the project's benefits, the City concludes that the benefits outweigh the few adverse environmental impacts. The City believes that the project's benefits outlined above override the significant unavoidable environmental costs associated with the project.

DRAFT RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ APPROVING A COASTAL PERMIT, NON-RESIDENTIAL DEMOLITION AUTHORIZATION PERMIT, DESIGN PERMIT, TENTATIVE MAP, SPECIAL USE PERMIT, ADMINISTRATIVE USE PERMIT, REVOCABLE LICENSE FOR OUTDOOR EXTENSION AREA, HERITAGE TREE REMOVAL PERMIT, AND STREET TREE REMOVAL TO REMOVE ONE STREET TREE AND THREE HERITAGE TREES, TO COMBINE FIVE PARCELS, DEMOLISH THREE COMMERCIAL BUILDINGS INCLUDING TWO HISTORIC COMMERCIAL BUILDINGS, AND TO CONSTRUCT A SEVEN-STORY, MIXED-USE BUILDING WITH 175 RESIDENTIAL CONDOS AND 11,498 SQUARE FEET OF GROUND FLOOR AND LEVEE FRONT COMMERCIAL SPACE ON PROPERTY LOCATED WITHIN THE CBD/CZ-O/FP-O ZONE DISTRICT (CENTRAL BUSINESS DISTRICT, COASTAL ZONE OVERLAY, FLOODPLAIN OVERLAY) AND WITHIN THE FRONT STREET/RIVERFRONT SUBAREA OF THE DOWNTOWN PLAN. (APPLICATION NO. CP18-0153)

WHEREAS, SC Riverfront LLC, applicant for properties located at 418, 428, 440, 504, & 508 Front Street ("applicant"), also known as Assessor's Parcel Numbers 005-151-22, -30, -31, -39, and -50 have applied for a Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal for the proposed mixed-use building with 175 residential condominiums and 11,498 square feet of commercial space, residential amenity space, and Riverwalk improvements; and

WHEREAS, the project site and its development is governed by the standards and guidelines contained in Municipal Code Titles 23 and 24, the Subdivision and Zoning Ordinances, and the Downtown Plan; and

WHEREAS, the application has undergone environmental review in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines; and

WHEREAS, more specifically, an Environmental Impact Report (EIR) was prepared and circulated for a 45-day review period which ended on June 24, 2020, and a Final EIR was issued on July 27, 2020; and

WHEREAS, the Historic Preservation Commission conducted a public hearing on August 5, 2020, and voted 5-1-1 to recommended certification of the EIR and approval of the Nonresidential Demolition Authorization Permits with the condition that the front facades of the historic buildings are replicated on the front façade of the mixed-use building; and

WHEREAS, the Planning Commission conducted a public hearing on September 2, 2020, and recommended _____; and

WHEREAS, the City Council adopted separate resolutions to certify the EIR and adopt environmental findings and a Mitigation Monitoring Program; and

WHEREAS, the City Council now makes the following findings:

<u>With respect to the Nonresidential Demolition Authorization Permit, Section 24.08.1230 for the demolition of three buildings.</u>

1. **The cultural resources evaluation is accepted as accurate and complete; and the cultural resources evaluation concludes that the building or structure is not eligible for listing on the city historic building survey.**

   The project includes the demolition of three buildings. None of the buildings are listed in the City's Historic Building Survey, the California Register of Historic Resources or the National Register of Historic Places and the parcels are not located in any Historic Districts.

   A Historic Evaluation for the property at 504 Front Street was prepared for the project by Seth Bergstein of *Past Consultants*, who meets the Secretary of the Interior's Professional Qualifications Standards in Architectural History and History. The report makes the following conclusion:

   > *The property contains a commercial building constructed in two building campaigns. The first structure was completed in 1939 for the new location of Sweet Service Company, a wholesale and retail auto parts store. The operation gained further success and the owners constructed an addition to the south wall of the original building in 1957. Sweet Service Company stayed in operation until the early 1980s, when the building became subdivided for other local commercial businesses. Significant remodeling campaigns in 2004 and 2007 installed new entrances, fenestration, detailing and stucco wall cladding on the front (west) and primary elevation. Given the changes made to the original design, the building no longer possesses sufficient integrity of design, setting, materials, workmanship, feeling and association for it to qualify for listing on the National Register of Historic Places or the California Register of Historical Resources. The subject building is not eligible for the Santa Cruz Historic Resources Inventory because it does not meet City preservation criteria and has been altered substantially.*

   Therefore, the building is not eligible for listing on the city's historic building survey.

   The buildings at 418 and 428 Front Street were determined to be eligible for listing in 2009 with the preparation of Volume III of the Historic Building Survey, however, at the time, the property owners opted-out of listing the structures. A Historic Resources Memorandum, Significance Diagrams, and an Alternatives Analysis was prepared for the project by *Page & Turnbull*, an architectural and historic preservation firm that meets the professional qualification standards used by the *National Park Service* (published in the Code of Federal Regulations, 36 CFR Part 61). The memorandum evaluates the previously prepared DPR's for the subject sites, as well as the history, architecture, and characteristics of the buildings

at 418 and 428 Front Street and the implications of demolition of the buildings under CEQA, including recommendations for mitigation. The report includes Significance Diagrams that identify the primary, secondary, and non-contributing character-defining features. An additional Alternatives Analysis Memo provides recommendations for alternatives to explore in the Environmental Impact Report. For the above reasons, the cultural resources evaluation that was submitted for the subject properties is accepted as accurate and complete.

The DPR's and the report that was completed by *Page & Turnbull* conclude that both sites are eligible for listing on the California Register of Historic Resources. Therefore, pursuant to section 24.08.1230(2)(e), the appropriate environmental review has been completed in accordance with the California Environmental Quality Act to address the proposed demolition of two historic structures that are eligible for listing.

Finding 4 below, articulates why the City is approving demolition of the two buildings deemed eligible for listing on the California Register of Historic Resources.

2. **The project which will replace the demolished building or structure has been, or is concurrently being, approved by the city, and an appropriate building permit has been, or is concurrently being, issued; unless some other practical hardship can be documented rendering this requirement inappropriate.**

The project that replaces the demolished buildings is concurrently being reviewed by the city and a standard condition of approval is included that requires the demolition permit to be issued concurrently with the building permit for the new development.

3. **The property owner has been advised of the benefits of listing the property on the city historic building survey and incorporating the preservation of the historic resource into the proposed project.**

The property owner has been advised of the benefits of listing the properties and incorporating the preservation of the historic resources into the proposed project. None of the alternatives identified in the Environmental Impact Report are feasible to reduce the impacts to the historic buildings to a less-than-significant level and to allow for construction of the project which implements several General Plan/Local Coastal Program policies, including those in the Downtown Plan. On August 5, 2020, the Historic Preservation Commission voted 5-1-1 to recommend that the facades of the historic buildings at 418 and 428 Front Street are incorporated into the front elevation of the proposed building, regardless of the fact that general building replication does not conform to the Secretary of the Interior's Standards for the treatment of historic properties. The developer has reviewed the historic evaluations prepared by the project historian and has chosen to replicate most of the primary historic characteristics of each building on the front facades including the stepped cornice, curved parapet, and art deco detailing on the building at 418 Front Street and the streamlined horizontality and tile accents on the building at 428 Front Street.

4. **The cultural resources evaluation determines that the resource is eligible for listing on the city historic building survey, appropriate environmental review has been completed in accordance with the California Environmental Quality Act, and the City Council can make a finding of overriding consideration that the replacement project will have public benefits which will outweigh the impact of loss of the historic resource.**

   Cultural resources evaluations were prepared for each building to be demolished and the evaluations concluded that the buildings on the properties at 418 and 428 Front Street are eligible for listing on the city historic building survey and on the California Register of Historic Resources (CRHR). The demolition of a historic resource results in a substantial adverse change in the significance of that resource and is therefore considered to have a significant effect on the environment (CEQA Guidelines Section 21084.1). An Environmental Impact Report (EIR) was prepared for the project and three alternatives were evaluated for feasibility including: 1) No Project Alternative; 2) Partial Preservation, and 3) Relocation of Historic Buildings. A Finding of Overriding Consideration has been made to support the project in that neither of the recommended mitigation measures nor any of the project alternatives would reduce the impacts to a less-than-significant level and feasibly allow for the construction of project which implements several General Plan/LCP policies, including those in the Downtown Plan.

With respect to the Design Permit, Section 24.08.430 for the construction of a multi-family building greater than 50 feet in height in the CBD district.

5. **The site plan shall be consistent with physical development policies of the General Plan, any required or optional element of the General Plan, any area plan or specific plan or other city policy for physical development. If located in the Coastal Zone, a site plan shall also be consistent with policies of the Local Coastal Program.**

   The project site is designated as RVC/Downtown Santa Cruz (Regional Visitor Commercial) in the General Plan and is located within the CBD (Central Business District) zone district. The entire project site is located in the Front Street Riverfront Corridor of the Downtown Plan. The RVC/Downtown Santa Cruz General Plan designation is intended to emphasize a mix of uses such as office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions and the CBD zone district is a zone that is intended to implement the objectives of the Downtown Plan. The proposed use of the parcel as a mixed-use commercial/residential project is consistent with the intent of the CBD zone district and the RVC/Downtown Santa Cruz designation, and the proposal to fill the area between the building and the San Lorenzo River levee to expand the Riverwalk area and create additional public open space that highlights the river as a downtown amenity is consistent with the following goals and policies of the General Plan, the Local Coastal Program, the Downtown Plan, and the San Lorenzo Urban River Plan (SLURP):

   GENERAL PLAN AND LOCAL COASTAL PROGRAM 1990-2005

- GOAL EQ 1: Protect City residents from the health hazards of air pollution and maintain high air quality standards by implementing air quality monitoring and control strategies that comply with State and Federal Clean Air Acts.
- GOAL EQ 2: Protect water quality of ocean, watershed lands, surface waters and ground water recharge areas from sedimentation, pollution, and salt-water intrusion
- GOAL EQ 5: Implement, to the greatest degree possible, transportation strategies that reduce the consumption of fossil fuels, and energy strategies that increase energy-efficiency and energy conservation in all sectors of energy usage and which increase the production and use of renewable energy sources within the City.
- GOAL L2: Provide for a variety and balance of residential, commercial, and industrial land uses while protecting environmental resources and responding to changing community needs, interests, and development constraints.
- GOAL L3: Protect the quality of, and prevent significant new incursion of urban development into, areas designated as open space or agricultural lands and provide, when possible, permanent protection of these lands, recognizing their value in inhibiting urban sprawl and maintaining City identity, as a natural resource with significant biotic resources and/or their potential for providing scenic, recreational and educational enjoyment.
- GOAL L4: Plan community facilities and services to serve the projected population, allowing development only when adequate facilities and services are provided and are available to serve it.
- GOAL L5: Develop compatible relationships between land-use and circulation patterns and encourage land use patterns that encourage an efficient transportation system and discourage urban sprawl and excessive dependence on the automobile.
- GOAL CD2: Protect and enhance the City's natural setting and scenic resources.
- GOAL C1: Develop a comprehensive, multi-modal circulation planning program that takes as its highest priority reduction of automobile trips by the creation of viable alternative transportation modes, effective transportation systems management programs, and integration of land-use and circulation planning.
- GOAL C2: Develop and promote pedestrian travel as a viable transportation mode by developing and maintaining a safe, comprehensive, convenient, accessible and aesthetically pleasing pedestrian system.
- GOAL ED4: Promote revitalization of the Downtown Central Business District as the City's center for commerce, office, culture, entertainment restaurant activity, and mixed use residential.
- GOAL PR2: Ensure that adequate types, numbers and distribution of recreational facilities are available to residents of Santa Cruz.

GENERAL PLAN 2030:

- HA1.11.6 Consider historic preservation in the development and enforcement of City regulations.
- CD1.1.4 Identify and emphasize distinguishing natural features that strengthen Santa Cruz’s visual image (i.e., open space, Monterey Bay).
- CD1.4.2 Consider visual access to nearby natural areas as part of developmental review.

- CD1.5.1 Enhance the prominence of the San Lorenzo River as a natural feature that provides structure, orientation, and recreational enjoyment by including it in surrounding area and management plans.
- CD1.5.2 Provide incentives for new development adjacent to the San Lorenzo River that includes patios overlooking the river, enhanced connections to the levee trails, and other design features that connect the built environment to the river.
- CD3.1.1 Strengthen the linkage between Downtown, the Beach Area, and San Lorenzo River through amendments to corresponding Area Plans and the Zoning Ordinance.
- CD3.1.2 Maintain, update, and implement the City's San Lorenzo Urban River Plan.
- CD3.3.1 Develop incentives to encourage the assembly of small parcels through Area Plan amendments and Zoning Ordinance changes.
- CD3.3.2 Revise the Zoning Ordinance to limit development possibilities for small parcels.
- CD4.1.3 Identify and establish design concepts that make visitor-serving corridors attractive and interesting through landscaping, banners, flags, art, and displays.
- CD4.2.3 Underground utilities when major road improvement or reconstruction is proposed, if possible.
- CD4.3.3 Protect existing significant vegetation and landscaping that provides scenic value along with wildlife habitat and forage.
- CD4.3.4 Maintain an ordinance requiring replacement and maintenance when heritage tree removal is necessary for new development.
- CD4.3.6 Implement streetscape and other landscaping plans in the City's Area and Specific Plans.
- CD5.2.1 Encourage buildings to be oriented towards sidewalks, public plazas, walkways, or rivers and to include features such as public benches and natural seating areas.
- CD5.2.2 Encourage the incorporation of public benches and natural seating areas along public walkways and in public plazas and parks.
- CD5.2.4 Ensure that new and revised design guidelines encourage the use of pedestrian-scaled fenestration, awnings, entrances, landscaping, and other amenities.
- LU 1.1.2 Create incentives for the consolidation of underdeveloped parcels relative to development potential.
- LU1.2.1 Environmental review for specific projects shall be accompanied by sufficient technical data and reviewed by appropriate departments.
- LU2.3.1 Protect, maintain, and enhance publicly accessible coastal and open space areas.
- LU3.1.1 Encourage through incentives and expedited permit processing a variety of housing types, when appropriate.
- LU3.3.1 Amend the Zoning Ordinance to discourage strip commercial development in favor of clustered commercial and mixed-use development along transit corridors.
- LU3.7.1 Allow and encourage development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density.

- LU3.11.2 Ensure appropriate land uses and development standards that do not adversely impact adjacent open spaces.
- LU4.1.1 Support compact mixed-use development Downtown, along primary transportation corridors, and in employment centers.
- M1.1.1 Create walkable, transit-oriented activity centers throughout the city.
- M1.1.2 Connect activity centers with pedestrian and bicycle paths.
- M1.1.3 Implement pedestrian and bicycle improvements that support transit ridership.
- M1.4.2 Allow for future multi-modal use of future rights-of-way by protecting them from development.
- M2.1.2 Encourage use of alternative modes of transportation.
- M2.3.1 Design for and accommodate multiple transportation modes.
- M3.1.1 Seek ways to reduce vehicle trip demand and reduce the number of peak hour vehicle trips.
- M4.1.6 Enhance the pedestrian orientation of the Downtown Central Business District.
- M4.1.7 Require the site and building design facilitate pedestrian activity.
- M4.1.9 Require landscaping in the development, replacement, and repair of sidewalks, including the placement of trees on private property and/or in tree wells on sidewalks.
- ED1.1.6 Revitalize the RiverFront area.
- ED1.7.2 Diversify the range of visitor attractions in Santa Cruz, particularly those that draw on the city's unique natural and cultural assets.
- ED5.1.1 Provide for the development of supporting land uses adjacent to retail shopping areas, while assuring protection of existing residential neighborhoods.
- ED5.3.1 Provide for attractive commercial development (including more intensive and higher quality ground floor retail) along commercial corridors provided the uses are compatible with or transition easily to adjacent residential areas.
- ED5.5.1 Enhance Downtown as a welcoming and inviting destination for residents, visitors, and businesses.
- ED5.5.4 Create a distinctive and active pedestrian environment downtown
- ED5.5.5 Allow for the extension of café and retail uses within the public right-of-way, subject to design standards and management guidelines.
- HZ6.4.8 Minimize the alteration of natural floodplains, stream channels, and natural protective barriers that accommodate or channel floodwaters.
- PR1.1.3 Evaluate all lands, regardless of size, for their potential development as small parks, community gardens, or landscape lots.
- PR1.6.1 Maintain and enhance access for vehicles, transit, bicycles, and pedestrians.
- PR2.2.2 Encourage private sponsorship of special events and programs, historic events, joint projects, and cultural exchanges that involve and benefit the community.
- PR3.1.1 Provide recreational and educational opportunities within the open space lands and coastline consistent with adopted master or management plans.
- PR4.1.3 Maintain and enhance the recreational value of the San Lorenzo River walkway and East and the West Cliff Drive pathways
- NRC1.1.2 Where consistent with riparian and wetland protection, provide actual or visual access of a low-impact nature

- NRC1.1.1 Require setbacks and implementation of standards and guidelines for development and improvements within the city and adjacent to creeks and wetlands as set forth in the Citywide Creeks and Wetlands Management Plan.
- NRC1.3.1 Conserve creek, riparian, and wetland resources in accordance with the adopted City-wide Creeks and Wetlands Management Plan and the San Lorenzo River Plan.
- NRC2.2.1 As part of the CEQA review process for development projects, evaluate and mitigate potential impacts to sensitive habitat (including special-status species) for sites located within or adjacent to these areas.

DOWNTOWN PLAN FIRST PRINCIPALS

- Form and Character. New buildings should be allowed to develop individual character while retaining qualities of the historic townscape. Issues of articulation, materials, signage, setbacks, scale, massing, form, bulk, solar access and height are critical.
- Building Height. Buildings should maintain the scale and character of the existing downtown, with explicit criteria for additional height up to seven stories and provisions to ensure that buildings do not shade key public open spaces. Since this First Principle was established in 1991, the downtown development pattern has largely respected the existing two to three story development pattern with several taller buildings spaced throughout the Pacific Avenue Retail District, providing architectural variation. The 2017 update recognizes these taller buildings also contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City. The 2017 modifications to the Additional Height Zones have been carefully written to recognize the City's successful recovery from the 1989 Loma Prieta earthquake; preserving and enhancing the urban form of the City, without sacrificing the special human scale and character of downtown. New development will not be required to strictly adhere to a 2 and 3 story scale.
- Housing. Significant new housing opportunities should be targeted throughout the downtown, including Pacific Avenue, the San Lorenzo riverfront, and South of Laurel. Housing should be comprised of a mix of apartments and condominiums. SRO housing should be replaced and dispersed throughout the downtown area.
- Accessibility. A downtown that aesthetically integrates access as a primary design criterion for all improvements to ensure increased opportunities for the public to participate in commercial, governmental, residential, social and cultural activities.
- Open Space and Streetscape. A strong network of public and private open spaces (streets, sidewalks, public parks, plazas, passageways and courtyards) that creates a socially active and pedestrian-oriented downtown core should be emphasized.
- Circulation. Downtown should be predominantly pedestrian in nature; movement should be carefully structured to reinforce the character of the place. Pedestrian, bicycle, and transit access to the downtown should be enhanced.
- Parking. Parking in the downtown core should continue to be provided by the Parking District in a centralized fashion, to maximize shared use and minimize the quantity of stored vehicles.

SAN LORENZO URBAN RIVER PLAN (SLURP)

- Improve the scenic and recreational value of the Riverfront
- Improve public access and pedestrian/bicycle movement to and along the River
- Improve the urban and neighborhood interface with the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh
- Incorporate the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh into the surrounding urban fabric of downtown and neighborhoods.
- (Front Street – Significant Riverfront Areas (SRFA))
- SRFA-1: Require new development projects to incorporate design features that encourage active engagement with the Riverwalk such as; filling adjacent to the Riverwalk and landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk or providing a combination of these and/or other design features that support the resource enhancement and river engagement policies of the San Lorenzo River Plan.
- SRFA-2: Require new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and near Elm Street.
- SRFA-3: Maintain the ten-foot setback area between residential and commercial uses adjacent to the levee trail from the western edge of the trail. The area between the property line and the Riverwalk shall be filled to raise the adjacent ground-level use to a similar or higher elevation as the Riverwalk. The public lands between the Riverwalk and the private property may incorporate publicly accessible commercial or residential amenities, such as outdoor public seating. Trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development where feasible and where not in conflict with the required fill or publicly accessible amenities.

The project will result in 175 residential condominiums, ground floor and levee-facing commercial space, an expansion of the open space area adjacent to the Riverwalk, and two pedestrian passageways between Front Street and the Riverwalk. As listed above, the project implements several long-standing goals of the city to enhance the Riverwalk and the river as a natural amenity for scenic, recreational, and educational purposes and provides a variety of housing units downtown to support the existing commercial core and Transit Priority Area where a variety of alternative transportation methods are available.

The project includes minor variations from the physical design and development policies of the Downtown Plan that do not affect the project's consistency with the above policies and goals.

The project site is located within the Coastal Zone and within the Downtown Plan area, which is a developed urban area that was recognized in the Downtown Plan as an area that is desirable for further intensification. An Archaeological Report was submitted which indicates that there is a low potential for archaeological resources on the property; however, standard conditions of approval are included that require reporting to occur if resources are discovered during construction. The site does not contain sensitive habitat and the project

will not disturb area east of the Riverwalk where sensitive habitat may be located. The project would have no effect on wildlife movement. The trees on and adjacent to the project site could provide potential nesting habitat for migratory birds which are protected by the Migratory Bird Treaty Act (MBTA) and the proposal is to remove 19 trees on the property that are located within the footprint of the development, within the area of the fill, and one street tree. Conditions of approval require compliance with General Plan Action NRC2.2.1 and associated Table 1, which requires pre-construction nesting bird surveys with establishment of appropriate construction buffers if needed, if tree removal and/or construction were to commence during the nesting season.

The project will enhance public access to the coast by improving the Riverwalk in the location of the project site with and expanded open space area, landscaping, river-facing commercial spaces and residential amenities, and residential units facing the Riverwalk.

6. **The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.**

The exterior design of the building is contemporary and includes varying designs and pedestrian passageways between the buildings to reflect a grouping a buildings rather than one monolithic structure. All three buildings include projections and recesses to create depth and shadows for variation in the building walls and minimal ornamental features to create a clean and streamlined style. Elements of the historic buildings at 418 and 428 Front Street have been incorporated into the ground floor façade of the building to provide visual representation of the demolished structures as reference for the required interpretative displays. The design is similar to recently constructed and approved buildings in the vicinity and will modernize the Front Street streetscape. The design and exterior materials meet the goals of the Downtown Plan to allow for individuality in design while preserving the humanistic scale and warmth of the existing downtown.

7. **Design of the site plan shall respect design principles in terms of maintaining a balance of scale, form and proportion, using design components, which are harmonious, materials and colors that blend with elements of the site plan and surrounding areas. Location of structures should take into account maintenance of view; rooftop mechanical equipment shall be incorporated into roof design or screened from adjacent properties. Utility installations such as trash enclosures, storage units, traffic-control devices, transformer vaults and electrical meters shall be accessible and screened.**

The project is located within Additional Height Zone B in the Downtown Plan and is permitted to a maximum height of 70 feet, subject to specific design and development criteria. The criteria are intended to guide building design to reflect the human scale and pedestrian quality of the downtown and to avoid the creation of monolithic buildings. The project consists of three buildings that are separated by two pedestrian passageways and

that are connected by a basement and ground-level parking garage. The design includes variations in roofline, design, and size between buildings to achieve the look of a grouping of buildings, rather than a single, monolithic building. The form of the building is a standard shape, however, the design includes stepbacks, recesses, balconies, open spaces, and pedestrian passageways that minimize the height and mass of the building. As conditioned, the design of the site plan and building design is consistent with the design and development criteria for additional height provided in the Downtown Plan that is intended to address building scale, form, and proportion. The Downtown Plan provides standards for rooftop equipment, stair towers, and elevator housing that are required as a part of the project and the trash enclosure will be designed to meet the standards of the Public Works Department and to blend in with the exterior design of the building. All new utility connections to the development will be placed underground.

8. **Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan shall take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.**

   The project is a mixed-use building with ground-floor and levee-facing commercial and upper-floor apartments. The project site is located within the downtown area where a variety of uses exist in the surrounding vicinity including commercial uses and residences. Intensification of nearby uses is expected as a part of the Downtown Plan in a manner and scale that is comparable to the proposed project.

9. **The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and preserve solar access of adjacent properties, and minimize alteration of natural land forms, building profiles, location, and orientation must relate to natural land forms.**

   There are no natural landforms on the property. The levee is a man-made structure and the adjacent San Lorenzo River is not be impacted by the development in that all disturbance remains west of the Riverwalk and not within the river channel. An Arborist Report was prepared for the project by Kurt Fouts, Arborist Consultant, dated September 9, 2018 which indicates that there are four heritage trees that will be removed as a part of the project. Three of the trees are located along the outside of the levee where new fill will be placed to allow for an expansion of the Riverwalk area and one of the heritage trees is located within the footprint of the development which is encouraged to be constructed to the property line. There is also one, non-heritage street tree (12” red oak) that is recommended for removal due to poor health. The project includes the addition of 21 trees at the expanded Riverwalk area and two new street trees at the Front Street frontage to mitigate the proposed tree removal. A shading diagram was included in the Downtown Plan EIR for a project in the proposed location and of similar mass, height, and orientation. The shading diagram notes that some shading will occur on the river during the afternoon in the winter months and additional review by Biologist Gary Kittleson confirms that the shading will not affect the

health of the river or surrounding riparian habitat. The project will not result in excessive shading along Front Street. The project site is located within an area that allows for building heights up to 70 feet under specific conditions; therefore, future infill development on adjacent parcels is anticipated in this location.

10. The site plan shall be situated and designed to protect views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance visual quality of visually degraded areas.

The project site is located within the downtown area and will be visible from the San Lorenzo River but will not likely be visible from the coast or from the trestle bridge at the mouth of the river. The Local Coastal Program indicates that the San Lorenzo River is considered to be a significant coastal viewshed and the project will be located on the outside of the levee and will not affect the views of the river from the Laurel Street or Soquel Ave bridges or from the Riverwalk. The Downtown Plan identifies the east side of Front Street between Laurel Street and Soquel Avenue as an area that is intended to be developed with structures up to 70 feet in height to restore the river as an open space amenity by intensifying commercial and residential uses along the levee and by providing connections to the river from the downtown core. The project will provide ground-level and levee-facing commercial uses that draw pedestrians from Pacific Avenue to Front Street and the Riverwalk, and it will provide upper floor residences that benefit from view of the river. Additionally, the project will contribute to the revitalization of Front Street to support the downtown core and encourage connections between downtown and the Riverwalk and the beach.

11. The site plan shall minimize the effect of traffic conditions on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.

The Downtown Plan was amended in 2017 to allow for an expansion of the Additional Height Zones, which was intended to allow for increased density in the downtown area. A Trip Generation Analysis was prepared for the Downtown Plan EIR, which estimated the construction of 321 apartments on the block east of Front Street, which is the location of the subject project site. The estimates at that time indicated that future development on the block would likely result in 1,864 net daily trips. This estimate was calculated based on probable use with a 40-percent reduction to account for internal capture, pass-by trips, walkability, bikeability, and the Metro Transit Center *(Downtown Plan Amendment, July 2017)*.

A Trip Generation Analysis (*Kimley-Horn*, dated July 2019) was prepared for the proposed project using The Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition (2017)*. The project is estimated to generate a net of 854 daily trips, which

includes trip credits for existing uses and a 40% reduction described above. This estimate is consistent with the Downtown Plan EIR in that it is less than the estimated increase of 1,864 net daily trips and represents only a portion of the entire block.

There are public improvements that are required as a part of the project to achieve the goals of the Downtown Plan, to meet the requirements in the Municipal Code, and to mitigate the impacts of the project per the Downtown Plan Amendments EIR. The project shall provide sidewalks, street trees, and light standards along the parcel frontage. The project will also require access improvements to and from the site and improvements to the public right of ways including but not limited to, a 'right turn in/right turn out only' restriction at the garage entrance, a double gate system with a roll down gate located at the entrance and arms located at least 75 feet into the garage, card readers, and rapid gate system. The applicant will be required to participate, on a fair share basis, in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel and the applicant will be required to pay the full cost of signal revision at the Front/Metro/ project driveway intersection and will be required to complete such improvements as a part of the project. Additionally, the applicant will be required to participate on a fair share basis in the construction of a two way left-turn lane on Front Street.

Additional public improvement requirements include the improvement of the Riverwalk from Soquel Ave through the project site and would include a new substantial asphalt concrete pathway section, widening of the Riverwalk pathway to 12 feet, and a PCC parking pad for the service truck that will maintain the on-site private storm water system and improved green bike lane striping across the two driveways.

The project will also be required to provide a Transportation Demand Management Program (TDM) to achieve reduced vehicle miles travelled consistent with Climate Action Plan and General Plan goals and objectives, including but not limited to:

- Provide at least one parking space for, and subsidizing if necessary, a car share program (i.e. zip car) in the publically accessible portion of the parking facility. If unable to secure a partnership with a car share program, this space shall be marked for carpool vehicles.
- Provide information to all residents to enroll in the Cruz511 commute management platform and provide city-provided alternative commute information to all residents. Require all non-residential uses to enroll in Cruz511/GO Santa Cruz TDM program. And provide GO Santa Cruz brochures to all new employees.
- Enter in to a contract agreement with METRO to provide reimbursable transit passes to all residents.

In additional to the above improvements, programs, and fees, the applicant will be required to pay Traffic Impact Fees (TIF) unless phased or deferred payment terms are approved by the Planning and Public Works' Directors. The Traffic Impact Fee is calculated by the Public Works Department prior to building permit issuance and is currently estimated at $254,000.

12. **The site plan shall encourage alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicyclists, including covered parking for bicycles and motorcycles where appropriate. Public transit stops and facilities shall be accommodated as appropriate, and other incentive provisions considered which encourage non-auto travel.**

    The project is located in the downtown area and is within walking and biking distance to a variety of retail stores, personal services, and recreational areas. The metro center and bike rental facilities are also within close proximity and the building will provide bike parking facilities as required by the City Zoning Ordinance. Finding No. 11 above articulates the various Transportation Demand Management strategies that are incorporated as conditions of approval.

13. **The site shall provide open space and landscaping which complement buildings and structures. Open space should be useful to residents, employees, or other visitors to the site. Landscaping shall be used to separate and/or screen service and storage areas, separate and/or screen parking areas from other areas, break up expanses of paved area, and define open space for usability and privacy.**

    The project includes the development of a significant amount of open space both for residents and the public in the form of an expanded Riverwalk area which will be landscaped and will connect with river-facing commercial spaces. The project includes private balconies, as well as a roof deck and it provides significant landscaping at the street frontages. Parking will be located within the building in a basement and ground level parking garage.

14. **The site plan shall reasonably protect against external and internal noise, vibration and other factors, which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents**.

    The proposed development requires the issuance of a building permit. All units are required to meet all applicable regulations of the California Building Code pertaining to noise, vibration, and other factors affecting indoor and exterior environmental quality. The final building design is conditioned to comply with all recommendations of the project Noise Assessment (prepared by *Charles M. Salter Associates*, Inc., dated November 7, 2018) in order to meet the noise standards of the General Plan which requires 45 decibels or less for interior noise levels and 60 decibels or less in outdoor activity areas. The Noise Assessment recommends the use of higher Sound Transmission Class (STC) rated windows at the frontages of Front Street and for the front portions of the pedestrian passageways.

15. Signs shall complement the site plan and avoid dominating the site and/or existing buildings on the site or overwhelming the buildings or structures to which they are attached. Multiple signs on a given site should be of a consistent theme.

There are no signs proposed as a part of the project. Any future signage requires approval of a Sign Permit prior to installation.

16. Building and structures shall be so designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling and ventilation.

The proposed buildings have been designed to make use of solar radiation and wind for natural heating and cooling by providing operable windows on all elevations, a rooftop deck, and wide pedestrian passageways.

17. The site plan shall incorporate water-conservation features where possible, including in the design of types of landscaping and in the design of water-using fixtures. In addition, water restricting showerheads and faucets shall be used, as well as water-saving toilets utilizing less than three gallons per flush.

The proposed new units and on-site improvements, including new landscaping and irrigation, requires the issuance of a building permit which shall be reviewed for water conservation by the City Water Conservation Office.

18. In all projects in Industrial (I) Zones, building design shall include measures for reusing heat generated by machinery, computers and artificial lighting.

The site is not located within the (I) zone district; therefore, this finding is not applicable.

19. In all projects in Industrial (I) Zones, all buildings and structures shall be so designed and oriented to make use of natural lighting wherever possible.

The site is not located within the (I) zone district; therefore, this finding is not applicable.

20. Heating systems for hot tubs and swimming pools shall be solar when possible but in all cases energy efficient.

There are no hot tubs or pools proposed; therefore this finding is not applicable.

21. Enhance the West Cliff Drive streetscape with appropriate building mass, modulation, articulation, coloring and landscaping that is compatible with and would not diminish the visual prominence of the public open space.

The site is not located on West Cliff Drive; therefore, this finding is not applicable.

With respect to the Administrative and Special Use Permits, Section 24.08.050 to allow for greater than 60 residential units in the Downtown Area (SUP), an office use along Front Street (leasing office) (AUP), a combined public private fitness studios and dance school on Front Street (AUP), and an instructional school (418 Project)along Front Street (AUP)

22. The proposed structure or use conforms to the requirements and the intent of this title, and of the General Plan, relevant area plans, and the Coastal Land Use Plan, where appropriate;

The project site is located within the Front Street/Riverfront Corridor, which is a subdistrict of the Downtown Plan area. The Downtown Plan describes the Front Street/Riverfront Corridor as an area in need of redevelopment into a transitional area between the intensive commercial core along Pacific Avenue and the recreational resources provided by the San Lorenzo River. The plan encourages active ground-level uses such as retail and restaurants adjacent to Front Street, and upper floor residences and offices that take advantage of river viewsheds. The project does not result in environmental impacts and locates residential units in a transit priority area where there are many options for alternative transportation. Therefore the mixed-use building with greater than 60 residential units is consistent with the goals and policies of the General Plan, Downtown Plan, and Local Coastal Plan.

Table 4-1 in the Downtown Plan identifies permitted ground level uses in the Front Street/Riverfront Corridor and Table 4-1 in the Downtown Plan identified permitted uses along the Riverwalk. There are some anticipated uses proposed as a part of the project that require the approval of Use Permits:

- The project includes a leasing office as ground floor uses along Front Street. The use is consistent with the criteria established in the Downtown Plan in that the use is not located along Pacific Avenue or within 75 feet perpendicular to Pacific Avenue; the use is compatible with planned ground level commercial uses and upper level residential uses in that the leasing office directly serves the development, and the building meets the requirements in the Downtown Plan for storefront and building façade guidelines and is capable of being transformed to retail space in the future.
- The applicant indicates that they are in discussion with the owners of the 418 Project to relocate the business to the largest commercial space facing Front Street (Commercial Space C). The agreement has not been finalized; however, this permit includes a request for an Administrative Use Permit to allow for the dance performance center to be located along Front Street in the event that the business is relocated. The space is located on Front Street and is therefore not subject to the criteria in the Downtown Plan for instructional schools along Pacific Avenue or east-west street frontages. The instructional school is an appropriate use along Front Street in that the activity within provides interest and enjoyment to pedestrians and preserves a local business that is an established part of the community.
- The project includes a co-working space at the Riverwalk that is provided as an amenity space for residents and is intended to be made available to members of the public. This use is Principally Permitted in the Downtown Plan and is consistent with

the criteria that the use will be compatible with ground and upper level planned uses in that the office space serves residents and members of the public.

- The project includes a combined public/private fitness studio at the Riverwalk level that is intended to be provided as an amenity to residents and available to the public to rent for private fitness classes. The use is consistent with the criteria for Health/Fitness Studios in the Downtown Plan in that the private/public use is consistent upper level residential uses.

The remaining, undefined commercial spaces are required to be designed and constructed to allow for food and drink service uses in addition to retail, and the applicant indicates that the commercial spaces are intended to be filled by businesses that are open to the public, that can take advantage of connected outdoor areas, and that have an active and engaging presence on the street and sidewalk. These types of uses and outdoor areas are highly encouraged for areas within the Downtown Plan and along the Riverwalk and are consistent with the several goals and policies in the Downtown Plan for the development of the Front Street/Riverfront Corridor, including the Planning Principals and Strategies. Pursuant to Table 4-2 of the Downtown Plan, a business is required to obtain approval of an Administrative Use Permit prior to the establishment of a retail use along the Riverfront to ensure that the use is consistent with the goal to activate the Riverwalk and to determine if the use will be compatible with surrounding residential and commercial uses.

23. That any additional conditions stipulated as necessary in the public interest have been imposed;

Conditions of approval are stipulated that require the plans submitted for building permit issuance to include all public and private improvements, all landscaping details, and all details regarding exterior materials and colors as shown on the approved plans to ensure protection of the public interest in the project. Variations to lower-quality materials or design at the building permit phase will require prior approval of a Modification prior to issuance. The plans are conditioned to provide adequate lighting at the pedestrian passageways and along the expanded Riverwalk area to ensure security for pedestrians but that are also downward facing to reduce off-site glare. Additionally, surveillance cameras are required to be installed at the exterior of the building in accordance with Police Department requirements and the applicant is permitted to close open space areas during the nighttime hours to ensure the safety of the residents.

24. That such use or structure will not constitute a nuisance or be detrimental to the public welfare of the community; and

The mixed-use building does not constitute a nuisance or be detrimental to the public welfare of the community in that the project results in the redevelopment of Front Street which is currently disconnected from the downtown commercial core and less frequented by pedestrians, and the project results in an improvement to the Riverwalk . The addition of residential units and new commercial spaces in the project increases pedestrian traffic in the Front Street area and at the Riverwalk and provides new construction in an area in need of

redevelopment. Public improvements are included in the project to respond to traffic impacts.

25. That all thrift store uses shall include a management plan that identifies collection facilities for donated items, operating hours for donation facilities which discourage unsupervised dropoffs, adequate storage areas for sorting the materials, and provides a plan to properly dispose of unusable items in a timely, secure, and orderly fashion and maintains premises in a clean and attractive condition.

A thrift store is not proposed as a part of the project.

With respect to the Coastal Permit, Section 24.08.250 to allow for the construction of a 188,694 square-foot, mixed-use building in the appealable area of the Coastal Zone.

26. Maintain views between the sea and the first public roadway parallel to the sea;

The project site is located in the downtown area, on the east side of Front Street between Front Street and the San Lorenzo River. The project is not located between the sea and the first public roadway parallel to the sea.

27. Protect vegetation, natural habitats and natural resources consistent with the Local Coastal Land Use Plan;

An Arborist Report was prepared for the project by Kurt Fouts, Arborist Consultant, dated September 9, 2018 which indicates that there are four heritage trees that will be removed as a part of the project. Three of the trees are located along the outside of the levee where new fill will be placed to allow for an expansion of the Riverwalk area and one of the heritage trees is located within the footprint of the development which is encourage to be constructed to the property line. There is also one, non-heritage street tree (12" red oak) that is recommended for removal due to poor health. The project includes the addition of 21 trees at the expanded Riverwalk area and two new street trees at the Front Street frontage to mitigate the proposed tree removal. A shading diagram was included in the Downtown Plan EIR for a project in the proposed location and of similar mass, height, and orientation. The shading diagram was notes that some shading will occur on the river during the afternoon in the winter months and additional review by Biologist Gary Kittleson confirms that the shading will not affect the health of the river or surrounding riparian habitat. The project will not result in excessive shading along Front Street. The project site is located within an area that allows for building heights up to 70 feet under specific conditions; therefore, future infill development on adjacent parcels is anticipated in this location.

28. Be consistent with any applicable design plans and/or area plans incorporated into the Local Coastal Land Use Plan;

The project site is located in the Downtown Plan area within Additional Height Zone B which includes design and development standards for new buildings that are taller than the

base height of 55 feet. As conditioned, the project is consistent with these standards with the exception of minor variations and waivers that do not affect the ability for the project to meet the Downtown Plan goals or community objectives.

29. Maintain public access to the coast along any coastline as set forth in the Local Coastal Land Use Plan;

Public access to the coast is positively impacted by the project in that the project site is located between Front Street and the Riverwalk which both provide direct walking, biking, or vehicular access to the coast.

30. Be consistent with the Local Coastal Land Use Plan goal of providing visitor-serving needs as appropriate;

The project includes 175 residential units and ground-floor commercial space on the Front Street frontage and the Riverwalk frontage. Future uses within those commercial spaces will be those that are permitted in the Downtown Plan for the ground-floor including retail sales, eating and drinking establishments, general markets, and commercial entertainment, which all function as visitor-serving amenities.

31. Be consistent with the Local Coastal Land Use Plan goal of encouraging coastal development uses as appropriate.

The project is consistent with the goal of encouraging coastal development uses as appropriate, in that the location of the project facilitates future pedestrian and resident access to the Riverwalk, which provides access to the coast, and the Pacific Avenue downtown core and strengthens the connection between downtown and the beach, which is within walking and biking distance from the project site.

<u>With respect to the Revocable License Findings, Section 24.10.2340(6)(c)</u>

32. The extension area in the particular location on the sidewalk will not adversely affect the use of the public street, will implement the Downtown Recovery Plan, and the General Plan.

The project includes fill between the outer edge of the levee and the building to expand the Riverwalk area west of the existing path. There are commercial spaces, residential amenity spaces, and residential units facing the Riverwalk and the area is conditioned to be maintained as accessible to the public. The permit is conditioned to require the owner to obtain a modified Revocable License Agreement for the use, maintenance, and management of the of the expanded fill areas. The extension area includes landscaping, seating opportunities, and access to the residential units and commercial spaces that bridge the gap between the public and private realm, as encouraged by the Downtown Plan at the Riverwalk. The extension area does not adversely affect the use of the public street in that it

is not located adjacent to a public street and is consistent with the goals in the Downtown Plan.

33. The proposed use will not be detrimental to persons residing, visiting, or working in the area.

The extension area at the Riverwalk is not detrimental to the general public in that conditions of approval are included that allow for closure of the pedestrian passageways between dusk and dawn and that require maintenance of the extension area in clean and safe condition, removal of moveable furniture at the close of business, and adequate clearance for the traveled way.

34. The proposed use will conform to all relevant regulations in the Municipal Code, and applicable county regulations and state law.

The use of the extension area conforms to all relevant regulations in the Municipal Code and the Downtown Plan and applicable County regulations and State Law in that the property owner and/or future tenants are required to obtain approval of all pertinent City, County and State agencies prior to construction and use, including but not limited to accessibility requirements, outdoor food service and alcohol service, and outdoor programmed events.

With respect to the Heritage Tree Removal Findings, Resolution NS-23,710 for the removal of four heritage trees

35. A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

An Arborist Report was prepared for the project by Kurt Fouts, Arborist Consultant, dated September 9, 2018 which indicates that there are four heritage trees that will be removed as a part of the project. Three of the heritage trees are located along the outside of the levee where new fill will be placed to allow for an expansion of the Riverwalk area and one of the heritage trees is located within the footprint of the development. The Downtown Plan requires a building in this location to provide the pedestrian passageways at the proposed widths, encourages the buildings to be constructed to the property lines, and requires the placement of fill between the building and the levee to expand the Riverwalk. The project meets these requirements and as a result, the developable area of the project site is significantly constrained and there is no opportunity to modify the design the preserve the heritage trees. The project includes the addition of 21 trees at the expanded Riverwalk area and two new street trees at the Front Street frontage to mitigate tree removal.

With Respect to the Tentative Subdivision Map, Section 23.26.050 to allow for the creation of commercial and residential condominiums.

36. The proposed tentative map is consistent with the applicable general and specific plans.

The project site is designated as RVC/Downtown Santa Cruz (Regional Visitor Commercial) in the General Plan and is located within the CBD (Central Business District) zone district and within the Coastal Zone. The project site is also located within the Front Street/Riverfront Corridor subarea of the Downtown Plan. The Downtown Santa Cruz/RVC General Plan designation is intended to emphasize a mix of uses such as office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions. The CBD zone district is a zone that is intended to implement the objectives of the Downtown Plan. There is no density range in the CBD or RVC districts however, the project complies with the Floor Area Ratio limitations and the development standards provided in the RVC district and the Downtown Plan with the exception of some standards that are requested as Design Variations and as Density Bonus incentives/concessions and waivers. The project is supported by the goals and policies in the General Plan 2030, the Downtown Plan, the Local Coastal Program, and the San Lorenzo Urban Plan that are listed in finding #5 above.

37. The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

The recordation of a condominium map is consistent with Title 23 of the Municipal Code in that conditions of approval are included that require: the recordation of Covenants, Conditions, and Restrictions (CC&R's), the common area at the Riverwalk is required to mapped as a Public Utility Easement, and the development includes public improvements such as the installation of street light standards and street trees along the parcel frontage, improvement of the Riverwalk path, and participation on a fair share basis in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel and the applicant is required to pay the full cost of signal revision at the Front/Metro/project driveway intersection and is required to complete such improvements as a part of the project. Additionally, the applicant is required to participate on a fair share basis in the construction of a two way left-turn lane on Front Street and is required to pay Traffic Improvement Fees (TIF).

38. The site is physically suitable for the type of development proposed.

A geotechnical report, drainage, grading and erosion control plans have been reviewed and approved by Public Works Department, Building Department, and Water Department for the proposed development. Public water and sewer are available to the serve the site. The project Conditions of Approval assure that the site is physically suitable for the type of development proposed.

39. The site is physically suitable for the proposed density of development.

The site is physically suited for the creation of 175 residential condominiums in that the project is consistent with the maximum Floor Area Ratio provided in the General Plan for

the RVC district and, with the exception of the levee which will be filled to create a level area between the building and the Riverwalk, the site is primary flat and is currently developed with commercial buildings and parking lots. The project includes all of the required on-site parking to serve the residential units and commercial spaces and the project is located downtown and is within walking and biking distance of commercial goods and services, recreational areas, and public transportation. The building does not block views of the river from downtown in that there are no views that currently exist given the height of the levee, and the building does not block views of the river from the Riverwalk or other identified scenic vistas.

40. The design of the subdivision or proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design and improvements of the subdivision for the purposes of creating condominiums do not result in substantial environmental damage or injure fish or wildlife in that there are no mapped or known biotic resources on the project site including on the outside edge of the levee, and the project site is currently developed with commercial buildings and parking lots. Conditions of approval are included that require compliance with the city's bird safety standards and that require downward-facing landscape lighting only that results in no off-site glare to the river.

41. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The improvements and design of the development are in accordance with the State Subdivision Map Act and City's Subdivision Ordinance and the associated improvements do not cause or result in serious public health problems. Public water and sewer are available to serve the site.

42. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or the use of, property within the subdivision.

The design of the subdivision does not conflict with public easements acquired by the public at large for access through or the use of the property in that no such easements are known to exist on the project site. The development includes two publically-accessible pedestrian passageways through the development and includes the expansion of the area adjacent to the publically-accessible Riverwalk to allow for public access through and around the site.

<u>With respect to the Density Bonus and Waiver, Section 24.16.270</u>

43. The housing development is eligible for a density bonus and any concessions, incentives, waivers, modifications, or modified parking standards requested;

conforms to all standards for affordability included in this section; and includes a financing mechanism for all implementation and monitoring costs.

The proposed project meets the definition of a housing development as contained in Section 24.16.205(17) of the Zoning Ordinance. The project is eligible for a density bonus and associated density bonus waivers in that eleven percent of the 133 residential units established in the base density project (15 units) will be made available to households at the very low income level (50% Area Median Income) based on affordable rents or affordable ownership costs. Per section 24.16.225 of the Zoning Ordinance, the project qualifies for two Density Bonus incentives/concessions at these affordability levels and the applicant may request a Density Bonus waiver consistent with Section 24.16.255(4) of the Zoning Ordinance.

44. Any requested incentive or concession will result in identifiable and actual cost reductions to provide for affordable rents or affordable ownership costs based upon appropriate financial analysis and documentation if required by Section 24.16.255.

At the Elm Street passageway, the elevator shafts on either side of the passageway encroach 10 feet into the required 10 foot stepback above 35 feet, as required in the Downtown Plan for the Front Street/Riverfront Corridor. The total area of the 10 foot stepback above 35 feet along each side of the Elm Street passageway is approximately 860 square feet. Each elevator shaft is ten feet wide and represents about 8.5 percent of the each stepback area. Section 24.16.255(2) allows for an applicant to seek approval of specified incentives/concessions without any requirement that the applicant demonstrate to the city that the requested incentive or concession results in identifiable and actual cost reductions to the project to provide for affordable ownership costs. One of the incentives/concessions listed in this code section is a 20 percent reduction in setback area and the applicant has requested two such reductions for the encroachment of the elevator shafts on each side of the Elm Street pedestrian passageways. The project is eligible for such incentives/concessions pursuant to the City's Density Bonus Ordinance and state law requirements and no additional documentation is required.

45. If the density bonus, incentive, or concession is based all or in part on the inclusion of a child care center, the development conforms to the standards included in Section 24.16.235.

The density bonus and requested waivers are not based all or in part on the inclusion of a child care center.

46. If the density bonus incentive or concession is approved for a condominium conversion, the development conforms to the standards included in Section 24.16.240.

The project does not include a condominium conversion.

47. If the incentive or concession includes mixed-use buildings or developments, the nonresidential land uses will reduce the cost of the housing development and the proposed nonresidential uses are compatible with the housing development and with existing or planned development in the area where the proposed housing development will be located.

The project does not include incentives or concessions related to a mixed-use building or nonresidential uses of land.

48. If a waiver or modification is requested, the applicant has shown that the development standards for which the waiver or modification is requested will have the effect of physically precluding the construction of the housing development at the densities or with the incentives or concessions permitted by this Part 3.

Section 24.16.255(4) allows for applicants to seek approval of a density bonus waiver or modification of development standards that will have the effect of physically precluding the construction of a housing development eligible for a density bonus. The applicant is requesting the following waivers to development standards:

- Waiver of stepback requirements to reduce required 10-foot stepbacks above 50 feet on Front Street for 50 percent of the building frontage from 180 feet (50%) to 74 feet (20.5%) based on the combined building frontage.
- Waiver of stepback requirements to reduce required 10-foot stepback above 50 feet on the Riverfront frontage to between 0 and 10 feet.
- Waiver of building height standards in Additional Height Zone B to increase in maximum building height from 70 feet and 5 stories above ground floor commercial to approximately 77'9" total and 6 stories above ground floor commercial

The applicant has demonstrated that compliance with the required stepback above 50 feet and the maximum height for Additional Height Zone B would physically preclude development of the project at the requested density of 175 units. The applicant has developed the project to and beyond maximum allowed design standards and has, in the process, designed a project with smaller units overall than in the base project and with fewer units than would be allowable with a 35-percent bonus, which supports the inference that the project would be physically precluded without the requested waivers. In addition, the applicant has demonstrated, through detailed drawings, that a reasonable alternative floor plan complying with both the stepback and height requirements reduces the total unit count, as follows:

- In Building No. 1, the Project would lose a net of one studio apartment and three one-bedroom units;
- In Building No. 2, a one-bedroom unit would need to be converted to a studio apartment, with an additional loss of five one-bedroom units and one two-bedroom unit; and
- In Building No. 3, the Project would lose a net of three studio apartments and four one-bedroom units.

This evidence is sufficient to meet the applicant's burden to show that without the requested waivers, the applicant would be physically precluded from developing a 175 unit project; therefore, a waiver of the above listed requirements is appropriate.

49. If a commercial development bonus is requested, the project complies with the requirements of Section 24.16.258, the city has approved the partnered housing agreement, and the bonus has been mutually agreed upon by the city and the commercial developer.

A commercial development bonus is not requested as a part of the project.

50. If the housing development or the commercial development is in the coastal zone, any requested density bonus, incentive, concession, waiver, modification, modified parking standard, or commercial development bonus is consistent with all applicable requirements of the certified Santa Cruz local coastal program, with the exception of density.

The project is located in Exclusion Area B and is eligible for a density bonus in that 11 percent of the 133 units in the base density project will be made available to households at the Very Low Income level (50% AMI). The project includes requests for the incentives/concessions and waivers described in Findings #46 and #50 above and the project site is located within the Coastal Zone. The project is consistent with the goals and policies in the Local Coastal Program in that the project is located in the downtown transit priority area on a site that is currently developed with commercial buildings and parking lots and where the adjacent San Lorenzo River and surrounding riparian habitat is not impacted by the development. The development provides direct access to the Riverwalk that provide a pedestrian and bicycle connection from Highway 1 to the coast. Public water and sewer are available to serve the project site.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz, that Permit Application No. CP18-0153 requesting approval of the project is hereby approved subject to the Conditions of Approval attached hereto as Exhibit “A”.

PASSED AND ADOPTED this ___ day of ____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

RESOLUTION NO. NS-

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

EXHIBIT "A"

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

418, 428, 440, 504, and 508 Front Street - CP18-0153

Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to remove one street tree and three heritage trees, to combine five parcels, demolish three commercial buildings including two historic commercial buildings, and to construct a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground floor and levee front commercial space on property located within the CBD/CZ-O/FP-O zone district and within the Front Street/Riverfront subarea of the Downtown Plan.

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.

2. All plans for future construction which are not covered by this review shall be submitted to the City Planning and Community Development Department for review and approval.

3. The project shall be consistent with applicable Mitigation Measures from the Downtown Plan EIR, including but not limited to those specifically included as conditions herein.

4. The Tentative Subdivision Map shall be exercised by filing a Final Map within thirty-six (36) months of the date of final approval, unless extended in accordance with the Subdivision Ordinance or state law, or it shall become null and void.

5. The final map of the subdivision shall be submitted showing compliance with all the provisions of Title 23 of the Santa Cruz Municipal Code, or with approved exceptions thereto.

6. If, upon exercise of this permit, this use is at any time determined by the Planning Commission to be incompatible with the surrounding neighborhood, revocation of, or amendment to, this permit by the Planning Commission could occur.

7. The use shall meet the standards and shall be developed within limits established by Chapter 24.14 of the Santa Cruz Municipal Code as to the emission of noise, odor, smoke, dust, vibration, wastes, fumes or any public nuisance arising or occurring incidental to its establishment or operation.

8. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.

9. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major

modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.

10. All requirements of the Fire Department, Water Department, Building Department, and Public Works Department shall be met and shall be continuously maintained.

11. A demolition permit shall not be issued unless it is issued simultaneously with a building permit to construct the approved project in its entirety.

12. The applicant shall send notices of demolition to all tenants of the buildings to be demolished at least six months prior to demolition or eviction. The notices shall include contact information for the Economic Development Department for tenants to use as a resource for relocation assistance. Proof of noticing shall be submitted to the Economic Development Department.

13. New property descriptions shall be sequentially recorded with the County Recorder's Office and a copy of each recorded description provided to the City of Santa Cruz Planning Department and the Water Department.

14. The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement at the bottom of these conditions, which will become conditions of the building permit:

    "I understand that the subject permit involves construction of a building (project) with an approved Design Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final."

    _____

    Signature of Building Contractor Date

15. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government code Section 66474.9, defend, indemnify and hold harmless the City of Santa Cruz or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of

such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of the City Attorney or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The City shall promptly notify the property owner of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. If the City fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the City harmless.

PRIOR TO RECORDATION OF THE CONDOMINIUM MAP:

16. Prior to the approval of the final map, Covenants, Conditions and Restrictions (CC&Rs) containing the provisions set forth in Section 23.37.010 of the Subdivision Ordinance, shall be filed with the Planning Director. The CC&Rs shall include provisions for:
    - A requirement that any unit that is rented be managed by a single management company designated by the homeowners association to manage all rental units in the residential project
    - An operations plan for trash management.
    - Language shall be included that subsequent homeowner agreements shall not remove any conditions and/or restrictions specifically required by the City without first obtaining an amendment to this approval. The agreement shall be recorded and in full effect prior to issuance of any grading or building permits for the residences.

17. All necessary easements shall be acquired prior to City Council acceptance of the final subdivision map.

18. The specified common area shall be designated as a public utility easement.

19. Permanent monuments shall be furnished and installed by the subdivider as required by the Director of Public Works.

20. All plans and profiles of improvements shall be approved by the Director of Public Works prior to the filing of the final map, and the construction of said improvements shall be in accordance with the City specifications and shall be inspected by the Director of Public Works or his authorized agent.

21. The reproducible mylars of the plans and profiles for said improvements shall be furnished to the Public Works Department and shall become the property of the City of Santa Cruz at the time of approval.

22. Approval of the final plans and the conditions necessary for said approval are not necessarily limited to the approved tentative map conditions listed herein.

23. The development of the site shall be subject to the provisions of the Zoning Ordinance of the Santa Cruz Municipal Code.

24. Approval of final plans and any conditions necessary for implementation of same in no way modify the original conditions of approval.

25. No permits or work shall commence on the subject property until approval of the final map.

26. Installation and testing of the sewer lines, water systems, and fire hydrants must also be conducted to satisfy the requirements of the Public Works Department, the Water Department, and the Fire Department, prior to the issuance of the building permit.

PRIOR TO BUILDING PERMIT ISSUANCE:

27. Section 408 Army Corps of Engineers Permit: Prior to the issuance of a building or demolition permit for the site, the applicant shall submit evidence that a Section 408 Permit has been issued for the project by the Army Corps of Engineers (ACOE). The plans approved by the ACOE must be consistent with the plans submitted for building permit issuance and the applicant must demonstrate that the ACOE has approved the landscaping plans submitted with the building permit application.

28. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the approved plans. All approved exterior finishes and materials shall be clearly notated on the building permit plans.

29. Submit a final color and materials board for review and approval by Planning Staff. All exterior colors and materials shall be consistent with the final approved plans.

30. Plans submitted for building permit issuance shall include civil plans and documents prepared by a licensed civil engineer that include dedications and all improvements required herein, architectural plans prepared by a California licensed architect, and landscape plans. All plan sheets shall be internally consistent.

31. Plans submitted for building permit issuance shall meet all requirements of the Building, Fire, Public Works and Water Departments.

32. The plans submitted for building permit issuance shall include the following details and/or modifications, subject to review and approval by the Zoning Administrator:

    (a) Plans shall show the height of the building(s) measured to the top of the parapet walls and shall conform with all applicable height requirements.
    (b) Plans shall demonstrate that awnings do not project greater than 6 feet into the public right of way.
    (c) The buildings shall have high quality exterior materials with durable, matte finishes.
    (d) Materials and cross sections showing window and door relief for the replicated storefront facades at 418 and 428 Front Street.

(e) The plans shall include the use of high quality, operable, upper floor windows that are recessed at least six inches from building face.

(f) The window and door schedules shall clearly note the sound transmission class (STC) ratings for all exterior windows and doors and the ratings shall comply with the recommendations of the Noise Assessment prepared by Charles M. Salter Associates, Inc., dated November 7, 2018. Noise ratings shall also comply with all building codes and shall take into consideration all on-site noise generating equipment. (Mitigation Noise-1)

(g) An exterior lighting plan shall be provided which shall indicate that all exterior building lighting and landscape lighting is downward-facing and shielded to contain the light source and to minimize off-site glare, and shall demonstrate that all exterior lighting has the ability to provide warm, low-level lighting from sundown to 10 p.m. nightly. Sufficient exterior lighting shall be provided within the pedestrian passageways, the sidewalk, within recessed areas, and within the parking garages to provide security and safety to pedestrians at night.

(h) Security cameras shall be provided in the parking garages, exterior stairwells, rooftop open space areas, ingress and egress of parking lots, courtyards, and 360-degrees around the exterior of the building. Recordings shall be accessible to police within 24 hours with a 30-day retention capability.

(i) All new mechanical equipment and appurtenances, including but not limited to gas and water meters, electrical boxes, roof vents, air conditioners, and antennas that are visible from the public way, the Riverwalk, and from adjacent properties, shall be screened with materials compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator. Rooftop equipment shall meet all setback requirements of the Downtown Plan.

(j) Ground floor and Riverwalk-facing storefront glass shall be clear, transparent glass and shall not be reflective, tinted, mirrored or otherwise screened from public view.

(k) The plans shall not include flex/commercial space on the ground floor facing Front Street. All tenant spaces shall be labeled for commercial uses only with the exception of amenity and common spaces such as entryways to the residential units and leasing office/lobby spaces, as shown on the plans.

(l) All commercial spaces shall be constructed to support a future food service use. Plans must include ducting and venting plans for all commercial spaces. All ducting and venting should be designed to be hidden or incorporated into the building design. Plans shall also show the locations of grease traps, grease lines, and grease storage facilities.

(m) Plans shall reflect an increased mailroom size and the applicant shall provide confirmation that the mailroom meets the size regulations of the United States Postal Service (USPS).

(n) If the project includes the removal of access to the two existing parking spaces on APN 005-151-50 which are currently utilized by APN 005-151-49, then the property owner of APN 005-151-49 shall be responsible for paying in-lieu fees to the Downtown Parking District pursuant to City Council Resolution No. NS-29,538.

(o) Terraced fill between the Riverwalk and the building shall not exceed a height of 24 inches.

(p) Signage shall be included within the parking garage that specifies commercial and residential parking spaces.
(q) Skateboarding mitigation measures, as required by the Police Department , shall be shown on the plans at all stairways, benches, and planters along the pedestrian pathways, Front Street frontage, and Riverwalk facing frontage.

33. Trash Enclosure. The trash enclosure shall be accessible from the Front Street frontage. If the applicant chooses to instead make the trash container or bins accessible from Front Street, the container/bins shall be removed immediately after emptying to ensure that the bike lane is not obstructed. The trash enclosure shall meet all of the requirements of the Department of Public Works including but not limited to the following features: a 15 yard compactor, a 4 yard mixed recyclables container, 4 yard cardboard container and a 2 yard food waste container. The trash enclosure design shall include a roof to keep storm water from leeching pollutants from the area where the containers are stored and to secure the area from unauthorized entry; a floor drain installed in the slab and connected to the sanitary sewer system; and a hose bib for the purpose of cleaning the interior of the structure. The final trash enclosure design shall be subject to review and approval by the Public Works Department. Please see "City of Santa Cruz Department of Public Works Refuse Container Storage Facility Standard Design Policy."

34. Bird-Safe Design. The plans submitted for building permit issuance shall identify the use of bird-safe, ultraviolet, and/or patterned glass, or other material or method proven to discourage bird strikes, at the windows and balcony railings up to 40-feet in height, with the exception of ground floor glass. Mirrored and/or reflective glass is not permitted anywhere on the building. Uplighting and spotlights are not permitted within any of the landscaped areas.

35. Traffic Engineering. The applicant shall submit the final engineered design for access improvements to and from the site and for improvements to the public right-of-ways, including but not limited to, a ‘right turn in/right turn out only’ restriction at the garage entrance, a double gate system with a roll down gate at the sidewalk which shall be left open during the day and closed at night and gate arms located at least 75 feet into the garage to allow for queuing of vehicles during peak times, card readers, and rapid gate system. The plans shall include multi-use levee pathway improvements from Soquel Ave to the southern end of the project site. The pathway shall be improved to accommodate a maintenance vehicle that will be servicing the private storm system. The pathway width will need to match the existing 12’ wide pathway, as directed by the City of Santa Cruz Public Works Dept. These improvements shall also include a new substantial asphalt concrete pathway section and a concrete parking pad for the service truck that will be maintaining the on-site private storm water system. Plans shall also include improved green bike lane striping across the two driveways.

36. Transportation Demand Management (TDM). TDM measures shall be prepared and implemented to achieve reduced vehicle miles traveled consistent with Climate Action Plan and General Plan goals and objectives, including but not limited to:

- Provide at least one parking space for, and subsidizing if necessary, a car share program (i.e. zip car) in the publically accessible portion of the parking facility. If unable to secure a partnership with a car share program, this space shall be marked for carpool vehicles.

- Provide information to all residents to enroll in the Cruz511 commute management platform and provide city-provided alternative commute information to all residents.

- Require all non-residential uses to enroll in Cruz511/GO Santa Cruz TDM program and provide GO Santa Cruz brochures to all new employees.

- Enter in to a contract agreement with METRO to provide reimbursable transit passes to all residents. The applicant shall contact John Urgo (jurgo@scmtd.com) at Santa Cruz METRO to develop a reimbursable pass program. Desired program parameters include distribution of transit passes to all residents of the project, where project will reimburse METRO on a monthly/quarterly basis for all rides used. Final agreement will be between project sponsor and METRO and the city shall receive annual reports of total ridership.

37. Electric Vehicle Supply Equipment (EVSE) Installed. Plans shall demonstrate that all EVSE installed parking spaces are provided as required per Section 24.12.241 of the Zoning Ordinance. The project requires a minimum of 17 residential and 2 commercial EVSE installed spaces based on the total of 142 residential and45 commercial parking spaces provided. Additional EVSE installed spaces are highly encouraged.

38. Parking. Plans shall demonstrate that all standard parking spaces shall have minimum dimensions of 8.5 feet x 19 feet and all compact parking spaces shall have minimum dimensions of 7.5 feet x 16 feet. Specifications of equipment and an operations plan shall be provided for all parking stackers and lifts.

39. Bike Parking. Plans shall demonstrate that all bike parking has been provided per Section 24.12.250 if the Zoning Ordinance. Currently, the project requires a minimum of 175 Class 1 spaces and a minimum of 44 Class 2 spaces to serve the residential units, and a minimum of one Class 1 space and five Class 2 spaces to serve the commercial uses. The plans shall include specifications for the Class 2 bike parking racks including manufacturer, dimensions, and design, and a description of the access privileges to any proposed secure bike parking areas.

40. Landscaping. Landscape and irrigation plans shall be submitted at the time of the building permit application and are subject to review and approval by the Planning Department, the Public Works Department, and the Water Department. The landscape and irrigation plans shall demonstrate compliance with all requirements of the City's Water-Efficient Landscaping Ordinance in Chapter 16.16 of the Santa Cruz Municipal Code prior to issuance of the building permit. Plans submitted for building permit issuance shall reflect the same design, quality of materials, extent of landscaping, site and outdoor

improvements, and recreational and design features as shown on the plans. Changes will require modifications to this permit.

(a) All new street trees shall be a minimum 24-inch box size and the species shall be approved by the City Urban Forester.

(b) The plans shall include a tree protection plan for all street trees to be preserved. The plan shall comply with the Tree Protection Guidelines and Restrictions, provided in the Arborist Report prepared by Kurt Fouts, dated September 9, 2019, and shall be approved by the City Urban Forester.

(c) The landscape architect shall confirm that all proposed plans are non-invasive. Native plants and drought-tolerant plants are encouraged.

(d) The owner shall provide evidence that the planting plan for the levee extension area was approved by the Army Corps of Engineers.

(e) Landscaping plans shall show that new plantings that are located at the edge of the Riverwalk path shall be planted in the ground and not in a planter.

(f) The applicant shall replace any city irrigation lines along the levee that are affected by the project.

(g) All plantings installed by the city as part of the Public Works Levee Lighting Grant, shall be replaced in-kind pursuant to the Levee Lighting Project, as required by the Public Works Department.

41. Utilities. All utilities and transformer boxes associated with the private development shall be placed underground in accordance with the provisions of Section 24.12.700 through 24.12.740 of the Zoning Ordinance and shall not encroach into the public right-of-way.

42. Drainage/Erosion Control. A drainage plan and erosion control plan shall be submitted in conjunction with application for building permits. All erosion control features shall be installed by November 1.

43. Construction Access/Staging Plan. The building permit plans shall include a construction plan that indicates site access areas, staging areas, and parking areas for construction vehicles during all phases of construction. The construction plan shall clearly indicate that vehicles and equipment will not be parked on the street in front of existing adjacent businesses or on the levee or Riverwalk path. The hours of construction shall comply with Chapter 9.36 of the Municipal Code.

44. Air Quality: Prior to issuance of a building permit for the project, the applicant shall provide the Zoning Administrator with written verification that all permit requirements of the Monterey Bay Air Resources District relative to asbestos investigation and disposal, if necessary, have been fulfilled in accordance with Federal, State and local laws.

45. Nesting Bird Surveys. The applicant shall schedule construction and tree removal to take place between September 1 and January 30 of any given year to avoid the nesting season for birds. If this schedule is not practical, the applicant shall require a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the Migratory Bird Treaty Act (MBTA) are found, construction may need to be delayed until late September or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).
(Mitigation Measure 4.3-3)

46. Stormwater. Plans must comply with Chapter 6B of the City's Best Management Practices Manual-Storm Water BMPs for Private and Public Development Projects, which is available at www.cityofsantacruz.com/LID. Please submit the following items:

    (a) Storm Water Control Plan (SWCP): A final SWCP shall be submitted as part of the project's Building Permit application. The SWCP shall also be submitted in an 8 ½ x 11 inch report format. An electronic copy of the SWCP may be emailed to Suzanne Healy, Associate Planner, at shealy@cityofsantacruz.com.
    (b) Submit an Operations and Maintenance Plan (O&M Plan): The O&M Plan shall include at a minimum: 1) site plan showing the location of drainage structures and structural control measures, 2) O&M procedures, timing, and frequency for maintenance of LID features and drainage systems, and include applicable BMPs from Chapter 6B of the City's Best Management Practices Manual Storm Water BMPs for Private and Public Development Projects, 3) cost estimates for maintenance, and 4) BMPs for any Special Site Conditions (see pages 30-31), e.g. trash enclosure, parking, etc.
    (c) A final O&M Plan shall be submitted as part of the project's Building Permit application. The O&M Plan shall be submitted in an 8 ½ x 11 inch report format, and can be included as a SWCP appendix. The signed Maintenance Agreement shall be included in the O&M Plan as an attachment. An electronic copy of the O&M Plan may be emailed to Suzanne Healy, Associate Planner, at shealy@cityofsantacruz.com.
    (d) Maintenance Agreement: Prior to issuance of the Building Permit, the property owner shall sign and submit a BMP maintenance agreement ensuring that they will provide long-term operation and maintenance of structural storm water control measures (see template in Appendix C of Chapter 6B Storm Water BMPs for Private and Public Development Projects). The O&M Plan shall be attached to the signed maintenance agreement. A copy of the signed Maintenance Agreement may be emailed to Suzanne Healy, Associate Planner-PW, at: shealy@cityofsantacruz.com.

(e) The Maintenance Agreement must be included or attached to any HOA agreement if applicable and/or recorded in the CCRs with proof of CCR recordation submitted to the City.

(f) Storm Water LID (Source Control) - Additional source control measures are required if the project will include any of the following site conditions: commercial/industrial facilities, material storage areas, vehicle fueling/maintenance/wash areas, equipment and accessory wash areas, parking garages, outdoor parking areas, pools/spas/water features, trash storage areas, and food service or food processing facilities.

(g) Erosion Control Plan (ECP): An ECP shall be submited with the project's Building Permit application. The ECP shall show the location of all erosion & sediment control BMPs, including the items below, and shall include a detail or typical diagram for each BMP:

1. Perimeter BMPs, such as straw wattles and fiber rolls, to prevent off-site migration of soil, sediment, pollutants, litter, etc.
2. Stabilized construction entrance/exit.
3. Porta-potty
4. Material or soil stockpile pile areas: Please show location and indicate which BMPs will be used to cover and protect stockpiles from run-on and run-off.
5. Storm drain inlets & catch basins (if applicable): Please show on-site and any nearby downstream storm drain inlets/catch basins in the street or parking areas. Please include BMPs to protect storm drain inlets/ catch basins during construction such as catch basin filter fabric or inserts. (Sand bags, gravel bags and straw wattles around storm drain inlets exposed to street traffic are not recommended). If filter fabric, please use Filtrex 8" Soxx with Mirafi140N fabric (or similar) underneath the grate, appropriately sized and secured.
6. On the Erosion Control Sheet, please add the following wording:
    - Construction Best Management Practices (BMPs): Project construction and demolition activities shall comply with the City's Storm Water Best Management Practices for Construction. See the City Website at: http://www.cityofsantacruz.com/home/showdocument?id=6031
    - BMPs, such as fiber rolls or wattles, shall be inspected periodically during construction and after each significant rain event, and any needed repairs made immediately.
    - Check the sidewalk and street daily during the demolition and construction phases for soil or sediment drag-out, and sweep if needed.
    - Open bags of particulate, granular or powder materials (such as plaster or concrete) and paints should be stored inside if possible. If these items are stored outside, they must be kept covered/closed and during the rainy season also kept within secondary containment.
    - Dumpster lids must be kept closed and secured when not in use.
    - Soil stockpiles: Excavated and/or new soil stockpiles must be protected from runoff/run-on by BMPs appropriate for the pile size, location and site conditions, and must be covered with plastic

sheeting or tarps when not in use and surrounded by berms, fiber rolls or wattles to prevent run-on and run-off. When excavated soil is moved off-site, check the sidewalk and street for dirt "drag out" and sweep if needed.

- Storm Drain Inlet/Catch Basin Protection (if applicable): Please use filter fabric or inserts for downstream catch basins located on streets. If filter fabric, please use Filtrex 8" Soxx with Mirafi 140N fabric (or similar) underneath the grate, appropriately sized and secured, during construction. Ensure fabric extends a minimum of 6-inches beyond catch basin after placement of grate. Contractor shall remove filter fabric upon completion of project.
- Erosion/sediment control BMPs: Check erosion/sediment control measures/BMPs regularly for damage during construction work. All erosion/sediment control measures shall be inspected after each significant rain event and repairs made immediately upon detection. During the rainy season, use one or more sediment control measures, such as fiber rolls and straw wattles, to prevent sediment from leaving the site.

(h) Landscape Plan or Bio-Retention Areas: Landscape plans should include notes regarding mulch and special notes for bio-retention/rain garden areas as applicable:

1. Mulch: No more than 3 inches of mulch on exposed soil surfaces. If possible, use aged, stabilized, non-floating mulch. Mulch stockpiles: Mulch should be located and stored in such a manner that there is no discharge to the storm drain system. Please specify which BMPs will be used.
2. Wood mulch should not be placed within the ponding area of bio-retention/rain garden areas. Only non-floating mulch shall be used in these areas, such as inorganic mulch (pea gravel, river pebbles or similar products.
3. Fertilizers should not be added in bio-retention, bio-swale or rain garden areas.
4. Plants: Ensure that plants proposed in bio-retention or rain garden areas can withstand both wet feet and drought conditions. For a list of recommended bio-retention plants, please see the website of the Central Coast Low-Impact Development Initiative at http://centralcoastlidi.org/landscape.php.
5. The soil mix to be used in bio-retention/rain garden areas shall be a homogeneous mix of 60-70% fine sand (meeting ASTM D422 or Caltrans Test Method C202) and 30-40% weed-free, manure-free, stable compost. Note: All sands complying with ASTM C33 for fine aggregate comply with sieve size/gradation requirements. The soil mix/media to be used in bio-retention/rain garden areas shall have a minimum infiltration rate of 5 in/hr.

(i) Construction Dewatering Operations: There are several options for construction dewatering discharges that can't be managed on site. One potential option is discharge under a permit from the State Water Board/Regional Water Quality Control Board (e.g. Low-Threat Discharge Permits, Highly Treated Groundwater Discharge Permit, etc.). Please contact the Central Coast Regional Water Quality Control Board for more information at 805-549-3147 or refer to their website at: http://www.waterboards.ca.gov/centralcoast/

Another option is discharge to the sanitary sewer system under a permit from the City. For more information about this permit, including the application process, requirements and fees, please contact a City Public Works Environmental Compliance Inspector at 831-420-5160.

(j) State Construction General Permit: If the project will disturb one acre or more of soil (or is less than one acre but part of a larger development), a Notice of Intent (NOI) must be filed with the State Water Resource Control Board (SWRCB) to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) prior to commencing work. The applicant is responsible for filing a Notice of Intent and for developing a Storm Water Pollution Prevention Plan (SWPPP). Prior to issuance of a building permit, the applicant shall provide the City with proof of coverage under the State Construction General Permit, including a copy of the letter of receipt and Waste Discharger Identification (WDID) number issued by the SWQCB that acknowledges the property owner's submittal of a complete Notice of Intent (NOI) package. For more information on the Construction General Permit, please see the State Water Board website: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

47. Inclusionary Housing and Density Bonus. The project was deemed complete on July 19, 2019 and is subject to the inclusionary housing requirements provided in Ordinance 2018-18 (15% inclusionary requirement). The project also includes a Density Bonus and is subject to the requirements of Part 3 of Chapter 24.16. Specifically, the project includes 133 base units, which results in a requirement for 20 Inclusionary Units at the Lower Income level or 80% Area Median Income (AMI). In order to be eligible for the proposed density bonus, a minimum of 15 units (11%) must be restricted to households that meet the Very Low Income level of 50% AMI and the remaining five inclusionary units must be made available for rent or sale to households at the Low Income level (80% AMI).

48. Historic Documentation. Prior to issuance of a demolition permit, the applicant shall complete documentation of the buildings at 418 and 428 Front Street in accordance with the Historic American Buildings Survey (HABS) standards, which includes the following: (Mitigation Measure CUL-1)

(a) Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories.

(b) Measured Drawings: Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a

qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).

(c) HABS- Level Photographs: Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.

(d) HABS Historical Report: A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.

49. Historic Interpretative Display: Prior to the issuance of a demolition permit or building permit, the applicant shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed project boundary along a pedestrian walkway or attached to the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the project site. The interpretive displays shall illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps. (Mitigation Measure CUL-2)

50. Prior to issuance of a building permit, the property owner shall complete a Flood Zone Hazard Notice Form.

51. Fees. The following fees shall be paid prior to building permit issuance in addition to all other fees required for building permit issuance:

(a) The applicant shall pay required Traffic Impact Fees (TIF) unless phased or deferred payment terms are approved by the Planning and Public Works' Directors. The TIF is currently estimated at $254,000.

(b) The applicant shall pay the Park and Recreation Facility Tax pursuant to Chapter 5.72 of the City of Santa Cruz Municipal Code based on the final building permit plans. The open space provided at the levee does not qualify as park space provided by the project.

(c) The applicant shall pay all applicable parking fees required in the Downtown Parking District. The fees that apply to the project are those that are in effect at the time of building permit issuance. The fees shall be paid in full unless an alternate payment plan is approved in advance by the Director of Public Works.

(d) The applicant shall agree to participate, on a fair share basis, in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel as noted in Traffic Impact Study (TIS) which is 22.53% of the cost of design and construction. That is currently estimated at $340,361. Construction cost estimates may be revised and could impact this calculation once the projects are designed. Construction is the responsibility of the city, not the applicant.

(e) The applicant shall pay the full cost of signal revision (design and construction) at the Front/Metro/project driveway intersection. This work shall be completed by the applicant as a part of the project. The applicant's designer shall provide a traffic signal timing and coordination plan to the Public Works Department for review and approval.

(f) The applicant shall agree to participate, on a fair share basis, in the construction of a two way left-turn lane. The fair share calculation reflected in the TIS may need to be revised based on a different cost share for Front Street developments only. The two-way left turn lane shall be implemented prior or post development as determined by the City.

(g) The applicant shall pay required Public Works On-Site and Off-Site Public Improvements Inspection Fee based on the final building permit plans.

DURING CONSTRUCTION:

52. Tree Preservation: Prior to site grading or any disturbance, all trees and/or tree stands indicated for preservation or approved plans shall be protected through fencing or other approved barricade. Such fencing shall protect vegetation during construction and shall be installed to the satisfaction of the Director of Planning and Community Development.

53. Archaeological/Cultural or Paleontological Discoveries. Any person exercising a development permit or building permit who, at any time in the preparation for or process of

excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:

a. Immediately cease all further excavation, disturbance, and work on the project site;
b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.

54. <u>Grading.</u>

- All grading shall be done in accordance with the latest City of Santa Cruz Municipal Code, Chapter 24.27.
- All work shall be in accordance with recommendations specified in the geotechnical investigation report prepared.
- All clearing, site preparation or earth work shall be performed under inspection by the Soils Engineer and to the satisfaction of the Soils Engineer.
- Dust caused by the grading operations shall be controlled by proper watering.
- A grading permit from the Chief Building Official will be required prior to commencement of work.
- A pre-grading conference at the site is required prior to the start of grading with the following people present: owner, contractor, engineer, soils engineer, and City Inspector, or their representatives.
- The engineer will inspect the site after grading has been completed, and inform the City of Santa Cruz whether grading was done in conformance with the grading plans.
- Plans set forth in the schedule, location, and type of planting shall be submitted to the Planning Department for approval upon completion.
- Work shall be done in accordance with approval plans on file in the Building Department.
- Grading shall be done during periods of dry weather, and protective measures shall be incorporated during grading to prevent siltation from any grading project halted due to rain. No earth-moving activities shall occur between October 15 and April 1 unless a winter grading permit is issued by the Building Department.

55. All refuse and recycling activities during construction shall be done in accordance with Chapter 6.12 of the Santa Cruz Municipal Code. Be aware that private companies offering refuse or debris box services are not allowed to operate within the City limits, except under certain limited circumstances detailed in Chapter 6.12.160.

PRIOR TO BUILDING PERMIT FINAL/OCCUPANCY:

56. All requirements of the Building, Fire, Public Works and Water Departments shall be completed prior to occupancy and continuously maintained thereafter.

57. The applicant shall file a trespass letter with the police department every year with proper No Trespassing signage to help enforce trespassing issues.

58. Adequate provisions shall be made to supply water to each of the premises covered by this application. The design of water facilities shall be to standards of the Water Department, and plans therefore must be submitted to the Water Department Director for review and approval prior to the issuance of a building permit.

59. The property owner shall enter into an agreement with the City of Santa Cruz to secure an 18-month bond for landscape maintenance prior to occupancy.

60. All landscaping shall be installed prior to final utility release or issuance of occupancy permits.

61. Easement Agreement for Fill Structure. The applicant shall work with the Public Works Department to record an easement agreement addressing the fill structure adjacent to the levee. The easement agreement shall confirm that the applicant is responsible for ongoing maintenance of the fill area and any damage to the levee resulting from installation or maintenance of the fill, the project or associated work. It shall also be specific as to the design, engineering, and construction of the fill including detailing all utilities, both public and private, within the fill structure. The easement agreement shall also include the tree maintenance responsibilities per the flood control improvement project.

62. Extension Area. Prior to Issuance of a Certificate of Occupancy for the Project, including any Temporary Certificates of Occupancy, Owner shall execute an Agreement with the City by which the Owner shall provide, at Owner's sole cost, the ongoing maintenance and security of all exterior areas of the project, including, without exception, all public and extension areas, such as landscape, furnishings, and improvements along the Riverwalk. This Agreement may establish maintenance credits for the Owner toward any applicable Extension Area Fees based upon Owner's annually documented cost of maintenance and security for the public areas.

63. Revocable License. The Owner or its Tenants, shall be required to execute a Revocable License Agreement with the City for commercial use of any public space included in or adjacent to the Project, under the City's Outdoor Extension Area Ordinance (Santa Cruz Municipal Code Section 24.10.2340). This requirement shall apply regardless of any easement rights that may be granted. The Owner may use credits, if established by the aforementioned Maintenance Agreement, toward any applicable Extension Area fees required by the City for such Extension Areas.

OPERATIONAL CONDITIONS:

64. Prior to commercial/business use of a building or site, owners or tenants shall obtain a Zoning Clearance/Occupancy Permit from the City Planning Department and a Business License from the City Finance Department.

65. Residential portion of on-site parking shall not be not be eligible for Downtown Parking District Permits, until an overnight residential permit is developed and made available.

66. All requirements of the Building, Fire, Public Works and Water Departments shall be continuously maintained.

67. The property owner shall be responsible for the continued maintenance of the building and site in good condition.

68. No signs shall be installed on the site without prior approval of a Master Sign Program.

69. The property owner shall be responsible for the on-going maintenance of the building and site in good condition including maintenance of exterior materials, landscaping, sidewalks, street furniture, lighting, open space areas, upper floor balconies free of clutter, appropriate window treatments, and the parking garages.

70. The open space area at the Riverwalk and the two pedestrian passageways shall remain open to the public during the daytime and during business hours.

71. Future retail uses at the Riverwalk require prior approval of an Administrative Use Permit or as required by the Downtown Plan.

72. This permit does allow for the service of alcohol or live entertainment with future commercial uses. Any proposed alcohol or live entertainment uses shall obtain approval of a separate Use Permit and/or entertainment permit.

73. All outdoor seating areas shall comply with noise limitations specified in Section 24.14.260 of the Zoning Ordinance

74. Outdoor amplified music is not permitted if it is audible from off-site.

75. Store displays shall be configured in such a way as to allow pedestrians to see into the store from the sidewalk. Goods, posters, photos or other visual images shall be placed a sufficient distance from the store windows to enable pedestrians to see clearly into the store

76. All future storefronts shall include storefront landscaping consistent with the requirements in Chapter 4, Section I(4) of the Downtown Plan.

77. Buildings shall provide warm (color temperature equal to incandescent), low-level lighting from sundown to 10:00 PM nightly as an integral part of the façade design to add to the nighttime ambient light level in the downtown and to add nighttime visual interest to the buildings.

CITY OF SANTA CRUZ
City Hall
809 Center Street
Santa Cruz, California 95060

PLANNING COMMISSION

MINUTES
Regular Meeting
September 3, 2020

7:00 P.M. GENERAL BUSINESS AND MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS

Call to Order-The meeting was called to order at 7:00 p.m.

Roll Call-Commissioners Schiffrin, Conway, Dawson, Nielsen, Greenberg, and Maxwell were present.

Absent w/notification-Commissioner Spellman was absent with notification.

Statements of Disqualification-None.

Oral Communications-None.

Approval of Minutes

General Business

Public Hearings

1. 418, 428, 440, 504, 508 Front Street File No. CP18-015 APN(s): 005-151-22, 30, 31, 39 & 50 Coastal Permit, Non-Residential Demolition Authorization Permits, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to remove one street tree and three heritage trees, to combine five parcels, demolish three commercial buildings including two historic commercial buildings, and to construct a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground floor and levee front commercial space on property located within the CBD (Central Business District)/CZ-O (Coastal Zone Overlay)/FP-O (Floodplain Overlay) zone district and within the Front Street/Riverfront subarea of the Downtown Plan. (Environmental Determination: Limited environmental review pursuant

to PRC 21083.3 and CEQA 15183 & Environmental Impact Report) (Applicant: SC Riverfront LLC/Filed: 8/7/18)

Principal Planner Samantha Haschert presented the item to the Commission.

Applicant Owen Lawlor addressed the Commission.

The public hearing was opened.

The following members of the public addressed the Commission: Alisha Sharon, Henry Hooker, Mark Mesiti-Miller, Doug Cheshire, Laura Bishop, Matthew Arujo, Robert Singleton, Dave Walter, Jeffrey Briscoe, Elizabeth Conlan, Kyle Kelly, Megan, Candice Crown, unidentified speaker, Maggie Maguire.

The public hearing was closed.

MOTION: Motion made by Commissioner Conway, seconded by Commissioner Nielsen that the Planning Commission recommend to the City Council certification of the Environmental Impact Report and approval of a Nonresidential Demolition Authorization Permit, Coastal Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, Street Tree Removal based on the findings listed in the attached Draft Resolution and the conditions listed in Exhibit "A" of the staff report dated August 28, 2020, with the additional recommendation to add a condition that the selection of the mural artist will be administered through the Arts Commission of the City of Santa Cruz.

MOTION TO AMEND MAIN MOTION: Motion made by Commissioner Greenberg, seconded by Commissioner Maxwell to amend the main motion to include the additional provision: That the total number of affordable units be based on adding the number of required inclusionary units under the City's ordinance to the number of required affordable units under the City's density bonus ordinance with the basis for these changes being conformity with the Coastal Act policy requiring public access, secondly, the City's inclusionary requirements being adopted by a vote of the people and in effect since 1980, and that finally, the Housing Accountability Act allows the City to adopt an objective standard that would maximize the City's ability to meet its very low income housing needs.

ACTION ON MOTION TO AMEND MAIN MOTION: The motion to amend the main motion passed by the following vote:
AYES: Greenberg, Maxwell, Dawson, Schiffrin
NOES: Conway, Nielsen
ABSENT: Spellman

ACTION ON AMENDED MAIN MOTION: The motion passed by the following vote:
AYES: Greenberg, Maxwell, Dawson, Schiffrin, Conway
NOES: Nielsen
ABSENT: Spellman
Commissioner Nielsen stated for the record his no vote on the main motion was due to the inclusion of the amendment to the motion.

Information Items

2. General Plan Zoning Ordinance Reconciliation A19-0006 Citywide

Senior Planner Sarah Neuse presented the item to the Commission.

Informational only, no action taken.

Lee Butler, Director of Planning and Community Development, advised the Commission the parking ordinance changes and the Zoning ordinance cleanup items will be presented to the Commission at their September 17, 2020 Planning Commission meeting, staff will be presenting the Wharf Master Plan item at the October 01, 2020 Planning Commission Meeting, and is working towards presenting the Housing Matters SRO project on Coral Street at the October 15, 2020 Planning Commission meeting.

Subcommittee/Advisory Body Oral Reports

Adjournment-The meeting adjourned at 10:37 p.m.

HISTORIC PRESERVATION COMMISSION AGENDA REPORT

DATE: July 31, 2020

AGENDA OF: August 5, 2020

ITEM NO: **CP18-0153** **418 and 428 Front St.**

RECOMMENDATION: **That the Historic Preservation Commission recommend that the City Council approve the Nonresidential Demolition Authorization Permit and certify the Environmental Impact Report based on the Findings listed below and the Conditions of Approval listed in Exhibit A.**

PROJECT DATA:

Property Owner: SC Riverfront LLC APN: 005-151-39 & 005-151-22
Applicant: Owen Lawlor

Application Type: Nonresidential Demolition Authorization Permit to demolish two historic commercial buildings to facilitate the construction of a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground floor and levee front commercial space on property located within the CBD/CZ-O/FP-O (Central Business District/Coastal Zone Overlay/Floodplain Overlay) zone district and within the Front Street/Riverfront area of the Downtown Plan.

Zoning: CBD (Central Business District)
CZ-O (Coastal Zone Overlay District)
FP-O (Floodplain Overlay District)
Project Consistency: Consistent with zone district with approval of permits

General Plan: RVC/Downtown Santa Cruz (Regional Visitor Commercial)
Front Street/Riverfront Corridor of the Downtown Plan
Project Consistency: Consistent with approval of permits

Land Use - existing: Three existing buildings within the project site. Buildings at 005-151-22 and 005-151-39 (418 and 428 Front Street) identified as historic but property owners opted-out of listing the structures in Volume III of the City's Historic Building Survey. The structures continue to be eligible for listing.
- proposed: Demolition of the buildings at 005-151-22 and 005-151-39 (418 and 428 Front Street) to allow for the construction of a mixed-use building.
- in area: Commercial and mixed-use buildings to the north, south, and west; the San Lorenzo River and Riverwalk to the east.

Environmental: Limited Environmental Review for projects consistent with General Plan, Community Plan or Zoning Action pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183. Further analysis of Biological Resources, Cultural Resources, Geology and Soils, Energy Conservation, and Land Use completed in an Environmental Impact Report, published July 27, 2020.

Planning Staff: Samantha Haschert

PROJECT DESCRIPTION

The proposal is part of a larger project to demolish three existing commercial buildings and construct a seven-story, 188,694 square-foot, mixed-use building with 175 residential condominium units and 11,498 square feet of ground floor and levee-front commercial space. The project site consists of five parcels that are currently developed with three commercial buildings and surface parking lots and the proposal is to demolish all three buildings and combine the parcels to make up a 45,344 square foot that will be divided into commercial and residential condominiums. The full project requires a recommendation by the Planning Commission and final action by the City Council.

The buildings proposed for demolition at APN 005-151-39 (418 Front Street) and 005-151-22 (428 Front Street) were identified by the City as eligible for listing in Volume III of the Local Building Survey, however, the property owners at the time opted-out of listing the sites. The decision to opt-out means that the properties are not subject to the Historic Preservation sections of the Zoning Ordinance, including both the regulations and incentives, however, the opt-out does not eliminate the historic significance of the properties for the purposes of the California Environmental Quality Act (CEQA). The demolitions of buildings that have been found to be historically significant by a qualified Historian are also subject to Part 13 of Chapter 24.08 which requires approval of a Nonresidential Demolition Authorization Permit by the Zoning Administrator at a public hearing. However, in this case, the Zoning Administrator has referred the action to the Historic Preservation Commission, pursuant to Section 24.04.130(2) of the Zoning Ordinance.

Section 24.04.140 of the Zoning Ordinance indicates that if a project requires multiple permits and the authority rests with more than one decision-making body, the final action shall be taken by the decision-making body with the highest authority. Therefore, the Historic Preservation Commission will be providing a recommendation to the City Council regarding the above described demolition proposal.

SITE DESCRIPTION

The project site is located on the east side of Front Street between Front Street and the San Lorenzo River. The site has approximately 423 lineal feet of frontage on the street and generally spans the area between the terminus of Cathcart Street and the Downtown Metro Center. The site

is zoned CBD (Central Business District)/FP-O (Floodplain Overlay District)/CZ-O (Coastal Zone Overlay District) and is designated as RVC (Regional Visitor Commercial, Downtown Santa Cruz) in the General Plan and is within the Front Street Riverfront Corridor of the Downtown Plan. The site is surrounded by parcels with the same zoning and general plan designations to the north, west, and south that are developed with commercial and mixed use buildings and uses, with the exception of the Metro Transit District which is located on a parcel zoned for Public Facilities (PF). The San Lorenzo River is located to the east. All five of the existing parcels at the project site have frontage on Front Street and back-up to the San Lorenzo River to the east. The Riverwalk is located at the top of the levee which is approximately 10-feet above the grade of Front Street. All of the existing buildings in the project site area are single-story. None of the three existing structures on the project site are listed in either the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR). None of the buildings are identified as an individual landmark and the project site is not within any historic districts.

HISTORY

The two buildings that are proposed for demolition are located at 418 and 428 Front Street, shown in red above. The properties are described on pages 49 and 50 of Volume III of the City's Historic Building Survey. Volume III also includes an unsigned copy of City Council Resolution NS-28,621 in an appendix that reflects the City Council's acceptance of the historic buildings that are listed in the City's Historic Building Survey. This unsigned copy of the resolution indicates that the property at 418 Front Street is listed and the property owner at 428 Front Street opted-out of the listing; however, this appendix is not consistent with the final, signed copy of the resolution which instead indicates that the property owners of both properties at 418 and 428 Front Street opted-out of listing the structures (Exhibit D). Volume III of the Historic Building Survey was adopted by the City Council on March 26, 2013. Other amendments to Volume III

have been adopted by the City Council since March 26, 2013, however, none of the amendments affect the listing status of the two subject properties.

In 2009, Department of Parks and Recreation Form 523's (DPR's) were prepared for both properties by Archives & Architecture LLC as part of a building survey associated with the preparation of Volume III of the City's Historic Building Survey (Exhibit E). The DPR's concluded that the building at 418 Front Street was constructed circa 1925 and that the property at 428 Front Street was constructed circa 1948. Both buildings are currently filled by commercial tenants, including the *418 Project*, a movement arts center, and *University Copy Services*.

ANALYSIS

Historic Resources & CEQA

The proposal to demolish structures and construct a new mixed-use building is subject to the California Environmental Quality Act (CEQA). Early in the review process, the city identified the potential implications of the proposed demolition of the buildings at 418 and 428 Front Street, should they qualify as "historic resources" under CEQA. The applicant submitted a Historic Resources Memorandum prepared by architecture and historic preservation firm, *Page & Turnbull* to expand on the analysis provided in the 2009 DPR's (Exhibit F). Both the 2009 DPR's and the expanded review by *Page & Turnbull* conclude that both of the buildings are eligible for historic designation on the CRHR under criterion 3 (Architecture) as relatively intact examples of the individual architectural styles. Pursuant to the CEQA Guidelines Section 15064.5(a), a building that is eligible for listing in the CRHR is considered to be a historic resource and demolition of such a resource is a Significant Impact that must be further evaluated in an Environmental Impact Report (EIR). CEQA guidelines also state that the EIR must include an evaluation of alternatives to the project that could eliminate significant adverse impacts or reduce them to a less-than significant level.

An initial study checklist was prepared and a public scoping meeting was held to identify other potential project-specific impacts. Pursuant to Public Resources Code Section 21083.3 which limits the review of impacts to those peculiar to a project and not previously analyzed in a certified EIR, many of the other impacts were found to be addressed in the certified EIR's that were prepared with the General Plan 2030 and the 2017 Downtown Plan amendments. In addition to the demolition of historic resources, other areas of potential impacts peculiar to the project were identified; however, these issues are not associated with the demolition of the historic resources and will be considered by the Planning Commission and City Council.

Historic Characteristics

Volume III of the City's Historic Building Survey describes the south end of Front Street as an area that was developed in the interwar period when commercial automobile sales and service clusters began to appear in Santa Cruz. This area and industry are not described in the City's Historic Context Statement, however, the following narrative is provided in Volume III as a context summary and focused theme for the Front Street area:

> *"Prominent local architects such as Lee Dill Esty and C. J. Ryland designed buildings for clients in the automobile business, including auto repair shops (Huston & Weymouth Garage, 418 Front Street) and auto showrooms (Thrash Pontiac Motors, 429 Front Street)…Today, Front Street has lost most of its auto related businesses and continues to serve as a secondary street to Pacific Avenue. However, it retains many structures associated with commercial development during the first half of the twentieth century."*

The building at 418 Front Street is described as Mission Revival architecture with Art Deco influence and the building at 428 Front Street is described as Streamline Moderne.

418 Front Street (the attached white and blue building to the right is not a listed historic building nor is it proposed for demolition):

428 Front St:

The 2018 report and associated Significance Diagrams prepared by *Page and Turnbull*, identifies primary, secondary, and non-contributing character-defining features of each building.

At 418 Front Street, the primary significant features include the facade's stepped cornice, curved parapet, and art deco detailing. The form/shape and massing are identified as secondary significant character-defining features.

At 428 Front Street, the report calls out the articulation and multiple surface planes on the front façade as well as the streamlined horizontality of the building as primary significant character-defining features, while the building's T-shaped massing and rooflines are secondary character-defining features.

Alternatives to Demolition

Chapter 2 of the EIR describes the proposed demolition of the two historic buildings as Significant Impacts that cannot be reduced to Less Than Significant levels. The city worked with the project historian, the project structural engineer, and the developers to evaluate the impacts of three possible alternatives to full demolition. Evaluation of the alternatives included consideration of several issues:

1) The ability for the project to fully satisfy the Project Objectives which are described in Chapter 3 of the EIR;
2) The ability for the project to promote objectives of concern to decision-makers including those policies outlined in the City's General Plan/LCP, applicable area plans, and resource protection plans.
3) The feasibility of the alternatives, defined by CEQA as: "[c]apable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines, § 15364.); and
4) The effectiveness of the alternative in avoiding or substantially lessening the significant environmental effect;

The EIR states:

> "Although an EIR must evaluate this range of *potentially* feasible alternatives, an agency decision-making body may ultimately conclude that a potentially feasible alternative is actually infeasible. (*CNPS*, *supra*, 177 Cal.App.4th at p. 981, 999.) As explained earlier, grounds for such a conclusion might be the failure of an alternative to fully satisfy project objectives deemed to be important by decision-makers, or the fact that an alternative fails to promote policy objectives of concern to such decision-makers. (*Id.* at pp. 992, 1000-1003.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of a proposed project as mitigated, the decision-makers may reject the alternative as infeasible for such reasons."

As mentioned in above, Section 15124 of the State CEQA Guidelines indicates that the project EIR must include a statement of the objectives sought by the proposed project that will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision-makers in preparing findings or a statement of overriding considerations, if necessary. The following Project Objectives were developed for the proposed project:

1. Develop a mixed-used commercial-residential project that supports the following First Principles of the Downtown Plan:
    a. *Form and Character.* Construct new buildings with individual character and architectural articulation.
    b. *Building Height.* Develop a project with buildings that meet the criteria for additional height as the 2017 Downtown Plan update recognizes that taller buildings contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City.
    c. *Housing*. Provide a significant new housing opportunity along the San Lorenzo riverfront, north of Laurel and adjacent to regional transit center.
    d. *Accessibility.* Develop a project that aesthetically integrates access to the site, the San Lorenzo River, and downtown.
    e. *Open Space and Streetscape.* Develop a project that creates public plazas in the form of two pedestrian passageways and open space areas along the riverfront to contribute to a socially active and pedestrian-oriented downtown.
    f. *Circulation.* Construct a housing project in the downtown area that includes project improvements such as increased sidewalk width and pedestrian passageways between the downtown and the Riverwalk in support of a primarily pedestrian oriented downtown, and that places residents in close proximity to employment opportunities, goods, and services to encourage pedestrian, bicycle, and transit movement.
2. Support the goals of the City of Santa Cruz 2015-2023 Housing Element by:
    a. Developing a project that provides diversity in housing types and affordability levels to accommodate present and future housing needs of Santa Cruz residents.
    b. Developing a project that provides a greater level of affordability than that which is required by the City's Inclusionary Ordinance by utilizing the state Density Bonus Law to feasibly maximize the number of affordable units that can be approved.
    c. Construct a project that will contribute to the City's housing needs while promoting an environmentally sustainable, compact community within the Downtown area.
3. Provide a mixed-use, transit-priority, pedestrian-oriented project that supports the regional Sustainable Communities Strategies and other City and statewide goals and actions to reduce greenhouse gas emissions and respond to global warming and climate change.
4. In support of San Lorenzo Urban River Plan and Local Coastal Program policies, provide a new development that incorporates design features that encourage active engagement with the Riverwalk, including filling the area adjacent to the Riverwalk with landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk.
5. Construct a project that incorporates pedestrian and/or bicycle connections between Front Street, the Riverwalk, Cathcart Street, and the future extension of Elm Street.

6. Provide new and improved public access to the San Lorenzo River through provision of attractive connections to the San Lorenzo River with the development of key east-west public passageways between Front Street and the Riverwalk and a second pedestrian passageway south of the Cathcart Street passageway, consistent with Section 30211 of the Coastal Act, the Downtown Plan, and the San Lorenzo Urban River Plan.
7. Construct a mixed use project that includes wide breaks between buildings to reduce building mass and to retain views to the river levee from Pacific Avenue.
8. Develop a project adjacent to the Riverwalk that is designed to prevent impacts to the adjacent sensitive San Lorenzo River and that will result in clean-up of degraded areas along the back of the levee and so promote public health and safety.
9. Provide greatly enhanced public access to the San Lorenzo River through provision of a new landscaped terrace that provides an amenity and contributes to the open space character and safety along the Riverwalk.
10. Maintain a financially viable project design through the administrative review and approval process to help assure that the project will be constructed.

Further, the proposal to construct 175 residential units in a mixed-use building on Front Street with Riverwalk improvements and connections between the river and downtown is consistent with the following goals and policies:

GENERAL PLAN AND LOCAL COASTAL PROGRAM 1990-2005

- GOAL EQ 1: Protect City residents from the health hazards of air pollution and maintain high air quality standards by implementing air quality monitoring and control strategies that comply with State and Federal Clean Air Acts.
- GOAL EQ 2: Protect water quality of ocean, watershed lands, surface waters and ground water recharge areas from sedimentation, pollution, and salt-water intrusion
- GOAL EQ 5: Implement, to the greatest degree possible, transportation strategies that reduce the consumption of fossil fuels, and energy strategies that increase energy-efficiency and energy conservation in all sectors of energy usage and which increase the production and use of renewable energy sources within the City.
- GOAL L2: Provide for a variety and balance of residential, commercial, and industrial land uses while protecting environmental resources and responding to changing community needs, interests, and development constraints.
- GOAL L3: Protect the quality of, and prevent significant new incursion of urban development into, areas designated as open space or agricultural lands and provide, when possible, permanent protection of these lands, recognizing their value in inhibiting urban sprawl and maintaining City identity, as a natural resource with significant biotic resources and/or their potential for providing scenic, recreational and educational enjoyment.
- GOAL L4: Plan community facilities and services to serve the projected population, allowing development only when adequate facilities and services are provided and are available to serve it.

- GOAL L5: Develop compatible relationships between land-use and circulation patterns and encourage land use patterns that encourage an efficient transportation system and discourage urban sprawl and excessive dependence on the automobile.
- GOAL CD2: Protect and enhance the City's natural setting and scenic resources.
- GOAL C1: Develop a comprehensive, multi-modal circulation planning program that takes as its highest priority reduction of automobile trips by the creation of viable alternative transportation modes, effective transportation systems management programs, and integration of land-use and circulation planning.
- GOAL C2: Develop and promote pedestrian travel as a viable transportation mode by developing and maintaining a safe, comprehensive, convenient, accessible and aesthetically pleasing pedestrian system.
- GOAL ED4: Promote revitalization of the Downtown Central Business District as the City's center for commerce, office, culture, entertainment restaurant activity, and mixed use residential.
- GOAL PR2: Ensure that adequate types, numbers and distribution of recreational facilities are available to residents of Santa Cruz.

GENERAL PLAN 2030:

- HA1.11.6 Consider historic preservation in the development and enforcement of City regulations.
- CD1.1.4 Identify and emphasize distinguishing natural features that strengthen Santa Cruz's visual image (i.e., open space, Monterey Bay).
- CD1.4.2 Consider visual access to nearby natural areas as part of developmental review.
- CD1.5.1 Enhance the prominence of the San Lorenzo River as a natural feature that provides structure, orientation, and recreational enjoyment by including it in surrounding area and management plans.
- CD1.5.2 Provide incentives for new development adjacent to the San Lorenzo River that includes patios overlooking the river, enhanced connections to the levee trails, and other design features that connect the built environment to the river.
- CD3.1.1 Strengthen the linkage between Downtown, the Beach Area, and San Lorenzo River through amendments to corresponding Area Plans and the Zoning Ordinance.
- CD3.1.2 Maintain, update, and implement the City's San Lorenzo Urban River Plan.
- CD3.3.1 Develop incentives to encourage the assembly of small parcels through Area Plan amendments and Zoning Ordinance changes.
- CD3.3.2 Revise the Zoning Ordinance to limit development possibilities for small parcels.
- CD4.1.3 Identify and establish design concepts that make visitor-serving corridors attractive and interesting through landscaping, banners, flags, art, and displays.
- CD4.1.6 Encourage rehabilitation and adaptive reuse of architecturally significant buildings rather than demolition.
- CD4.2.3 Underground utilities when major road improvement or reconstruction is proposed, if possible.

- CD4.3.3 Protect existing significant vegetation and landscaping that provides scenic value along with wildlife habitat and forage.
- CD4.3.4 Maintain an ordinance requiring replacement and maintenance when heritage tree removal is necessary for new development.
- CD4.3.6 Implement streetscape and other landscaping plans in the City's Area and Specific Plans.
- CD5.2.1 Encourage buildings to be oriented towards sidewalks, public plazas, walkways, or rivers and to include features such as public benches and natural seating areas.
- CD5.2.2 Encourage the incorporation of public benches and natural seating areas along public walkways and in public plazas and parks.
- CD5.2.4 Ensure that new and revised design guidelines encourage the use of pedestrian-scaled fenestration, awnings, entrances, landscaping, and other amenities.
- LU 1.1.2 Create incentives for the consolidation of underdeveloped parcels relative to development potential.
- LU1.2.1 Environmental review for specific projects shall be accompanied by sufficient technical data and reviewed by appropriate departments.
- LU2.3.1 Protect, maintain, and enhance publicly accessible coastal and open space areas.
- LU3.1.1 Encourage through incentives and expedited permit processing a variety of housing types, when appropriate.
- LU3.3.1 Amend the Zoning Ordinance to discourage strip commercial development in favor of clustered commercial and mixed-use development along transit corridors.
- LU3.7.1 Allow and encourage development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density.
- LU3.11.2 Ensure appropriate land uses and development standards that do not adversely impact adjacent open spaces.
- LU4.1.1 Support compact mixed-use development Downtown, along primary transportation corridors, and in employment centers.
- M1.1.1 Create walkable, transit-oriented activity centers throughout the city.
- M1.1.2 Connect activity centers with pedestrian and bicycle paths.
- M1.1.3 Implement pedestrian and bicycle improvements that support transit ridership.
- M1.4.2 Allow for future multi-modal use of future rights-of-way by protecting them from development.
- M2.1.2 Encourage use of alternative modes of transportation.
- M2.3.1 Design for and accommodate multiple transportation modes.
- M3.1.1 Seek ways to reduce vehicle trip demand and reduce the number of peak hour vehicle trips.
- M4.1.6 Enhance the pedestrian orientation of the Downtown Central Business District.
- M4.1.7 Require the site and building design facilitate pedestrian activity.
- M4.1.9 Require landscaping in the development, replacement, and repair of sidewalks, including the placement of trees on private property and/or in tree wells on sidewalks.
- ED1.1.6 Revitalize the RiverFront area.

- ED1.7.2 Diversify the range of visitor attractions in Santa Cruz, particularly those that draw on the city's unique natural and cultural assets.
- ED5.1.1 Provide for the development of supporting land uses adjacent to retail shopping areas, while assuring protection of existing residential neighborhoods.
- ED5.3.1 Provide for attractive commercial development (including more intensive and higher quality ground floor retail) along commercial corridors provided the uses are compatible with or transition easily to adjacent residential areas.
- ED5.5.1 Enhance Downtown as a welcoming and inviting destination for residents, visitors, and businesses.
- ED5.5.4 Create a distinctive and active pedestrian environment downtown
- ED5.5.5 Allow for the extension of café and retail uses within the public right-of-way, subject to design standards and management guidelines.
- HZ6.4.8 Minimize the alteration of natural floodplains, stream channels, and natural protective barriers that accommodate or channel floodwaters.
- PR1.1.3 Evaluate all lands, regardless of size, for their potential development as small parks, community gardens, or landscape lots.
- PR1.6.1 Maintain and enhance access for vehicles, transit, bicycles, and pedestrians.
- PR2.2.2 Encourage private sponsorship of special events and programs, historic events, joint projects, and cultural exchanges that involve and benefit the community.
- PR3.1.1 Provide recreational and educational opportunities within the open space lands and coastline consistent with adopted master or management plans.
- PR4.1.3 Maintain and enhance the recreational value of the San Lorenzo River walkway and East and the West Cliff Drive pathways
- NRC1.1.2 Where consistent with riparian and wetland protection, provide actual or visual access of a low-impact nature
- NRC1.1.1 Require setbacks and implementation of standards and guidelines for development and improvements within the city and adjacent to creeks and wetlands as set forth in the Citywide Creeks and Wetlands Management Plan.
- NRC1.3.1 Conserve creek, riparian, and wetland resources in accordance with the adopted City-wide Creeks and Wetlands Management Plan and the San Lorenzo River Plan.
- NRC2.2.1 As part of the CEQA review process for development projects, evaluate and mitigate potential impacts to sensitive habitat (including special-status species) for sites located within or adjacent to these areas.

DOWNTOWN PLAN FIRST PRINCIPALS

- Form and Character. New buildings should be allowed to develop individual character while retaining qualities of the historic townscape. Issues of articulation, materials, signage, setbacks, scale, massing, form, bulk, solar access and height are critical.
- Building Height. Buildings should maintain the scale and character of the existing downtown, with explicit criteria for additional height up to seven stories and provisions to ensure that buildings do not shade key public open spaces. Since this First Principle was established in 1991, the downtown development pattern has largely respected the

existing two to three story development pattern with several taller buildings spaced throughout the Pacific Avenue Retail District, providing architectural variation. The 2017 update recognizes these taller buildings also contribute greatly to the architectural fabric of the City and can provide significant opportunities to plan for environmentally sound infill development without damaging the character of the City. The 2017 modifications to the Additional Height Zones have been carefully written to recognize the City's successful recovery from the 1989 Loma Prieta earthquake; preserving and enhancing the urban form of the City, without sacrificing the special human scale and character of downtown. New development will not be required to strictly adhere to a 2 and 3 story scale.

- Housing. Significant new housing opportunities should be targeted throughout the downtown, including Pacific Avenue, the San Lorenzo riverfront, and South of Laurel. Housing should be comprised of a mix of apartments and condominiums. SRO housing should be replaced and dispersed throughout the downtown area.
- Accessibility. A downtown that aesthetically integrates access as a primary design criterion for all improvements to ensure increased opportunities for the public to participate in commercial, governmental, residential, social and cultural activities.
- Open Space and Streetscape. A strong network of public and private open spaces (streets, sidewalks, public parks, plazas, passageways and courtyards) that creates a socially active and pedestrian-oriented downtown core should be emphasized.
- Circulation. Downtown should be predominantly pedestrian in nature; movement should be carefully structured to reinforce the character of the place. Pedestrian, bicycle, and transit access to the downtown should be enhanced.
- Parking. Parking in the downtown core should continue to be provided by the Parking District in a centralized fashion, to maximize shared use and minimize the quantity of stored vehicles.

SAN LORENZO URBAN RIVER PLAN (SLURP)

- Improve the scenic and recreational value of the Riverfront
- Improve public access and pedestrian/bicycle movement to and along the River
- Improve the urban and neighborhood interface with the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh
- Incorporate the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh into the surrounding urban fabric of downtown and neighborhoods.
- (Front Street – Significant Riverfront Areas (SRFA))
    - SRFA-1: Require new development projects to incorporate design features that encourage active engagement with the Riverwalk such as; filling adjacent to the Riverwalk and landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk or providing a combination of these and/or other design features that support the resource enhancement and river engagement policies of the San Lorenzo River Plan.

  - SRFA-2: Require new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and near Elm Street.
  - SRFA-3: Maintain the ten-foot setback area between residential and commercial uses adjacent to the ***levee*** trail from the western edge of the trail. The area between the property line and the Riverwalk shall be filled to raise the adjacent ground-level use to a similar or higher elevation as the Riverwalk. The public lands between the Riverwalk and the private property may incorporate publicly accessible commercial or residential amenities, such as outdoor public seating. Trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development where feasible and where not in conflict with the required fill or publicly accessible amenities.
- Housing Blueprint – Downtown Housing Creation
  - Focus City resources and staff to encourage construction or approval of units downtown with a specific focus on enabling projects in the current development pipeline to break ground.
- City Council Two Year Workplan July 2017-June 2019
  - Strategic Goal 1, Focus Area 4 – Downtown Projects: Approve 500-600 housing units in downtown.

The three alternatives considered in the EIR are: 1) Partial Preservation – Incorporate facades into project design; 2) Relocation of Historic Buildings; and 3) The No Project Alternative – Required by CEQA.

1) Partial Preservation

This alternative involves the partial preservation of the existing historic buildings on the site through retention of the primary historic building facades and incorporating them into the new building. This alternative would involve the preservation of the primary street facades and the demolition of all secondary facades, structure, foundations, and roofs. The street facades would be disassembled in eight- to ten-foot-wide segments, stored at a different location, and re-assembled and incorporated into the Project after completion of subsurface work. It is not possible to retain the facades in place during construction. Under this alternative, there would be no change to the proposed project uses and site layout, except the design would be altered to incorporate the building facades of the existing on-site historic buildings. This alternative would retain a number of character-defining features of the historic resources, however, it would not retain the buildings' character-defining massing or height as volumetric structures. Thus, the buildings' significant architectural styles would be conveyed in the features of their facades but their representation as whole buildings would be compromised. Furthermore, the massing, size, and scale of the new seven-story buildings to be constructed behind the historic primary façades would not be compatible with the one-story historic resources, and the project would not be in compliance with the Secretary of the Interior's Standards for Rehabilitation. In addition, it would not be feasible to reconstruct the facades in the exact locations of the existing buildings without requiring a new opening to be

provided in order to accommodate the mid-block passageway. Review by the project structural engineer indicates that this process can be accomplished; however, the overall cost of the process is unknown, so it is difficult to fully assess the impact of that cost on the viability of the project. However, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the costs for implementing this alternative likely will have a greater negative impact on project feasibility than would have been likely under pre-COVID-19 conditions. Under this alternative, the identified significant unavoidable impact related to historical resources would be slightly lessened, but would not be reduced to a less-than-significant level and the project may not be financially viable under this alternative.

2) Relocation of Historic Buildings

Alternative 2 involves the relocation of the two historic buildings to a new site. Under this alternative, there would be no change to the proposed project uses and site layout. Due to the nature of the historic buildings' perimeter concrete and CMU walls on non-structural slabs on grade, this alternative would involve deconstruction followed by reconstruction. More specifically, it would involve vertical shoring and bracing of the structures' roofs and walls; removal of existing roofing material; salvaging the roof beams, trusses, and interior columns and supports; and disassembly of all perimeter walls into eight- to ten-foot sections. These materials would be delivered to a new site. Floor slabs, non-structural partition walls, and existing foundations would be demolished and recycled. New foundations and floor slabs would be built at the new site, and all salvaged elements would be reassembled. The buildings would be reconstructed as close to their original forms as possible, while upgrading the buildings to meet current building codes. The new location would need to be similar to the existing historic setting which is downtown Santa Cruz. There are no known vacant properties in the downtown area that are not part of a planned future development. Other properties in the vicinity of the Project site that are also located adjacent to the San Lorenzo River are currently developed and/or could be redeveloped in the future under the City's adopted *Downtown Plan*. Therefore, it appears that there are no downtown sites that could accommodate relocation of the two structures. In addition, there are no other nearby sites owned by or potentially available to the applicant that could be used. Another key factor in determining the feasibility of relocation as a viable alternative is determining if the buildings can be physically moved, the process of which is described above. While this option is theoretically possible, review by the project structural engineer concluded that it may not be economically or logistically feasible due to the nature of the existing structures (size, material used, and type of construction). Preliminary estimates to disassemble, move, re-assemble, and bring to near current standard will be an eight-figure cost, excluding the cost of land acquisition. In addition, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the significantly higher costs to implement Alternative 2, even assuming an acceptable alternative site were available, are

likely to have an even greater impact on project feasibility than would have been likely under pre-COVID-19 conditions. Under this alternative, the identified significant unavoidable impact related to historical resources would be substantially lessened and potentially reduced to a less-than-significant impact if the relocated structure could comply with the Secretary of Interior Standards for Reconstruction; if not, the impact would not be reduced to a less-than-significant level and the project may not be financially viable under this alternative.

3) No Project Alternative

Section 15126.6(e) of the State CEQA Guidelines requires that the impacts of a "no project" alternative be evaluated in comparison to the proposed project. Section 15126(e) also requires that the No Project Alternative discuss the existing conditions that were in effect at the time the Notice of Preparation was published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. For the purpose of the Alternatives discussion, the No Project Alternative assumes that in the foreseeable future, another project to redevelop the site could be proposed. However, it is noted that no redevelopment of the project site would be inconsistent with the General Plan and Downtown Plan forecasts and intentions for redevelopment of the site and project area. Given adopted City plans for the area, another development project may be proposed for the project site in the future, although the type and amount of development that may be proposed is unknown at this time.

The No Project Alternative would not result in construction of the proposed project and none of the impacts identified in the EIR would occur. No new significant impacts would occur under this alternative. Since redevelopment of the downtown area, including the project properties, is encouraged in the City's adopted Downtown Plan to provide additional residential uses, it is likely that some form of a mixed-used commercial-residential project would be proposed at some point in the future, although the type and timing of such a project are not known. However, some of the impacts identified in this EIR could result at some unknown time in the future and at an unknown magnitude depending on the development proposal. It is also noted that there are some public improvements and amenities proposed as part of the project that would not occur under the No Project Alternative, e.g., improved access to the Santa Cruz Riverwalk and an expanded outdoor river area. Thus, the No Project Alternative would not accomplish goals set forth in the Downtown Plan regarding improvements along the Riverwalk, including improved access.

<u>Mitigation Measures</u>

The project will achieve the above listed goals and policies by creating the maximum allowable number of housing units in a transit priority area, creating housing with increased affordability, creating commercial and residential units that face the river and activate the Riverwalk, and by creating two pedestrian passageways that connect the river with the downtown area. These are superior benefits over and above the associated significant and unavoidable historical resource impacts that would be associated with the project. The recommended Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental

Quality Act (CEQA – Public Resources Code, Section 21000 et seq.), the CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097) and is attached as Appendix A to the EIR. These mitigations are also included as conditions of approval of the project. Mitigation Measures CUL-1 and CUL-2 are directly related to the demolition of the historic buildings and were recommended by the project historian as a feasible and typical method of mitigating demolition of a historic resource.

Mitigation CUL-1: Complete documentation of buildings at 418 and 428 Front Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following:

- Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be completed prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories.
- Measured Drawings: Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).
- HABS-Level Photographs: Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.
- HABS Historical Report: A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.

Mitigation CUL-2: Prior to the start of Project construction and demolition, the Project proponent shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed Project boundary along a pedestrian walkway or attached to the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the Project site. The interpretive displays illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps.

ENVIRONMENTAL REVIEW:

An environmental checklist was prepared for the proposed project in support of the Environmental Impact Report (EIR) Notice of Preparation (NOP). The purpose of the checklist was to evaluate the impact categories covered in the City's certified Downtown Plan Amendments EIR and General Plan EIR to determine whether the project's impacts had been adequately analyzed in previous EIRs pursuant to CEQA or whether any new significant impacts peculiar to the project or project site would result. Where an impact resulting from the project was previously adequately analyzed, the review provides a cross-reference to the pages in the Downtown Plan Amendments EIR and/or General Plan EIR where information and analysis may be found relative to the environmental issue listed under each topic. The checklist also identifies whether the project involves new significant impacts or substantially more severe impacts than analyzed in the Downtown Plan Amendments EIR and/or General Plan EIR or new significant impacts not peculiar to the site or project. The checklist concluded that cultural resources (historical resources) and energy required additional analysis. As a result of the EIR scoping process, the City also chose to further analyze issues related to biological resources, geology/soils, and land use in the EIR. The EIR also evaluates topics required by CEQA and CEQA Guidelines for all EIRs, including growth inducement, project alternatives, and cumulative impacts.

Pursuant to State CEQA Guidelines section 15121, an EIR is an informational document to inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency. While the information in the EIR does not control the ultimate decision about the project, the agency must consider the information in the EIR and respond to each significant effect identified in the EIR by making findings pursuant to Public Resources Code section 21081.

Pursuant to CEQA (Public Resources Code section 21002), public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures, which would substantially lessen the significant environmental effects of such projects. Pursuant to section 15021 of the State CEQA Guidelines, CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. According to the State CEQA Guidelines, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

These public objectives include the construction of a mixed-use development that provides commercial spaces and residential units that face the San Lorenzo River and that provides two, wide pedestrian passageways that connect the more intensive downtown commercial core along Pacific Avenue with the San Lorenzo River. Both of these objectives have both been long-standing goals of the city that are repeated throughout the General Plan, the Downtown Plan and the preceding Downtown Recovery Plan, the San Lorenzo Urban River Plan and the preceding San Lorenzo River Design Concept Plan in 1987, the San Lorenzo River Enhancement Plan in 1989, and the Lower San Lorenzo River and Lagoon Management Plan in 2002. The city has consistently envisioned development along the downtown potion of the river that highlights the river as a natural resource, that better integrates the Riverwalk into urban open space, and that enhances the Riverwalk as a recreational river trail system. The development includes features that will directly implement these long-standing goals and policies. Additionally, the development will restrict units at a deeper level of affordability than that which is required through the City's Inclusionary Ordinance. The development proposes to make 15 of the required 20 inclusionary units available for rent or sale to households at the Very Low Income level (50% AMI) as opposed to the Low Income level (80% AMI) required by the inclusionary ordinance. For example, for the fiscal year 2020, the difference in eligible income level for a family of four is $106,200 for the Low Income level versus $66,200 at the Very Low Income level (HUD FY2020 Income Limits Summary). Therefore, the development increases the availability of a variety of affordable housing types in an area that is considered to be a transit priority area that is within walking and biking distance of employment opportunities, commercial goods and services, recreational opportunities, and public transit. The development will facilitate the reduction of greenhouse gas emissions and will support local businesses in the downtown by increasing the resident population in that location. The development will directly implement these goals and policies that are reflected in the General Plan, the Downtown Plan, the Housing Element, the Climate Action Plan, and the Active Transportation Plan.

The General Plan includes goals and policies that encourage the reuse and preservation of historic buildings, and the demolition of historic buildings is considered to be a significant impact under CEQA; therefore, the review process for the proposed project included an extensive evaluation of the historic significance of the buildings, their character-defining features, and alternative actions to full demolition. These impacts were weighed against the benefits of the project, including the plethora of long-standing city goals and policies described

above that would be directly implemented through the construction of the project. It has been determined that some of the significant and potentially significant environmental effects associated with the project can either be substantially lessened or avoided through the inclusion of mitigation measures proposed in the Final EIR, but that those significant effects cannot be avoided or substantially lessened by the adoption of feasible mitigation measures and will necessarily remain significant and unavoidable. Despite the occurrence of significant unavoidable environmental effects associated with the project as mitigated, there exist overriding economic, social and other considerations for approving the project, as described above, that justify the occurrence or potential occurrence of those impacts and render them acceptable.

The full Draft and Final Certified Environmental Impact Report is available for viewing on the City's website at: www.cityofsantacruz.com/ceqa

RECOMMENDATION

Staff supports the Nonresidential Demolition Authorization Permit for the proposed project in that the project implements several goals and policies in the General Plan/Local Coastal Program, the Downtown Plan, and the San Lorenzo Urban River Plan related to the improvement of the Riverwalk, increased public access to the River as a natural resource, consolidation of small parcels, development of housing with increased affordability in close proximity to commercial businesses, commercial services, and recreational areas, and in an area that would encourage and allow for the use of alternative modes of travel such as biking, walking, and public transit. The proposed mitigation measures, although not reducing the impact of demolition to a level of insignificance, would appropriately record the location, design, function, and historic value of the existing buildings to be demolished without compromising the benefits of the new development. Therefore, it is recommended that the Historic Preservation Commission recommend approval of the Nonresidential Demolition Authorization Permit to the City Council based on the Findings below and the attached Draft Conditions of Approval (Exhibit A).

FINDINGS

Nonresidential Demolition Authorization Permit, Section 24.08.1230(3)

1. **The cultural resources evaluation is accepted as accurate and complete; and the cultural resources evaluation concludes that the building or structure is not eligible for listing on the city historic building survey.**

   A Historic Resources Memorandum, Significance Diagrams, and an Alternatives Analysis was prepared for the project by *Page & Turnbull*, an architectural and historic preservation firm that meets the professional qualification standards used by the *National Park Service* (published in the Code of Federal Regulations, 36 CFR Part 61). The memorandum evaluates the previously prepared DPR's for the subject sites, as well as the history, architecture, and characteristics of the buildings at 418 and 428 Front Street and the implications of demolition of the buildings under CEQA, including recommendations for mitigation. The report includes Significance Diagrams that identify the primary, secondary, and non-contributing character-

defining features. An additional Alternatives Analysis Memo provides recommendations for alternatives to explore in the Environmental Impact Report. For the above reasons, the cultural resources evaluation that was submitted for the subject properties is accepted as accurate and complete.

The two DPR's that were prepared in 2009 conclude that both properties meet the criteria for listing on the local building survey. The DPR's and the report that was completed by *Page & Turnbull* conclude that both sites are eligible for listing on the California Register of Historic Resources. Therefore, pursuant to section 24.08.1230(2)(e), the appropriate environmental review has been completed in accordance with the California Environmental Quality Act to address the proposed demolition of two historic structures that are eligible for listing.

Finding 4 below, articulates why the City is approving demolition of the two buildings deemed eligible for listing on the California Register of Historic Resources.

2. **The project which will replace the demolished building or structure has been, or is concurrently being, approved by the city, and an appropriate building permit has been, or is concurrently being, issued; unless some other practical hardship can be documented rendering this requirement inappropriate.**

   The project that replaces the demolished buildings is concurrently being reviewed by the city and a standard condition of approval is included that requires the demolition permit to be issued concurrently with the building permit for the new development.

3. **The property owner has been advised of the benefits of listing the property on the city historic building survey and incorporating the preservation of the historic resource into the proposed project.**

   The property owner has been advised of the benefits of listing the property and incorporating the preservation of the historic resources into the proposed project. None of the alternatives identified in the Environmental Impact Report are feasible to reduce the impacts to the historic buildings to a less-than-significant level and to allow for construction of the project which implements several General Plan/Local Coastal Program policies, including those in the Downtown Plan.

4. **The cultural resources evaluation determines that the resource is eligible for listing on the city historic building survey, appropriate environmental review has been completed in accordance with the California Environmental Quality Act, and the zoning administrator can make a finding of overriding consideration that the replacement project will have public benefits which will outweigh the impact of loss of the historic resource.**

   The cultural resources evaluations that were prepared for the properties concluded that the subject buildings to be demolished are eligible for listing on the city historic building survey and on the California Register of Historic Resources (CRHR). The demolition of a historic

resource results in a substantial adverse change in the significance of that resource and is therefore considered to have a significant effect on the environment (CEQA Guidelines Section 21084.1). An Environmental Impact Report (EIR) was prepared for the project and three alternatives were evaluated for feasibility including: 1) No Project Alternative; 2) Partial Preservation, and 3) Relocation of Historic Buildings. A Finding of Overriding Consideration has been made to support the project in that neither of the recommended mitigation measures nor any of the project alternatives would reduce the impacts to a less-than-significant level and feasibly allow for the construction of project which implements several General Plan/LCP policies, including those in the Downtown Plan.

Submitted by:	Approved by:
Samantha Haschert Principal Planner	Eric Marlatt Assistant Director

Exhibits:

A. Draft Conditions of Approval
B. Draft City Council EIR Certification Resolution
C. Project Plans
D. City Council Resolution NS-28,621 accepting the list of historic buildings that are located in Volume III
E. Department of Parks and Recreation (DPR) 523 Forms – 418 & 428 Front St.
F. Historic Resource Memorandum and Significance Diagrams, Prepared by Page & Turnbull, dated June 5, 2018
G. Alternatives Analysis Memorandum, Prepared by Page & Turnbull, dated July 30, 2019
H. Public Correspondence (comments submitted with EIR are included in the final EIR)

EXHIBIT "A"

DRAFT CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

418, 428, 440, 504, and 508 Front Street - CP18-0153

Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to remove one street tree and three heritage trees, to combine five parcels, demolish three commercial buildings including two historic commercial buildings, and to construct a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground floor and levee front commercial space on property located within the CBD/CZ-O/FP-O zone district and within the Front Street/Riverfront subarea of the Downtown Plan.

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.

2. All plans for future construction which are not covered by this review shall be submitted to the City Planning and Community Development Department for review and approval.

3. The project shall be consistent with applicable Mitigation Measures from the Downtown Plan EIR, including but not limited to those specifically included as conditions herein.

4. The Tentative Subdivision Map shall be exercised by filing a Final Map within thirty-six (36) months of the date of final approval, unless extended by city ordinance or state law, or it shall become null and void.

5. The final map of the subdivision shall be submitted showing compliance with all the provisions of Title 23 of the Santa Cruz Municipal Code, or with approved exceptions thereto.

6. If, upon exercise of this permit, this use is at any time determined by the Planning Commission to be incompatible with the surrounding neighborhood, revocation of, or amendment to, this permit by the Planning Commission could occur.

7. The use shall meet the standards and shall be developed within limits established by Chapter 24.14 of the Santa Cruz Municipal Code as to the emission of noise, odor, smoke, dust, vibration, wastes, fumes or any public nuisance arising or occurring incidental to its establishment or operation.

8. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.

9. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major

modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.

10. All requirements of the Fire Department, Water Department, Building Department, and Public Works Department shall be met and shall be continuously maintained.

11. A demolition permit shall not be issued unless it is issued simultaneously with a building permit to construct the approved project in its entirety.

12. The applicant shall send notices of demolition to all tenants of the buildings to be demolished at least six months prior to demolition or eviction. The notices shall include contact information for the Economic Development Department for tenants to use as a resource for relocation assistance. Proof of noticing shall be submitted to the Economic Development Department.

13. New property descriptions shall be sequentially recorded with the County Recorder's Office and a copy of each recorded description provided to the City of Santa Cruz Planning Department and the Water Department.

14. The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement at the bottom of these conditions, which will become conditions of the building permit:

    "I understand that the subject permit involves construction of a building (project) with an approved Design Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final."

    _____

    Signature of Building Contractor Date

15. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government code Section 66474.9, defend, indemnify and hold harmless the City of Santa Cruz or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of

such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of the City Attorney or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The City shall promptly notify the property owner of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. If the City fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the City harmless.

PRIOR TO RECORDATION OF THE CONDOMINIUM MAP:

16. Prior to the approval of the final map, Covenants, Conditions and Restrictions (CC&Rs) containing the provisions set forth in Section 23.37.010 of the Subdivision Ordinance, shall be filed with the Planning Director. The CC&Rs shall include provisions for:
    - A requirement that any unit that is rented be managed by a single management company designated by the homeowners association to manage all rental units in the residential project
    - An operations plan for trash management.
    - The Stormwater Maintenance Agreement described under condition #47, must be included or attached to any HOA agreement if applicable and/or recorded in the CCRs with proof of CCR recordation submitted to the City.
    - Language shall be included that subsequent homeowner agreements shall not remove any conditions and/or restrictions specifically required by the City without first obtaining an amendment to this approval. The agreement shall be recorded and in full effect prior to issuance of any grading or building permits for the residences.

17. All necessary easements shall be acquired prior to City Council acceptance of the final subdivision map.

18. The specified common area shall be designated as a public utility easement.

19. Permanent monuments shall be furnished and installed by the subdivider as required by the Director of Public Works.

20. All plans and profiles of improvements shall be approved by the Director of Public Works prior to the filing of the final map, and the construction of said improvements shall be in accordance with the City specifications and shall be inspected by the Director of Public Works or his authorized agent.

21. The reproducible mylars of the plans and profiles for said improvements shall be furnished to the Public Works Department and shall become the property of the City of Santa Cruz at the time of approval.

22. Approval of the final plans and the conditions necessary for said approval are not necessarily limited to the approved tentative map conditions listed herein.

23. The development of the site shall be subject to the provisions of the Zoning Ordinance of the Santa Cruz Municipal Code.

24. Approval of final plans and any conditions necessary for implementation of same in no way modify the original conditions of approval.

25. No permits or work shall commence on the subject property until recordation of the final map.

PRIOR TO BUILDING PERMIT ISSUANCE:

26. Section 408 Army Corps of Engineers Permit: Prior to the issuance of a building or demolition permit for the site, the applicant shall submit evidence that a Section 408 Permit has been issued for the project by the Army Corps of Engineers (ACOE). The plans approved by the ACOE must be consistent with the plans submitted for building permit issuance and the applicant must demonstrate that the ACOE has approved the landscaping plans submitted with the building permit application.

27. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the approved plans. All approved exterior finishes and materials shall be clearly notated on the building permit plans.

28. Submit a final color and materials board for review and approval by Planning Staff. All exterior colors and materials shall be consistent with the final approved plans.

29. Plans submitted for building permit issuance shall include civil plans and documents prepared by a California licensed civil engineer that include dedications and all improvements required herein, architectural plans prepared by a California licensed architect, and landscape plans. All plan sheets shall be internally consistent.

30. Plans submitted for building permit issuance shall meet all requirements of the Building, Fire, Public Works and Water Departments.

31. The plans submitted for building permit issuance shall include the following details and/or modifications, subject to review and approval by the Zoning Administrator:

    (a) Plans shall show the height of the building(s) measured to the top of the parapet walls and shall conform with all applicable height requirements.
    (b) Plans shall demonstrate that awnings do not project greater than 6 feet into the public right of way.
    (c) The buildings shall have high quality exterior materials with durable, matte finishes.
    (d) The plans shall include the use of high quality, operable, upper floor windows that are recessed at least six inches from building face.

(e) The window and door schedules shall clearly note the STC ratings for all exterior windows and doors and the ratings shall comply with the recommendations of the Noise Assessment prepared by Charles M. Salter Associates, Inc., dated November 7, 2018. Noise ratings shall also comply with all building codes and shall take into consideration all on-site noise generating equipment. (Mitigation Noise-1)

(f) An exterior lighting plan shall be provided which shall indicate that all exterior building lighting and landscape lighting is downward-facing and shielded to contain the light source and to minimize off-site glare, and shall demonstrate that all exterior lighting has the ability to provide warm, low-level lighting from sundown to 10 p.m. nightly. Sufficient exterior lighting shall be provided at within the pedestrian passageways, the sidewalk, within recessed areas, and within the parking garages to provide security and safety to pedestrians at night.

(g) Security cameras shall be provided in the parking garages, stairwells, rooftop, foot bridges, ingress and egress of parking lots, courtyards, and 360-degrees around the exterior of the building. Recordings shall be accessible to police within 24 hours with a 30-day retention capability.

(h) All new mechanical equipment and appurtenances, including but not limited to gas and water meters, electrical boxes, roof vents, air conditioners, and antennas that are visible from the public way, the Riverwalk, and from adjacent properties, shall be screened with materials compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator. Rooftop equipment shall meet all setback requirements of the Downtown Plan.

(i) Ground floor and Riverwalk-facing storefront glass shall be clear, transparent glass and shall not be reflective, tinted, mirrored or otherwise screened from public view.

(j) The plans shall not include flex/commercial space on the ground floor facing Front Street. All tenant spaces shall be labeled for commercial uses only.

(k) All commercial spaces shall be constructed to support a future food service use. Plans must include ducting and venting plans for all commercial spaces. All ducting and venting should be designed to be hidden or incorporated into the building design. Plans shall also show the locations of grease interceptors, grease lines, and grease storage facilities. Grease interceptors shall be located on private property.

(l) Plans shall reflect an increased mailroom size and the applicant shall provide confirmation that the mailroom meets the size regulations of the USPS.

(m) The site plan shall maintain access to at least two parking spaces on APN 005-151-50 and shall maintain a 24 foot back-out area behind the spaces.

(n) Terraced fill between the Riverwalk and the building shall not exceed a height of 24 inches.

(o) Signage shall be included within the parking garage that specifies commercial and residential parking spaces.

(p) Skateboarding mitigation measures, as required by the Police Department, shall be shown on the plans at all stairways, benches, and planters along the pedestrian pathways, Front Street frontage, and Riverwalk facing frontage.

32. Trash Enclosure. The trash enclosure must be accessible from the Front Street frontage. It will require a 15 yard compactor and must be able to house the 15 yard compactor, 4 yard mixed recyclables container, 4 yard cardboard container and a 2 yard food waste container.

The trash enclosure design shall include a roof to keep storm water from leeching pollutants from the area where the containers are stored and to secure the area from unauthorized entry; a floor drain installed in the slab and connected to the sanitary sewer system; and a hose bib for the purpose of cleaning the interior of the structure. The final trash enclosure design shall be subject to review and approval by the Public Works Department. Please see "City of Santa Cruz Department of Public Works Refuse Container Storage Facility Standard Design Policy."

33. Bird-Safe Design. The plans submitted for building permit issuance shall identify the use of bird-safe, ultraviolet, and/or patterned glass, or other material or method proven to discourage bird strikes, at the windows and balcony railings up to 40-feet in height, with the exception of ground floor glass. Mirrored and/or reflective glass is not permitted anywhere on the building. Uplighting and spotlights are not permitted within any of the landscaped areas.

34. Traffic Engineering. The applicant shall submit the final engineered design for access improvements to and from the site and for improvements to the public right-of-ways, including but not limited to, a 'right turn in/right turn out only' restriction at the garage entrance, gate arms located at least 75 feet into the garage, card readers, rapid gate system, and pedestrian warning devices. Green bike lane stencils shall be included across the two Front Street driveways.

35. Front Street Improvements. The plans shall show the installation of a new 12-foot wide sidewalk along the entire frontage of Front Street per City standard detail and shall include notes and City Standard Detail 8 of 20 on the plans. All existing street lights and traffic signals shall be maintained. Ingress and egress to parking structures must have appropriate signage in place. Street trees shall be maintained and replaced in accordance with the approved plans.

36. Riverwalk Improvements. The plans shall include multi-use levee pathway improvements from Soquel Avenue to Laurel Street, as directed by the City of Santa Cruz Public Works Dept. These improvements shall include a new substantial asphalt concrete pathway section, widening of the Riverwalk pathway to 12 feet, new pathway paving and striping, including edgeline, along project frontage and a concrete parking pad for the service truck that will be maintaining the on-site private storm water system.

37. Transportation Demand Management (TDM). TDM measures shall be prepared and implemented to achieve reduced vehicle miles traveled consistent with Climate Action Plan and General Plan goals and objectives, including but not limited to:

- Provide at least one parking space for, and subsidizing if necessary, a car share program (i.e. zip car) in the publically accessible portion of the parking facility. If unable to secure a partnership with a car share program, this space shall be marked for carpool vehicles.

- Coordinate with JUMP bike share or other City-approved vendor to site and install an electric bike share charging station in a publically accessible location on site.

- Enter in to a contract agreement with METRO to provide reimbursable transit passes to all residents.

38. Electric Vehicle Supply Equipment (EVSE) Installed. Plans shall demonstrate that all EVSE installed parking spaces are provided as required per Section 24.12.241 of the Zoning Ordinance. The project requires a minimum of 17 residential and 2 commercial EVSE installed spaces based on the total of 142 residential and 45 commercial parking spaces provided. Additional EVSE installed spaces are highly encouraged.

39. Parking. Plans shall demonstrate that all standard parking spaces shall have minimum dimensions of 8.5 feet x 19 feet and all compact parking spaces shall have minimum dimensions of 7.5 feet x 16 feet. Specifications of equipment and an operations plan shall be provided for all parking stackers and lifts.

40. Bike Parking. Plans shall demonstrate that all bike parking has been provided per Section 24.12.250 if the Zoning Ordinance. Currently, the project requires a minimum of 175 Class 1 spaces and a minimum of 44 Class 2 spaces to serve the residential units, and a minimum of one Class 1 space and five Class 2 spaces to serve the commercial uses. The plans shall include specifications for the Class 2 bike parking racks including manufacturer, dimensions, and design, and a description of the access privileges to any proposed secure bike parking areas.

41. Landscaping. Landscape and irrigation plans shall be submitted at the time of the building permit application and are subject to review and approval by the Planning Department, the Public Works Department, and the Water Department. The landscape and irrigation plans shall demonstrate compliance with all requirements of the City's Water-Efficient Landscaping Ordinance in Chapter 16.16 of the Santa Cruz Municipal Code prior to issuance of the building permit. Plans submitted for building permit issuance shall reflect the same design, quality of materials, extent of landscaping, site and outdoor improvements, and recreational and design features as shown on the plans. Changes will require modifications to this permit.

    (a) All new street trees shall be a minimum 24-inch box size and the species shall be approved by the City Urban Forester.

    (b) The plans shall include a tree protection plan for all street trees to be preserved. The plan shall comply with the Tree Protection Guidelines and Restrictions, provided in the Arborist Report prepared by Kurt Fouts, dated September 9, 2019, and shall be approved by the City Urban Forester.

    (c) The landscape architect shall confirm that all proposed plans are non-invasive. Native plants and drought-tolerant plants are encouraged.

(d) The owner shall provide evidence that the planting plan for the levee extension area was approved by the Army Corps of Engineers.

(e) Landscaping plans shall show that new plantings that are located at the edge of the Riverwalk path shall be planted in the ground and not in a planter.

(f) The applicant shall replace any city irrigation lines along the levee that are affected by the project.

(g) All plantings installed by the city as part of the Public Works Levee Lighting Grant, shall be saved and replanted along the path.

(h) Street trees shall be planted in city-approved tree grates.

42. Utilities. All utilities and transformer boxes associated with the private development shall be placed underground in accordance with the provisions of Section 24.12.700 through 24.12.740 of the Zoning Ordinance and shall not encroach into the public right-of-way.

43. Drainage/Erosion Control. A drainage plan and erosion control plan shall be submitted in conjunction with application for building permits. All erosion control features shall be installed by November 1.

44. Construction Access/Staging Plan. The building permit plans shall include a construction plan that indicates site access areas, staging areas, and parking areas for construction vehicles during all phases of construction. The construction plan should clearly indicate that vehicles and equipment will not be parked on the street in front of existing adjacent businesses or on the levee or Riverwalk path. The hours of construction shall comply with Chapter 9.36 of the Municipal Code.

45. Air Quality: Prior to issuance of a building permit for the project, the applicant shall provide the Zoning Administrator with written verification that all permit requirements of the Monterey Bay Unified Air Pollution Control District relative to asbestos investigation and disposal, if necessary, have been fulfilled in accordance with Federal, State and local laws.

46. Nesting Bird Surveys. The applicant shall schedule construction and tree removal to take place between September 1 and January 30 of any given year to avoid the nesting season for birds. If this schedule is not practical, the applicant shall require a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between February 1 and September 1 to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the MBTA are found, construction may need to be delayed until late September or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).
(Mitigation Measure 4.3-3)

47. Stormwater. Plans must comply with Chapter 6B of the City's Best Management Practices Manual-Storm Water BMPs for Private and Public Development Projects, which is available at www.cityofsantacruz.com/LID. Please submit the following items:

    (a) Storm Water Control Plan (SWCP): A final SWCP shall be submitted as part of the project's Building Permit application. The SWCP shall also be submitted in an 8 ½ x 11 inch report format. An electronic copy of the SWCP may be emailed to Suzanne Healy, Associate Planner, at shealy@cityofsantacruz.com.

    (b) Submit an Operations and Plan (O&M Plan): The O&M Plan shall include at a minimum: 1) site plan showing the location of drainage structures and structural control measures, 2) O&M procedures, timing, and frequency for maintenance of LID features and drainage systems, and include applicable BMPs from Chapter 6B of the City's Best Management Practices Manual Storm Water BMPs for Private and Public Development Projects, 3) cost estimates for maintenance, and 4) BMPs for any Special Site Conditions (see pages 30-31), e.g. trash enclosure, parking, etc.

    (c) A final O&M Plan shall be submitted as part of the project's Building Permit application. The O&M Plan shall be submitted in an 8 ½ x 11 inch report format, and can be included as a SWCP appendix. The signed Maintenance Agreement shall be included in the O&M Plan as an attachment. An electronic copy of the O&M Plan may be emailed to Suzanne Healy, Associate Planner, at shealy@cityofsantacruz.com.

    (d) Maintenance Agreement: Prior to issuance of the Building Permit, the property owner shall sign and submit a BMP maintenance agreement ensuring that they will provide long-term operation and maintenance of structural storm water control measures (see template in Appendix C of Chapter 6B Storm Water BMPs for Private and Public Development Projects). The O&M Plan shall be attached to the signed maintenance agreement. A copy of the signed Maintenance Agreement may be emailed to Suzanne Healy, Associate Planner-PW, at: shealy@cityofsantacruz.com.

    (e) The Maintenance Agreement must be included or attached to any HOA agreement if applicable and/or recorded in the CCRs with proof of CCR recordation submitted to the City.

    (f) Storm Water LID (Source Control) - Additional source control measures are required if the project will include any of the following site conditions: commercial/industrial facilities, material storage areas, vehicle fueling/maintenance/wash areas, equipment and accessory wash areas, parking garages, outdoor parking areas, pools/spas/water features, trash storage areas, and food service or food processing facilities.

    (g) Erosion Control Plan (ECP): Please submit an ECP sheet as part of the project's Building Permit application. The ECP shall show the location of all erosion & sediment control BMPs, including the items below, and shall include a detail or typical diagram for each BMP:

        1. Perimeter BMPs, such as straw wattles and fiber rolls, to prevent off-site migration of soil, sediment, pollutants, litter, etc.
        2. Stabilized construction entrance/exit.

3. Porta-potty
4. Material or soil stockpile pile areas: Please show location and indicate which BMPs will be used to cover and protect stockpiles from run-on and run-off.
5. Storm drain inlets & catch basins (if applicable): Please show on-site and any nearby downstream storm drain inlets/catch basins in the street or parking areas. Please include BMPs to protect storm drain inlets/ catch basins during construction such as catch basin filter fabric or inserts. (Sand bags, gravel bags and straw wattles around storm drain inlets exposed to street traffic are not recommended). If filter fabric, please use Filtrex 8" Soxx with Mirafi140N fabric (or similar) underneath the grate, appropriately sized and secured.
6. On the Erosion Control Sheet, please add the following wording:
    - Construction Best Management Practices (BMPs): Project construction and demolition activities shall comply with the City's Storm Water Best Management Practices for Construction. See the City Website at: http://www.cityofsantacruz.com/home/showdocument?id=6031
    - BMPs, such as fiber rolls or wattles, shall be inspected periodically during construction and after each significant rain event, and any needed repairs made immediately.
    - Check the sidewalk and street daily during the demolition and construction phases for soil or sediment drag-out, and sweep if needed.
    - Open bags of particulate, granular or powder materials (such as plaster or concrete) and paints should be stored inside if possible. If these items are stored outside, they must be kept covered/closed and during the rainy season also kept within secondary containment.
    - Dumpster lids must be kept closed and secured when not in use.
    - Soil stockpiles: Excavated and/or new soil stockpiles must be protected from runoff/run-on by BMPs appropriate for the pile size, location and site conditions, and must be covered with plastic sheeting or tarps when not in use and surrounded by berms, fiber rolls or wattles to prevent run-on and run-off. When excavated soil is moved off-site, check the sidewalk and street for dirt "drag out" and sweep if needed.
    - Storm Drain Inlet/Catch Basin Protection (if applicable): Please use filter fabric or inserts for downstream catch basins located on streets. If filter fabric, please use Filtrex 8" Soxx with Mirafi 140N fabric (or similar) underneath the grate, appropriately sized and secured, during construction. Ensure fabric extends a minimum of 6-inches beyond catch basin after placement of grate. Contractor shall remove filter fabric upon completion of project.
    - Erosion/sediment control BMPs: Check erosion/sediment control measures/BMPs regularly for damage during construction work. All erosion/sediment control measures shall be inspected after each significant rain event and repairs made immediately upon detection. During the rainy season, use one or more sediment control measures,

such as fiber rolls and straw wattles, to prevent sediment from leaving the site.

(h) Landscape Plan or Bio-Retention Areas: Landscape plans should include notes regarding mulch and special notes for bio-retention/rain garden areas as applicable:

1. Mulch: No more than 3 inches of mulch on exposed soil surfaces. If possible, use aged, stabilized, non-floating mulch. Mulch stockpiles: Mulch should be located and stored in such a manner that there is no discharge to the storm drain system. Please specify which BMPs will be used.
2. Wood mulch should not be placed within the ponding area of bio-retention/rain garden areas. Only non-floating mulch shall be used in these areas, such as inorganic mulch (pea gravel, river pebbles or similar products.
3. Fertilizers should not be added in bio-retention, bio-swale or rain garden areas.
4. Plants: Ensure that plants proposed in bio-retention or rain garden areas can withstand both wet feet and drought conditions. For a list of recommended bio-retention plants, please see the website of the Central Coast Low-Impact Development Initiative at http://centralcoastlidi.org/landscape.php.
5. The soil mix to be used in bio-retention/rain garden areas shall be a homogeneous mix of 60-70% fine sand (meeting ASTM D422 or Caltrans Test Method C202) and 30-40% weed-free, manure-free, stable compost. Note: All sands complying with ASTM C33 for fine aggregate comply with sieve size/gradation requirements. The soil mix/media to be used in bio-retention/rain garden areas shall have a minimum infiltration rate of 5 in/hr.

(i) Construction Dewatering Operations: There are several options for construction dewatering discharges that can't be managed on site. One potential option is discharge under a permit from the State Water Board/Regional Water Quality Control Board (e.g. Low-Threat Discharge Permits, Highly Treated Groundwater Discharge Permit, etc.). Please contact the Central Coast Regional Water Quality Control Board for more information at 805-549-3147 or refer to their website at: http://www.waterboards.ca.gov/centralcoast/

Another option is discharge to the sanitary sewer system under a permit from the City. For more information about this permit, including the application process, requirements and fees, please contact a City Public Works Environmental Compliance Inspector at 831-420-5160.

(j) State Construction General Permit: If the project will disturb one acre or more of soil (or is less than one acre but part of a larger development), a Notice of Intent (NOI) must be filed with the State Water Resource Control Board (SWRCB) to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) prior to commencing work. The applicant is responsible for filing a Notice of Intent and for developing a Storm Water Pollution Prevention Plan (SWPPP). Prior to issuance of a building permit, the applicant shall provide the City with proof of coverage under the State Construction General Permit, including a copy of the letter of receipt and Waste Discharger Identification (WDID) number issued by the SWQCB that acknowledges the property owner's submittal of a

complete Notice of Intent (NOI) package. For more information on the Construction General Permit, please see the State Water Board website: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

48. Inclusionary Housing and Density Bonus. The project was deemed complete on July 19, 2019 and is subject to the inclusionary housing requirements provided in Ordinance 2018-18 (15% inclusionary requirement). The project also includes a Density Bonus and is subject to the requirements of Part 3 of Chapter 24.16. Specifically, the project includes 133 base units, which results in a requirement for 20 Inclusionary Units at the Lower Income level or 80% Area Median Income (AMI). In order to be eligible for the proposed density bonus, a minimum of 15 units (11% of the base units) must be restricted to households that meet the Very Low Income level of 50% AMI and the remaining five inclusionary units must be made available for rent or sale to households at the Low Income level (80% AMI).

49. Historic Documentation. Prior to issuance of a demolition permit, the applicant shall complete documentation of the buildings at 418 and 428 Front Street in accordance with the Historic American Buildings Survey (HABS) standards, which includes the following: (Mitigation Measure CUL-1)

(a) Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the proposed Project. Copies of the HABS shall be provided to local Santa Cruz repositories.

(b) Measured Drawings: Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).

(c) HABS- Level Photographs: Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.

(d) HABS Historical Report: A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be

prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.

50. Historic Interpretative Display: Prior to the issuance of a demolition permit or building permit, the applicant shall hire a qualified architectural historian to create an interpretative display plan that addresses the historical significance of the two historical buildings that are being demolished. The interpretative display must be located within the proposed project boundary along a pedestrian walkway or attached to the new building so that it is visible to the general public. Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website, or a temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the project site. The interpretive displays shall illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs, narrative text, historic news articles and memorabilia, salvaged materials, and maps. (Mitigation Measure CUL-2)

51. Prior to issuance of a building permit, the property owner shall complete a Flood Zone Hazard Notice Form.

52. Fees. The following fees shall be paid prior to building permit issuance in addition to all other fees required for building permit issuance:

    (a) The applicant shall pay required Traffic Impact Fees (TIF) unless phased or deferred payment terms are approved by the Planning and Public Works' Directors. The TIF is currently estimated at $254,100.

    (b) The applicant shall pay the Park and Recreation Facility Tax pursuant to Chapter 5.72 of the City of Santa Cruz Municipal Code based on the final building permit plans. The open space provided at the levee does not qualify as park space provided by the project.

    (c) The applicant shall pay all applicable parking fees required in the Downtown Parking District. The fees that apply to the project are those that are in effect at the time of building permit issuance. The fees shall be paid in full unless an alternate payment plan is approved in advance by the Director of Public Works.

    (d) The applicant shall agree to participate, on a fair share basis, in intersection improvement projects at Front/Soquel, Front/Laurel and Pacific/Laurel as noted in TIS which is 22.53% of the cost of design and construction. That is currently estimated at

$340,361. Construction cost estimates may be revised and could impact this calculation once the projects are designed. Construction is the responsibility of the city, not applicant.

(e) The applicant shall pay the full cost of signal revision (design, construction, and corridor signal timing) at the Front/Metro/ project driveway intersection. This work shall be completed by the applicant as a part of the project. A California registered Traffic Engineer shall provide a traffic signal timing and coordination plan to the Public Works Department for review and approval.

(f) The applicant shall agree to participate, on a fair share basis, in the construction of a two way left-turn lane. The fair share calculation reflected in the TIS may need to be revised based on a different cost share for Front Street developments only. The two-way left turn lane shall be implemented prior or post development as determined by the City.

(g) Prior to issuance of a building permit, the applicant shall pay required Public Works On-Site and Off-Site Public Improvements Inspection Fee based on the final building permit plans.

DURING CONSTRUCTION:

53. Tree Preservation: Prior to site grading or any disturbance, all trees and/or tree stands indicated for preservation or approved plans shall be protected through fencing or other approved barricade. Such fencing shall protect vegetation during construction and shall be installed to the satisfaction of the Director of Planning and Community Development.

54. Archaeological/Cultural or Paleontological Discoveries. Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:
    a. Immediately cease all further excavation, disturbance, and work on the project site;
    b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
    c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
    d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.

55. Grading.
    - All grading shall be done in accordance with the latest City of Santa Cruz Municipal Code, Chapter 24.27.
    - All work shall be in accordance with recommendations specified in the geotechnical investigation report prepared.
    - All clearing, site preparation or earth work shall be performed under inspection by the Soils Engineer and to the satisfaction of the Soils Engineer.
    - Dust caused by the grading operations shall be controlled by proper watering.
    - A grading permit from the Chief Building Official will be required prior to commencement of work.
    - A pre-grading conference at the site is required prior to the start of grading with the following people present: owner, contractor, engineer, soils engineer, and City Inspector, or their representatives.
    - The engineer will inspect the site after grading has been completed, and inform the City of Santa Cruz whether grading was done in conformance with the grading plans.
    - Plans set forth in the schedule, location, and type of planting shall be submitted to the Planning Department for approval upon completion.
    - Work shall be done in accordance with approval plans on file in the Building Department.
    - Grading shall be done during periods of dry weather, and protective measures shall be incorporated during grading to prevent siltation from any grading project halted due to rain. No earth-moving activities shall occur between October 15 and April 1.

56. All refuse and recycling activities during construction shall be done in accordance with Chapter 6.12 of the Santa Cruz Municipal Code. Be aware that private companies offering refuse or debris box services are not allowed to operate within the City limits, except under certain limited circumstances detailed in Chapter 6.12.160.

PRIOR TO BUILDING PERMIT FINAL/OCCUPANCY:

57. All requirements of the Building, Fire, Public Works and Water Departments shall be completed prior to occupancy and continuously maintained thereafter.

58. The applicant shall file a trespass letter with the police department every year with proper No Trespassing signage to help enforce trespassing issues.

59. Adequate provisions shall be made to supply water to each of the premises covered by this application. The design of water facilities shall be to standards of the Water Department, and plans therefore must be submitted to the Water Department Director for review and approval prior to the issuance of a building permit.

60. The property owner shall enter into an agreement with the City of Santa Cruz to secure an 18-month bond for landscape maintenance prior to occupancy.

61. All landscaping shall be installed prior to final utility release or issuance of occupancy permits.

62. Easement Agreement for Fill Structure. The applicant shall work with the Public Works Department to record an easement agreement at the fill structure adjacent to the levee. The easement agreement shall include the ongoing maintenance responsibilities and obligations of the property owner and shall be specific as to the design, engineering, and construction of the fill including detailing all utilities, both public and private, within the fill structure. The easement agreement shall also include the tree maintenance responsibilities per the flood control improvement project.

63. Installation and testing of the sewer lines, water systems, and fire hydrants must be conducted to satisfy the requirements of the Public Works Department, the Water Department, and the Fire Department.

64. Extension Area. Prior to occupancy of the building, the owner shall provide a scaled and dimensioned extension area plan for the newly created open space area at the top of the levee. The owner of the building shall remain the licensee for the open space areas while the tenants of businesses shall be the licensees for adjacent outdoor café seating areas. The plan shall include any proposed furniture, landscaping, and lighting elements, for review and approval by the Zoning Administrator. The design of the extension area shall comply with all development standards and design guidelines provided in Section 4.J.5 of the Downtown Plan, including the following:

    (a) Recycling and trash receptacles acceptable to the Public Works and Parks Department shall be provided within the extension area. The licensee shall be responsible for the disposal of trash and storage of recyclable materials.

    (b) All movable barriers and furniture used in extension area shall be removed during non-operating hours.

    (c) Final materials and colors for the tables, chairs, and planters (or pots) shall be reviewed and approved by the Zoning Administrator. The color of the planters (or pots) shall be generally consistent with colors used on the building façade.

    (d) The licensee shall be responsible at all times during operating hours for keeping outdoor furniture within the extension area as shown on the approved site plan.

    (e) Obtain and maintain a trespass letter from the police department to assist officers in addressing criminal behavior that may occur within the extension area after hours.

    (f) Provide surveillance camera(s) to ensure police staff can monitor the exterior areas after hours.

    (g) This permit does not allow for entertainment or alcohol service within the extension areas.

65. Revocable License. Prior to installation and/or operation of extension area the licensee shall enter into a month to month rental license agreement with the City. The licensee shall be responsible for the payment of a rental fee in an amount established from time to time by City Council resolution.

    (a) The revocable license shall be issued to the operator of the adjacent business, and shall not be transferable.

    (b) The extension area shall be permitted only in conjunction with the establishment which is operating in the adjacent building and to which the extension area is appurtenant.

    (c) The licensee shall notify the planning department and police department at least three working days in advance of the date work is to begin to establish the outdoor use.

    (d) The licensee shall take actions to assure that the use of the extension area in no way interferes with pedestrians or limits their free and unobstructed passage.

    (e) The extension area and all its contents shall at all times be maintained in a clean and attractive condition; all landscaping and planting shall be maintained in a presentable and healthy condition.

    (f) The extension area shall be operated in conformance with guidelines contained in this part, and the hours specified in the approval.

    (g) The extension area shall be operated in conformance with any applicable city, county or state laws.

    (h) Use of the extension area is approved for an indefinite term, except as it may be limited as a condition of the approval, but shall be subject to termination at any time on thirty days' prior written notice upon a determination by the city that the public interest requires vacating the extension area, or as provided in Section 24.10.2340 subsection (4)(g).

    (i) The licensee shall meet the liability and insurance requirements of Section 24.10.2340 subsection (7). Licensee shall agree to indemnify, defend, and hold harmless the City, its officers, agents, and employees, from and against any and all claims, demands, actions, damages, or judgments, including associated costs of investigations and defense, arising either directly or indirectly from any and all use, maintenance or repair of, or activity upon the extension area during the term of this license. A copy of the certificate of insurance shall be submitted to the Planning and Community Development Department prior to installation or use of the extension area.

OPERATIONAL CONDITIONS:

66. Prior to commercial/business use of a building or site, owners or tenants shall obtain a Zoning Clearance/Occupancy Permit from the City Planning Department and a Business License from the City Finance Department.

67. Residential portion of on-site parking shall not be not be eligible for Downtown Parking District Permits, until an overnight residential permit is developed and made available.

68. All requirements of the Building, Fire, Public Works and Water Departments shall be continuously maintained.

69. The property owner shall be responsible for the continued maintenance of the building and site in good condition.

70. No signs shall be installed on the site without prior approval of a Master Sign Program or separate Sign Permit.

71. The property owner shall be responsible for the on-going maintenance of the building and site in good condition including maintenance of exterior materials, landscaping, sidewalks, street furniture, lighting, open space areas, upper floor balconies free of clutter, appropriate window treatments, and the parking garages.

72. The open space area at the Riverwalk and the two pedestrian passageways shall remain open to the public sunrise to sunset, seven days a week.

73. This permit does not allow for the service of alcohol or live entertainment with future commercial uses. Any proposed alcohol or live entertainment uses shall obtain approval of a separate Use Permit and/or entertainment permit.

74. All outdoor seating areas shall comply with noise limitations specified in Section 24.14.260 of the Zoning Ordinance.

75. Outdoor amplified music is not permitted unless it is associated with an approved Entertainment Permit.

76. Store displays shall be configured in such a way as to allow pedestrians to see into the store from the sidewalk. Goods, posters, photos or other visual images shall be placed a sufficient distance from the store windows to enable pedestrians to see clearly into the store

77. All future storefronts shall include storefront landscaping consistent with the requirements in Chapter 4, Section I(4) of the Downtown Plan.

78. Buildings shall provide warm (color temperature equal to incandescent), low-level lighting from sundown to 10:00 PM nightly as an integral part of the façade design to add to the

nighttime ambient light level in the downtown and to add nighttime visual interest to the buildings.

RESOLUTION NO. NS-xx,xxx

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA CRUZ CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT FOR THE
FRONT STREET RIVERFRONT PROJECT

WHEREAS, a Notice of Preparation ("NOP") of an Environmental Impact Report ("EIR") for the Riverfront Project (the "Project") was issued by the Planning and Community Development Department of the City of Santa Cruz on November 20, 2019; and

WHEREAS, an EIR Scoping Meeting was held on December 4, 2019 to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft Environmental Impact Report ("DEIR" or "Draft EIR") was prepared and issued for agency and public review and comment on May 11, 2020, for a 45-day review period that ended on June 24, 2020; and

WHEREAS, seventeen (17) comment letters were received on the Draft EIR from private individuals as well as private and public entities; and

WHEREAS, a Final Environmental Impact Report ("FEIR" or "Final EIR"), incorporating all comments received on the DEIR and responses to comments was issued on July 27, 2020; and

WHEREAS, the complete Final EIR consists of the May 2020 Draft EIR, comments received on the document, and responses to comments contained in the July 2020 FEIR, modifications made to the text of the Draft EIR that are also included in the FEIR, appendices to the Draft and Final EIRs, and all documents and resources referenced and incorporated by reference in the EIR; and

WHEREAS, the FEIR has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs.

Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Historic Preservation Commission held a public hearing on the Project and the FEIR on August 5, 2020 and recommended _____; and

WHEREAS, the Planning Commission held a public hearing on the Project and the FEIR on ___ , 2020 and recommended _____; and

WHEREAS, the City Council considered the FEIR at a public meeting on ___ , 2020;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

- The City Council certifies that the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and local procedures adopted pursuant thereto.
- The City Council hereby finds that the Final EIR reflects the independent judgment and analysis of the City Council, as required by Public Resources Code Section 21082.1.
- The City Council has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received prior to approving this resolution.
- The City Council therefore hereby certifies the Final Environmental Impact Report for the Project.

PASSED AND ADOPTED this_____day of_____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

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Vicinity Map

Date: 10/18/2019
Job #: 16319

RIVERFRONT PROJECT

Santa Cruz, CA

SUBMITTAL PACKAGE

Ownership:

SC RIVERFRONT

Landscape Architect:

The Guzzardo Partnership Inc.
Landscape Architects | Land Planners

Partner Architect:

Architect:

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 ALPHA ROAD · SUITE 300 · DALLAS, TEXAS 75240 - (972) 701 - 9639 · (972) 701 - 9639 FAX
DALLAS · CHICAGO · NEW ORLEANS · NEW YORK · NEWPORT BEACH · ORLANDO
SAN RAMON · SCOTTSDALE · EDMONTON · TORONTO · MONTEVIDEO
www.humphreys.com

Site Summary:

Site Area:	1.04 AC (45,178 sf)	Building Lot Coverage:	+/- 38,424 sf (excl. passageway stairs) (+/- 85%)
Number of Units:	175 du	Cathcart Passage:	+/-60' wide min. per SCDP Sect. E.5.c
Site Density:	+/- 168.7 du/AC	Elm St Passage:	+/-30' wide min. per SCDP Sect. E.5.c

PROJECT SUMMARY

RESIDENTIAL	#	NET SF*		deck	total NRSF	Ave NSF	Mix
Studio							
S1	22	480		-			
S1a	6	440		-			
S2	11	440		-			
S2a	5	440		-			
S3	1	428		212			
S3.1	2	441		220			
S4	1	431		200			
S5	5	448		-			
Subtotal Studio	**53**					457	30.3%
1-bedroom							
A1	50	677		64			
A1a	6	678		64			
A2	6	658		55			
A2.1	5	659		55			
A2a	7	636		55			
A2b	4	614		55			
A3	5	620		-			
A5	6	715		66			
Subtotal 1-bedroom	**89**					668	50.9%
2-bedroom							
B1	12	1,035		57			
B1.1	4	1,024		57			
B2	6	971		55			
B2.1	6	983		55			
TH	5	1,273		127			
Subtotal 2-bedroom	**33**					1,049	18.9%
Total	**175**			**8,249**	**118,285**	**676**	

*NOTE: sf taken to outside of walls and CL of parti walls

*NOTE: sf is approx. and subject to change as more information is known

Amenity Summary:

Commercial:	
Commercial A:	525
Commercial B:	1,141
Commercial C (rest):	3,114
Commercial D:	352
Commercial E:	732
Commercial F (rest):	2,727
Commercial G:	1,042
Commercial H:	1,865
Total Commercial:	**11,498** sf

Amenity:	
Leasing	1,065
Lounge:	1,709
Game Room:	715
Specialty Fitness/ Fitness:	1,926
Circ., Unisex.:	644
Total Amenity:	**6,059** sf

Lobbies:	
Lobby B1:	291
Lobby B2:	359
Lobby B3 (mail):	578
Lobby Commercial:	340
Total Lobbies:	**1,568** sf

Private Outdoor Space:	
Skydeck B2:	1,241
Skydeck B3:	1,248
Total Private O.S.:	**2,489** sf

Gross SF Summary:

	Building 1	Building 2	Building 3	Shared	total
Level 1:	-	-	-	38,458	38,458
Level 2:	5,678	12,790	10,165	-	28,633
Level 3:	5,795	12,587	9,288	-	27,670
Level 4:	5,395	11,812	8,902	-	26,109
Level 5:	4,628	10,640	8,505	-	23,773
Level 6:	4,628	10,638	8,507	-	23,773
Level 7	4,628	8,681	6,969	-	20,278
Total	**30,752**	**67,148**	**52,336**	**38,458**	**188,694**
Level B1:	-	-	-	40,728	40,728

*NOTE: basement not included in GSF

*NOTE: sf taken to outside of walls

*NOTE: sf is approx. and subject to change as more information is known

Net Lot Area:	45,178
FAR:	4.18

Per SCMC 24.22.366, Floor Area: The sum of the gross horizontal real floor area within the perimeter of the outside walls of all buildings, including accessory buildings and accessory dwelling units, on a lot as measured from the exterior surface of the exterior walls, with no deduction for hallways, stairs, closets, wall thickness. The area includes covered residential parking and is the total of all stories. Stairways shall count only once for floor area, however, any portions of buildings, including stairwells, over seventeen feet in interior height, are counted twice for the purposes of computing floor area. Uncovered courtyards or atriums enclosed by three sides and with the space open to the street above the first floor do not count as floor area. Unenclosed porches, balconies, decks, patios, roof overhangs and similar architectural features and non-habitable basements that are fully subterranean below finished grade do not count as floor area.

Units Breakdown Per Building Summary:

	North building						Middle building						South building						Subtotal
	level 2	level 3	level 4	level 5	level 6	level 7	level 2	level 3	level 4	level 5	level 6	level 7	level 2	level 3	level 4	level 5	level 6	level 7	
Studio																			
S1	1	2	2	1	1	1	1	1	1	-	-	-	1	2	2	2	2	2	22
S1a	1	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	6
S2	-	-	-	-	-	-	-	-	-	-	-	-	1	2	2	2	2	2	11
S2a	-	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	5
S3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
S3.1	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	2
S4	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1
S5	-	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	5
1-bedroom																			
A1	-	-	-	-	-	-	5	6	6	6	3	2	2	5	5	5	3	2	50
A1a	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	6
A2	-	-	-	1	1	1	-	-	-	-	-	-	-	-	1	1	1	-	6
A2.1	-	-	-	-	-	-	-	-	1	2	2	-	-	-	-	-	-	-	5
A2a	-	-	1	1	1	1	-	-	1	1	1	-	-	-	-	-	-	-	7
A2b	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	1	1	-	4
A3	-	1	1	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	5
A5	-	-	-	1	1	1	-	-	-	1	1	1	-	-	-	-	-	-	6
2-bedroom																			
B1	1	2	1	-	-	-	1	3	2	-	-	-	-	1	1	-	-	-	12
B1.1	-	-	-	-	-	-	1	1	-	-	-	-	1	1	-	-	-	-	4
B2	-	-	-	-	-	-	1	1	1	1	1	1	-	-	-	-	-	-	6
B2.1	-	-	-	-	-	-	1	1	1	1	1	1	-	-	-	-	-	-	6
TH	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	2	-	5
Subtotal	**3**	**8**	**8**	**7**	**7**	**7**	**11**	**14**	**14**	**13**	**13**	**8**	**6**	**12**	**12**	**12**	**12**	**8**	**175**
			40						**73**						**62**				

Parking Required:

Commercial:		sf	ratio	TOTAL	
Commercial:		11,498	1/400	29	
Leasing/ Fitness:		6,059	1/400	16	
Subtotal Commercial Req.:				**45**	**stalls**

Resident:	# unit	# beds	ratio		TOTAL	
Studio/1-bed	142	142	0.5	*(0.5/bedroom)*	71	
2-bed	33	66	0.5	*(0.5/bedroom)*	33	
Subtotal Resident Req:					**104**	**stalls**
Total Parking Required:					**149**	**stalls**

Parking Provided:

Commercial:		Level B1	Level 1	TOTAL	
Commercial Prime:	8.5' x 19'	-	35	35	
Commercial C:	7.5' x 16'	-	6	6	
Commercial Prime EV :	8.5' x 19'	-	2	2	
Commercial HC:	9' x 19'	-	2	2	
Subtotal Commercial Provided:				**45**	**stalls**

Resident:		Level B1	Level 1	TOTAL	
Prime:	8.5' x 19'	31	14	45	
Prime EV:	8.5' x 19'	14	3	17	
Compact:	7.5' x 16'	4	2	6	
HC:	9' x 19'	3	1	4	
T. Front:	8.5' x 19'	35	-	35	
T. Rear Standard:	8.5' x 19'	29	-	29	
T. Rear Compact:	8.5' x 16'	6	-	6	
Subtotal Resident Provided:		**122**	**20**	**142**	**stalls**
Total Provided:				**187**	**stalls**

*NOTE: 5 existing stalls on Front Street to be removed, see civil sheets for more information

EV Parking Summary:

Required EV Parking:
Residential:
17 stalls (12% of 142 stalls)

Commercial:
2 stalls (45 parking spaces per SCMC 24.12.241.3.b)

Provided EV Parking:
Residential:
17 stalls

Commercial:
2 stalls

Bike Parking Summary:

Required Bike Parking:
Residential:
175 'Class 1' spaces (1/ residential unit)
44 'Class 2' spaces (1/ 4 residential units)

Commercial:
7 (2 +15% of 29 commercial parking req.)

Provided Bike Parking:
Residential:
175 'Class 1' spaces (1/ residential unit)
44 'Class 2' spaces (1/ 4 residential units) (23 racks, see landscape sheet)

Commercial:
2 'Class 1' spaces (20%) (note: shown on level 1 plan in building lobby)
8 'Class 2' spaces (80%) (4 racks, see landscape sheet)

*note: each inverted-U style bike rack provides 2 parking spaces

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

PROJECT INFORMATION
10/18/19

SC RIVERFRONT

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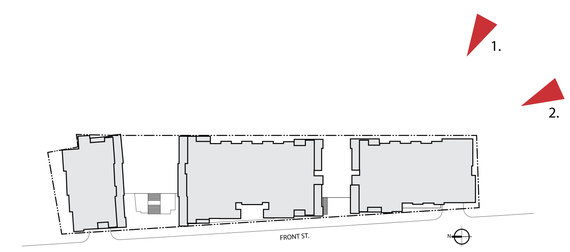
VIEW 2. LOOKING NORTH WEST FROM LAUREL ST BRIDGE

VIEW 1. LOOKING NORTH WEST FROM BROADWAY ST



KEY PLAN

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONTEXT PERSPECTIVE VIEWS
10/18/19

SC RIVERFRONT

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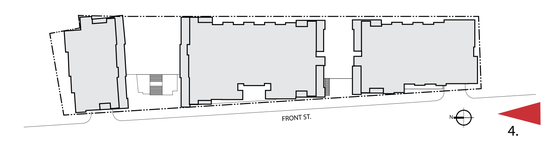
VIEW 4. LOOKING NORTH DOWN FRONT ST

VIEW 3. LOOKING EAST DOWN CATHCART ST



KEY PLAN

3.

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONTEXT PERSPECTIVE VIEWS
10/18/19

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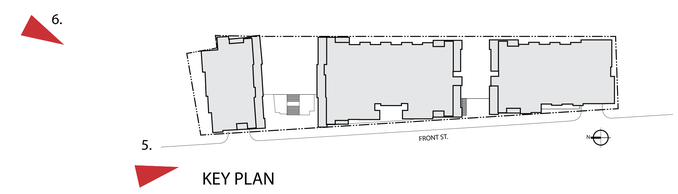
VIEW 6. LOOKING SOUTH WEST FROM SOQUEL AVE BRIDGE

VIEW 5. LOOKING SOUTH DOWN FRONT ST



RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONTEXT PERSPECTIVE VIEWS
10/18/19

SC RIVERFRONT

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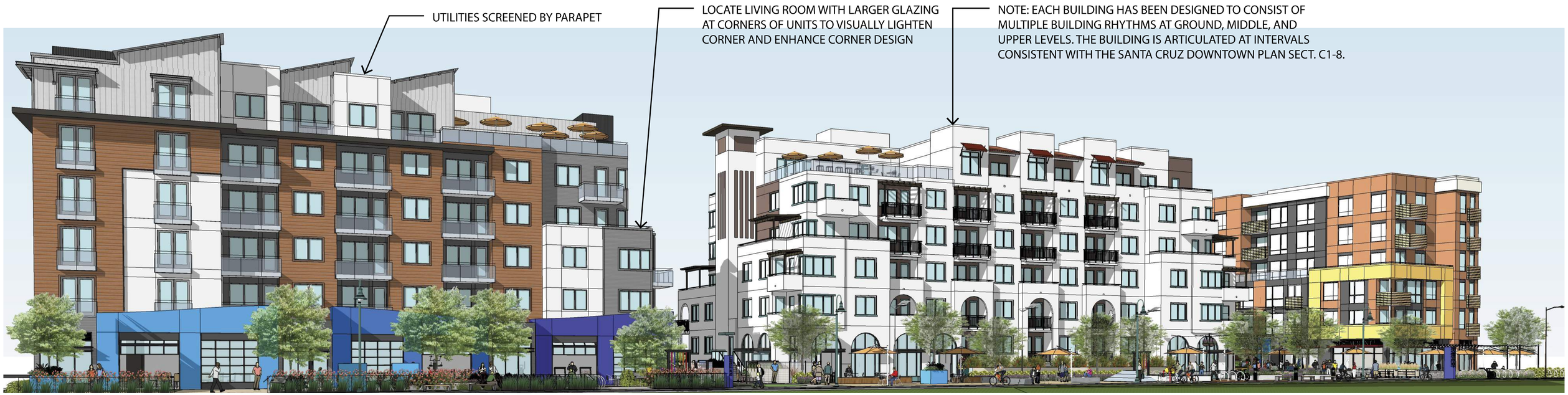
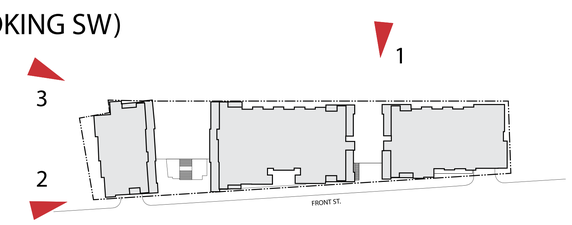


1. VIEW OF LEVEE (EAST) ELEVATION

2. VIEW OF NORTH ELEVATION FROM FRONT STREET (LOOKING SE)

3. VIEW OF NORTH ELEVATION FROM LEVEE (LOOKING SW)



KEY PLAN

05

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT BUILDING ELEVATION VIEWS

10/18/19

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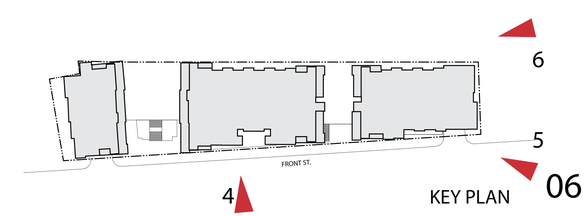
4. VIEW OF FRONT STREET (WEST) ELEVATION

5. VIEW OF SOUTH ELEVATION FROM FRONT STREET (LOOKING NE)

6. VIEW OF SOUTH ELEVATION FROM LEVEE (LOOKING NW)



06

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT BUILDING ELEVATION VIEWS
10/18/19

SC RIVERFRONT

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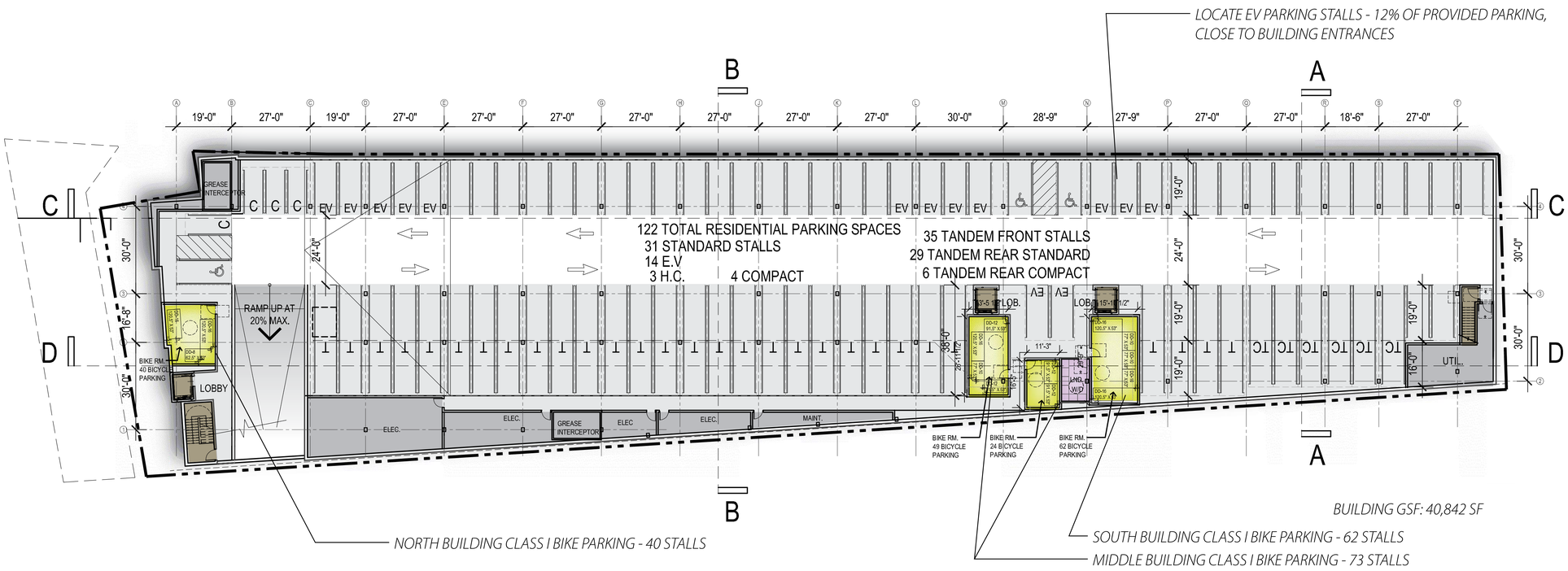

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

07

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

SUB-T PLAN
10/18/19

SC RIVERFRONT

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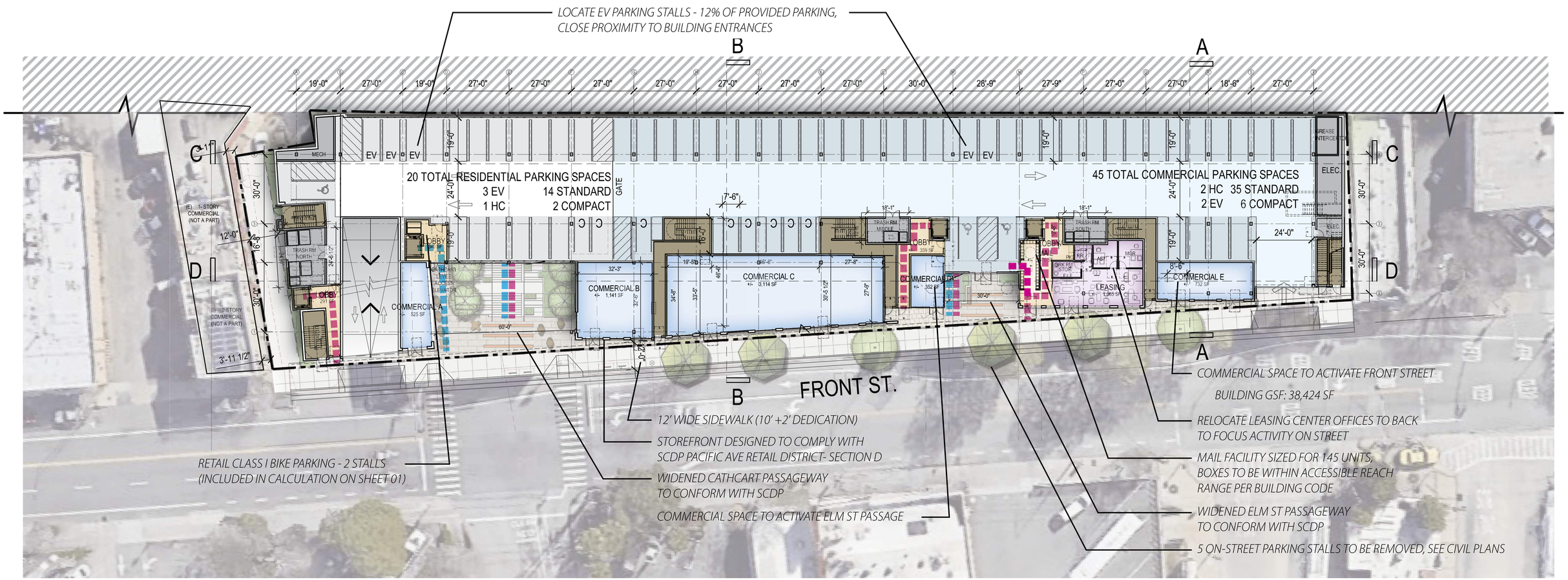

NOTE: FUTURE FOOD SERVICE FACILITY INFRASTRUCTURE TO BE APPROPRIATELY INCORPORATED INTO THE BUILDING DEIGN AND SCREENED FROM VIEW

PUBLIC AMENITY
RESIDENTIAL AMENITY
COMMERCIAL PATH OF TRAVEL
RESIDENTIAL PATH OF TRAVEL

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

08

RIVERFRONT PROJECT
SANTA CRUZ, CA
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LEVEL 1- FRONT STREET LEVEL PLAN

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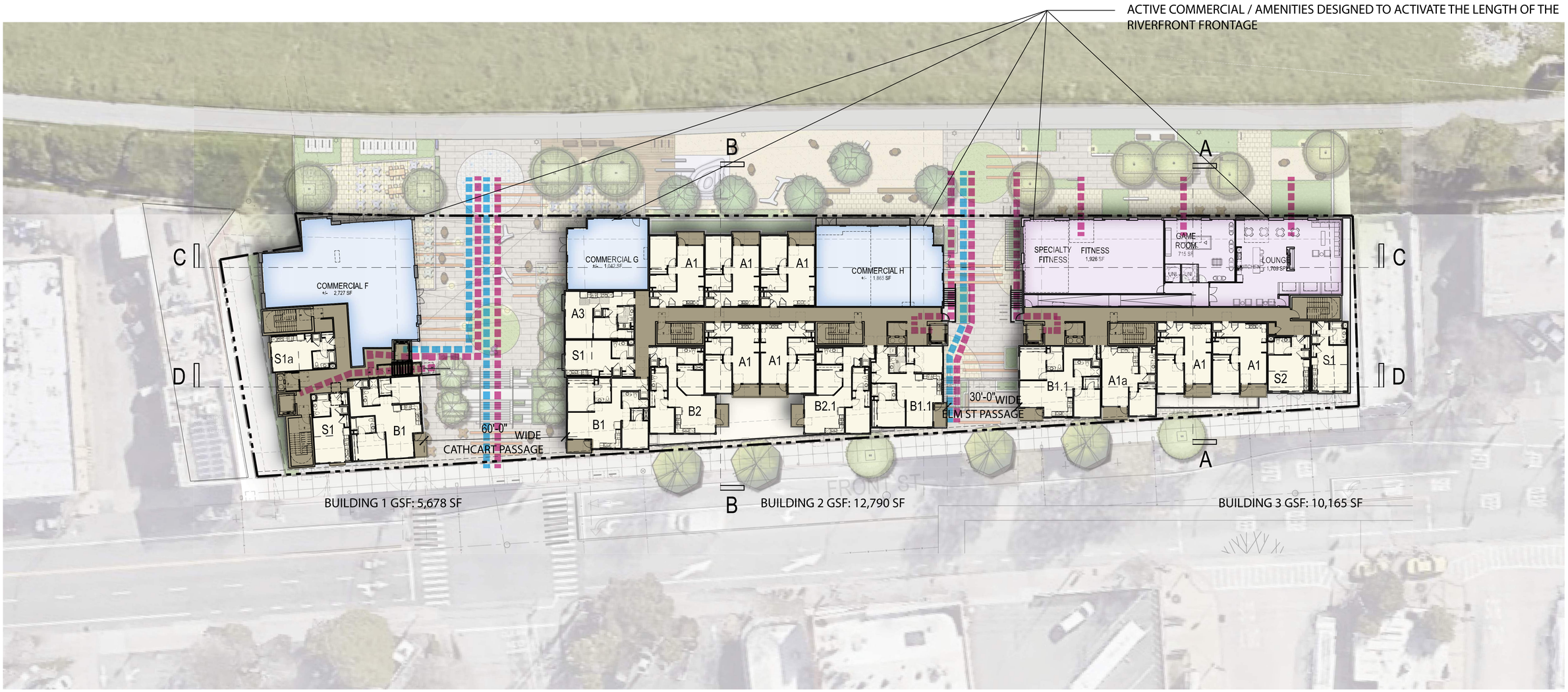

PUBLIC AMENITY
RESIDENTIAL AMENITY
COMMERCIAL PATH OF TRAVEL
RESIDENTIAL PATH OF TRAVEL

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

09

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 2 - LEVEE PLAN

10/18/19

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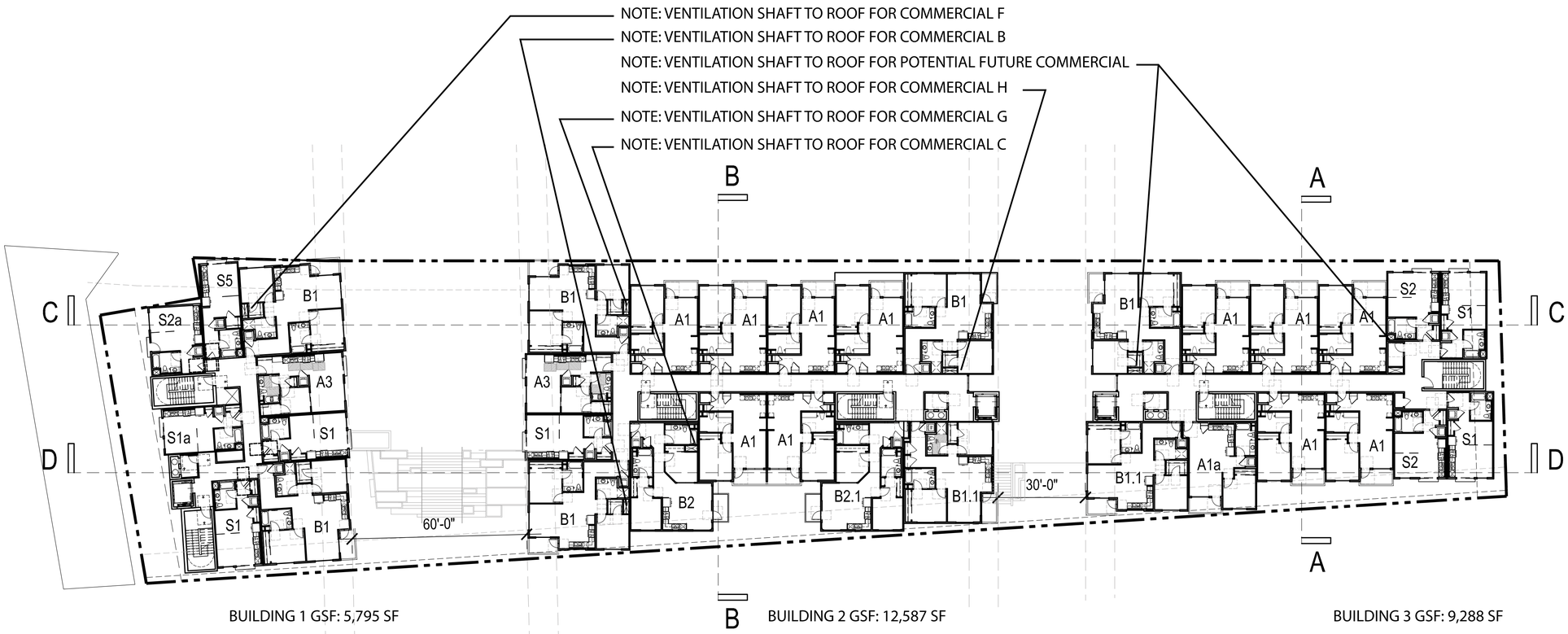

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

10

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 3 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

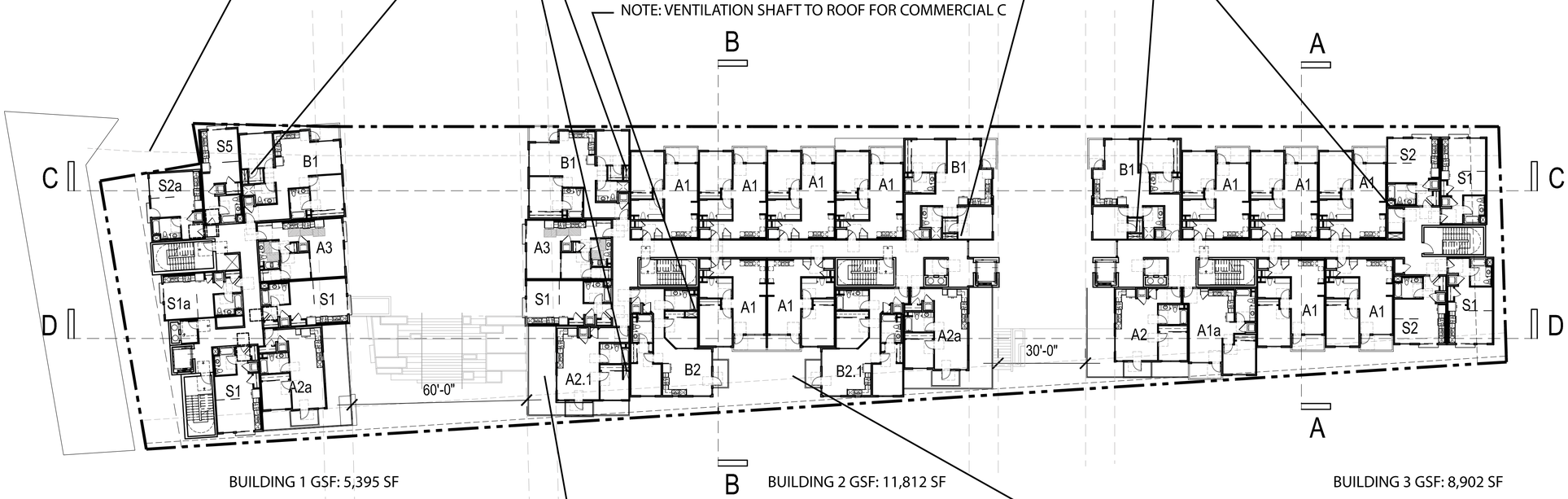
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 5,395 SF

BUILDING 2 GSF: 11,812 SF

BUILDING 3 GSF: 8,902 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 4 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

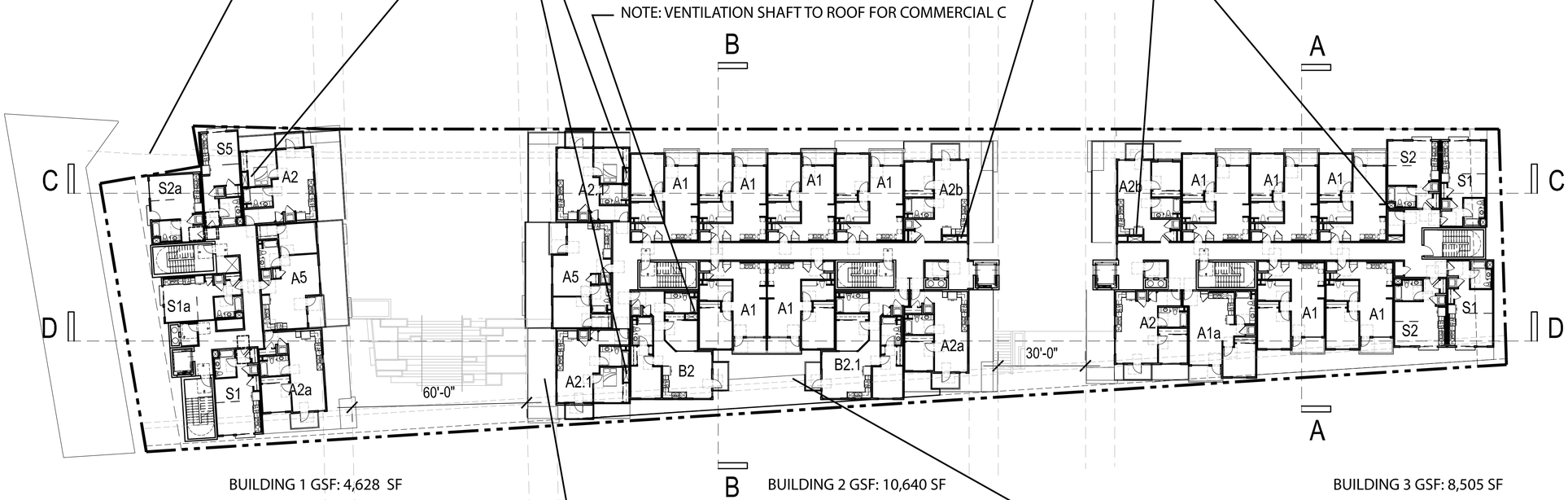
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 4,628 SF

BUILDING 2 GSF: 10,640 SF

BUILDING 3 GSF: 8,505 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N

0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 5 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

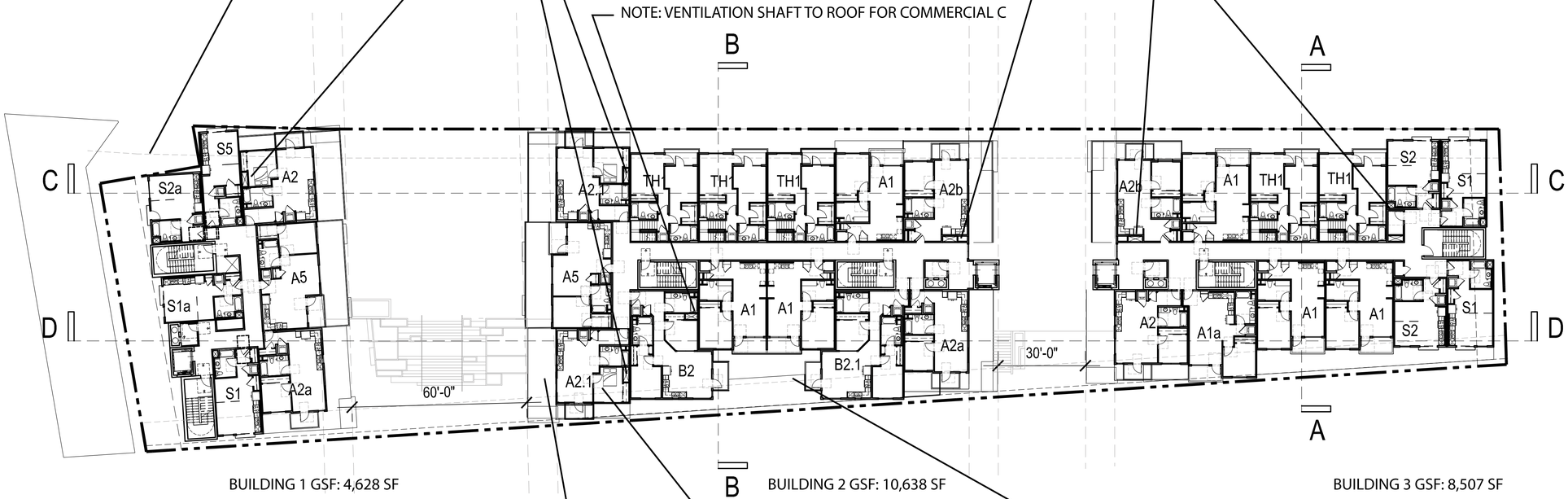
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 4,628 SF

BUILDING 2 GSF: 10,638 SF

BUILDING 3 GSF: 8,507 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: TOP FLOOR REVISED TO BE 98.3% OF FLOOR BELOW (LEVEL 5)

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 6 PLAN
10/18/19

SC RIVERFRONT

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NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL F

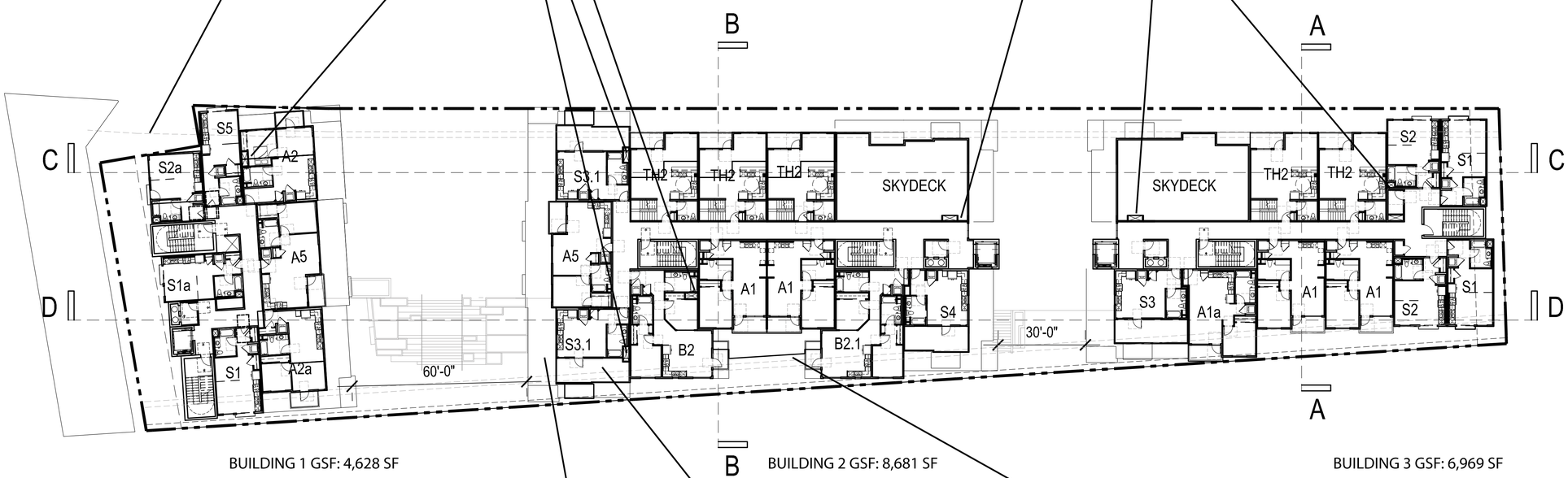
NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL B

NOTE: VENTILATION SHAFT TO ROOF FOR POTENTIAL FUTURE COMMERCIAL

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL H

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL G

NOTE: VENTILATION SHAFT TO ROOF FOR COMMERCIAL C



BUILDING 1 GSF: 4,628 SF

BUILDING 2 GSF: 8,681 SF

BUILDING 3 GSF: 6,969 SF

NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

NOTE: TOP FLOOR REVISED TO BE 98.3% OF FLOOR BELOW (LEVEL 5)

NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10' FROM THE STREET FOR ANY HEIGHT ABOVE 35' PER SCDP SECT. 4.E.1.c

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

LEVEL 7 PLAN
10/18/19

SC RIVERFRONT

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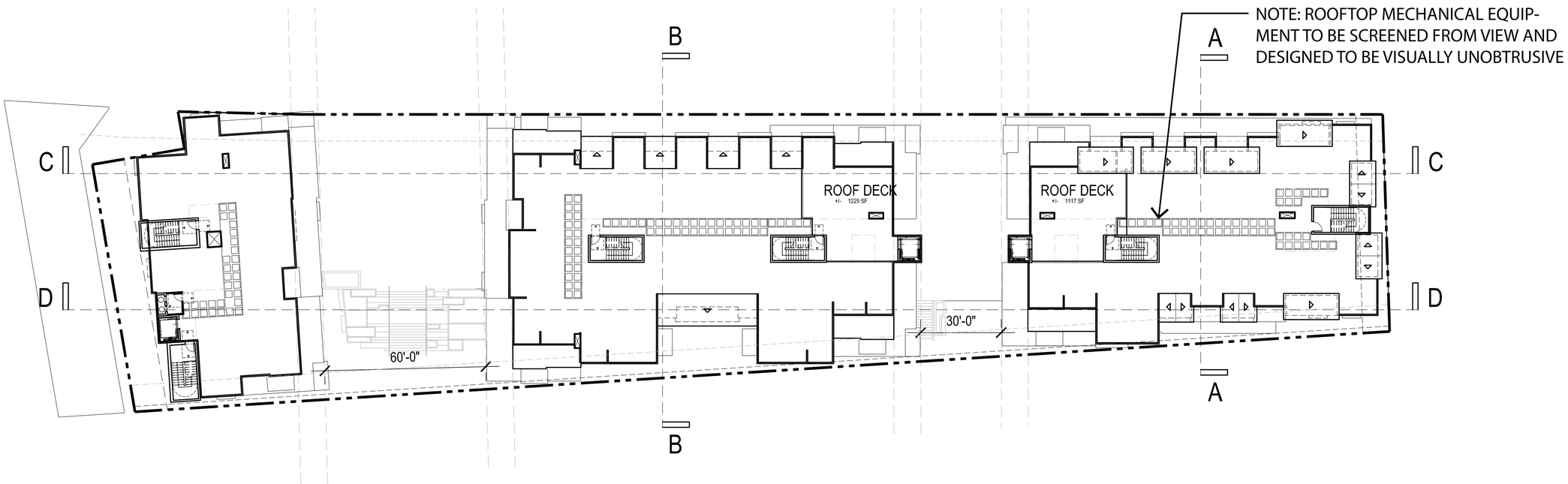

NOT TO SCALE @ 11x17
SCALE: 1" = 20' @ 24x36

N 0' 20' 40' 60'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

ROOF PLAN
10/18/19

SC RIVERFRONT

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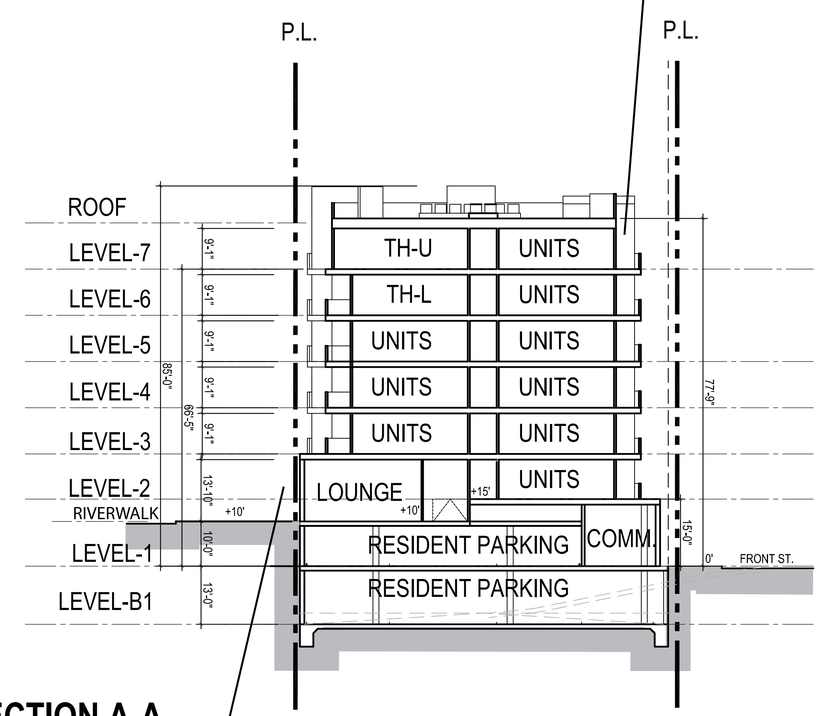
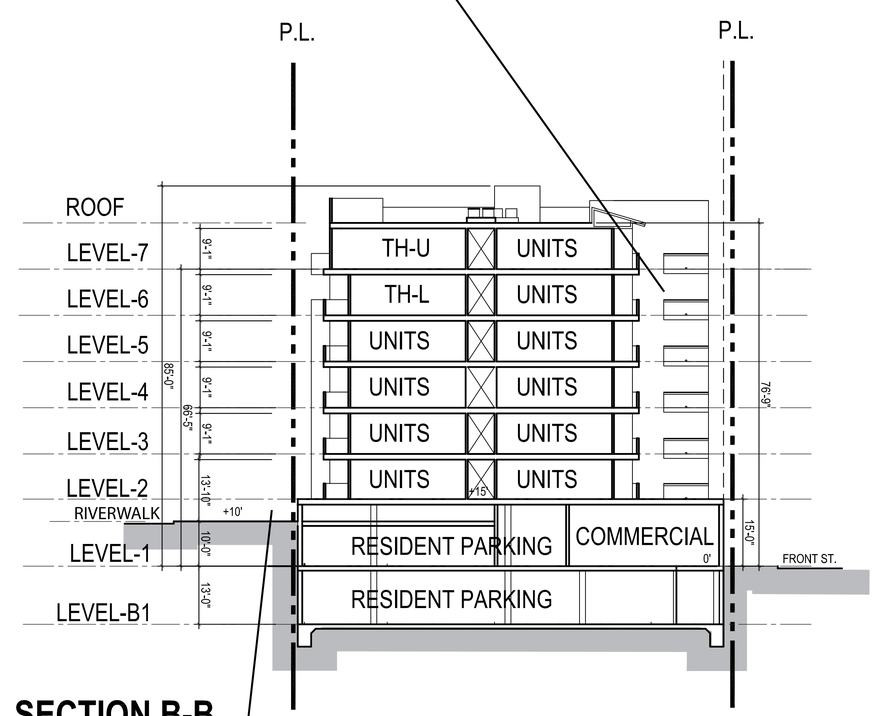
NOTE: AT LEAST 50% OF BUILDING FRONTAGE ALONG FRONT STREET SHALL STEP BACK 10' ABOVE THE HEIGHT OF 50' PER SCDP 4.3.1.c

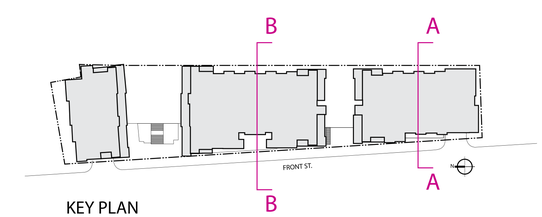


SECTION A-A



SECTION B-B

NOTE: ALONG THE WEST SIDE OF THE RIVERWALK, DEVELOPMENT SHALL STEP BACK 10' FROM THE EXTERIOR WALL FACE ABOVE THE 50' HEIGHT LEVEL AS MEASURED FROM FRONT STREET SIDEWALK. ALLOW UP TO 25% OF THE RIVERWALK FRONTAGE TO ENCROACH TO PROVIDE FOR MASSING VARIATION PER SCDP SECT. 4.E.1.d



KEY PLAN

NOT TO SCALE @ 11x17
SCALE: 1" = 16' @ 24x36

0' 16' 32' 48'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

BUILDING SECTIONS
10/18/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
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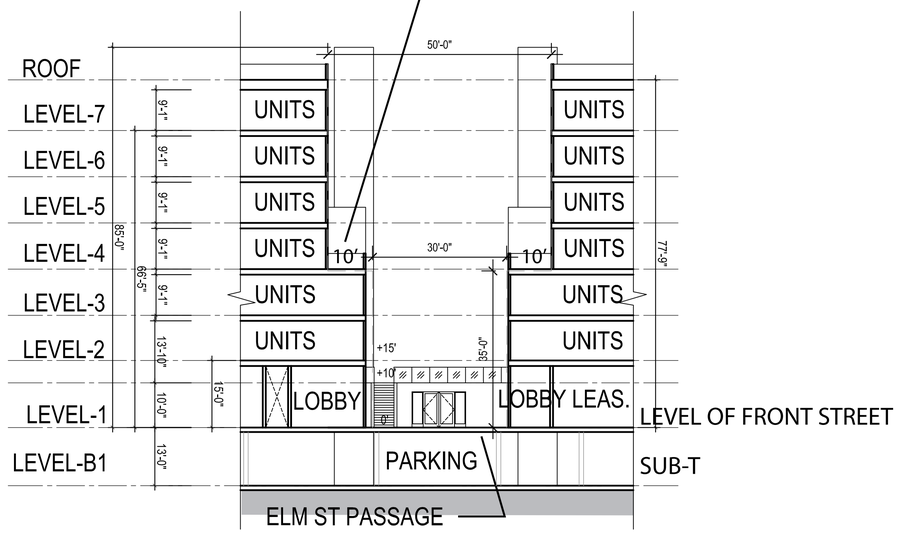
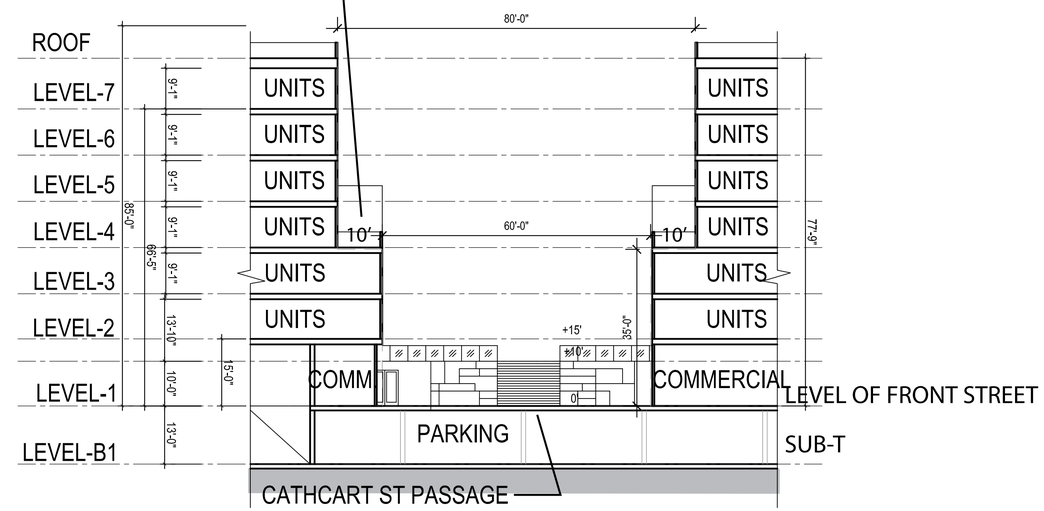
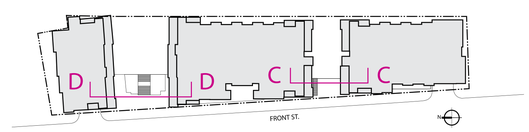
NOTE: BUILDINGS ADJACENT TO PUBLICLY ACCESSIBLE PASSAGEWAYS SHALL STEP BACK AT LEAST 10′ FROM THE STREET FOR ANY HEIGHT ABOVE 35′ PER SCDP SECT. 4.E.1.c



SECTION C-C



SECTION D-D



KEY PLAN

NOT TO SCALE @ 11x17
SCALE: 1″ = 16′ @ 24x36

0′ 16′ 32′ 48′

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

BUILDING SECTIONS
10/18/19

SC RIVERFRONT

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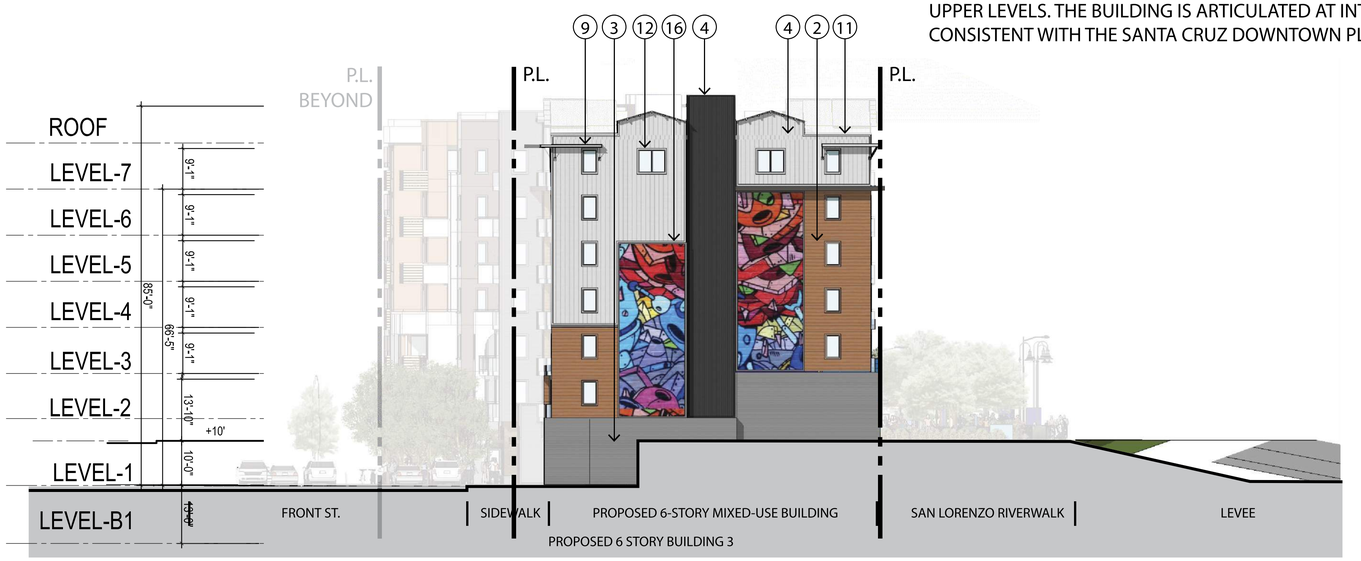
1. WEST (FRONT ST.) ELEVATION

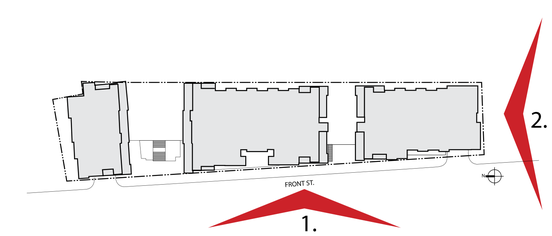
NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.



2. SOUTH ELEVATION

NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.

MATERIAL LEGEND
1. EXTERIOR PLASTER, SAND FINISH
2. HORIZONTAL CEMENTITIOUS SIDING, SMOOTH
3. HORIZONTAL METAL SIDING, RIBBED CHANNEL
4. VERTICAL METAL SIDING, STANDING SEAM
5. THIN BRICK VENEER
6. HORIZONTAL CEMENTITOUS WOOD RAILING
7. PAINTED TUBE STEEL RAILING, GLASS PANEL INSERT
8. PAINTED TUBE STEEL RAILING
9. PAINTED METAL AWNING
10. PAINTED METAL TRELLIS
11. PAINTED CAP/ TRIM, PLASTER OVER EPS
12. VINYL WINDOWS
13. ALUMINUM STOREFRONT
14. ROLL UP GARAGE DOOR, GLASS PANEL
15. CONCRETE ROOF TILE
16. POTENTIAL MURAL LOCATION, DESIGN TO BE DEVELOPED
17. PERFORATED ALUMINUM RAILING



NOT TO SCALE @ 11x17
SCALE: 1" = 16' @ 24x36
0' 16' 32' 48'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT ELEVATIONS
10/18/19

SC RIVERFRONT

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3. EAST (RIVERWALK) ELEVATION

NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.

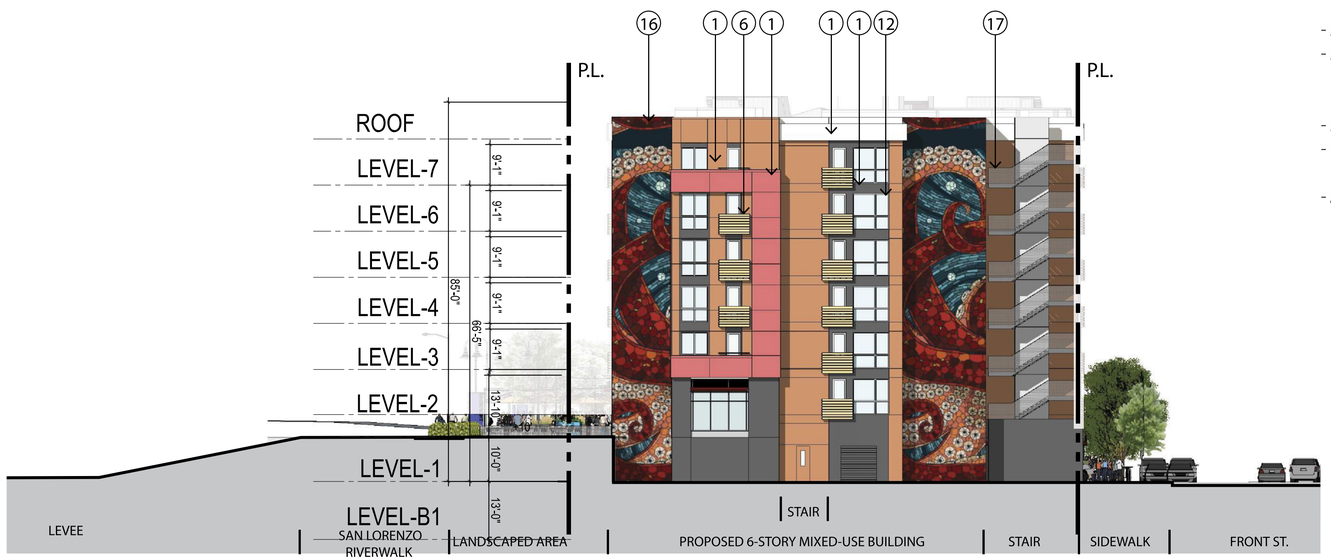
NOTE: STOREFRONT REVISED TO 10' TO REFLECT TALLER CEILING HEIGHT ON LEVEE-FACING COMMERCIAL

NOTE: Poject will incorporate bird-safe strategies consistent with those enumerated in the Downtown Specific Plan, including:

- *Excessive glazing has been avoided.*
- *The mid-block passageways provide opportunities for safe wildlife transit through the site.*
- *Project avoids passageways or atrium that trap birds.*
- *Project proposes using window glazing treatments that create a visual barrier to birds for the majority of glazing within the first 40' of ground level façade facing the Riverwalk.*
- *Exterior illumination will be thoughtfully designed to minimize light pollution*
- *Use of timers and avoiding up-lighting and spotlights and that would be detrimental to wildlife.*
- *Majority of landscaping located to allow views from the building / designed to keep birds away from the building's façade*

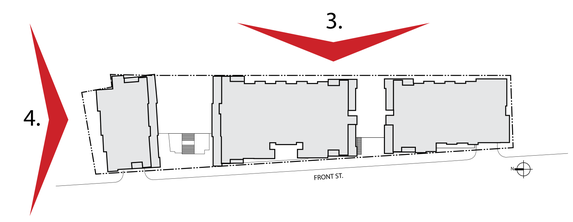
MATERIAL LEGEND

1. EXTERIOR PLASTER, SAND FINISH
2. HORIZONTAL CEMENTITIOUS SIDING, SMOOTH
3. HORIZONTAL METAL SIDING, RIBBED CHANNEL
4. VERTICAL METAL SIDING, STANDING SEAM
5. THIN BRICK VENEER
6. HORIZONTAL CEMENTITOUS WOOD RAILING
7. PAINTED TUBE STEEL RAILING, GLASS PANEL INSERT
8. PAINTED TUBE STEEL RAILING
9. PAINTED METAL AWNING
10. PAINTED METAL TRELLIS
11. PAINTED CAP/ TRIM, PLASTER OVER EPS
12. VINYL WINDOWS
13. ALUMINUM STOREFRONT
14. ROLL UP GARAGE DOOR, GLASS PANEL
15. CONCRETE ROOF TILE
16. POTENTIAL MURAL LOCATION, DESIGN TO BE DEVELOPED
17. PERFORATED ALUMINUM RAILING



4. NORTH ELEVATION

NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.



NOT TO SCALE @ 11x17
SCALE: 1" = 16' @ 24x36

0' 16 32' 48'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT ELEVATIONS
10/18/19

SC RIVERFRONT

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NUMBERS DENOTE MATERIALS

ALL MATERIALS AS SHOWN OR APPROVED EQUAL

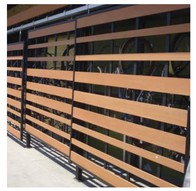
1. EXTERIOR PLASTER SAND FINISH

2. HORIZONTAL CEMENT FIBER SIDING, SMOOTH FINISH

3. VERTICAL METAL SIDING, RIBBED CHANNEL

4 VERTICAL METAL SIDING, STANDING SEAM

5. THIN BRICK VENEER



6. HORIZONTAL FIBER RAILING, WOOD FINISH COLOR: JAVA BY RESYSTA

7. PAINTER TUBE STEEL RAILING, GLASS PANEL INSERT

8. PAINTED TUBE STEEL RAILING

9. PAINTED METAL AWNING

10. PAINTED METAL TRELLIS

11. PAINTED CAP WITH TRIM, PLASTER OVER EPS

12. VINYL WINDOWS COLOR: WHITE

13. ALUMINUM STOREFRONT COLOR: CLEAR ANODIZED

14. ROLL UP GARAGE DOOR, GLASS PANEL INSERT, COLOR: BLACK

15. CONCRETE 'S' TILE CAPISTRANO BLEND COLOR: CALIENTE BY EAGLE ROOFING

17. PERFORATED ALUMINUM RAILING

LETTERS DENOTE COLORS

ALL MATERIALS AS SHOWN OR APPROVED EQUAL

A. DUNN EDWARDS DEW380 WHITE

B. DUNN EDWARDS DET466 MONARCH MIGRATION

C. DUNN EDWARDS DE6369 LEGENDARY GREY

D. DUNN EDWARDS DE6359 SILVER SETTING

E. DUNN EDWARDS DE6322 BLACK LEAD

F. DUNN EDWARDS DE6055 WILD WEST

G. DUNN EDWARDS DET453 VERANDA

H. DUNN EDWARDS DET426 FIERY CORAL

J. DUNN EDWARDS DE5347 GOLDEN NECTAR

K. DUNN EDWARDS DE5836 SAIL AWAY

L. DUNN EDWARDS DE5845 AMERICANA

M. DUNN EDWARDS DEA137 DEEP SAPPHIRE

N. ATAS #62 CHARCOAL GREY

P. ATAS #28 SILVERSMITH

Q. ATAS #02 BLACK

R. MEDIUM IRONSPOT #77 BY ENDICOTT

S. LIGHT GREY BLEND BY ENDICOTT

WEST (FRONT STREET) ELEVATION

EAST (RIVERWALK) ELEVATION

NUMBERS DENOTE MATERIALS, LETTERS DENOTE COLORS

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

CONCEPT DETAILS AND MATERIALS
10/18/19

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
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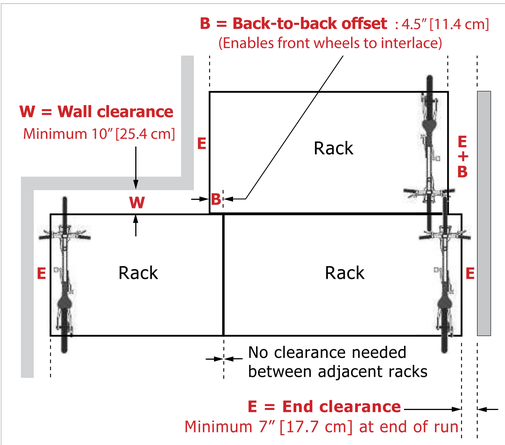
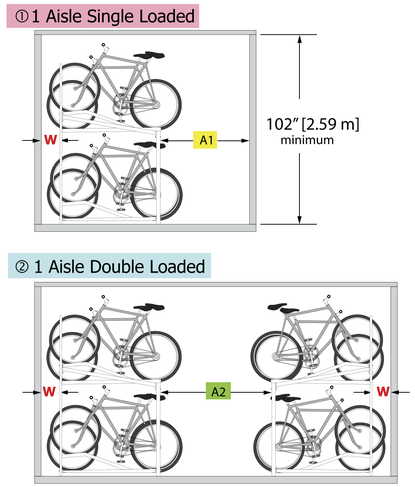


DOUBLE DECKER BIKE PARKING
CLEARANCES - PLAN VIEW

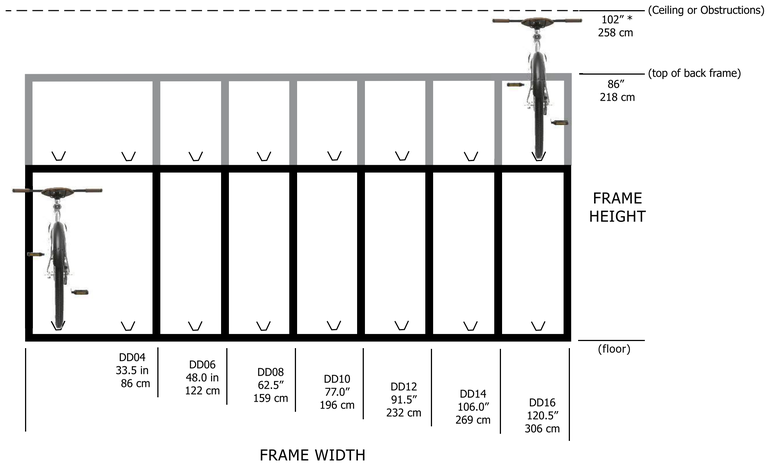


DOUBLE DECKER BIKE PARKING
CLEARANCES - SIDE VIEW

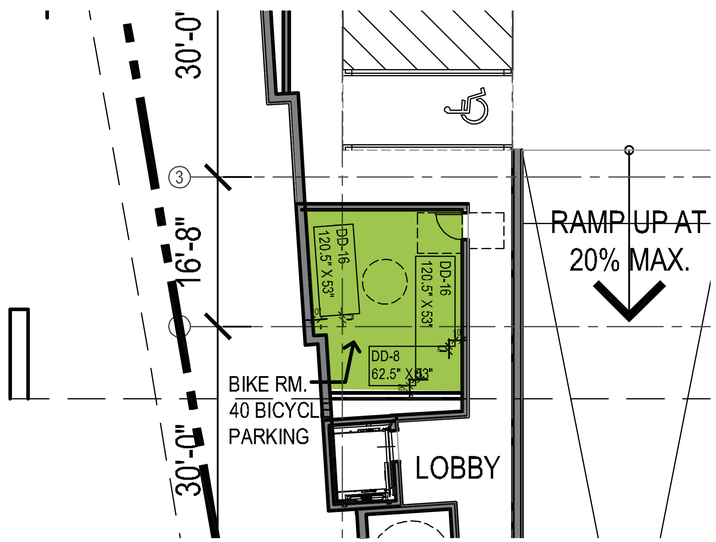
DOUBLE DECKER BIKE PARKING
PERSPECTIVE

Model	Bicycle	Width	Depth	Height
DD04	4	33.5"	53"	86"
DD06	6	48"	53"	86"
DD08	8	62.5"	53"	86"
DD10	10	77"	53"	86"
DD12	12	91.5"	53"	86"
DD14	14	106"	53"	86"
DD16	16	120.5"	53"	86"

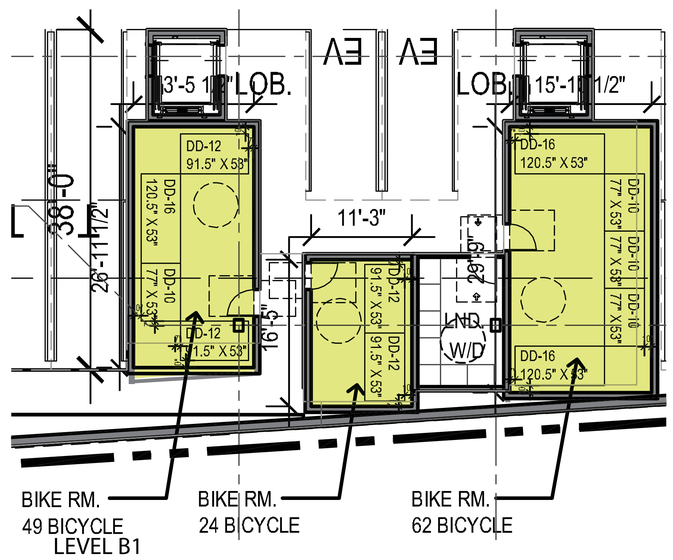
DOUBLE DECKER BIKE PARKING
SIZE TABLE



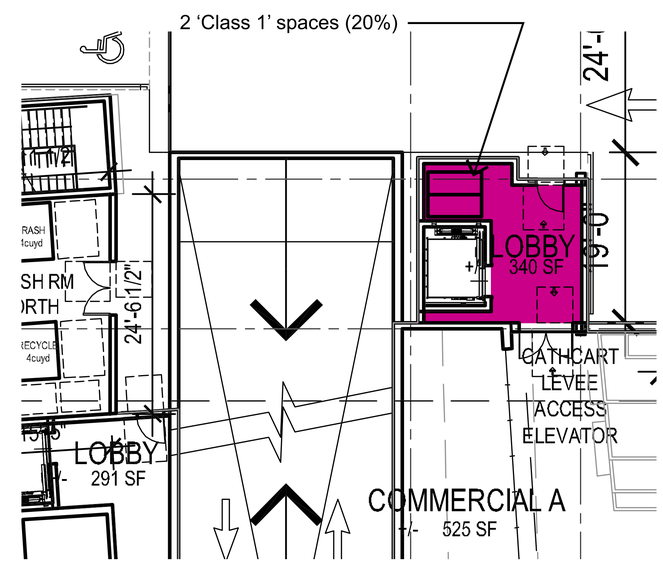
DOUBLE DECKER BIKE PARKING
FRAME WIDTH - FRONT VIEW



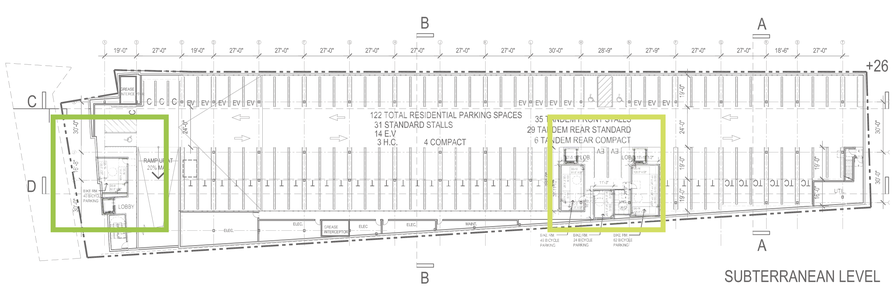
LEVEL B1



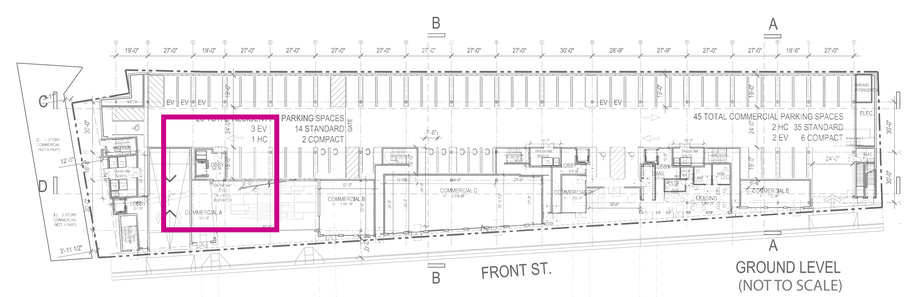
LEVEL B1



LEVEL 1



SUBTERRANEAN LEVEL
(NOT TO SCALE)



FRONT ST.

GROUND LEVEL
(NOT TO SCALE)

NOT TO SCALE @ 11x17
SCALE: 1/8" = 1'-0" @ 24x36

N 0' 8' 16' 24'

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA #16319

BIKE PARKING EXHIBIT
10/18/19

SC RIVERFRONT

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North building TOTAL WEEKLY

Usage	Total SF or # of BDR.	Refuse in CY	Recycle in CY
Retail	8,208	8.21	8.21
Restaurant	5,841	11.68	5.84
Office	0	0.00	0.00
Multifamily	44	4.64	2.32
	Total	24.53	16.37

Middle building TOTAL WEEKLY

Usage	Total SF or # of BDR.	Refuse in CY	Recycle in CY
Retail	352	0.35	0.35
Restaurant	0	0.00	0.00
Office	0	0.00	0.00
Multifamily	96	10.11	5.06
	Total	10.47	5.41

South building TOTAL WEEKLY

Usage	Total SF or # of BDR.	Refuse in CY	Recycle in CY
Retail	732	0.73	0.73
Restaurant	0	0.00	0.00
Office	0	0.00	0.00
Multifamily	68	7.16	3.58
	Total	7.90	4.31

North building 3X WEEKLY PICKUP

Usage	Refuse in CY	Recycle in CY
Retail	2.74	2.74
Restaurant	3.89	1.95
Office	0.00	0.00
Multifamily	1.55	0.77
REQ	8.18	5.46
PROPOSED	10	8

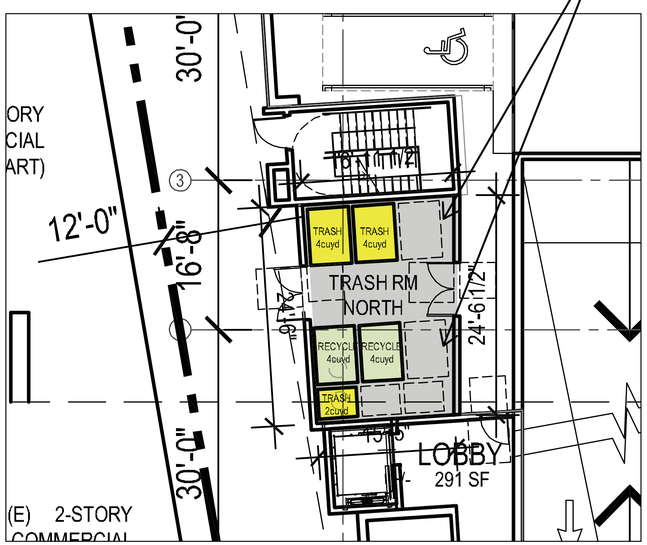
Middle building 3X WEEK PICKUP

Usage	Refuse in CY	Recycle in CY
Retail	0.12	0.12
Restaurant	0.00	0.00
Office	0.00	0.00
Multifamily	3.37	1.69
REQ	3.49	1.80
PROPOSED	4	2

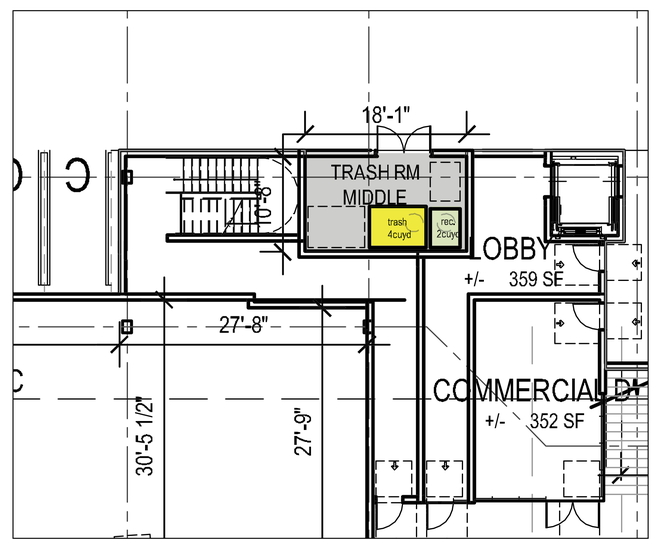
South building 3X WEEK PICKUP

Usage	Refuse in CY	Recycle in CY
Retail	0.24	0.24
Restaurant	0.00	0.00
Office	0.00	0.00
Multifamily	2.39	1.19
REQ	2.63	1.44
PROPOSED	4	2

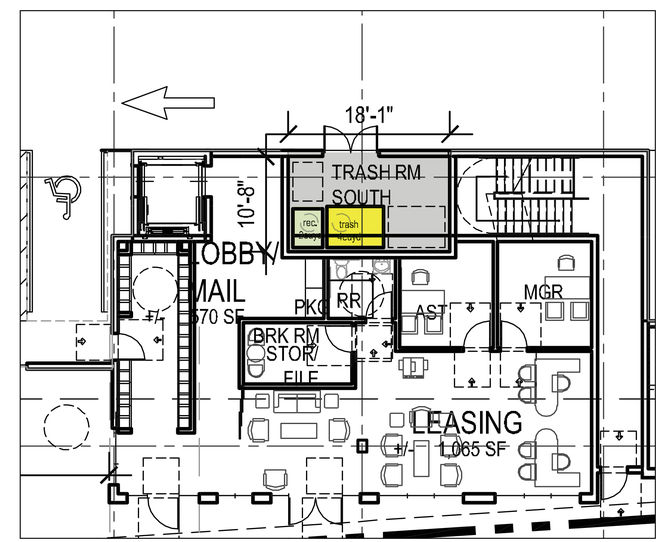
STAGING AREA FOR TRASH ROOM MIDDLE
AND TRASH ROOM SOUTH BINS



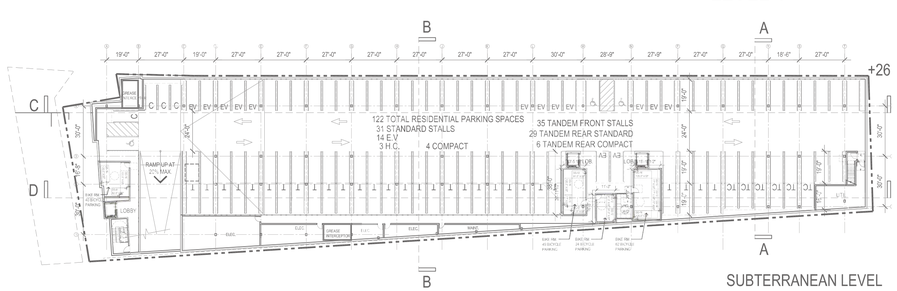
TRASH ROOM NORTH
LEVEL 1



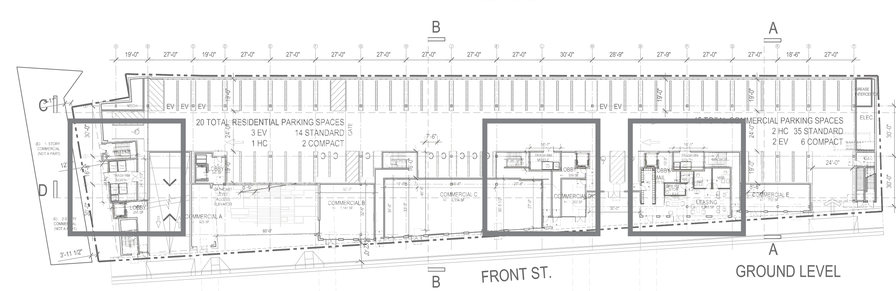
TRASH ROOM MIDDLE
LEVEL 1



TRASH ROOM SOUTH
LEVEL 1



SUBTERRANEAN LEVEL



FRONT ST. GROUND LEVEL

NOT TO SCALE @ 11x17
SCALE: 1/8" = 1'-0" @ 24x36

N 0' 8' 16' 24'

RIVERFRONT PROJECT
SANTA CRUZ, CA
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TRASH EXHIBIT
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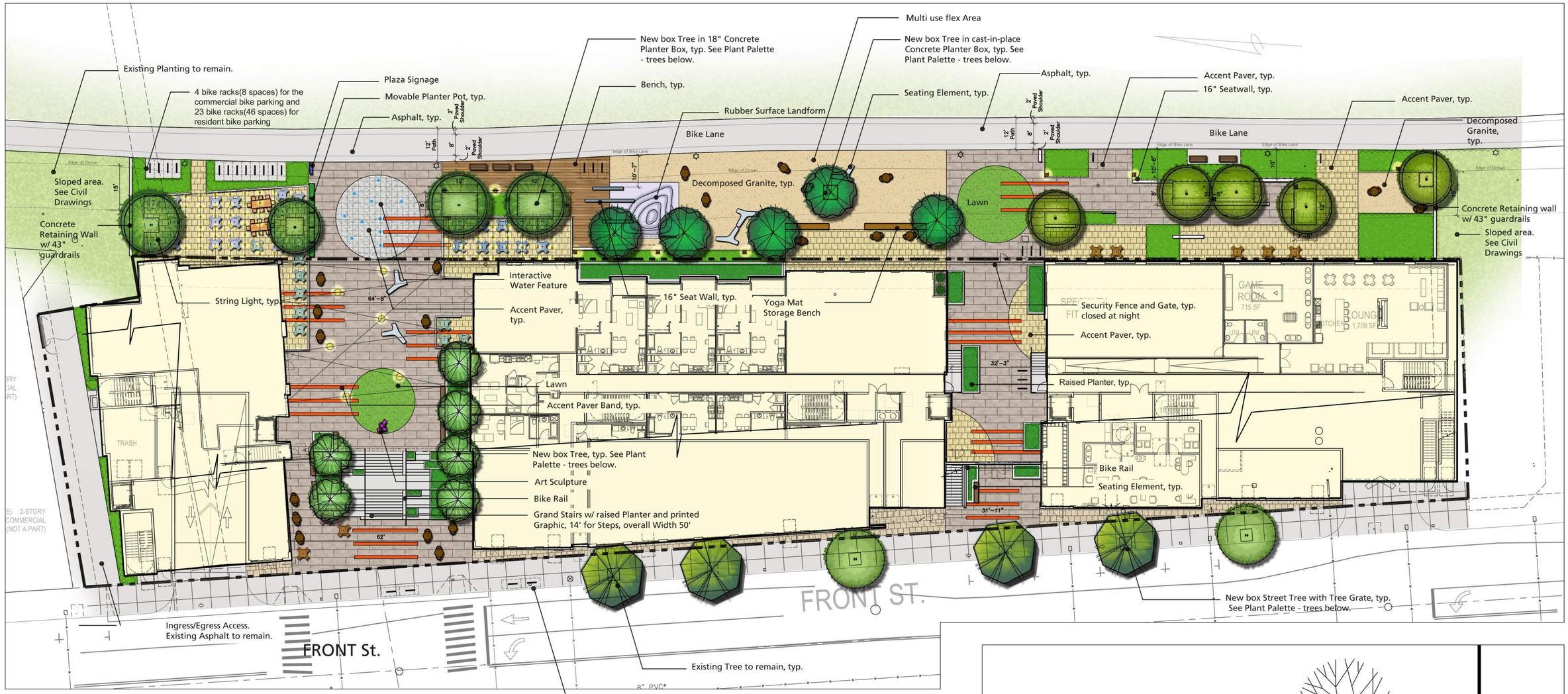

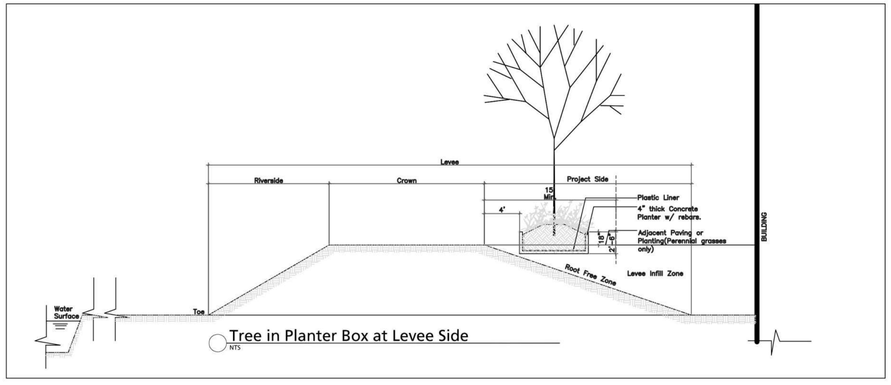

PLANT PALETTE - Trees

Latin Name	Common Name	Mature Width	Mature Height
Pistachia chinensis	Chinese Pistache	45	40
Platanus acerifolia 'Columbia'	London Plane	50	40
Quercus frainetto 'Forest Green'	Hungarian Oak	40	30
Quercus virginiana	Southern Live Oak	40	40
Ulmus parvifolia 'Drake'	Drake Chinese Elm	40	40

PLANT PALETTE - Shrubs and Grasses

SHRUBS					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS	WUCOLS
LC	5 Gal	Loropetalum chinense	Fringe Flower	60" O.C. Drought Tolerant	L
BG	5 Gal	Bouteloua gracilis 'blonde ambition'	Blue grama	24" O.C. Drought Tolerant	L
RC	5 Gal	Rhamnus c. 'Mound San Bruno'	Mound San Bruno Coffeeberry	60" O.C. Native/Drought Tolerant	VL
SL	5 Gal	Salvia clevelandii	Cleveland Sage	30" O.C. Native/Drought Tolerant	L
**If used as or noted on plans as groundcover					
PERENNIALS and GRASSES					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS	WUCOLS
AA	5 Gal	Artemisia abrotanum	Southernwood	24" O.C.	L
AB	5 Gal	Anigozanthos 'Big Red'	Red Kangaroo Paw	24" O.C.	L
FI	1 Gal	Festuca idahoensis 'Siskiyou Blue'	Idaho Fescue	18" O.C. Native/Drought Tolerant	VL
LO	1 Gal	Lomandra 'Lime Tuff'	Dwarf Rush Mat	24" O.C. Drought Tolerant	L
PB	5 Gal	Perovskia 'Blue Spire'	Russian Sage	24" O.C.	L
PH	1 Gal	Pennisetum 'Bunny Tail'	Fountain Grass	24" O.C. Drought Tolerant	L
SA	1 Gal	Sedum spectabile 'Autumn Joy'	Showy Stonecrop	24" O.C.	L

SC	1 Gal	Senecio cineraria	Dusty miller	12" O.C.	L
VB	1 Gal	Verbena bonariensis	Purple Top	24" O.C.	L
GROUNDCOVERS					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS	WUCOLS
ESC	1 Gal	Eschscholzia californica	California Poppy	18" O.C. Native/Drought Tolerant	VL
HEC	1 Gal	Heuchera 'Canyon Pink'	Canyon Pink Coral Bells	18" O.C.	M
SM	1 Gal	Senecio mandraliscae	Kleinia	24" O.C.	L
VINES					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS	WUCOLS
PA	5 Gal	Polygonum aubertii	Silver Lace Vine	Drought Tolerant	L
SCVURPPP APPROVED PLANT LIST FOR STROMWATER TREATMENT					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS	WUCOLS
AM	5 Gal	Arctostaphylos densiflora 'McMinn'	Manzanita	60" O.C. Native/Drought Tolerant	L
BP	1 Gal	Baccharis pilularis	Coyote Brush	36" O.C. Native/Drought Tolerant	L
CA	1 Gal	Calamagrostis acutifolia 'Stricta'	Feather Reed Grass	36" O.C.	L
CT	5 Gal	Chondropetalum tectorum	Small Cape Rush	30" O.C. Drought Tolerant	L
MU	1 Gal	Muhlenbergia rigens	Deer Grass	36" O.C. Native/Drought Tolerant	L
NP	1 Gal	Nassella pulchra	Purple Needlegrass	18" O.C. Drought Tolerant	VL
DL	5 Gal	Dietes 'Lemon Drops'	Fortnight Lily	30" O.C. Drought Tolerant	L
RL	5 Gal	Rhamnus californica 'Little Sur'	Little Sur Coffeeberry	36" O.C. Native/Drought Tolerant	L

SCALE: 1/16" = 1'-0"
0' 8' 16' 32'

L1

Sheet 1 of 1

RIVERFRONT APARTMENTS
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL LANDSCAPE PLAN

September 10, 2019

SC RIVERFRONT

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
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Edcational / Information Boards

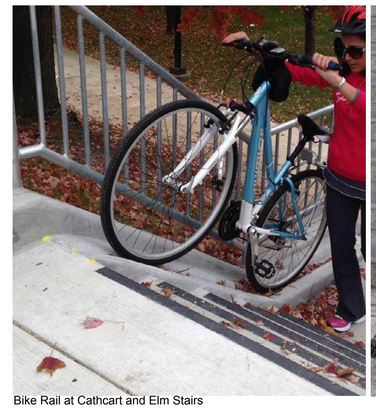
Outdoor Yoga Class

Interactive Xylophone

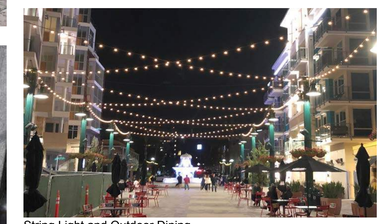
Public Open Space provides Seating and Social Opportunities

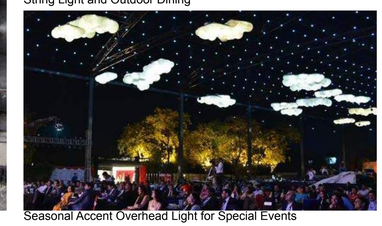
Grand Stairs with Raised Planters

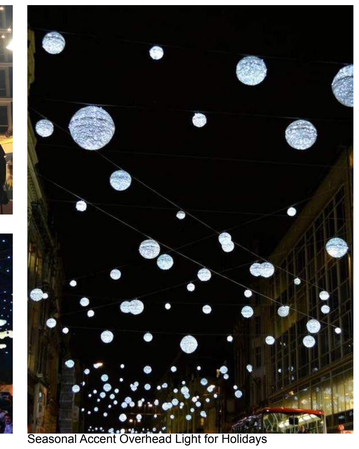
Sculptual Objects



Bike Rail at Cathcart and Elm Stairs


String Light and Outdoor Dining


Seasonal Accent Overhead Light for Special Events


Seasonal Accent Overhead Light for Holidays

Interactive Water Jets in Pavement

Interactive Water Jets in Pavement without Water

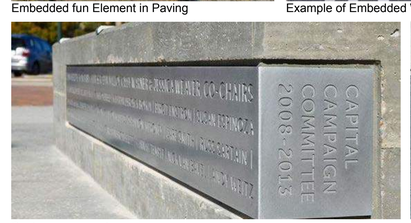
Farmer's Market Events

Food Truck Events

Embedded fun Element in Paving

Example of Embedded Words in Paving

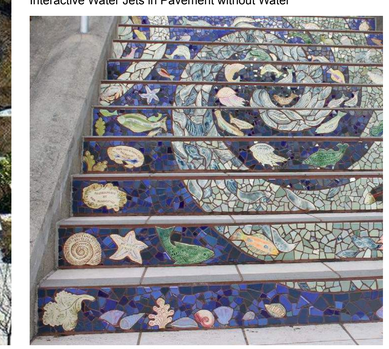
Interactive Talk-tube for Kids



Seat Wall Element

Historic Medallion Tells the Story

Linear Park w/ Seating Opportunities


Graphic Treatment on Stair Risers

L2

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL LANDSCAPE IMAGERY
04/11/19

SC RIVERFRONT

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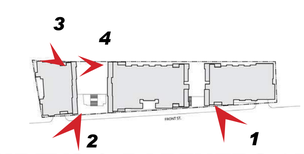
1. ELM STREET ENTRY
Stairs invite visitors to entry. Seatwall edges and accent planting / paving define entries.

2. CATHCART GRAND STAIRS
Terraced planter elements frame view to sculpture, drawing people to levee dinning and recreational opportunities.

3. CATHCART PLAZA AND LEVEE TRAIL
Interactive water jets in pavement, outdoor dining and seating elements enliven Cathcart Plaza at the Levee trail.

4. CATHCART PLAZA AND LEVEE TRAIL
Wide public walkways allow free pedestrian movement parallel to Levee trail connecting to mounded rubber seating area.



L3

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
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CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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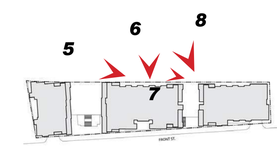
5. LEVEE TRAIL
Looking South with seatwalls, mounded rubber surface, xylophone and flexible active spaces.

6. RELATIONSHIP OF RESIDENTIAL UNITS TO PUBLIC OPEN SPACE
Buffer planting between residential units and multi use flex area allows views and privacy.

7. MULTI USE FLEX AREA WITH VARIED SEATING OPPORTUNITIES AND UMBRELLAS
Movable furniture and umbrellas provide seating and flexibility when no formal events are programmed.

8. ELM PLAZA
View shows rainbow xylophone and historic markers to help draw public. Sliding security gate is only closed at night.



L4

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

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CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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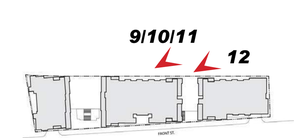
MULTI USE FLEX AREA EVENT SCHEMES

9. FOOD TRUCK EVENT VIEW
Multi use flex area shown being used for a food truck event.

10. DANCE CLASS EVENT VIEW
Multi use flex area shown being used for a dance class.

11. FARMER'S MARKET EVENT VIEW
Multi use flex area shown being used as farmer's market.

12. ELM PLAZA
12 foot wide, paved levee path with edge striping at the 8-foot width mark. Central lawn area modulated by paving stripes with fun words embedded enliven the Levee trial. Potential yoga class in background.



L5

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

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CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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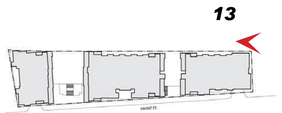
13. LINEAR PARK

Educational / information boards tell story of the River, wildlife or historical moments. Flexible furniture and seatwall provide many seating opportunities.



L6

RIVERFRONT PROJECT
SANTA CRUZ, CA
HPA# 16319

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

CONCEPTUAL PERSPECTIVE VIEWS
04/11/19

SC RIVERFRONT

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RIVERFRONT PROJECT
412-508 FRONT STREET
SANTA CRUZ, CA 95060

SITE MAP
1"=40'

ABBREVIATIONS

AB	AGGREGATE BASE	LG	LIP OF GUTTER
AC	ASPHALT CONCRETE	LP	LOW POINT
ACC	ACCESSIBLE	MH	MANHOLE
ACP	ASBESTOS CEMENT PIPE	N	NORTH
AD	AREA DRAIN	(N)	NEW
ALT	ALTERNATIVE	NTS	NOT TO SCALE
BC	BACK OF CURB	OH	OVERHEAD (WIRES)
BFP	BACKFLOW PREVENTER	PB	PULL BOX
BLDG	BUILDING	PP	POWER POLE
BOT	BOTTOM	(P)	PROPOSED
BW	BOTTOM OF WALL/BACK OF WALK	P/L	PROPERTY LINE
CB	CATCH BASIN	PCC	PORTLAND CEMENT CONCRETE
CI	CURB INLET	P/SBC	POWER/SBC TRENCH
CLR	CLEAR (OD TO OD)	P.F.S.E.	PRIVATE FIRE SERVICE EASEMENT
C&G	CURB AND GUTTER	P.I.E.E.	PRIVATE INGRESS, EGRESS EASEMENT
℄,CL	CENTERLINE	P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
CLF	CHAIN LINK FENCE	P.S.S.E.	PRIVATE SANITARY SEWER EASEMENT
CO	CLEANOUT	P.U.E.	PUBLIC UTILITY EASEMENT
CONC	CONCRETE	PVC	POLYVINYL CHLORIDE PIPE
CONST	CONSTRUCTION	R	RIGHT/RADIUS
CR	CURB RETURN	RCP	REINFORCED CONCRETE PIPE
CW	CROSSWALK	RPA	REDUCED PRESSURE ASSEMBLY
DET/DTL	DETAIL	R/W	RIGHT-OF-WAY
DI	DROP INLET	RWD	REDWOOD
DIP	DUCTILE IRON PIPE	S	SLOPE/SOUTH
D/W	DRIVEWAY	SD	STORM DRAIN
DWG	DRAWING	SDMH	STORM DRAIN MANHOLE
E	EAST/ELECTRIC	SF	SQUARE FEET
(E),EX	EXISTING	SG	SUBGRADE
ELEC	ELECTRIC	SHT	SHEET
ELEV	ELEVATION	S/L	STREET LIGHT
EP	EDGE OF PAVEMENT	SLB	STREET LIGHT BOX
E.V.A.E.	EMERGENCY VEHICLE ACCESS EASEMENT	SLD	SEE LANDSCAPE DRAWINGS
FC	FACE OF CURB	SL	STREET LIGHT CONDUIT
FDC	FIRE DEPT CONNECTION	SS	SANITARY SEWER
FF	FINISH FLOOR	SSCO	SANITARY SEWER CLEANOUT
FG	FINISHED GRADE	SSMH	SANITARY SEWER MANHOLE
FH	FIRE HYDRANT	ST	STREET
FL	FLOWLINE	STD	STANDARD
FT	FEET	S/W	SIDEWALK
FW	FIRE WATER	T, TEL	TELEPHONE
G	GAS	TC	TOP OF CURB
GB	GRADE BREAK	TH	TOP OF HEADER
GR	GRATE	TRC	TOP OF ROLLED CURB
GRD	GROUND	TS	TOP OF STEP
GS	GARAGE SLAB	TSW	TOP OF SCREEN WALL
GYW	GUY WIRE	TW	TOP OF WALL
HP	HIGH POINT	TYP	TYPICAL
I.E.E.	INGRESS, EGRESS EASEMENT	UG	UNDERGROUND
INV	INVERT (ELEVATION)	VCP	VITRIFIED CLAY PIPE
IRR	IRRIGATION	W	WATER/WEST
JP	JOINT UTILITY POLE	WM	WATER METER
JT	JOINT UTILITY TRENCH	WV	WATER VALVE
LAT	LATERAL	XWALK	CROSSWALK
LF	LINEAL FEET		

CIVIL ENGINEER:

BKF ENGINEERS
1730 NORTH FIRST STREET
SUITE 600
SAN JOSE, CA 95112
TEL: (408) 467-9100
ATTN: MITCH BURLEY

OWNER/APPLICANT

OWEN LAWLOR
LAWLOR LAND USE
612 SPRING STREET
SANTA CRUZ, CA 95060
TEL: (831) 457-1331

GENERAL NOTES

1. TOPOGRAPHIC MAPPING WAS PERFORMED BY:
   BOWMAN & WILLIAMS
   1011 CEDAR STREET
   SANTA CRUZ, CA 95060
   SURVEY DATE: 4/04/2016
2. BENCHMARK: BM F4-1A ELEVATION 11.526 NGVD29. EASTSIDE FRONT STREET OPPOSITE METRO CENTER.
3. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALCULATED BEARING FROM THE FOUND 3/4" IRON PIPE AT THE NORTHEAST CORNER OF THE LANDS OF KELLEY ET UX, AND THE FOUND 3/4" IRON PIPE AT THE NORTHEAST CORNER OF THE LANDS OF ALFRED P. AND HAZEL ANKER, AS SHOWN ON SHEET 16 OF 19 OF THE MAP ENTITLED 'SAN LORENZO RIVER FLOOD CONTROL PROJECT', FILED IN VOLUME 42 OF MAPS AT PAGE 16, SANTA CRUZ COUNTY RECORDS, = N 3°57'57" W (208.42 FEET CALCULATED VS 208.41 AS FOUND)
4. CONTOUR INTERVAL IS ONE FOOT. ELEVATIONS AND DISTANCES SHOWN ARE IN DECIMAL FEET.

SHEET INDEX

C1.1	TITLE SHEET
C1.2	CONSTRUCTION NOTES
C2.1	EXISTING CONDITION PLAN
C3.1	DEMOLITION PLAN
C4.1	SITE PLAN
C5.1	GRADING PLAN
C5.2	SITE SECTIONS
C6.1	UTILITY PLAN
C7.1	STORM WATER CONTROL PLAN
C8.1-C8.2	EROSION CONTROL PLAN
C9.1	CONSTRUCTION DETAILS
C9.2	CITY STANDARD DETAILS

ENGINEER'S STATEMENT

THESE IMPROVEMENT PLANS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

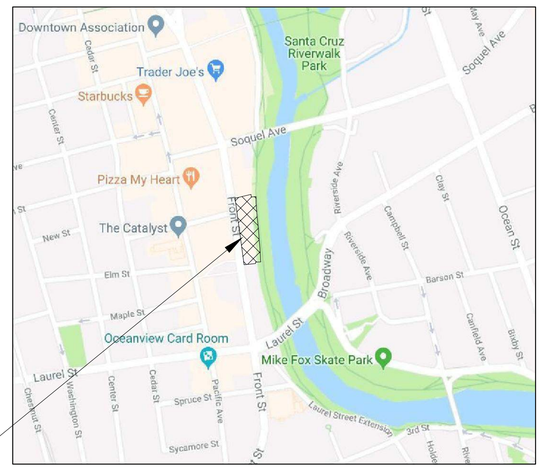
MITCHEL W. BURLEY
CIVIL ENGINEER

DATE

RCE NUMBER: 57874

EXPIRES: 6/30/20

REGISTERED PROFESSIONAL ENGINEER
MITCHEL W. BURLEY
No. 57874
Exp. 6-30-20
CIVIL
STATE OF CALIFORNIA



VICINITY MAP
N.T.S.

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RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
TITLE SHEET
SANTA CRUZ COUNTY CALIFORNIA

Revisions	No.

Date 05/20/19
Scale AS SHOWN
Design MWB
Drawn .
Approved .
Job No 20176131

Drawing Number:
C1.1
1 OF 13

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFC\VILPLANS01.dwg
PLOT DATE: 05-20-19 PLOTTED BY: BUR

GENERAL NOTES

1. APPROVAL OF THESE PLANS DOES NOT RELIEVE THE CONTRACTOR/OWNER OF THE RESPONSIBILITY FOR THE CORRECTION OF MISTAKES, ERRORS OR OMISSIONS.
2. CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE STATE OF CALIFORNIA BEST MANAGEMENT PRACTICES HANDBOOK FOR APPLICABLE CONTROL MEASURES AND EMPLOY ITS PROVISIONS THROUGHOUT ALL CONSTRUCTION.
3. ALL CONTRACTORS WILL BE RESPONSIBLE FOR THE VERIFICATION OF LOCATIONS OF ALL EXISTING UTILITIES IN THE FIELD. ALL CONTRACTORS SHALL CALL U.S.A. (CA. 1-800-277-2600) 48 HOURS BEFORE DIGGING. EXCAVATION FOR UNDERGROUND FACILITIES SHALL NOT BE PERMITTED PRIOR TO CONTACTING UNDERGROUND SERVICE ALERT. UNDER NO CIRCUMSTANCES WILL EXCAVATION COMMENCE BEFORE BEING ISSUED AN IDENTIFICATION NUMBER FROM U.S.A. (SECTION 4210.1 OF THE GOVERNMENT CODE)
4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL PERMITS NECESSARY TO PERFORM THE IMPROVEMENTS IN THESE PLANS FROM THE APPROPRIATE AGENCIES AND TO COMPLY WITH THE AGENCIES' REQUIREMENTS. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL LAWS.
5. WHEN IT IS FOUND THAT FIELD CONDITIONS ARE NOT AS SHOWN ON THE PLANS, THE CONSULTING ENGINEER MUST MAKE REVISIONS AND/OR ADJUSTMENTS TO THE SATISFACTION OF THE CITY ENGINEER/OWNER PRIOR TO FURTHER CONSTRUCTION.
6. CONTRACTOR SHALL CAREFULLY PRESERVE THE SURROUNDING PROPERTY BY CONFINING OPERATION WITHIN THE LIMITS OF WORK AREA. ALL EXISTING UTILITIES AND IMPROVEMENTS THAT BECOME DAMAGED DURING CONSTRUCTION SHALL BE COMPLETELY RESTORED TO THE SATISFACTION OF THE CITY ENGINEER/OWNER AT THE SOLE EXPENSE OF THE CONTRACTOR.
7. ANY DISCHARGE (DURING CONSTRUCTION) OF GROUNDWATER INTO THE DOWNSTREAM STORM SYSTEM MUST BE UNCONTAMINATED. THE CONTRACTOR SHALL MAKE THIS DETERMINATION PRIOR TO ANY DISCHARGE. CONTRACTOR SHALL SECURE A DISCHARGE PERMIT FROM THE RWQCB PRIOR TO CONSTRUCTION.
8. CONSTRUCTION STOCKPILING AND STAGING PLANS SHALL BE SUBMITTED TO ENGINEER PRIOR TO COMMENCEMENT OF CONSTRUCTION.
9. ALL STANDARD STREET MONUMENTS, LOT CORNER PIPES, AND OTHER PERMANENT MONUMENTS DISTURBED DURING THE PROCESS OF CONSTRUCTION SHALL BE REPLACED AT THE SOLE EXPENSE OF THE CONTRACTOR AND A RECORD OF SURVEY OR CORNER RECORD PER SECTION 8771 OF THE PROFESSIONAL LAND SURVEYORS ACT FILED BEFORE ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY.
10. CONTRACTOR SHALL KEEP UP-TO-DATE A COMPLETE RECORD SET OF PRINTS OF THE CONTRACT DRAWINGS SHOWING EVERY CHANGE FROM THE ORIGINAL DRAWINGS MADE DURING THE COURSE OF CONSTRUCTION INCLUDING EXACT LOCATION, SIZES, MATERIALS AND EQUIPMENT. A COMPLETE SET OF CORRECTED AND COMPLETED RECORD DRAWING PRINTS SHALL BE SUBMITTED TO THE ENGINEER PRIOR TO FINAL ACCEPTANCE FOR REVIEW AND APPROVAL BY THE ENGINEER.
11. PROVIDE ACCESS AT ALL TIMES TO ALL ABUTTING PROPERTIES, EXCEPT AS APPROVED BY THE INSPECTOR. 48 HOURS WRITTEN NOTICE MUST BE GIVEN TO THE AFFECTED PROPERTY OWNER(S) WHEN ACCESS IS AFFECTED. TRENCHES SHALL BE BACKFILLED AND PAVED (TEMPORARY CUTBACK ASPHALT) PRIOR TO LEAVING THE JOB SITE EACH WORKDAY. THE INSPECTOR MAY APPROVE STEEL PLATING AT HIS DISCRETION.
12. CONTRACTOR IS REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
13. ALL CONSTRUCTION MATERIALS, EQUIPMENT, AND DEBRIS ARE PROHIBITED FROM BEING STORED IN THE PUBLIC RIGHT OF WAY. LANE CLOSURES FOR PARKING, STORAGE OF MATERIALS AND/OR EQUIPMENT, OR STOCKPILING WILL NOT BE PERMITTED.
14. THE CONTRACTOR SHALL CONFORM TO THE RULES AND REGULATIONS OF THE CONSTRUCTION SAFETY ORDERS OF THE STATE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH PERTAINING TO EXCAVATION AND TRENCHES PER SECTION 306 OF THE STANDARD PROVISIONS.
15. AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL COMPLETION AND ACCEPTANCE OF THE WORK, THE CONTRACTOR SHALL PREVENT THE FORMATION OF AN AIRBORNE DUST NUISANCE PER SECTION 7-8 OF THE STATE STANDARD PROVISIONS. THE CONTRACTOR SHALL PERFORM SUCH TREATMENT WITHIN 2 HOURS AFTER NOTIFICATION BY THE CITY THAT AN AIRBORNE NUISANCE EXISTS.
16. SIDEWALK AND/OR WALKWAY AREAS TO REMAIN FREE AND CLEAR OF ANY OBSTRUCTIONS AND TO ALLOW FOR THE SAFE PASSAGE OF THE GENERAL PUBLIC. ANY CONSTRUCTION FENCING SHALL BE BEHIND THE PROPERTY LINE. ALL CONSTRUCTION-RELATED DEBRIS TO BE PLACED ON PRIVATE PROPERTY.
17. THE EVENT THAT HUMAN REMAINS AND/OR CULTURAL MATERIALS ARE FOUND, ALL PROJECT-RELATED CONSTRUCTION SHALL CEASE WITHIN A 100-FOOT RADIUS. THE CONTRACTOR SHALL, PURSUANT TO SECTION 7050.5 OF THE HEALTH AND SAFETY CODE, AND SECTION 5097.94 OF THE PUBLIC RESOURCES CODE OF THE STATE OF CALIFORNIA, NOTIFY THE SANTA CRUZ COUNTY CORONER IMMEDIATELY.

FIRE PREVENTION NOTES

1. THE ONSITE FIRE HYDRANT SHALL BE FLUSHED AND PLACED IN SERVICE PRIOR TO COMBUSTIBLE MATERIALS BEING BROUGHT ON SITE.
2. FIRE LINES SHALL BE INSTALLED AND MAINTAINED PRIOR TO COMBUSTIBLE MATERIALS BEING BROUGHT ON SITE.
3. FIRE LANES SHALL REMAIN CLEAR THROUGHOUT CONSTRUCTION.

SURFACE IMPROVEMENT NOTES

1. ALL PAVING SHALL CONFORM TO THE GEOTECHNICAL INVESTIGATION AND PAVEMENT DESIGN PREPARED BY ENGEO AND TO THE CITY STANDARD PLANS AND SPECIFICATIONS, AS APPLICABLE.
2. A DEEPENED CURB EXTENDING 3" MIN. BELOW PAVEMENT SUBGRADE SHALL BE INSTALLED AS A PART OF ALL NEW CURB/CURB & GUTTER, WHERE ADJACENT TO LANDSCAPED AREAS.
3. MANHOLES, WATER VALVE BOXES, CLEAN OUT FRAMES AND COVERS SHALL BE BROUGHT TO FINISHED GRADE BY THE CONTRACTOR AFTER PAVING IS COMPLETED.
4. GRADE BREAKS ON CURBS AND SIDEWALKS SHALL BE ROUNDED OFF (WHILE CONCRETE FINISHING WORK IS IN PROGRESS) DURING IN FORM WORK AND FINISHED SURFACING.
5. POSITIVE SURFACE GRADIENTS OF AT LEAST 2% MUST BE PROVIDED ADJACENT TO FOUNDATIONS IN ORDER TO DIRECT SURFACE WATER TOWARD COLLECTION AND DISCHARGE FACILITIES.

UTILITY NOTES

1. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY (OFF-SITE) SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SANTA CRUZ AND THE CITY OF SANTA CRUZ WATER DEPARTMENT STANDARD SPECIFICATIONS AND DETAILS, UNLESS OTHERWISE NOTED. ALL WORK ON PRIVATE PROPERTY (ON-SITE) SHALL BE DONE IN ACCORDANCE WITH THESE PLANS, NOTES AND DETAILS, AS OUTLINED HEREIN.
2. ACCURATE VERIFICATION AS TO SIZE, LOCATION, AND DEPTH OF EXISTING UNDERGROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE LOCATION AND DEPTHS OF EXISTING UNDERGROUND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE POSITIONS BASED UPON THE INFORMATION AVAILABLE TO THE ENGINEER. ANY ADDED COST TO THE CONTRACTOR AS A RESULT OF THE ACTUAL LOCATIONS OF EXISTING UTILITIES BEING DIFFERENT FROM THAT SHOWN ON THE PLANS SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED AND MERGED IN THE CONTRACT PRICES.
3. CONTRACTOR SHALL VERIFY ALL ELEVATIONS AND LOCATIONS OF EXISTING PIPES AND UTILITIES BEFORE EXCAVATION WORK OR MAKING CONNECTION.
4. THE NEW PIPELINE CROSSING THE EXISTING UTILITIES ARE SHOWN ACCORDING TO THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL VERIFY THAT TYPE, SIZE, LOCATION AND DEPTH OF ALL THE UTILITY CROSSINGS (BOTH MAINS AND LATERALS) ARE CORRECT AS SHOWN. NO GUARANTEE IS MADE THAT ALL EXISTING UTILITIES (BOTH MAINS AND LATERALS) ARE SHOWN. THE CONTRACTOR SHALL EXERCISE CAUTION WHEN EXCAVATING AND SHALL PROTECT ALL EXISTING UTILITIES (BOTH MAINS AND LATERALS) FROM DAMAGE DUE TO HIS OPERATION.
5. ALL UTILITY STRUCTURES INCLUDING BUT NOT LIMITED TO MANHOLES, CATCH BASINS, WATER VALVES, FIRE HYDRANTS, CABLE TV, TELEPHONE AND ELECTRIC VAULTS AND PULL BOXES ETC. THAT LIE WITHIN THE PUBLIC RIGHT OF WAY, EASEMENTS OR AREAS AFFECTED BY THE WORK ON THE PROJECT SHALL BE ADJUSTED TO GRADE BY THE CONTRACTOR OF THE RESPECTIVE UTILITY COMPANY FOR WHICH THE CONTRACTOR IS RESPONSIBLE TO COORDINATE.
6. UTILITY TRENCHING AND BACKFILL WORK SHALL COMPLY WITH THE RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT, PROJECT NO. 14071.000.000, PREPARED BY ENGEO INC., DATED JULY 24, 2017.
7. CONTRACTOR SHALL COORDINATE UTILITY INFORMATION SHOWN ON THE PLANS WITH INSTALLATION OF PG&E, CABLE, TELEPHONE AND/OR JOINT TRENCH LAYOUT AND DETAILS.
8. CONTRACTOR SHALL VERIFY ALL EXISTING INVERT ELEVATIONS FOR STORM DRAIN AND SANITARY SEWER CONSTRUCTION PRIOR TO COMMENCEMENT OF ANY WORK. ALL WORK FOR STORM AND SANITARY SEWER INSTALLATION SHALL BEGIN AT THE DOWNSTREAM CONNECTION POINT. THIS WILL ALLOW FOR ANY NECESSARY ADJUSTMENTS TO BE MADE PRIOR TO THE INSTALLATION OF THE ENTIRE LINE. IF THE CONTRACTOR FAILS TO BEGIN AT THE DOWNSTREAM CONNECTION POINT AND WORKS DOWNSTREAM, CONTRACTOR SHALL PROCEED AT CONTRACTOR'S OWN RISK AND BE RESPONSIBLE FOR ANY ADJUSTMENTS NECESSARY.
9. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND SERVICE LATERALS FROM DAMAGE DUE TO CONTRACTOR'S OPERATIONS. ANY AND ALL UTILITY LINES, SERVICES, STRUCTURES, ETC. THAT ARE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED TO THE SATISFACTION OF THE CITY ENGINEER, AT THE SOLE EXPENSE OF CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE AND REPAIRS TO THE SERVICE TRENCH AND PAVEMENT FOR A ONE-YEAR WARRANTY PERIOD AFTER ACCEPTANCE OF THE WORK BY THE CITY. ONE YEAR AFTER ACCEPTANCE, THE CITY WILL MAKE A FINAL INSPECTION. IF REPAIRS HAVE TO BE MADE, THE CONTRACTOR OR DEVELOPER WILL BE NOTIFIED TO MAKE REPAIRS.
10. JOINT TRENCH LINES AND APPURTENANCES ARE SHOWN FOR INFORMATION ONLY. CONTRACTOR SHALL REFERENCE OTHER PLANS FOR INSTALLATION OF THESE FACILITIES.
11. CONTRACTOR SHALL STENCIL ALL CATCH BASINS WITH THE NON-POINT-SOURCE "NO DUMPING" MESSAGE PER CITY OF SANTA CRUZ STANDARDS.
12. IN THE EVENT OF WET UNSTABLE TRENCH BOTTOM OR IF GROUND WATER IS ENCOUNTERED, DEWATERING WILL BE REQUIRED. CONTRACTOR SHALL CONTACT THE GEOTECHNICAL ENGINEER FOR DEWATERING RECOMMENDATIONS.
13. ON-SITE POLYVINYL CHLORIDE (PVC) SANITARY PIPE AND FITTINGS 4" AND LARGER SHALL CONFORM TO ASTM D3034 AND F-679, SDR 26 WITH BELL AND SPIGOT TYPE RUBBER-GASKETED JOINTS, AS MANUFACTURED BY JM EAGLE, OR APPROVED EQUAL. POLYVINYL CHLORIDE PIPE AND FITTINGS 3" AND SMALLER SHALL BE SOLVENT-WELD, SCHEDULE 80.
14. SANITARY SEWER CLEANOUT FRAMES AND COVERS SHALL BE BE CHRISTY, MODEL G5, OR APPROVED EQUAL.
15. THE INSTALLED PIPE SHALL BE TESTED WITH LOW PRESSURE AIR IN ACCORDANCE WITH ASTM C828. WYES SHALL BE PLUGGED DURING THE TEST. IF THE PIPE FAILS THE AIR TEST, THE CONTRACTOR SHALL LOCATE THE SOURCE(S) OF THE LEAK AND REPAIR THE DEFECT(S) OR RELAY THE PIPE, AS NECESSARY. THE PIPE SHALL THEN BE RETESTED UNTIL A SATISFACTORY RESULT IS OBTAINED. ANY LEAKS DEVELOPED BEFORE THE END OF A 1-YEAR GUARANTEE PERIOD SHALL BE EXPEDITIOUSLY REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
16. OFF-SITE (PUBLIC) STORM SEWER PIPE SHALL BE RCP. REINFORCED CONCRETE (RCP) STORM PIPE SHALL BE CLASS IV, MINIMUM WALL THICKNESS "B", CONFORMING TO ASTM C76 AND SHALL HAVE RUBBER-GASKETED JOINTS CONFORMING TO ASTM C361 AND C443.
17. ON-SITE (PRIVATE) STORM SEWER PIPE SHALL BE PVC OR RCP. PVC STORM SEWER PIPE & FITTINGS SHALL BE ASTM D-3034 SDR 35 "RING-TITE" PVC GRAVITY SEWER PIPE AS MANUFACTURED BY JM EAGLE OR APPROVED EQUAL. RCP STORM PIPE SHALL BE CLASS IV, MINIMUM WALL THICKNESS "B", CONFORMING TO ASTM C76 AND SHALL HAVE RUBBER-GASKETED JOINTS CONFORMING TO ASTM C361 AND C443.
18. ALL MANHOLES SHALL CONFORM TO CITY OF SANTA CRUZ STANDARD DETAILS.
19. ON-SITE (PRIVATE) STORM DRAIN INLETS SHALL BE U.S. CONCRETE OR APPROVED EQUAL, WITH FIELD POURED BASE. INSTALL GALVANIZED, TRAFFIC RATED FRAME AND GRATE WHERE SUBJECT TO VEHICULAR TRAFFIC.
20. AREA DRAINS IN LANDSCAPE AREAS SHALL BE DURA-DRAIN "P" SERIES AS MANUFACTURED BY KRISTAR ENTERPRISES, ADS LOW PROFILE AS MANUFACTURERED BY ADS PIPE OR APPROVED EQUAL. AREA DRAINS IN HARDSCAPE AREAS SHALL BE ZURN, MODEL ZN-513, OR APPROVED EQUAL

NOTE TO CONTRACTOR:

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT TO BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.

UTILITY NOTES CONT.

20. ALL WATER MAINS IN THE CITY RIGHT-OF-WAY SHALL BE PER THE CITY OF SANTA CRUZ WATER DEPARTMENT (SCWD) STANDARDS.

    A. ON PROVIDER SIDE OF METER:
    LARGE SIZE SERVICE AND DISTRIBUTION PIPES: 4" THROUGH 24": PER SCWD STANDARDS

    SMALL SIZE SERVICE PIPES: 3/4" THROUGH 3": PER SCWD STANDARDS

    B. ON CONSUMER SIDE OF METER:
    SMALL SIZE SERVICE PIPES: 3/4" THROUGH 3": COPPER PIPE OR PVC

21. ON-SITE PIPE:
    A. LARGE SIZE SERVICE AND DISTRIBUTION PIPES: (4" THROUGH 24"):
    DIP: PIPE: ANSI/AWWA C151/A21.51, THICKNESS, CLASS 50 MIN.
    FITTINGS: COMPACT: AWWA C153.
    PIPE AND FITTING LINING: CEMENT MORTAR, AWWA C104.
    PIPE AND FITTING COATING: ASPHALTIC COATING, AWWA C151
    UNRESTRAINED JOINTS: MECHANICAL JOINT: AWWA C111.

    PVC: PIPE: AWWA C900
    FITTINGS: DUCTIE IRON, SEE ABOVE.
    UNRESTRAINED JOINTS: PUSH-ON BELL AND SPIGOT; AWWA C900

    B. SMALL SIZE SERVICE PIPES: (3/4" THROUGH 3"):

    COPPER: PIPE & AND FITTINGS: ASTM B88, TYPE K, SEAMLESS WATER TUBE, ANNEALED.
    JOINTS: RESTRAIN BY COUPLINGS.

    PVC: PIPE & FITTINGS: ASTM D1785, SCHEDULE 80. RESTRAIN WITH SOLVENT CEMENT. DO NOT USE THREADED PIPE.

    SOLVENT CEMENT: ASTM D2564.

22. THE CONTRACTOR/OWNER SHALL VIDEO THE EXISTING 48" STORM DRAIN MAIN THREE TIMES: PRE-CONSTRUCTION; POST-CONSTRUCTION OF THE BUILDING FOUNDATION; AND POST-CONSTRUCTION OF THE PROJECT.

GRADING AND PAVING

1. ALL GRADING AND PAVING WORK SHALL COMPLY WITH THE RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT, PROJECT NO. 252341, PREPARED BY TRC SOLUTIONS, DATED MARCH 22, 2016. ALL GRADING WORK SHALL BE OBSERVED AND APPROVED BY THE SOIL ENGINEER. THE SOIL ENGINEER, SHALL BE NOTIFIED AT LEAST 48 HOURS BEFORE BEGINNING ANY GRADING OPERATIONS. UNOBSERVED AND UNAPPROVED GRADING WORK SHALL BE REMOVED AND REPLACED UNDER OBSERVATION.
2. PAVEMENT EXCAVATION IN THE PUBLIC RIGHT OF WAY SHALL INCLUDE REMOVAL AND DISPOSAL OF EXISTING A.C. PAVEMENT AND PCC CURB REQUIRED FOR THE CONSTRUCTION OF NEW SURFACE IMPROVEMENTS. THE CONTRACTOR SHALL SAW-CUT EXISTING PAVEMENT AT LOCATIONS AS SHOWN ON THE PLANS PRIOR TO REMOVAL OF EXISTING PAVEMENT. ALL EXCAVATED MATERIALS SHALL BE REMOVED FROM THE PROJECT SITE AND DISPOSED OF IN AN AREA PROVIDED BY THE CONTRACTOR.
3. CONTRACTOR SHALL GRADE TO THE LINE AND ELEVATIONS SHOWN ON THE PLANS WITHIN THE FOLLOWING HORIZONTAL AND VERTICAL TOLERANCES AS INDICATED.

HORIZONTAL	VERTICAL
+0.1' TO -0.1'	0.1'

4. AGGREGATE BASE SHALL CONFORM TO CLASS 2 AGGREGATE BASE, 1-1/2" MAXIMUM, PER SECTION 26 OF THE STATE STANDARD SPECIFICATIONS, AND SHALL HAVE A MINIMUM COMPACTION OF 95% RELATIVE, UNLESS OTHERWISE NOTED. NON-CRYSTALLIZING TYPE WEED KILLER SHALL BE SPREAD OVER THE AGGREGATE BASE IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
5. ASPHALT CONCRETE SHALL CONFORM TO TYPE B, 3/4" MAXIMUM, MEDIUM GRADING, PER SECTION 39 OF THE STATE STANDARD SPECIFICATIONS, UNLESS OTHERWISE NOTED.
6. PRIME COAT OF SC-70 LIQUID ASPHALT CONFORMING TO THE PROVISIONS OF SECTION 37 OF THE STATE STANDARD SPECIFICATIONS SHALL BE APPLIED AT THE RATE OF 0.15± TO .0.25± GALLONS PER SQUARE YARD TO THE SURFACE OF AGGREGATE BASE PRIOR TO PLACEMENT OF NEW ASPHALT CONCRETE.
7. TACK COAT SS-1 ASPHALTIC EMULSION CONFORMING TO SECTIONS 37 AND 94 OF THE STATE STANDARD SPECIFICATIONS SHALL BE APPLIED AT THE RATE OF 0.05± TO 0.10± GALLONS PER SQUARE YARD TO EXISTING ASPHALT CONCRETE SURFACES AND VERTICAL SURFACES PRIOR TO PLACEMENT OF NEW ASPHALT CONCRETE.
8. FOG SEAL COAT OF ASPHALTIC EMULSION AND WATER CONFORMING TO SECTIONS 37 AND 94 OF THE STATE STANDARD SPECIFICATIONS SHALL BE APPLIED TO FINISH PAVING WHEN COMPLETE AND PRIOR TO STRIPING.
9. PORTLAND CEMENT CONCRETE SHALL CONFORM TO CLASS B, WITH A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI.
10. GRADE BREAKS ON ASPHALT CONCRETE AND PORTLAND CEMENT CONCRETE SHALL BE ROUNDED OFF DURING FORM WORK AND/OR FINISHED SURFACING TO THE SATISFACTION OF THE OWNER/ENGINEER.
11. CURB AND GUTTER SUBGRADE TOP 6 INCHES SHALL BE COMPACTED TO A MINIMUM 95% RELATIVE COMPACTION.
12. REFER TO LANDSCAPE PLANS FOR ARCHITECTURAL TREATMENT OF PORTLAND CEMENT CONCRETE. ALL PCC PAVEMENT SECTION THICKNESS SHOWN SHALL BE BASED ON NET THICKNESS WHICH EXCLUDES INDENTATION FOR ARCHITECTURAL PURPOSES.
13. CONTRACTOR SHALL ADJUST ALL INLETS, VALVE BOXES, MONITORING WELLS AND OTHER UTILITY STRUCTURES WHICH ARE TO REMAIN TO THE NEW FINISH GRADE.

SUBSURFACE NOTES

1. STRUCTURAL FILL SHALL BE COMPACTED TO THE
2. RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT.
3. ON-SITE TRENCH BACKFILL SHALL BE COMPACTED TO THE RECOMMENDATIONS IN THE PROJECT GEOTECHNICAL REPORT.

NOTIFICATION

1. IF ANY DAMAGE OCCURS TO AN UNDERGROUND FACILITY THAT RESULTS IN THE ESCAPE OF ANY FLAMMABLE, TOXIC OR CORROSIVE GAS OR LIQUID OR ENDANGERS LIFE, HEALTH, OR PROPERTY, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE UTILITY OWNER AND CALL THE 911 EMERGENCY TELEPHONE NUMBER TO NOTIFY LOCAL PUBLIC SAFETY OFFICIALS.
2. THE CONTRACTOR SHALL PROVIDE THE NAME AND TELEPHONE NUMBER OF THE AUTHORIZED REPRESENTATIVE (SUPERINTENDENT) OF THE WORK TO THE CITY IN WRITING PRIOR TO THE START OF WORK.
3. CONTRACTOR SHALL REFERENCE CITY STANDARD PLANS AND SPECIFICATIONS FOR ALL WORK IN THE PUBLIC RIGHT-OF-WAY, UNLESS OTHERWISE NOTED.

CITY OF SANTA CRUZ WATER DEPARTMENT

STANDARD CONSTRUCTION NOTES

1. ALL WORK ON THE WATER SYSTEM SHALL BE IN CONFORMANCE WITH THE CITY OF SANTA CRUZ WATER SYSTEM STANDARD SPECIFICATIONS AND DETAILS DECEMBER 2009 REVISION.
2. THE CONTRACTOR SHALL SUBMIT AT LEAST 2 COPIES OF THE PROJECT SCHEDULE AND SUBMITTALS FOR ALL MATERIALS THAT WILL BECOME THE PROPERTY OF SCWD. DELIVER TO THE PROJECT ENGINEER PRIOR TO START OF CONSTRUCTION AND WITH SUFFICIENT TIME TO VERIFY COMPLIANCE: 212 LOCUST STREET, SUITE C SANTA CRUZ, CA 95060.
3. THE CONTRACTOR SHALL SUBMIT THE CONTACT INFORMATION FOR AND IF REQUIRED, PROVIDE THE QUALIFICATIONS OF AN INDEPENDENT GEOTECHNICAL ENGINEERING FIRM QUALIFIED TO CONDUCT COMPACTION TESTING. THE MINIMUM COMPACTION TEST FREQUENCY SHALL BE ONCE EVERY 50 LINEAL FEET IN EACH BACKFILL TYPE, EXCEPT CLSM. ALL COSTS ASSOCIATED WITH SUCH TESTING AND POSSIBLE RETESTING OF FAILED AREAS OR AREAS THAT HAVE BEEN RE-EXCAVATED SUBSEQUENT TO INITIAL TESTING, SHALL BE BORNE BY THE CONTRACTOR. DOCUMENTATION OF TEST RESULTS SHALL BE SUBMITTED TO INSPECTOR WITHIN 24 HOURS OF TESTING.
4. A MINIMUM OF TWO WORKING DAYS ADVANCED NOTICE SHALL BE GIVEN TO THE CITY OF SANTA CRUZ WATER DEPARTMENT (SCWD) BEFORE CONSTRUCTION ON ANY PORTION OF THE WATER SYSTEM. A MINIMUM OF TWO WORKING DAYS WRITTEN NOTICE SHALL BE GIVEN TO ALL CUSTOMERS IN THE AREA OF CONSTRUCTION PRIOR TO COMMENCEMENT OF WORK. NOTIFICATION DOOR HANGERS WILL BE PROVIDED BY SCWD TO BE DISTRIBUTED BY THE CONTRACTOR.
5. A MINIMUM OF THREE WORKING DAYS ADVANCED NOTICE SHALL BE GIVEN TO THE SCWD IN ORDER TO SCHEDULE A SHUT DOWN OF THE SYSTEM. VALVES CONNECTED TO THE EXISTING SYSTEM SHALL BE OPERATED BY SCWD PERSONNEL ONLY. CONTRACTOR SHALL PRE-DIG SYSTEM CONNECTION LOCATIONS SUFFICIENTLY IN ADVANCE OF SCHEDULED SHUTDOWN TO VERIFY EXISTING CONDITIONS AND OBTAIN EXACT MATERIALS NEEDED TO COMPLETE THE CONNECTION IN ORDER TO REDUCE THE POSSIBILITY OF A PROLONGED OR FALSE SHUTDOWN. SCWD SHALL NOT BE HELD RESPONSIBLE FOR CONSTRUCTION DELAYS DUE TO INABILITY TO OBTAIN A COMPLETE SHUTDOWN.
6. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY EQUIPMENT FOR PRESSURE AND LEAKAGE TESTING. SCWD WILL PROVIDE MATERIAL AND EQUIPMENT AND PERFORM THE INITIAL DISINFECTION AND WATER QUALITY TESTING OF THE PIPELINE. MAINLINE CHLORINATION MUST BE SCHEDULED FOR A MONDAY OR TUESDAY MORNING DUE TO LABORATORY TESTING CONSTRAINTS.
7. A SERVICE TO BE "RENEWED" SHALL CONSIST OF INSTALLING NEW COPPER SERVICE PIPE FROM THE NEW MAIN TO THE METER. A SERVICE TO BE "RECONNECTED" SHALL CONSIST OF CONNECTING NEW COPPER SERVICE PIPE FROM THE NEW MAIN TO THE EXISTING SERVICE LINE. UNDER NO CIRCUMSTANCE SHALL COPPER SERVICES BE CRIMPED AS A METHOD OF RECONNECTION.
8. NO EXISTING SERVICES SHALL BE RECONNECTED UNTIL THE NEW MAIN HAS BEEN FLUSHED, HYDROSTATICALLY TESTED, DISINFECTED, HAS PASSED ALL WATER QUALITY TESTING, AND HAS BEEN TIED INTO THE SYSTEM.
9. ALL VALVES AND FITTINGS (EXCEPT TRANSITION COUPLINGS AT SYSTEM CONNECTIONS) SHALL HAVE RESTRAINTS INCORPORATED INTO THE JOINTS AND FOR ALL OTHER JOINTS WITHIN A DISTANCE OF SUCH FITTING AS DEFINED BY STANDARD DETAIL #18.
10. MINIMUM SEPARATION FROM OTHER PARALLEL AND CROSSING UTILITIES SHALL BE MAINTAINED PER CALIFORNIA CODE OF REGULATIONS. IF CONDITIONS REQUIRE CONSTRUCTION AT CLEARANCES LESS THAN THOSE PRESCRIBED BY CALIFORNIA CODE, APPROVAL FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH SHALL BE OBTAINED PRIOR TO PROCEEDING.
11. CONTRACTOR SHALL EXPOSE THE CORPORATION STOPS AND PROVIDE A MINIMUM OF TWO WORKING DAYS NOTICE TO SCWD TO SCHEDULE SHUTOFF AND INSPECTION OF EXISTING SERVICE LINES TO BE RETIRED ON A MAIN TO REMAIN IN SERVICE. CONTRACTOR SHALL REMOVE METER BOXES AND RESTORE SIDEWALK AND PAVING. SERVICE LINES SHALL NOT BE CRIMPED AS A METHOD OF RETIREMENT.
12. EXISTING VALVES TO BE RETIRED MUST HAVE OPEN/CLOSE STATUS BE CONFIRMED BY SCWD PRIOR TO THE VALVE BOX REMOVAL, THE HOLE BACKFILLED WITH SLURRY-CEMENT OR CONCRETE, AND PAVEMENT TO MATCH EXISTING.
13. EXACT FIRE HYDRANT LOCATIONS MUST BE APPROVED BY THE APPLICABLE FIRE DEPARTMENT, PUBLIC WORKS DEPARTMENT, AND SCWD PRIOR TO INSTALLATION.
14. UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND EXISTING UTILITIES AND UNDERGROUND STRUCTURES MAY NOT BE SHOWN. LOCATION OF EXISTING UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE VERIFIED PRIOR TO THE SAWCUT AND EXCAVATION FOR INSTALLATION OF THE NEW FACILITY TO CONFIRM CONSTRUCTABILITY IN THE PROPOSED ALIGNMENT. IF DURING THE COURSE OF WORK, THE CONTRACTOR ENCOUNTERS ANY EXISTING UTILITIES OR OTHER CONFLICTING STRUCTURES THAT FORCE THE REALIGNMENT OF THE NEW PIPELINE AT A DIFFERENT GRADE, OR REQUIRE OTHER MINOR ALTERATIONS, SUCH RELAYING OR MINOR ALTERATIONS WILL BE MADE AT NO ADDITIONAL EXPENSE TO THE CITY. CALL UNDERGROUND SERVICE ALERT AT LEAST TWO WORKING DAYS BEFORE DIGGING AT 811/ (800) 227-2600. ALWAYS CONFIRM STATUS AND SAFETY OF SUSPECTED ABANDONED FACILITIES PRIOR TO REMOVAL.
15. SHOULD ANY UTILITY OR PROPERTY BE DAMAGED BY THE OPERATIONS OF THE CONTRACTOR, IMMEDIATELY NOTIFY THE OWNER AND THE WATER DEPARTMENT. ANY NON-PRESSURIZED SEWER OR DRAINAGE PIPELINES OR ABANDONED FACILITIES ARE NOT REQUIRED TO BE MARKED. DAMAGE TO NON-PRESSURIZED SEWER OR DRAINAGE PIPELINES DURING THE COURSE OF WORK IS SOLELY THE RESPONSIBILITY OF THE CONTRACTOR.
16. THE CONTRACTOR SHALL KEEP THE CONSTRUCTION SITE IN A NEAT AND CLEAN CONDITION AT ALL TIMES. ALL TRASH AND EXCESS EXCAVATED MATERIAL SHALL BE REMOVED FROM THE SITE AS NEEDED AND AT THE END OF EACH WORK DAY. STREET AREAS SHALL BE SWEPT AS NEEDED AND AT THE END OF EACH WORK DAY. IF DUST PROBLEMS SHOULD OCCUR, DUST CONTROL SHALL BE PROVIDED BY THE CONTRACTOR AT CONTRACTOR'S EXPENSE AND TO THE SATISFACTION OF THE SCWD AND OTHER REGULATORY AGENCIES.
17. CONTRACTOR SHALL KEEP ON SITE AND READY AT ALL TIMES DURING CONSTRUCTION ALL EQUIPMENT AND MATERIALS NEEDED TO BE IMPLEMENTED TO ENSURE THE PROTECTION OF ALL SURFACE WATER BODIES AND SEWER AND STORM DRAIN SYSTEMS FROM RUNOFF WHICH MAY BE CONTAMINATED BY SEDIMENT, SAWCUT SLURRY OR OTHER POLLUTION IN THE EVENT OF EMERGENCY WATER FACILITY BREAKAGE, TRENCH DEWATERING ACTIVITY, OR WET WEATHER EVENT THAT MAY ERODE STOCKPILES OR EXPOSED SOIL AREAS.
18. APPROVAL BY THE CITY OF SANTA CRUZ WATER DEPARTMENT FOR THE FIRE SERVICE INSTALLATION SHALL ONLY BE FOR THE SERVICE LINE LOCATION AND THE CONNECTION TO THE CITY WATER SYSTEM. THE FIRE SERVICE SIZE AND DESIGN APPROVAL ARE THE RESPONSIBILITY OF THE LOCAL FIRE PROTECTION AGENCY.
19. CONTRACTOR SHALL COMPLY WITH ALL CURRENT FEDERAL, STATE AND LOCAL LAWS, STANDARDS, AND REGULATORY AGENCY REQUIREMENTS CONCERNING THE HANDLING OF ASBESTOS CONTAINING MATERIALS. CONTRACTOR SHALL SUBMIT A COPY OF ALL RELAVANT CAL/OSHA DOCUMENTATION, AND DOCUMENTED WORKER TRAINING TO CITY PRIOR TO HANDLING ANY ASBESTOS CONTAINING MATERIALS. ASBESTOS DISTURBANCE AND/OR REMOVAL ACTIVITIES SHALL BE CONDUCTED BY PROPERLY TRAINED, ACCREDITED, AND LICENSED PERSONNEL USING PROPER PROTECTIVE EQUIPMENT. TRANSITE PIPE SHALL BE CUT ONLY WITH A SNAP TYPE CUTTER IN A POSTED REGULATED AREA AND NEVER WITH AN ABRASIVE SAW. FIELD CUT TRANSITE PIPE ENDS SHALL NOT BE RE-BEVELED. REMOVE ALL DISTURBED ASBESTOS CONTAINING MATERIALS AS INTACT AS POSSIBLE AND IMMEDIATELY SEAL IN LEAK-TIGHT SIX MIL THICK POLY WRAP WITH PROPER LABELING. CONTRACTOR SHALL SUBMIT A COPY OF THE NON-HAZARDOUS WASTE MANIFEST TO CITY TO DOCUMENT PROPER DISPOSAL.

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RIVERFRONT PROJECT
412, 418, 428, 440, 504, AND 508 FRONT STREET
CONSTRUCTION NOTES
SANTA CRUZ SANTA CRUZ COUNTY CALIFORNIA

Date 05/20/19	No.	Revisions
Scale		
Design MWB		
Drawn .		
Approved .		
Job No 20176131		

Drawing Number:
C1.2
2 OF 13

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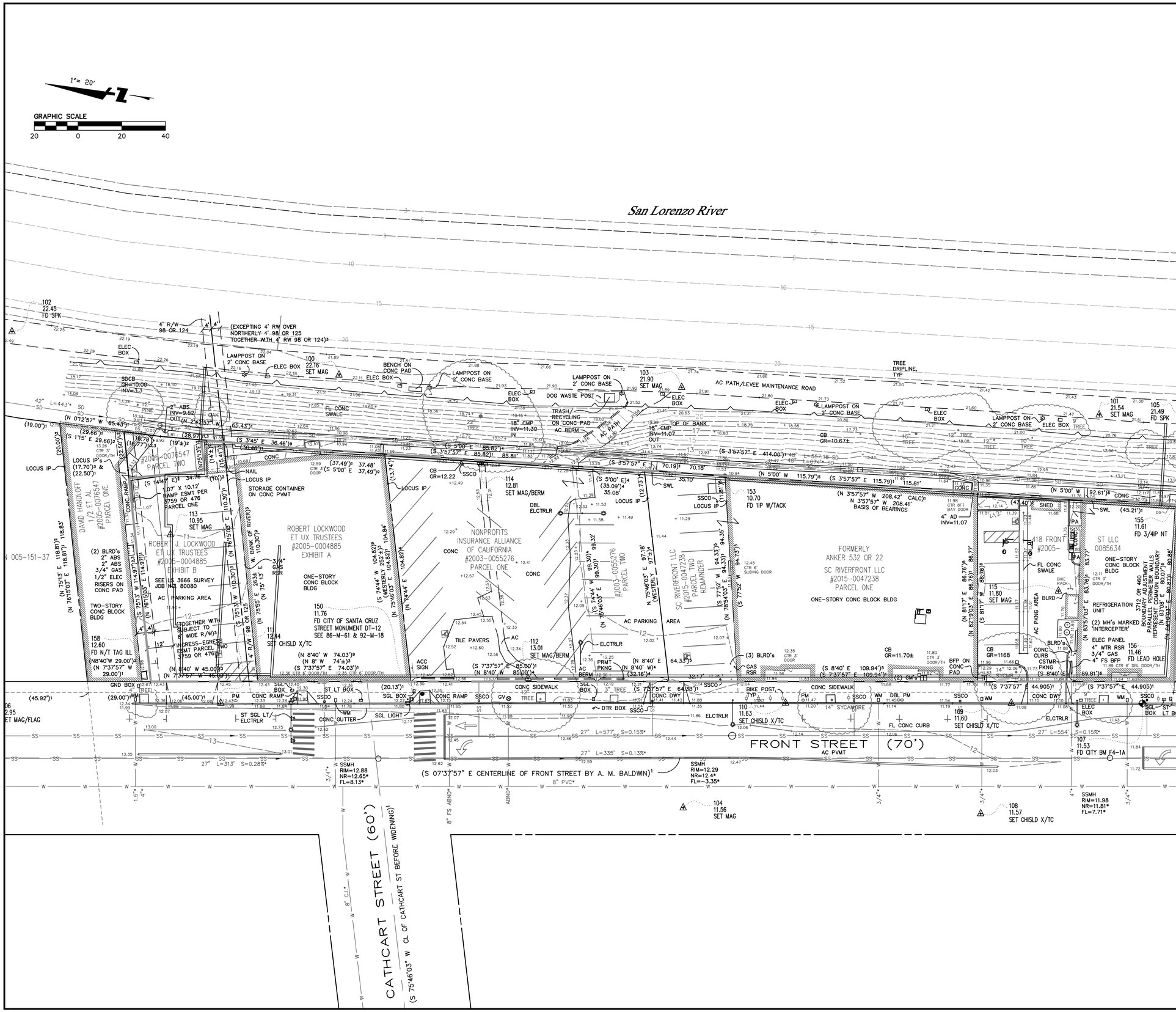

LEGEND

PROPERTY LINE	
(E) WOOD FENCE	X X
EXISTING EASEMENT	
EXISTING ELECTRICAL LINE	E
EXISTING GAS LINE	G
EXISTING STORM DRAIN	SD
EXISTING SANITARY SEWER	SS
EXISTING DOMESTIC WATER	W
EXISTING JOINT TRENCH	JT
EXISTING STORM DRAIN MANHOLE	
EXISTING JOINT TRENCH	
EXISTING STORM DRAIN JUNCTION BOX	
FIRE HYDRANT	
GUY ANCHOR	
JOINT POLE	
SIGN	
SPOT ELEVATION	+46.21
TREE AS NOTED	
VALVE AS NOTED	
CONTOUR LINE	46.21

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EXISTING CONDITION PLAN

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SANTA CRUZ

Revisions

No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BAILEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
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3 OF 13

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DEMOLITION KEY NOTES

1. EXISTING TREE TO BE REMOVED, SEE LANDSCAPE PLANS.
2. EXISTING SANITARY SEWER LINE TO BE REMOVED. CAP LINE AS SHOWN PER SANTA CRUZ STANDARDS.
3. EXISTING 2" WATER SERVICE TO BE RETIRED PER SANTA CRUZ WATER DISTRICT STANDARD SPECIFICATIONS (CUT & CAP AT WATER MAIN).
4. EXISTING FIRE SERVICE TO BE RETIRED PER SANTA CRUZ WATER DISTRICT STANDARD SPECIFICATIONS (CUT & CAP AT WATER MAIN).
5. EXISTING UTILITY BOX/VAULT TO BE PROTECTED IN PLACE.
6. REMOVE EXISTING DRIVEWAY.
7. EXISTING TRAFFIC SIGNAL POLE/BOX TO BE PROTECTED IN PLACE.
8. EXISTING CITY MONUMENT TO BE PROTECTED IN PLACE.
9. EXISTING STREET TREE TO BE PROTECTED IN PLACE.
10. EXISTING ELECTROLIER TO BE PROTECTED IN PLACE.
11. EXISTING 48" STORM DRAIN MAIN TO BE PROTECTED IN PLACE.

GENERAL NOTES

1. COORDINATE REMOVALS WITH PROPOSED BUILDING AND UTILITY PLANS.
2. ITEMS SHOWN TO BE REMOVED ARE INDICATED PER BEST INFORMATION AVAILABLE TO THE ENGINEER. IT IS THE INTENTION OF THESE PLANS TO REMOVE ALL EXISTING UTILITIES AND IMPROVEMENTS, UNLESS OTHERWISE NOTED, TO ALLOW CONSTRUCTION OF THE PROPOSED IMPROVEMENTS, WHETHER INDICATED ON THE PLAN OR NOT, AND TO ALLOW FUTURE GRADING AND CONSTRUCTION OF IMPROVEMENTS TO OCCUR. CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SITE PRIOR TO BID.
3. CONTRACTOR IS RESPONSIBLE FOR ACQUIRING ALL PERMITS AND AUTHORIZATIONS REQUIRED TO COMPLETE THE PLANNED DEMOLITION.
4. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IDENTIFY, LOCATE AND PROTECT ALL UNDERGROUND FACILITIES TO REMAIN.
5. THE PERMITEE SHALL MAINTAIN THE STREETS AND SIDEWALKS IN A CLEAN, SAFE AND USABLE CONDITION. ALL SPILLS OF OIL, ROCK OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PROPERTY DURING CONSTRUCTION AND UPON COMPLETION OF THE PROJECT. ALL ADJACENT PROPERTY, PRIVATE OR PUBLIC, SHALL BE MAINTAINED IN A CLEAN, SAFE AND USABLE CONDITION.
6. THE LOCATION AND DEPTHS OF EXISTING UNDERGROUND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE POSITIONS BASED UPON INFORMATION AVAILABLE TO THE ENGINEER. ACTUAL LOCATIONS MAY VARY. ACCURATE VERIFICATION AS TO SIZE, LOCATION AND DEPTH OF EXISTING UNDERGROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE ENGINEER IS NOT RESPONSIBLE FOR ANY EXISTING UTILITIES NOT SHOWN ON THE PLANS.

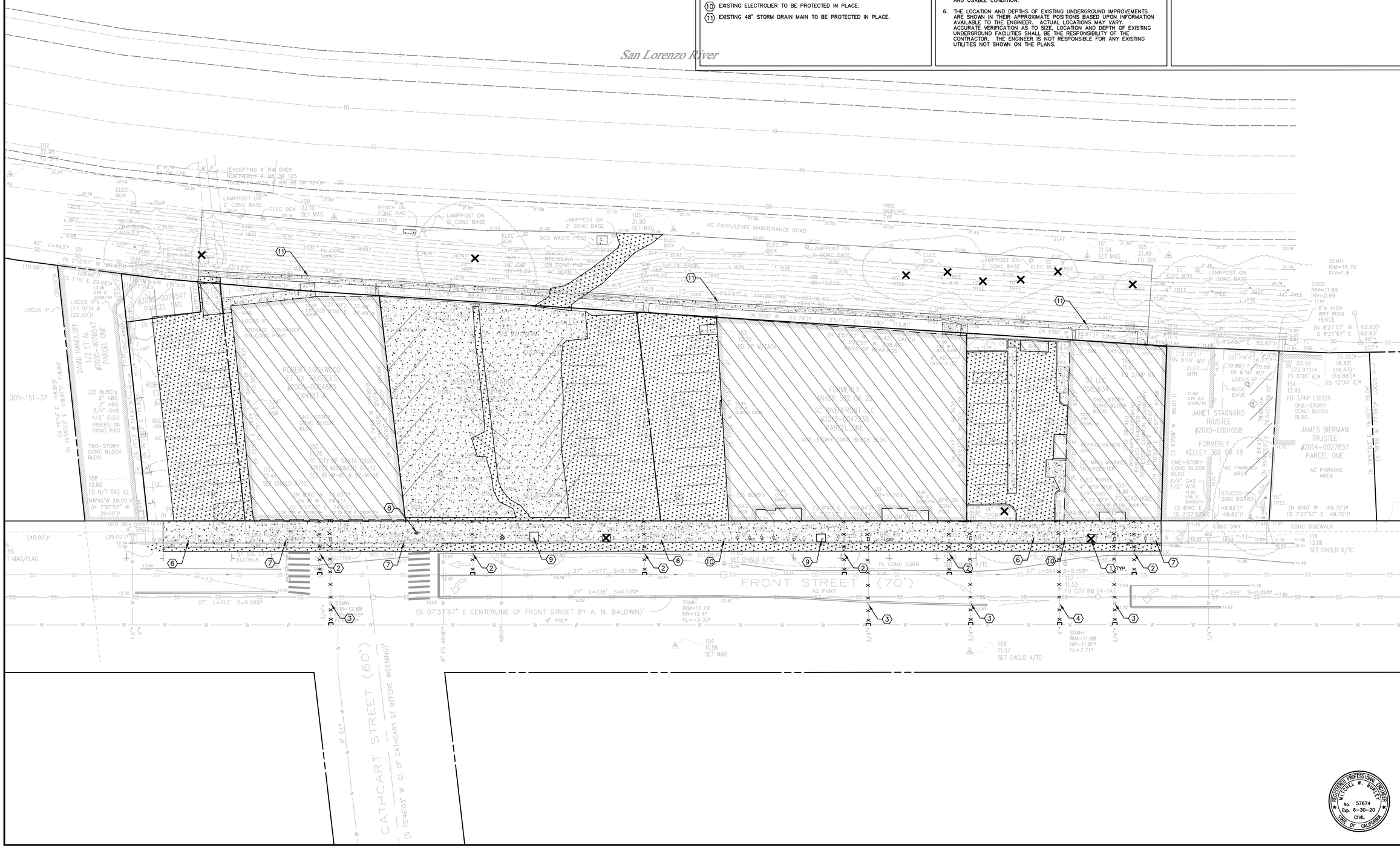
LEGEND

- PROPERTY LINE
- TREE TO BE REMOVED
- REMOVE ASPHALT AND BASEROCK
- REMOVE EXISTING BUILDING, FOUNDATION, AND BASEROCK
- REMOVE CONCRETE PAVEMENT AND BASEROCK (INCLUDES CURB, GUTTER, WALKWAYS, FOUNDATION AND ETC.)

1" = 20'

GRAPHIC SCALE

20 0 20 40



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SANTA CRUZ

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No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
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Job No 20176131

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GENERAL NOTES

1. CONTRACTOR SHALL REMOVE AND REPAIR ALL DAMAGED CURB, GUTTER, AND SIDEWALK ALONG THE PROPERTY FRONTAGE AND REPLACE IN KIND PER CITY STANDARD DETAIL 8, SHEET C10.2.

CONSTRUCTION KEY NOTES

1. CONSTRUCT DRIVEWAY APPROACH PER CITY OF SANTA CRUZ STANDARDS, SEE SHEET C10.2.
2. INSTALL DETECTABLE WARNING PER DETAIL 3, SHEET C10.0.
3. CONSTRUCT VERTICAL CURB & GUTTER AND SIDEWALK PER CITY OF SANTA CRUZ STANDARDS. SEE SHEET C10.2.
4. CONCRETE AC PAVEMENT CONFORM
5. EDGE STRIPING AT THE 8-FOOT WIDTH MARK OF 12 FOOT WIDE, PAVED LEVEE PATH

LEGEND

PROPERTY LINE

VERTICAL CURB AND GUTTER

RETAINING WALL (SEE STRUCTURAL PLANS)

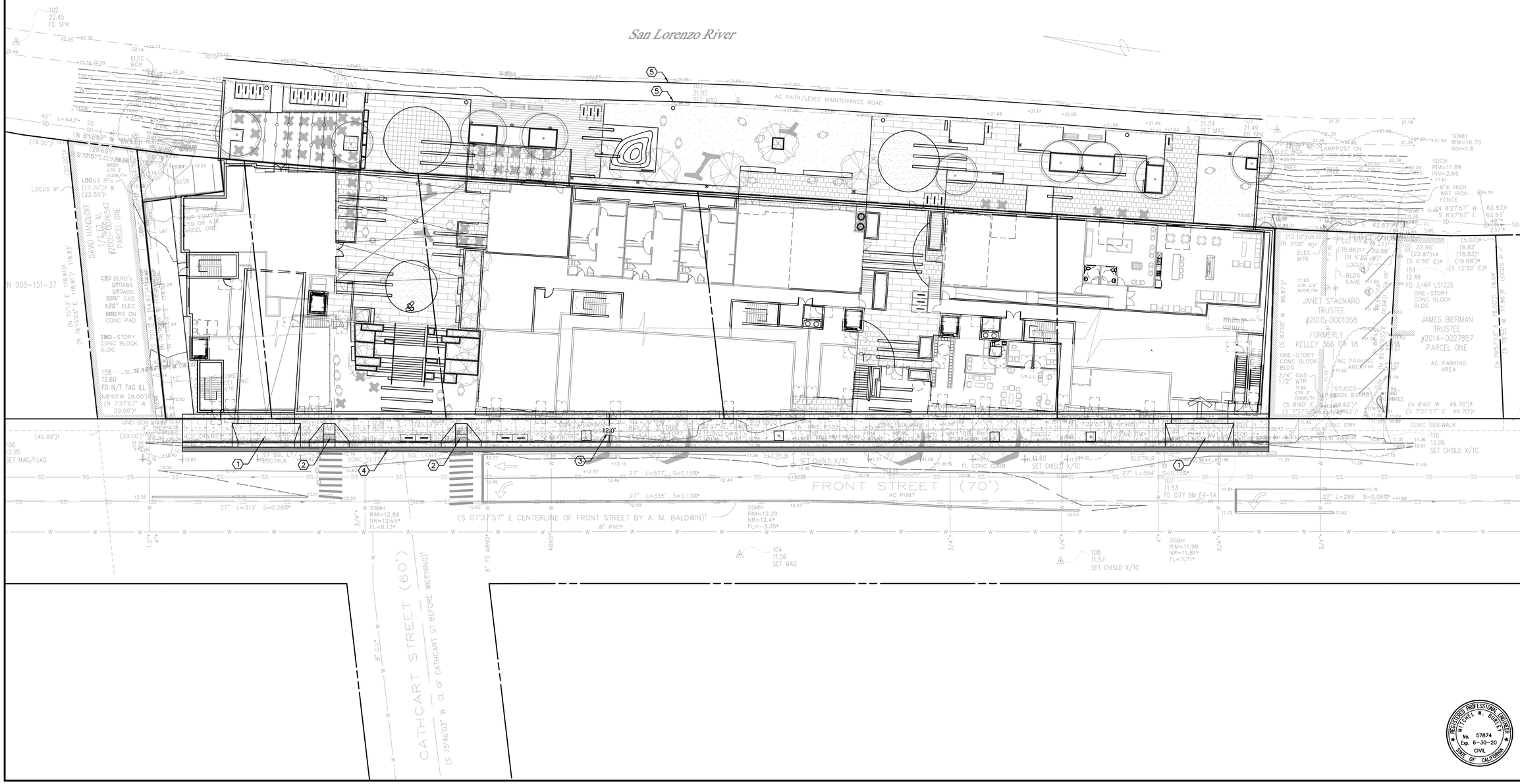
AC PAVEMENT

CONCRETE PAVEMENT

1"= 20'

GRAPHIC SCALE

20 0 20 40



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Revisions

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1" = 20'

GRAPHIC SCALE

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GENERAL NOTES

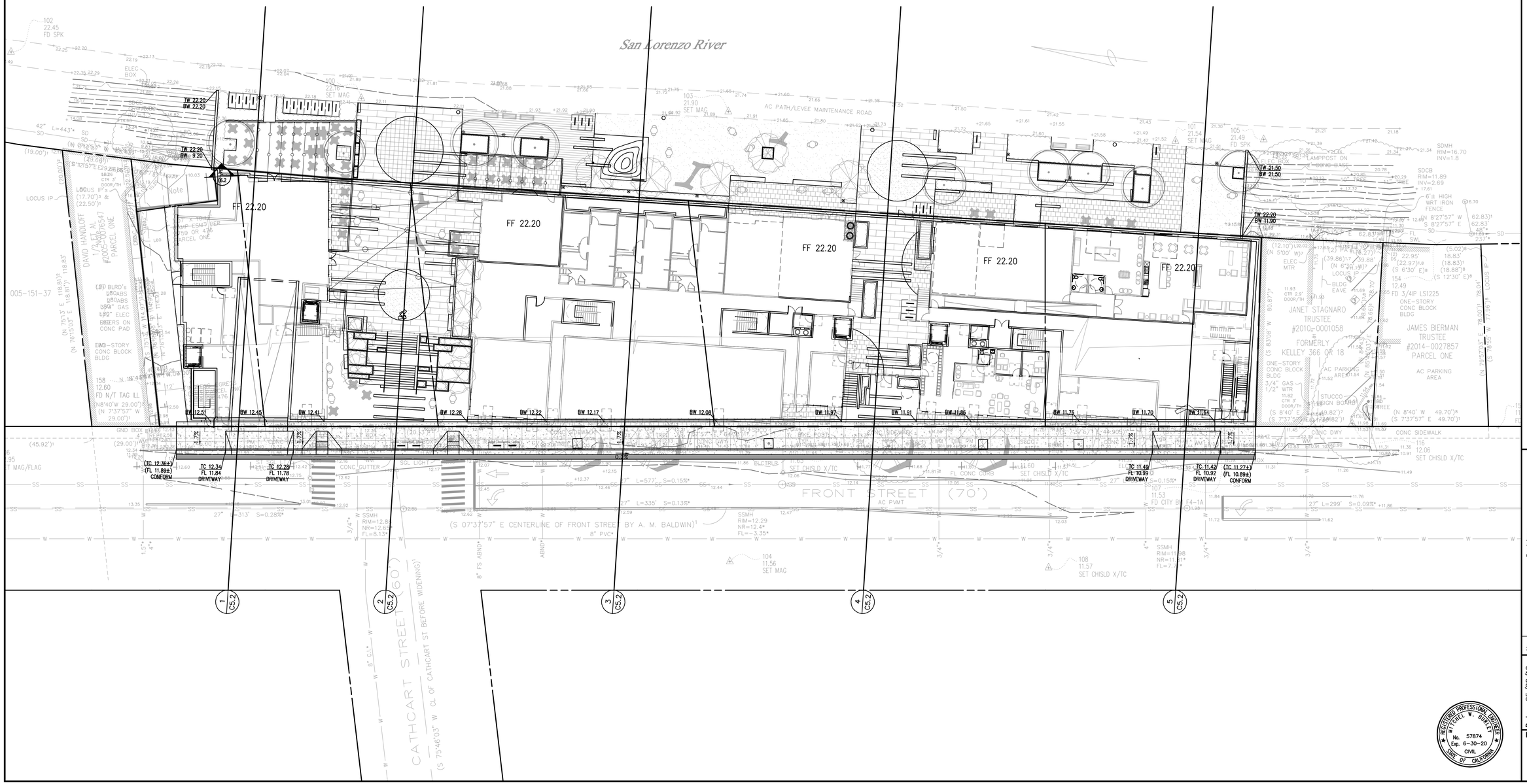
1. FINISHED GRADE AT LANDSCAPED AREAS ADJACENT TO THE BUILDING SHALL BE MINIMUM 8" BELOW FINISH FLOOR.
2. LANDSCAPED FINISHED GRADES AROUND THE PERIMETER OF BUILDING SHOULD BE COMPACTED AND SLOPED AT A 3% MIN. GRADIENT AWAY FROM FOUNDATION.
3. ALL PAVED AREAS ARE TO SLOPE A MINIMUM OF 0.5% AND MAXIMUM OF 8% ACCESSIBLE STALLS AND LOADING ZONES ARE TO SLOPE AT A MAXIMUM OF 2% IN ALL DIRECTIONS. ACCESSIBLE PATHWAYS ARE TO SLOPE AT A MAXIMUM OF 4.9% IN THE DIRECTION OF TRAVEL AND THE SLOPE CROSSWAYS TO THE DIRECTION OF TRAVEL SHALL BE AT A MAXIMUM OF 2%.
4. CONTRACTOR SHALL REMOVE AND REPAIR ALL DAMAGED CURB, GUTTER, AND SIDEWALK ALONG THE PROPERTY FRONTAGE PER CITY DIRECTION AND REPLACE IN KIND PER CITY STANDARD DETAIL 8, SHEET C10.2.

LEGEND

DIRECTION OF FLOW (HARDSCAPE)	
DIRECTION OF FLOW (LANDSCAPE)	
STORM DRAIN JUNCTION BOX	SDJB
STORM DRAIN CLEAN OUT	SDCO
STORM DRAIN AREA DRAIN	AD
STORM DRAIN CATCH BASIN/OVERFLOW DRAIN	CB/OFD
STORM DRAIN INLET	DI
TRENCH DRAIN	
SANITARY SEWER MANHOLE	SSMH
SANITARY SEWER CLEANOUT	SSCO
OVERLAND STORM DRAIN RELEASE	
FF STEP	

LEGEND

PROPERTY LINE	
VERTICAL CURB & GUTTER	
RETAINING WALL	
DIRECTION OF FLOW	
FINISH FLOOR ELEVATION	FF 36.05
TOP OF CURB ELEVATION	TC 36.05
FINISHED GRADE ELEVATION	FG 36.05
FLOW LINE ELEVATION ELEVATION	FL 36.05
TOP OF WALL	TW 36.05
BOTTOM OF WALL/BACK OF WALK	BW 36.05
HIGH POINT	HP
LOW POINT	LP
PAVEMENT ELEVATION	PV 36.05



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Approved .
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Drawing Number:
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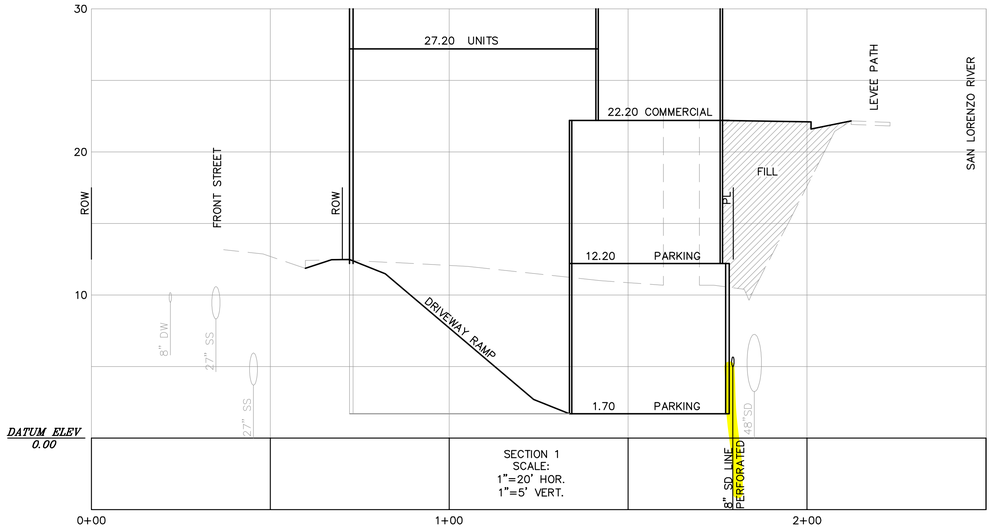

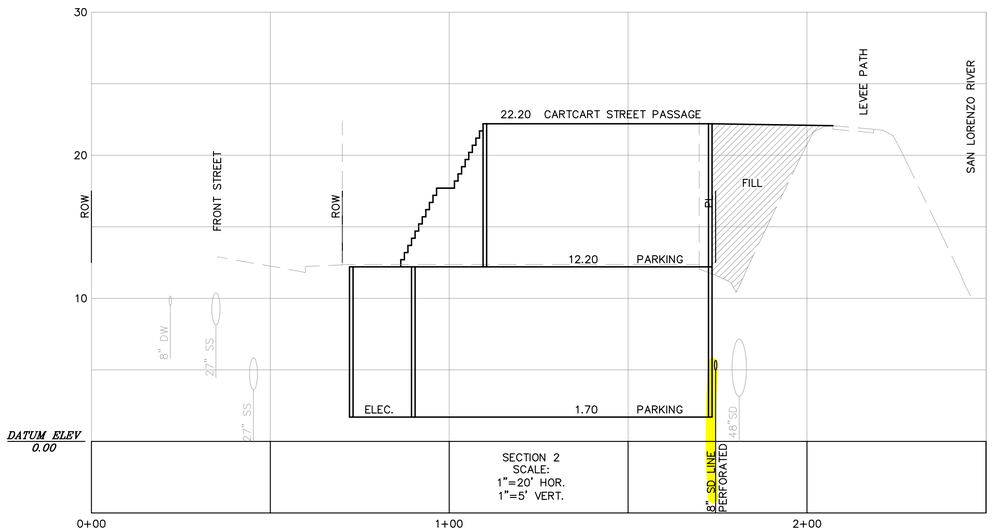

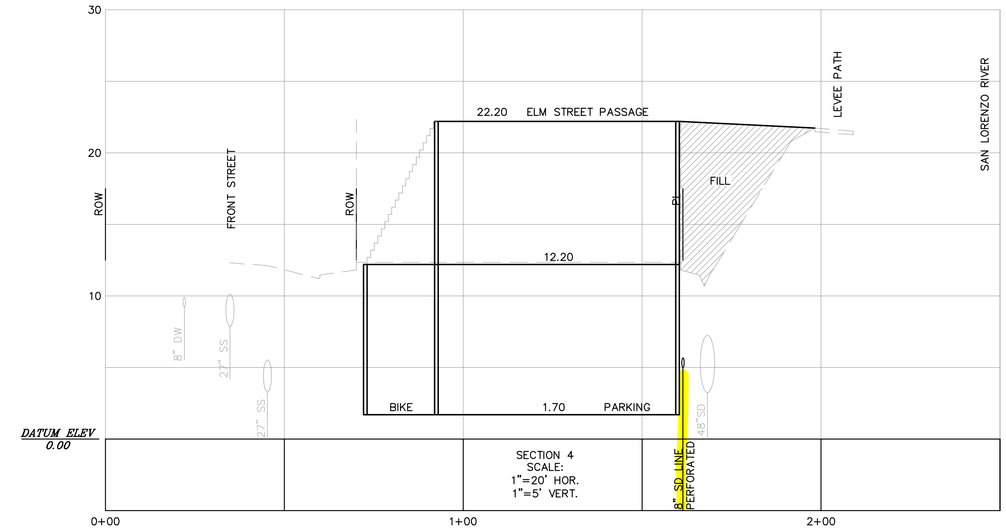

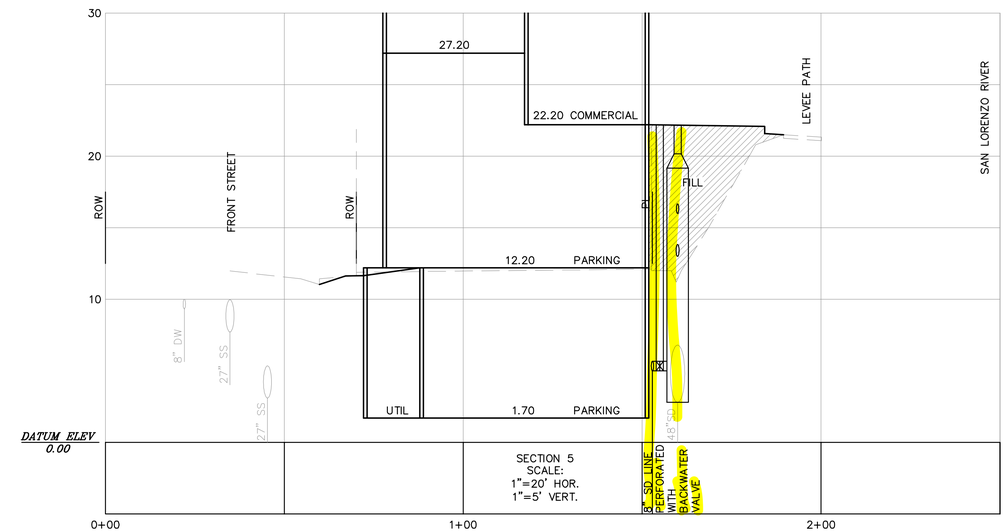

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Revisions

No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
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Job No 20176131

REGISTERED PROFESSIONAL ENGINEER
MITCHEL W. BUSLEY
No. 57874
Exp. 6-30-20
CIVIL
STATE OF CALIFORNIA

Drawing Number:
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GENERAL NOTES

1. ALL SEWER PIPES SHALL BE INSTALLED PER SANTA CRUZ STANDARD DETAIL 1, SHEET C10.2.

CONSTRUCTION KEY NOTES

6. NEW 8" FIRE SERVICE (TO SERVE FIRE SPRINKLERS ONLY) INSTALLATION WITH A SCWD APPROVED DOUBLE-CHECK DETECTOR ASSEMBLY BACKFLOW DEVICE INSTALLATION AS PER SCWD DETAIL 9.
7. NEW 4" DOMESTIC WATER SERVICE INSTALLATION WITH A SCWD APPROVED REDUCED PRESSURE BACKFLOW DEVICE AND WATER METER AS PER SCWD DETAIL 6.
8. INSTALL CHRISTY G05 VALVE BOX AND G05C LID PER SANTA CRUZ WATER SYSTEM STANDARD SPECIFICATIONS.

CONSTRUCTION KEY NOTES

1. INSTALL 12"x12" STORM DRAIN JUNCTION BOX PER DETAIL 7, SHEET C10.1.
2. INSTALL STORM DRAIN TREATMENT MANHOLE PER DETAIL 7, SHEET C10.1.
3. INSTALL SANITARY SEWER CLEANOUT & LATERAL PER SANTA CRUZ STANDARD DETAIL 2, SHEET C10.2. SEE PLUMBING PLANS FOR CONTINUATION INTO THE BUILDING.
4. INSTALL AREA DRAIN PER DETAIL 10, SHEET C10.1.
5. INSTALL SANITARY SEWER MANHOLE PER SANTA CRUZ STANDARD DETAILS.

LEGEND

FIRE HYDRANT/FIRE DEPT. CONNECTION	FH/FDC
REDUCED PRESSURE BACKFLOW DEVICE	
DOUBLE-CHECK DETECTOR ASSEMBLY	
WATER VALVE	WV
CHECK VALVE	CV
WATER METER	WM

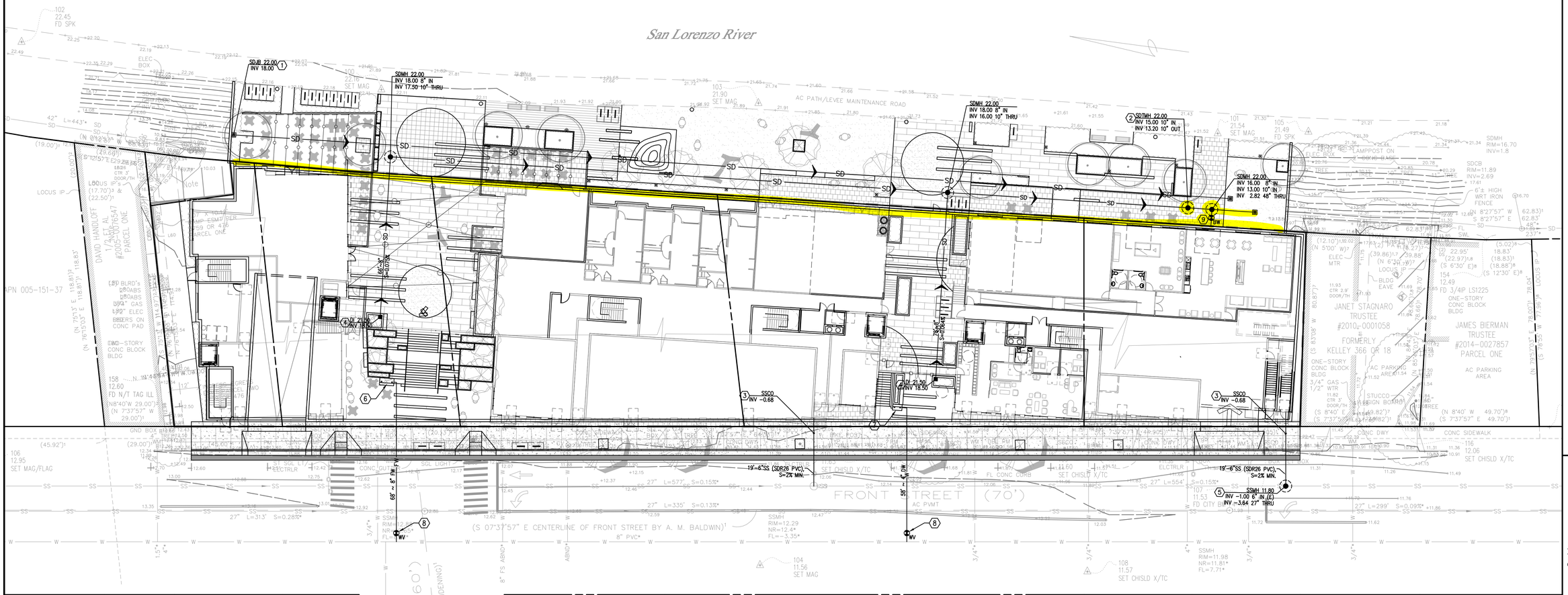
LEGEND

PROPERTY LINE	
CURB AND GUTTER	
SANITARY LINE	10" SDR 26 PVC SS
OVERFLOW STORM DRAIN LINE (TREATED)	12" HDPE
STORM DRAIN LINE (UNTREATED)	6"/8" HDPE SD
TRENCH DRAIN	
WATER LINE	8" W
GAS LINE	G
JOINT TRENCH	JT
AREA DRAIN	AD
SANITARY SEWER MANHOLE	SSMH
SANITARY SEWER CLEANOUT	SSCO
STORM DRAIN MANHOLE	SDMH
STORM DRAIN CLEAN OUT	SDCO
STORM DRAIN CATCH BASIN/DRAIN INLET	CB/DI
STORM DRAIN JUNCTION BOX	SDJB

1"= 20'

GRAPHIC SCALE

20 0 20 40



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No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
Drawn .
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REGISTERED PROFESSIONAL ENGINEER MICHAEL W. BUSKEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
C6.1

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TABLE 1

TREATMENT CONTROL MEASURE SUMMARY TABLE

DRAINAGE AREAS	DRAINAGE AREA SIZE (SQ. FT.)	PERVIOUS SURFACE (SQ. FT.)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SQ. FT.)	TYPE OF IMPERVIOUS SURFACE	WATER QUANTITY (FLOW AND/OR VOLUME GENERATED)		PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
						REQUIRED	PROVIDED		
A-1	15,493	2,082	LANDSCAPE	13,411	CONCRETE	545 SF	638 SF	SCM-1 BIORETENTION BASIN 1	YES
A-2	42,884	0	N/A	42,884	ROOF CONCRETE	0.18 CFS	0.21 CFS	SCM-2 PERK FILTER MANHOLE 1	YES

TABLE 2

TIER 3 SIMPLE METHOD CALC		
I	0.866	=total imperv (13411 sf)/total lot size (15493 sf)
C	0.682	=(0.858*I^3)-(0.78*I^2)+(0.774*I)+0.04
Rainfall depth, d (ft)	0.167	=2"/12 Santa Cruz 95TH percentile - WMZ1, 4 & 10
Tributary Area, A (sf)	6706	0.5*Replaced imperv (13411 sf)

Retention Volume (cf)	**762**	=C*d*A
Retention Volume - void ratio included (cf)	**1906**	=Volume/0.4
Area of Basin Required (sf)	**545**	= 4% (total imperv+0.1*total perv)
Area of Basin Provided (sf)	**638**	=Area of basin required
Depth of Rock (ft)	**3.0**	=Retention volume/Area of basin provided

NOTES:

1. CALCULATIONS WERE DONE PER CHAPTER 6B OF THE BEST MANAGEMENT PRACTICES MANUAL FOR THE CITY'S STORM WATER MANAGEMENT PROGRAM.
2. THE PROJECT RUNOFF DISCHARGES INTO 48" CITY STORM DRAIN LINE, AND OUTFALLS DIRECTLY INTO THE SAN LORENZO RIVER, THEREFORE THIS PROJECT IS NOT SUBJECT TO TIER 4 REQUIREMENTS: PEAK MANAGEMENT.
3. MAINTENANCE ACCESS TO SCM-1 AND SCM-2 SHALL BE AVAILABLE FROM SAN LORENZO RIVER LEVEE TRAIL DRIVEWAY AT SOQUEL AVENUE.

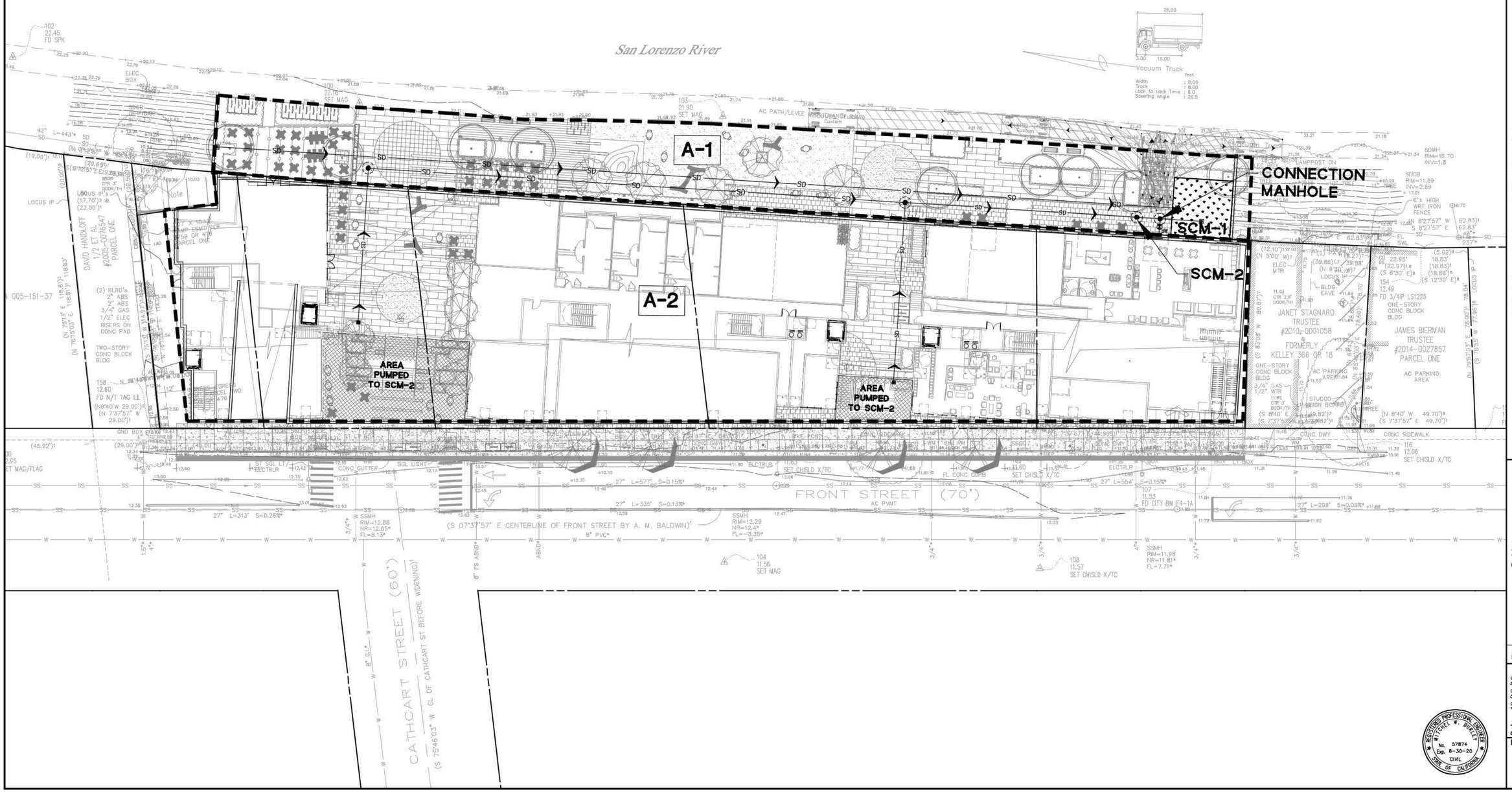
LEGEND

- PROJECT PROPERTY LINE
- RETAINING WALL
- DRAINAGE RELEASE PATH
- CATCH BASIN
- AREA DRAIN
- DRAINAGE MANAGEMENT AREA BOUNDARY — A-X
- STORMWATER CONTROL MEASURE — SCM-#
- STORM DRAIN LINE (UNTREATED) — SD
- TRENCH DRAIN

1" = 20'

GRAPHIC SCALE

20 0 20 40



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STORMWATER CONTROL PLAN

SANTA CRUZ COUNTY, CALIFORNIA

Revisions

No.	

Date 10/10/19
Scale 1" = 20'
Design MWB
Drawn
Approved
Job No 20176131

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EROSION CONTROL NOTES

17. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED BY THE OWNER AND/OR THE CALIFORNIA REGIONAL WATER CONTROL BOARD (CRWQCB) BASED ON FIELD REVIEWS OF THE SITE.
18. DAMAGED EROSION CONTROL DEVICES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AS SOON AS PRACTICAL AFTER THE DAMAGE OCCURS.
19. ALL EXPOSED DISTURBED SURFACES SHALL BE HYDROSEEDED WITH BROME SEED SPREAD AT THE RATE OF 5 POUNDS PER 1000 SQUARE FEET, OR APPROVED EQUAL. SEEDING AND WATERING SHALL BE MAINTAINED AS REQUIRED TO ENSURE GROWTH. HYDROSEEDED AREAS SHALL THEN BE COVERED WITH STRAW MULCH AND STABILIZED BY CRIMPING OR THE APPLICATION OF A LIQUID TACKIFIER.
20. DURING GRADING OPERATIONS, THE SITE SHALL BE WATERED ON A DAILY BASIS WITH MINIMAL WATER AND NO RUNOFF TO STORM DRAIN SYSTEM TO MINIMIZE THE RELEASE OF DUST AND OTHER PARTICULATE MATTER.
21. EARTHWORK SHALL NOT BE PERFORMED DURING UNFAVORABLE CONDITIONS. AFTER INTERRUPTION OF WORK DUE TO HEAVY RAIN, THE ENGINEER SHALL APPROVE EARTHWORK BEFORE RESUMPTION OF EARTHMOVING OPERATIONS.
22. CONTRACTOR SHALL BE RESPONSIBLE TO PUT IN PLACE THE NECESSARY MEANS AND EXECUTE PROPER METHODS TO PROTECT EARTHWORK AGAINST UNFAVORABLE WEATHER CONDITIONS. CONTRACTOR SHALL NOT BE PAID FOR ANY DELAY OR ADDITIONAL WORK TO REMEDY PREVIOUS EARTHWORK RESULTING FROM THE CONTRACTOR'S NEGLIGENCE TO PROTECT THE SITE.
23. IT IS THE CONTRACTOR'S RESPONSIBILITY TO COMPLETE AND SUBMIT THE ANNUAL COMPLIANCE STATUS REPORT OF THE CONSTRUCTION STORM WATER GENERAL PERMIT ON THE SEPTEMBER 1ST OF EACH YEAR THE PROJECT IS IN CONSTRUCTION.
24. THIS PROJECT SHALL COMPLY WITH APPLICABLE PROVISIONS IN THE STATE OF CALIFORNIA GENERAL PERMIT FOR STORMWATER DISCHARGES, ORDER NO. 2009-0009-DWQ.
25. SITE CONSTRUCTION ENTRANCE & EXIT: CHECK THE SIDEWALK AND STREET DAILY DURING THE DEMOLITION AND CONSTRUCTION PHASES FOR SOIL OR SEDIMENT DRAG-OUT, AND SWEEP IF NEEDED.

EROSION CONTROL NOTES

9. ALL TRUCK TIRES SHALL BE CLEANED PRIOR TO EXITING THE PROPERTY.
10. THE CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES AS REQUIRED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (CRWQCB).
11. DURING PERIODS WHEN STORMS ARE FORECAST:
    a. EXCAVATED SOILS MAY NOT BE PLACED IN THE STREETS OR ON PAVED AREAS.
    b. ANY EXCAVATED SOILS SHOULD BE REMOVED FROM THE SITE BY THE END OF THE DAY.
    c. WHERE STOCKPILING IS NECESSARY, USE A TARPAULIN OR SURROUND THE STOCKPILED MATERIAL WITH FIBER ROLLS, SILT FENCE, OR OTHER RUNOFF CONTROLS.
    d. USE INLET CONTROLS (E.G. FILTER MAT) FOR STORM DRAINS ADJACENT TO STOCKPILED SOIL.
    e. THOROUGHLY SWEEP ALL PAVED AREAS EXPOSED TO SOIL EXCAVATION AND PLACEMENT.
12. DURING PERIODS WHEN STORMS ARE NOT FORECAST –
    a. PREVENT STOCKPILED MATERIAL FROM ENTERING THE STORM DRAIN SYSTEM.
    b. THOROUGHLY REMOVE LOOSE SOIL VIA SWEEPING FOLLOWING REMOVAL OF DIRT.
13. THIS EROSION CONTROL PLAN IS FOR CONSTRUCTION YEAR ROUND. OPEN SPACE AREAS ARE TO BE PLANTED BY SEPTEMBER 15 (BEFORE RAINY SEASON). IF THESE CONDITIONS ARE NOT MET, CONTRACTOR SHALL SUBMIT AN EROSION CONTROL PLAN TO THE PROJECT ENGINEER THAT REFLECTS CURRENT SITE CONDITIONS FOR REVIEW AND APPROVAL.
14. EROSION CONTROL MEASURES SHOWN ON THIS PLAN SHALL BE MAINTAINED REPAIRED AND REPLACED AFTER EACH SIGNIFICANT RAINFALL OR AS DIRECTED BY THE CITY OF SANTA CRUZ AND/OR THE CALIFORNIA REGIONAL WATER CONTROL BOARD (CRWQCB).
15. ALL DRAINAGE INLETS WITHIN AND NEAR THE PROJECT SITE SHALL BE PROVIDED WITH SEDIMENT TRAPS OR SEDIMENT BARRIERS AS PER THIS PLAN.
16. SEDIMENT DAMS AND TRAPS SHALL BE CHECKED FOR SEDIMENT ACCUMULATION AFTER EACH SIGNIFICANT RAINFALL. SEDIMENT SHALL BE REMOVED FROM THESE DEVICES WHEN IT HAS ACCUMULATED TO THREE-QUARTER OF THE ORIGINAL STORAGE HEIGHT

EROSION CONTROL NOTES

1. SHEET C8.0 & C8.1 ARE INTENDED TO BE USED FOR EROSION CONTROL ONLY.
2. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. IN GENERAL, THE CONTRACTOR IS RESPONSIBLE FOR KEEPING ANY SEDIMENT FROM LEAVING THE SITE. FIBER ROLLS, SAND BAGS, AND SILT FENCES SHALL BE USED BY THE CONTRACTOR ON AN AS NEEDED BASIS TO INHIBIT SILT FROM LEAVING THE SITE AND ENTERING THE STORM DRAIN SYSTEM. ALL EXISTING, TEMPORARY, OR PERMANENT CATCH BASINS SHALL USE ONE OF THE SEDIMENT BARRIERS SHOWN.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS INCURRED WITH ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL MEASURE MAINTENANCE THROUGHOUT THE DURATION OF THE PROJECT.
4. THE CONTRACTOR WILL BE LIABLE FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATE OWNED AND MAINTAINED ROAD CAUSED BY THE CONTRACTOR'S GRADING ACTIVITIES, AND WILL BE RESPONSIBLE FOR THE CLEANUP OF ANY MATERIAL SPILLED ON ANY PUBLIC ROAD ON THE HAUL ROUTE. ADJACENT PUBLIC ROADS SHALL BE CLEANED AT THE END OF EACH WORKING DAY.
5. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE OPERABLE YEAR ROUND OR UNTIL VEGETATION IS ESTABLISHED ON LANDSCAPED SURFACES.
6. DURING THE RAINY SEASON, ALL PAVED AREAS ARE TO BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE IS TO BE MAINTAINED SO AS TO MINIMIZE SEDIMENT-LADEN RUNOFF TO ANY STORM DRAIN SYSTEM.
7. ALL EROSION CONTROL FACILITIES MUST BE MONITORED AS REQUIRED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (CRWQCB). ALL SLOPES SHALL BE REPAIRED AS SOON AS POSSIBLE WHEN DAMAGED. CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPS) – PROJECT CONSTRUCTION AND DEMOLITION ACTIVITIES SHALL COMPLY WITH THE CITY'S STORM WATER BEST MANAGEMENT PRACTICES FOR CONSTRUCTION. SEE THE CITY WEBSITE AT: HTTP://WWW.CITYOFSANTACRUZ.COM/HOME/SHOWDOCUMENT?DID=6031.
8. BORROW AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES (TARPS, FIBER ROLLS, SILT FENCES, ETC.) TO ENSURE SILT DOES NOT LEAVE THE SITE OR ENTER THE STORM DRAIN SYSTEM

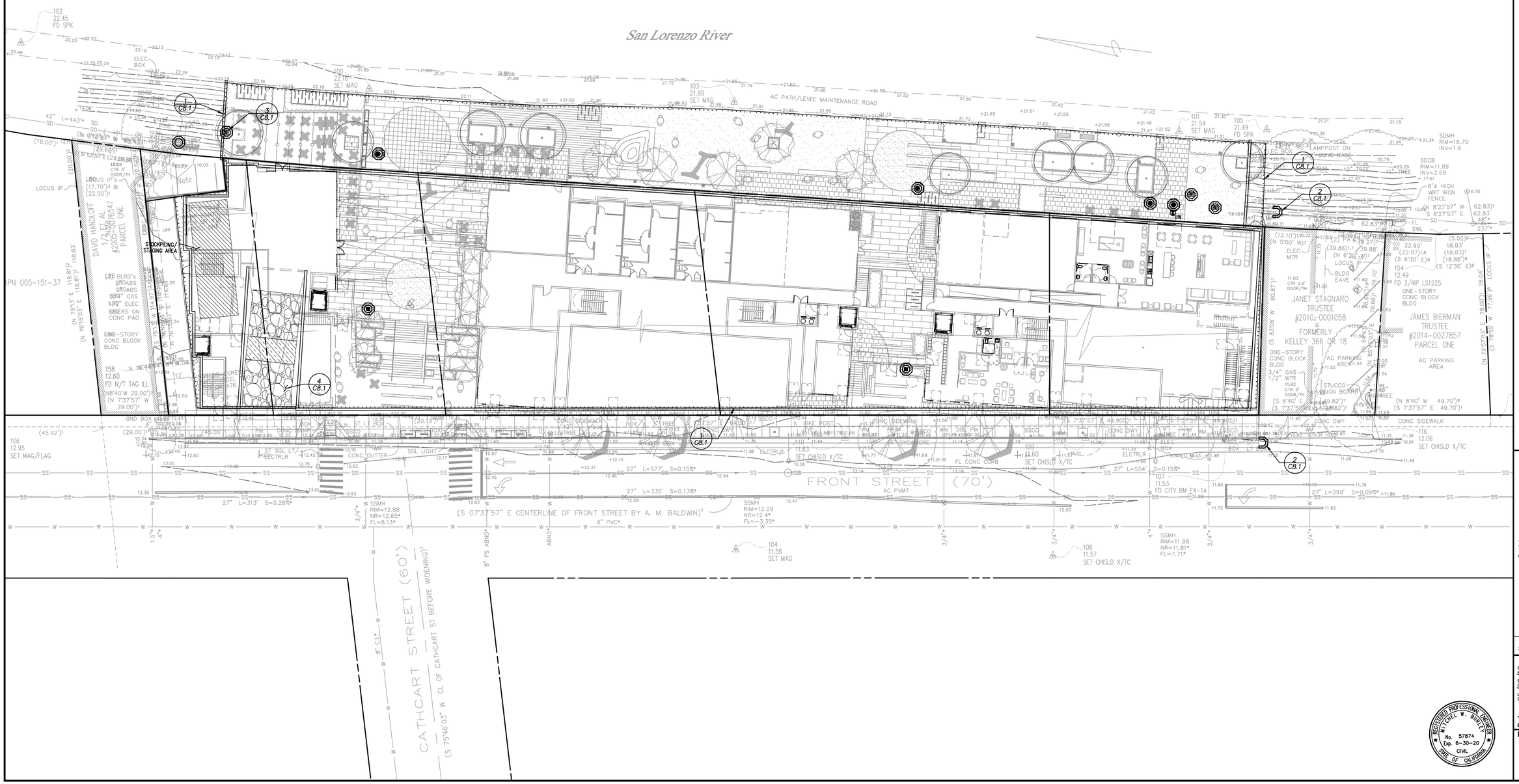
LEGEND

- PROPERTY LINE
- FIBER ROLL; SEE DETAIL 1 ON SHEET C8.1
- X — X — TEMPORARY 6' CONSTRUCTION FENCE
- STABLIZED CONSTRUCTION ENTRANCE/EXIT SEE DETAIL 4 ON SHEET C8.1
- ENTRANCE/EXIT TIRE WASH SEE DETAIL 4 ON SHEET C8.1
- STORM DRAIN INLET PROTECTION, SEE DETAIL 3 ON SHEET C8.1
- INLET PROTECTION, SEE DETAIL 2 ON SHEET C8.1

1" = 20'

GRAPHIC SCALE

20 0 20 40



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PLOTTED BY: BUR
PLOT DATE: 05-20-19

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SANTA CRUZ

Revisions

No.	

Date 05/20/19
Scale 1" = 20'
Design MWB
Drawn .
Approved .
Job No 20176131

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BURLEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
C8.1
10 OF 13

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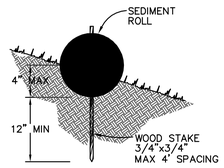
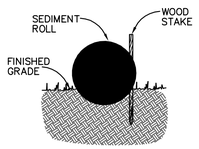


ENTRENCHMENT DETAIL IN SLOPE AREA



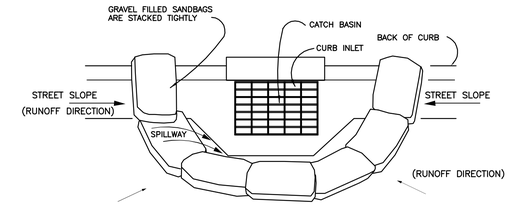
ENTRENCHMENT DETAIL IN FLAT AREA

NOTES:

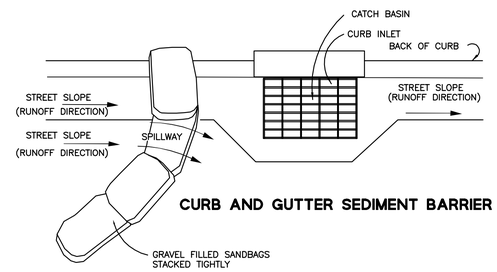
1. USE REED & GRAHAM, INC. GEOSYNTHETICS STRAW WATTLE FIBER ROLL (COMES IN 9" X 25' ROLLS) OR APPROVED EQUIVALENT.
2. FIBER ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE FIBER ROLL IN A TRENCH, 3" – 5" DEEP, DUG ON CONTOUR.
3. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND FIBER ROLL. THE TOP OF THE STRUCTURE (PONDING HEIGHT) MUST BE WELL BELOW THE GROUND ELEVATION DOWNSLOPE TO PREVENT RUNOFF FROM BY-PASSING THE INLET.
4. EXCAVATION OF A BASIN ADJACENT TO THE DROP INLET OR A TEMPORARY DIKE ON THE DOWNSLOPE OF THE STRUCTURE MAY BE NECESSARY. IN PAVED AREAS, USE SAND BAGS TO SECURE FIBER ROLLS IN PLACE OF WOOD STAKE.

1 – FIBER ROLL

SCALE: NTS



CURB INLET SEDIMENT BARRIER



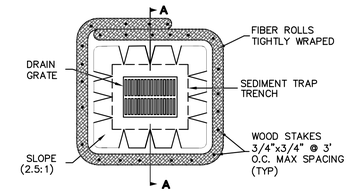
CURB AND GUTTER SEDIMENT BARRIER

NOTES:

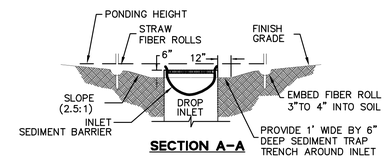
1. PLACE CURB TYPE SEDIMENT BARRIERS ON GENTLY SLOPING STREETS, WHERE WATER CAN POND AND ALLOW SEDIMENT TO SEPARATE FROM RUNOFF.
2. SANDBAGS OF EITHER BURLAP OR WOVEN GEOTEXTILE FABRIC, ARE FILLED WITH GRAVEL, LAYERED AND PACKED TIGHTLY
3. LEAVE ONE SANDBAG GAP IN THE TOP ROW TO PROVIDE A SPILLWAY OVERFLOW. TOP OF SPILLWAY SHALL BE LOWER THAN TOP OF CURB.
4. INSPECT BARRIERS AND REMOVE SEDIMENT AFTER EACH STORM EVENT, SEDIMENT AND GRAVEL MUST BE REMOVED FROM THE TRAVELED WAY IMMEDIATELY.
5. REMOVE BAG AND FILTER FABRIC ONCE CONSTRUCTION IS COMPLETE.
6. INSTALL FILTREX SOX WITH MIRAFI FABRIC, APPROPRIATELY SIZED AND SECURED, UNDER THE STORM DRAIN INLET GRATE.

2 – INLET PROTECTION (TYPE A)

SCALE: NTS



PLAN VIEW



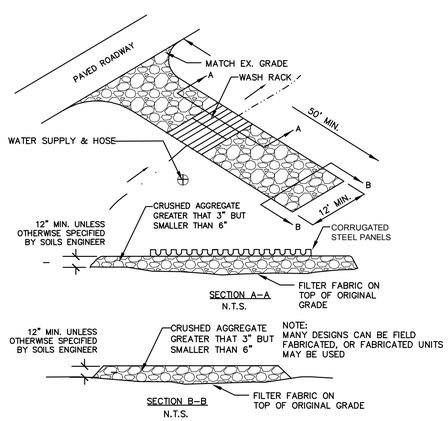
SECTION A–A

NOTE:

1. PLACE FIBER ROLLS AROUND THE INLET CONSISTENT WITH BASIN SEDIMENT BARRIER DETAIL ON THE SHEET. FIBER ROLLS ARE TUBES MADE FROM STRAW BOUND WITH PLASTIC NETTING. THEY ARE APPROXIMATELY 8" DIAMETER AND 20–30 FEET LONG.

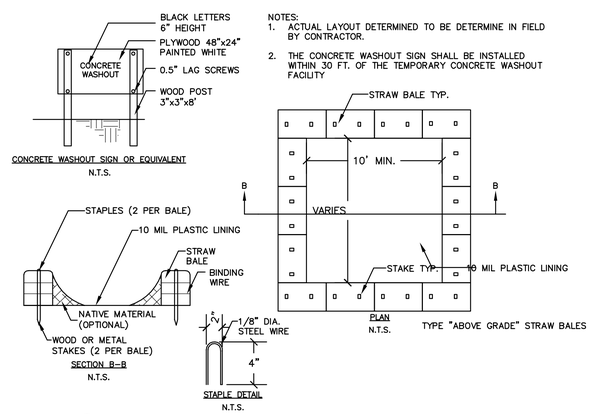
3 – INLET PROTECTION (TYPE B)

SCALE: NTS



4 – ENTRANCE / OUTLET TIRE WASH

SCALE: NTS



6 – CONCRETE WASTE MANAGEMENT

SCALE: NTS

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Revisions

No.	

Date 05/20/19
Scale AS SHOWN
Design MWB
Drawn .
Approved .
Job No 20176131

REGISTERED PROFESSIONAL ENGINEER MITCHEL W. BUSLEY No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

Drawing Number:
C8.2

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFC\VILPLANS01.dwg
PLOT DATE: 05-20-19 PLOTTED BY: BUR

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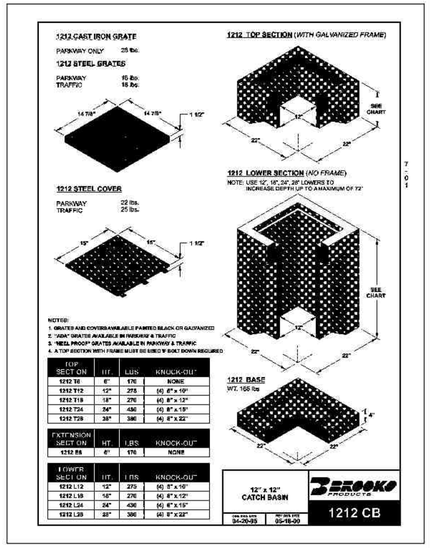
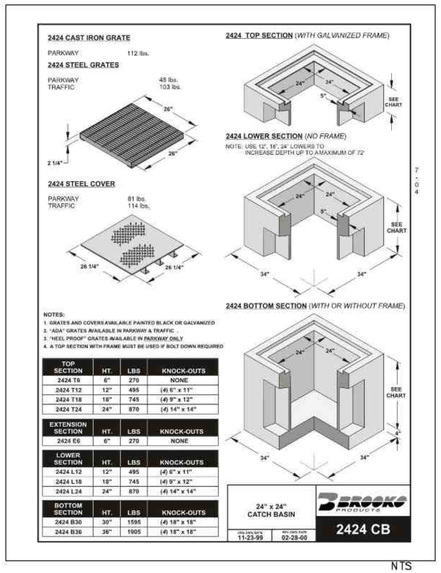
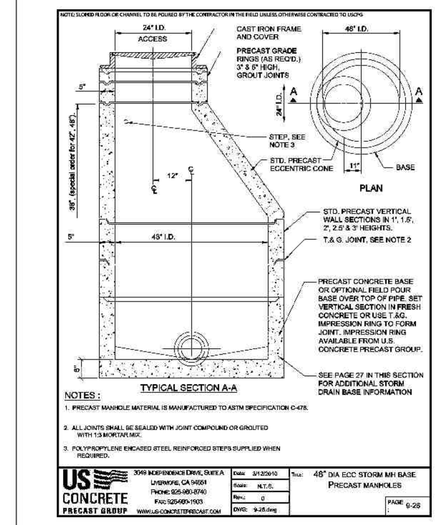




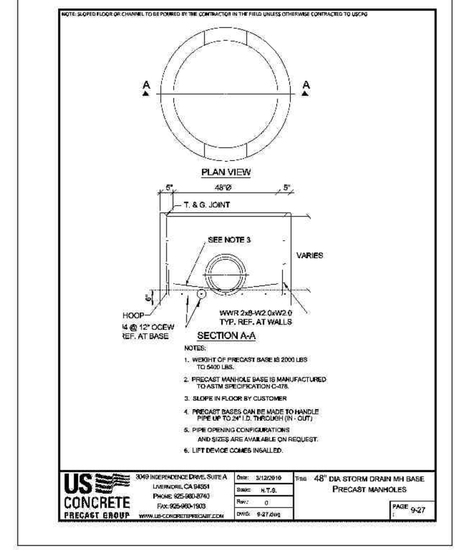
NTS

1 CATCH BASIN/ DROP INLET/ JUNCTION BOX DETAIL



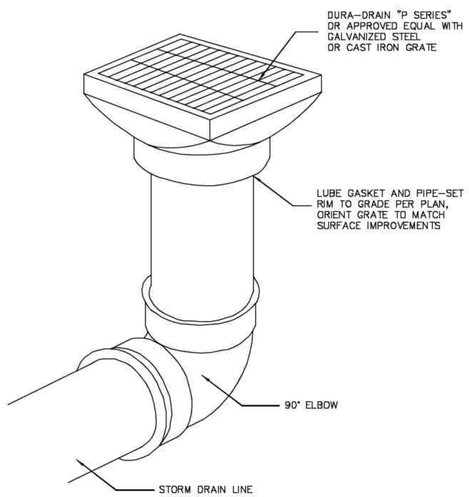
NTS

2 STORM DRAIN MANHOLE



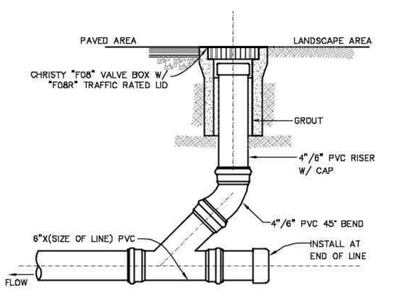
NTS

3 SDMH BASE



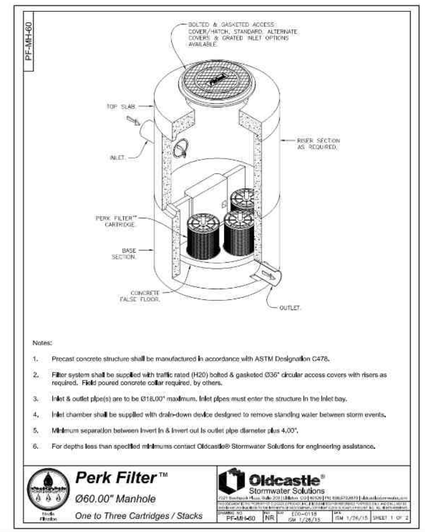
NTS

4 LANDSCAPE AREA DRAIN



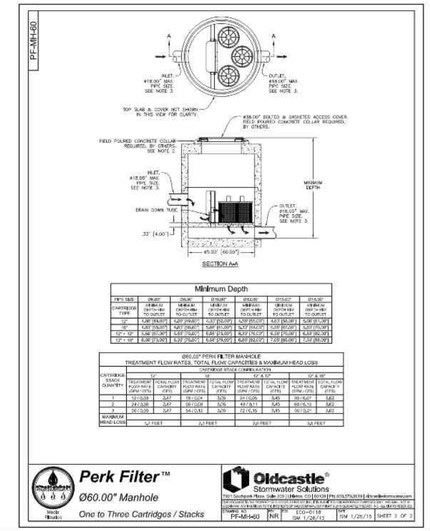
NTS

5 STORM DRAIN/SANITARY SEWER CLEANOUT



NTS

6 SD TREATMENT MANHOLE



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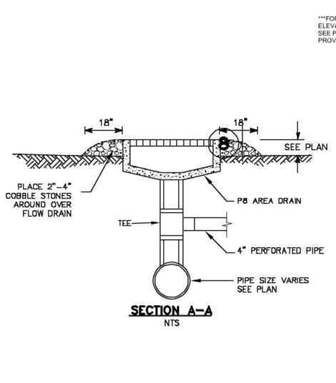
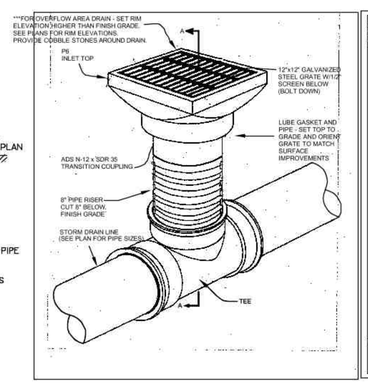
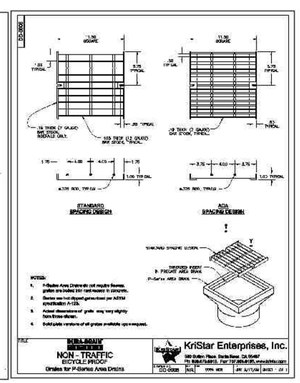


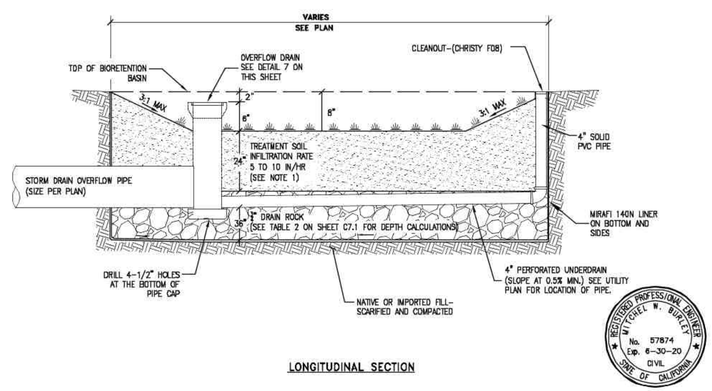




7 OVERFLOW DRAIN

NOTES

1. TREATMENT SOIL MIX SHALL MEET REQUIREMENTS AS SPECIFIED IN CHAPTER 6B OF THE BEST MANAGEMENT PRACTICES MANUAL FOR THE CITY OF SANTA CRUZ.
2. THE BIOTREATMENT SOIL MIX USED IN ALL BIORETENTION AREAS SHALL COMPLY WITH THE SPECIFICATIONS IN ATTACHMENT L OF THE RWQCB MUNICIPAL REGIONAL PERMIT. IF THE BIOTREATMENT SOIL MIX SUPPLIER IS INCLUDED ON SCVURPPP'S "BIOTREATMENT SOIL MIX SUPPLIER LIST" (SUPPLIER LIST), A BIOTREATMENT SOIL MIX SUPPLIER CERTIFICATION STATEMENT (CERTIFICATION STATEMENT) SHALL BE COMPLETED BY THE SUPPLIER AND SUBMITTED TO THE CITY/PROJECT ENGINEER A MINIMUM OF 14 DAYS PRIOR TO DELIVERY OF THE MATERIAL TO THE JOB SITE. IF THE BIOTREATMENT SOIL MIX SUPPLIER IS NOT INCLUDED ON THE SUPPLIER LIST, A BIOTREATMENT SOILS MIX VERIFICATION CHECKLIST (VERIFICATION CHECKLIST) SHALL BE COMPLETED BY THE SUPPLIER AND SUBMITTED TO THE CITY/PROJECT ENGINEER A MINIMUM OF 14 DAYS PRIOR TO DELIVERY OF THE MATERIAL TO THE JOB SITE. COPIES OF THE SUPPLIER LIST, CERTIFICATION STATEMENT AND VERIFICATION CHECKLIST CAN BE DOWNLOADED FROM THE COUNTYWIDE PROGRAM'S WEBSITE AT HTTP://WWW.SCVURPPP-W2K.COM/ND_WP.SHTML
3. PERFORATED PIPE SHALL BE SOLVENT WELD PVC SDR 35 (OR APPROVED EQUAL) WITH PERFORATIONS FACED DOWN. LOCATION OF THE PIPE VARIES, SEE PLAN.
4. FOR ANY LINER PENETRATIONS, RADIAL-CUT THE LINER FOR PIPE. MASTIC AND SEAL WITH PIPE CLAMP TO INSURE WATER-TIGHT SEAL.
5. MAINTAIN SPECIFIED DEPTH BENEATH PERFORATED PIPE.



8 BIORETENTION BASIN DETAIL

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Approved .
Job No 20176131

Drawing Number: C9.1

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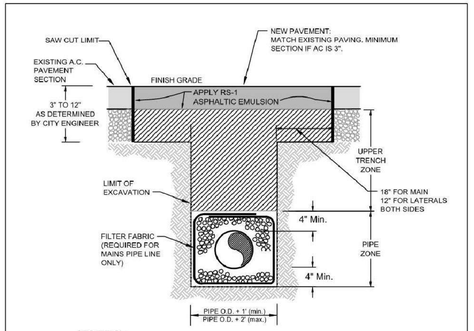


NOTES:

THIS DETAIL APPLIES TO ALL EXCAVATIONS IN CITY STREETS OR SIDEWALKS.

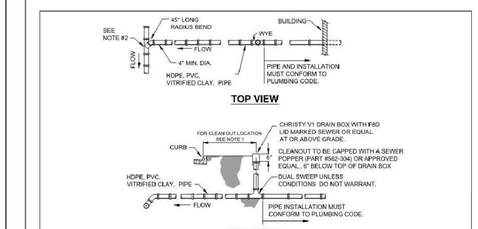
1. ***PIPE ZONE BACK FILL SHALL BE:***
   - **A.** ¾" CRUSHED OR ANGULAR ROCK WITH 100% PASSING 1", 90-100% PASSING 3/4", 0-30% PASSING NO. 4 SIEVE, AND 0-10% PASSING NO. 8 SIEVE.
   - **B.** ROCK SHALL BE ENVELOPED WITH FILTER FABRIC FOR MAIN PIPE ONLY.
2. ***UPPER TRENCH MATERIAL SHALL BE:***
   - **A.** CLSM (2 SACK CEMENT SAND SLURRY); OR
   - **B.** CLASS 2 AGGREGATE BASE PER CALTRANS SPECIFICATIONS.

   IF AGGREGATE BASE IS USED THE UPPER 2' SHALL BE COMPACTED TO 95% RELATIVE COMPACTION. REMAINING MATERIAL SHALL BE COMPACTED TO 90%. A CIVIL ENGINEER HIRED BY THE CONTRACTOR MUST CERTIFY THAT COMPACTION REQUIREMENTS ARE MET.
3. ***SHOVEL-SLICE PIPE BEDDING UNDER THE HAUNCHES OF THE PIPE.***
4. ***ALL TRAFFIC STRIPPING MUST BE REINSTALLED PER CALTRANS STANDARDS.***

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	SEWER PIPE TRENCH DETAIL	DATE: MARCH 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 1 OF 20

NTS

SEWER PIPE TRENCH



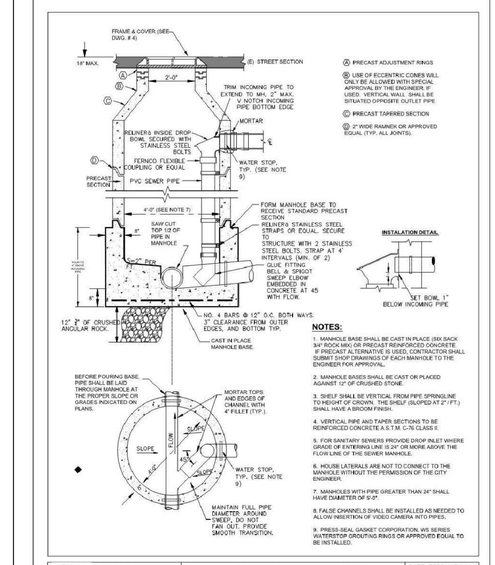
NOTES:

1. LOCATE CLEANOUT BOX IN SIDEWALK OR DRIVEWAY. IF THERE IS NO SIDEWALK LOCATE CLEANOUT 16" TO 12" BEHIND FACE OF CURB. IF LOCATED IN A DRIVEWAY, BOX SHALL HAVE A TRAFFIC RATED LID.
2. LATERAL CONNECTIONS:
   - A) **LATERAL CONNECTION TO 6" MAIN PIPELINE**: REPLACE A PORTION OF MAIN WITH A MANUFACTURED WYE.
   - B) **LATERAL CONNECTION TO 8" AND 10" MAIN PIPELINE**: CORE DRILL AND USE A ROMAC "CB" SEWER SADDLE OR USE A NDS FLEXIBLE SADDLE WHEN RECONNECTING AT EXISTING LATERAL CONNECTION LOCATION.
   - D) **LATERAL CONNECTION TO 12" AND LARGER MAIN PIPELINE**: WITH APPROVAL OF THE PUBLIC WORKS INSPECTOR, THE CONTRACTOR SHALL CORE DRILL AND USE INSERTA TEE INSTALLED BY CERTIFIED *INSERTA TEE*™ INSTALLER.
3. ANY PIPE REPAIR COUPLING SHALL BE *FERNCO* SHEER BAND WITH 24 GAUGE STAINLESS STEEL BANDS AND SHEAR BAND OR APPROVED EQUAL.
4. PIPE SHALL BE:
   - A) HDPE - SOLID WALL SDR 26, OR
   - B) PVC SDR 26 GASKET SEWER PIPE ASTM 3034, OR
   - C) VITRIFIED CLAY SEWER PIPE ASTM C 700, WITH COMPRESSION JOINT ASTM C 425
5. PROVIDE THREE FEET OF COVER UNLESS PROPER SLOPE TO SEWER MAIN DICTATES LESS COVER.
6. IF CONNECTION TO MAIN PIPELINE IS GREATER THAN 8 FEET DEEP USE A CHIMNEY CONNECTION FULLY SUPPORTED WITH A 2-SACK SLURRY.
7. SLOPE SHALL NOT BE LESS THAN ¼" PER FOOT.
8. A MINIMUM OF 2" OF BEDDING SHALL BE PROVIDED. FOLLOW CITY TYPICAL PIPE TRENCH DETAIL.
9. IF THE RIM OF ANY FIXTURE (IN THE BUILDING) IS BELOW THE ELEVATION OF THE NEXT UPSTREAM SEWER MANHOLE COVER, THEN A BACKWATER VALVE IS REQUIRED. VALVE SHALL BE LOCATED BETWEEN THE BUILDING AND CLEANOUT. USE *CLEAN CHECK* BACK FLOW PREVENTION DEVICE OR APPROVED EQUAL.
10. ALL PIPES REHABILITATED WITH THE LINING PROCESS SHALL BE TELEVISED TO SHOW THE FULL LENGTH OF LINING AND THE CONNECTION AT THE MAIN. INSPECTION SHALL BE PERFORMED WHILE THE PUBLIC WORKS INSPECTOR IS ON SITE, OR A TAPE OR DVD SHALL BE PROVIDED TO THE INSPECTOR FOR REVIEW.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	SEWER LATERAL	DATE: AUGUST 2009
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 2 OF 20

NTS

SEWER LATERAL



Ⓐ PRECAST ADJUSTMENT RINGS

Ⓑ USE OF ECCENTRIC CONES WILL ONLY BE ALLOWED WITH SPECIAL APPROVAL BY THE ENGINEER. IF USED. VERTICAL WALL SHALL BE SITUATED OPPOSITE OUTLET PIPE

Ⓒ PRECAST TAPERRED SECTION

Ⓓ 2" WIDE RAINIEK OR APPROVED EQUAL (TYP. ALL JOINTS).

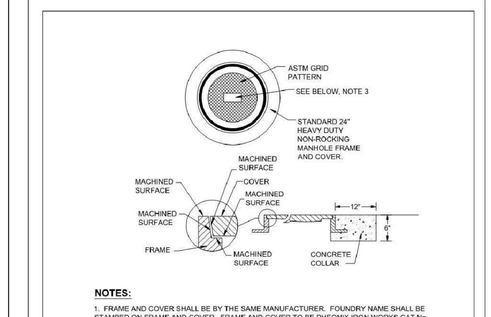
NOTES:

1. MANHOLE BASE SHALL BE CAST IN PLACE (6X6 SACK 3/4" ROCK MIX) OR PRECAST REINFORCED CONCRETE. IF PRECAST ALTERNATIVE IS USED, CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF EACH MANHOLE TO THE ENGINEER FOR APPROVAL.
2. MANHOLE BASES SHALL BE CAST OR PLACED AGAINST 12" OF CRUSHED STONE.
3. SHELF SHALL BE VERTICAL FROM PIPE SPRINGLINE TO HEIGHT OF CROWN. THE SHELF (SLOPED AT 2" / FT.) SHALL HAVE A BROOM FINISH.
4. VERTICAL PIPE AND TAPER SECTIONS TO BE REINFORCED CONCRETE A.S.T.M. C-76 CLASS II.
5. FOR SANITARY SEWERS PROVIDE DROP INLET WHERE GRADE OF ENTERING LINE IS 24" OR MORE ABOVE THE FLOW LINE OF THE SEWER MANHOLE.
6. HOUSE LATERALS ARE NOT TO CONNECT TO THE MANHOLE WITHOUT THE PERMISSION OF THE CITY ENGINEER.
7. MANHOLES WITH PIPE GREATER THAN 24" SHALL HAVE DIAMETER OF 5'-0".
8. FALSE CHANNELS SHALL BE INSTALLED AS NEEDED TO ALLOW INSERTION OF VIDEO CAMERA INTO PIPES.
9. PRESS-SEAL GASKET CORPORATION, WS SERIES WATERSTOP GROUTING RINGS OR APPROVED EQUAL TO BE INSTALLED.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	STANDARD MANHOLE	DATE: FEBRUARY 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 3 OF 20

NTS

STANDARD MANHOLE



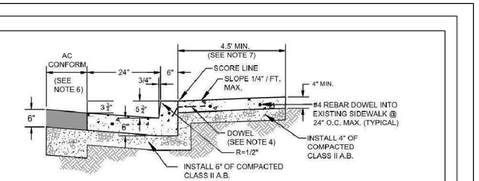
NOTES:

1. FRAME AND COVER SHALL BE BY THE SAME MANUFACTURER. FOUNDRY NAME SHALL BE STAMPED ON FRAME AND COVER. FRAME AND COVER TO BE PHEONIX IRON WORKS CAT No. P-1090, OR D & L SUPPLY No:A-1024, OR APPROVED SUBMITTED EQUAL.
2. FRAMES & COVERS SHALL BE FULLY MACHINED ON A TOTAL OF FIVE SURFACES TO ENSURE INTERCHANGABLITY AND A CLOSE, QUIET FIT. MACHINED VERTICAL SURFACES SHALL BE SLOPED.
3. COVER SHALL BE MARKED "SANITARY SEWER" OR "STORM DRAIN" AS APPROBIATE.
4. COVER SURFACE SHALL BE SKID RESISTANT PER ASTM SPECIAL PUBLICATION.
5. ALL CASTINGS SHALL BE DIPPED IN ASPHALT PAINT.
6. ALL MATERIAL USED IN MANUFACTURING SHALL CONFORM TO ASTM SPECIFICATION A159-64T-C3000 OR OR UNITED STATES GOVERNMENT SPECIFICATION QQ1-653, MANUFACTURED UNDER U.S. PATENT No. 3289556.
7. STORM DRAIN MANHOLES SHALL HAVE OPEN PICKHOLES. SANITARY SEWER MANHOLE COVERS SHALL HAVE CLOSED PICKHOLES. BOTTOM GASKETS MAY BE REQUIRED BY CITY ENGINEER ON SANITARY SEWER MANHOLE COVERS TO PREVENT INFILITRATION.
8. APPROXIMATE WEIGHT COMPONENTS: COVER - 140lbs. FRAME - 130 lbs. TOTAL - 270 lbs.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	MANHOLE FRAME AND COVER	DATE: APRIL 2003
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 4 OF 20

NTS

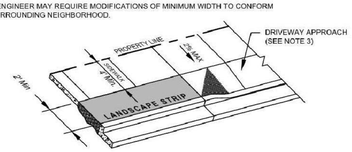
MANHOLE FRAME AND COVER



STANDARD CURB, GUTTER & SIDEWALK

NOTES:

1. ALL CONCRETE TO BE SIX SACK, CLASS "A" PLANT MIXED PCC.
2. COMPACT SUBBASE SOIL TO 95% RELATIVE COMPACTION AT OPTIMUM MOISTURE CONTENT TO A DEPTH OF 6".
3. STANDARD CURB, GUTTER AND SIDEWALK SHALL BE A MONOLITHIC POUR UNLESS CURB AND GUTTER ARE EXISTING.
4. IF ANY CURB, GUTTER OR SIDEWALK ARE EXISTING, DOWEL INTO EXISTING CONCRETE EVERY24". USE 18" LONG #4 DOWELS, INSERT 4" INTO CURB. BEND DOWEL AT BACK OF CURB AS SHOWN.
5. SCORE SIDEWALK EVERY 4 FT. PLACE EXPANSION JOINTS EVERY 60 FEET WITH DEEP JOINTS EVERY 12 FT.
6. WIDTH OF A.C. CONFORM SHALL BE A MINIMUM OF 2 FEET. A.C. CONFORM SHALL BE A MINIMUM OF 6" THICK ON TOP OF 6" OF CLASS II A.B.
7. CITY ENGINEER MAY REQUIRE MODIFICATIONS OF MINIMUM WIDTH TO CONFORM TO SURROUNDING NEIGHBORHOOD.



SIDEWALK LANDSCAPE STRIP INSTALLATION

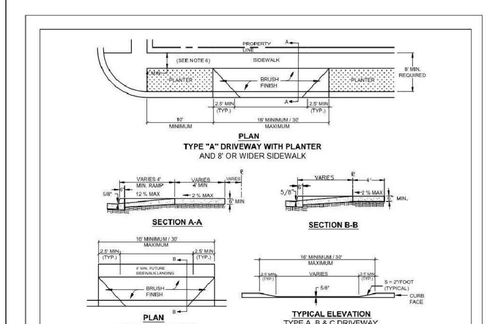
NOTES:

1. PROPERTIES THAT HAVE A 6 FT. OR GREATER PROPERTY LINE SETBACK FROM THE STREET WILL BE REQUIRED TO INSTALL A LANDSCAPE STRIP BETWEEN THE BACK OF CURB AND SIDEWALK.
2. SLOPE SIDEWALK AND LANDSCAPING STRIP TOWARD CURB AT 1/4" / FT. (2%) MAX.
3. FOR DRIVEWAY APPROACH CONSTRUCTION SEE CITY DETAIL 9 OF 23 TYPE "A" DRIVEWAY WITH PLANTER.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	CURB, GUTTER AND SIDEWALK	DATE: MARCH 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 8 OF 20

NTS

CURB, GUTTER & SIDEWALK



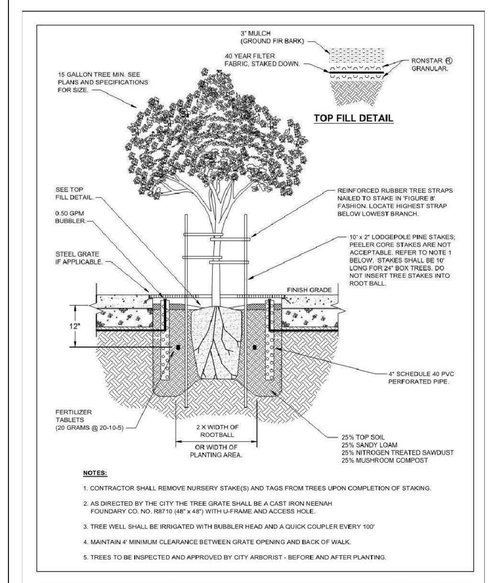
NOTES:

1. SIDEWALK AREA ADJACENT TO DRIVEWAY APPROACH SHALL HAVE A 2% CROSS SLOPE.
2. ALL CONCRETE TO BE SIX SACK, CLASS "A" CONCRETE.
3. ALL CONCRETE SHALL BE REINFORCED WITH #4 BARS AT 18" O.C. BOTH WAYS OR WELDED WIRE MESH 4"X4" W4XW4.
4. MAINTAIN 2" OF COVER FOR REINFORCEMENT.
5. NATIVE SUBBASE SHALL BE COMPACTED. IF MATERIAL IS SILT OR CLAY IT SHALL BE "FIRM" ACCORDING TO ASTM. OTHERWISE EXCAVATE TO 12" BELOW FINISH GRADE AND REPLACE WITH CLASS II AGGREGATE BASE AND COMPACT.
6. WIDTH MAY BE REDUCED TO 3' WITH APPROVAL FROM THE CITY ENGINEER.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	DRIVEWAY APPROACH	DATE: APRIL 2003
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 9 OF 20

NTS

DRIVEWAY APPROACH DETAIL



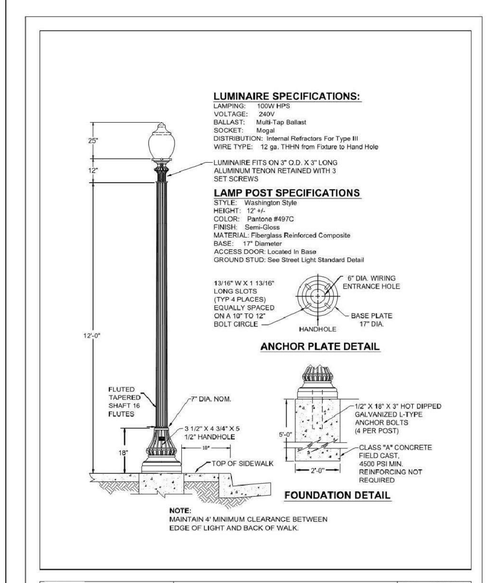
NOTES:

1. CONTRACTOR SHALL REMOVE NURSERY STAKE(S) AND TAGS FROM TREES UPON COMPLETION OF STAKING.
2. AS DIRECTED BY THE CITY THE TREE GRATE SHALL BE A CAST IRON NEENAH FOUNDARY CO. NO. R3710 (48" x 48") WITH U-FRAME AND ACCESS HOLE.
3. TREE WELL SHALL BE IRRIGATED WITH BUBBLER HEAD AND A QUICK COUPLER EVERY 100'
4. MAINTAIN 4' MINIMUM CLEARANCE BETWEEN GRATE OPENING AND BACK OF WALK.
5. TREES TO BE INSPECTED AND APPROVED BY CITY ARBORIST - BEFORE AND AFTER PLANTING.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	TREE PLANTING DETAIL	DATE: MARCH 2011
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 15 OF 20

NTS

TREE PLANTER



NOTE:
MAINTAIN 4' MINIMUM CLEARANCE BETWEEN EDGE OF LIGHT AND BACK OF WALK.

CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	DECORATIVE STREET LIGHTING	DATE: APRIL 2003
	CITY ENGINEER:	SCALE: NONE
		DWG NO. 17 OF 20

NTS

DECORATIVE STREET LIGHTING

REGISTERED PROFESSIONAL ENGINEER MITCHELL W. BURLE No. 57874 Exp. 6-30-20 CIVIL STATE OF CALIFORNIA

BKF 100 YEARS
1730 NORTH FIRST ST., SUITE 600
SAN JOSE, CA 95112
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CITY DETAILS
SANTA CRUZ COUNTY, CALIFORNIA

SANTA CRUZ

Revisions | No.

Date 05/20/19
Scale AS SHOWN
Design MWB
Drawn .
Approved .
Job No 20176131

Drawing Number: C9.2

13 OF 13

DRAWING NAME: K:\2017\176131_Riverfront_Apt_Santa_Cruz\ENG\BASE_FILES\RFCIVILPLANS01.dwg
PLOT DATE: 05-20-19 PLOTTED BY: BUR

RESOLUTION NO. NS-28,621

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ACKNOWLEDGING THE ENVIRONMENTAL DETERMINATION, ACCEPTING THE VOLUME III HISTORIC BUILDING SURVEY AS A BACKGROUND PLANNING DOCUMENT AND ADOPTING AMENDMENTS TO THE CITY HISTORIC BUILDING LIST

WHEREAS, Volume III of the City Historic Building has been prepared to implement General Plan policies which call for the continual update of the City's survey of historic properties; and

WHEREAS, all properties included in the Volume III Survey meet historic criteria listed in Section 24.12.440 (c) of the City zoning ordinance regulations regarding historic preservation; and

WHEREAS, an historic zoning incentive ordinance (Ordinance No. 2012-19) has been adopted to grant variations to standard zoning regulations to properties which are included on the City Historic Building List; and

WHEREAS, in accordance with City Council direction, property owners of Volume III Survey properties have been advised of the historic zoning incentive ordinance and the Survey review and adoption process, and have been advised of their opportunity to "opt out" of inclusion of the City Historic Building List; and

WHEREAS, public workshops on the Volume III Survey and the related historic zoning incentive ordinance were held on December 12, 2012, and January 9, 2013; and

WHEREAS, the project qualifies for a Categorical Exemption (Class 5 – Minor Alterations in Land Use Limitations) from the provisions of the California Environmental Quality Act; and

WHEREAS, the Historic Preservation Commission conducted a public hearing on February 20, 2013, and voted unanimously to recommend City Council acceptance of the Volume III Historic Building Survey as a background planning document and adoption of amendments of the City Historic Building List as indicated on the attached Exhibit "A"; and

WHEREAS, the City Council conducted a public hearing on March 26, 2013; and

WHEREAS, the City Council now makes the following findings:

FINDINGS

With regard to the Environmental Determination

The decision-making body has considered the Categorical Exemption together with comments received during the public review process and finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the

environment, and that the Class 5 (Minor Alterations in Land Use Limitations) Categorical Exemption reflects the City's independent judgment and analysis.

With regard to the Amendment of the City Historic Building Survey, Section 24.12.440 (2)

All properties included in the Volume III Survey meet historic criteria listed in Section 24.12.440 (c) of the City zoning ordinance. The Survey was prepared by Archives and Architecture, a professional historic consulting firm, under contract with the City. Volume III property owners who have chosen to "opt out" of listing on the City Historic Building List have not been included on the list. Public hearings have been held by the Historic Preservation Commission and City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz, that it hereby acknowledges the Categorical Exemption, accepts the Volume III Historic Building Survey as a background planning document and adopts amendments to the City Historic Building List as indicated on Exhibit "A" attached hereto and made part hereof.

PASSED AND ADOPTED this 26th day of March, 2013, by the following vote:

AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson.

NOES: None.

ABSENT: None.

DISQUALIFIED: Mayor Bryant.

APPROVED: _____
Mayor

ATTEST: _____
City ~~Clerk~~ Administrator

RESOLUTION NO. NS-28,621
EXHIBIT "A"
LIST OF PROPERTIES IN VOLUME III
HISTORICAL BUILDING SURVEY
BY ADDRESS, WITH OPT-OUTS INDICATED

Street Address	APN	Vol./Page #	Name/Style	Comments**
Buildings				
114 Alhambra Avenue	010-281-10	3/23	*McKay House*	*Opt Out*
307 Berkeley Way	009-221-39	3/24	*Pilkington House*	*Opt Out*
203 Blackburn Street	004-031-10	3/25	*Trolley Car House*	*Opt Out*
1010 North Branciforte Avenue	009-234-41	3/26	*National Style House*	
423 Broadway	005-941-07	3/27	*Bowman House*	
700 Block of Broadway	010-111-14	3/28	*New Broadway Apartments*	
104 Bronson Street	011-164-06	3/29	*Santa Cruz Fruit & Olive Canning Company*	*Opt Out*
430 Caledonia Street	010-063-14	3/30	*Zamzow House*	
214 California Avenue	004-153-01	3/31	*Santa Cruz Market*	
711 California Street	006-491-09	3/32	*Howe House*	
831 California Street	006-481-06	3/33	*Wenban House*	*Opt Out*
320 Cedar Street	005-144-13	3/34	*Modern Baking Company*	*Opt Out*
517-519 Center Street	005-132-03	3/35	*All Souls Unitarian Church*	
918 Center Street	005-047-01	3/36	*Dr. Nelson Dental Office*	
313 Chestnut Street	006-502-10	3/37	*Vossberg House*	
516 Chestnut Street	005-071-20	3/38	*Stick Style House*	*Opt Out*
223 Church Street	005-072-49	3/39	*Wessendorf & Son Mortuary*	*Opt Out*
220 Cleveland Street	006-201-08	3/40	*Dickinson House*	*Opt Out*
200 Coral Street	001-044-34	3/41	*Cameron Engineering*	*Opt Out*
Delaware Avenue between Shaffer Road and Natural Bridges Drive	003-061-13/ 003-061-14	3/42	*Antonelli's Pond*	
213 Elm Street	005-147-12	3/43	*Colonial Revival Style House*	
404 Escalona Drive	006-081-41	3/44	*Canfield House*	*Opt Out*
1211 Fair Avenue	003-043-24	3/45	*Kitchen's Castle*	
122 Fern Street	008-161-13	3/46	*Oliver House*	
118 First Street	007-213-07	3/47	*Walsh House (Boca Del Cielo Inn)*	
75-81 Front Street	007-151-05	3/48	*Pacific View Court*	*Opt Out*
418 Front Street	005-151-39	3/50	*Huston & Weymouth Garage*	*Opt Out*
428 Front Street	005-151-22	3/51	*Fulmer's Furniture Store*	*Opt Out*
429 Front Street	005-152-01	3/51	*Thrash Pontiac Motors*	
514-518 Front Street	005-151-37	3/52	*Ward & Thrash Oakland & Pontiac Sales*	*Opt Out*
705/725 Front Street	005-081-59/ 005-081-60	3/53	*Santa Cruz County Jail*	
423 High Street	006-081-11	3/54	*Snyder House*	
801 High Street	006-061-09	3/55	*Messiah Lutheran Church*	*Opt Out*
900 High Street	001-022-40	3/56	*First Congregational Church*	*Opt Out*
606 Highland Avenue	001-081-42	3/57	*Wagner House*	

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* Street Addresses and Assessor's Parcel Numbers for walls, stairways, steps and curbs indicate the primary address/APN for such features which may also extend beyond the primary address/apn.

** Comment Legend: Opt Out indicates property owner submitted Opt Out form prior to February 11, 2013. Opt Out properties are not on the City Historic Property List and are therefore not subject to City historic ordinance requirements or eligible for use of historic zoning incentives.

RESOLUTION NO. NS-28,621
EXHIBIT A

LIST OF PROPERTIES IN VOLUME III
HISTORICAL BUILDING SURVEY
BY ADDRESS, WITH OPT-OUTS INDICATED

Street Address	APN	Vol./Page #	Name/Style	Comments**
Buildings				
123 Jordan Street	006-162-02	3/58	*Notley House*	
425 King Street	006-221-32	3/59	*Mission Hill Middle School*	*Opt Out*
532 King Street	006-142-08	3/60	*Church House*	
1504 King Street	002-183-01	3/60	*Lachman House*	*Opt Out*
229 Laurel Street	007-021-01	3/61	*Fosters Freeze*	*Opt Out*
1121 Laurel Street	004-011-07	3/62	*Rhein House*	*Opt Out*
1125 Laurel Street	004-011-06	3/63	*Devlin House*	
512 Lincoln Street	006-472-09	3/64	*Clark House*	*Opt Out*
120 Maple Street	005-143-16	3/65	*Heath House / First Advent Christian Church Rectory*	
220 Maple Street	005-147-06	3/66	*Gardner House*	*Opt Out*
438 Market Street	008-271-44	3/67	*Villa Maio Cottages / Sherman Villa Cottages*	*Opt Out*
226 Marnell Avenue	009-351-20	3/68	*Whaley House & Poultry Farm*	*Opt Out*
350 Mission Street	006-171-44	3/69	*First Presbyterian Church*	
1500 Mission Street	006-181-89	3/70	*McClure's Gas Station*	*Opt Out*
1604 Mission Street	002-235-20	3/71	*Bay'N Mission Market*	
1901 Mission Street	004-123-51	3/72	*County Bank of Santa Cruz*	*Opt Out*
2541 Mission Street	003-031-07	3/73	*Coast Drum & Box Company*	
111 Mott Avenue	010-283-04	3/74	*Pait House*	*Opt Out*
231 Otis Street	006-202-01	3/75	*Miller House*	
1129 Pacific Avenue	005-141-01	3/76	*Morris Abrams Store*	
1344 Pacific Avenue	005-081-35	3/77	*Palomar Hotel*	
1534 Pacific Avenue	005-051-02	3/78	*Hugo Hühn Building*	
240 River Street	008-311-35	3/79	*Petroff Motel*	*Opt Out*
538 Seabright Avenue	011-163-13	3/80	*Seabright Cash Store/Seabright Post Office*	*Opt Out*
541 Seabright Avenue	010-212-06	3/80	*Youngman Building*	
1307 Seabright Avenue	010-092-10	3/81	*Church of God Building*	
321 Second Street	007-213-04	3/82	*Modern Manor Apartments*	*Opt Out*
510 Soquel Avenue	010-051-07	3/83	*Bear Service Auto Repair*	
514 Soquel Avenue	010-051-07	3/84	*Auto Wrecking House*	
526 Soquel Avenue	010-051-51	3/85	*Medical Arts Building*	
536 -540 Soquel Avenue	010-051-12	3/86	*Cedar Medical Clinic / Walter's Prescription Pharmacy*	
555 Soquel Avenue	010-012-45	3/87	*Santa Cruz Hospital*	*Opt Out*
622 Soquel Avenue	010-561-03	3/88	*Espindola Grocery #7 (Shopper's Corner)*	
723 Soquel Avenue	010-022-37	3/89	*Kaiser Upholstery*	
910 Soquel Avenue	010-071-02	3/90	*Gebhart's Grocery Store*	
1103 Soquel Avenue	010-042-20	3/91	*Eastside Fire Station*	
1114-1116 Soquel Avenue	010-081-02	3/92	*West Coast Realty / White House Creamery*	

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RESOLUTION NO. NS-28,621
EXHIBIT A

LIST OF PROPERTIES IN VOLUME III
HISTORICAL BUILDING SURVEY
BY ADDRESS, WITH OPT-OUTS INDICATED

Street Address	**APN**	**Vol./Page #**	**Name/Style**	**Comments****
Buildings				
1127 Soquel Avenue	010-042-35	3/93	*Beeler's Hardware*	
1129 Soquel Avenue	010-042-15	3/94	*Sivley & Perry Vulcanizing*	
1134 Soquel Avenue	010-081-07	3/95	*Sommers House/ Eastside Drug Store*	
1141 Soquel Avenue	010-042-14	3/96	*Tastee Freez*	
1142 Soquel Avenue	010-081-08	3/97	*Quality Store/Ebert's*	*Opt Out*
603 Third Street	007-271-03	3/98	*Ferris-Whitcomb House*	*Opt Out*
229 Union Street	005-032-06	3/99	*Severio House*	
328 Union Street	006-402-39	3/100	*National Style Cottage*	
341 Union Street	006-401-03	3/101	*Fagen Family House*	*Opt Out*
130 Walnut Avenue	005-072-46	3/102	*W. H. Crowe & Sons Garage/ Chase Mortuary*	*Opt Out*
512 Walnut Avenue	006-431-10	3/103	*Effey/Alzina House*	
624 Walnut Avenue	006-212-18	3/104	*Daubenbiss House*	*Opt Out*
349 Washington Street	007-011-01	3/105	*Brazelton House*	
514 Washington Street	005-133-11	3/106	*Chambers House*	*Opt Out*
550 Water Street	005-252-36	3/107	*Water Street Medical Plaza*	
Building A	005-252-28	3/107	*Water Street Medical Plaza*	*Opt Out*
Building B	005-252-35	3/107	*Water Street Medical Plaza*	*Opt Out*
Building C	005-252-23	3/107	*Water Street Medical Plaza*	*Opt Out*
Building D	005-252-43 and -44	3/107	*Water Street Medical Plaza*	*Opt Out*
Building E	005-252-32	3/107	*Water Street Medical Plaza*	*Opt Out*
Building F	005-252-34	3/107	*Water Street Medical Plaza*	*Opt Out*
Building G	005-252-33	3/107	*Water Street Medical Plaza*	*Opt Out*
Building H	005-252-30	3/107	*Water Street Medical Plaza*	*Opt Out*
Building I	005-252-42	3/107	*Water Street Medical Plaza*	*Opt Out*
Building J	005-252-42	3/107	*Water Street Medical Plaza*	*Opt Out*
Building K	005-252-39/ 005-252-41	3/107	*Water Street Medical Plaza*	*Opt Out*
Building L	005-252-39	3/107	*Water Street Medical Plaza*	*Opt Out*
1055 Water Street	009-244-13	3/108	*Charm Salon/ Ferrell's Donut Shop*	
114 Wendell Street	008-093-30	3/109	*Hamber House*	*Opt Out*
112 West Cliff Drive	004-311-05	3/110	*Castagnola-Olivieri House*	*Opt Out*
116 West Cliff Drive	004-311-06	3/111	*Canepa House*	*Opt Out*
120 West Cliff Drive	004-311-07	3/112	*Dabadie-Pieracci House*	
1168 West Cliff Drive	003-292-13	3/113	*Petersen House*	
1802 West Cliff Drive	003-273-45	3/114	*Casa Mañana*	*Opt Out*

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** Comment Legend: Opt Out indicates property owner submitted Opt Out form prior to February 11, 2013. Opt Out properties are not on the City Historic Property List and are therefore not subject to City historic ordinance requirements or eligible for use of historic zoning incentives.

RESOLUTION NO. NS-28,621
EXHIBIT A

LIST OF PROPERTIES IN VOLUME III HISTORICAL BUILDING SURVEY BY ADDRESS, WITH OPT-OUTS INDICATED

Street Address*	APN*	Vol./Page #	Name/Style	Comments**
Walls, Stairways, Steps, and Curbs		3/115		
407 Cliff Street	007-112-09		*Cliff Crest wall*	
150 Emmett Street	006-362-01		*Mission Hill Wall*	
124 First Street	007-213-08		*Edric wall*	
80 Front Street (across from)	Across Third Street from 007-152-02		*Pacific Bluffs Wall*	
80 Front Street	007-152-02		*Sunshine Villa wall*	
81 Front Street	007-151-10		*Quarry and Tidestone wall and stairs*	
102 Green Street	006-404-03		*Young's wall*	
123 Green Street	006-402-18		*Reynolds-Hug wall*	
126 High Street	001-122-23		*Mission stone arch*	*Opt Out*
104 King Street	006-163-07		*D.H. Clark wall*	
110 King Street	006-163-08		*Cobblestone wall*	
405 Leibrandt Street	007-103-09		*Granite Rock wall*	*Opt Out*
121 Main Street	007-221-01		*Seabeach wall*	
315 Main Street	007-131-05		*Carmelita Cottage curb*	
2015 North Pacific Avenue	006-362-07	3/118	*Anthony's Flight stairs*	
35 Pacific Avenue (north of)	North of 004-091-25		*Blackburn Terrace wall (portion of)*	
217 Pacific Avenue	007-151-10		*Cottage Cliff stairs*	
401 Pacific Avenue (across from)	Across from 007-023-20	3/116	*Lanterncliff Wall*	
100-104 Pine Place	006-412-03/006-412-02/ 006-412-04		*Rincon Park Walls*	
308-310 Second Street	007-112-14/ 007-112-15		*Second Street wall*	
202 South Branciforte	010-132-11		*Peck Terrace Wall*	
611 Third Street	007-271-01		*Rio Vista wall*	
924 Third Street	007-033-12	3/119	*Golden Gate Wall*	
152 Walnut Avenue	005-072-48	3/117	*Pratchner wall and stairs*	
334-340 Walnut Avenue	006-421-04/ 006-421-05		*Towne wall and stairs*	
415 Walnut Avenue	006-473-01		*Santa Cruz High School wall*	
130 West Cliff Drive	004-311-08		*Jarboe's Flight & Concha Del Mar wall*	
174 West Cliff Drive	004-081-18	3/120	*Lynch House wall*	

P:\Meetings\Papers Processing\03-26-12\Reso NS-28,621 Historic Building Survey Exhibit A revised 5-13.doc

* Street Addresses and Assessor's Parcel Numbers for walls, stairways, steps and curbs indicate the primary address/APN for such features which may also extend beyond the primary address/apn.

** Comment Legend: Opt Out indicates property owner submitted Opt Out form prior to February 11, 2013. Opt Out properties are not on the City Historic Property List and are therefore not subject to City historic ordinance requirements or eligible for use of historic zoning incentives.

RESOLUTION NO. NS-28,621
EXHIBIT A

LIST OF PROPERTIES IN VOLUME III
HISTORICAL BUILDING SURVEY
BY ADDRESS, WITH OPT-OUTS INDICATED

Street Address*	APN*	Vol./Page #	Name/Style	Comments**
Hitching Posts, Hitching Rails, and Mounting Blocks				
208 Escalona Drive	006-161-17	3/122	*hitching post*	
123 Green Street	006-402-18	3/124	*mounting block*	
419 Locust Street	006-411-13	3/123	*hitching post*	
236 Ocean View Ave	010-131-21	3/125	*hitching post*	
303 Ocean View Ave	010-102-26	3/126	*hitching post*	
406 Windham Street	010-141-15	3/128	*hitching rail*	*Opt Out*

P:\Meetings\Papers Processing\03-26-12\Reso NS-28,621 Historic Building Survey Exhibit A revised 5-13.doc

* Street Addresses and Assessor's Parcel Numbers for walls, stairways, steps and curbs indicate the primary address/APN for such features which may also extend beyond the primary address/apn.

** Comment Legend: Opt Out indicates property owner submitted Opt Out form prior to February 11, 2013. Opt Out properties are not on the City Historic Property List and are therefore not subject to City historic ordinance requirements or eligible for use of historic zoning incentives.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code

Other Listings
Review Code Reviewer Date

 *Resource Name or # (Assigned by recorder): Huston & Wymouth Garage

P1. Other identifier: Jumping Monkey Cafe

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County Santa Cruz County and (P2b and P2c or P2d. Attach a location map as necessary.)

*b. USGS 7.5' Quad Santa Cruz Date Revised 1994 T .11 S.; R .2 W. ; Mount Diablo B.M.

c. Address: 418 Front St. City Santa Cruz Zip 95060

d. UTM:(give more than one for large and/or linear resources) Zone 10S ; 586894 mE/ 4092059 mN

e.Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

east side of Front Street between Laurel Street and Soquel Avenue. APN# 005-151-39

*P3a. Description: (Describe resource and its major elements, include design, material, condition, alterations, size, setting, and boundaries)

As the automobile became increasingly prevalent in urban centers during the inter-war period, commercial sales and services clusters began to appear. In Santa Cruz, this occurred primarily along Front Street. This 1925 building on Front Street was one of the first auto facilities to provide machine shop and repair service within this emerging district; it was designed by prominent local architect Lee Dill Esty.

(continued on page 4, DPR523L)

*P3b. Resource Attributes: (List attributes and codes) HP6. 1-3 story commercial building

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5b.Description of Photo: (View, date, accession #)
View facing east, 2009.

*P6. Date Constructed/Age and Source:
☒ Historic ☐ Prehistoric ☐ Both
1925, city directories, 84 years old.

*P7. Owner and Address:

*P8. Recorded By: (Name, affiliation, and address)
F. Maggi/L. Dill/J. Kusz
Archives & Architecture, LLC
PO Box 1332
San Jose, CA 95109

*P9. Date Recorded: 5/6/09

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation: (Cite survey report and other sources, or enter "none".)
Santa Cruz Historic Building Survey - Vol. III, Department of Planning and Community Development, City of Santa Cruz, 2009.

*Attachments:
☐ None ☒ Continuation Sheet ☐ District Record ☐ Rock Art Record ☐ Other (List):
☒ Location Map ☒ Building, Structure, and Object Record ☐ Linear Feature Record ☐ Artifact Record
☐ Sketch Map ☐ Archaeological Record ☐ Milling Station Record ☐ Photograph Record

DPR 523A (1/95) * Required Information

*NRHP/CRHR Status Code 3CS

Resource Name (Assigned by recorder) Huston & Wymouth Garage

B1. Historic Name: Huston & Wymouth Garage

B2. Common Name: 418 Front St. - Jumping Monkey

B3. Original Use: Commercial - auto

B4. Present Use: Mixed-use commercial

***B5. Architectural Style:** Mission Revival with Art Deco influences

***B6. Construction History:** (Construction date, alterations, and date of alterations)
Constructed 1925.

***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** n/a **Original Location:** n/a

***B8. Related Features:**
None

B9a. Architect: Lee Dill Esty

b. Builder: Unknown

***B10. Significance: Theme** Commercial Development **Area:** Downtown

Period of Significance: 1925 - 1955 **Property Type:** Commercial **Applicable Criteria:** (3)

(Discuss importance in terms of historical or architectural context as defined by theme, period and geographic scope. Also address integrity.)

As the automobile became increasingly prevalent in urban centers during the Interwar period, commercial sales and services clusters began to appear with urban areas throughout the United States. In Santa Cruz, Front Street (originally named Main Street) initially had developed as the primary downtown thoroughfare, but by the late 1860s as a part of the Wright-Foreman survey and town incorporation, it became a secondary street to the newly named Pacific Avenue. The street subsequently evolved as the city's Chinatown; this period ended with a fire in 1894 that destroyed many of the early structures. Except for the construction of the county jail and Hall of Records in the late-nineteenth century, development of Front Street remained sporadic until after World War I, when new auto sales and service uses appeared.

(continued on page 4, DPR523L)

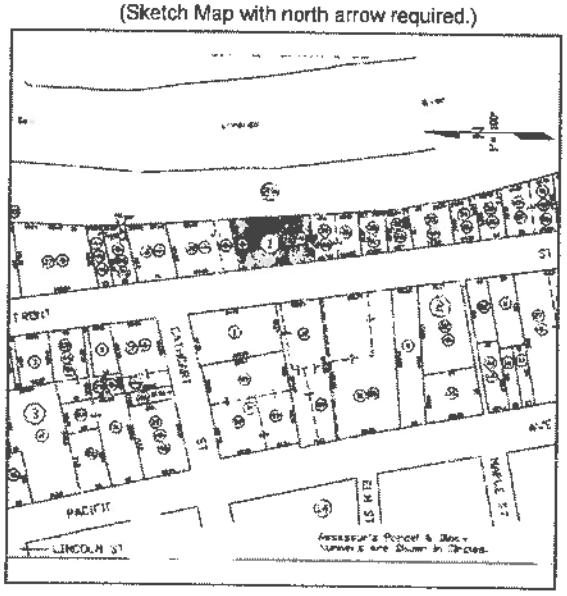
B11. Additional Resource Attributes: (list attributes and codes) None

***B12. References:**

Chase, J., Sidewalk Companion to Santa Cruz Architecture, 2005.
Lehman, S., Santa Cruz Context Statement, 2000.
Sanborn Fire Insurance Maps, 1905-1950.
Santa Cruz, Standard Map, 1929.
Santa Cruz building permits.
Santa Cruz city directories, 1924-1989.
Santa Cruz Sentinel, Huston & Weymouth Garage, 4/22/1925.
Santa Cruz (County of) Voters Registrations.

B13. Remarks: None

(Sketch Map with north arrow required.)



***B14. Evaluator:** Leslie Dill

***Date of Evaluation:** May 6, 2009

(This space reserved for official comments.)

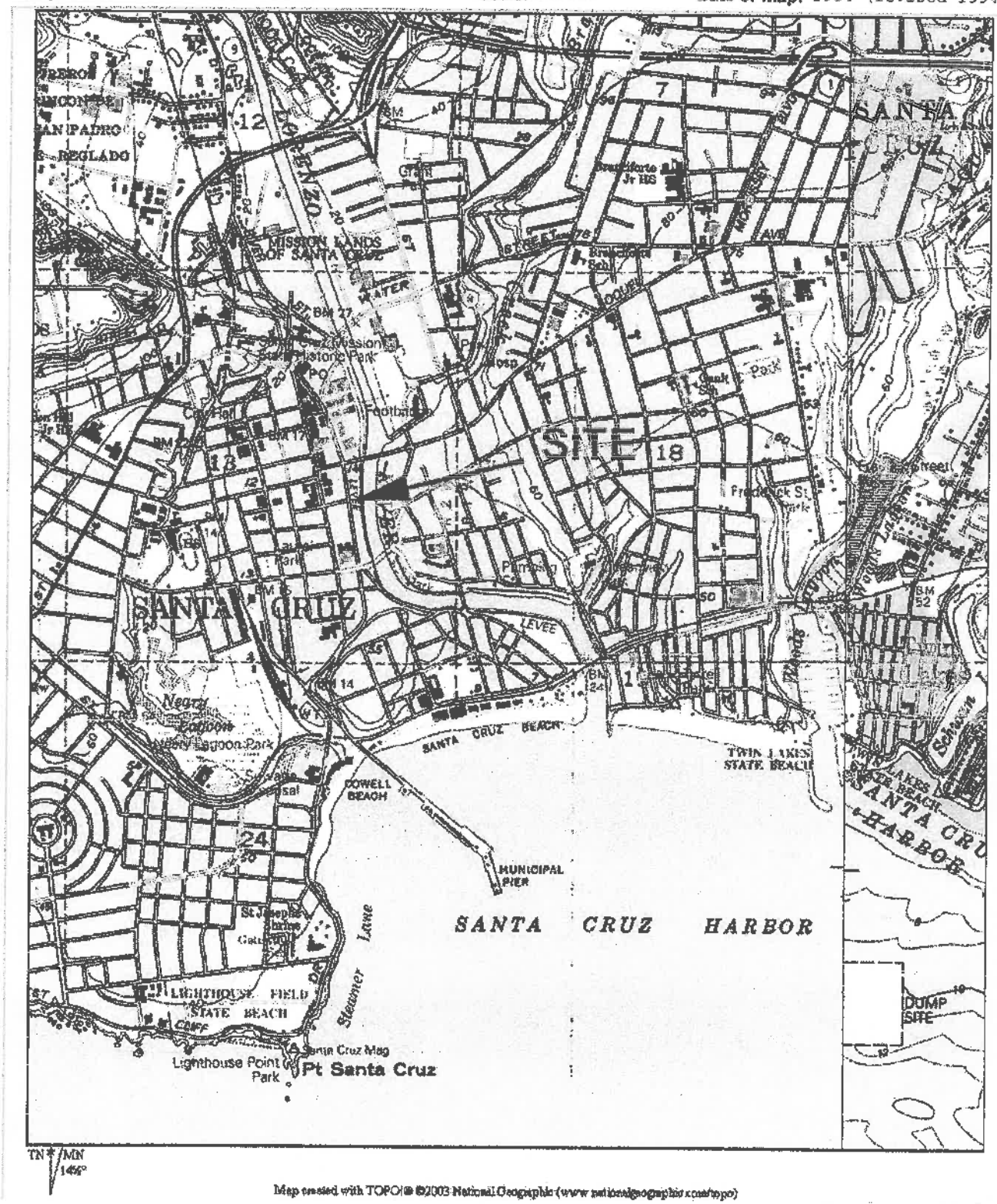
State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary #
HRI #
Trinomial

Page 3 of 5 *Resource Name or # (Assigned by recorder) Huston & Wymouth Garage

* Map Name: Santa Cruz, Calif. * Scale: n.t.s. * Date of Map: 1954 (revised 1994)



Map created with TOPO! © ©2003 National Geographic (www.nationalgeographic.com/topo)

DPR 523J (1/95)

*Required Information

(Continued from page 1, DPR523a, P3a)

After the First World War, the Eclectic Revival or Period Revival styles grew in prominence to become characteristic of both residential and non-residential construction. Such styles as Spanish Eclectic, Mission Revival, Mediterranean, and others became popular for more than a decade. Even very modest buildings such as this one-story Mission-Revival/Art Deco commercial structure include character-defining Eclectic Revival forms and detailing, including its stepped and shaped parapet wall, and its raised stucco ornament.

This one-story commercial building's rectangular footprint follows the sidewalk frontage and runs the full depth of the parcel. This building has a symmetrical Mission-Revival arched and stepped front parapet wall in front of its flat roof. The structure and exterior walls are formed concrete. The exposed north side wall has an exposed board-form pattern, and the front façade is faced with stucco. Simple, raised-stucco Art Deco ornament is applied at the front façade, including a stepped stucco coping that flanks the central segmental-arched parapet, a distinctive rasied arrowhead motif at the top of the arch, symmetrically stucco lines, squares, and diamonds at the upper wall surface, and, above the storefront, a flat stucco cornice interrupted by four additional arrowhead elements. An awning and sign conceals much of the upper wall; there may be additional detailing. The replacement storefront details include a recessed entry centered between a pair of large display windows. The windows are compatible with the original building; they have transom windows above large fixed windows. They are made of recent materials and with modern muntin profiles. The windows have stucco bulkheads that are possibly original. The south-side wall abuts the neighboring building to the south at 412 Front Street.

(Continued from page 2, DPR523b, B10)

This 1925 building, previously addressed as 309 Front Street, was designed by prominent local architect Lee Dill Esty for Huston & Wymouth; it was one of the first auto facilities to provide machine shop and repair service in the city.

Huston & Wymouth remained at this site for about 30 years. By the early 1950s the business had changed to Taurus Manufacturing Company that continued the machine shop use. The machine-shop use ended in 1960 when the Prolo Chevrolet dealership moved their paint shop into the building in conjunction with use of the adjacent building to the south as an auto body shop.

The mid-1960s saw the beginning of a change in land use along Front Street as the city was undergoing a rapid outward expansion period. The building remained vacant for a number of years, but was converted to retail commercial uses and a dance studio in 1984. Those types of downtown commercial uses continue today; the building has been renovated and is presently occupied by the Jumping Monkey Cafe, a vegetarian restaurant specializing in natural Indian food.

(Continued on next page)

(Continued from previous page)

Lee Dill Esty, architect

The Mission Revival design by Lee Dill Esty is a distinctive example of his work. Lee Dill Esty was born in Maine in 1876 and came to Santa Cruz in 1879. The son of J. D. Esty, an early Santa Cruz County Supervisor, Lee Dill Esty was associated with the early Arts and Crafts movement and was an early employee of Julia Morgan. In Santa Cruz, he designed the Pogonip Club House, the replica of the Santa Cruz Mission, Santa Cruz City Hall, Modern Baking Company and various auto-related buildings in downtown Santa Cruz. He also designed private residences in Santa Cruz County. In 1931, he went into business with C.J. Ryland and D.M. McPhetres. Lee Dill Esty died in 1943.

SIGNIFICANCE

The property was found eligible for the California Register of Historical Resources under Criteria (3). The building is not individually significant to the development of the downtown area. Although it was one of a number of auto-oriented uses along Front Street, the important pattern of development of this portion of the downtown has lost much of its historic setting, and thus would not appear to be eligible under Criterion (1). The personages associated with the original auto dealership on this property are not known to be historically significant, therefore the property would not appear to be eligible under Criterion (2) with information available. The building is a distinctive representative of its time - an architect-designed Mission Revival-style commercial building, and appears eligible under Criterion (3).

When considered for listing within the Historic Building Survey of the City of Santa Cruz, the property meets the following criteria:

1. The building is a significant example of the built heritage of the city as a representative of 1920s buildings constructed to serve the emerging auto service industry;
5. The building possesses special aesthetic merit and value due to its quality of architecture, retaining sufficient features that show its architectural significance;
6. The building possesses distinctive stylistic characteristics of Mission Revival; and
7. The building retains sufficient integrity to accurately convey its significance.

Integrity

The property maintains most of its historical integrity as per the National Register's seven aspects of integrity. It maintains its original location on Front Street, in downtown Santa Cruz at the edge of the San Lorenzo River; it is still surrounded by much, but not all of its apparent historic setting, including surrounding commercial buildings of similar age, scale and design and parcels with similar setbacks, parking, and streetscape. It retains its early-twentieth-century commercial scale and feeling and continues, through its form, massing and detailing, to illustrate its associations with minor patterns of commercial design in the twentieth century. Although altered, the front façade retains its integrity with Mission-Revival style, including the shaped parapet and unusual Art Deco ornamentation. The storefront alterations are compatible with the original character-defining materials and workmanship, and the integrity of the subject property appears to have been preserved.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code

Other Listings
Review Code Reviewer Date

 *Resource Name or # (Assigned by recorder): Fulmer's Furniture Store

P1. Other identifier: University Copy

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County Santa Cruz County and (P2b and P2c or P2d. Attach a location map as necessary.)

*b. USGS 7.5' Quad Santa Cruz Date Revised 1994 T .11 S. ; R .2 W. ; Mount Diablo B.M.

c. Address: 428 Front St. City Santa Cruz Zip 95060

d. UTM:(give more than one for large and/or linear resources) Zone 10S ; 586876 mE/ 4092161 mN

e.Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

east side of Front Street between Laurel Street and Soquel Avenue. APN# 005-151-22

*P3a. Description: (Describe resource and its major elements, include design, material, condition, alterations, size, setting, and boundaries)

This Art Moderne commercial building was constructed in 1948 as an automobile shop. This use is associated with the Front Street area's long-term concentration of auto sales and showrooms, garages, and automotive supply stores. These uses were prevalent on this street beginning in the 1920s and lasted into the early 1980s. The building at 428 Front St. is a clear representation of this style, known for its use of "Modern" materials (including concrete, steel, plate glass and, often, contrasting stone, brickwork, or, in this case, glass block) unembellished and primarily horizontal compositions, often formed with two or three discrete, geometric volumes.

(continued on page 4, DPR523L)

*P3b. Resource Attributes: (List attributes and codes) HP6. 1-3 story commercial building

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5b.Description of Photo: (View, date, accession #)
View facing east, 2009.

*P6. Date Constructed/Age and Source:
☒ Historic ☐ Prehistoric ☐ Both
1948, building permit, 61 years old.

*P7. Owner and Address:

*P8. Recorded By: (Name, affiliation, and address)
F. Maggi/L. Dill/J. Kusz
Archives & Architecture, LLC
PO Box 1332
San Jose, CA 95109

*P9. Date Recorded: 5/6/09

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation: (Cite survey report and other sources, or enter "none".)
Santa Cruz Historic Building Survey - Vol. III, Department of Planning and Community Development, City of Santa Cruz, 2012.

*Attachments:
☐ None ☒ Continuation Sheet ☐ District Record ☐ Rock Art Record ☐ Other (List):
☒ Location Map ☒ Building, Structure, and Object Record ☐ Linear Feature Record ☐ Artifact Record
☐ Sketch Map ☐ Archaeological Record ☐ Milling Station Record ☐ Photograph Record

DPR 523A (1/95) * Required Information

BUILDING, STRUCTURE, AND OBJECT RECORD

 *NRHP/CRHR Status Code 3CS

Resource Name (Assigned by recorder) Fulmer's Furniture Store

B1. Historic Name: Fulmer's Furniture Store

B2. Common Name: 428 Front St. - University Copy/Yoga Center

B3. Original Use: Auto repair B4. Present Use: Commercial mixed-use

***B5. Architectural Style:** Art Moderne

***B6. Construction History:** (Construction date, alterations, and date of alterations)

Constructed in 1948.

***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** n/a **Original Location:** n/a

***B8. Related Features:**

None.

B9a. Architect: Unknown b. Builder: Orlo Hackbarth

***B10. Significance: Theme** Commercial Development **Area:** Downtown

Period of Significance: 1948 - 1954 **Property Type:** Commercial **Applicable Criteria:** (3)

(Discuss importance in terms of historical or architectural context as defined by theme, period and geographic scope. Also address integrity.)

This building was constructed in 1948 by contractor Orlo Hackbarth as an auto body shop. The building (formerly addressed as 295 Front St.) only served this function for two years before it was occupied by Fulmer's Furniture Store in 1950.

In Santa Cruz, Front Street (originally named Main Street) was initially developed as the primary downtown thoroughfare. In 1866, Thomas Wright and Solomon Foreman completed a survey (which became the two-part "Official Map of Santa Cruz" and "Official Map B of Santa Cruz") and Front Street then became a secondary street to the newly-named Pacific Avenue. Front Street then subsequently evolved as Santa Cruz's Chinatown; this period ended with a fire in 1894 that destroyed many of the early structures. Further development of Front Street remained sporadic until after 1918 (with the exception of construction of the County jail and Hall of Records in the late nineteenth century)when structures relating to the burgeoning auto industry began appearing along here. *(continued on page 4, DPR523L)*

B11. Additional Resource Attributes: (list attributes and codes) None

***B12. References:**

City of Santa Cruz building permits.
City of Santa Cruz Standard Map, 1929.
Lehmann, Susan. Historic Context Statement for City of Santa Cruz. 2000.
Polk. R. L., Santa Cruz City Directory. 1940-1989.
Sanborn Fire Insurance Maps, 1905-1950.
Santa Cruz Sentinel, Plans for Furniture Store, 8/4/1946.

(Continued on page 5, DPR523L)

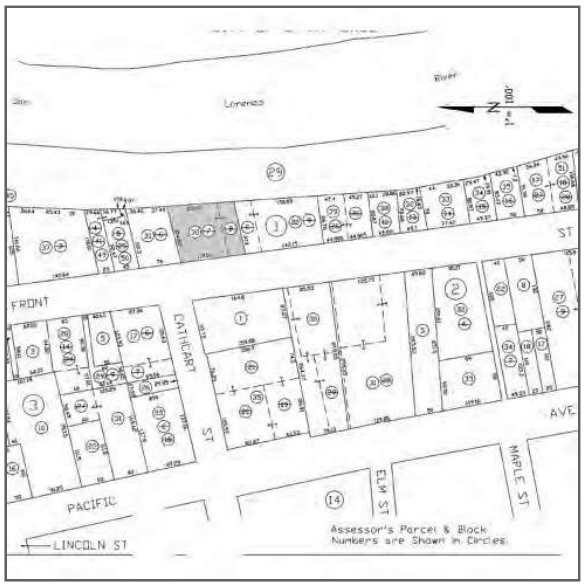
B13. Remarks: None

***B14. Evaluator:** Leslie Dill

***Date of Evaluation:** May 6, 2009

(This space reserved for official comments.)

(Sketch Map with north arrow required.)



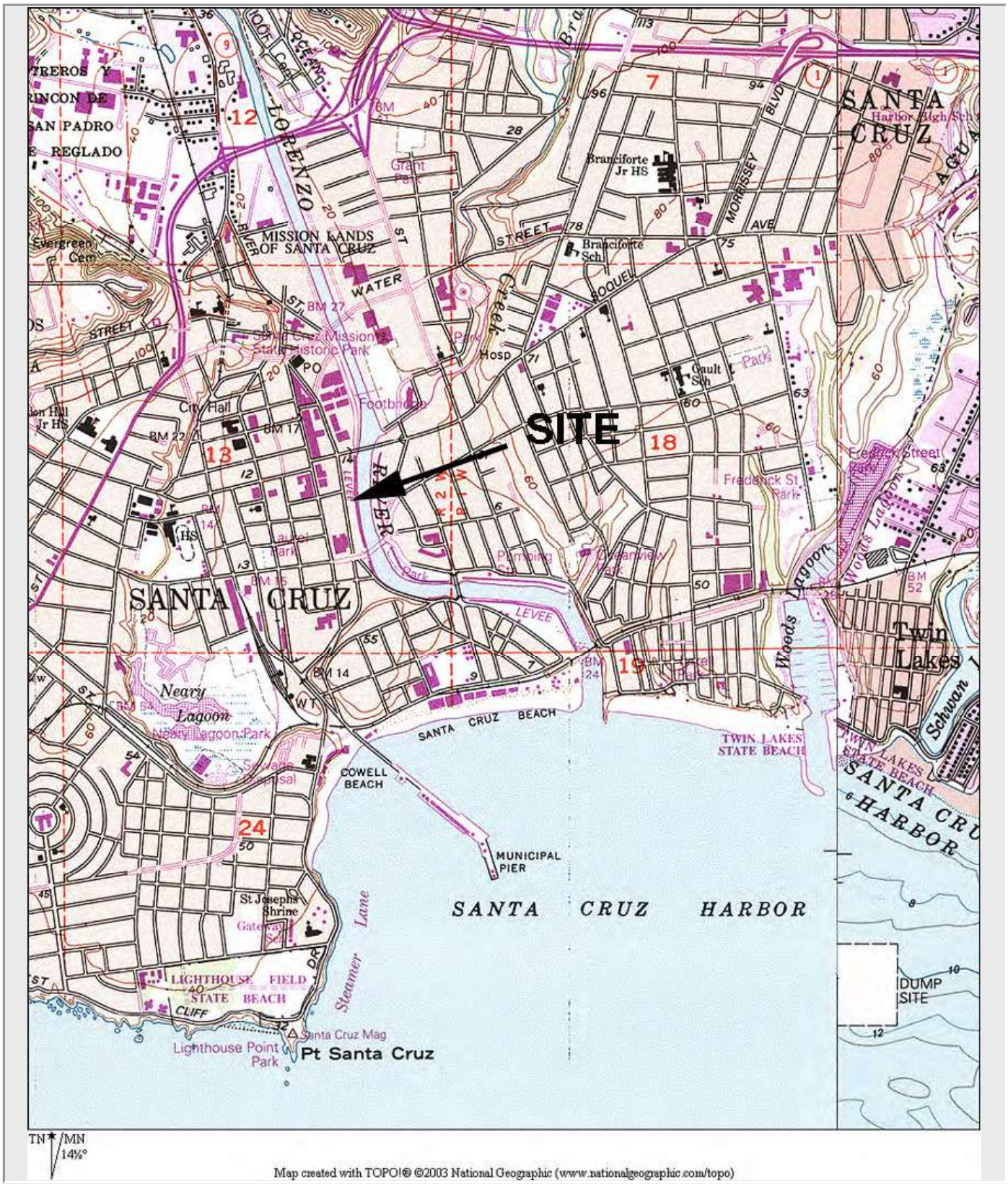
State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary #
HRI #
Trinomial

Page 3 **of** 5 ***Resource Name or #** (Assigned by recorder) Fulmer's Furniture Store

***Map Name:** Santa Cruz, Calif. ***Scale:** n.t.s. ***Date of Map:** 1954 (revised 1994)



CONTINUATION SHEET

(Continued from page 1, DPR523a, P3a Description)
The building has a symmetrical composition: the outer corners, originally offices, are lower and set forward on the site as separate volumes. These volumes have curved inner corners that flank the main, recessed central area. Bridging between the outer corners is a slender, Streamline Moderne awning that projects forward above the sidewalk. It curves at its ends, where it meets the front wall. Beneath the awning is a character-defining display space that projects to the sidewalk, flanked by symmetrical, deeply recessed entries. This central display space is set apart visually from the rest of the storefront area by taller windows and use of distinctive materials. The roof of the central volume, originally part of a main garage and showroom, steps up from the outer wings; the central and rear garage volume is primarily utilitarian in design, with a simple parapet wall and plain upper wings walls in front of the expansive low-slope roof. The building has a large, approximately rectangular footprint that follows the sidewalk frontage as noted, and runs the full depth of the property where the parcel is slightly angled at the San Lorenzo River.

The structure and exterior walls are reinforced concrete block. The exposed north side wall has been altered with an added ribbon display window of anodized aluminum. The main front façade is faced with stucco. The header area of the central display space includes Streamline speed stripes, and the bulkhead of this area consists of ribbed glass block. The bulkheads of the outer storefronts consist of black ceramic tiles. The display windows consist of large sheets of plate glass connected by narrow painted muntins that are clearly original in their design. An integral curved sign has been installed at the center of the main parapet wall; this appears to be recent, as it is made of plywood; however, it is compatible with the overall composition.

(Continued from page 2, DPR523b, B10 Significance)
Fulmer's furniture store was owned and operated by F. Roy Fulmer. Fulmer also served as the Mayor of Santa Cruz from 1943-1946, and owned/operated various businesses in the Santa Cruz area. His wife, Maybelle B. Fulmer, was an accomplished California artist. Moving to the area in 1923 from Illinois, Fulmer first operated the Tire Service Center on Front Street and Soquel Avenue, then the Big Basin Lodge and Gift Shop, and a separate gift shop on the Boardwalk, along with Fulmer’s Furniture Store. The furniture store was co-operated by his business partner, Al Tanner, and was located on Pacific Ave. until 1950. When Fulmer opened his furniture store at 428 Front St. in 1950, it was billed as Santa Cruz’s largest furniture store at the time. In 1954, Fulmer left the furniture business to focus on his other business pursuits. The store was sold to R. O. McMahan, a businessman from Fresno who owned a chain of 88 furniture stores throughout California. The store was then renamed Haber’s Thrift Store and sold used furniture. It remained in operation until at least 1977. By 1988, the property was occupied by the Appliance Service Center and University Copy.

SIGNIFICANCE
The property was found eligible for the California Register of Historical Resources under Criterion (3). The building is not individually significant to the development of the downtown area, and although it was one of a number of auto-oriented uses along Front Street, the important pattern of development of this portion of the downtown has lost much of its historic setting, and thus would not appear to be eligible under Criterion (1). The personages associated with the original auto body shop on this property are not known to be historically significant, therefore the property would not appear to be eligible under Criterion (2) based upon the current information available. The building is a distinctive representative of its time as an Art Moderne commercial building, and appears eligible under Criterion (3).
(*Continued on next page*)

(Continued from previous page)
When considered for listing within the Historic Building Survey of the City of Santa Cruz, the property meets the following criteria:

1. The building is a significant example of the built environment heritage of the City as a representative of late 1940s buildings constructed to serve the auto service industry in Santa Cruz; and
5. The building possesses special aesthetic merit and value due to its quality of architecture, retaining sufficient features that show its architectural significance; and
6. The building possesses distinctive stylistic characteristics of the Art Moderne style; and
7. The building retains sufficient integrity to accurately convey its significance.

Integrity

The property maintains most of its historical integrity as per the National Register's seven aspects of integrity. It maintains its original location on Front Street, in downtown Santa Cruz; it is still surrounded by much, but not all of its apparent historic setting, including surrounding commercial buildings of similar age, scale and design and parcels with similar setbacks, parking, and streetscape. It retains its post-World War II commercial scale and feeling and continues, through its form, massing and detailing, to illustrate its associations with minor patterns of commercial design in the mid-twentieth century. The majority of the front façade retains its integrity with the Art Moderne style, including: the stucco finish, slender, curved awning, curved office walls, full-height display windows, narrow mullions, speed-stripe applied decoration, glass block, and black tile. The north-side window addition does not detract from the original character-defining materials and workmanship, and the basic integrity of the subject property appears to have been preserved.

(Continued from page 2, DPR523b, B12 References)
Santa Cruz Sentinel, Not running for re-election, 4/4/1947.
Santa Cruz Sentinel, Fulmer's Furniture Store Bought by McMahans, 9/19/1951.
Santa Cruz Sentinel, Tire Store Owner, 3/1/1953.

MEMORANDUM

DATE	June 5, 2018	PROJECT NO.	16282
TO	Owen Lawlor	PROJECT	418 and 428 Front Street Historic Consultation
OF	SC River Front, LLC P.O. Box 377 Santa Cruz, CA 95061	FROM	Josh Bevan, Architectural Historian/Cultural Resource Planner and Christina Dikas, Senior Architectural Historian
CC	Ruth Todd, Principal-in-Charge	VIA	Email

REGARDING: 418 & 428 Front Street, Santa Cruz, California

INTRODUCTION

This memorandum has been prepared for SC River, LLC and expands upon the findings of State of California Department of Parks and Recreation (DPR) historic resource survey forms completed in 2009 for the commercial buildings located at 418 and 428 Front Street, Santa Cruz, California. Page & Turnbull conducted additional historic research relating to the construction chronology and significance of each building within the historic context of the City of Santa Cruz. In November and December 2016, Page & Turnbull conducted site visits and took digital photographs of each building in order to document and provide analysis of existing character-defining features. This memorandum additionally describes options for mitigation and alternative design approaches related to CEQA review for each building.

Methodology

Following the site visits, research for both buildings was conducted at Santa Cruz Planning and Community Development's Building Permit Office and the Santa Cruz Public Library. Additional research through online digital collections and secondary sources included: California Digital Newspaper Collection; Online Archive of California; UC Santa Cruz Digital Collections; San Jose Public Library Digital Collections; Santa Cruz Public Library Digital Collections; and the California State Library. All photographs in this report were taken by Page & Turnbull in November and December 2016 unless otherwise noted.

Summary of Findings

Page & Turnbull concurs with the findings in the 2009 DPR forms that the buildings located at 418 and 428 Front Street each appear individually eligible for listing in the California Register of Historic Resources under Criterion 3 (Architecture). 418 Front Street is one of the earliest of extant automotive service-related buildings in the City of Santa Cruz and retains overall historic integrity associated with the building's original Mission Revival/Art Deco design by Lee Dill Esty, a prominent architect of many residential and commercial buildings in Santa Cruz County. 428 Front Street retains overall historic integrity and remains a well-intact example of the Streamline Moderne architectural style that gained popularity in downtowns in the 1930s and 1940s. These buildings do not appear to be located within a potential historic district The surrounding area's historic setting has been heavily diminished in terms of fabric relating to period 1925 to 1955, which spans each building's period of significance as listed on 2009 DPR forms.

CURRENT HISTORIC STATUS

National Register of Historic Places

The National Register of Historic Places (National Register) is the nation's most comprehensive inventory of historic resources. The National Register is administered by the National Park Service and includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level.

418 Front Street is not currently listed on the National Register of Historic Places.
428 Front Street is not currently listed on the National Register of Historic Places.

California Register of Historical Resources

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. Resources can be listed in the California Register through a number of methods. State Historical Landmarks and National Register-listed properties are automatically listed in the California Register. Properties can also be nominated to the California Register by local governments, private organizations, or citizens. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register of Historic Places.

418 Front Street is not currently listed on the California Register of Historical Resources.
428 Front Street is not currently listed on the California Register of Historical Resources.

California Historical Resource Status Code

Properties listed or under review by the State of California Office of Historic Preservation are assigned a California Historical Resource Status Code (Status Code) of "1" to "7" to establish their historical significance in relation to the National Register of Historic Places (National Register or NR) or

California Register of Historical Resources (California Register or CR). Properties with a Status Code of "1" or "2" are either eligible for listing in the California Register or the National Register, or are already listed in one or both of the registers. Properties assigned Status Codes of "3" or "4" appear to be eligible for listing in either register, but normally require more research to support this rating. Properties assigned a Status Code of "5" have typically been determined to be locally significant or to have contextual importance. Properties with a Status Code of "6" are not eligible for listing in either register. Finally, a Status Code of "7" means that the resource has not been evaluated for the National Register or the California Register, or needs reevaluation.

Neither 418 Front Street nor 428 Front Street are listed in the California Historic Resources Information System (CHRIS) database with a status code. Though DPR forms were written in 2009, the findings were not reported to the California Office of Historic Preservation. The most recent update to the CHRIS database for Santa Cruz County that lists Status Codes was published in April 2012.

Santa Cruz Historic Resources

The City of Santa Cruz completed historic building surveys in 1976, 1989, and 2013. Both 418 and 428 Front Street are included in *Santa Cruz Historic Building Survey, Volume III* published in March 2013. The 2013 survey inventories the buildings based upon findings of the 2009 DPR forms; however, the survey does not provide historic designation of the buildings to a local historic district or as individual landmarks. As of 2016, neither 418 nor 428 Front Street are designated within any local City of Santa Cruz historic districts.

Review of 2009 DPR Forms

Historic resource surveys of 418 and 428 Front Street were completed in 2009 prior to the publication of *Santa Cruz Historic Building Survey, Volume III* in 2013, and provided concise histories of each building as well as brief architectural descriptions. Both buildings were determined to appear eligible for individual listing on the California Register under Criterion 3 (Architecture). In the case of 418 Front Street, the building was designed by notable Santa Cruz area architect Lee Dill Esty, whose impact on Santa Cruz's architectural history is well-established in the City's historic building surveys, historic context statement, and through prior scholarly research. Accordingly, Page & Turnbull has provided contextual background and additional detail relating to relevant architectural styles, a list of character-defining features, and significance diagrams for each building.

ARCHITECTURAL DESCRIPTIONS

418 Front Street

418 Front Street is a one-story, Mission Revival style commercial building designed in 1925 by architect Lee Dill Esty. Esty's design incorporated Art Deco influences and connected the regionally prolific Mission Revival style to the emergent popularity of Art Deco in the 1920s. The building faces west and is situated along the east side of Front Street, directly adjacent to the sidewalk. The building is

constructed of formed concrete and clad in a flat stucco finish along its primary (west) façade. The building spans three bays in width and extends the depth of its lot which abuts the west bank of the San Lorenzo River.

Primary (West) Façade

The primary façade faces west and is comprised of three structural bays. The façade is symmetrical, featuring a central bay with recessed entry flanked by north and south bays **(Figure 1)**. The north and south bays each contain non-original, metal-framed tripartite display windows with modern plate glass. Each third of the window is comprised of a single lower light beneath the transom and two transom lights above

The central bay contains a non-original, metal framed double door flanked by side-lights and situated beneath a lit transom installed c. 1993. The materiality of the door and surrounding glazing match that of display windows in the north and south bay installed concurrently. Openings within the central, north, and south bays are uniform in height. A raised stucco belt course with arrowhead motifs spans the width of the primary directly above display windows and recessed entry. The arrowheads are located at the approximate location of bay partitions, and are spaced evenly, providing symmetrical ornamentation. The first story is clad in stucco with raised cement plaster arrowhead motifs. A non-original, semi-circular canopy is located at the central bay. The primary façade is capped with a curved parapet that includes stepped coping at the north and south bays. An additional arrowhead motif is placed at top-center.

Figure 1: 418 Front Street, primary (west) facade. Facing east.

North Façade

The north façade faces a hardscaped parking lot. Along the north façade, the building's formed concrete structure is visible. The easternmost portion of the north façade contains no windows or openings. The central portion of the façade contains no windows aside from sidelights and lit transom that surround a secondary side-entry door. The doorway is similar to that of the main entry in material and design and was inserted into a non-original opening in the north façade c. 1993 **(Figure 2)**. The primary façade's raised belt course terminates at the northwest corner of the north façade and is mimicked by paint applied directly to the formed concrete surface of the north façade. Utility connections and a semi-permanent planter and are located along the western-half of the north façade **(Figure 3)**.

Figure 2: Metal framed entry with plate glazing inserted into north façade c. 1993. Looking south.

Figure 3: North façade. Looking southwest.

Rear (East) Façade

The rear façade faces east and is adjacent to the San Lorenzo River's west bank **(Figure 4)**. This façade appears to be the same width as the primary façade; however, the rear façade is divided into four bays. The southernmost bay contains an emergency exit door. The door replaces a filled a former window opening. This opening, along with similar former window openings in the rear façade's two central bays and northernmost bay, were infilled with concrete masonry units (cmu) during building renovations in 1993-1994. The former window openings are rectangular in shape and may have contained block glass or industrial windows originally. Downspouts from the parapeted roof are located at the southernmost and northernmost extents of the rear façade.

Figure 4: Rear (east) façade. Looking west.

South Façade
The south façade is not visible as it abuts the north façade of the neighboring building addressed 412 Front Street.

428 Front Street

428 Front Street was constructed by contractor Orlo Hackbarth in 1948 and originally functioned as an auto repair shop. The building features a generally rectangular plan and is constructed of reinforced concrete block. Designed in the Art Moderne style of the mid-20th century, the building remains an excellent example of the Streamline sub-style of Art Moderne. A combination of curved planes, varied material pallette and emphasized horizontality are well-apparent, and representative of the building's construction during a period of technological innovation which informed architectural design inspired by speed, travel, and post-war modernity. The building is comprised of a central, two-story T-shaped volume with two smaller, one-story rectangular volumes flanking the front façade. The building extends the full depth of its lot and is slightly angled along its rear façade, compensating for the lot's angled perimeter adjacent to the San Lorenzo River.

Primary (West) Façade
The primary façade is six bays in width and is composed of a recessed central volume with a projecting display window at center, and two outer volumes along the same plane as the projecting display window. The outermost bays (northernmost and southernmost) are one story in height, but appear taller due to parapet extensions above the first story ceiling level. These volumes are clad in stucco and curve into the recessed central volume. Along the first story, the inner portion of these volumes contains a square, metal-framed corner display window above a tiled water table. Above display windows, the outer volumes are faced with smooth stucco to the top of the parapet extension. The parapet is capped with simple metal coping **(Figure 5)**.

Moving inward from the outermost bays, the main rectangular volume is divided into four bays. The northernmost central bay contains a slightly projected portion of wall clad in square tile that contains a slender column of square glass block. To the south of the tiled wall, a non-original, metal-framed door is located next to a glazed opening that was likely an original entry. The two centralmost bays contain a boxed bay window that projects to the same plane of the outermost bays. The window is placed above a glass block water table and is comprised of six street-facing panes separated by metal mullions, a north-facing pane, and a south-facing pane. The window features a molded stucco head that extends to an awning overhead.

The primary façade's first-story is capped by a wide awning that spans the width of the central four bays and curves into the outermost bays. Above the awning, the second-story of the central volume extends to the building's roofline. This portion of the primary façade is clad in smooth stucco and capped with simple metal coping.

Figure 5: 428 Front Street, primary (west) façade. Facing east.

North Façade

The north façade of the building faces an adjacent parking lot and is comprised of four bays of varying widths **(Figure 6)**. The easternmost bay of the north façade contains a flush door within a wood framed opening. The door's frame does not appear to be an original feature of the building. The second to easternmost bay is not fenestrated and contains no door openings. The second to westernmost bay contains a wood-framed opening with metal door. The westernmost bay contains a bank of three, non-original, steel-framed windows. These windows were installed in 1987, according to building permit records. Each window features two plate glass lights divided by a central steel muntin.

Figure 6: 428 Front Street, north façade. Facing southeast.

Rear (East) Façade
The rear (east) façade faces the San Lorenzo River and contains three small glass block window openings three blocks in width and four blocks in height. A roll-up steel door with metal security bars and metal awning is located within the southernmost portion of rear façade. The rear façade is capped with wood coping along its gambrel roofline.

Figure 7: South half of east façade. Looking west.

Figure 8: North half of east façade. Looking west.

South Façade
The eastern half of the south façade contains no openings or notable architectural features. The western half of this façade is faced with smooth stucco and shows the variation in height of the building's main

T-shaped volume and 1-story flanking small rectangular volumes. This façade faces a parking lot that is immediately adjacent to the building **(Figure 9 and Figure 10)**.

Figure 9: Western-half of south façade. Looking north.

Figure 10: Eastern-half of south façade. Looking north.

Surrounding Neighborhood

The area surrounding the subject buildings is less densely developed in comparison to central downtown locations northward. The west side of Front Street is comprised mostly of street-level parking, with a few commercial buildings ranging in height from one-to-three-stories. The east side of Front Street is comprised of buildings situated along the street frontage, with only a side walk separating each. Tree coverage is irregular and varied along both sides of the street. Since the 1860s, Front Street has remained a secondary commercial artery to Pacific Avenue one block west. As noted in 2009 DPR forms completed for the subject properties, many historic buildings once located along Front Street were destroyed or eventually demolished as a result of the Loma Prieta Earthquake in 1989, which contributes to the street's scattered development **(Figure 11, 12, 13, and 14)**.

Figure 11: Looking north on Front Street. 428 Front Street pictured at right.

Figure 12: Lots of both 418 and 428 Front Street are adjacent to the San Lorenzo River to their east.

Figure 13: Looking south on Front Street opposite 418 and 428 Front Street.

Figure 14: Bus depot located across Front Street from the subject properties.

PERMITS RELATING TO ALTERATIONS OF SUBJECT BUILDINGS

In addition to construction permits referenced in the 2009 DPR forms, review of available building permits and related plans at the City of Santa Cruz's Planning Department found several documented alterations to 418 and 428 Front Street that occurred in the 1980s and early 1990s. As listed below, these alterations did not affect the overall footprint of each building, but did result in notable changes to the interiors and visible exterior changes including replacement of original windows, and creation of new openings in secondary façades. Neither building was designated as historic on local, statewide, or national historic registers at the time of alterations.

418 Front Street		
Date	**Permit**	**Work Permitted/Completed**
5/1/1984	B-2627	Install 2 glass doors at front of building and 9'x2' metal sign.
10/27/1984	B-2687	Interior remodel of existing commercial building for dance studio, juice bar, and record sales.
c.1992-94	92-0581	Plans for renovation of 418 Front Street. Shows installation of doors and windows and canvas awning along primary façade. Removal of section of north façade to create new entry with glazed door. Removal of exiting windows along rear façade and provide cmu infill.

428 Front Street		
Date	**Permit**	**Work Permitted/Completed**
10/28/1986	B-4257	Construct two bathrooms in existing commercial building.
3/24/1987	B-4449	Install 6'x28' glazed opening in north wall of existing commercial building.

ADDITIONAL HISTORIC CONTEXT: CITY OF SANTA CRUZ DEVELOPMENT

The 2009 DPR forms focused on the property-specific history of 418 and 428 Front Street. This section provides additional historic context on the development of the City of Santa Cruz, and a brief discussion of 418 and 428 Front Street within that context.

The Mission La Exaltation de la Santa Cruz emerged as California's twelfth mission town in 1791 after the area's discovery by Spanish explorer, Don Gaspar de Portola, in 1769. Named for "Holy Cross," Mission Santa Cruz developed alongside Villa de Branciforte (modern day East Santa Cruz) along the San Lorenzo River.[1] Over the course of the next half-century, Santa Cruz transitioned from a Spanish mission town to a Mexican-governed settlement, and finally in 1850 to an American-governed town in the State of California.

Santa Cruz's initial development was largely focused around its optimal position along the Pacific Coast and proximity to abundant natural resources including timber forests, lime deposits, and rich land used for a variety of purposes from agricultural to viticulture.[2] The city's first wharf was established in 1851. Gradually, the growing town's seaside and connections to broader transportation networks from

[1] City of Santa Cruz, *History,* City of Santa Cruz Online, 2016. http://www.cityofsantacruz.com/about-us/history. Accessed 23 November 2016.
[2] Edward Sanford Harrison, *History of Santa Cruz County, California,* (San Francisco: Pacific Free Press Publishing Co., 1892), 154-156.

streetcars to regional railroads shifted economic focus toward tourism and away from the historic, mission-based core. One sign of the streetcar's impact on downtown development was the emergence of Pacific Avenue as Santa Cruz's true "main street" in the mid-1860s, despite the existence of Main Street (now Front Street) along the western San Lorenzo Riverfront. In 1876, Santa Cruz was officially incorporated as a city, coinciding with 50% population ground through during the 1870s.[3]
The 1880s and early 1890s saw the development of housing tracts beyond the city core, largely the result of streetcar line extensions between the coast and the downtown. A major fire in 1894 swept through many downtown buildings including the City's Chinatown located toward the north end of Front Street.[4] Combined with economic recession, the city was forced to emphasize its bourgeoning resort identity to ensure progress during the early-20th century.[5] According to accounts by contemporary historian, Edward Sanford Harrison, Santa Cruz was indeed one of California's most-favored seaside resorts **(Figure 15)**. The city and surrounding suburbs had a population of roughly 7,500 in 1892 and maintained two key advantages:

> […] equable and salubrious temperatures, and freedom from fog… [Santa Cruz was considered by tourists] a natural sanitarium of the coast."[6] One factor leading to Harrison's assertion was an abundance of beachfront hotels that maintained connection to the Southern Pacific RR which extended during the early-20th century northward to the major cities such as San Jose, San Francisco, and Oakland, enabling an influx of Bay Area vacationers to seek escape to Santa Cruz during summer months. Santa Cruz Casino was constructed in 1904 and in 1914, the city's Municipal Pier was completed adding additional attraction to the city's coastal frontage.[7]

At the turn of the twentieth century, the area near the intersection of Pacific Avenue and Front Street emerged as a municipal center where a county jail, Hall of Records, and City were located. From this earlier downtown development, Front Street shifted to a commercial and services corridor by mid-century **(Figure 16)**.[8] Between 1910 and 1920, Santa Cruz's population dropped, however, as housing development continued to spread beyond the city limits. Streetcar service in Santa Cruz lasted until 1927, signaling the end of the predominance of rail-based transit in the city and the emergence of the

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[3] Susan Lehmann, *Santa Cruz History: Making a Living,* "Commercial Development," in *Santa Cruz County History-Making a Living,* Santa Cruz Public Libraries Online, 2000. http://www.santacruzpl.org/history/articles/38/. Accessed 23 November 2016. See also, Susan Lehmann, *Fully Developed Historic Context Statement for the City of San Jose,* (Santa Cruz, CA, City of Santa Cruz Planning and Community Development Dept., 20 October 2000), 19-21.
[4] Susan Lehmann, *Fully Developed Historic Context Statement for the City of San Jose,* (Santa Cruz, CA, City of Santa Cruz Planning and Community Development Dept., 20 October 2000), 17.
[5] Susan Lehmann, *Fully Developed Historic Context Statement for the City of San Jose,* (Santa Cruz, CA, City of Santa Cruz Planning and Community Development Dept., 20 October 2000), 14.
[6] Edward Sanford Harrison, *History of Santa Cruz County, California*, 154-156.
[7] John Chase, ed. by Judith Steen, Daniel P. Gregory, *The Sidewalk Companion to Santa Cruz Architecture,* (Santa Cruz, CA: The Museum of Art and History, 2005), xvi.
[8]Lehmann, *Fully Developed Historic Context Statement for the City of San Jose,* 18.

automobile as a popularized form of transportation and catalyst of development beyond the city. In the decades leading up to the Great Depression in 1929, Santa Cruz's industrial economy struggled to maintain pace as it had between c. 1850 and c.1900. The opening of "Suntan Special" travel by the Southern Pacific Railroad in 1927 hedged against some economic downturn, providing relatively affordable travel to 5,000 to 7,000 tourists from the Bay Area every Sunday.[9]

Figure 15: Sea Beach Hotel constructed in 1890, pictured in 1900. Source: C.L. Aydelotte. Clyde Arbuckle Photograph Collection. San Jose Public Library.

[9] G. William Domhoff, "History of Santa Cruz: The 1800s: Lumber & Railroads" in *The Leftmost City: Power & Progressive Politics in Santa Cruz,* Who Rules America? Online, G. William Domhoff, 2016. http://www2.ucsc.edu/whorulesamerica/santacruz/history.html. Accessed 28 November 2016.

Figure 16: Pacific Avenue at Front Street intersection c. 1900. Street car lines enabled the downtown to connect with the waterfront. Source: California State Library. Photograph: Pacific Ave., Santa Cruz, Cal., #70.

Throughout the 1930s, Santa Cruz dealt with the effects of the Great Depression as its downtown accepted the incoming of the automobile. Despite the downturn, the city's connection with the coast continued to be maintained. Between 1936 and 1938, Santa Cruz's surfing scene developed, initiating what has become a recognizable cultural phenomenon in the city.[10] From Pacific Avenue to the city's Municipal Wharf, automobiles abounded. Accordingly, Pacific Avenue, and Front Street to the south, welcomed a variety of automobile-oriented businesses. Front Street in particular saw an influx of roadside development that resulted in a concentration of auto dealerships and showrooms, garages, and supply stores that was maintained into the 1980s.[11] Plat maps from the 1930s and 1940s show Front Street's narrow commercial lots along the San Lorenzo River's west bank. Huston and Weymouth appear as owners at present-day 418 Front Street in 1931 **(Figure 17)**.[12] Additionally, the maps show widespread changes in ownership within the span of almost two decades suggesting that the downtown, built around the automobile's emergence, was adapting to notable urban change between the Great Depression and immediate post-war years **(Figure 18)**.

[10] Susan Lehmann, *Historic Context Statement for the City of Santa Cruz: Context I-Economic Development in the City of Santa Cruz 1850-1950*, (Santa Cruz, CA: City of Santa Cruz Planning and Community Development Department, October 2000), 17.
[11] State of California-Department of Parks and Recreation, Primary Record: 428 Front Street, (Santa Cruz, CA: 9 May 2009), 1.
[12] Standard Map Service, Santa Cruz, CA. UC Santa Cruz Digital Collections.

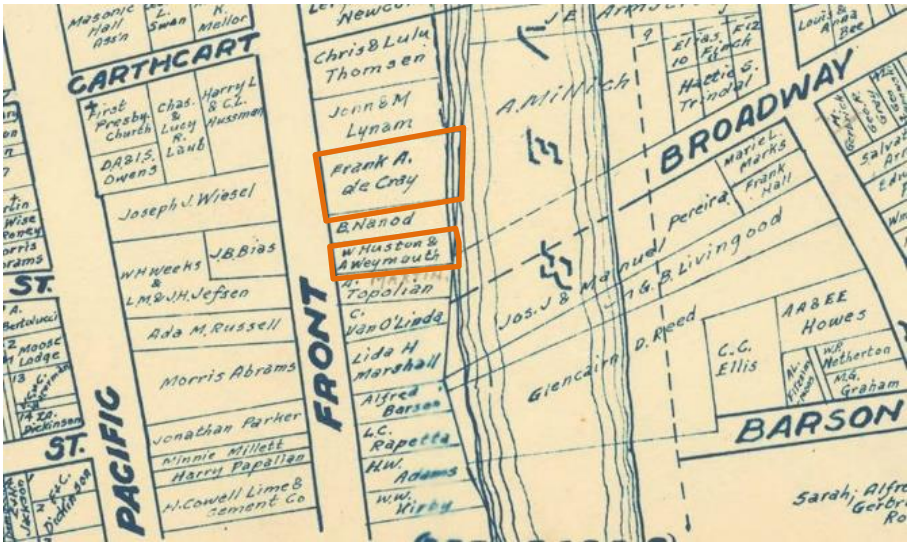

Figure 17:1931 "Standard" Plat Book Map showing ownership along Front Street. W. Huston & A. Weymouth listed as owners of parcel at 418 Front Street; subject properties indicated with orange rectangles. Source: Standard Map Service, Santa Cruz, CA. UC Santa Cruz Digital Collections. Edited by Page & Turnbull.

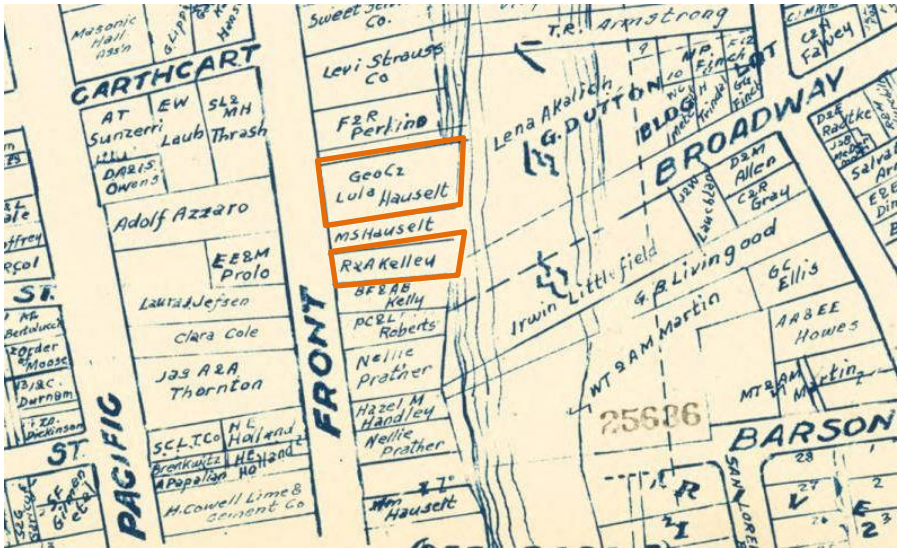

Figure 18: 1947 "Standard" Plat Book Map showing ownership along Front Street. This map was published one year prior to the construction of 428 Front Street. Subject properties indicated with orange rectangles. Source: Standard Map Service, Santa Cruz, CA. UC Santa Cruz Digital Collections. Edited by Page & Turnbull.

The Second World War impacted the city's tourist economy in the form of travel restrictions and gas rationing which led to a diminished level of summer activity. Following the war, the Santa Cruz Casino was renovated. In August 1940, Highway 17 (Los Gatos-Santa Cruz Highway) neared completion and by September saw roughly 9,000 vehicles per day.[13] Throughout the 1940s and 1950s, the automobile supplanted the streetcar in Santa Cruz and nationwide. Whereas the streetcar once connected the pier to the downtown, by the 1940s, automobiles provided similar connection for residents and tourists, and were even parked on the city's Municipal Pier.

Desire to establish a small craft harbor proximal to the pier gained momentum in the late 1940s with the establishment of the Santa Cruz Harbor Development Corporation in 1949. After a decade of back-and-forth between proponents and federal and state funders, construction finally commenced in 1962 and was completed in 1964.[14] In 1960, Santa Cruz again experienced a great transition as the city was selected as the Central Coast location for the establishment of an additional University of California (UC) campus. As part of the lobbying effort to convince the University to place a new campus at Santa Cruz, the city's Chamber of Commerce argued that the city had proven itself capable of seasonal population surges in the form of thousands of summer tourists that effectively doubled the City's day-to-day population.[15] By, 1965 the completed campus joined other major infrastructural projects such as the San Lorenzo River Flood Control Project and an 80-acre downtown urban redevelopment project as key definers of 1960s Santa Cruz.[16] The 1960s also saw the city shift away from its street car-accessed water front attractions as street car lines were phased out and automobile-based tourism took hold assertively.

Downtown Santa Cruz maintained its character through the 1980s, but was greatly impacted by a lagging economy in the years leading up to the Loma Prieta Earthquake in 1989. The downtown's commercial district along Pacific Avenue was challenged to compete with the emergence of suburban shopping malls and nearby Capitola's own commercial center mall that provided convenient automobile access.[17] In the midst of economic struggle, the 1989 earthquake dealt a major blow to the fabric of the historic downtown. Many historic buildings along Pacific Avenue and Front Street were leveled as a result of extensive damage. So many historic buildings were demolished, in fact, that the City's Pacific Avenue Historic District was removed from the National Register of Historic Places due to the loss of over 30 historically significant buildings.[18]

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[13] Richard A. Beal, *Highway 17: The Road to Santa Cruz,* (Aptos, CA: The Pacific Group, 1991), 16-17.
[14] Frank Perry, "The Great Seaport Dream," *Santa Cruz County History Journal* Issue 2, 1995, 53-61.
[15] Compiled by Gordon Sinclair, photos by Ed Webber, *An Invitation to the University of California from Santa Cruz,* (Santa Cruz, CA: Greater Santa Cruz Chamber of Commerce, 1958), 4.
[16] *An Invitation to the University of California from Santa Cruz,* 22.
[17] Michael A. Burayidi, *Downtowns: Revitalizing the Centers of Small Urban Communities*, (New York: Routledge, 2013), 151.
[18] Ibid, 147-151.

With many buildings lost following the earthquake, the City of Santa Cruz adopted its *Downtown Recovery Plan* in 1991. The plan has undergone several updates aimed at refining zoning and development along Pacific Avenue and Front Street. In June 2012, the City shifted its approach away from "recovery" and adopted its *City of Santa Cruz: 2030 General* Plan, in pursuit of adaption to present-day planning needs.

418 and 428 Front Street within the Context of City of Santa Cruz Development

The buildings located at 418 and 428 Front Street are representative of downtown Santa Cruz's development around the emergence and eventual dominance of the automobile between the 1920s and 1950s, a period bookended by the City's recovery from the 1906 earthquake and fires and the emergence of UC Santa Cruz to the northeast of the downtown. Front Street in particular experienced several phases of development from its initial short-lived primacy in the 1860s, to the development of many automobile-related businesses in the interwar years. As a result of the 1989 Loma Prieta Earthquake, many historic buildings associated with several thematic contexts were damaged or destroyed, especially in the vicinity of Front Street and Pacific Avenue, resulting in a fragmented commercial district and loss of a cohesive historic setting. Accordingly, there does not appear to be a potential historic district along Front Street that would include 418 and 428 Front Street as contributing resources. However, Page & Turnbull concurs with the 2009 DPR forms that 418 and 428 Front Street do appear to be eligible for historic designation on the California Register under Criterion 3 (Architecture) as relatively intact examples of Mission Revival and Streamline Moderne commercial buildings, respectively. Therefore, 418 and 428 Front Street appear to be individual historic resources for the purposes of CEQA review.

CHARACTER-DEFINING FEATURES

Character-defining features (CDFs) enable a property to convey its historic identity. Generally, CDFs can be defined as materials, forms, location, spatial configurations, or uses that contribute to an individual historic resource's historic significance. CDFs often relate to a particular architectural typology, style, or period of construction.

418 Front Street (Period of Significance: 1925-1955)

- Placement at front of lot line
- One-story rectangular plan and box massing
- Stepped and shaped parapet, recalling Mission style curved parapets
- Smooth stucco-clad primary façade, a common feature of Mission Revival designs
- Art Deco ornamentation
    - Ornamentation is key in connecting two distinct architectural styles of the period together at 418 Front Street. Intact ornamentation includes:

        - Raised cement plaster arrowhead motifs
        - Stepped coping along roof and parapet line
        - Raised cement plaster belt course along primary façade.

- Symmetrical composition along primary façade
    - The building's northernmost and southernmost bays flank a central lobby that likely delineated original office and garage uses. The windows and storefront entrance system within these bays are not original.

<u>428 Front Street (Period of Significance: 1948-1954)</u>

- Placement at front of lot line

- Main two story, T-shaped volume and secondary one story volumes
    - The building's size and massing create variation in height along the main façade where the volumes are integrated and connected by multiple planes, curved features, and streamlined elements.

- Symmetrical composition along primary façade
    - Outer bays at north and south of property flank recessed central bays of the main volume.

- Multiple planes along primary façade
    - The primary volume and outermost bays are not coplanar and are joined by curved surfaces. Multiple surface planes are commonly utilized within Streamline Moderne style.

- Streamlined Horizontality
    - Flat parapets tops at the roofline
    - Flat awning between the first and second story levels emphasizes the building's horizontal orientation.
    - "Speed Stripes" add to the streamlined identity of the building, connecting to an era of construction in which mobility, speed, and technology were transferred from the public conscious to roadside architecture.

- Combination of materials of varying texture
    - Glass block water table at display windows
    - Square tile applied to several locations of primary façade
    - Smooth stucco finish void of excessive ornamentation

SIGNIFICANCE DIAGRAMS

This section provides an analysis of the relative zones of significance present at each subject building. Utilizing accepted standards for the evaluation of historic resources, the major historical features have been identified and visually documented within a series of significance diagrams. For the purposes of this analysis, Page & Turnbull surveyed all exterior façades and evaluated their relative significance by categorizing them as "Significant," "Contributing," or "Non-Contributing." These categories are defined as follows:

Significant
Definition: Spaces, elements or materials characterized by a high degree of architectural significance and a high degree of historic integrity.

Description: Significant features of each subject building are synonymous with the character-defining features outlined above.

418 Front Street
In general terms, these include the building's placement at the front of its lot line, rectangular one-story massing, its Mission Revival style façade, and Art Deco ornamentation.

428 Front Street
In general terms, these include the building's placement at the front of its lot line, distinctive volumetric composition, its streamlined primary façade with multiple surface planes, and the incorporation of tile, smooth stucco surfaces, glass block elements, and metal details such as stripes and coping.

Preliminary Guideline: Significant exterior features and materials should be retained and preserved, or be restored where alterations have occurred.. Deteriorated materials should be repaired rather than replaced. Where replacement is necessary due to extensive material deterioration or failure, replacement materials should match the original materials and forms.

Contributing
Definition: Elements characterized by a lesser degree of architectural significance, yet retain a high degree of historic integrity, or historically important, yet altered elements.

Description:
418 Front Street

- Openings within primary façade appear to retain original dimension and arrangement, but do not retain original materials.
- Former window openings at the rear façade.

- Raised plaster arrowheads along north façade may not likely original as they ornament a non-original opening, but are sympathetic replications of originals located on the primary façade.

428 Front Street

- Replacement display windows along primary façade are placed within an original opening, at the central projecting bay window.
- Wood coping along the rear of the building that trims the roofline at the rear of the property. The roofline corresponds to the building's framing.

Preliminary Guideline: Contributing elements should be retained wherever possible, but are not essential to the building's ability to convey its overall significance. Where required, alterations and additions should be designed to be compatible with the existing elements and materials. New materials and assemblies at reconstructed areas should be similar to the original.

Non-Contributing

Description: Non-Contributing elements are generally non-historic elements or elements that have been altered to the extent that their original character is absent.

418 Front Street

- CMU that infills openings at rear façade.
- Signage attached to building
- Canvas awning at main entry
- Painted stripe along north façade of building, which mimics primary façade's raised cement plaster belt course

428 Front Street

- Altered doorways within the recessed portions of primary façade, with replacement metal-framed, plate glazed doors.
- Bank of plate glass windows with metal frames along the north façade of the building.
- Glass block windows located on rear façade of building.

Preliminary Guideline: Non-Contributing elements are not specifically limited by preservation recommendations, except to note that the overall character of alterations to an historic building must meet the general requirements set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Please see attached Significance Diagrams for a visual representation of each building's character-defining features.

PROJECT RECOMMENDATIONS AND MITIGATION

California Environmental Quality Act (CEQA) Review Process

As the proposed project involves the subject buildings at 418 and 428 Front Street, which have been determined eligible for individual listing on the California Register, environmental impact review will likely be required by CEQA and is dependent upon the policy and interpretation of the local governing body, or lead agency. The California Environment Quality Act (CEQA) is state legislation (Pub. Res. Code §21000 et seq.), which provides for the development and maintenance of a high quality environment for the present-day and future through the identification of significant environmental effects.[19] CEQA applies to "projects" proposed to be undertaken or requiring approval from state or local government agencies. "Projects" are defined as "…activities which have the potential to have a physical impact on the environment and may include the enactment of zoning ordinances, the issuance of conditional use permits and the approval of tentative subdivision maps."[20] Historic and cultural resources are considered to be part of the environment. In general, the lead agency must complete the environmental review process as required by CEQA. In the case of a future project at 418 and 428 Front Street, the City of Santa Cruz would act as the lead agency.

A property may qualify as a historical resource if it falls within at least one of four categories listed in CEQA Guidelines Section 15064.5(a), which are defined as:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4850 et seq.).

2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1 (g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria

[19] State of California, California Environmental Quality Act, web site accessed August 31, 2007 from: http://ceres.ca.gov/topic/env_law/ceqa/summary.html.
[20] Ibid.

for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852).

4. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Pub. Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Pub. Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Pub. Resources Code sections 5020.1(j) or 5024.1.

Based on review of the 2009 DPR forms and additional research and site documentation by Page & Turnbull in 2016, 418 and 428 Front Street have been identified as buildings individually eligible for listing to the California Register. As such, each building falls within Category 3 and qualifies as an historical resource under CEQA.

Interpretation of CEQA guidelines depends upon the jurisdiction in which the subject project occurs. Projects involving buildings considered to be historic resources may be subject to varying degrees of required mitigation depending upon the policies and determinations of planning entities requiring review.

Suggested Mitigation for Demolition of Historic Resources
According to Section 15126.4 (b) (1) of the CEQA Guidelines: "Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, the project's impact on the historical resource will generally be considered mitigated below a level of significance and thus is not significant."

Determination of Significant Adverse Change under CEQA
According to CEQA, a "project with an effect that may cause a substantial adverse change in the significance of an historic resource is a project that may have a significant effect on the environment." Substantial adverse change is defined as: "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired." The significance of an historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance" and that justify or account for its inclusion in, or eligibility for inclusion in, the California Register. Thus, a project may cause a substantial change in a historic resource but still not have a significant adverse effect on the environment as defined by CEQA as long as the impact of the change on the historic resource is determined to be less-than-significant, negligible, neutral or even beneficial.

In such cases, mitigation must be considered under CEQA. Historic resource mitigations are typically developed on a case-by-case basis, providing the opportunity to tailor them to the characteristics and the significance of the resource and the impacts to it. If determined to be feasible, common mitigation measures for demolition consist of documentation of the resource, typically to the standards of the Historic American Buildings Survey (HABS), preparation of a salvage plan for significant features and materials, and/or interpretation that may include the installation of an interpretive display or video. While in some instances these mitigation measures are judged to reduce the level of adverse effects to a less than significant level, they often do not alter the loss to community character and collective history. Section 15126.4(b)(2) of the CEQA Guidelines is clear in this regard: "In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur."

Mitigation Measures may include:

- **Historical Documentation (HABS Standards):**
  - *Measured Drawings:* Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).

  - *HABS-Level Photographs:* Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.

  - *HABS Historical Report:* A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including

the physical history and historic context of the building; and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.

- **Interpretative Program:** Interpretation typically involves development of interpretive displays about the history of the affected historical resources. These displays may include a high-quality permanent digital interpretive website or temporary exhibition or interpretive display installed at a local cultural institution or publicly accessible location on or near the project site. The interpretive displays illustrate the contextual history and the architecture of the buildings, and of the general building typology (e.g. Commercial Buildings Design in the Automobile Age), and shall include, but not be limited to, historic and contemporary photographs; narrative text; historic news articles and memorabilia; salvaged materials; and maps.

General Recommendations to Lessen Adverse Impact on Historic Resources

Design approaches providing alternatives to full demolition of the subject properties will lessen the impact upon the historic resources. Character-defining features of each building enable the buildings to convey their respective historic significance. In the case of 418 and 428 Front Street, each building's historic significance is associated with its architectural design. Significance Diagrams attached to this memorandum showcase character-defining features on each façade of the subject buildings. The following approaches are suggested ways to lessen the impact of the proposed project on the subject buildings, ordered from least impact to greatest impact.

- **Adjust project design to incorporate buildings without demolition**
  - Complete demolition of the buildings will result in a significant adverse impact to the historic resources. A revised design for the project that incorporates the buildings with minimal to no demolition would lessen impact substantially.

- **Partial demolition of the buildings**
  - Partial demolition of the buildings should be done in a way that maintains each building's contributing and significant character-defining features. The measure of impact of demolition is directly connected to the degree of loss of contributing and significant character-defining features of each building.
  - Those portions of the building retained would be incorporated into new construction.

- **Retain only significant character-defining features of each building**
  - This approach may involve a relatively large amount of demolition of non-contributing and contributing features, but would remain sensitive to retaining significant character-defining features of each building which represent the buildings' significance.
  - This approach may involve saving the façades of each building while demolishing rear portions of the buildings.

- **Retain only one of the buildings on the project site while demolishing the other.**
  - In this scenario, one property would be retained with attention to retention of character-defining features, but the other building would be demolished.
  - The demolition of one of the buildings would still create a significant impact on that building, but the overall project would impact historic resources to a lesser extent.

Character-Defining Features:

- The primary (west) facade retains its Mission Revival style design and character-defining composition, despite replacement of original windows and main entry door.
- Fenestration contributes to the building's historic character, but components within the openings including muntins and glazing are non-contributing.
- The primary facade's stepped cornice and curved parapet are of primary signficance.
- Art Deco detailing is of primary significance.

LEGEND

- Significant (Primary)
- Signficant (Secondary)
- Contributing
- Non-Contributing

Significance Diagram: 418 Front Street-West Facade

19 JANUARY 2017

418 AND 428 FRONT STREET, SANTA CRUZ, CA

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Character-Defining Features:

- Opening, door frame, and plate glazing along north facade are non-contributing features that were added during renovation in 1992-1994.
- Arrowheads flanking opening do not correspond to a historic opening, but are associable to the building's original Art Deco detailing.
- The north facade appears to retain most of its original form aside from doorway alteration.

LEGEND

- Significant (Primary)
- Signficant (Secondary)
- Contributing
- Non-Contributing

Significance Diagram: 418 Front Street-North Facade

19 JANUARY 2017

418 AND 428 FRONT STREET, SANTA CRUZ, CA

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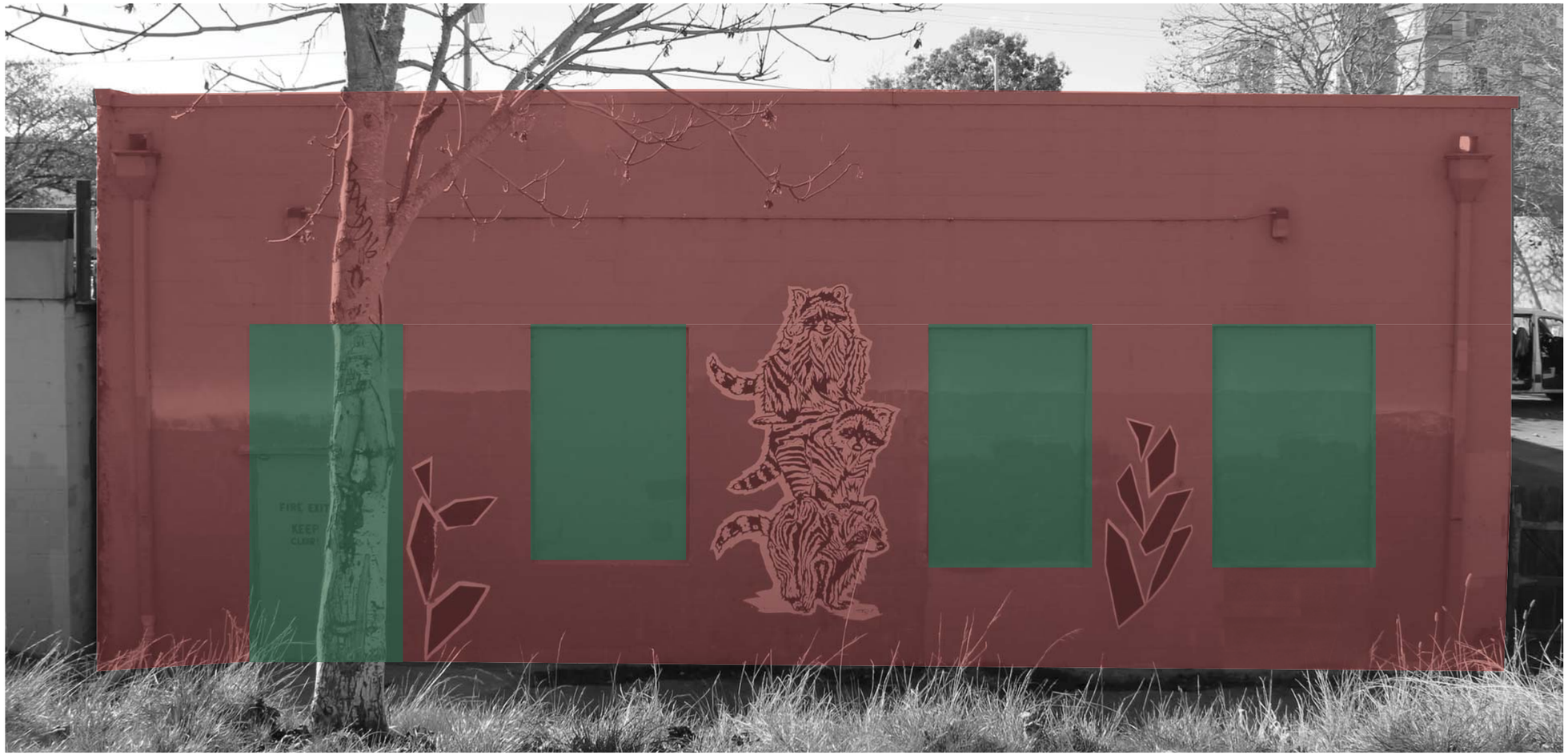
Character-Defining Features:

- The rear (east) facade retains much of its original massing and design.
- Former window openings have been infilled with cmu and in one case replaced by a steel door.
- The location of the openings contributes to the building's character, but infill within the openings in non-contributing.

LEGEND

- Significant (Primary)
- Signficant (Secondary)
- Contributing
- Non-Contributing



Significance Diagram: 418 Front Street-East Facade

19 JANUARY 2017

418 AND 428 FRONT STREET, SANTA CRUZ, CA

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Character-Defining Features:

- Articulation of the primary (west) facade's multiple surface planes is a primary, significant feature.
- Streamlined elements connect the primary facade's multiple surface planes and are of primary significance.
- Replacement display windows are contributing features.
- Recessed door ways and door components and signage at the top-center of the facade are non-contributing features.

LEGEND

- Significant (Primary)
- Signficant (Secondary)
- Contributing
- Non-Contributing

Significance Diagram: 428 Front Street-West Facade

19 JANUARY 2017

418 AND 428 FRONT STREET, SANTA CRUZ, CA

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Character-Defining Features:

- The north facade contributes to the building's overall character, but has undergone notable alteration.
- Windows added in 1987 are non-contributing features.
- A portion of the primary facade's signficant parapet line is connected to the north facade.

LEGEND

- Significant (Primary)
- Signficant (Secondary)
- Contributing
- Non-Contributing

Significance Diagram: 428 Front Street-North Facade

19 JANUARY 2017

418 AND 428 FRONT STREET, SANTA CRUZ, CA

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Character-Defining Features:

- The rear (east) facade retains its orignal massing and roofline that corresponds to the building's framing.
- Glass block windows do not appear original and are non-contributing features.
- Door opening at southeast corner may be an original feature but does not contribute to building's character.

LEGEND

- Significant (Primary)
- Signficant (Secondary)
- Contributing
- Non-Contributing

Significance Diagram: 428 Front Street-East Facade

19 JANUARY 2017

418 AND 428 FRONT STREET, SANTA CRUZ, CA

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Character-Defining Features:

- The south facade appears to have undergone little alteration.
- Meeting of building's main T-shaped and small square volumes are visible at this facade.

LEGEND

- Significant (Primary)
- Signficant (Secondary)
- Contributing
- Non-Contributing

Significance Diagram: 428 Front Street-South Facade

19 JANUARY 2017

418 AND 428 FRONT STREET, SANTA CRUZ, CA

DRAFT

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MEMORANDUM

DATE	July 30, 2019	PROJECT NO.	16282
TO	Owen Lawlor	PROJECT	418 and 428 Front Street Historic Consultation
OF	SC River Front, LLC P.O. Box 377 Santa Cruz, CA 95061	FROM	Christina Dikas, Senior Architectural Historian
CC	Ruth Todd, Principal-in-Charge	VIA	Email

REGARDING: 418 & 428 Front Street, Santa Cruz, California
Preservation Alternatives Analysis

INTRODUCTION

This Preservation Alternatives Analysis Memorandum has been prepared at the request of the Santa Cruz Planning Department for the proposed project at 418 and 428 Front Street in Santa Cruz. California Department of Parks and Recreation (DPR) historic survey forms were completed in 2009 for the two commercial buildings and found them to be individually eligible for listing in the California Register of Historical Resources under Criterion 3 (Architecture). 418 Front Street is one of the earliest of extant automotive service-related buildings in the City of Santa Cruz and retains overall historic integrity associated with the building's original Mission Revival/Art Deco design by Lee Dill Esty, a prominent architect of many residential and commercial buildings in Santa Cruz County. 428 Front Street is significant as an intact example of the Streamline Moderne architectural style that gained popularity in downtowns in the 1930s and 1940s.

The proposed project at the site includes three seven-story buildings containing mixed-use residential over commercial, separated by midblock passages, and a two-level subterranean parking garage. This memorandum includes a summary of the two historic buildings' character-defining features and an analysis of four project alternatives for impacts to historic resources, pursuant to CEQA. The project alternatives include a No Project Alternative, a Full Preservation Alternative, and two Partial Preservation Alternatives. The memorandum refers to the Secretary of the Interior's Standards for the Treatment of Historic Properties but does not include detailed analysis of the proposed alternatives using the Standards.

This Preservation Alternatives Analysis Memorandum follows a report that Page & Turnbull produced in June 2018 for the properties, which included additional historic research, outlined the buildings' character-defining features, and provided preliminary recommendations for historic

resource mitigation or alternative design approaches related to CEQA review since the proposed project includes the demolition of both buildings. Two of Page & Turnbull's suggested alternative approaches were requested by the City of Santa Cruz Planning Department, as lead agency for environmental review, for further development and analysis to be included in the Environmental Impact Report. A third preservation alternative was suggested by Dudek, the environmental planning consultant. The alternatives concepts were developed in coordination between the project applicant, Planning Department, Dudek, and Page & Turnbull. Page & Turnbull also consulted the memorandum produced by Walid Naja of FBA, Inc. Structural Engineers, dated July 17, 2019, which responds to the structural feasibility of each of the preservation alternatives concepts.

Determination of Significant Adverse Change Under CEQA

According to CEQA, a "project with an effect that may cause a substantial adverse change in the significance of an historic resource is a project that may have a significant effect on the environment."[1] Substantial adverse change is defined as: "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired."[2] The significance of an historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance" and that justify or account for its inclusion in, or eligibility for inclusion in a local register of historical resources pursuant to local ordinance or resolution.[3] Thus, a project may cause a change in a historic resource but still not have a significant adverse effect on the environment as defined by CEQA as long as the impact of the change on the historic resource is determined to be less-than-significant, negligible, neutral, or even beneficial.

Secretary of the Interior's Standards

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings provides national standards and guidance for reviewing proposed work on historic properties.[4] The Standards for the Treatment of Historic Properties are a useful analytic tool for understanding and describing the potential impacts of substantial changes to historic resources. The Secretary of the Interior offers four sets of standards to guide the treatment of historic properties: Preservation, Rehabilitation, Restoration, and Reconstruction. The four distinct treatments are defined as follows:

> **Preservation:** The Standards for Preservation "require retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time."

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[1] CEQA Guidelines subsection 15064.5(b).
[2] CEQA Guidelines subsection 15064.5(b)(1).
[3] CEQA Guidelines subsection 15064.5(b)(2).
[4] Anne E. Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (U.S. Department of the Interior National Park Service Technical Preservation Services, Washington, D.C.: 2017), accessed July 20, 2017, https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf.

Rehabilitation: The Standards for Rehabilitation "acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character."

Restoration: The Standards for Restoration "allow for the depiction of a building at a particular time in its history by preserving materials from the period of significance and removing materials from other periods."

Reconstruction: The Standards for Reconstruction "establish a limited framework for recreating a vanished or non-surviving building with new materials, primarily for interpretive purposes."[5]

Typically, one treatment (and the appropriate set of standards) is chosen for a project based on the project scope. As preservation alternatives seek to alter a historic property to meet a new use while retaining the property's historic character, the Standards for Rehabilitation are typically most appropriate. Under CEQA, projects that comply with the Standards for Rehabilitation benefit from a regulatory presumption that they would have a less-than-significant adverse impact on a historic resource.[6] This is because the historic resource's material integrity would be retained to the extent that the property would continue to convey its historic significance and retain its eligibility for listing in the California Register. The Secretary of the Interior's Standards for the Treatment of Historic Properties are available at the following National Park Service link: https://www.nps.gov/tps/standards.htm

CHARACTER-DEFINING FEATURES

Character-defining features enable a property to convey its historic identity. Generally, CDFs can be defined as materials, forms, location, spatial configurations, or uses that contribute to an individual historic resource's historic significance. CDFs often relate to a particular architectural typology, style, or period of construction.

418 Front Street (Period of Significance: 1925-1955)

- Placement at front of lot line
- One-story rectangular plan and box massing
- Stepped and shaped parapet, recalling Mission style curved parapets
- Smooth stucco-clad primary façade, a common feature of Mission Revival designs
- Art Deco ornamentation, including:
  - Raised cement plaster arrowhead motifs
  - Stepped coping along roof and parapet line
  - Raised cement plaster belt course along primary façade.
- Symmetrical composition along primary façade

[5] National Park Service, "Four Approaches to the Treatment of Historic Properties," accessed July 30, 2019, https://www.nps.gov/tps/standards/four-treatments.htm
[6] CEQA Guidelines, subsection 15064.5(b)(3).

- The building's northernmost and southernmost bays flank a central lobby that likely delineated original office and garage uses. The windows and storefront entrance system within these bays are not original.

<u>428 Front Street (Period of Significance: 1948-1954)</u>

- Placement at front of lot line
- Main two story, T-shaped volume and secondary one-story volumes
  - The building's size and massing create variation in height along the main façade where the volumes are integrated and connected by multiple planes, curved features, and streamlined elements.
- Symmetrical composition along primary façade
  - Outer bays at north and south of property flank recessed central bays of the main volume.
- Multiple planes along primary façade
  - The primary volume and outermost bays are not coplanar and are joined by curved surfaces. Multiple surface planes are commonly utilized within Streamline Moderne style.
- Streamlined Horizontality
  - Flat parapets at the roofline
  - Flat awning between the first and second story levels emphasizes the building's horizontal orientation.
  - "Speed Stripes" add to the streamlined identity of the building, connecting to an era of construction in which mobility, speed, and technology were transferred from the public conscious to roadside architecture.
- Combination of materials of varying texture
  - Glass block bulkhead at display windows
  - Square tile applied to several locations of primary façade
  - Smooth stucco finish void of excessive ornamentation

NO PROJECT ALTERNATIVE

Description

Under the No Project Alternative, no modifications to the existing historic resources would be completed. No additional residential, retail, and/or commercial units or buildings would be added. The historic character-defining features of the two buildings at 418 and 428 Front Street would be retained; no modifications, repairs, or restoration activities would be conducted.

Analysis of Impacts Under CEQA

Since the No Project Alternative would not demolish or make any modifications to the historic resources, it would not cause substantial adverse change. Compared to the proposed project, which would result in a significant and unavoidable impact, the No Project Alternative would not result in any project-level impacts to historic architectural resources.

FULL PRESERVATION ALTERNATIVE

Description

The Full Preservation Alternative would include the construction of three seven-story multi-use buildings over two-level subterranean parking while preserving the existing two buildings while construction is performed around them.

Analysis of Impacts Under CEQA

The purpose of the Full Preservation Alternative is to consider a plan that would lessen the significant impacts of the proposed project on the existing historic resources. The Full Preservation Alternative project would theoretically retain a majority of character-defining features of the historic resources at 418 and 428 Front Street, including the characteristic placement of the buildings at the front of the lot line, portions of the building volumes, and all significant features of the exterior facades. However, as described in the memorandum from structural engineer Walid Naja of FBA, Inc., dated July 17, 2019, it does not appear structurally feasible to retain the buildings in place in order to temporarily shore them, excavate under them, and build the podium structures underneath. The infeasibility of this option is due to the quality of the soil and the construction materials of the two existing buildings, which consist of perimeter concrete and CMU walls on non-structural slabs on grade.

Because the buildings would need to be disassembled and re-erected, with likely additional alterations made to incorporate them into the project design, this approach would not meet the Secretary of the Interior's Standards for Rehabilitation, nor the intention of the Full Preservation Alternative. It would cause a significant impact on the two historic resources at 418 and 428 Front Street because it would demolish or materially alter in an adverse manner those physical characteristics of the historical resources that convey their historical significance, and that justify their eligibility for inclusion in the California Register.

PARTIAL PRESERVATION ALTERNATIVE 1

Description

Partial Preservation Alternative 1 involves the partial preservation of the existing historic buildings on the site. This alternative would involve the preservation of the primary street facades and the demolition of all secondary facades, structure, foundations, and roofs. The street facades would be disassembled in eight- to ten-foot-wide segments, stored at a different location, and put back in place after the podium structure is constructed. Per the July 17, 2019 memorandum from FBA, Inc., it is not possible to retain the facades in place during construction using bracing. Once reassembled on location, the facades would be strengthened with gunnite or shotcrete walls on the inside faces.

The three seven-story mixed-use buildings would be constructed behind the two one-story facades. In one conceptual scheme, the facades would be retained in their existing locations. The façade of

418 Front Street would be located at the south end of the southern proposed new building, and a mid-block passage would extend behind the north portion of the façade of 428 Front Street. An opening would presumably be required through the façade to access the mid-block passage. In a second conceptual scheme, the two facades would be relocated so that the façade of 418 Front Street would be located at the middle of the center proposed building and the façade of 428 Front Street would be located at the center of the southern proposed building. The new construction behind the facades would be differentiated from the historic resources through the use of modern materials and design.

Analysis of Impacts Under CEQA

The purpose of Partial Preservation Alternative 1 is to consider a plan that would lessen the significant impacts of the proposed project on the existing historic resources. Partial Preservation Alternative 1 would retain a number of character-defining features of the historic resources at 418 and 428 Front Street, including the characteristic placement of the buildings at the front of the lot line and all characteristic features of the exterior facades. Partial Preservation Alternative 1 would not retain the buildings' character-defining massing or height as volumetric structures. Thus, the buildings' significant architectural styles would be conveyed in the features of their facades, but their representation as whole buildings would be compromised. Furthermore, the massing, size, and scale of the new seven-story buildings to be constructed behind the historic primary façades would not be compatible with the one-story historic resources. The new buildings would significantly overshadow the historic façades due to the height difference and lack of strong setback. The additional stories would create a significant change in the overall visual impression of the property and its environment. As a result, the project would not be in compliance with the Secretary of the Interior's Standards for Rehabilitation. Specifically, it would not meet the following Rehabilitation Standards:

> Standard 1: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
>
> Standard 2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
>
> Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
>
> Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Partial Preservation Alternative 1 would be a minimal improvement over the proposed project based on the retention of some character-defining features, but it would still cause a significant impact on the two historic resources at 418 and 428 Front Street because it would demolish or materially alter in an adverse manner those physical characteristics of the historical resources that convey their historical significance, and that justify their eligibility for inclusion in the California Register.

PARTIAL PRESERVATION ALTERNATIVE 2

Description

Partial Preservation Alternative 2 involves the relocation of the two historic buildings to a new site while the proposed mixed-use project would be constructed on the project site. According to the July 17, 2019 memorandum by structural engineer FBA, Inc., due to the nature of the historic buildings' perimeter concrete and CMU walls on non-structural slabs on grade, this alternative would involve deconstruction followed by reconstruction. More specifically, it would involve vertical shoring and bracing of the structures' roofs and walls; removal of existing roofing material; salvaging the roof beams, trusses, and interior columns and supports; and disassembly of all perimeter walls into eight- to ten-foot sections. These materials would be delivered to a new site. Floor slabs, non-structural partition walls, and existing foundations would be demolished and recycled. New foundations and floor slabs would be built at the new site, and all salvaged elements would be reassembled. The buildings would be reconstructed as close to their original forms as possible, while upgrading the buildings to meet current building codes.

Analysis of Impacts Under CEQA

The purpose of Partial Preservation Alternative 2 is to consider a plan that would lessen the significant impacts of the proposed project on the existing historic resources. Partial Preservation Alternative 2 would retain a number of character-defining features of the historic resources at 418 and 428 Front Street, including all or most of the characteristic features of the exterior facades, as well as the character-defining massing and height as volumetric structures. Some of the buildings' exterior character-defining features may be altered in order to meet current building codes and/or conditions at the new site. Depending on the location of the receiving site, the buildings' characteristic placement at the front of the lot line next to the sidewalk may be compromised. The buildings' setting as it currently exists on a commercial street, adjacent to the San Lorenzo River, is likely also to be compromised by moving the buildings to a new receiving site.

Due to the deconstruction and reconstruction, the Secretary of the Interior's Standards for Rehabilitation would not be applicable, as they require minimal alteration to historic features and materials. Secretary of the Interior's Standards for Reconstruction may apply, and are outlined as follows:

> Standard 1: Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.

Standard 2: Reconstruction of a landscape, building, structure or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts that are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.

Standard 3: Reconstruction will include measures to preserve any remaining historic materials, features and spatial relationships.

Standard 4: Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color and texture.

Standard 5: A reconstruction will be clearly identified as a contemporary re-creation.

Standard 6: Designs that were never executed historically will not be constructed.

Partial Preservation Alternative 2 could meet the Standards for Reconstruction provided that reconstruction is based on documented evidence of the appearance of the buildings and does not include conjecture or design that was not executed historically. In order to comply with the Standards for Reconstruction, the receiving site would need to resemble the historic location's setting (placement at the front of the lot line on a commercial street, adjacent to the San Lorenzo River) and also accommodate the buildings' existing spatial relationships, for example their spacing from each other.

Partial Preservation Alternative 2 would be an improvement over the proposed project based on the retention of some character-defining features. Provided that Partial Preservation Alternative 2 could comply with the Standards for Reconstruction, it would likely cause a less-than-significant impact with mitigation. If Partial Preservation Alternative 2 is not able to meet the Standards for Reconstruction, it would cause a significant impact on the two historic resources at 418 and 428 Front Street because it would demolish or materially alter in an adverse manner those physical characteristics of the historical resources that convey their historical significance, and that justify their eligibility for inclusion in the California Register.

CONCLUSION

The buildings at 418 and 428 Front Street in Santa Cruz were previously found eligible for listing in the California Register under Criterion 3 (Architecture) and are therefore considered historic resources for the purpose of CEQA review. The proposed project would demolish the existing buildings and would therefore cause a substantial adverse change to the historic resources under CEQA.

A No Project Alternative would not cause any substantial adverse change to the historic resources. The Full Preservation Alternative would theoretically preserve the buildings, but this alternative is not structurally feasible and therefore would cause a substantial adverse change to the historic resources. Partial Preservation Alternative 1 would retain a majority of the character-defining features of the historic resources at 418 and 428 Front Street; however, it would change the setting and would demolish the structure and spaces that constitute the historic resources as buildings and would therefore cause a substantial adverse change to the historic resources. Partial Preservation Alternative 2 would also retain a majority of the character-defining features of the historic resources at 418 and 428 Front Street, but the ability of the alternative to avoid substantial adverse change would depend on the similarity of the receiving site to the current site.

From: Ruselle Revenaugh
To: Samantha Haschert
Cc: Dennis Wheeler
Subject: 418 development
Date: Monday, December 23, 2019 11:36:28 AM

Hello Samantha,

We were present at the EIR meeting held at Lauden Nelson for the 418 development.
We've been discussing the various issues surrounding this project for many months now,
and the meeting brought to life several more.
Foremost, we are concerned about the potential loss of the community and cultural diversity
that the 418 project currently provides: so much creativity and heart and healing is available
and supported there! But we are also greatly concerned about the environmental impact of
such a huge development! We were GREAT supporters of including the river in our new
developments after the earthquake, knowing that including that fabulous resource of ours, rather
than hiding it (as we still do), would bring so many benefits to our town, culturally, environmentally,
and spiritually. But none of that happened, and we were greatly disappointed! Instead, we got MORE
chain stores, big ugly signs welcoming visitors to our not-so-charming any more town, and more
homeless people populating and peeing on our precious river front properties.

So, now you're talking about building -- and big -- at the rivers edge. Will you somehow honor the
river, including it and its natural inhabitants in the developers' plans? I hope so! There are MANY
birds that live in that corridor and many more that migrate through. Have you actually considered
them at all? And what about the depth required for a foundation to support such a massive building!
That WILL affect the water table, water quality, and the speed of construction, as water naturally will
flow where it wants to go. It did not sound like you had addressed these issues in your planning.
I sure hope that you do!

We recently ran across an article that I am sending to you here, as I think it has great significance for the
development of Santa Cruz, particularly 418 Front St! Growing trees on the high rise buildings erected in
Santa Cruz should be required from now on!! We are losing trees all the time! (I was horrified when the
redwoods in the middle of highway one at Morrissey St were removed; they were the essence of Santa
Cruz's
charm!) And they should absolutely be replaced! Please take the time to read this article, watch the
videos
associated with it, and consider implementing this practice in your planning of our city. Trees and
shrubbery
growing up along the heights of the riverfront developments, especially, would help to address the
environmental
impacts of these precious riparian areas!

Please take this seriously. We used to be a very "green" community. I understand the need for Santa
Cruz to grow UP.
However, that does not mean we should forget or destroy our natural beauty. On the contrary, we need
to foster
MORE of it in order to keep our lands, rivers, forests, as well as Our lungs, hearts, and souls, happy and
healthy!
thank you,
Ruselle Revenaugh

> -----Forwarded Message-----
> From: Dennis Wheeler
> Sent: Dec 8, 2019 3:52 PM
> To: Ruselle R

Subject: vertical forest

> The project's two residential towers -- measuring 80 meters (262 feet) and 112 meters (367 feet) respectively -- play host to around 20,000 trees, shrubs and plants. They spill out from irregularly placed balconies and crawl up the structures' sides. By Boeri's estimates, there are two trees, eight shrubs, and 40 plants for each human inhabitant….
>
> But the architect's proudest claim is that the buildings absorb 30 tons of carbon dioxide and produce 19 tons of oxygen a year, according to his research, with a volume of trees equivalent to more than 215,000 square feet of forestland….
>
> Other energy-efficient features, including geothermal heating systems and wastewater facilities, have attracted less attention. Nonetheless, they help the towers to not only resemble trees, but function like them too, the architect said….. His firm has already unveiled plans for new Vertical Forest buildings in European cities including Treviso in Italy, Lausanne in Switzerland and Utrecht in the Netherlands.
> In the Chinese city of Liuzhou, Guangxi province, he has masterminded an entire "Forest City," scheduled for completion in 2020, which comprises tree-covered houses, hospitals, schools and office blocks over a sprawling 15-million-square-foot site. (Boeri said that he's also been approached about producing similar "cities" in Egypt and Mexico.)

www.dailykos.com/stories/2019/12/2/1903081/-Architect-creates-gorgeous-Vertical-Forest-high-rises-lined-with-215-000-Sq-Ft-of-forest-greenery?detail=emaildkre

From: sdeleon@cityofsantacruz.com
To: City Plan; Sara DeLeon; Tess Fitzgerald
Subject: Historic Preservation Commission Comments
Date: Monday, August 03, 2020 9:48:01 AM

A new entry to a form/survey has been submitted.

Form Name:	Historic Preservation Commission Comments
Date & Time:	08/03/2020 9:47 AM
Response #:	1
Submitter ID:	60168
IP address:	67.180.133.8
Time to complete:	8 min. , 41 sec.

Survey Details

Page 1

You are currently able to comment for all items scheduled for the August 5, 2020 Historic Preservation Commission Comments meeting.

COMMENT PERIOD

The comment period for items schedule will close at 5 PM the day of the meeting. Please select an item and provide your comment. Please note that all information submitted is releasable per the Public Records Act.

1. Please select the agenda item you would like to discuss.

(○) 418/428 Front Street

2. Please select one of the following regarding the item you are commenting on:

(○) In Support

3. Comment/Question:

Dear Historic Preservation Commission,

Please recommend that the City Council approve the Nonresidential Demolition Authorization Permit and certify the Environmental Impact Report for 418 and 428 Front St. (Item No: CP18-0153). Santa Cruz badly needs more new housing, and this is exactly the type of project we need. We need more affordable housing. We need more market rate housing. This provides both without demolishing any existing housing or displacing any residents!

The project will also help Santa Cruz transition to a more walkable city with lower greenhouse gas emissions because the project is so close to many goods and services (New Leaf, restaurants, stores, etc.) and so close to transit (it's across from the downtown Metro station).

We should not allow the fact that buildings built decades ago are currently on the property from transforming the site into a better, more vibrant part of Santa Cruz's future.

It's particularly important that projects like these are allowed to proceed now when COVID-19 is drastically affecting the health and economy of our community. We need more housing to decrease residential crowding to keep residents safe and healthy. We also need projects like this that will bring good construction jobs and increase the property tax base so we can avoid further cuts to government services.

Please recommend approving the project at 418 and 428 Front Street. Thank you for your time, consideration, and service.

Best,
Andrew Ow

4. Contact Information: If you would like us to contact you regarding your comment or question, please provide your contact information. Contact information will not be included as part of the list provided during the public meeting.

First Name:	Andrew
Last Name:	Ow
Phone Number:	Not answered
Email:	andy0080@aol.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: DAVID LAUGHLIN
To: Samantha Haschert
Subject: Re: Front St/Riverfront Project Question/Comment Received
Date: Thursday, July 23, 2020 10:10:36 AM

Hi Samantha. Thanks for the explanation. I always considered the "base" number of units that could be built on any parcel as a range, with the decision of where any particular development ended within that range to be up to the decision-makers based on a multitude of factors. Sort of like "asking price" in a car dealership. I'd hope that the Council understands that they have the authority to impose whatever reasonable conditions they deem appropriate, knowing that the applicant has recourse to file a legal challenge. And it would be nice to see the north end of the project to be a stepped design. Anyway, again thanks for the thorough explanation.

On Jul 22, 2020, at 10:43 PM, Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:

Hi Dave,
Thank you for submitting your comment/question regarding this project. You are correct that the development is subject to a 15% inclusionary housing requirement; however, the total number of units that you see in the description and on the plans includes a 31.58% density bonus. The base number of units that can be constructed in that location is actually 133 units and that is the number upon which we base the inclusionary requirement. The inclusionary requirement is for 15% of 133 units, or 20 units, to be made available for sale to low income households (80% AMI) at an affordable ownership cost or rent if the property owner maintains ownership and rents the units. In order to be eligible for a density bonus, the applicant is required to provide a deeper level of affordability, so they are proposing to make 15 of the 20 units available to very low income households (50% AMI) and provide the remaining 5 units to low income households at 80%AMI. This makes the project eligible for a 35% density bonus (24.16.215) and we apply that bonus to the 133 units. The applicant is requesting a 31.58% density bonus which is equal to 42 additional units and results in a total of 175 units.
Let me know if you have any questions!
Thanks,
Sam

Samantha Haschert
Principal Planner
City of Santa Cruz
shaschert@cityofsantacruz.com
(831) 420-5196
*NOTICE: The Current Planning Division of the Planning Department is closed every Friday due to furlough.

From: sdeleon@cityofsantacruz.com [mailto:sdeleon@cityofsantacruz.com]
Sent: Tuesday, July 21, 2020 9:55 AM
To: Samantha Haschert; Allison Webster; Sara DeLeon
Subject: Front St/Riverfront Project Question/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Front St/Riverfront Project
Date & Time:	07/21/2020 9:54 AM
Response #:	28
Submitter ID:	58316
IP address:	2600:1700:87f0:b0af:e1fe:802:9dca:9564
Time to complete:	4 min. , 23 sec.

Survey Details

Page 1

Thank you for your interest in the project at Front St/Riverfront project. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

I believe that this project should be required to contain at least 15% affordable housing, or at least 26 units for low and moderate income. A project this size has numerous economies of scale and can easily afford to provide more affordable units.

2.	Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:
First Name:	Dave
Last Name:	Laughlin
Phone Number:	8314262130
Email Address:	dlaughlin@ebold.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: Samantha Haschert
To: "Jane Mio"
Subject: RE: Email List - Front St/Riverfront project
Date: Tuesday, July 16, 2019 11:09:00 AM

Hi Jane,
Thank you for submitting these detailed comments. I hear three main areas of concern, 1) the structural safety of the building in a high groundwater, high liquefaction area combined with seismic activity, 2) the impacts of vibration on adjacent development and the levee during construction, and 3) the impacts of flooding. As we are in the process of reviewing the application materials and just beginning the environmental review process, we will be working through these types of questions in the near future with respect to this particular proposal and in conjunction with the research completed as a part of our Climate Action Plan and Local Hazard Mitigation Plan. The geotechnical report that was submitted for the project does in fact provide an assessment of site conditions including groundwater, seismic activity, liquefaction, lateral spreading, and settlement, and provides recommendations for construction to increase the stability of the future buildings, so they don't sink like the SF building! During the building permit phase, a project such as this would be required to maintain the services of a geotechnical engineer and to provide letters from the engineer indicating that the plans are consistent with the geotechnical report's recommendations and the recommendations of any additional engineering reports submitted as a part of the project. We are also working on the Environmental Assessment that will be submitted to the ACOE for their review of the impacts of the proposed fill on the levee system (section 408 permit) and this will be available for public review once completed. The developer will be responsible for any unanticipated impacts to the levee or other public infrastructure during construction.
It is very helpful to hear your concerns and I look forward to discussing these issues with you further as we continue to evaluate the impacts of the project.
Thanks!
Samantha

From: Jane Mio [mailto:jmio@earthlink.net]
Sent: Friday, July 12, 2019 2:51 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Re: Email List - Front St/Riverfront project

Sunny good Afternoon Samantha,
Thank you for helping me avoid that kind of "inactive" mistake again.

Also I appreciate your fill-in info. details about my in-fill questions.

To be honest I have many concerns about the levee fill, which are partially based on life experience, curiosity, research & mainly protecting the river.
So here is my thought process:
The Front St. development is without a doubt a huge change to the geographical area, involving an incredible amt. of soil excavation, causing vibration & changes.
The massive weight of the development on the land that was so drastically changed without time to settle, makes me uneasy.
The levee fill will change the water flow-off & will that result in unexpected issues for the

river/levee/buildings?
I am very aware that the City is in a financial bind, that the ACOE is as well, that the ACOE is trying to sign off on the levee responsibility & hand it to the City. So I do wonder how any levee/river/building financial issues will be resolved.
We are in a Climate Crisis, which increasingly impacts coastal rivers that are clearly beyond our prior construction expertise ~ so having a development of this immense proportion in the flood plains next to the river makes me uneasy.
& yes, I have gone over the plans & heard the argument that everything is worked out to assure safety, but then I learned that expert thought that about the sinking SF building, didn't predict the sand build-up due to harbor construction, the side effect of river dredging, the vibration of the Trestle bridge therefore I have concerns, which result in questions.
I do thank you for answering them & for all your help.
jane
BTW: I am looking forward to getting my updates on the Downtown projects. How often are they issued?

On Jul 11, 2019, at 2:04 PM, Samantha Haschert <shaschert@cityofsantacruz.com> wrote:

Hi Jane,
It sounded like you signed up in May 2018 but then never responded to the confirmation email so your email address was flagged as "inactive". Anytime you receive an error feel free to contact us for support.
In response to your other question, the developer/property owner of the adjacent project (Owen Lawlor's project) is paying to construct the fill between the levee and the building and will be responsible to maintain it. The ACOE designed and constructed the levee system so the developer is also required to obtain approval of a Section 408 permit to place the fill. The Section 408 permit and the CEQA document will include an analysis of the design drawings for the fill which were prepared by a civil engineering firm, a review of a geotechnical analysis of seepage and slope stability for the fill structure, a review of the geotechnical report for the site, a review of the proposed drainage/stormwater management plan at the levee and fill area, and a review of the impacts of the fill on existing infrastructure. What are your specific concerns with the levee fill?
Thank you,
Sam

From: Jane Mio [mailto:jmio@earthlink.net]
Sent: Thursday, July 11, 2019 8:58 AM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Re: Email List - Front St/Riverfront project

Hi Samantha,

Thank you so much for the tech. update.
As you can imagine the glitch raised the question: what can I do to avoid that?

Please let me know the reason in case you find out what caused that situation.
Thanks for your effort to have me added to the e-mail list.
jane

> On Jul 10, 2019, at 5:57 PM, Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:
>
> Hi Jane,
> Our admin staff determined that the error message that you received online was specific to your login/email address. I don't know all of the details but I do know that they added you to the email list manually and that they were not concerned that others would experience the same issue.
> Thank you,
> Samantha
>
> Samantha Haschert
> Senior Planner
> Department of Planning &
> Community Development
> City of Santa Cruz
> 831) 420-5196

From: Larry Friedman
To: Samantha Haschert
Subject: Riverfront Apartments
Date: Friday, December 06, 2019 10:52:13 AM

Hi. I am a homeowner on the East side of Santa Cruz. Not a developer or big time property owner. Saw the article in today's Sentinel about this new 175 unit apartment complex downtown. I am totally in favor of it! Great location, infill and across from transit. And lots of affordable housing in the mix. Yes. Yes.

I am familiar with the 418 and have been to events there, and eaten many times at the India Joze there. Obviously they will lose those spaces, but hopefully the developer can find ways to offer new space for those businesses. Or with the help of the City. Despite that, I encourage you to approve this project. Larry Friedman 202 1/2 Oceanview Ave, SC

From: Samantha Haschert
To: "mcollins1949@gmail.com"
Subject: RE: Front St/Riverfront Apartments Question/Comment Received
Date: Monday, June 24, 2019 9:36:00 AM

Hi Margaret,
When we prepared Volume 3 of the City's Historic Building Survey, we identified a list of historic sites/buildings but we allowed property owners the option to "opt-out" of listing the building. An opt-out means that they would not be subject to our Historic Preservation ordinance that requires approval of a Historic Alteration Permit for remodels, alterations, or additions to their structure and/or property and it also means that they are not eligible for the many incentives provided to listed historic properties. Under the California Environmental Quality Act (CEQA), we are required to analyze if a building is a historic resource prior to demolition, so when a building is proposed to be demolished, there are a few ways that we can know if it's a potential historic resource: if the building is greater than 50 years old, if it was previously identified as a historic resource and the property owner opted-out, if the architectural style appears to be a good example of early architecture or settlement patterns, or if it's located in an area that is mentioned in the City's historic context statement.

A DPR (Department of Parks and Recreation Form 523 that is used as a primary record of the historic significance of the site) was prepared for the property at 418 Front Street during the preparation of Volume 3 of the Historic Building Survey. The DPR identified the property as historic, however the property owner opted-out of listing the site. The building is now proposed to be demolished so we have to evaluate the impacts of demolition under CEQA; however, this building is not listed in our historic building survey.
The other site is at 428 Front Street and this property is listed in the City's Historic Building Survey, Volume 3. Again, we are required to evaluate the impacts of demolition of a historic resource under CEQA as a part of a project.

Yes, there will be trees planted as a part of the project. The plantings are required by the Downtown Plan, the Creeks and Wetlands Plan, and as mitigation for the removal of other heritage trees at the site. At this point (the application has not yet been deemed complete), it appears that there are 32 trees on the project site and most of them are located on the outside slope of the levee which is an area that will be located between the levee and the new building and is proposed to be filled. The arborist report identifies the removal of five heritage trees with the project and one street tree. New plantings are concentrated at the new levee fill area and on Front Street as the rest of the site is proposed for development. Additional evaluation of tree planting will occur once we have a complete application.

I hope that answers your question!
Thanks,
Sam

Samantha Haschert
Senior Planner

Department of Planning &
Community Development
City of Santa Cruz
831) 420-5196

From: sdeleon@cityofsantacruz.com [mailto:sdeleon@cityofsantacruz.com]
Sent: Thursday, June 20, 2019 9:25 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>; Dana Eugenio <deugenio@cityofsantacruz.com>
Subject: Front St/Riverfront Apartments Question/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Front St/Riverfront Apartments
Date & Time:	06/20/2019 9:24 PM
Response #:	11
Submitter ID:	39239
IP address:	50.1.51.250
Time to complete:	5 min. , 16 sec.

Survey Details

Page 1

Thank you for your interest in the project at Front St/Riverfront Apartments. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

What is the address(es) of the historic buildings which will be demolished?

Will there be trees planted to replace those removed?

2. Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:

First Name:	Margaret
Last Name:	Collins

Phone Number:	8314265167
Email Address:	mcollins1949@gmail.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: Russell Weisz
To: Samantha Haschert
Subject: Riverfront Apartments project
Date: Friday, December 06, 2019 12:05:17 PM

I am opposed to the Riverfront Apartments project as currently proposed. Seven story apartments next to the river are several stories too high and will negatively impact wildlife and aesthetics in the river riparian pathway. Buildings of this size and height will intimidate birds, mammals, and likely fish. The buildings will impact lighting and wind along the river in their vicinity. The proposed buildings are too tall. At a minimum, the EIR must address the negative impacts noted above with biological and physical studies drawn from baselines that prove the absence of these impacts for the project to proceed as proposed. I do a lot of volunteer environmental work along the river with several groups and I do not want our work to be negatively impacted or offset by this project.

Sincerely,
Russell Weisz
319 Laguna St.
Santa Cruz CA 95060
russweisz1@gmail.com
831 246-1770

From: Sarah Olson
To: Samantha Haschert
Subject: Re: Front St/Riverfront Project Question/Comment Received
Date: Friday, January 10, 2020 8:26:22 PM
Attachments: image003.jpg
image004.jpg

Hi Samantha,
Thank you for your reply. In the very first rendering above the third building seems like it could have a design that is broken up a bit in the center of the building similar to the second building on the top rendering. I think having the mid-section a little shorter helps with the massiveness of the structure. Having 3 massive buildings one after another is overwhelming for our small town. We are not Sunnyvale. Anything that can be done to break up the huge consistent look of the third building would really help. How high are the ceilings inside the units on the top floor of the third building in the first rendering?
Thank you.

On Fri, Jan 10, 2020 at 12:44 PM Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:

> Hi Sarah,
>
> Yes, the Downtown Plan requires the project to meet specific stepback requirements at the upper stories such as a 10 foot stepback above 50 feet in height. The site however, is very narrow and the Downtown Plan also requires them to provide two pedestrian passageways between Front St. and the River levee, one 60 feet wide and another 30 feet wide. Density Bonus state law allows for them to request variations from these types of setbacks/stepbacks where they can show that the standards physically preclude the construction of the development with the density bonus units. While they are taking that position, they are also still providing varied stepbacks along the building façade, they are just not proposing the full 10' stepback above 50 feet. As you can see in the renderings below, there are 9-10 foot stepbacks at many of the building corners and a large setback at the center of the middle building. And while the pathways constrain the developable area on the lot, they have the benefit of breaking up the building area to create three separate buildings. The varying rooflines and upper floor open space areas also help to break up the massing at the river elevation (lower rendering).
>
> Feel free to shoot me any additional comments. It's helpful to hear feedback on the architectural design.
> Sam

From: Sarah Olson [mailto:7saraholson777@gmail.com]
Sent: Thursday, January 09, 2020 8:27 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Re: Front St/Riverfront Project Question/Comment Received

Hi Samantha,

I appreciate your reply. Is there a possibility the developer could design a tiered front of the building? So the very front would not be as high as the back of the building? A design that would lessen the massive block look would be more desirable. I have seen this type of design done in other towns and it lessens the visual impact. I agree many could walk from this building to get most but not all their needs met.

Thank you for your time.

Sarah

On Thu, Jan 9, 2020 at 7:58 PM Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:

> Hi Sarah,
>
> Thank you for your comments. A copy will be provided to the hearing bodies in advance of the public hearings and a copy will be kept in the project file as a part of the public record.
>
> I assume that your statement regarding the building being too massive is in reference to the visual impacts of the building. If so then yes, the visual impacts of the building will be something that we need to consider carefully as a part of our review. The Downtown Plan allows for five stories of residential above ground floor commercial and the developer is requesting to allow for an extra story in exchange for deed restricting units with a greater level of affordability. This density bonus request is a State Law which somewhat limits our discretion on the matter, but that being said, I anticipate the visual impacts of the building to be a point of discussion in the review of this project. In terms of traffic, the downtown area is a transit priority area where there are goods, services, recreation areas, and other amenities that are within walking and biking distance. It is anticipated that the location would encourage the use of public transportation, walking, and biking.
>
> Thank you again,
>
> Samantha

Samantha Haschert

Senior Planner

Department of Planning and Community Development

City of Santa Cruz

(831) 420-5196

From: sdeleon@cityofsantacruz.com [mailto:sdeleon@cityofsantacruz.com]
Sent: Friday, January 03, 2020 5:48 PM
To: Samantha Haschert; Allison Webster; Sara DeLeon
Subject: Front St/Riverfront Project Question/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Front St/Riverfront Project
Date & Time:	01/03/2020 5:48 PM
Response #:	17
Submitter ID:	43262
IP address:	2601:647:cd01:c8c0:b4ab:5b94:c188:9428
Time to complete:	4 min. , 4 sec.

Survey Details

Page 1

Thank you for your interest in the project at Front St/Riverfront project. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

This is too massive of a project. Scaling it back by 50% would do a better service for our community. The amount of traffic that the project would add and use of water does not make sense.

2. Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:

First Name:	sarah
Last Name:	Olson
Phone Number:	8314298786
Email Address:	7saraholson777@gmail.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Submit Date	Question/Comment:	Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:
11/23/2018 5:32		LanaHernandez#RoseRutherford#82683126565#williams.sdawnes1240@gmail.com
12/13/2018 11:00	I support the Front St/Riverfront Apartments project. It provides much needed housing units to our community. Downtown is the appropriate place for this level of density. The project further replaces under utilized blighted development and activates the street and river levee improving overall public safety.	Peter#Detlefs##pdetlefs@gmail.com
4/2/2019 9:37	I have always felt that this type of development was appropriate along the river. However, with all of the high density development planned in this area I have many concerns and look forward to receiving more details as the plans develop. Specifically on this project, I believe the east sidewalk on front street needs to be widened and that all street side parking should be eliminated to allow for this as well as returning Front street to 4 traffic lanes. Perhaps the bike lanes could be removed with greater use of the river path. Also how will plans for the new transit center be affected by all the development planned in this area? We need to look at all of the development as a whole, not project by project.	Eric#Child##cascadeclub@icloud.com
4/3/2019 18:21	Looks great	###
4/5/2019 10:09	Please let me know availability, timeline, pricing and are there units with affordable housing. Best regards, Linda Daly 415-866-9221	Linda #Daly #415-866-9221#ldaly2992@yahoo.com
4/23/2019 17:59	When will this project begin construction.	Jose#Gonzalez##jose.gonzalez1991d@gmail.com
6/15/2019 2:11	Can't wait for this to break ground. Keep on building the additional housing we desperately need here in Santa Cruz.	###
6/18/2019 11:46	RE: Front St/Riverfront housing project--I cannot tell from the information on the web page where along Front St. this project is slated to be located (such as between which two cross streets) or what two historical buildings are being considered for demolition. I do not need a response but think it would be useful for members of the public to have that information on the page . Thank you.	###
6/20/2019 18:39	looks just like what the post earthquake local CEDAT Team proposed for along the River. Lets do three or four more. What is the address(es) of the historic buildings which will be demolished?	Hugh D.#Carter#8314581544#csarchs@cruzio.com
6/20/2019 21:24	Will there be trees planted to replace those removed?	Margaret#Collins#8314265167#mcollins1949@gmail.com
7/3/2019 12:40	Hi can I put my name on the waiting list for a disabled unit?	Laura#Verutti##Laurgoe@comcast.net
9/26/2019 0:57	Why are you approving the building of so much stuff in the floodplain? Rising sea levels are going to make that area unsustainable sooner than you think. This project is a multi-million dollar fancy condo monument to your climate change denialism. Congratulations for failing to think of the near future!	Blaize#Wilkinson##stblaize@gmail.com
10/27/2019 18:14	Will there be a waitlist for these apartments?	Carina #Munos #8313317364#C-Munos@hotmail.com
11/27/2019 19:02	What is the planning department thinking when proposing a project of this size, this huge impact on our outdated infrastructure , and where is the WATER coming from? What is happening to this town? All of a sudden developers have gone crazy, ruin our town and take the money and run. How can anyone propose this monstrosity with a straight face?	laura#leet#831 325 6740#lauraleet@me.com
11/30/2019 19:48	You did not give the time of this meeting: Front St/RiverFront Project: Scoping Meeting Join the applicant for an open house scoping meeting on Wednesday December 4, 2019. 11/27/2019	Judi#Grunstra##judiriva@hotmail.com

11/30/2019 19:55	Will this displace the 418 Project (418 Front St.)? That has been a community arts space for many years, and the developer should include a comparative community arts/dance space in this project.	Judi#Grunstra##judiriva@hotmail.com
1/3/2020 17:48	This is too massive of a project. Scaling it back by 50% would do a better service for our community. The amount of traffic that the project would add and use of water does not make sense.	sarah#Olson#8314298786#7saraholson777@gmail.com
1/30/2020 7:37	Every depiction of new developments looks identical! The cumulative effect of this bland style will make our city an "anywhere USA" and undermine Santa Cruz's often repeated claim that this place is "unique." We need more imaginative architecture!	Judi#Grunstra##Judi@grunstra.com
2/15/2020 7:11	I am contacting you on behalf of the Santa Cruz City Schools. We do the ten-year student enrollment projections as well as the residential research for the school district and we track all new residential development over ten units. Can you tell me who the developer is for the project as well as contact information. Thank you, Madelynn	emozukehexae#emozukehexae#88131588694#aiwodosu@fdghgf.emailddtr.com Madelynn#Vesque#949-370-9824#mvesque@decisioninsite.com
7/16/2020 7:40	Why does this project only have 11% affordable units (20 out of 175)?	Gail#Jack#8312952756#gailsharon4.5@gmail.com
7/17/2020 11:43	I believe that this project should be required to contain at least 15% affordable housing, or at least 26 units for low and moderate income. A project this size has numerous economies of scale and can easily afford to provide more affordable units.	Dave#Laughlin#8314262130#dlaughlin@ebold.com
7/21/2020 9:54		

12/8/19 Alene Smith 423-9739

- Concerned that name of apartments should be different from the existing Riverfront Apartments.
- Seven story building too tall, god awful, horrible
- Concerned that units are for purchase and not for rent

Tess Fitzgerald

From: sdeleon@cityofsantacruz.com
Sent: Sunday, July 05, 2020 10:23 PM
To: Samantha Haschert; Dana Eugenio
Subject: Pacific Front Mixed-Use Development/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Pacific Front Mixed-Use Development
Date & Time:	07/05/2020 10:22 PM
Response #:	44
Submitter ID:	57148
IP address:	2601:647:c801:3d10:5055:fd56:b4d6:c3c1
Time to complete:	4 min. , 57 sec.

Survey Details

Page 1

Thank you for your interest in the project in the Pacific Front Mixed-Use Development Project. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

Will the existing stores get to remain in the new building? I think that it would be very unfair to force the businesses we love out and then raise their rent on a new space. It feels like you're gentrifying SC.

2. Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:

First Name:	Anael
Last Name:	Sun
Phone Number:	8583367225
Email Address:	anaelelainesun@gmail.com

Thank you,
City of Santa Cruz

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CITY OF SANTA CRUZ
City Hall
809 Center Street
Santa Cruz, California 95060

HISTORIC PRESERVATION COMMISSION

ACTION SUMMARY
Special Meeting
August 5, 2020

7:00 P.M. GENERAL BUSINESS AND MATTERS OF PUBLIC INTEREST, ZOOM WEBINAR

Call to Order-The meeting was called to order at 7:09 p.m.

Roll Call-Commissioners Gibson, Kusz, Lauritson, Narath, Michalak were present.

Absent w/notification-None

Statements of Disqualification-None

Public Hearings

1. Nonresidential Demolition Authorization Permit to demolish two historic commercial buildings to facilitate the construction of a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground floor and levee front commercial space on property located within the CBD/CZ-O/FP-O (Central Business District/Coastal Zone Overlay/Floodplain Overlay) zone district and within the Front Street/Riverfront area of the Downtown Plan.

   MOTION: Motion made by Commissioner Lauritson, seconded by Commissioner Diego to recommend that the City Council approve the Nonresidential Demolition Authorization Permit and certify the Environmental Impact Report based on the Findings listed below and the Conditions of Approval listed in Exhibit A of the staff report dated July 31, 2020, with the additional recommendation to incorporate partial preservation alternative one from the project EIR into the Conditions of Approval: 1) Partial Preservation This alternative involves the partial preservation of the existing historic buildings on the site through retention of the primary historic building facades and incorporating them into the new building. This alternative would involve the preservation of the primary street facades and the demolition of all secondary facades, structure, foundations, and roofs. The street facades would be disassembled in eight- to ten-foot-wide segments, stored at a different location, and re-assembled and incorporated into the Project after completion of subsurface work. It is not

possible to retain the facades in place during construction. Under this alternative, there would be no change to the proposed project uses and site layout, except the design would be altered to incorporate the building facades of the existing on-site historic buildings. This alternative would retain a number of character-defining features of the historic resources, however, it would not retain the buildings' character-defining massing or height as volumetric structures. Thus, the buildings' significant architectural styles would be conveyed in the features of their facades but their representation as whole buildings would be compromised. Furthermore, the massing, size, and scale of the new seven-story buildings to be constructed behind the historic primary façades would not be compatible with the one story historic resources, and the project would not be in compliance with the Secretary of the Interior's Standards for Rehabilitation. In addition, it would not be feasible to reconstruct the facades in the exact locations of the existing buildings without requiring a new opening to be provided in order to accommodate the mid-block passageway. Review by the project structural engineer indicates that this process can be accomplished; however, the overall cost of the process is unknown, so it is difficult to fully assess the impact of that cost on the viability of the project. However, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future. As a result, the costs for implementing this alternative likely will have a greater negative impact on project feasibility than would have been likely under pre-COVID-19 conditions. Under this alternative, the identified significant unavoidable impact related to historical resources would be slightly lessened, but would not be reduced to a less-than-significant level and the project may not be financially viable under this alternative.

ACTION: The motion passed by the following vote:

AYES: Lauritson, Narath, Diego, Bliss, Michalak
NOES: Gibson
ABSENT: Kusz (not present at the time of the vote due to technical difficulties)

Adjournment-The meeting adjourned at 9:20 p.m.

Tess Fitzgerald

From: sdeleon@cityofsantacruz.com
Sent: Sunday, July 05, 2020 10:23 PM
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Subject: Pacific Front Mixed-Use Development/Comment Received

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First Name:	Anael
Last Name:	Sun
Phone Number:	8583367225
Email Address:	anaelelainesun@gmail.com

Thank you,
City of Santa Cruz

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CEO, Community Foundation Santa Cruz County

Matt Wetstein
Superintendent/President, Cabrillo College

Staff: Kate Roberts, President & CEO

August 3, 2020

Santa Cruz Historic Preservation Commission
809 Center Street
Santa Cruz, CA 95060

Subject: Support for Proposed Riverfront Mixed Use Project

Dear Chair Michalak and Historic Preservation Commissioners,

The Monterey Bay Economic Partnership (MBEP) was founded in 2015 and consists of over 87 public, private and civic entities located throughout Monterey, San Benito and Santa Cruz counties with a mission to improve the economic health and quality of life in the Monterey Bay region. Our Housing initiative consists of a broad coalition of community members, local employers, and organizations to advocate for and catalyze an increase in housing of all types and income levels in the region.

The proposed Riverfront mixed-use project answers a critical need for housing in our community. Of the total 175 residential condos included in the proposal, 15 would be designated affordable to households making 50% of the Area Median Income (AMI) and 5 to households making 80% of the AMI. In addition to providing affordable housing units to the community, the proposed development would also provide 11,498 square feet of ground-floor commercial space and community benefits such as its enhancement of the levee. The project is in strong alignment with the City's Downtown Plan and its outlined goals to restore the Downtown's physical connection to the river.

MBEP's Housing Initiative supports the construction of housing in our region at all types and income levels in appropriate locations near existing jobs, transit and services. Additionally, MBEP's Climate Change Initiative advocates for the construction of transit-oriented housing developments and climate-resilient infrastructure. With its use of Density Bonus Law to maximize land use in an appropriate site proximate to jobs and transportation, Riverfront is in alignment with our housing production and climate change resiliency goals.

The Commission has an opportunity to expand access to housing for Santa Cruz residents. Please vote to designate the project as a non-historic site.

Thank you for your consideration.

Sincerely

Kate Roberts
President & CEO

3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

Santa Cruz . San Benito . Monterey

From: Rick Longinotti
To: Sarah Neuse
Subject: vacant parking
Date: Friday, July 24, 2020 12:16:17 PM
Attachments: morehousinglessparking_7360_283261_Current Conditions Report.pdf

---

Hi Sarah,
I've attached a study of parking occupancy at large multi-family complexes in Santa Cruz, performed by students of Adam Millard-Ball.
They show large amounts of empty parking spaces overnight. The least number of available spaces overnight out of three nights measured at each location were:

Pacific Shores: 31%
Cypress Pt: 37%
Chestnut Townhomes: 39%

This suggests that our current parking regulations produce about 35% more parking than what is needed. That's before any additional TDM measures. (except for Pacific Shores that provides bus passes.)

I agree with Mark Primack that you may not need a complex process in which developers provide various TDM measures to lower their parking requirements. If parking is unbundled, the market will figure out the right number of parking spaces. To do this the City would need to aim towards regulating overnight curb parking.

Thanks,
Rick

Rylee Hawkins
Alex Garber
10 November 2016
Adam Millard-Ball
ENVS 196

Current Conditions Report: Santa Cruz Minimum Parking Requirements

Introduction:

The purpose of this study is to provide data that the City of Santa Cruz might consider when building future housing developments to help alleviate the housing crisis the city currently faces. Specifically, we examine the effect of parking on housing prices, how much parking is actually used versus how much is required by city codes, examine car ownership data throughout the city, and analyse alternative transportation methods. Relaxing minimum parking requirements would help facilitate infill development, creating a denser, more transit based community.

First we examined 300 Craigslist listings to determine if bundled parking -units that include a parking space with rental prices- affect the overall price of the unit. Then, we visited three different apartment complexes across the city to determine if their parking lots were at capacity during what we assumed would be peak times. We also looked at car ownership data in Santa Cruz to test the assumption that most homes have two vehicles. Finally we mapped transit and biking accessibility throughout the city and analyzed transportation patterns in the city.

Craigslist Data Scrape

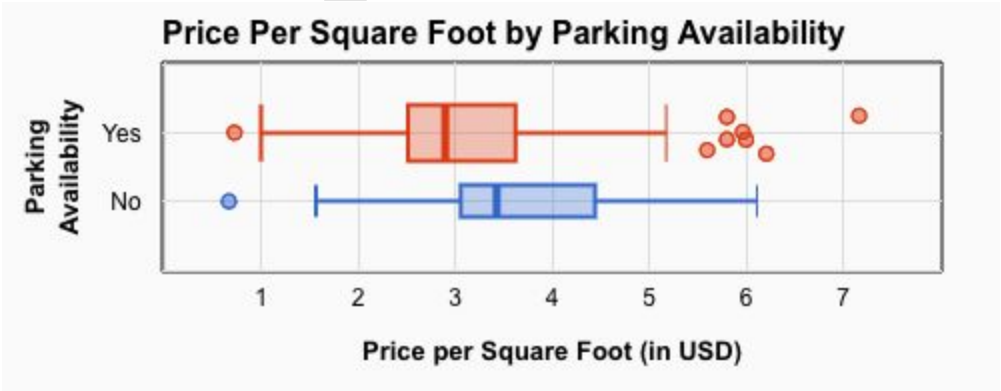

Figure 1a

Figure 1a indicates that according to the Craigslist data we collected, rental properties in Santa Cruz without bundled parking are more expensive per square foot per month than those with bundled parking. This data was collected from 300 randomly selected Craigslist rental offerings between August 22 and September 25, 2017.

Research would suggest that unbundled parking should actually reduce the cost of a rental. In fact, research conducted by the Victoria Transport Policy Institute suggests that rent is increased by 12.5% when one parking spot is included and up to 25% for 2 spaces. Our data does not conform with this concept. We anticipate that this could be for a few different reasons. (1) Only 79 of the 300 listings we recorded do not provide parking. Most of the properties with

unbundled parking were apartments. (2) Some apartments that do not bundle parking in Santa Cruz have allocated that saved land to other amenities, making them luxury apartments and increasing rent. An example of this is the Apartments at 1010 Pacific Avenue. These apartments also serve as a good example of a transit oriented development with reduced parking. Tenants are required to pay for parking within the building. There are limited spaces so residents are also encouraged to use the already existing parking garage on Front and River to store their vehicles. It is located right next to the main Santa Cruz Metro Station and within walking distance to many amenities which encourages alternative modes of transportation. This is an example of a low parking development that could be implemented elsewhere in Santa Cruz.

Unfortunately Craigslist does not require posters to share the location of the listing so we were not able to analyze how location might affect rent in conjunction with parking.

Outcome of Bundled Parking at Apartment Complexes:

We surveyed parking availability at 3 different apartment complexes in the City of Santa Cruz between 10 and 11 PM on Tuesday, Thursday and Sunday nights. We can assume that each of these complexes is at least 90.3% occupied because that is the occupancy rate for the city according to the 2015 census (American Factfinder).

Cypress Point

Cypress Point is located at 101 Felix Street.

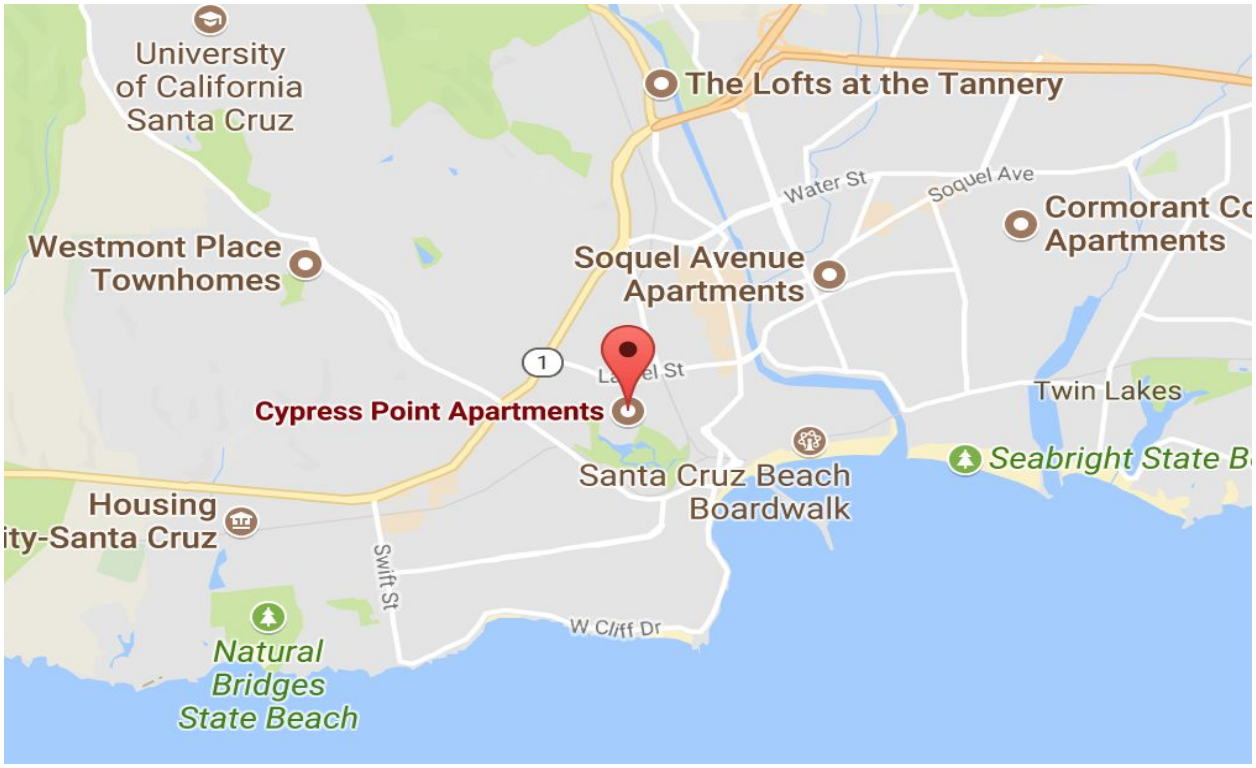

Figure 1b

The complex is comprised of 240 units and provides 314 parking spots. Parking is included with each rental, and allocated depending on how large the unit is. Information regarding the floor plan of the units at Cypress Point was readily available online. They have eighty 2 bedroom

units, one hundred and twelve 1 bedroom units and forty eight studios.

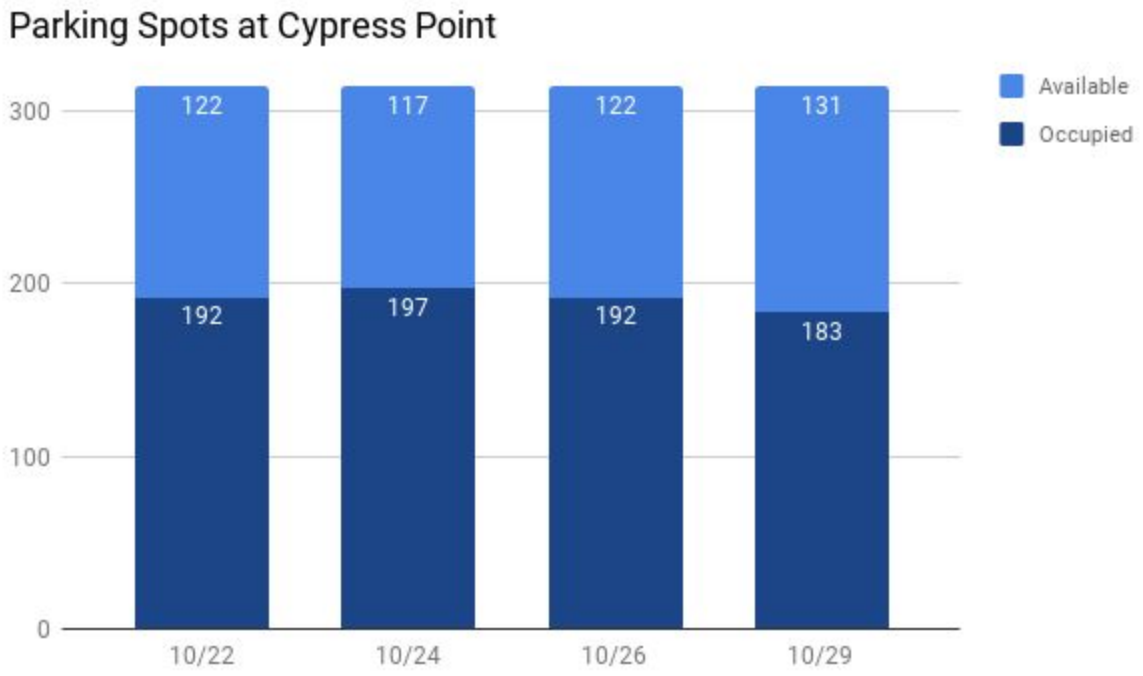

Figure 2b
This figure demonstrates the amount of spots left available on four given nights during the month of October. There was an average of 123 parking spots left available each night.

Pacific Shores

Pacific Shores is located on the Westside of Santa Cruz at 1240 Shaffer Road.

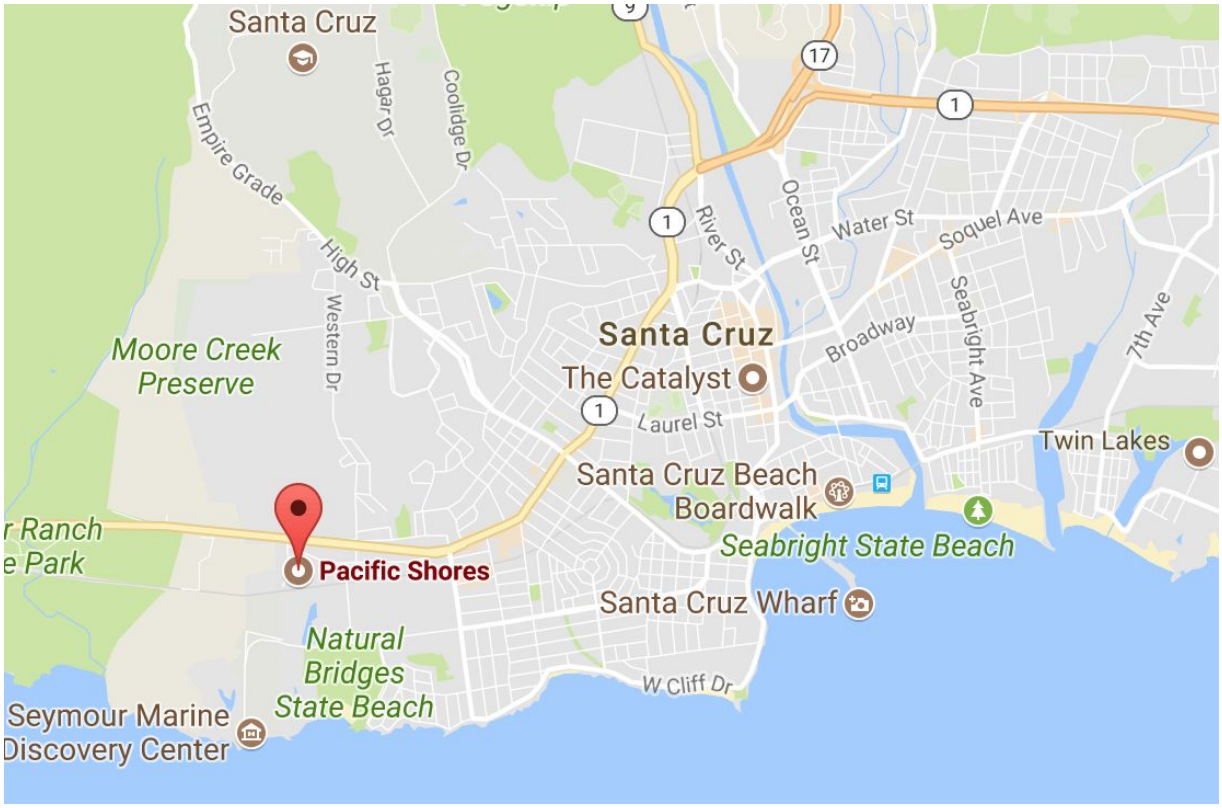

Figure 3b

The complex is comprised of 206 units and 299 parking spots. Each rental unit comes with one parking space bundled within the cost of the monthly rent. Each additional parking spot desired by a tenant can be rented for $55/ month or $65/ month for a covered space.

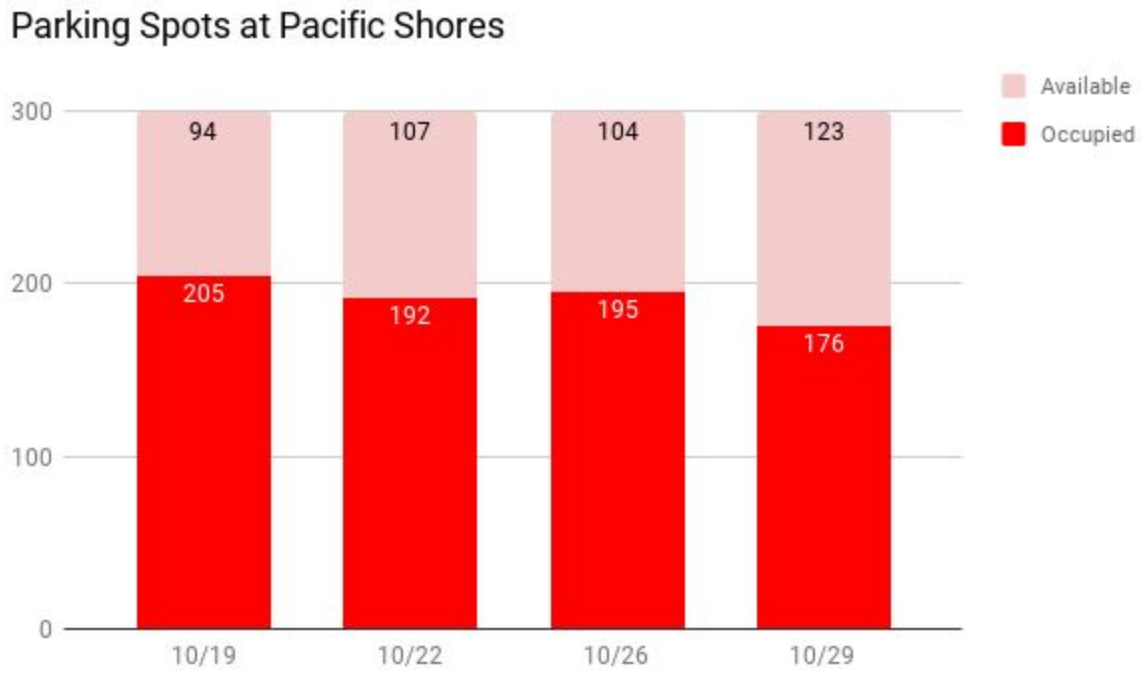

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Figure 4b

This demonstrates available and occupied spots in Pacific Shore's lot on four given nights in the month of October. There was an average of 107 available spots given the data we collected. Pacific Shores does not meet Santa Cruz's parking requirements and still oversupplies parking to its residents by an average 35.9%.

Chestnut Townhomes

Chestnut Townhomes are located at 143 Chestnut Street.

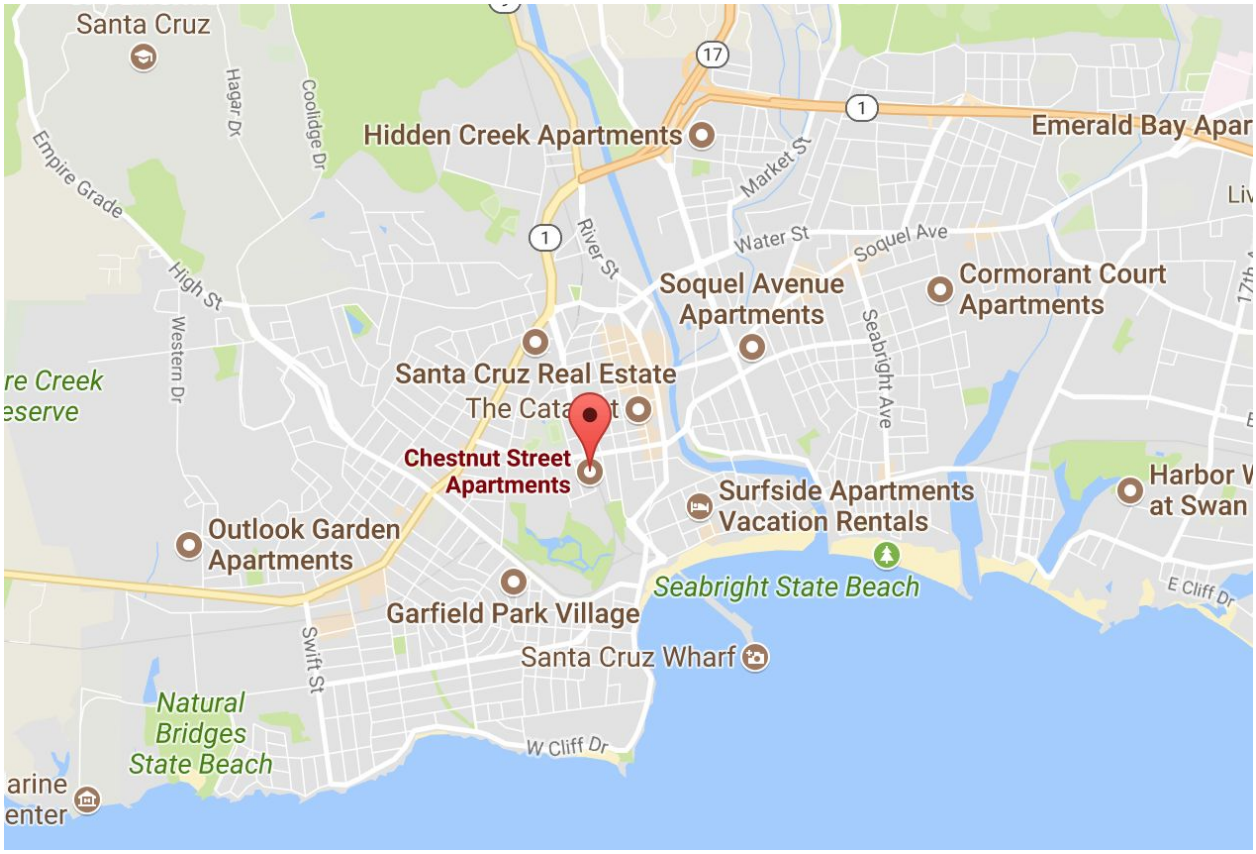


Figure 5b

The complex is comprised of 96 units. There are a total of 148 parking spots. One bedroom floor plans are allotted one parking spot and most 2 bedroom floor plans are allotted two spots, however some are only given one. The price of parking is included in the rental price. This parking configuration is below the minimum requirements set out by the city of Santa Cruz.

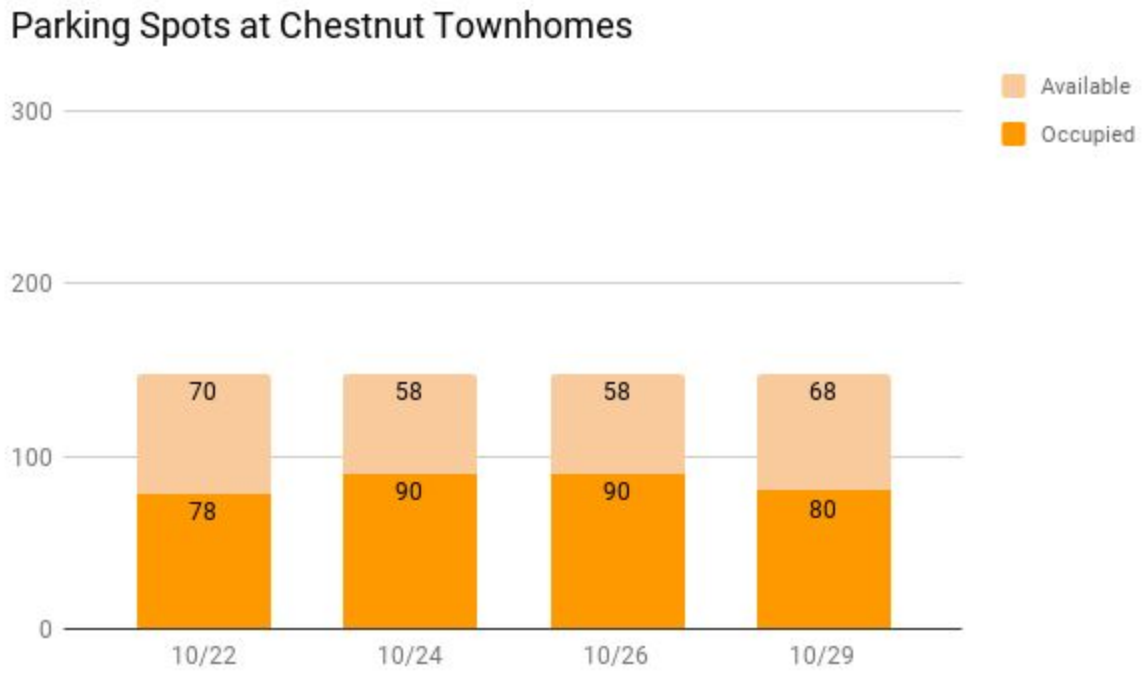


Figure 6b
On average, there were about 63 spots available on each surveyed night in October.
Findings
These numbers demonstrate an oversupply of parking translating into hundreds of spaces left unoccupied overnight. Each of these complexes bundles parking into their rent prices regardless of the tenants' need for a space. This drives up rental prices and allocates land to parking that could be apportioned to further housing development. Beyond affecting housing supply in a county that is already facing a shortage, the opportunity cost missed by designating this land to parking spots is significant.

Census Data

The next set of maps (Figure 1c-12c) show census data on car ownership. The data was collected using American FactFinder, and the data set used was Tenure by Vehicles Available 2015. There are 23,717 homes analysed in the data below. It should be noted that census block 060871004002, which is on the east side of UCSC, does not have any homes within it, making all percentages read as 0.

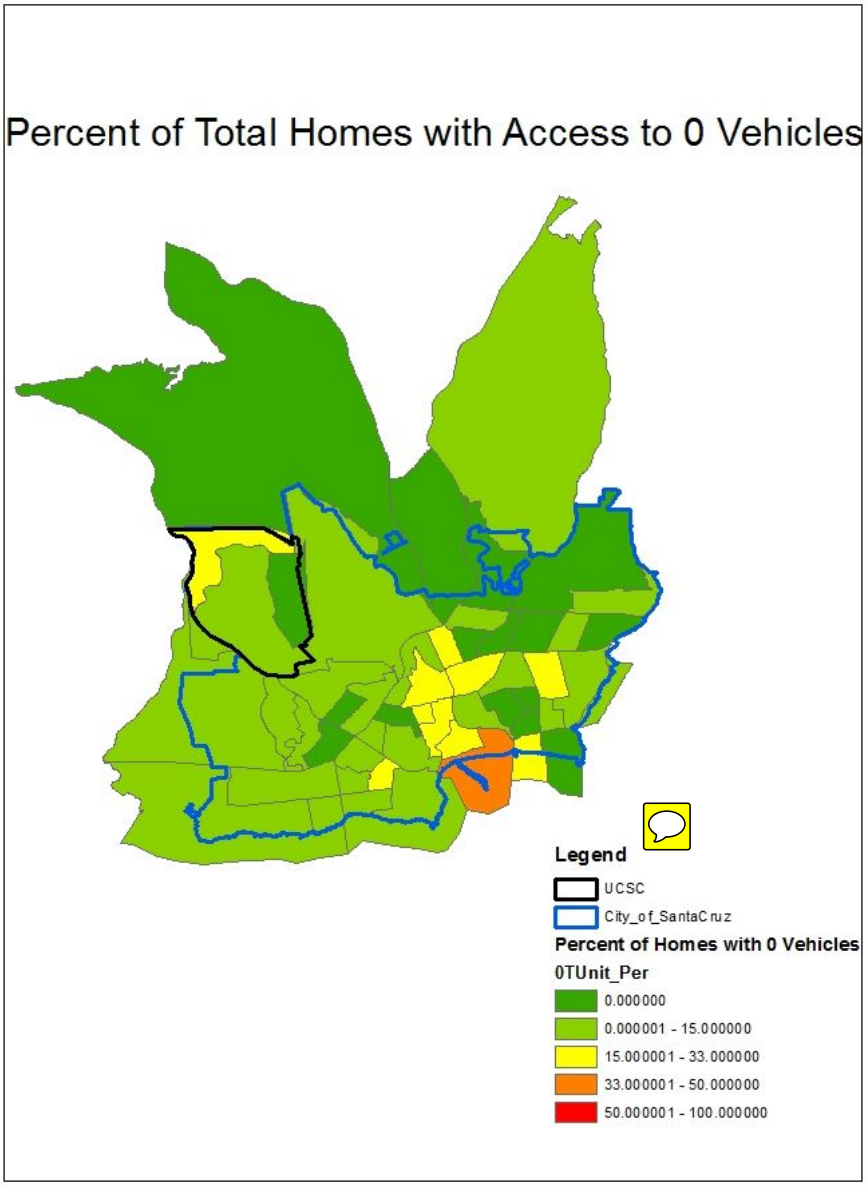

Percent of Total Homes with Access to 0 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 0 Vehicles
0TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure Ic

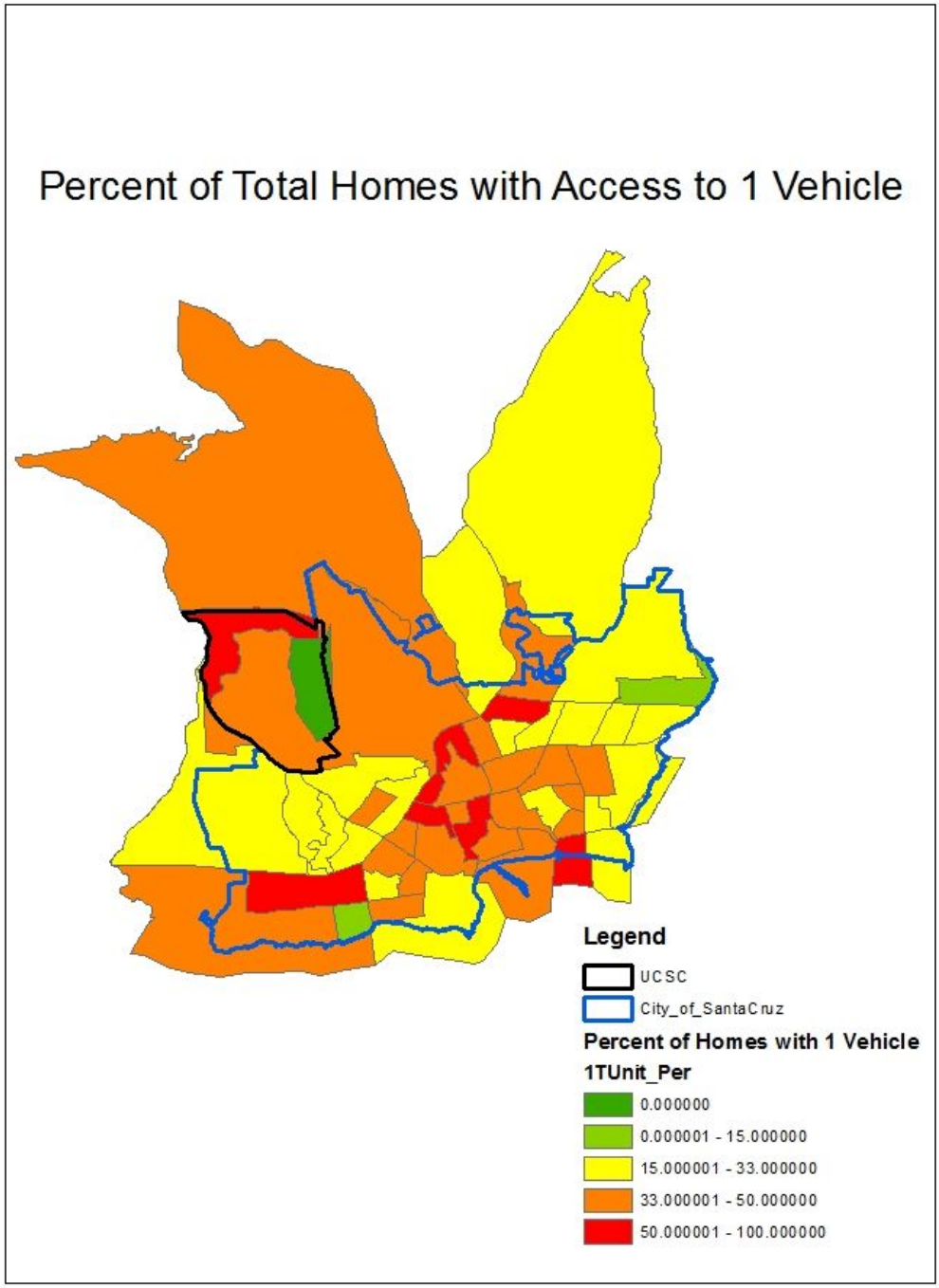

Percent of Total Homes with Access to 1 Vehicle
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 1 Vehicle
1TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 2c

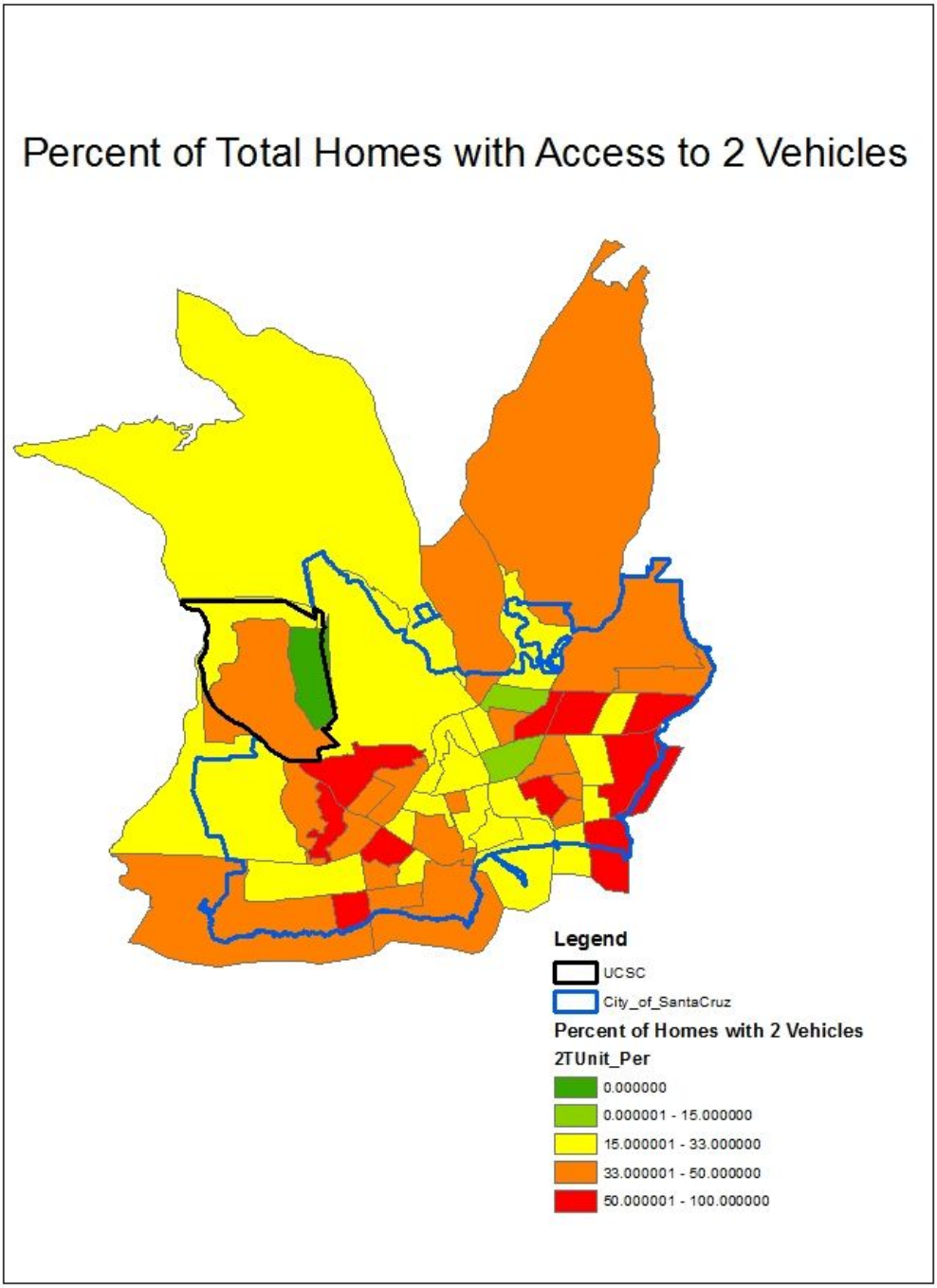

Percent of Total Homes with Access to 2 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 2 Vehicles
2TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 3c

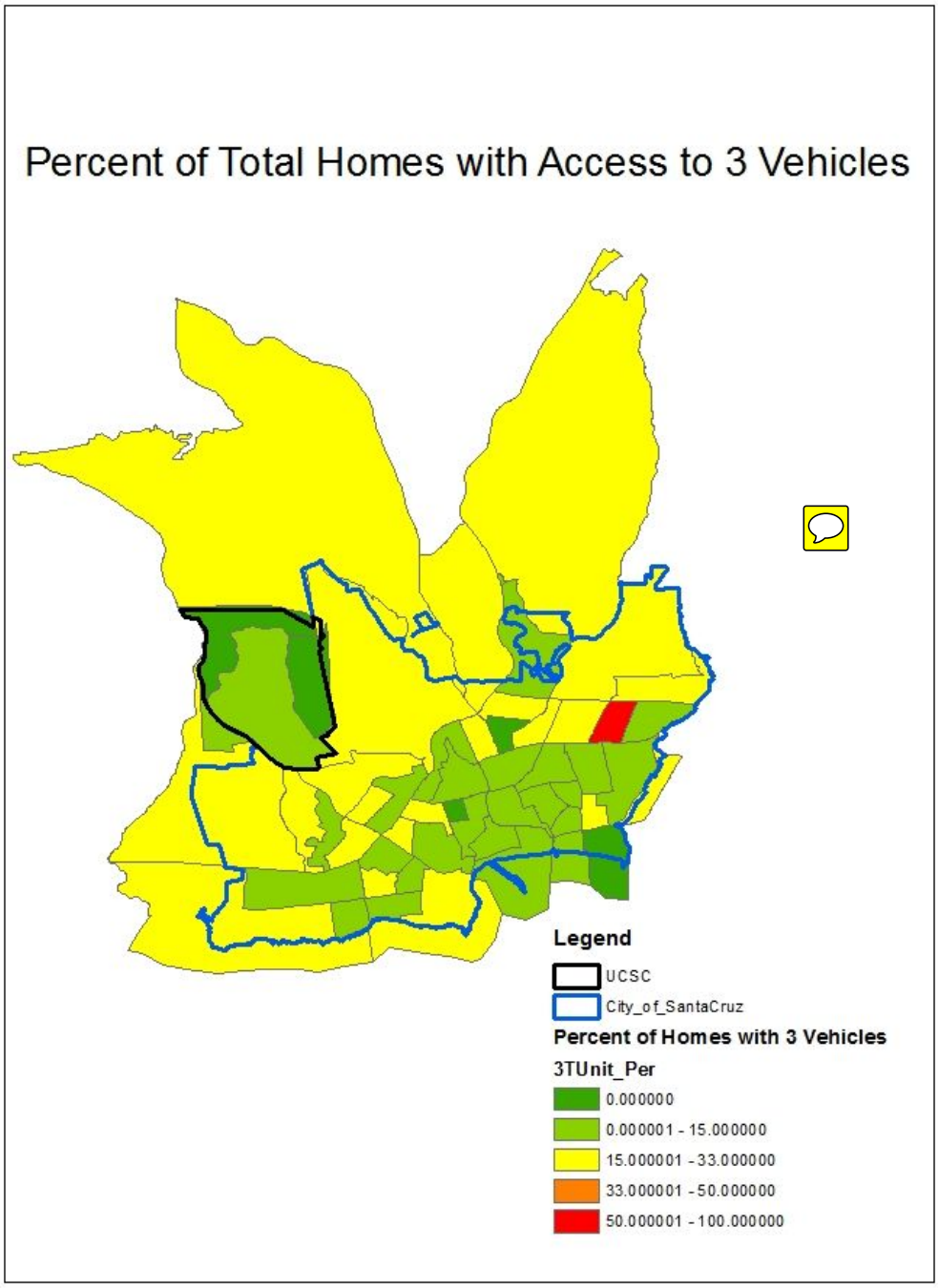
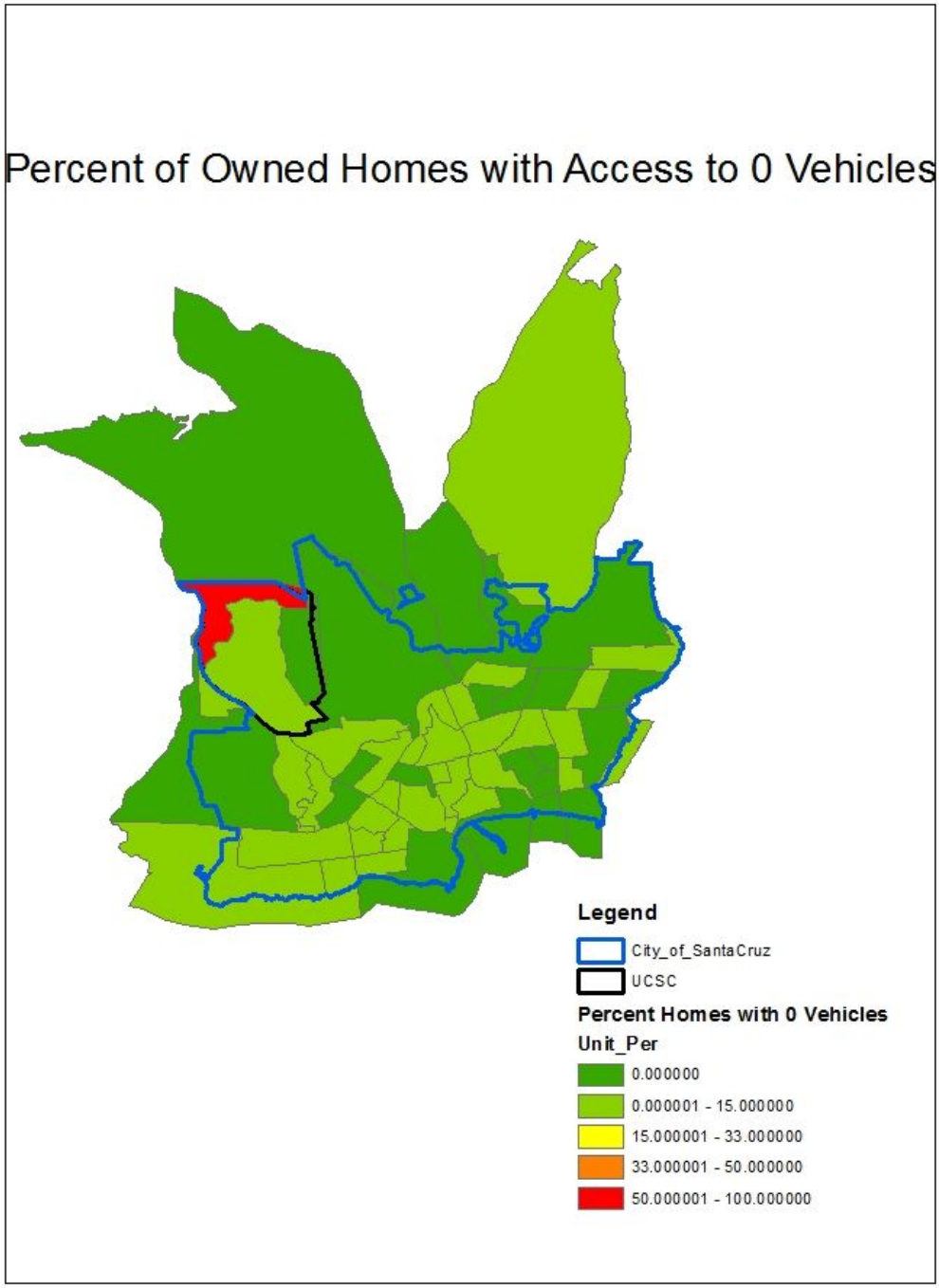

Percent of Total Homes with Access to 3 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 3 Vehicles
3TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 4c

The ~~assumption many city planners have is that the city~~ needs to provide two spaces for each vehicle. That assumption is tested by these maps and the results seem to show otherwise. In figures 1c and 4c, a majority of census blocks show less than 33% of their respective vehicles per home, but each has one census block that stands out. In figure 4c census block 060871002002 has 51% of homes with three or more vehicles. That leads one to believe that quality transportation alternatives in that block are lacking. It could also mean that income for that census block is higher or there are more driving residents per home. In figure 1C, a large majority of census blocks have less than 15% of homes with 0 vehicles, and all but one census block have less than a third of homes with 0 vehicles. Census block 060871010004 has a little over 33% of homes with zero vehicles. This is the Beach Flats neighborhood right next to the boardwalk. This area has lower income residents which can explain the higher percentage of homes with no vehicles.

Figures 2c and 3c are the most significant. If the assumption that most homes will have two vehicles were true, all of the census blocks in figure 3c would be colored red. Instead only 11 out of 53 census blocks colored red, with 16 blocks having less than 33% of homes having two vehicles. Figure 2c shows very similar data, with 7 census blocks colored red and 21 more census blocks where more than 33% of homes have one vehicle. When the total number of homes are compared for figures 2c and 3c, there are 8,345 one vehicle homes and 8,773 two vehicle homes. Combining one and zero vehicle homes, that number climes to 10,138. This means 43% of the homes in Santa Cruz have less than two vehicles, disproving the assumption that a large majority of homes have two vehicles.

The next set of maps compares owned homes and rented homes. This was pulled from the same data set as the previous maps. There are 11,075 owned homes and 12,642 rented homes that are analyzed.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Legend
City_of_SantaCruz
UCSC
Percent Homes with 0 Vehicles
Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 5c

m

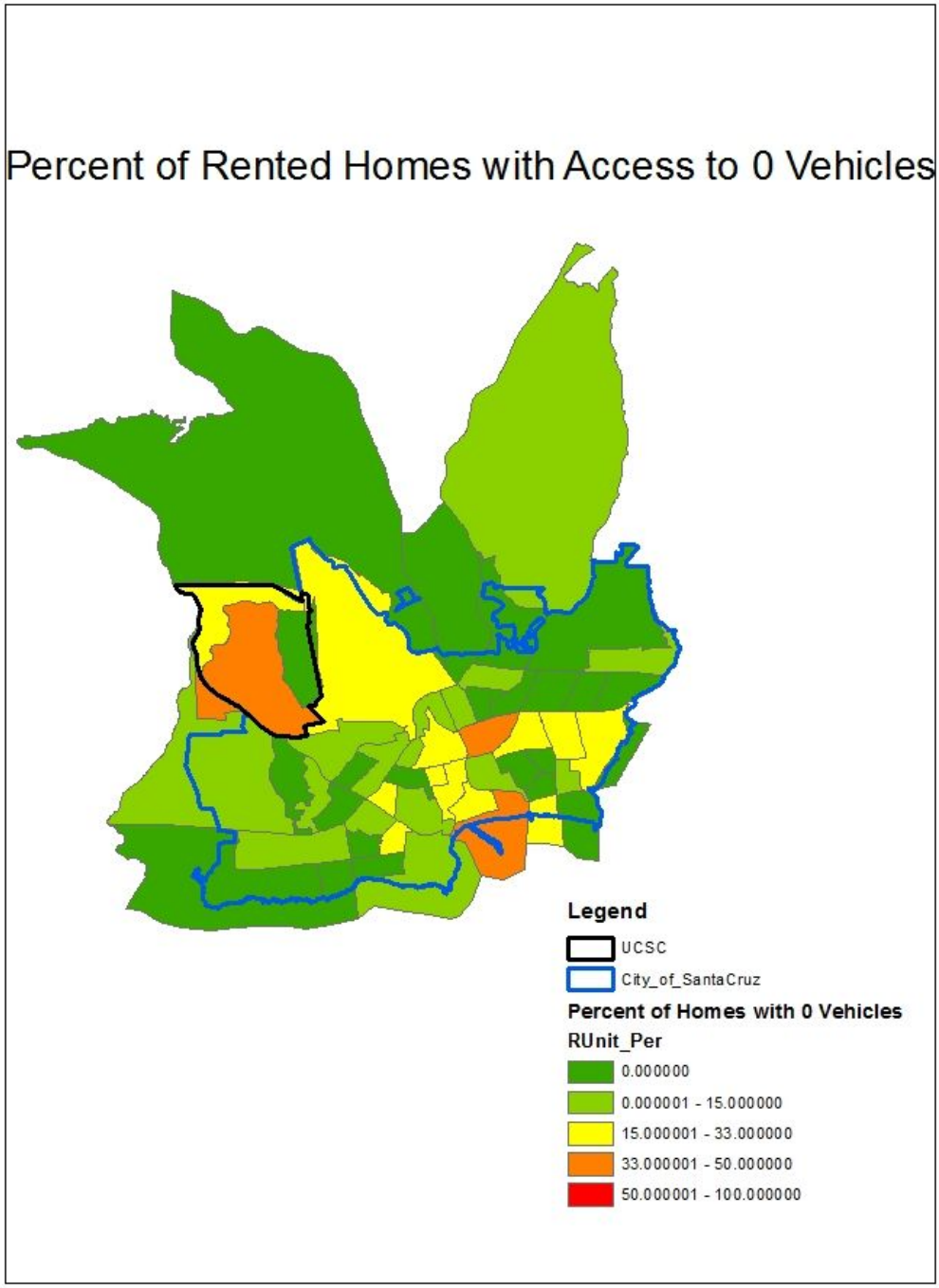
Percent of Rented Homes with Access to 0 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 0 Vehicles
RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 6c

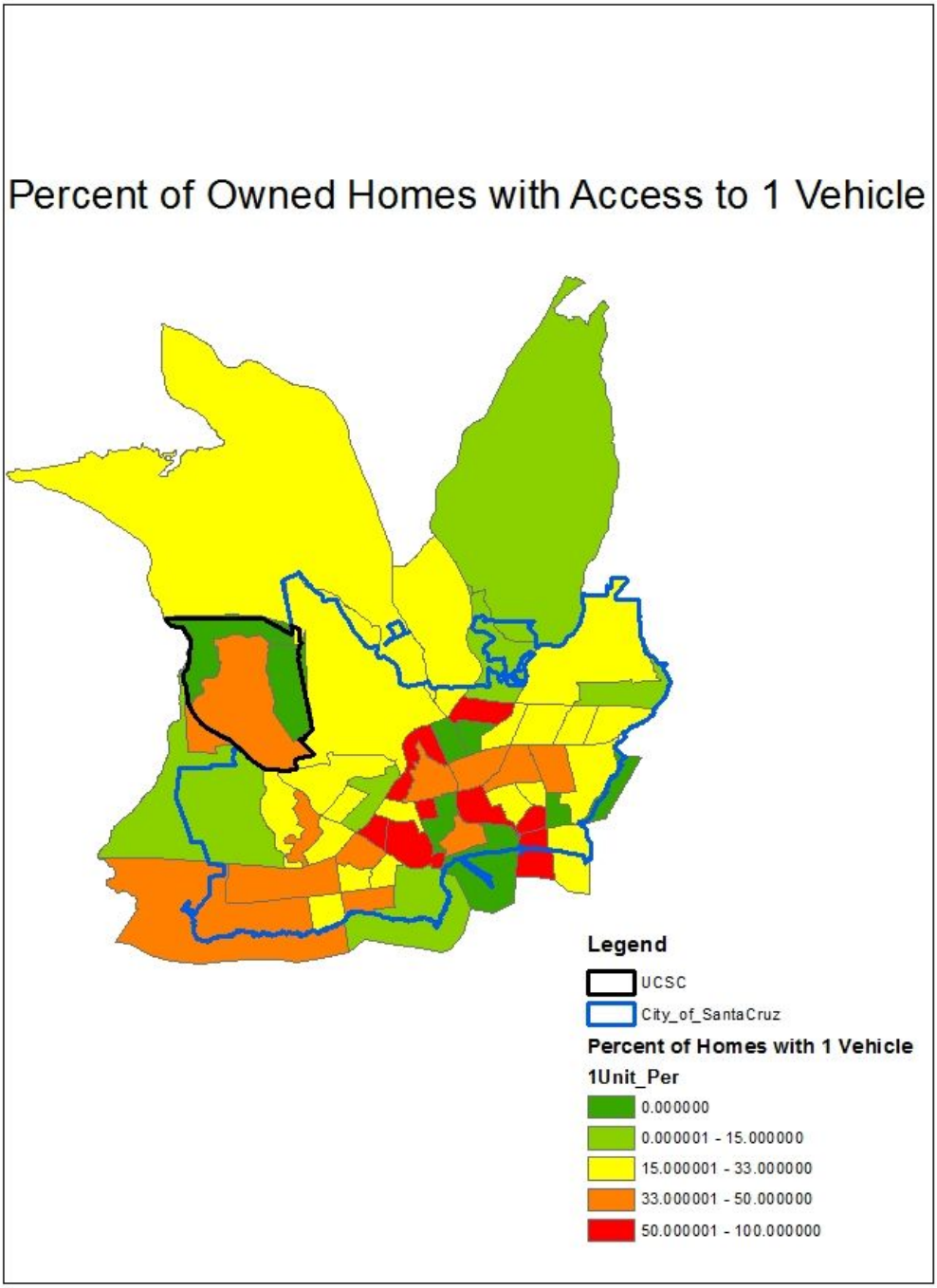
Percent of Owned Homes with Access to 1 Vehicle
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 1 Vehicle
1Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 7c

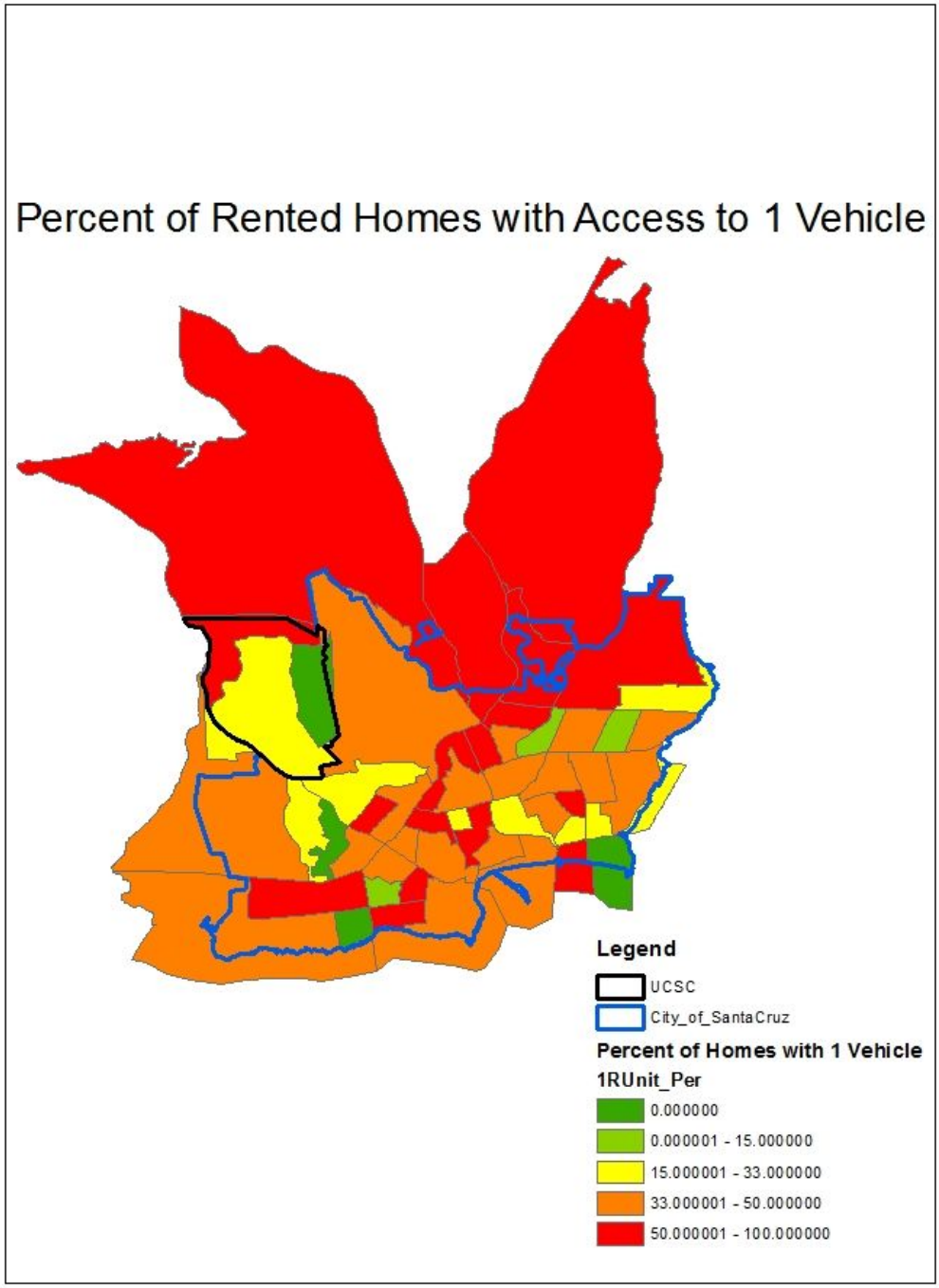
Percent of Rented Homes with Access to 1 Vehicle
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 1 Vehicle
1RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 8c

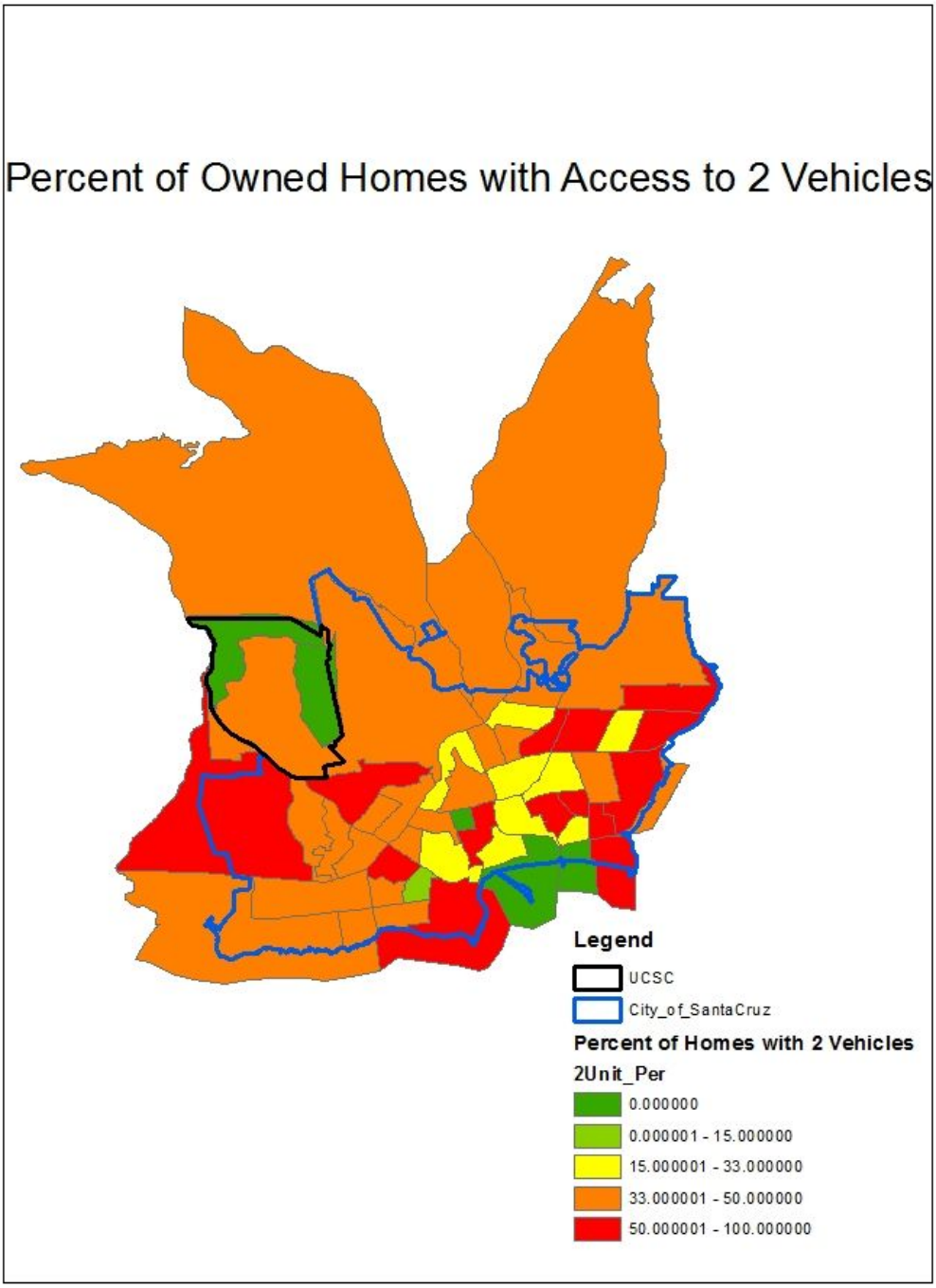
Percent of Owned Homes with Access to 2 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 2 Vehicles
2Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 9c

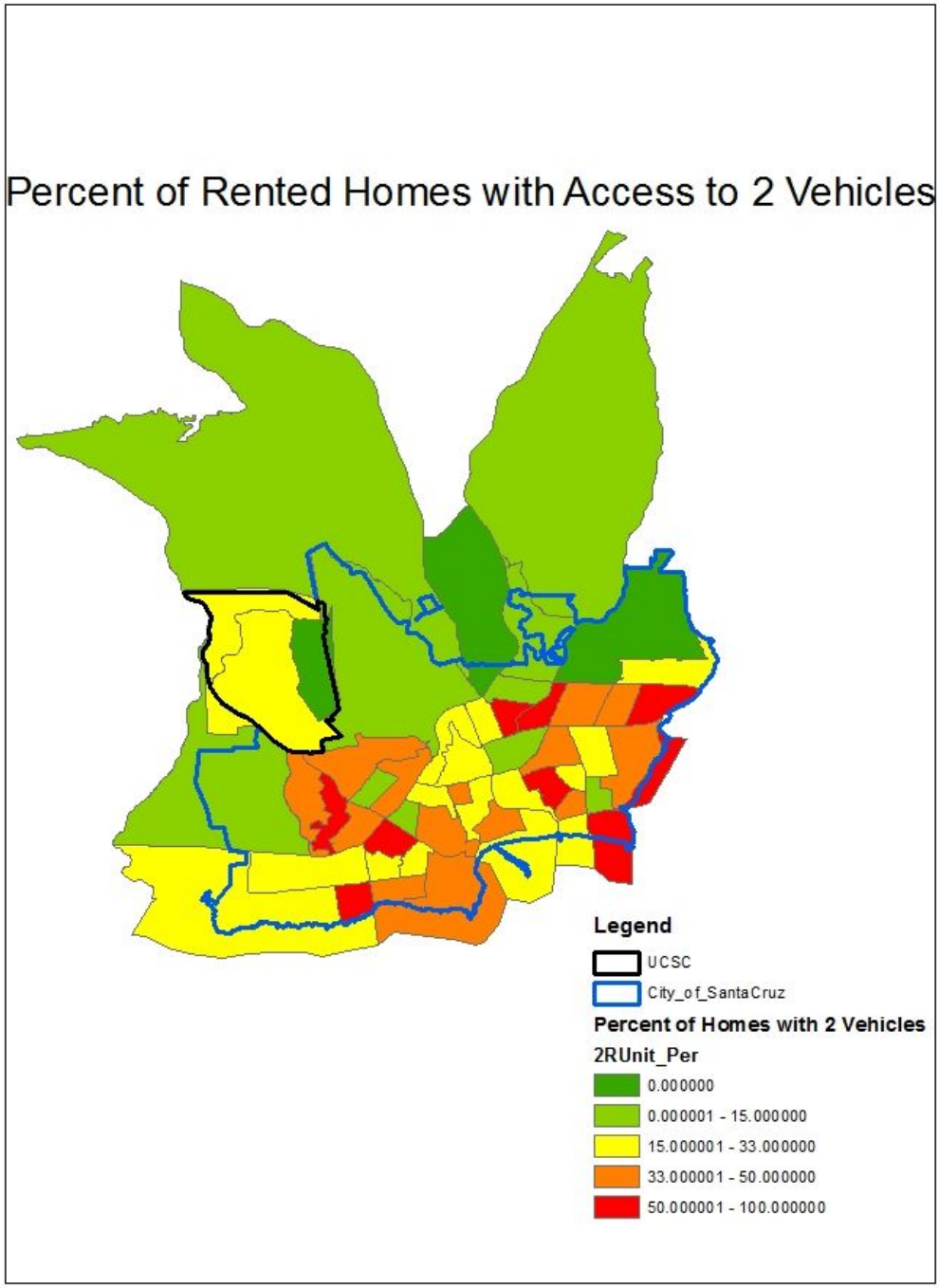
Percent of Rented Homes with Access to 2 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 2 Vehicles
2RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 10c

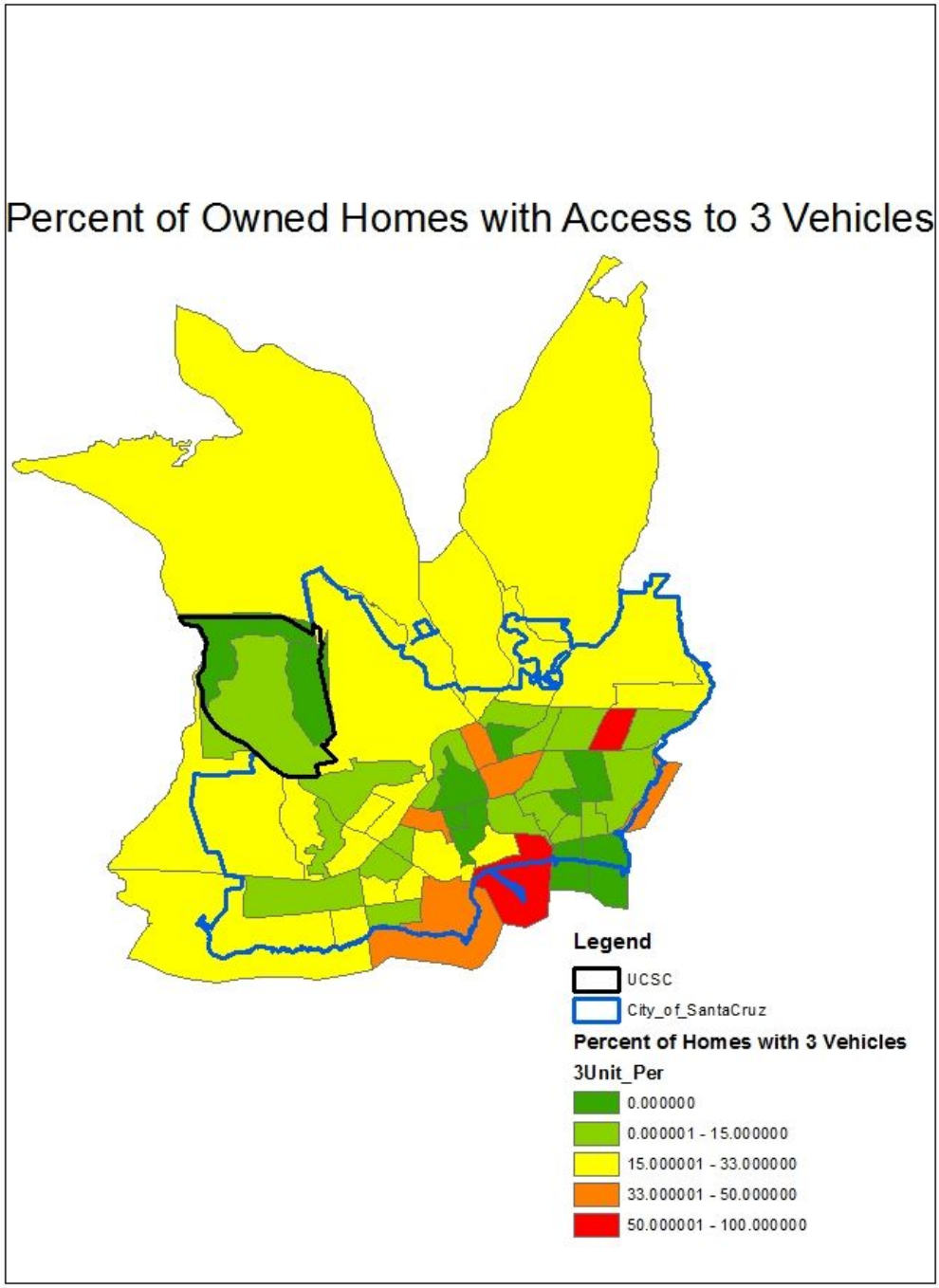
Percent of Owned Homes with Access to 3 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 3 Vehicles
3Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 11c

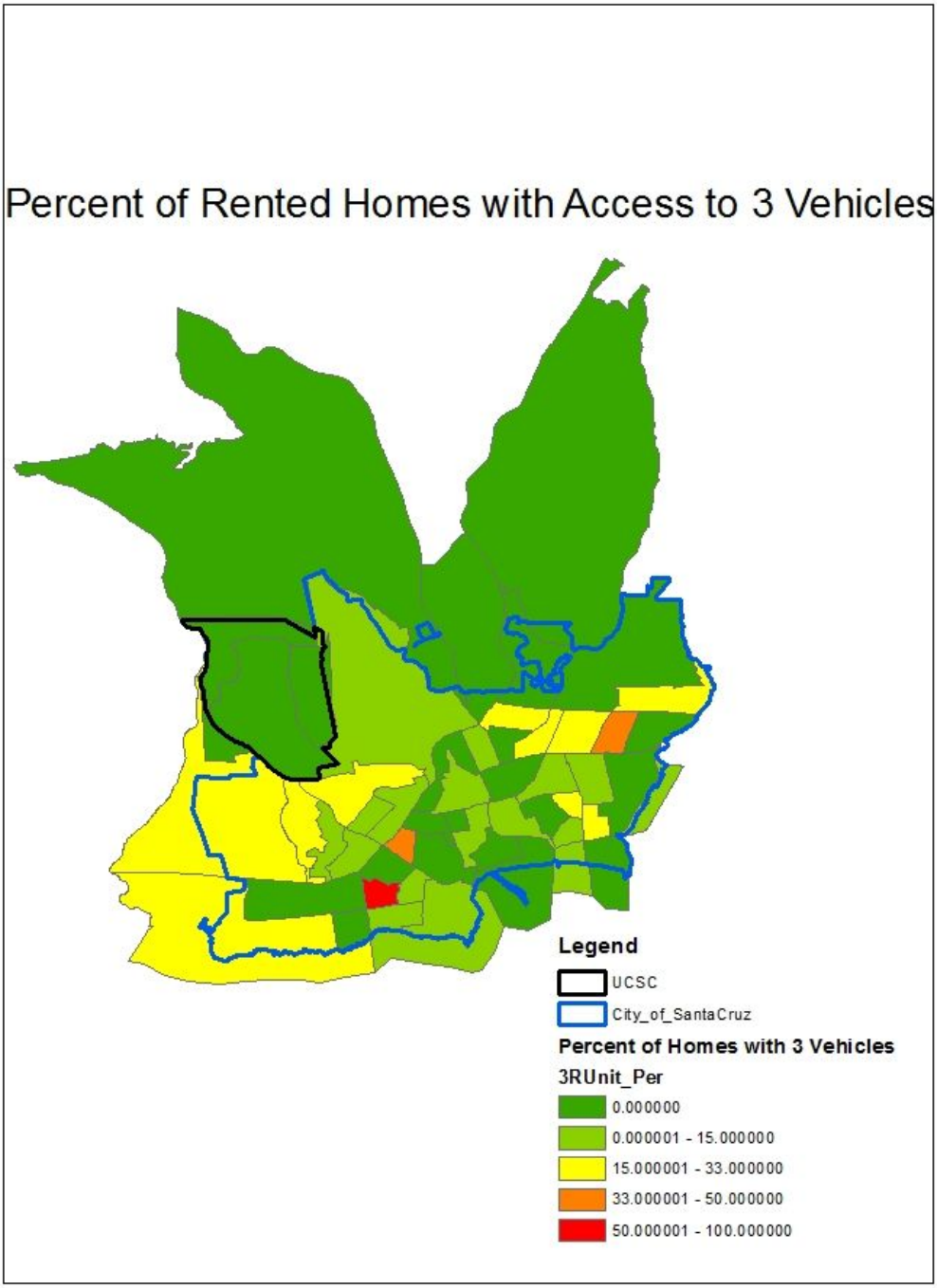
Percent of Rented Homes with Access to 3 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 3 Vehicles
3RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 12c

When compared, there is a clear difference between homes that are owned and homes that are rented in number of vehicles per home. The trend shows that the peak percent of owned homes have two vehicles per home while the peak percent for rented homes is one vehicle per home. The assumption of two cars per home does not seem to apply to rented homes, and does not quite capture the truth with owned homes. 55%, or 7,012 rented homes have one vehicle or less, while 28%, or 3,126 owned homes have one vehicle or less. If one just took the percentage of owned homes, almost 30% of homes would still have an extra parking space they do not need. That space could be used for more housing or other city amenities.

The number of owned homes is about the same as the number of rented homes with the census blocks used, but within the city borders, there many more rented homes then owned homes. The census blocks completely within the city have 9,779 rented homes compared to 6,254 owned homes.

Travel Within Santa Cruz

While it is very useful to look at car data and parking lot data to see how many spaces are going unused, it is also important to look at how people are travelling in the city. Santa Cruz is very connected without using a personal vehicle. As Figure 1d and 2d show below, the city has bike paths that connects UCSC, the neighborhoods, commercial districts, economic districts, and the beach. In Santa Cruz, there is a lot of congestion due to population growth, and to reduce that it is necessary to have good alternative forms of travel. While the bike path and bus system have some issues that can be improved, they are overall a serviceable alternative to driving. When creating parking, that should be taken into account. If less parking is provided, people will be pushed to use the alternative modes of transportation.

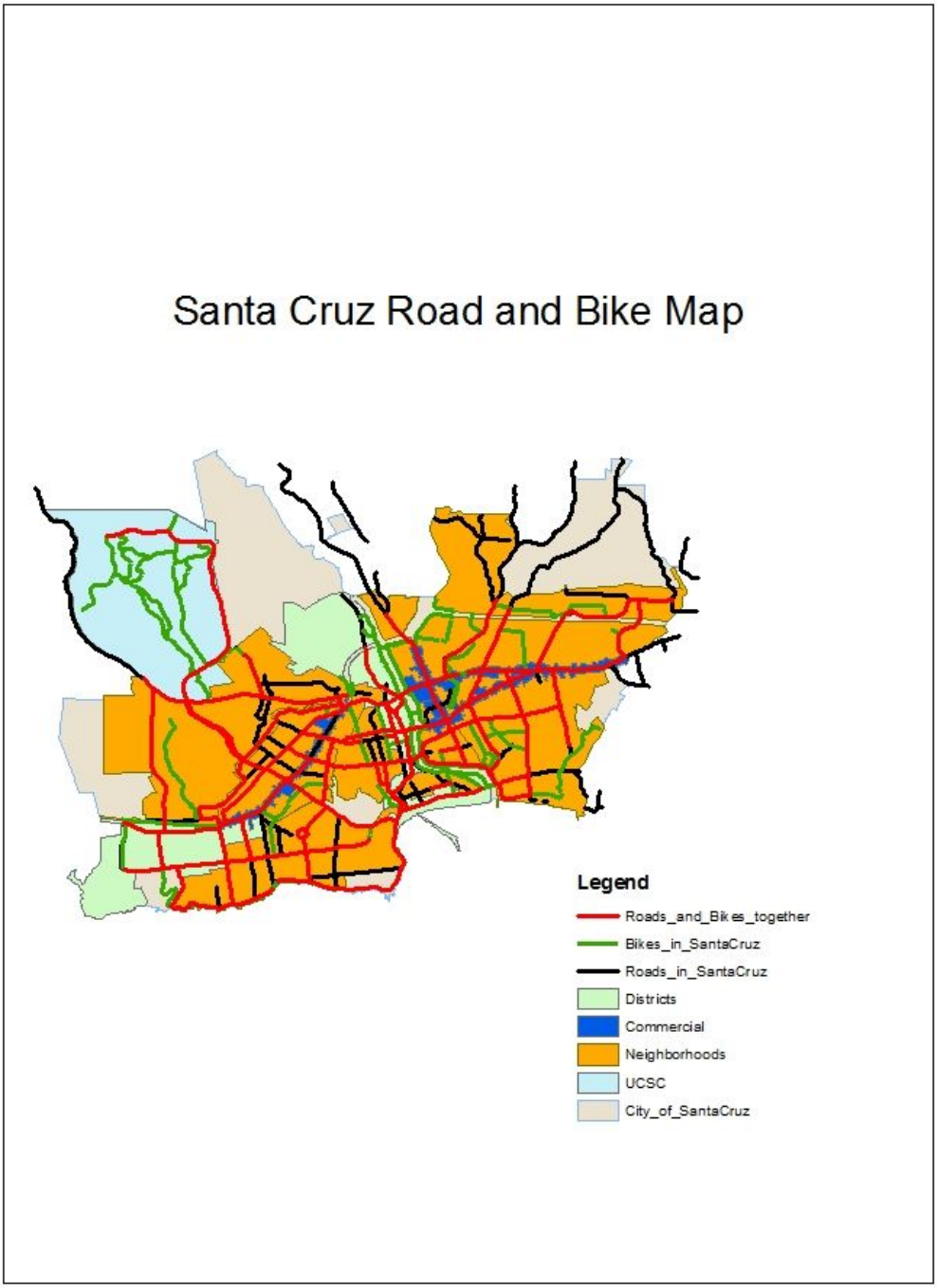
Santa Cruz Road and Bike Map
Legend
Roads_and_Bikes_together
Bikes_in_SantaCruz
Roads_in_SantaCruz
Districts
Commercial
Neighborhoods
UCSC
City_of_SantaCruz

Figure 1d

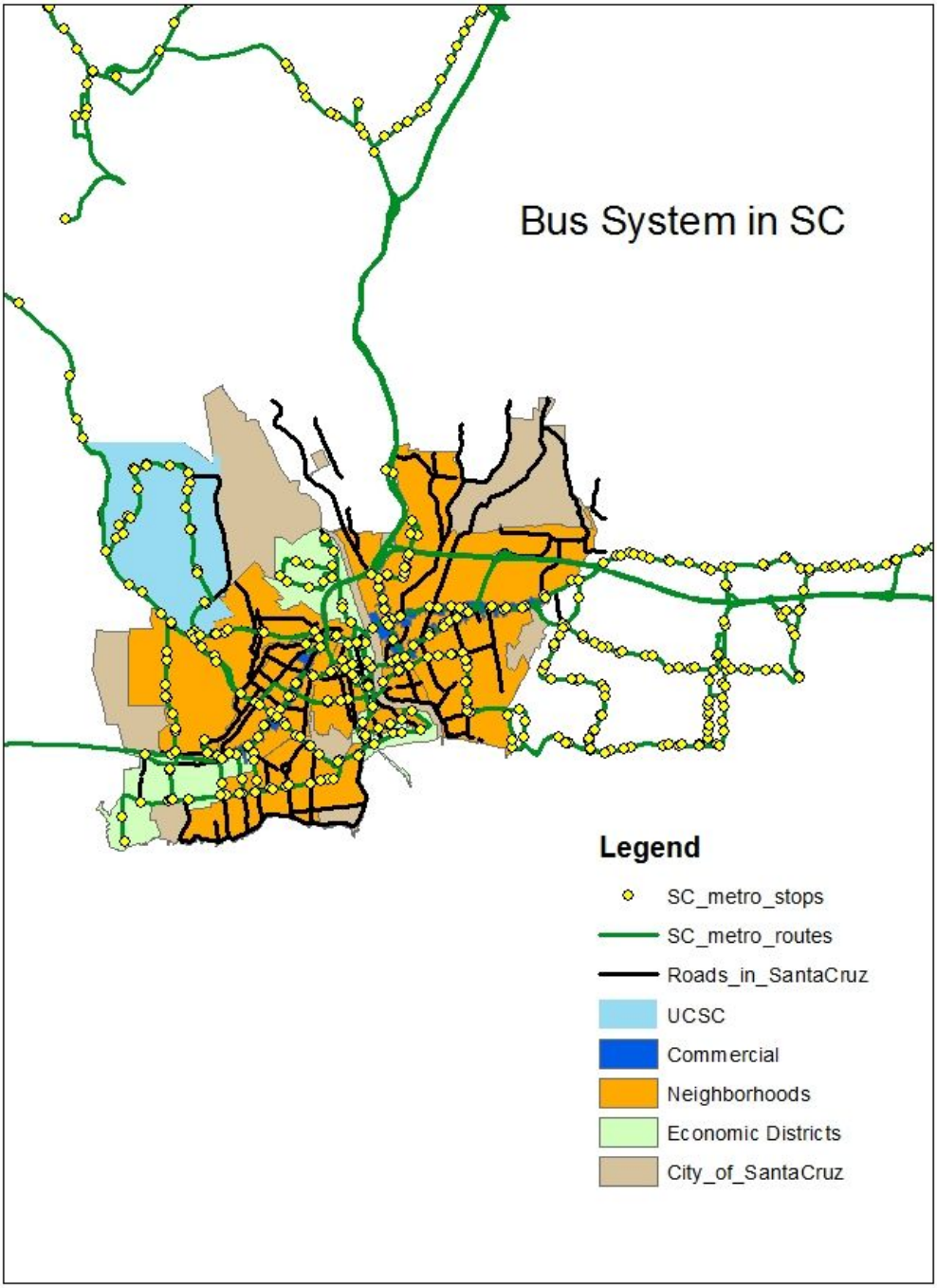
Bus System in SC
Legend
SC_metro_stops
SC_metro_routes
Roads_in_SantaCruz
UCSC
Commercial
Neighborhoods
Economic Districts
City_of_SantaCruz

Figure 2d

Another metric that is helpful to look at when deciding on parking space requirements is to look at how people get around. Using American FactFinder, Means of Transportation to Work by Vehicles Available, we found has data that shows how people get to work. Figure 3d below shows how many people travel to work with each different method given the number of vehicles they have access to.

	Estimate (# People)
Drive Alone	10,779
No Vehicle	273
1 Vehicle	3,335
2 Vehicles	7,171
Carpooled	1,424
No Vehicle	0
1 Vehicle	484
2 Vehicle	940
Public Transit	1,411
No Vehicle	360
1 Vehicle	619
2 Vehicle	432
Walked	1,603
No Vehicle	291
1 Vehicle	486
2 Vehicle	826
Taxi/Motorcycle/Bicycle/Other	2,646
No Vehicle	194
1 Vehicle	870
2 Vehicle	1,582

Figure 3d

While 60% of the people traveling to work drive alone, 40% of people travel to work in other ways. Of the 40%, 88% have access to at least one car, showing that it is not only out of necessity. These other methods all require less parking given that people with cars do not necessarily use them to go to work. While this data is specifically for work, the information can be used to assume travel habits outside of work. Someone who walks to work would most likely do the same to go to the beach, shopping, or other activities in the city.

Conclusion

With the data collected, we conclude that there is an excess of parking in Santa Cruz. With the Craigslist Scrape, we found that the housing without bundled parking is more expensive in Santa Cruz, due to the lack of non-luxury apartments without bundled parking and the high number of single family homes in the listings. We also found that there is a consistent excess of parking at the three apartment complexes we looked at. Through the census data, we found that a significant amount of homes in Santa Cruz have less than two vehicles per home, and finding that rented homes were more likely to have fewer vehicles per home then owned homes. Finally we found that travel alternatives in Santa Cruz are substantially connected and that a compelling amount of people use alternatives to driving alone to get around. These findings individually demonstrate that there is an excess of parking in Santa Cruz. When compiled, they show a major gap in parking needed and parking provided.

References

American FactFinder. (2010, October 05). Retrieved November 08, 2017, from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF

American FactFinder, Means of Transportation to Work by Vehicles Available. (2015). Retrieved November 06, 2017, from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_5YR_B25044&prodType=table

American FactFinder, Tenure by Vehicle Available. (2015). Retrieved November 07, 2017, from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_5YR_B08141&prodType=table

County of Santa Cruz, GIS Data. (2016). Retrieved October 30, 2017, from http://www.co.santa-cruz.ca.us/Departments/GeographicInformationSystems(GIS).aspx

Litman, T. (2009). Parking requirement impacts on housing affordability. Victoria, Canada: Victoria Transport Policy Institute.

TransitFeeds, SCMTD GTFS. (2017, September 5). Retrieved November 07, 2017, from http://transitfeeds.com/p/santa-cruz-metro/343/latest

From:	Gina Cole
To:	City Plan
Cc:	Samantha Haschert; deidre@hamiltonlandplanning.com; Peggy Dolgenos
Subject:	Proposed Riverfront (Front Street) Project
Date:	Thursday, August 27, 2020 11:12:41 PM
Attachments:	2020.6.8. Front St_Riverfront Apts. BSCC letter (2) (1).pdf end of Cathcart showing ramp around steps in urban river plan (1).pdf

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August 27, 2020

City of Santa Cruz Planning Commission
809 Center Street
Santa Cruz, CA 95060
cityplan@cityofsantacruz.com

RE: Proposed Riverfront (Front Street) Project

Dear Commissioners,

Bike Santa Cruz continues to request that there be a rideable bicycle connection between the Riverwalk levee and Front Street to replace the one at Elm Street, proposed to be lost by the construction of the Riverfront project. We truly appreciate the applicants taking time to meet with us and describe how the current design of their project would not be able to accommodate bike riders. We now understand that the design would have to be modified to incorporate a rideable bike path.

The Final EIR explains that while the language of the Downtown Area Plan and other official planning documents do not explicitly require a bike path in this location, these documents **all** strongly support improving and expanding bicycle facilities in the City. Per the Final EIR, "a new policy (6-SLR-5.2) was added that requires new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street." Unfortunately, a staircase with a "bike rail" in which a rider must dismount to push their bicycle up, or dismount to guide their bicycle down to access or exit the Riverwalk levee does not provide equitable access for many cyclists. An elevator might not either.

We did note that the EIR also states, "The commenter's recommendation for a "rideable" alternative to the proposed bike rail along the stairway is

acknowledged, and will be further considered by City staff and decision makers." Thus, we appeal to your common sense to realize that this is still the perfect place and opportunity to ride a bicycle between the Riverwalk levee and Cathcart Street and nearby Downtown destinations -- an opportunity that will be lost for decades if this stretch of Front Street impedes bicycle access.

Please find attached our June 8, 2020, letter to the City of Santa Cruz Planning Department, photos of a vehicle in the bike lane on Front Street, a sample of a possible rideable access structure, and a sketch from the *River Plan.*

Sincerely,

Gina Gallino Cole
Executive Director
Bike Santa Cruz County
333 Soquel Ave.,
Santa Cruz, CA 95062
(831) 425-0665 office
(831) 840-1884 cell
bikesantacruzcounty.org

BIKE SANTA CRUZ COUNTY
333 Soquel Avenue • Santa Cruz, CA 95060
(831) 425–0665 www.bikesantacruzcounty.org

June 8, 2020

Samantha Haschert
City Planning Department
809 Center Street
Santa Cruz, CA 95060
shaschert@cityofsantacruz.com

RE: Proposed Front St./Riverfront Apartments

Dear Ms. Haschert:

Bike Santa Cruz requests that the City require the developer of the proposed Front St./Riverfront Apartments to incorporate a ridable bicycle connection from the end of Cathcart Street to the San Lorenzo River levee path. Also, the City should remove the remaining on-street parking on Front Street to result in a safer, more ridable bike lane, and the developer should account for this in the project's final plans.

The draft EIR fails to mention any impacts on bicycle transportation. In discussing public connections to the River on page 4.5-14, only pedestrian access is mentioned, not bicycle access, which will be negatively impacted. Currently, there is a bikeable ramp from the parking lot just south of the end of Cathcart to the levee. The developer proposes to eliminate it. The nearest remaining levee connection to the north will be off of Soquel Avenue and to the south will be through the parking lot south of Sherwin-Williams.

The current proposal -- showing wide steps leading from the end of Cathcart to the levee -- is an inadequate substitution for removing the current pathway. The project plans envision cyclists traveling between Cathcart and the levee either taking an elevator or walking their bikes up the steps on a "bike rail" – a narrow incline built into the edge of the stairs. Thus, first, this means that their cycling would be interrupted – they would have to become pedestrians trying to navigate this rail or using the elevator. Second, these would be very inconvenient options. It would be awkward and difficult at best to push a bike up the rail and control it down the rail. This incline would not be usable if one had a pannier on the railing side of their bike, had a bike trailer, had a recumbent, or had a heavy eBike. Those future residents using the levee to bike commute would have to take their bikes up and down the stairs every day because the entrance to their bike parking is off of Front Street. The alternative of using the elevator would also require dismounting along with waiting and going inside. The elevator would not be an available alternative when being serviced or when power is off.

The removal of the current bike ramp must be mitigated with a ridable alternative. There is ample room -- a 60-foot passageway – in which to accommodate a rideable path. Attached is a sketch from the *River Plan* that appears to illustrate steps with ramps on either side from Cathcart to the River. Another model is the entrance to the Gateway Plaza from River Street consisting of a ramp to one side and stairs to the other (please see photo).

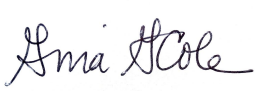
The EIR states that the project is consistent with various planning documents. But, The *City of Santa Cruz Downtown Plan*, the *Santa Cruz City Active Transportation Plan* and *San Lorenzo Urban River Plan* all emphasize bicycle access to the River levee. Although the *Downtown Plan* says, "bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street," no bikeable ramp at this location is shown in the proposed plans either. Furthermore, Elm Street does not go through to Front Street (it is blocked by the Transit Center where bikes are prohibited from being ridden through) and is only one way without bike lanes. Cathcart has bike lanes in both directions and a continued connection to the River levee would be very convenient for and beneficial to cyclists. The developer has promoted the proposed project as interfacing with levee bicycle and pedestrian activity. Incorporating a bike connection from Cathcart would bring patrons to his businesses fronting the River. It would also be usable by those in wheelchairs or who have trouble walking up or down stairs.

The proposed project will also have an adverse impact on those biking because there will be more motor vehicle traffic along Front Street and crossing the bike lane to enter or exit the parking garage. The current northbound bike lane configuration is less than ideal as it meanders to skirt the on-street parking spaces. Thus, cyclists are prevented from riding in a straight line, which is the safest, most predictable way to ride. Additionally, the vehicle movements into and out of the spaces and the passengers entering and exiting the vehicles conflict with the adjacent narrow bike lane. Furthermore, vehicles often park over the space markings into the bike lane, especially large ones (please see photo for an example).

The current plans show that five on-street parking spaces will be removed. This should be positive for cyclists, provided that space becomes part of the bike lane. There is one additional space north of Cathcart on Front Street adjacent to the proposed project that is located where a garage entrance will be, so we assume that will be removed as well. The bottom line should be that the developer accommodates all anticipated short- and long-term motor vehicle parking on site, and the City eliminates the on-street parking to provide straight and wider bike lanes.

Thank you.

Sincerely,



For Bike Santa Cruz County
333 Soquel Avenue
Santa Cruz, CA 95062

Cc: Transportation and Public Works Commission c/o Chair Peggy Dolgenos
Downtown Commission c/o Chair Deidre Hamilton
Mayor Cummings
Councilmembers Beiers, Mathews, Brown, Golder, Meyers, Watkins

attachments: Vehicle parked into Front St. Bike Lane, Example of dual stairs and ramp, End of Cathcart St. showing ramp around steps in urban river plan

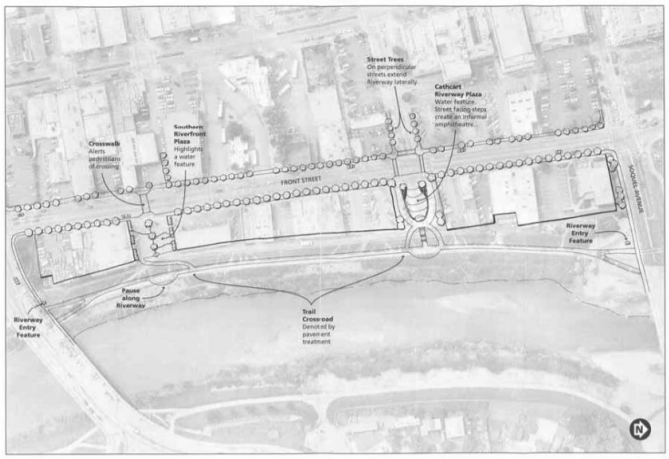


Figure 50
Conceptual Plan for
Front Street Plaza at Cathcart Street

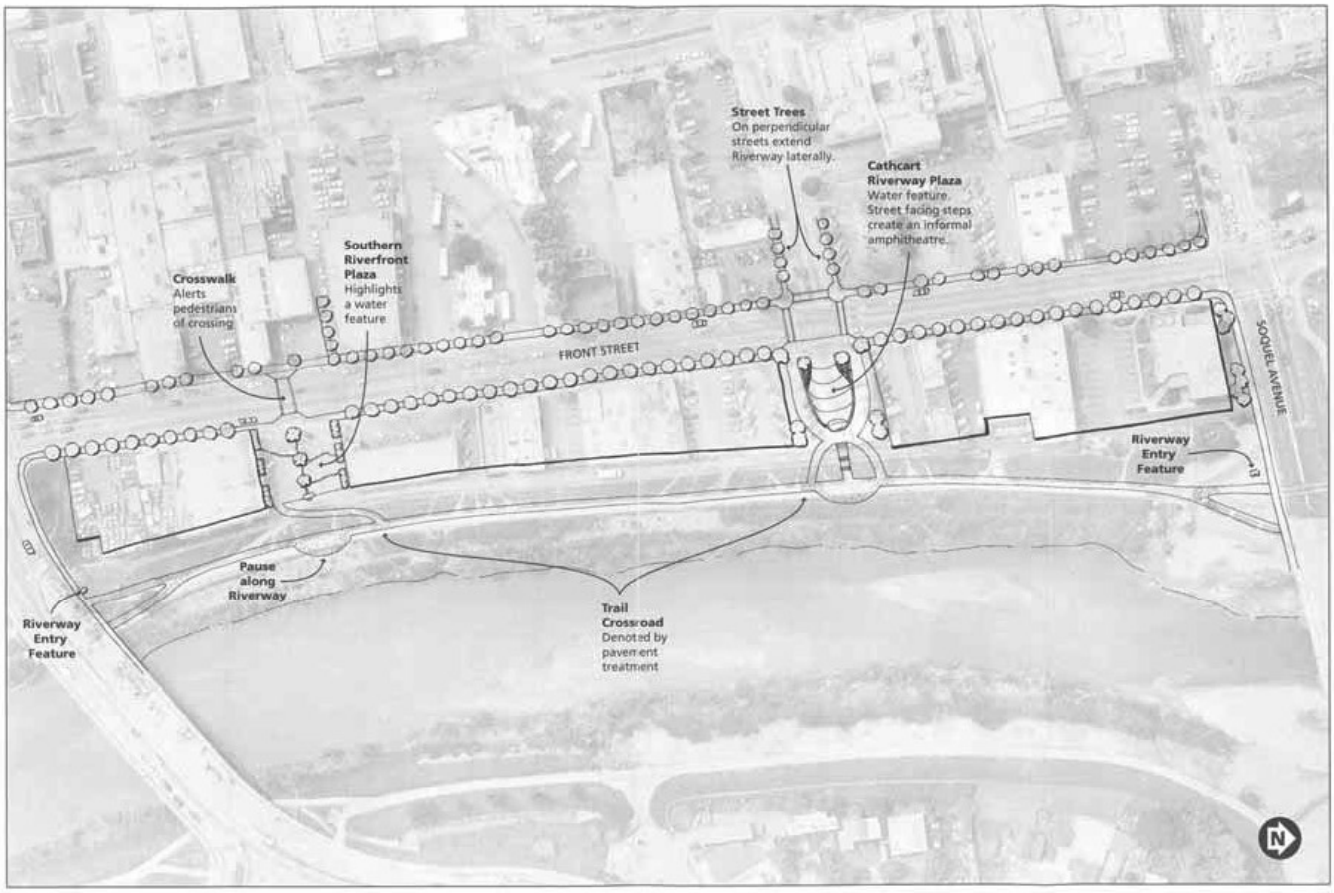


Figure 50
Conceptual Plan for
Front Street Plaza at Cathcart Street

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President, CSU Monterey Bay

Matt Huffaker, Board Vice-Chair
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Susan True
CEO, Community Foundation Santa Cruz County

Matt Wetstein
Superintendent/President, Cabrillo College

Staff: Kate Roberts, President & CEO

September 1, 2020

Santa Cruz Historic Preservation Commission
809 Center Street
Santa Cruz, CA 95060

Subject: Support for Proposed Riverfront Mixed Use Project

Dear Chair Schiffrin and Santa Cruz Planning Commissioners,

The Monterey Bay Economic Partnership (MBEP) was founded in 2015 and consists of over 87 public, private and civic entities located throughout Monterey, San Benito and Santa Cruz counties with a mission to improve the economic health and quality of life in the Monterey Bay region. Our Housing initiative consists of a broad coalition of community members, local employers, and organizations to advocate for and catalyze an increase in housing of all types and income levels in the region.

In July 2019, SC Riverfront requested MBEP support for their proposed mixed use development. We evaluated the project including receiving input from regional housing leaders and the MBEP Board Executive Committee before approving the development for our endorsement. The proposed Riverfront mixed-use project answers a critical need for housing in our community. Of the total 175 residential condos included in the proposal, 15 would be designated affordable to households making 50% of the Area Median Income (AMI) and 5 to households making 80% of the AMI. In addition to providing affordable housing units to the community, the proposed development would also provide 11,498 square feet of ground-floor commercial space and community benefits such as its enhancement of the levee. The project is in strong alignment with the City's Downtown Plan and its outlined goals to restore the Downtown's physical connection to the river.

MBEP's Housing Initiative supports the construction of housing in our region at all types and income levels in appropriate locations near existing jobs, transit and services. Additionally, MBEP's Climate Change Initiative advocates for the construction of transit-oriented housing developments and climate-resilient infrastructure. With its use of Density Bonus Law to maximize land use in an appropriate site proximate to jobs and transportation, Riverfront is in alignment with our housing production and climate change resiliency goals.

The Commission has an opportunity to expand access to housing for Santa Cruz residents. Please vote to recommend approval of the project to City Council.

Thank you for your consideration.

Sincerely

Kate Roberts
President & CEO

3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

Santa Cruz . San Benito . Monterey

From: Jane Mio
To: City Plan
Subject: 9/3/20 Planning Commission item #1: Front St/ Riverfront Project
Date: Wednesday, September 02, 2020 4:30:21 PM

Dear Planning Commissioners,

Please note that the new upgraded City agenda system is not accessible & issues 'error' messages via 2 browsers after repeated attempts.
Therefore I am unable to review the agenda package & submit my comments on the Front St/Riverfront Project.
I have contact Samantha Haschert & the City Clerk unsuccessfully for help on this issue.
In consideration of this impact rich Front St/Riverfront Project I deeply regret the agenda package access failure, which prevents me from submitting public comments.
Thank you for your attention to this very disappointing circumstance.
jane mio

From:	Becky Steinbruner
To:	City Plan
Subject:	Fw: PUBLIC COMMENT FOR ITEM #1 ON SEPTEMBER 3, 2020 PLANNING COMMISSION AGENDA
Date:	Monday, August 31, 2020 2:31:00 AM

Dear Planning Commissioners,
Please accept my letter below, sent in error to the City Clerk.

Thank you.
Sincerely,
Becky Steinbruner

----- Forwarded Message -----
From: Becky Steinbruner <ki6tkb@yahoo.com>
To: Santa Cruz City Clerk <cityclerk@cityofsantacruz.com>
Cc: Becky Steinbruner <ki6tkb@yahoo.com>
Sent: Monday, August 31, 2020, 12:18:50 AM PDT
Subject: PUBLIC COMMENT FOR ITEM #1 ON SEPTEMBER 3, 2020 PLANNING COMMISSION AGENDA

Dear Planning Commission,

Please consider the following during the public hearing for Item #1, File CP18-0153 for 418, 428, 440, 504, and 508 Front Street.

1) I am concerned that the seven-story building proposed for the Front Street development will cause significant and adverse aesthetic changes to the City's downtown area. The Project should not be approved for seven stories.

*"**The project is not consistent** with the Performance Criteria for Skyline Architectural Variation in the Additional Height Zone B as described below: • Skyline Architectural Variation: To promote skyline variation, the top floor of the building shall not exceed 60 percent of the floor area below or 60 percent of the building length as measured along Front Street or the Riverwalk." (page 14 of Staff Summary report)*

2) This project would cause a severe and adverse obstacle for bicyclists to access the Riverwalk areas from Maple and Elm Streets because there is no bicycle access provided other than a bike rail that would require cyclists to dismount and would not be feasible for bicycles loaded with shopping cargo. This effectively creates an obstacle for bicyclists. This violates the Significant Riverfront Area (SRFA) tenants that the City adopted to encourage active transportation and health.

*•" SRFA-2: **Require new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk** at appropriate locations such as the extensions from Maple Street and near Elm Street." (page 10 of Staff Summary report)*

"...bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street. ...
*As noted in the requirement above, the southernmost passageway is intended to provide a future extension of Elm Street and is therefore required to be within 50 feet of the **future extension** of Elm Street." (page 18 of Staff Summary report)*

"... however, bike access is provided with a bike rail and alternative public access to the Riverwalk is provided in an adjacent elevator at the interior of the building. If both the bike rail and elevator do not provide feasible access, the Riverwalk is also accessible at the Laurel Street bridge and the Soquel Avenue bridge, which are located at either end of the block." (page 23 Staff Summary report)

3) The fill adjacent to the San Lorenzo River Levee has potential to disturb the levee integrity during construction, and cause public safety risk to other local properties.

"The project includes fill between the building wall and the levee to expand the area at the top of the levee and adjacent to the Riverwalk to create more usable open space overlooking the river. " (page 10 of Staff Summary report)

"Additional public improvement requirements include the improvement of the Riverwalk from Soquel Ave. through the project site and would include a new substantial asphalt concrete pathway section, widening of the Riverwalk pathway to 12 feet, a concrete parking pad for the service truck that will maintain the on-site private storm water system, and improved green bike lane striping across the two driveways." (page 22 of Staff Summary report)

4) These three expansive structures will disrupt riparian bird habitat with the addition of vast areas of glass and air movement obstacles.

"The general notions of bird-friendly design indicate that **the most common bird-impact areas occur in the first 40 feet of building height where there are large expanses of glass, particularly that reflect trees or other landscaping. Uplighting/spotlighting at landscaped areas are also known features that encourage bird strikes.** The building will have frontage on the river and the proposed windows on the east wall could potentially reflect the riparian vegetation or the open space of the river area. Conditions of approval are included that require the use of bird-safe, ultraviolet, and/or patterned glass, or other material or method proven to discourage bird strikes, at the windows and balcony railings on the east wall of the building up to 40 feet in height **with the exception of ground floor glass.**
Fritting, patterns, or other bird-safe designs may not be compatible for the first-floor given that visibility into the building is key to provide pedestrian interest and/or commercial viability. Furthermore, at this location, the first floor is unlikely to reflect open space or riparian vegetation, certainly to a much lesser extent than upper floors. Conditions of approval are also recommended that prohibit the use of uplighting or spotlights in the landscaped areas and adjacent to the Riverwalk. "

5) The proposed waiver to ignore required 10' stepback for buildings over 50' tall and instead have a 77'9" building with perhaps no step back at all will create an aesthetically massive and imposing tower that is not in compliance with the downtown plan.

"• Waiver of stepback requirements to reduce required 10-foot stepback above 50 feet on the Riverfront frontage to between 0 and 10 feet.
• Waiver of building height standards in Additional Height Zone B to increase maximum building height from 70 feet and 5 stories above ground floor commercial to approximately 77'9" feet and 6 stories above ground floor commercial
." (page 20 of Staff Summary report)

6) There will not be sufficient parking to accommodate 175 residential units, of which 33 are 2-bedroom and would seemingly need to accommodate families, as well as multiple commercial spaces, some of which are restaurants with higher parking-needs than shops or offices.

"Parking provided: 142 residential, 45 commercial" (page 21 of Staff Summary report)

7) The public improvements listed are not additional or new improvements, but merely replacing the sidewalks and multiple heritage trees the construction would destroy.

"Public improvements are required as a part of the project to achieve the goals of the Downtown Plan, to meet the requirements in the Municipal Code, and to mitigate the impacts of the project per the Downtown Plan Amendments EIR. The project shall provide sidewalks, street trees, and light standards along the parcel frontage." (page 22 of Staff Summary report)

8) I support the requirement that the applicant must provide free Metro passes to all tenants. Please require that this language is incorporated into the deed of all units so that it is not lost or forgotten by property owners/managers in the future.

"• Enter in to a contract agreement with METRO to provide reimbursable transit passes to all residents. For this option, the applicant is required to work with the Santa Cruz METRO to develop a reimbursable pass program. Desired program parameters include distribution of transit passes to all residents of the project, where project will reimburse METRO on a monthly/quarterly basis for all rides used. Final agreement will be between project sponsor and METRO and the city would receive annual reports of total ridership." (page 22 Staff Summary report)

9) The Project will will not be able to accommodate stormwater retention on-site due to the extremely high water levels adjacent to the San Lorenzo River levee and would promote risk of liquefaction.

"The project is consistent with several policies listed in the General Plan/Local Coastal Program 1990-2005:
• GOAL EQ 2: Protect water quality of ocean, watershed lands, surface waters and ground water recharge areas from sedimentation, pollution, and salt-water intrusion. **The project is required to comply with the California Water Board Post Construction Stormwater Management Requirements (PCR's) for the management of runoff and erosion control.** The project will utilize a filter treatment unit and a bio-retention basin area to satisfy water quality and runoff treatment requirements." (page 24 Staff Summary report)

10) The proposed Project is in a flood zone. Models of the downtown area reflecting sea level rise due to climate change show the Project area is likely to flood. However, the Staff report states the structures are NOT required to meet FEMA flood construction requirements. This seems irresponsible. In 2002, there was little thought to climate change, and no modeling for flooding due to sea level rise. Please address this issue and require attention to how the basement parking garage would be sealed off in a flood to prevent pollutants from entering the riparian area and Monterey Bay National Marine Sanctuary waters.

"In 2002, FEMA re-designated much of the downtown and beach area from A-11 to the A-99 Flood Zone designation in recognition of the significant flood improvements resulting from the San Lorenzo River Flood Control and Environmental Restoration Project. As reported in the General Plan EIR, the project increased the height of the river levees and rehabilitated the three downtown bridges (over the San Lorenzo River) to increase flood flow capacity. Under the A-99 designation, new buildings and improvements are not mandated to meet FEMA flood construction requirements." (page 26 Staff Summary report)

11) The proposed Project seems to have significant financial risk that could cause the applicant to cut corners in construction to save money, such as is demonstrated in the half-hearted attempt to address the City's mandate to respect historic preservation. The applicant could likely, for example, claim they cannot support special window glass to prevent bird strikes, to offer as many housing units to very low income buyers, or to pay for 23 electric vehicle charging stations.

"However, since March 2020, the COVID 19 pandemic has resulted in a very substantial disruption of the economy and financial markets, and this economic disruption and ***ongoing uncertainty regarding the criteria for and availability of construction financing seem likely to persist for some time into the future."*** *(page 29 Staff Summary report)*

12) There is no discussion of the real risk of liquefaction.

13) There is no discussion of the loss of carbon sequestration and adverse impacts on urban cooling by removing multiple heritage trees from the site.

14) There is no discussion regarding the increased ambient noise the proposed project would cause.

15) There is no discussion regarding the increase of light pollution the project would cause, or mitigations

thereof.

Thank you for considering my concerns. Please do not approve this proposed seven-story project. A five or six-story project that would provide easily-usable bicycle access to the Riverwalk, while preserving all heritage trees on site would better-serve the character of the City and all who live and work there, as well as the rich riparian area of the San Lorenzo River habitat.

Sincerely,
Becky Steinbruner

Rylee Hawkins
Alex Garber
10 November 2016
Adam Millard-Ball
ENVS 196

Current Conditions Report: Santa Cruz Minimum Parking Requirements

Introduction:

The purpose of this study is to provide data that the City of Santa Cruz might consider when building future housing developments to help alleviate the housing crisis the city currently faces. Specifically, we examine the effect of parking on housing prices, how much parking is actually used versus how much is required by city codes, examine car ownership data throughout the city, and analyse alternative transportation methods. Relaxing minimum parking requirements would help facilitate infill development, creating a denser, more transit based community.

First we examined 300 Craigslist listings to determine if bundled parking -units that include a parking space with rental prices- affect the overall price of the unit. Then, we visited three different apartment complexes across the city to determine if their parking lots were at capacity during what we assumed would be peak times. We also looked at car ownership data in Santa Cruz to test the assumption that most homes have two vehicles. Finally we mapped transit and biking accessibility throughout the city and analyzed transportation patterns in the city.

Craigslist Data Scrape

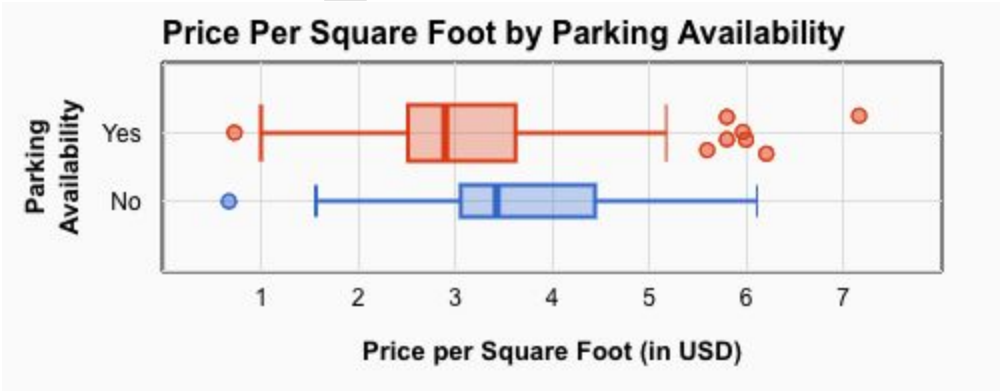

Figure 1a

Figure 1a indicates that according to the Craigslist data we collected, rental properties in Santa Cruz without bundled parking are more expensive per square foot per month than those with bundled parking. This data was collected from 300 randomly selected Craigslist rental offerings between August 22 and September 25, 2017.

Research would suggest that unbundled parking should actually reduce the cost of a rental. In fact, research conducted by the Victoria Transport Policy Institute suggests that rent is increased by 12.5% when one parking spot is included and up to 25% for 2 spaces. Our data does not conform with this concept. We anticipate that this could be for a few different reasons. (1) Only 79 of the 300 listings we recorded do not provide parking. Most of the properties with

unbundled parking were apartments. (2) Some apartments that do not bundle parking in Santa Cruz have allocated that saved land to other amenities, making them luxury apartments and increasing rent. An example of this is the Apartments at 1010 Pacific Avenue. These apartments also serve as a good example of a transit oriented development with reduced parking. Tenants are required to pay for parking within the building. There are limited spaces so residents are also encouraged to use the already existing parking garage on Front and River to store their vehicles. It is located right next to the main Santa Cruz Metro Station and within walking distance to many amenities which encourages alternative modes of transportation. This is an example of a low parking development that could be implemented elsewhere in Santa Cruz.

Unfortunately Craigslist does not require posters to share the location of the listing so we were not able to analyze how location might affect rent in conjunction with parking.

Outcome of Bundled Parking at Apartment Complexes:

We surveyed parking availability at 3 different apartment complexes in the City of Santa Cruz between 10 and 11 PM on Tuesday, Thursday and Sunday nights. We can assume that each of these complexes is at least 90.3% occupied because that is the occupancy rate for the city according to the 2015 census (American Factfinder).

Cypress Point

Cypress Point is located at 101 Felix Street.

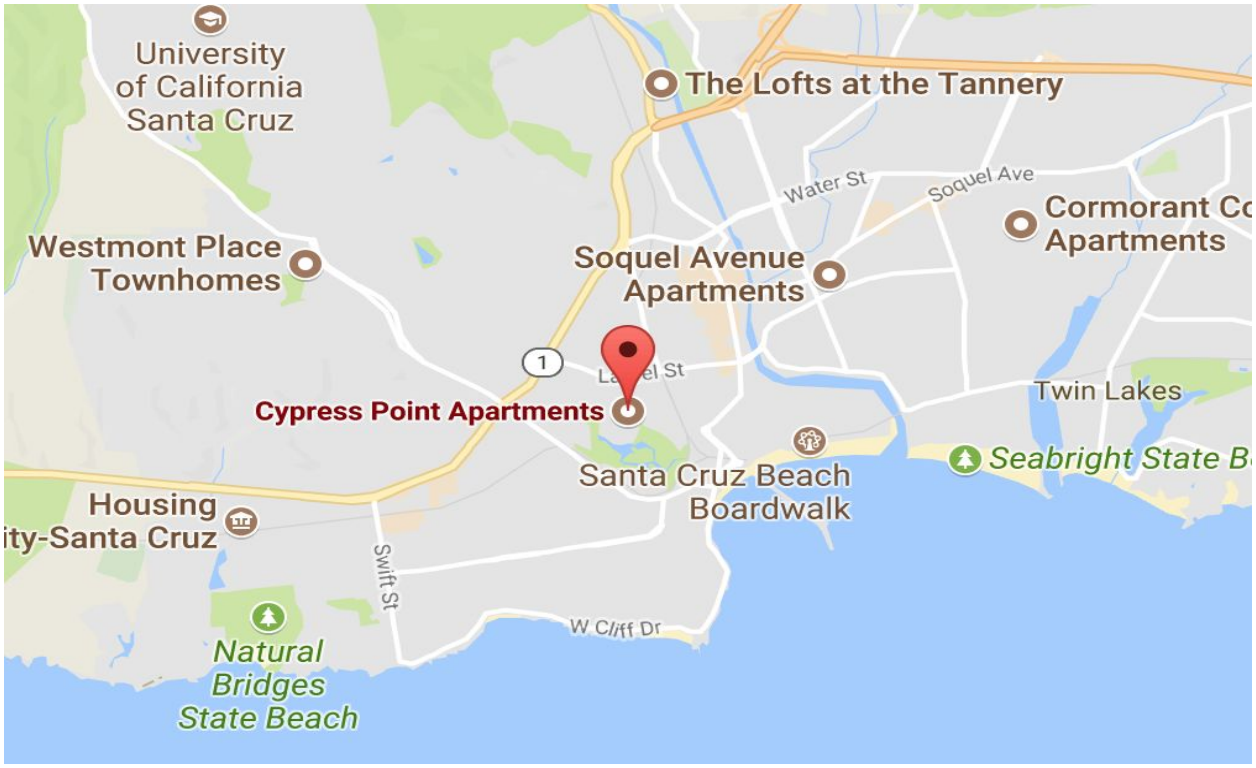

Figure 1b

The complex is comprised of 240 units and provides 314 parking spots. Parking is included with each rental, and allocated depending on how large the unit is. Information regarding the floor plan of the units at Cypress Point was readily available online. They have eighty 2 bedroom

units, one hundred and twelve 1 bedroom units and forty eight studios.

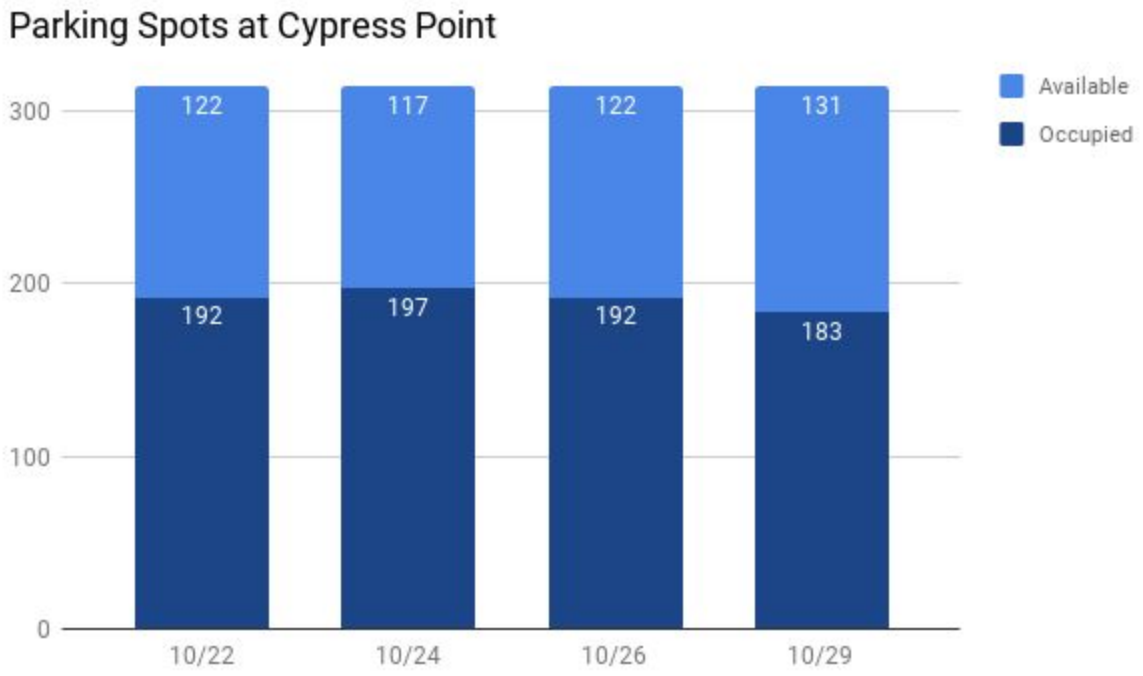

Figure 2b
This figure demonstrates the amount of spots left available on four given nights during the month of October. There was an average of 123 parking spots left available each night.

Pacific Shores

Pacific Shores is located on the Westside of Santa Cruz at 1240 Shaffer Road.

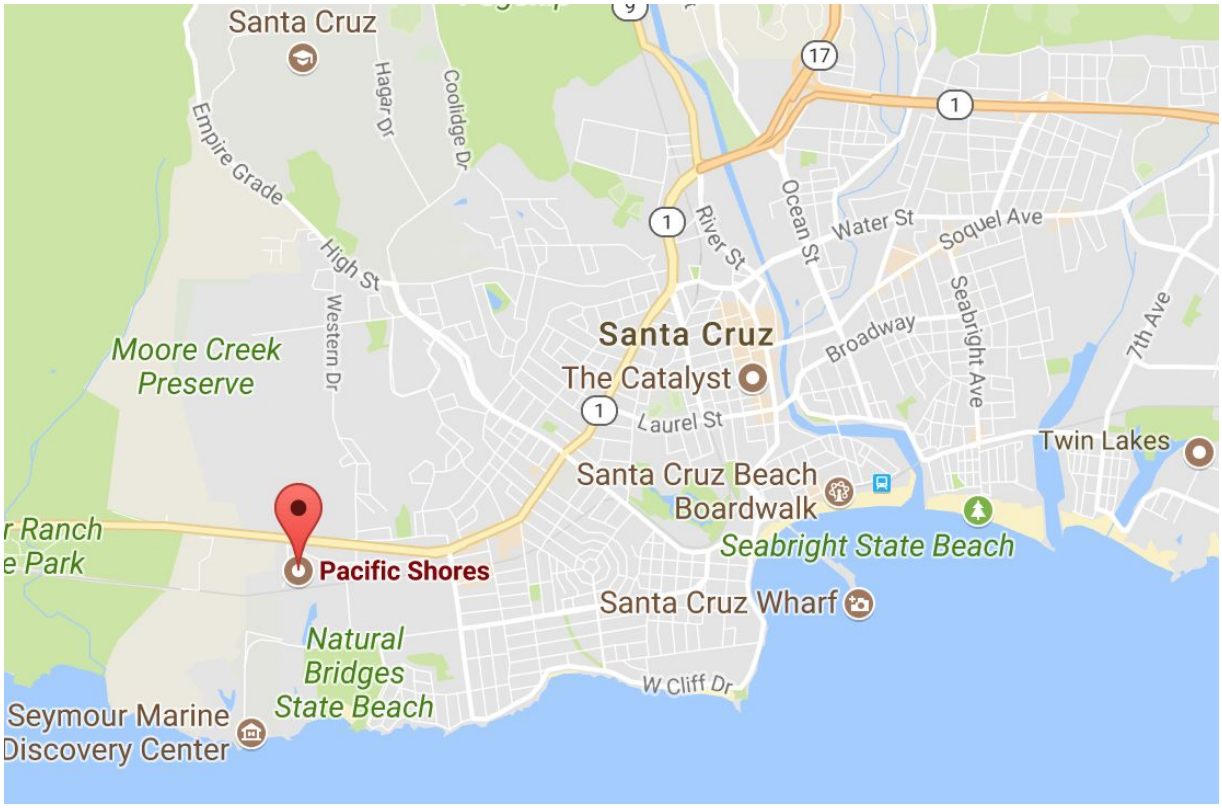

Figure 3b

The complex is comprised of 206 units and 299 parking spots. Each rental unit comes with one parking space bundled within the cost of the monthly rent. Each additional parking spot desired by a tenant can be rented for $55/ month or $65/ month for a covered space.

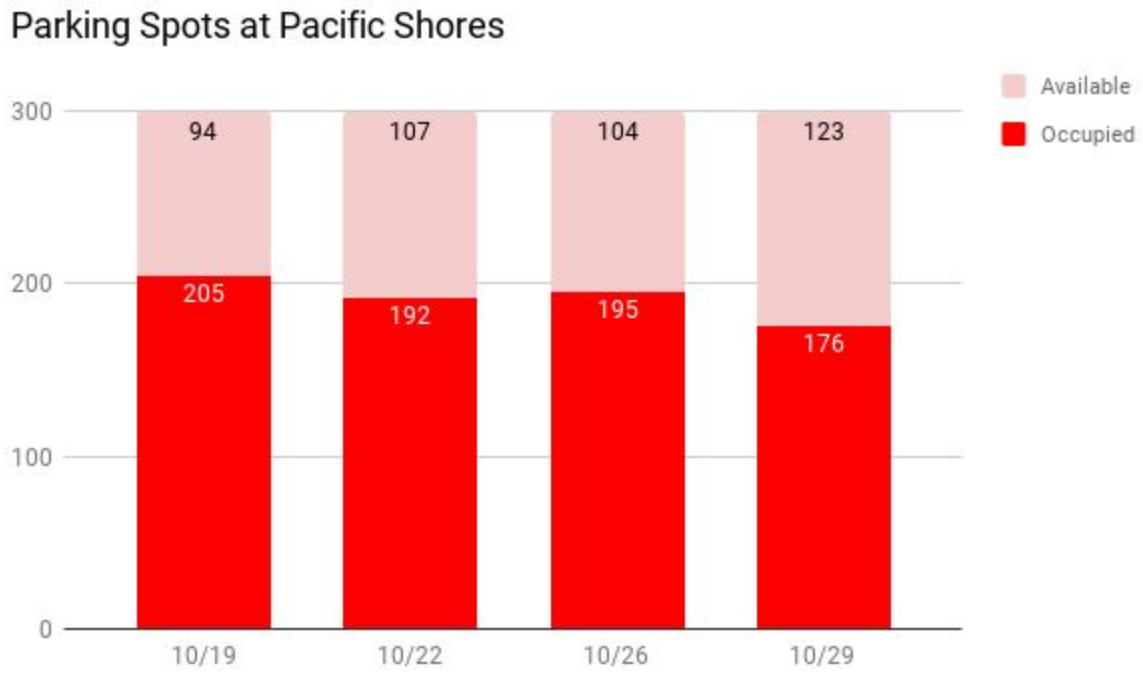

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Figure 4b

This demonstrates available and occupied spots in Pacific Shore's lot on four given nights in the month of October. There was an average of 107 available spots given the data we collected. Pacific Shores does not meet Santa Cruz's parking requirements and still oversupplies parking to its residents by an average 35.9%.

Chestnut Townhomes

Chestnut Townhomes are located at 143 Chestnut Street.

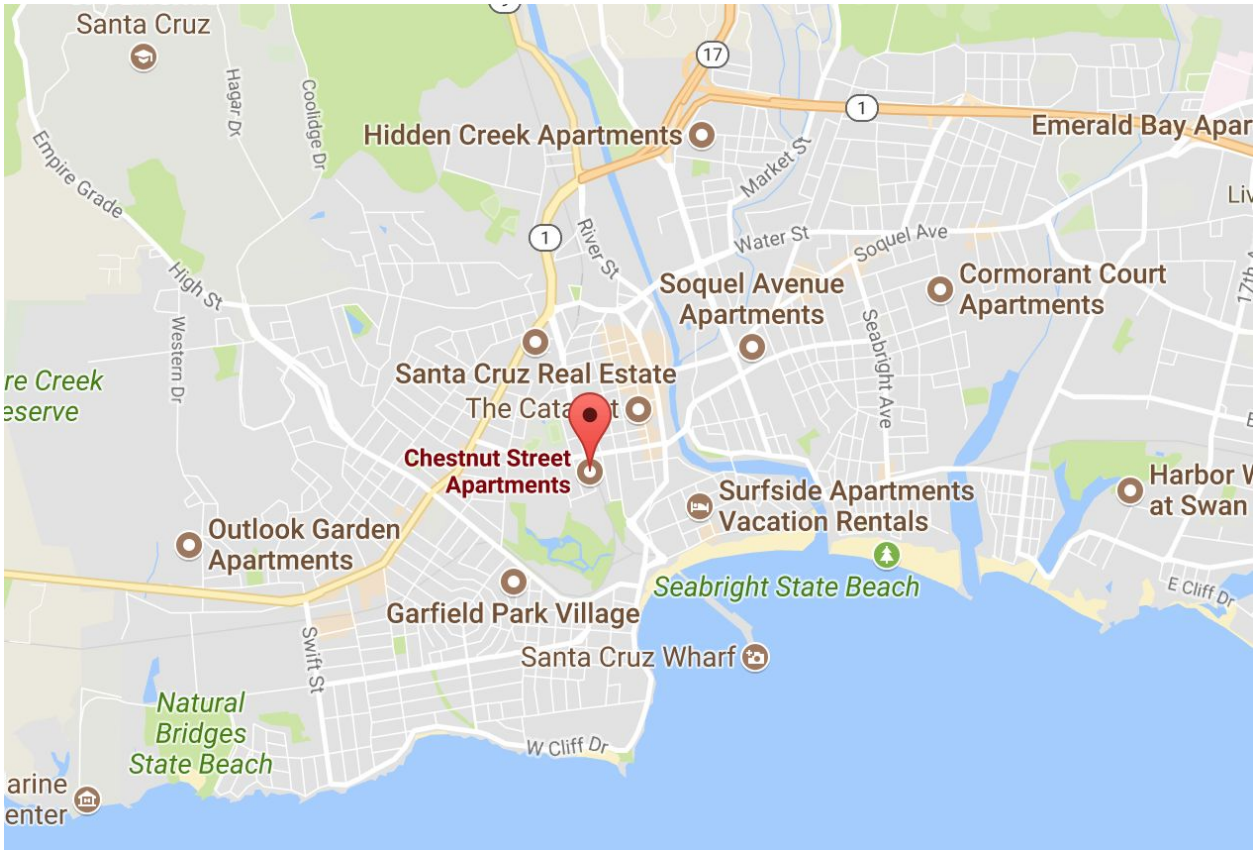

Figure 5b

The complex is comprised of 96 units. There are a total of 148 parking spots. One bedroom floor plans are allotted one parking spot and most 2 bedroom floor plans are allotted two spots, however some are only given one. The price of parking is included in the rental price. This parking configuration is below the minimum requirements set out by the city of Santa Cruz.

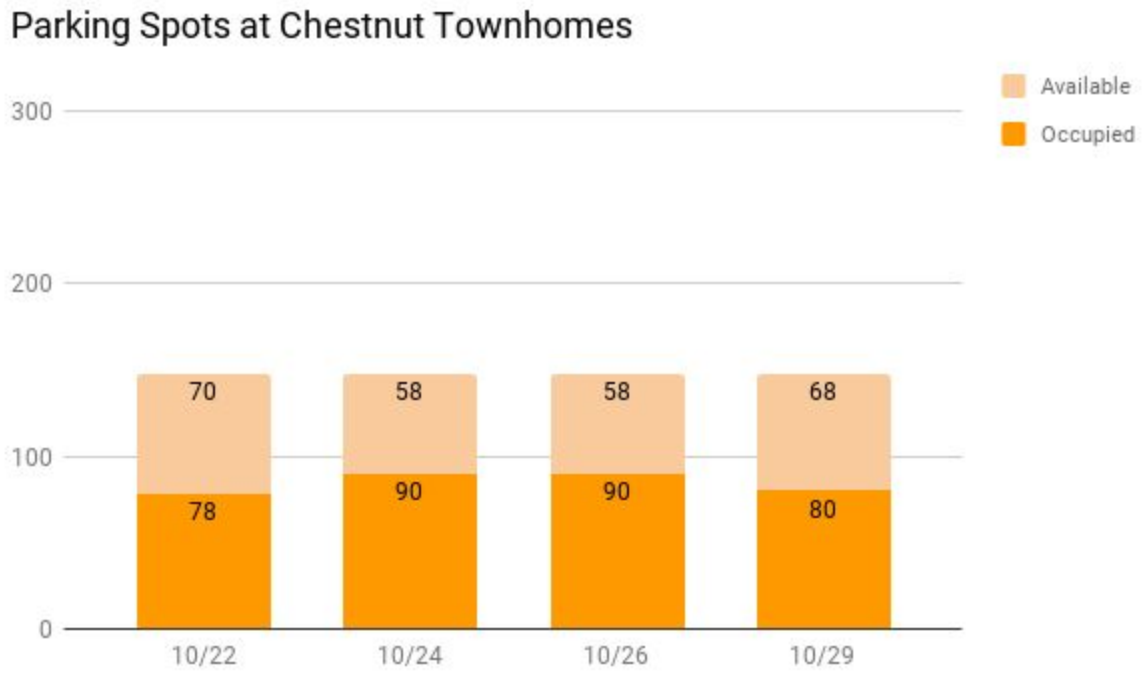

Figure 6b
On average, there were about 63 spots available on each surveyed night in October.
Findings
These numbers demonstrate an oversupply of parking translating into hundreds of spaces left unoccupied overnight. Each of these complexes bundles parking into their rent prices regardless of the tenants' need for a space. This drives up rental prices and allocates land to parking that could be apportioned to further housing development. Beyond affecting housing supply in a county that is already facing a shortage, the opportunity cost missed by designating this land to parking spots is significant.

Census Data

The next set of maps (Figure 1c-12c) show census data on car ownership. The data was collected using American FactFinder, and the data set used was Tenure by Vehicles Available 2015. There are 23,717 homes analysed in the data below. It should be noted that census block 060871004002, which is the east side of UCSC, does not have any homes within it, making all percentages read as 0.

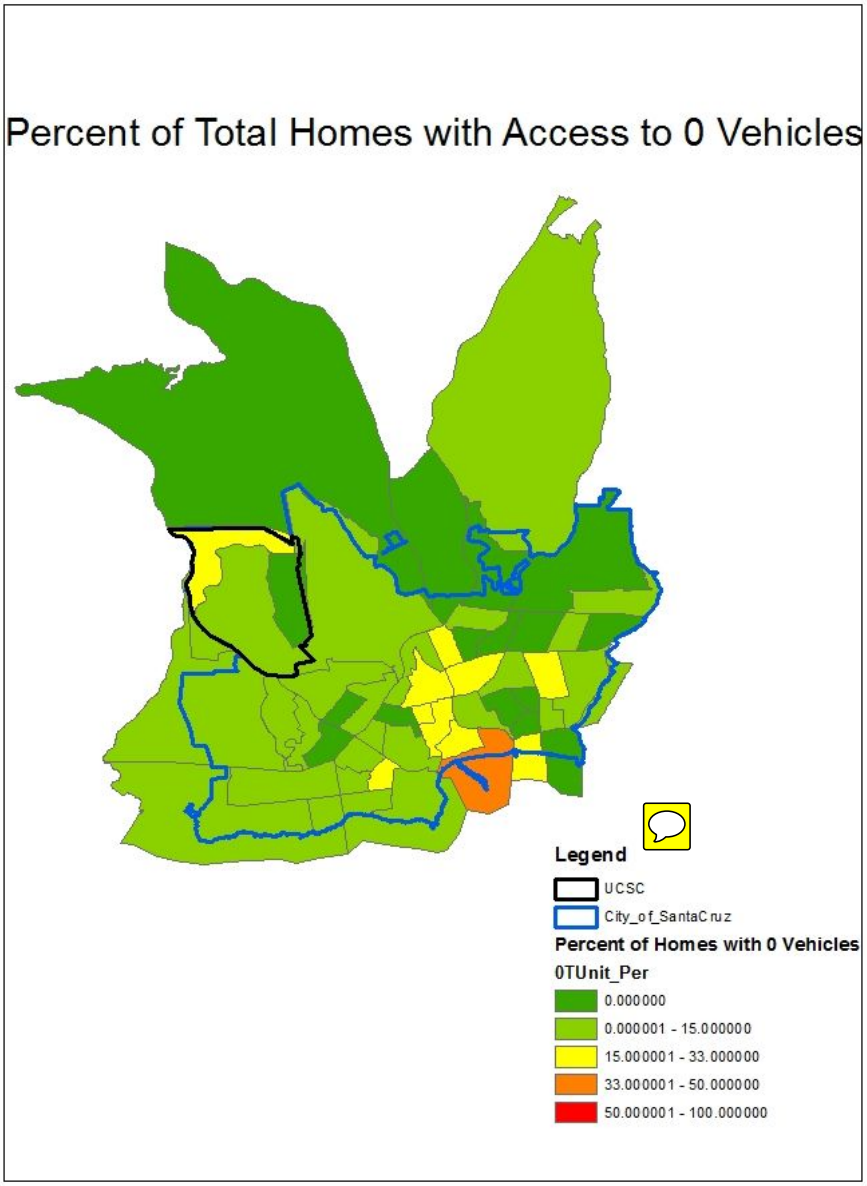
Percent of Total Homes with Access to 0 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 0 Vehicles
0TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure Ic

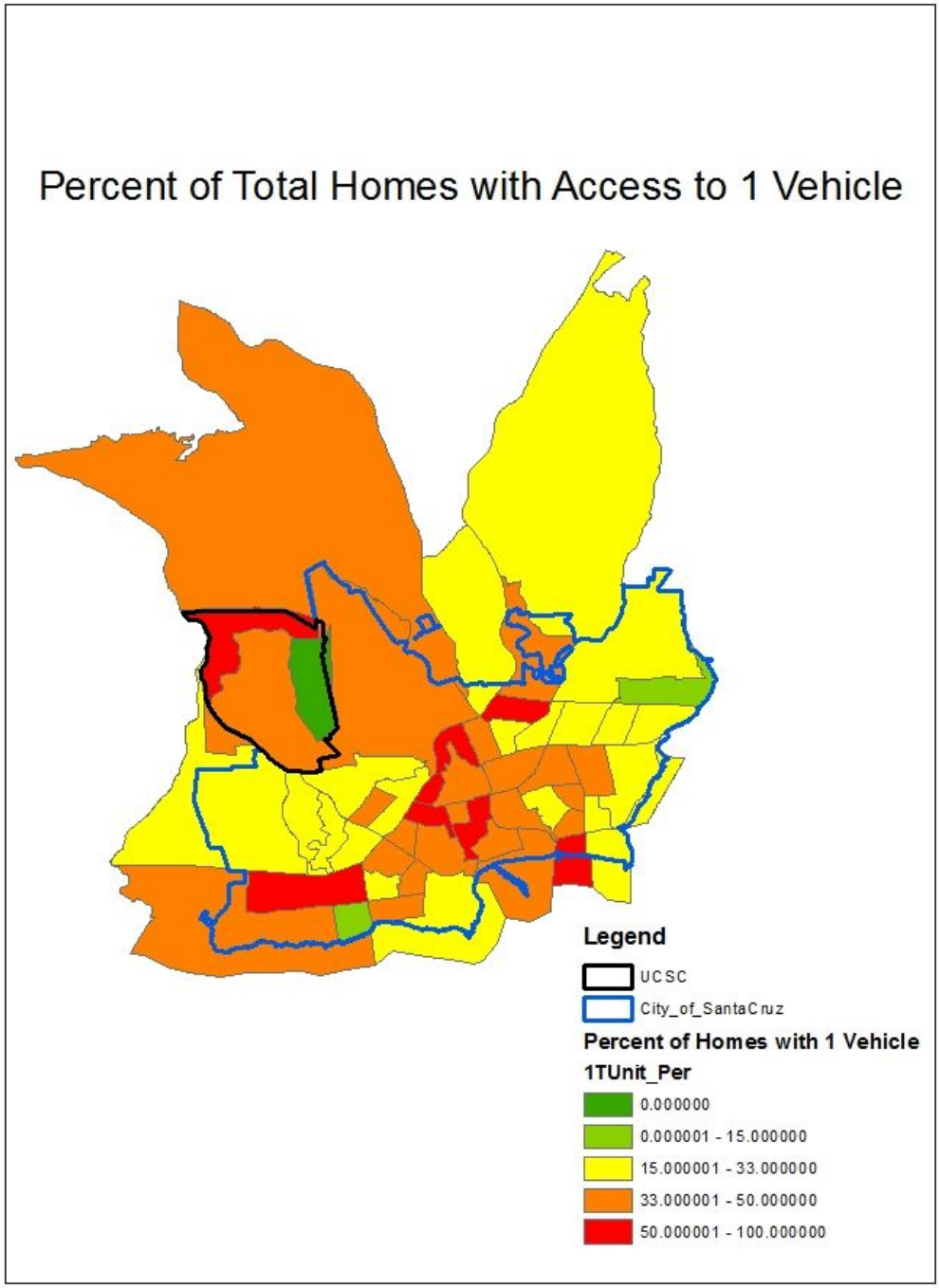
Percent of Total Homes with Access to 1 Vehicle
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 1 Vehicle
1TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 2c

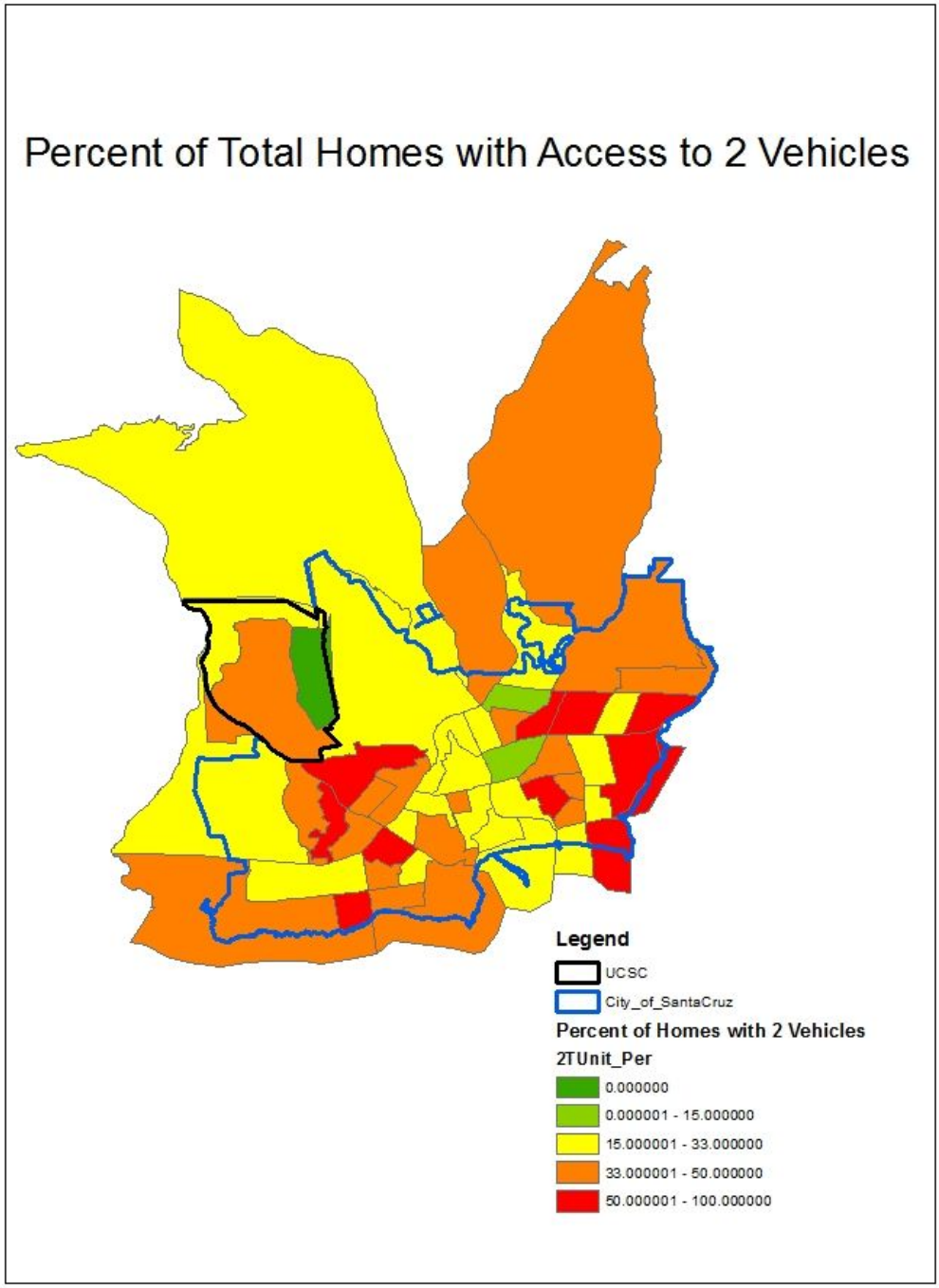
Percent of Total Homes with Access to 2 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 2 Vehicles
2TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 3c

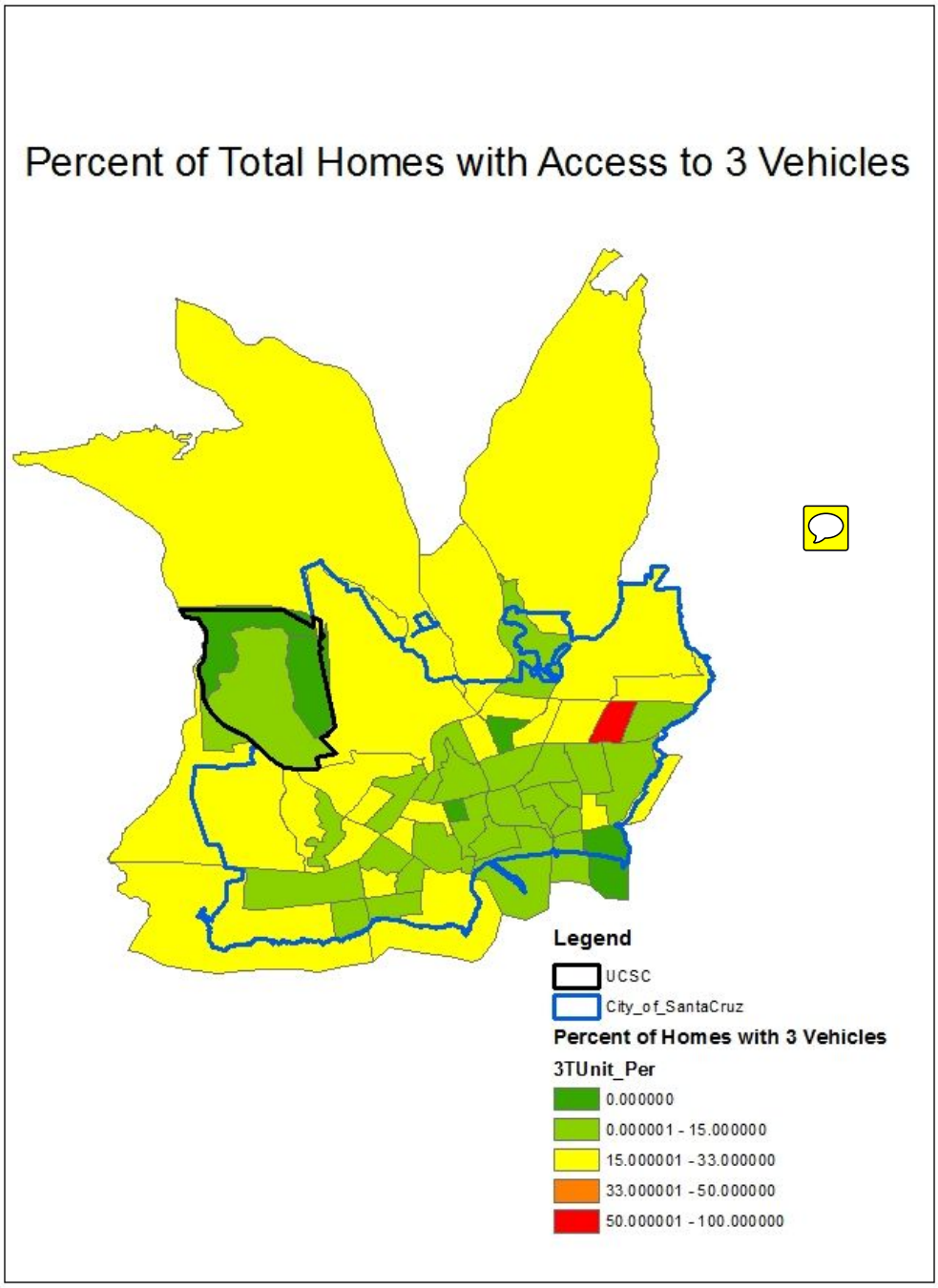
Percent of Total Homes with Access to 3 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 3 Vehicles
3TUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 4c

The ~~assumption many city planners have is that the city~~ needs to provide two spaces for each vehicle. That assumption is tested by these maps and the results seem to show otherwise. In figures 1c and 4c, a majority of census blocks show less than 33% of their respective vehicles per home, but each has one census block that stands out. In figure 4c census block 060871002002 has 51% of homes with three or more vehicles. That leads one to believe that quality transportation alternatives in that block are lacking. It could also mean that income for that census block is higher or there are more driving residents per home. In figure 1C, a large majority of census blocks have less than 15% of homes with 0 vehicles, and all but one census block have less than a third of homes with 0 vehicles. Census block 060871010004 has a little over 33% of homes with zero vehicles. This is the Beach Flats neighborhood right next to the boardwalk. This area has lower income residents which can explain the higher percentage of homes with no vehicles.

Figures 2c and 3c are the most significant. If the assumption that most homes will have two vehicles were true, all of the census blocks in figure 3c would be colored red. Instead only 11 out of 53 census blocks colored red, with 16 blocks having less than 33% of homes having two vehicles. Figure 2c shows very similar data, with 7 census blocks colored red and 21 more census blocks where more than 33% of homes have one vehicle. When the total number of homes are compared for figures 2c and 3c, there are 8,345 one vehicle homes and 8,773 two vehicle homes. Combining one and zero vehicle homes, that number climes to 10,138. This means 43% of the homes in Santa Cruz have less than two vehicles, disproving the assumption that a large majority of homes have two vehicles.

The next set of maps compares owned homes and rented homes. This was pulled from the same data set as the previous maps. There are 11,075 owned homes and 12,642 rented homes that are analyzed.

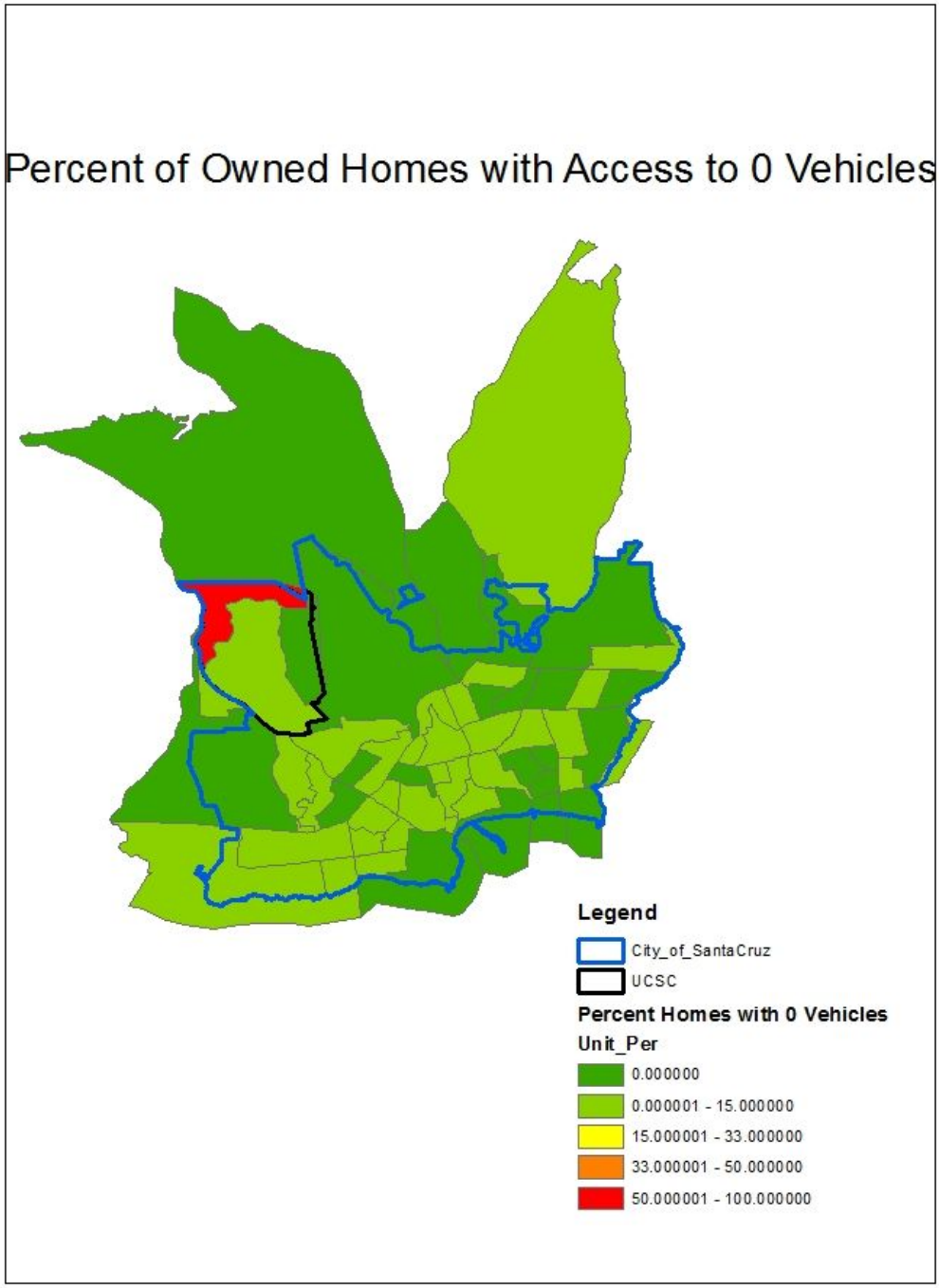
Percent of Owned Homes with Access to 0 Vehicles
Legend
City_of_SantaCruz
UCSC
Percent Homes with 0 Vehicles
Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 5c

m

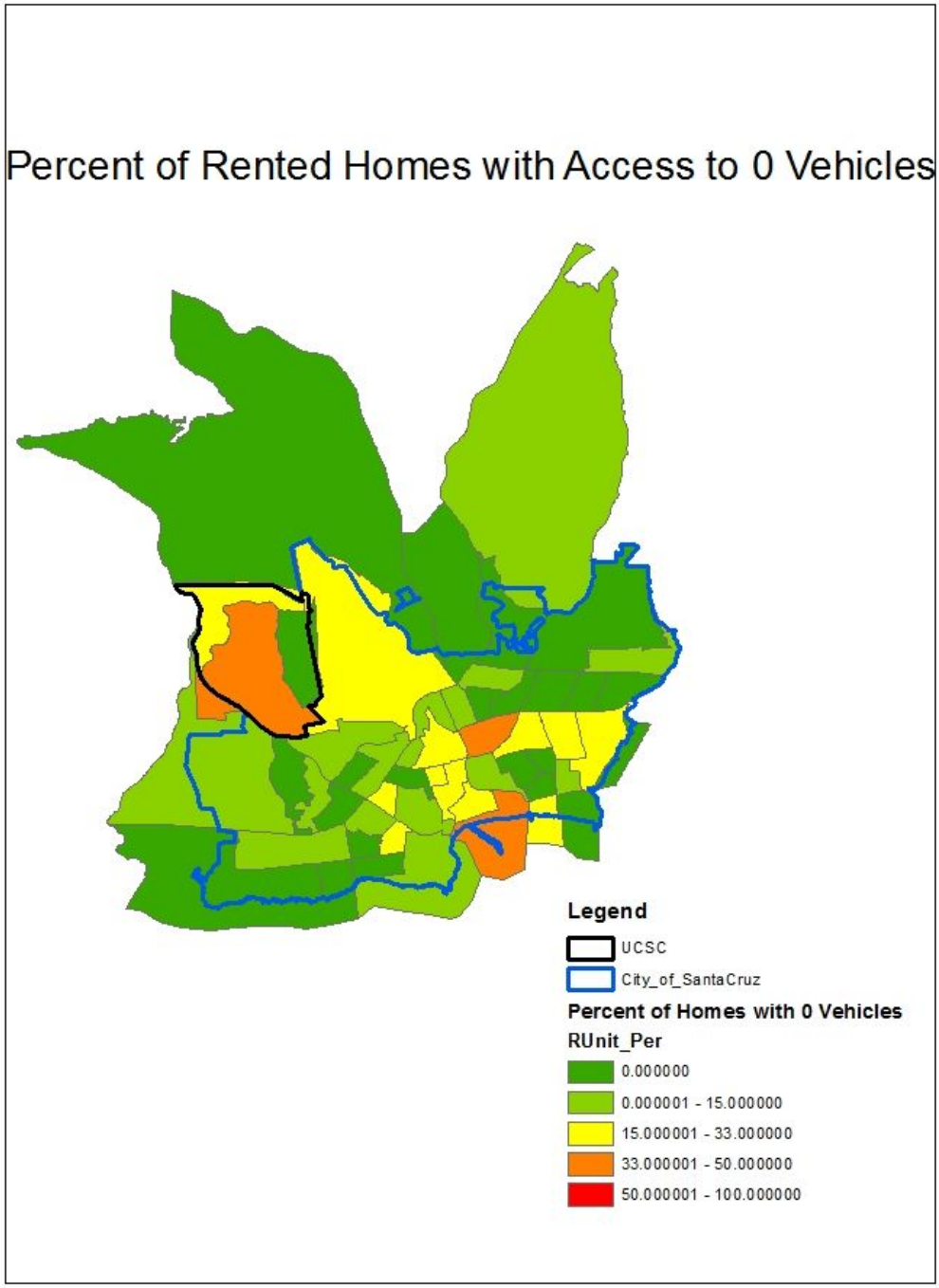
Percent of Rented Homes with Access to 0 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 0 Vehicles
RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 6c

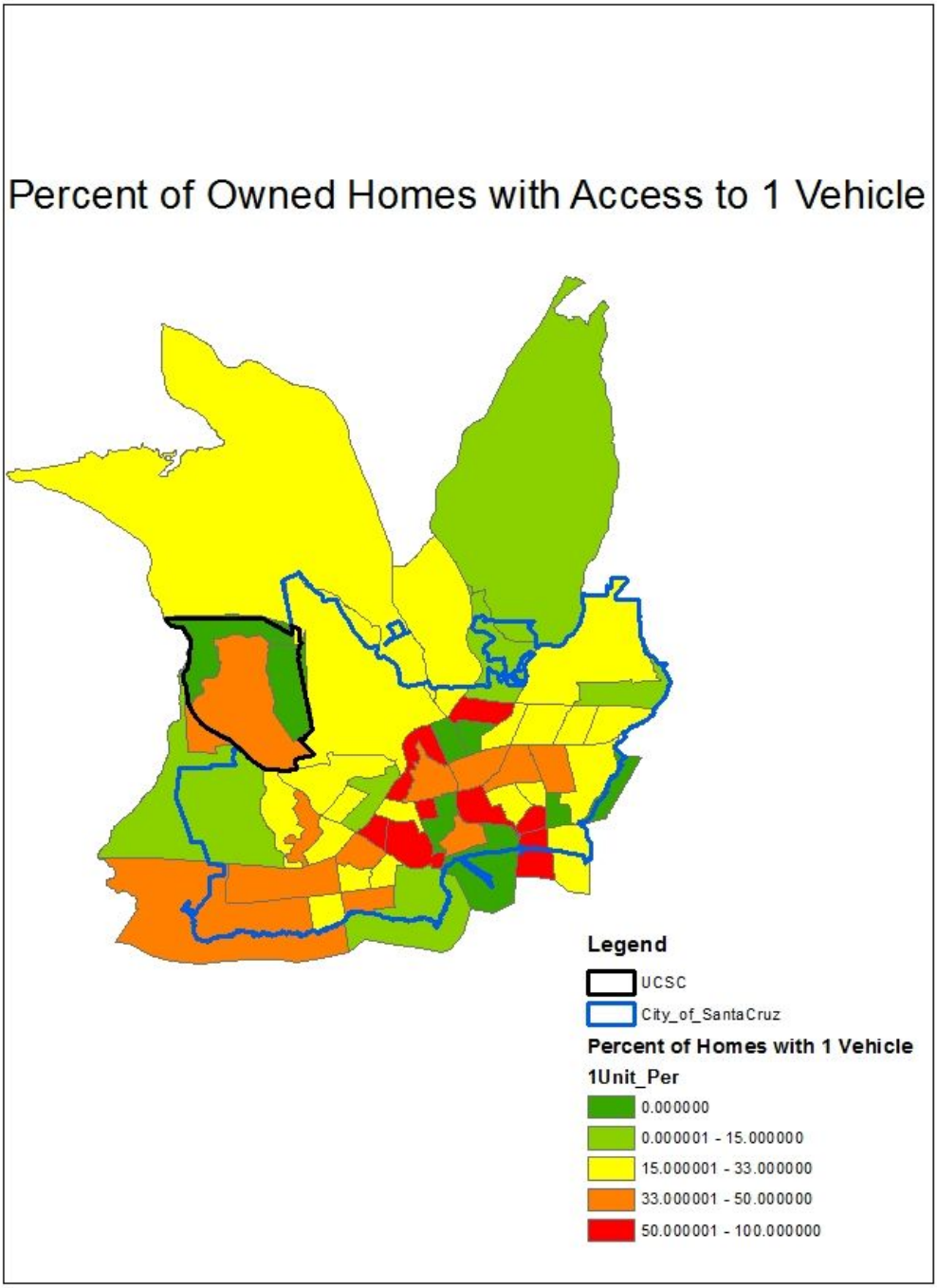
Percent of Owned Homes with Access to 1 Vehicle
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 1 Vehicle
1Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 7c

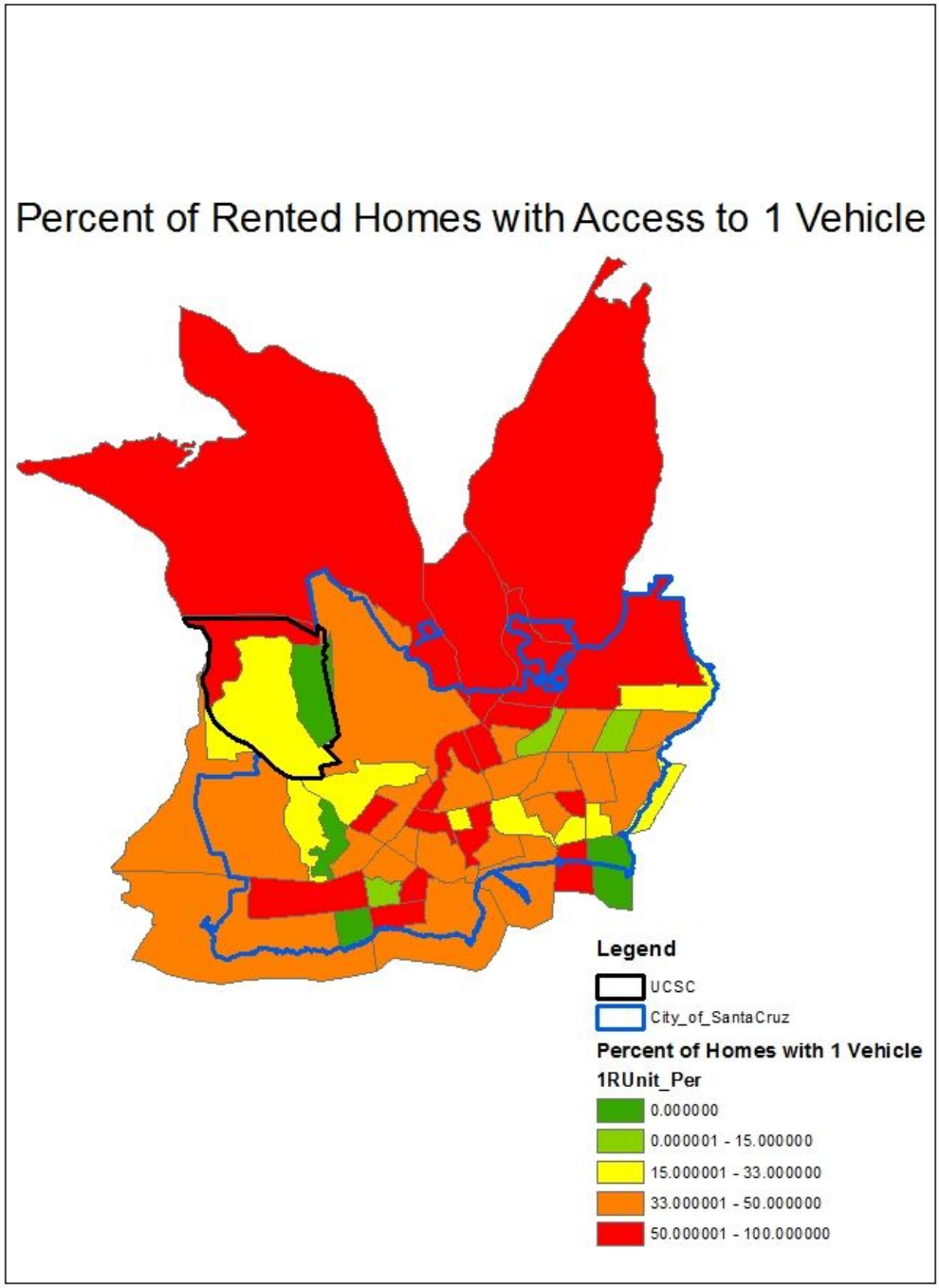
Percent of Rented Homes with Access to 1 Vehicle
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 1 Vehicle
1RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 8c

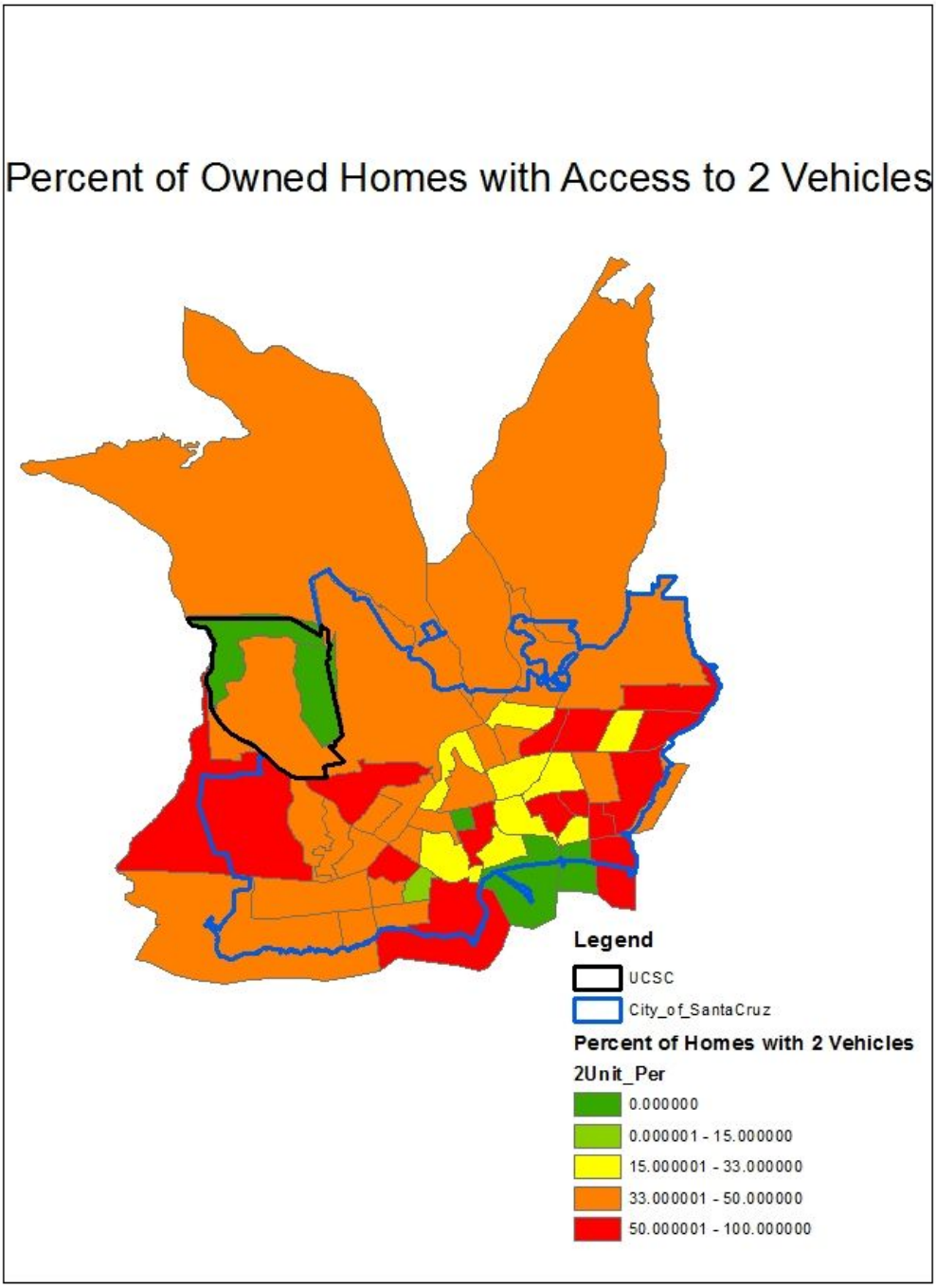
Percent of Owned Homes with Access to 2 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 2 Vehicles
2Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 9c

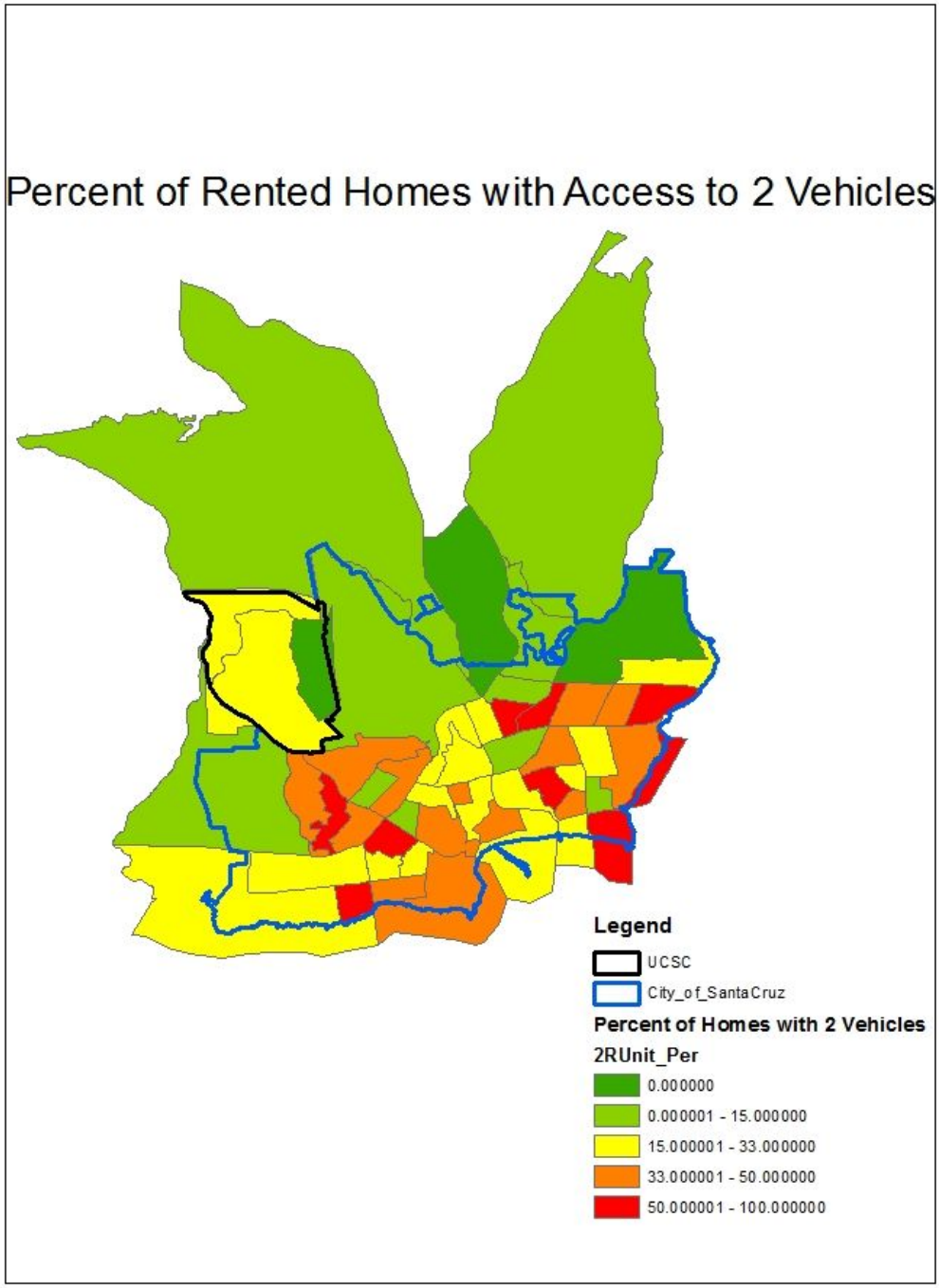
Percent of Rented Homes with Access to 2 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 2 Vehicles
2RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 10c

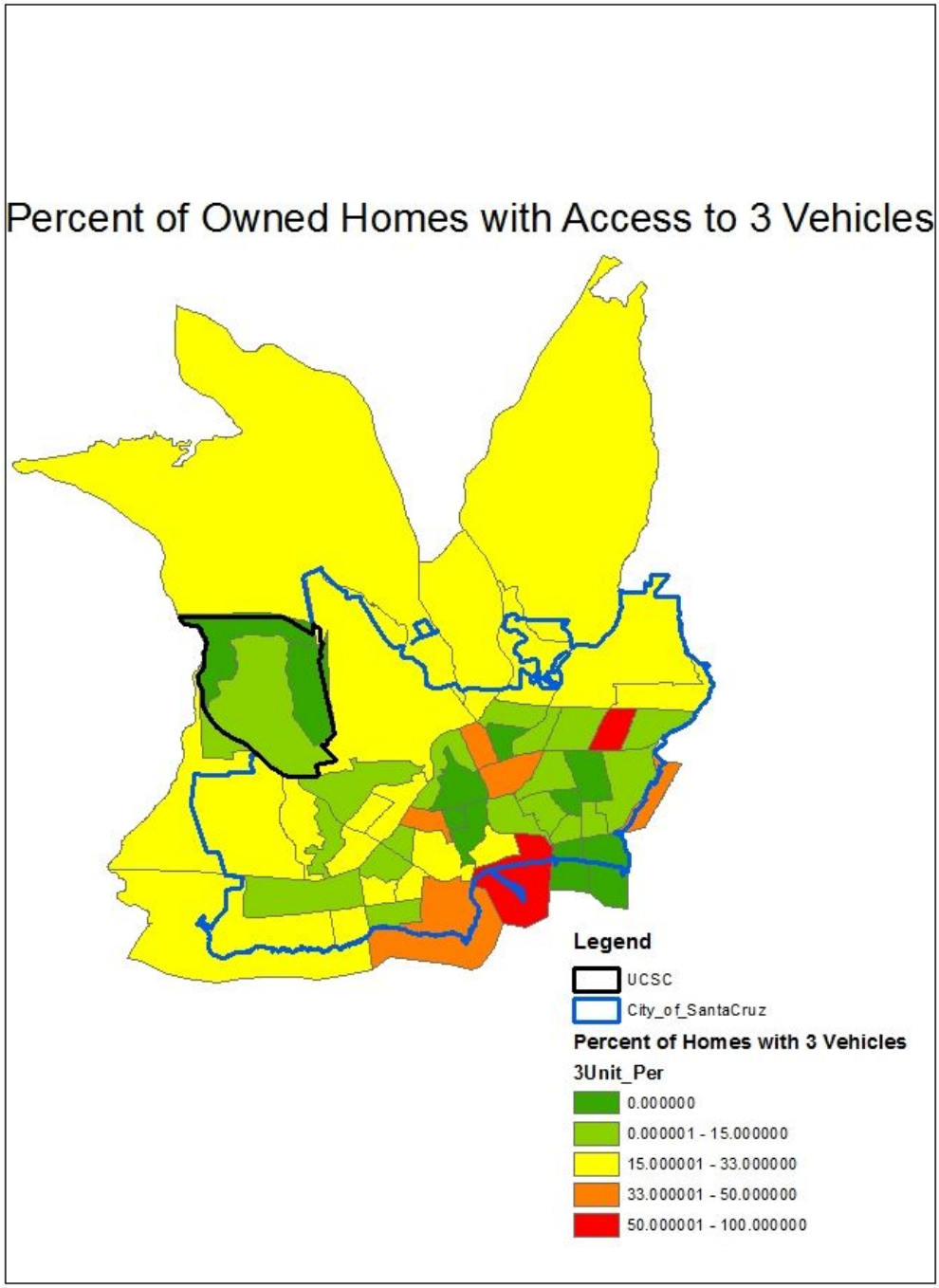
Percent of Owned Homes with Access to 3 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 3 Vehicles
3Unit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 11c

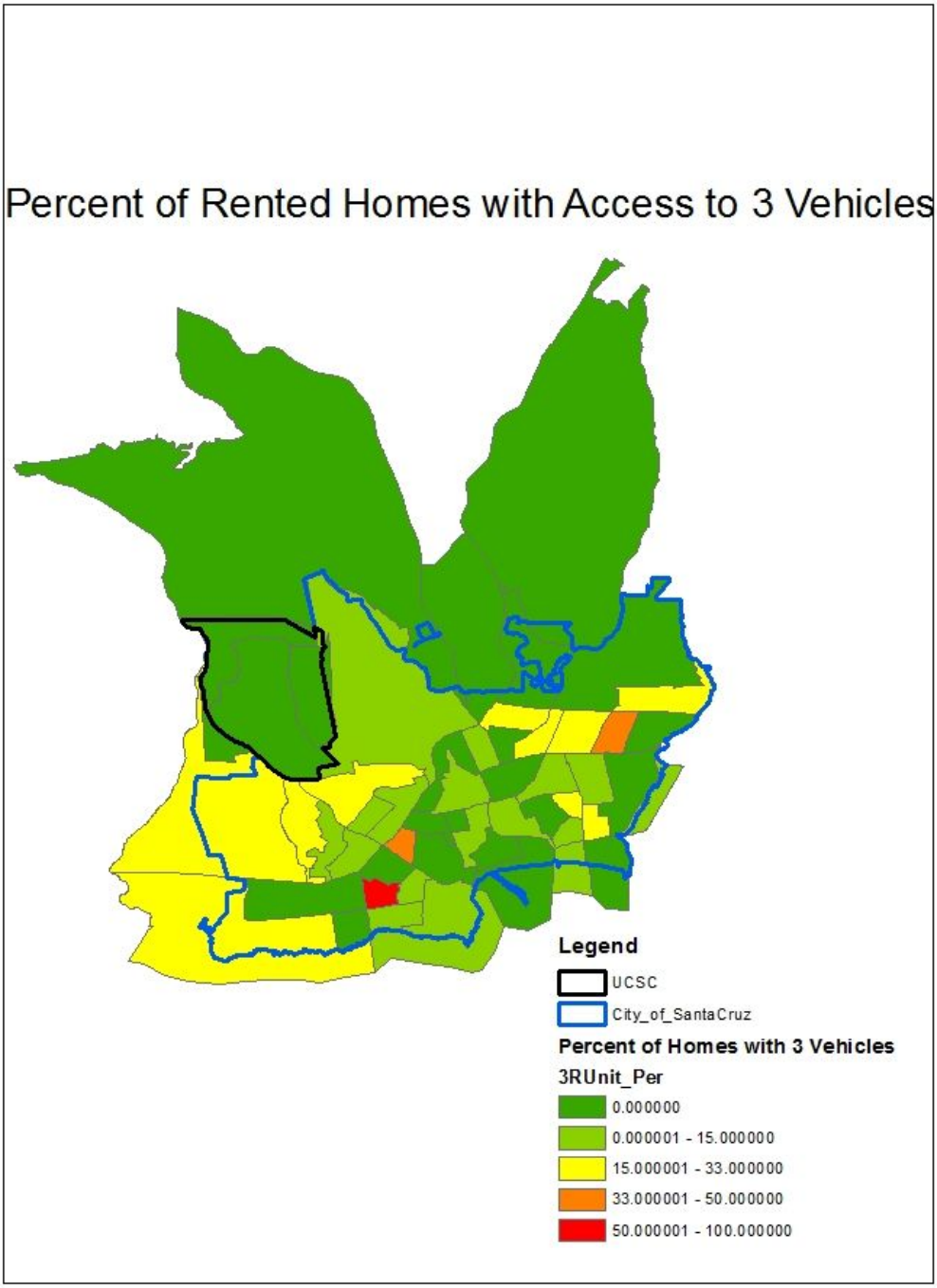
Percent of Rented Homes with Access to 3 Vehicles
Legend
UCSC
City_of_SantaCruz
Percent of Homes with 3 Vehicles
3RUnit_Per
0.000000
0.000001 - 15.000000
15.000001 - 33.000000
33.000001 - 50.000000
50.000001 - 100.000000

Figure 12c

When compared, there is a clear difference between homes that are owned and homes that are rented in number of vehicles per home. The trend shows that the peak percent of owned homes have two vehicles per home while the peak percent for rented homes is one vehicle per home. The assumption of two cars per home does not seem to apply to rented homes, and does not quite capture the truth with owned homes. 55%, or 7,012 rented homes have one vehicle or less, while 28%, or 3,126 owned homes have one vehicle or less. If one just took the percentage of owned homes, almost 30% of homes would still have an extra parking space they do not need. That space could be used for more housing or other city amenities.

The number of owned homes is about the same as the number of rented homes with the census blocks used, but within the city borders, there many more rented homes then owned homes. The census blocks completely within the city have 9,779 rented homes compared to 6,254 owned homes.

Travel Within Santa Cruz

While it is very useful to look at car data and parking lot data to see how many spaces are going unused, it is also important to look at how people are travelling in the city. Santa Cruz is very connected without using a personal vehicle. As Figure 1d and 2d show below, the city has bike paths that connects UCSC, the neighborhoods, commercial districts, economic districts, and the beach. In Santa Cruz, there is a lot of congestion due to population growth, and to reduce that it is necessary to have good alternative forms of travel. While the bike path and bus system have some issues that can be improved, they are overall a serviceable alternative to driving. When creating parking, that should be taken into account. If less parking is provided, people will be pushed to use the alternative modes of transportation.

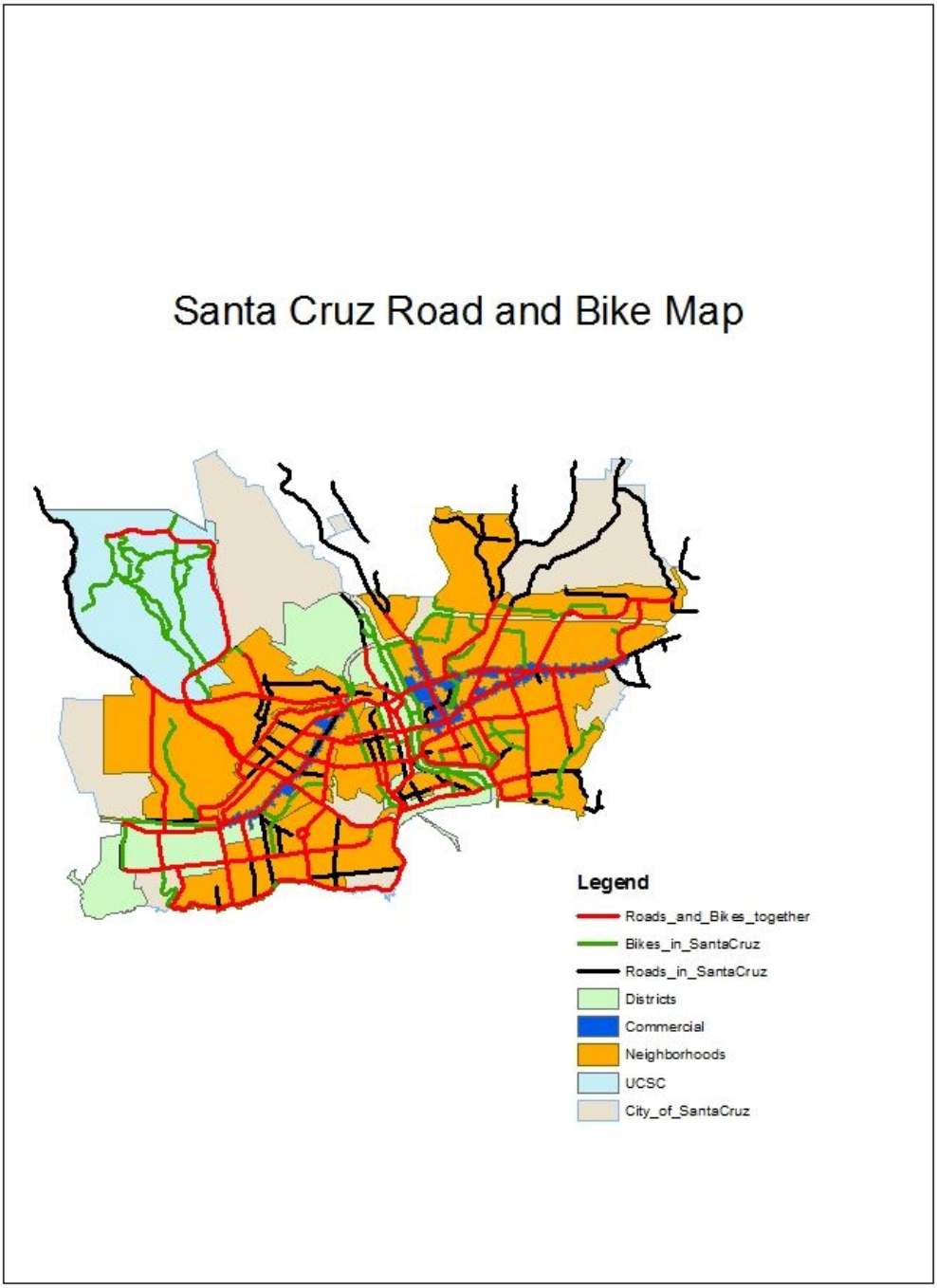
Santa Cruz Road and Bike Map
Legend
Roads_and_Bikes_together
Bikes_in_SantaCruz
Roads_in_SantaCruz
Districts
Commercial
Neighborhoods
UCSC
City_of_SantaCruz

Figure 1d

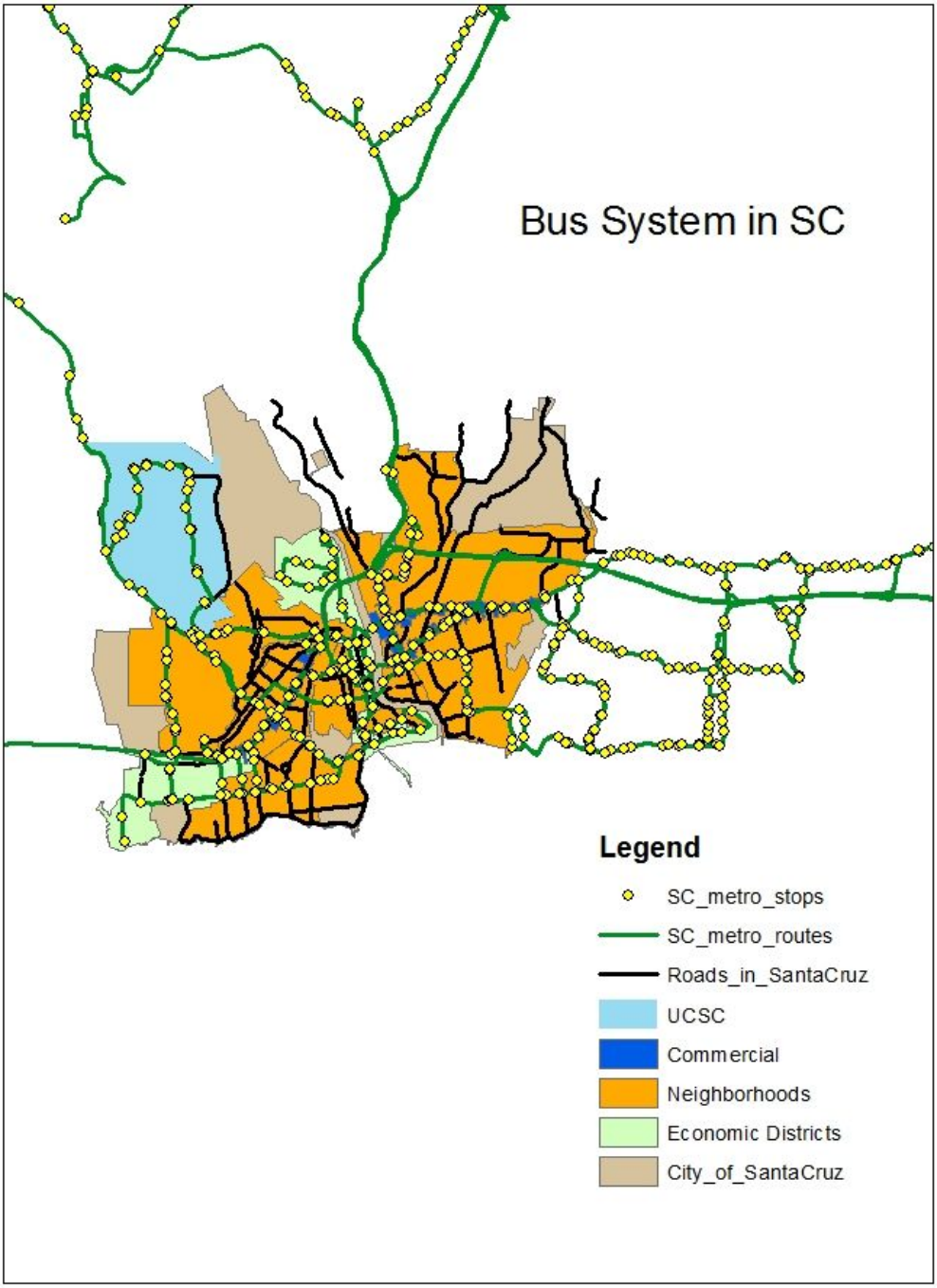
Bus System in SC
Legend
SC_metro_stops
SC_metro_routes
Roads_in_SantaCruz
UCSC
Commercial
Neighborhoods
Economic Districts
City_of_SantaCruz

Figure 2d

Another metric that is helpful to look at when deciding on parking space requirements is to look at how people get around. Using American FactFinder, Means of Transportation to Work by Vehicles Available, we found has data that shows how people get to work. Figure 3d below shows how many people travel to work with each different method given the number of vehicles they have access to.

	Estimate (# People)
Drive Alone	10,779
No Vehicle	273
1 Vehicle	3,335
2 Vehicles	7,171
Carpooled	1,424
No Vehicle	0
1 Vehicle	484
2 Vehicle	940
Public Transit	1,411
No Vehicle	360
1 Vehicle	619
2 Vehicle	432
Walked	1,603
No Vehicle	291
1 Vehicle	486
2 Vehicle	826
Taxi/Motorcycle/Bicycle/Other	2,646
No Vehicle	194
1 Vehicle	870
2 Vehicle	1,582

Figure 3d

While 60% of the people traveling to work drive alone, 40% of people travel to work in other ways. Of the 40%, 88% have access to at least one car, showing that it is not only out of necessity. These other methods all require less parking given that people with cars do not necessarily use them to go to work. While this data is specifically for work, the information can be used to assume travel habits outside of work. Someone who walks to work would most likely do the same to go to the beach, shopping, or other activities in the city.

Conclusion

With the data collected, we conclude that there is an excess of parking in Santa Cruz. With the Craigslist Scrape, we found that the housing without bundled parking is more expensive in Santa Cruz, due to the lack of non-luxury apartments without bundled parking and the high number of single family homes in the listings. We also found that there is a consistent excess of parking at the three apartment complexes we looked at. Through the census data, we found that a significant amount of homes in Santa Cruz have less than two vehicles per home, and finding that rented homes were more likely to have fewer vehicles per home then owned homes. Finally we found that travel alternatives in Santa Cruz are substantially connected and that a compelling amount of people use alternatives to driving alone to get around. These findings individually demonstrate that there is an excess of parking in Santa Cruz. When compiled, they show a major gap in parking needed and parking provided.

References

American FactFinder. (2010, October 05). Retrieved November 08, 2017, from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF

American FactFinder, Means of Transportation to Work by Vehicles Available. (2015). Retrieved November 06, 2017, from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_5YR_B25044&prodType=table

American FactFinder, Tenure by Vehicle Available. (2015). Retrieved November 07, 2017, from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_5YR_B08141&prodType=table

County of Santa Cruz, GIS Data. (2016). Retrieved October 30, 2017, from http://www.co.santa-cruz.ca.us/Departments/GeographicInformationSystems(GIS).aspx

Litman, T. (2009). Parking requirement impacts on housing affordability. Victoria, Canada: Victoria Transport Policy Institute.

TransitFeeds, SCMTD GTFS. (2017, September 5). Retrieved November 07, 2017, from http://transitfeeds.com/p/santa-cruz-metro/343/latest

From:	Ruselle Revenaugh
To:	Samantha Haschert
Cc:	Dennis Wheeler
Subject:	418 development
Date:	Monday, December 23, 2019 11:36:28 AM

Hello Samantha,

We were present at the EIR meeting held at Lauden Nelson for the 418 development.
We've been discussing the various issues surrounding this project for many months now, and the meeting brought to life several more.
Foremost, we are concerned about the potential loss of the community and cultural diversity that the 418 project currently provides: so much creativity and heart and healing is available and supported there! But we are also greatly concerned about the environmental impact of such a huge development! We were GREAT supporters of including the river in our new developments after the earthquake, knowing that including that fabulous resource of ours, rather than hiding it (as we still do), would bring so many benefits to our town, culturally, environmentally, and spiritually. But none of that happened, and we were greatly disappointed! Instead, we got MORE chain stores, big ugly signs welcoming visitors to our not-so-charming any more town, and more homeless people populating and peeing on our precious river front properties.

So, now you're talking about building -- and big -- at the rivers edge. Will you somehow honor the river, including it and its natural inhabitants in the developers' plans? I hope so! There are MANY birds that live in that corridor and many more that migrate through. Have you actually considered them at all? And what about the depth required for a foundation to support such a massive building! That WILL affect the water table, water quality, and the speed of construction, as water naturally will flow where it wants to go. It did not sound like you had addressed these issues in your planning.
I sure hope that you do!

We recently ran across an article that I am sending to you here, as I think it has great significance for the development of Santa Cruz, particularly 418 Front St! Growing trees on the high rise buildings erected in Santa Cruz should be required from now on!! We are losing trees all the time! (I was horrified when the redwoods in the middle of highway one at Morrissey St were removed; they were the essence of Santa Cruz's
charm!) And they should absolutely be replaced! Please take the time to read this article, watch the videos
associated with it, and consider implementing this practice in your planning of our city. Trees and shrubbery
growing up along the heights of the riverfront developments, especially, would help to address the environmental
impacts of these precious riparian areas!

Please take this seriously. We used to be a very "green" community. I understand the need for Santa Cruz to grow UP.
However, that does not mean we should forget or destroy our natural beauty. On the contrary, we need to foster
MORE of it in order to keep our lands, rivers, forests, as well as Our lungs, hearts, and souls, happy and healthy!
thank you,
Ruselle Revenaugh

-----Forwarded Message-----
From: Dennis Wheeler
Sent: Dec 8, 2019 3:52 PM
To: Ruselle R

Subject: vertical forest

> The project's two residential towers -- measuring 80 meters (262 feet) and 112 meters (367 feet) respectively -- play host to around 20,000 trees, shrubs and plants. They spill out from irregularly placed balconies and crawl up the structures' sides. By Boeri's estimates, there are two trees, eight shrubs, and 40 plants for each human inhabitant….
>
> But the architect's proudest claim is that the buildings absorb 30 tons of carbon dioxide and produce 19 tons of oxygen a year, according to his research, with a volume of trees equivalent to more than 215,000 square feet of forestland….
>
> Other energy-efficient features, including geothermal heating systems and wastewater facilities, have attracted less attention. Nonetheless, they help the towers to not only resemble trees, but function like them too, the architect said….. His firm has already unveiled plans for new Vertical Forest buildings in European cities including Treviso in Italy, Lausanne in Switzerland and Utrecht in the Netherlands.
> In the Chinese city of Liuzhou, Guangxi province, he has masterminded an entire "Forest City," scheduled for completion in 2020, which comprises tree-covered houses, hospitals, schools and office blocks over a sprawling 15-million-square-foot site. (Boeri said that he's also been approached about producing similar "cities" in Egypt and Mexico.)

www.dailykos.com/stories/2019/12/2/1903081/-Architect-creates-gorgeous-Vertical-Forest-high-rises-lined-with-215-000-Sq-Ft-of-forest-greenery?detail=emaildkre

From: sdeleon@cityofsantacruz.com
To: City Plan; Sara DeLeon; Tess Fitzgerald
Subject: Historic Preservation Commission Comments
Date: Monday, August 03, 2020 9:48:01 AM

A new entry to a form/survey has been submitted.

Form Name:	Historic Preservation Commission Comments
Date & Time:	08/03/2020 9:47 AM
Response #:	1
Submitter ID:	60168
IP address:	67.180.133.8
Time to complete:	8 min. , 41 sec.

Survey Details

Page 1

You are currently able to comment for all items scheduled for the August 5, 2020 Historic Preservation Commission Comments meeting.

COMMENT PERIOD

The comment period for items schedule will close at 5 PM the day of the meeting. Please select an item and provide your comment. Please note that all information submitted is releasable per the Public Records Act.

1. Please select the agenda item you would like to discuss.

(○) 418/428 Front Street

2. Please select one of the following regarding the item you are commenting on:

(○) In Support

3. Comment/Question:

Dear Historic Preservation Commission,

Please recommend that the City Council approve the Nonresidential Demolition Authorization Permit and certify the Environmental Impact Report for 418 and 428 Front St. (Item No: CP18-0153). Santa Cruz badly needs more new housing, and this is exactly the type of project we need. We need more affordable housing. We need more market rate housing. This provides both without demolishing any existing housing or displacing any residents!

The project will also help Santa Cruz transition to a more walkable city with lower greenhouse gas emissions because the project is so close to many goods and services (New Leaf, restaurants, stores, etc.) and so close to transit (it's across from the downtown Metro station).

We should not allow the fact that buildings built decades ago are currently on the property from transforming the site into a better, more vibrant part of Santa Cruz's future.

It's particularly important that projects like these are allowed to proceed now when COVID-19 is drastically affecting the health and economy of our community. We need more housing to decrease residential crowding to keep residents safe and healthy. We also need projects like this that will bring good construction jobs and increase the property tax base so we can avoid further cuts to government services.

Please recommend approving the project at 418 and 428 Front Street. Thank you for your time, consideration, and service.

Best,
Andrew Ow

4. Contact Information: If you would like us to contact you regarding your comment or question, please provide your contact information. Contact information will not be included as part of the list provided during the public meeting.

First Name:	Andrew
Last Name:	Ow
Phone Number:	Not answered
Email:	andy0080@aol.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: DAVID LAUGHLIN
To: Samantha Haschert
Subject: Re: Front St/Riverfront Project Question/Comment Received
Date: Thursday, July 23, 2020 10:10:36 AM

Hi Samantha. Thanks for the explanation. I always considered the "base" number of units that could be built on any parcel as a range, with the decision of where any particular development ended within that range to be up to the decision-makers based on a multitude of factors. Sort of like "asking price" in a car dealership. I'd hope that the Council understands that they have the authority to impose whatever reasonable conditions they deem appropriate, knowing that the applicant has recourse to file a legal challenge. And it would be nice to see the north end of the project to be a stepped design. Anyway, again thanks for the thorough explanation.

On Jul 22, 2020, at 10:43 PM, Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:

Hi Dave,
Thank you for submitting your comment/question regarding this project. You are correct that the development is subject to a 15% inclusionary housing requirement; however, the total number of units that you see in the description and on the plans includes a 31.58% density bonus. The base number of units that can be constructed in that location is actually 133 units and that is the number upon which we base the inclusionary requirement. The inclusionary requirement is for 15% of 133 units, or 20 units, to be made available for sale to low income households (80% AMI) at an affordable ownership cost or rent if the property owner maintains ownership and rents the units. In order to be eligible for a density bonus, the applicant is required to provide a deeper level of affordability, so they are proposing to make 15 of the 20 units available to very low income households (50% AMI) and provide the remaining 5 units to low income households at 80%AMI. This makes the project eligible for a 35% density bonus (24.16.215) and we apply that bonus to the 133 units. The applicant is requesting a 31.58% density bonus which is equal to 42 additional units and results in a total of 175 units.
Let me know if you have any questions!
Thanks,
Sam

Samantha Haschert
Principal Planner
City of Santa Cruz
shaschert@cityofsantacruz.com
(831) 420-5196
*NOTICE: The Current Planning Division of the Planning Department is closed every Friday due to furlough.

From: sdeleon@cityofsantacruz.com [mailto:sdeleon@cityofsantacruz.com]
Sent: Tuesday, July 21, 2020 9:55 AM
To: Samantha Haschert; Allison Webster; Sara DeLeon
Subject: Front St/Riverfront Project Question/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Front St/Riverfront Project
Date & Time:	07/21/2020 9:54 AM
Response #:	28
Submitter ID:	58316
IP address:	2600:1700:87f0:b0af:e1fe:802:9dca:9564
Time to complete:	4 min. , 23 sec.

Survey Details

Page 1

Thank you for your interest in the project at Front St/Riverfront project. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

I believe that this project should be required to contain at least 15% affordable housing, or at least 26 units for low and moderate income. A project this size has numerous economies of scale and can easily afford to provide more affordable units.

2. Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:

First Name:	Dave
Last Name:	Laughlin
Phone Number:	8314262130
Email Address:	dlaughlin@ebold.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: Samantha Haschert
To: "Jane Mio"
Subject: RE: Email List - Front St/Riverfront project
Date: Tuesday, July 16, 2019 11:09:00 AM

Hi Jane,
Thank you for submitting these detailed comments. I hear three main areas of concern, 1) the structural safety of the building in a high groundwater, high liquefaction area combined with seismic activity, 2) the impacts of vibration on adjacent development and the levee during construction, and 3) the impacts of flooding. As we are in the process of reviewing the application materials and just beginning the environmental review process, we will be working through these types of questions in the near future with respect to this particular proposal and in conjunction with the research completed as a part of our Climate Action Plan and Local Hazard Mitigation Plan. The geotechnical report that was submitted for the project does in fact provide an assessment of site conditions including groundwater, seismic activity, liquefaction, lateral spreading, and settlement, and provides recommendations for construction to increase the stability of the future buildings, so they don't sink like the SF building! During the building permit phase, a project such as this would be required to maintain the services of a geotechnical engineer and to provide letters from the engineer indicating that the plans are consistent with the geotechnical report's recommendations and the recommendations of any additional engineering reports submitted as a part of the project. We are also working on the Environmental Assessment that will be submitted to the ACOE for their review of the impacts of the proposed fill on the levee system (section 408 permit) and this will be available for public review once completed. The developer will be responsible for any unanticipated impacts to the levee or other public infrastructure during construction.
It is very helpful to hear your concerns and I look forward to discussing these issues with you further as we continue to evaluate the impacts of the project.
Thanks!
Samantha

From: Jane Mio [mailto:jmio@earthlink.net]
Sent: Friday, July 12, 2019 2:51 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Re: Email List - Front St/Riverfront project

Sunny good Afternoon Samantha,
Thank you for helping me avoid that kind of "inactive" mistake again.

Also I appreciate your fill-in info. details about my in-fill questions.

To be honest I have many concerns about the levee fill, which are partially based on life experience, curiosity, research & mainly protecting the river.
So here is my thought process:
The Front St. development is without a doubt a huge change to the geographical area, involving an incredible amt. of soil excavation, causing vibration & changes.
The massive weight of the development on the land that was so drastically changed without time to settle, makes me uneasy.
The levee fill will change the water flow-off & will that result in unexpected issues for the

river/levee/buildings?
I am very aware that the City is in a financial bind, that the ACOE is as well, that the ACOE is trying to sign off on the levee responsibility & hand it to the City. So I do wonder how any levee/river/building financial issues will be resolved.
We are in a Climate Crisis, which increasingly impacts coastal rivers that are clearly beyond our prior construction expertise ~ so having a development of this immense proportion in the flood plains next to the river makes me uneasy.
& yes, I have gone over the plans & heard the argument that everything is worked out to assure safety, but then I learned that expert thought that about the sinking SF building, didn't predict the sand build-up due to harbor construction, the side effect of river dredging, the vibration of the Trestle bridge therefore I have concerns, which result in questions.
I do thank you for answering them & for all your help.
jane
BTW: I am looking forward to getting my updates on the Downtown projects. How often are they issued?

On Jul 11, 2019, at 2:04 PM, Samantha Haschert <shaschert@cityofsantacruz.com> wrote:

Hi Jane,
It sounded like you signed up in May 2018 but then never responded to the confirmation email so your email address was flagged as "inactive". Anytime you receive an error feel free to contact us for support.
In response to your other question, the developer/property owner of the adjacent project (Owen Lawlor's project) is paying to construct the fill between the levee and the building and will be responsible to maintain it. The ACOE designed and constructed the levee system so the developer is also required to obtain approval of a Section 408 permit to place the fill. The Section 408 permit and the CEQA document will include an analysis of the design drawings for the fill which were prepared by a civil engineering firm, a review of a geotechnical analysis of seepage and slope stability for the fill structure, a review of the geotechnical report for the site, a review of the proposed drainage/stormwater management plan at the levee and fill area, and a review of the impacts of the fill on existing infrastructure. What are your specific concerns with the levee fill?
Thank you,
Sam

From: Jane Mio [mailto:jmio@earthlink.net]
Sent: Thursday, July 11, 2019 8:58 AM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Re: Email List - Front St/Riverfront project

Hi Samantha,

Thank you so much for the tech. update.
As you can imagine the glitch raised the question: what can I do to avoid that?

Please let me know the reason in case you find out what caused that situation.
Thanks for your effort to have me added to the e-mail list.
jane

> On Jul 10, 2019, at 5:57 PM, Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:
>
> Hi Jane,
> Our admin staff determined that the error message that you received online was specific to your login/email address. I don't know all of the details but I do know that they added you to the email list manually and that they were not concerned that others would experience the same issue.
> Thank you,
> Samantha
>
> Samantha Haschert
> Senior Planner
> Department of Planning &
> Community Development
> City of Santa Cruz
> 831) 420-5196

From: Larry Friedman
To: Samantha Haschert
Subject: Riverfront Apartments
Date: Friday, December 06, 2019 10:52:13 AM

Hi. I am a homeowner on the East side of Santa Cruz. Not a developer or big time property owner. Saw the article in today's Sentinel about this new 175 unit apartment complex downtown. I am totally in favor of it! Great location, infill and across from transit. And lots of affordable housing in the mix. Yes. Yes.

I am familiar with the 418 and have been to events there, and eaten many times at the India Joze there. Obviously they will lose those spaces, but hopefully the developer can find ways to offer new space for those businesses. Or with the help of the City. Despite that, I encourage you to approve this project. Larry Friedman 202 1/2 Oceanview Ave, SC

From: Samantha Haschert
To: "mcollins1949@gmail.com"
Subject: RE: Front St/Riverfront Apartments Question/Comment Received
Date: Monday, June 24, 2019 9:36:00 AM

Hi Margaret,
When we prepared Volume 3 of the City's Historic Building Survey, we identified a list of historic sites/buildings but we allowed property owners the option to "opt-out" of listing the building. An opt-out means that they would not be subject to our Historic Preservation ordinance that requires approval of a Historic Alteration Permit for remodels, alterations, or additions to their structure and/or property and it also means that they are not eligible for the many incentives provided to listed historic properties. Under the California Environmental Quality Act (CEQA), we are required to analyze if a building is a historic resource prior to demolition, so when a building is proposed to be demolished, there are a few ways that we can know if it's a potential historic resource: if the building is greater than 50 years old, if it was previously identified as a historic resource and the property owner opted-out, if the architectural style appears to be a good example of early architecture or settlement patterns, or if it's located in an area that is mentioned in the City's historic context statement.

A DPR (Department of Parks and Recreation Form 523 that is used as a primary record of the historic significance of the site) was prepared for the property at 418 Front Street during the preparation of Volume 3 of the Historic Building Survey. The DPR identified the property as historic, however the property owner opted-out of listing the site. The building is now proposed to be demolished so we have to evaluate the impacts of demolition under CEQA; however, this building is not listed in our historic building survey.
The other site is at 428 Front Street and this property is listed in the City's Historic Building Survey, Volume 3. Again, we are required to evaluate the impacts of demolition of a historic resource under CEQA as a part of a project.

Yes, there will be trees planted as a part of the project. The plantings are required by the Downtown Plan, the Creeks and Wetlands Plan, and as mitigation for the removal of other heritage trees at the site. At this point (the application has not yet been deemed complete), it appears that there are 32 trees on the project site and most of them are located on the outside slope of the levee which is an area that will be located between the levee and the new building and is proposed to be filled. The arborist report identifies the removal of five heritage trees with the project and one street tree. New plantings are concentrated at the new levee fill area and on Front Street as the rest of the site is proposed for development. Additional evaluation of tree planting will occur once we have a complete application.

I hope that answers your question!
Thanks,
Sam

Samantha Haschert
Senior Planner

Department of Planning &
Community Development
City of Santa Cruz
831) 420-5196

From: sdeleon@cityofsantacruz.com [mailto:sdeleon@cityofsantacruz.com]
Sent: Thursday, June 20, 2019 9:25 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>; Dana Eugenio <deugenio@cityofsantacruz.com>
Subject: Front St/Riverfront Apartments Question/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Front St/Riverfront Apartments
Date & Time:	06/20/2019 9:24 PM
Response #:	11
Submitter ID:	39239
IP address:	50.1.51.250
Time to complete:	5 min. , 16 sec.

Survey Details

Page 1

Thank you for your interest in the project at Front St/Riverfront Apartments. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

What is the address(es) of the historic buildings which will be demolished?

Will there be trees planted to replace those removed?

2. Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:

First Name:	Margaret
Last Name:	Collins

Phone Number:	8314265167
Email Address:	mcollins1949@gmail.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: Russell Weisz
To: Samantha Haschert
Subject: Riverfront Apartments project
Date: Friday, December 06, 2019 12:05:17 PM

I am opposed to the Riverfront Apartments project as currently proposed. Seven story apartments next to the river are several stories too high and will negatively impact wildlife and aesthetics in the river riparian pathway. Buildings of this size and height will intimidate birds, mammals, and likely fish. The buildings will impact lighting and wind along the river in their vicinity. The proposed buildings are too tall. At a minimum, the EIR must address the negative impacts noted above with biological and physical studies drawn from baselines that prove the absence of these impacts for the project to proceed as proposed. I do a lot of volunteer environmental work along the river with several groups and I do not want our work to be negatively impacted or offset by this project.

Sincerely,
Russell Weisz
319 Laguna St.
Santa Cruz CA 95060
russweisz1@gmail.com
831 246-1770

From: Sarah Olson
To: Samantha Haschert
Subject: Re: Front St/Riverfront Project Question/Comment Received
Date: Friday, January 10, 2020 8:26:22 PM
Attachments: image003.jpg
image004.jpg

Hi Samantha,
Thank you for your reply. In the very first rendering above the third building seems like it could have a design that is broken up a bit in the center of the building similar to the second building on the top rendering. I think having the mid-section a little shorter helps with the massiveness of the structure. Having 3 massive buildings one after another is overwhelming for our small town. We are not Sunnyvale. Anything that can be done to break up the huge consistent look of the third building would really help. How high are the ceilings inside the units on the top floor of the third building in the first rendering?
Thank you.

On Fri, Jan 10, 2020 at 12:44 PM Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:

> Hi Sarah,
>
> Yes, the Downtown Plan requires the project to meet specific stepback requirements at the upper stories such as a 10 foot stepback above 50 feet in height. The site however, is very narrow and the Downtown Plan also requires them to provide two pedestrian passageways between Front St. and the River levee, one 60 feet wide and another 30 feet wide. Density Bonus state law allows for them to request variations from these types of setbacks/stepbacks where they can show that the standards physically preclude the construction of the development with the density bonus units. While they are taking that position, they are also still providing varied stepbacks along the building façade, they are just not proposing the full 10' stepback above 50 feet. As you can see in the renderings below, there are 9-10 foot stepbacks at many of the building corners and a large setback at the center of the middle building. And while the pathways constrain the developable area on the lot, they have the benefit of breaking up the building area to create three separate buildings. The varying rooflines and upper floor open space areas also help to break up the massing at the river elevation (lower rendering).
>
> Feel free to shoot me any additional comments. It's helpful to hear feedback on the architectural design.
> Sam

From: Sarah Olson [mailto:7saraholson777@gmail.com]
Sent: Thursday, January 09, 2020 8:27 PM
To: Samantha Haschert <SHaschert@cityofsantacruz.com>
Subject: Re: Front St/Riverfront Project Question/Comment Received

Hi Samantha,

I appreciate your reply. Is there a possibility the developer could design a tiered front of the building? So the very front would not be as high as the back of the building? A design that would lessen the massive block look would be more desirable. I have seen this type of design done in other towns and it lessens the visual impact. I agree many could walk from this building to get most but not all their needs met.

Thank you for your time.

Sarah

On Thu, Jan 9, 2020 at 7:58 PM Samantha Haschert <SHaschert@cityofsantacruz.com> wrote:

> Hi Sarah,
>
> Thank you for your comments. A copy will be provided to the hearing bodies in advance of the public hearings and a copy will be kept in the project file as a part of the public record.
>
> I assume that your statement regarding the building being too massive is in reference to the visual impacts of the building. If so then yes, the visual impacts of the building will be something that we need to consider carefully as a part of our review. The Downtown Plan allows for five stories of residential above ground floor commercial and the developer is requesting to allow for an extra story in exchange for deed restricting units with a greater level of affordability. This density bonus request is a State Law which somewhat limits our discretion on the matter, but that being said, I anticipate the visual impacts of the building to be a point of discussion in the review of this project. In terms of traffic, the downtown area is a transit priority area where there are goods, services, recreation areas, and other amenities that are within walking and biking distance. It is anticipated that the location would encourage the use of public transportation, walking, and biking.
>
> Thank you again,
>
> Samantha

Samantha Haschert

Senior Planner

Department of Planning and Community Development

City of Santa Cruz

(831) 420-5196

From: sdeleon@cityofsantacruz.com [mailto:sdeleon@cityofsantacruz.com]
Sent: Friday, January 03, 2020 5:48 PM
To: Samantha Haschert; Allison Webster; Sara DeLeon
Subject: Front St/Riverfront Project Question/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Front St/Riverfront Project
Date & Time:	01/03/2020 5:48 PM
Response #:	17
Submitter ID:	43262
IP address:	2601:647:cd01:c8c0:b4ab:5b94:c188:9428
Time to complete:	4 min. , 4 sec.

Survey Details

Page 1

Thank you for your interest in the project at Front St/Riverfront project. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

This is too massive of a project. Scaling it back by 50% would do a better service for our community. The amount of traffic that the project would add and use of water does not make sense.

2. Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:

First Name:	sarah
Last Name:	Olson
Phone Number:	8314298786
Email Address:	7saraholson777@gmail.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Submit Date	Question/Comment:	Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:
11/23/2018 5:32		LanaHernandez#RoseRutherford#82683126565#williams.sdawnes1240@gmail.com
12/13/2018 11:00	I support the Front St/Riverfront Apartments project. It provides much needed housing units to our community. Downtown is the appropriate place for this level of density. The project further replaces under utilized blighted development and activates the street and river levee improving overall public safety.	Peter#Detlefs##pdetlefs@gmail.com
4/2/2019 9:37	I have always felt that this type of development was appropriate along the river. However, with all of the high density development planned in this area I have many concerns and look forward to receiving more details as the plans develop. Specifically on this project, I believe the east sidewalk on front street needs to be widened and that all street side parking should be eliminated to allow for this as well as returning Front street to 4 traffic lanes. Perhaps the bike lanes could be removed with greater use of the river path. Also how will plans for the new transit center be affected by all the development planned in this area? We need to look at all of the development as a whole, not project by project.	Eric#Child##cascadeclub@icloud.com
4/3/2019 18:21	Looks great	###
4/5/2019 10:09	Please let me know availability, timeline, pricing and are there units with affordable housing. Best regards, Linda Daly 415-866-9221	Linda #Daly #415-866-9221#ldaly2992@yahoo.com
4/23/2019 17:59	When will this project begin construction.	Jose#Gonzalez##jose.gonzalez1991d@gmail.com
6/15/2019 2:11	Can't wait for this to break ground. Keep on building the additional housing we desperately need here in Santa Cruz.	###
6/18/2019 11:46	RE: Front St/Riverfront housing project--I cannot tell from the information on the web page where along Front St. this project is slated to be located (such as between which two cross streets) or what two historical buildings are being considered for demolition. I do not need a response but think it would be useful for members of the public to have that information on the page . Thank you.	###
6/20/2019 18:39	looks just like what the post earthquake local CEDAT Team proposed for along the River. Lets do three or four more. What is the address(es) of the historic buildings which will be demolished?	Hugh D.#Carter#8314581544#csarchs@cruzio.com
6/20/2019 21:24	Will there be trees planted to replace those removed?	Margaret#Collins#8314265167#mcollins1949@gmail.com
7/3/2019 12:40	Hi can I put my name on the waiting list for a disabled unit?	Laura#Verutti##Laurgoe@comcast.net
9/26/2019 0:57	Why are you approving the building of so much stuff in the floodplain? Rising sea levels are going to make that area unsustainable sooner than you think. This project is a multi-million dollar fancy condo monument to your climate change denialism. Congratulations for failing to think of the near future!	Blaize#Wilkinson##stblaize@gmail.com
10/27/2019 18:14	Will there be a waitlist for these apartments?	Carina #Munos #8313317364#C-Munos@hotmail.com
11/27/2019 19:02	What is the planning department thinking when proposing a project of this size, this huge impact on our outdated infrastructure , and where is the WATER coming from? What is happening to this town? All of a sudden developers have gone crazy, ruin our town and take the money and run. How can anyone propose this monstrosity with a straight face?	laura#leet#831 325 6740#lauraleet@me.com
11/30/2019 19:48	You did not give the time of this meeting: Front St/RiverFront Project: Scoping Meeting Join the applicant for an open house scoping meeting on Wednesday December 4, 2019. 11/27/2019	Judi#Grunstra##judiriva@hotmail.com

11/30/2019 19:55	Will this displace the 418 Project (418 Front St.)? That has been a community arts space for many years, and the developer should include a comparative community arts/dance space in this project.	Judi#Grunstra##judiriva@hotmail.com
1/3/2020 17:48	This is too massive of a project. Scaling it back by 50% would do a better service for our community. The amount of traffic that the project would add and use of water does not make sense.	sarah#Olson#8314298786#7saraholson777@gmail.com
1/30/2020 7:37	Every depiction of new developments looks identical! The cumulative effect of this bland style will make our city an "anywhere USA" and undermine Santa Cruz's often repeated claim that this place is "unique." We need more imaginative architecture!	Judi#Grunstra##Judi@grunstra.com
2/15/2020 7:11	I am contacting you on behalf of the Santa Cruz City Schools. We do the ten-year student enrollment projections as well as the residential research for the school district and we track all new residential development over ten units. Can you tell me who the developer is for the project as well as contact information. Thank you, Madelynn	emozukehexae#emozukehexae#88131588694#aiwodosu@fdghgf.emailddtr.com Madelynn#Vesque#949-370-9824#mvesque@decisioninsite.com
7/16/2020 7:40	Why does this project only have 11% affordable units (20 out of 175)?	Gail#Jack#8312952756#gailsharon4.5@gmail.com
7/17/2020 11:43	I believe that this project should be required to contain at least 15% affordable housing, or at least 26 units for low and moderate income. A project this size has numerous economies of scale and can easily afford to provide more affordable units.	Dave#Laughlin#8314262130#dlaughlin@ebold.com
7/21/2020 9:54		

12/8/19 Alene Smith 423-9739

- Concerned that name of apartments should be different from the existing Riverfront Apartments.
- Seven story building too tall, god awful, horrible
- Concerned that units are for purchase and not for rent

Tess Fitzgerald

From: sdeleon@cityofsantacruz.com
Sent: Sunday, July 05, 2020 10:23 PM
To: Samantha Haschert; Dana Eugenio
Subject: Pacific Front Mixed-Use Development/Comment Received

A new entry to a form/survey has been submitted.

Form Name:	Pacific Front Mixed-Use Development
Date & Time:	07/05/2020 10:22 PM
Response #:	44
Submitter ID:	57148
IP address:	2601:647:c801:3d10:5055:fd56:b4d6:c3c1
Time to complete:	4 min. , 57 sec.

Survey Details

Page 1

Thank you for your interest in the project in the Pacific Front Mixed-Use Development Project. Please provide any project related question or comment in the fields provided. Your comment/question will be automatically directed to the City Planner assigned to this project. Please note that questions and/or comments entered here are public information and subject to release in accordance with the Public Records Act.

1. Question/Comment:

Will the existing stores get to remain in the new building? I think that it would be very unfair to force the businesses we love out and then raise their rent on a new space. It feels like you're gentrifying SC.

2. Contact Information: If you would like us to contact you regarding your comment or question, please provide us the following information:

First Name:	Anael
Last Name:	Sun
Phone Number:	8583367225
Email Address:	anaelelainesun@gmail.com

Thank you,
City of Santa Cruz

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV

December 30, 2020

Santa Cruz City Council
809 Center Street, Room 10
Santa Cruz, CA 95060

Subject: Proposed Front Street/Riverfront Project

Dear Mayor Meyers and Councilmembers:

This letter is intended to clarify and refine our November 10, 2020 letter to the City Council on the above-referenced Front Street/Riverfront project. Since that time we have had an opportunity to further discuss the project and the applicable Local Coastal Program (LCP) provisions with your staff, and now have a better understanding of both. While the project continues to exceed the LCP's base size and scale requirements applicable to this site, it appears that most of the exceedances can be allowed by the LCP subject to decision-making body discretion. While we still have some concerns about exercising such discretion to allow for the increased size and scale in this case, we better understand City staff's recommendation. Please consider the following.

We continue to believe that the LCP identifies base maximum size and scale requirements, and base building articulation/variation requirements, for a reason, and that reason is to set the maximum parameters within which a project can be accomplished without significant adverse coastal resource impacts. The City and the Commission did that here in 2018 when the City's Downtown Plan was amended to modify development standards for this and other downtown sites. For better or worse, though, and in addition to such base requirements, the final version of the LCP's amended Downtown Plan includes other provisions that allow for discretionary exceptions to these base standards, including with respect to height and upper floor variation. We have discussed these matters with your staff and can understand why they intend to recommend that you apply your discretion in that respect. Again, and given these baseline standards were established for a good LCP reason, we don't necessarily agree that the exceptions are warranted in this case, but we now understand from where they emanate and why.

Ultimately, we continue to advocate that any LCP-allowed exceptions here be carefully evaluated in terms of the degree of public benefit/coastal resource enhancement derived from the project, and would posit that the discretion you are afforded by the LCP is based on that premise. Thus, in considering these exceptions, we strongly encourage you to focus on the benefits to coastal resources that can come from enhancing public spaces and public utility on the San Lorenzo River side of the project, including to make a more meaningful connection for the public to the River, and on whether such exceptions are actually necessary to derive those benefits. To us, the Downtown Plan

LCP amendments were premised on this core principal first, followed by the need to ensure that any resultant projects were visually sensitive not only to that river context, but in terms of public views more generally. From our perspective, it is simply not clear that the proposed exceptions are necessary in this case to achieve those benefits, and they undoubtedly have the effect of increasing coastal resource impacts related to public views and riverfront aesthetics.

In addition, we very much recognize the need for affordable housing in Santa Cruz, and strongly support affordable housing in the coastal zone and in Santa Cruz's downtown. In fact, the Coastal Act directs that development, including affordable housing units, be provided in places where there are adequate facilities to serve such development, especially where such units can contribute to walkable, vibrant, and sustainable communities. The Coastal Act and LCP clearly encourage the provision of affordable housing, which we also know to be a City goal, and believe that the degree of affordable units provided is also an appropriate LCP metric to consider for any exceptions.

We hope that this letter helps to clarify our position regarding the LCP issues as they affect this proposed project. Ultimately, we are supportive of a project at this location that can maximize enhancement of public spaces and utility along the river and that can maximize affordable housing, but continue to have concerns about the discretionary exceptions proposed, including because it is not clear to us that the proposed exceptions are in fact necessary nor supportable under the LCP in this case. If you have any questions or would like to discuss these matters further, please contact me at (831) 427-4863.

Sincerely,

Ryan Moroney

Ryan Moroney
Central Coast District Supervisor
California Coastal Commission

cc: SC Riverfront LLC, Front Street/Riverfront Project Applicant
Lee Butler, City of Santa Cruz Planning and Community Development Department Director

Julia Wood

From: Gina Cole <director@bikesantacruzcounty.org>
Sent: Wednesday, November 4, 2020 11:38 PM
To: City Council
Cc: Sandy Brown
Subject: Riverfront Project
Attachments: Bike Santa Cruz letter on EIR Riverfront project & response.pdf; 2020.08.27.Letter to Planning Commission Riverfront Project levee access.pdf; 2020.08.27.Letter to Planning Commission Riverfront Project levee access.pdf

City of Santa Cruz City Council
809 Center Street, Room 10
Santa Cruz, CA 95060

Dear Mayor Cummings, Vice Mayor Meyers, Councilmembers Beiers, Brown, Golder, Matthews, and Watkins,

Bike Santa Cruz County recommends that you ensure safe and convenient bicycle access to and from the San Lorenzo levee and along Front Street in the vicinity of the proposed Front/Riverfront Apartments project. Specifically:

1. We continue to support a rideable connection between the levee and Front Street at Cathcart Street. Please see our previous letter and attachments of June 8, 2020 on pg. 4-8 the Final EIR and of August 27, 2020 to the Planning Commission.

2. We request that you interpret or amend recently adopted Policy 6-SLR-5.2 to explicitly provide for a rideable bicycle connection to and from the levee and Front Street between Soquel Avenue and Laurel Street. The policy currently requires new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street. The unfortunate addition of the word "or" into the policy is being used to justify including only stairways in the proposed project as satisfying the pedestrian requirement of the policy is being deemed sufficient. We urge you to reject this narrow interpretation as not meeting all of the other provisions in various City plans that also require bicycle access. Unless clarified, this interpretation can be used again in the future to justify both removal of the other ramp near the paint store and not imposing a requirement for a bikeable ramp in or between any other future development on this block of Front Street. We note that five out of the six Planning Commissioners who spoke at their hearing on this matter voiced support for bicycle access to and from the levee in this area.

3. We request that the Soquel Avenue crossing from the levee across from River Street be made safer and more convenient for cyclists with striping, signing and traffic control improvements. If the current ramp at Cathcart Street is removed by this project as proposed, the nearest ramp for cyclists to use to the north empties onto Soquel Avenue eastbound. For cyclists to travel westbound to Front Street, they need to cross Soquel Avenue. There is a pedestrian crosswalk there now, but not an explicit bike crossing.

4. We request that the Soquel Avenue/ Front Street intersection be reconfigured and restriped in a manner that provides for safe bicycle travel. For example, there should be a green lane on northbound Front Street and then eastbound Soquel Avenue leading to the entrance ramp to the levee path. Again, this intersection will experience increased cyclist use as a result of both the elimination of the ramp from the levee and from the new residents and patrons of the proposed project. A recommended condition of the project requires that the applicants pay their fair share for intersection improvement projects at Front/Soquel. A preliminary reconfiguration and striping plan presented at the September 2020 Transportation and Public Works Commission meeting showed at least two deficiencies for bicyclists: One, the westbound Soquel Avenue bike lane dead ends into a traffic island. Second, the two traffic lanes turning left onto Front Street and meeting with the two southbound Front Street travel lanes crowd out cyclists also turning left or riding southbound on Front Street through the intersection. These impediments to cycling need to be remedied as part of the reconstruction of this intersection.

5. We recommend an added condition of the permit to require on-street parking removal in front of the proposed project. A recommended condition of the project requires the applicants to pay their fair share of the construction of a two way left-turn lane. The preliminary striping plan mentioned above illustrates that this center turn lane is achieved, in part, by eliminating the on-street parking in front of the project. Currently, the northbound Front Street bike lane swerves around this parking creating unsafe maneuvers for cyclists and potential conflicts with vehicles and their passengers entering and leaving the spaces. Because the striping plan removing the parking is still preliminary, and because it does not have to be implemented until after the project is occupied, we need explicit assurances that the on-street parking will be removed. The proposed project includes a large garage that can accommodate parking without the need for retaining any on-street spaces.

The proposed apartment and commercial project has the potential to attract a significant number of bicycling residents and patrons. Please ensure that it is as safe and convenient as possible to bike to and from and in the vicinity of the project by acting on our five requests.

Thank you.

Gina Cole

Gina Gallino Cole
Executive Director
Bike Santa Cruz County
333 Soquel Ave.,
Santa Cruz, CA 95062
(831) 425-0665 office
(831) 840-1884 cell
bikesantacruzcounty.org

BIKE SANTA CRUZ COUNTY
333 Soquel Avenue • Santa Cruz, CA 95060
(831) 425-0665 www.bikesantacruzcounty.org

June 8, 2020

Samantha Haschert
City Planning Department
809 Center Street
Santa Cruz, CA 95060
shaschert@cityofsantacruz.com

RE: Proposed Front St./Riverfront Apartments

Dear Ms. Haschert:

B1-1 Bike Santa Cruz requests that the City require the developer of the proposed Front St./Riverfront Apartments to incorporate a ridable bicycle connection from the end of Cathcart Street to the San Lorenzo River levee path. Also, the City should remove the remaining on-street parking on Front Street to result in a safer, more ridable bike lane, and the developer should account for this in the project's final plans.

B1-2 The draft EIR fails to mention any impacts on bicycle transportation. In discussing public connections to the River on page 4.5-14, only pedestrian access is mentioned, not bicycle access, which will be negatively impacted. Currently, there is a bikeable ramp from the parking lot just south of the end of Cathcart to the levee. The developer proposes to eliminate it. The nearest remaining levee connection to the north will be off of Soquel Avenue and to the south will be through the parking lot south of Sherwin-Williams.

The current proposal -- showing wide steps leading from the end of Cathcart to the levee -- is an inadequate substitution for removing the current pathway. The project plans envision cyclists traveling between Cathcart and the levee either taking an elevator or walking their bikes up the steps on a "bike rail" – a narrow incline built into the edge of the stairs. Thus, first, this means that their cycling would be interrupted – they would have to become pedestrians trying to navigate this rail or using the elevator. Second, these would be very inconvenient options. It would be awkward and difficult at best to push a bike up the rail and control it down the rail. This incline would not be usable if one had a pannier on the railing side of their bike, had a bike trailer, had a recumbent, or had a heavy eBike. Those future residents using the levee to bike commute would have to take their bikes up and down the stairs every day because the entrance to their bike parking is off of Front Street. The alternative of using the elevator would also require dismounting along with waiting and going inside. The elevator would not be an available alternative when being serviced or when power is off.

The removal of the current bike ramp must be mitigated with a ridable alternative. There is ample room -- a 60-foot passageway – in which to accommodate a rideable path. Attached is a sketch from the *River Plan* that appears to illustrate steps with ramps on either side from Cathcart to the River. Another model is the entrance to the Gateway Plaza from River Street consisting of a ramp to one side and stairs to the other (please see photo).

B1-3 The EIR states that the project is consistent with various planning documents. But, The *City of Santa Cruz Downtown Plan*, the *Santa Cruz City Active Transportation Plan* and *San Lorenzo Urban River Plan* all emphasize bicycle access to the River levee. Although the *Downtown Plan* says, "bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street," no bikeable ramp at this location is shown in the proposed plans either. Furthermore, Elm Street does not go through to Front Street (it is blocked by the Transit Center where bikes are prohibited from being ridden through) and is only one way without bike lanes. Cathcart has bike lanes in both directions and a continued connection to the River levee would be very convenient for and beneficial to cyclists. The developer has promoted the proposed project as interfacing with levee bicycle and pedestrian activity. Incorporating a bike connection from Cathcart would bring patrons to his businesses fronting the River. It would also be usable by those in wheelchairs or who have trouble walking up or down stairs.

B1-4 The proposed project will also have an adverse impact on those biking because there will be more motor vehicle traffic along Front Street and crossing the bike lane to enter or exit the parking garage. The current northbound bike lane configuration is less than ideal as it meanders to skirt the on-street parking spaces. Thus, cyclists are prevented from riding in a straight line, which is the safest, most predictable way to ride. Additionally, the vehicle movements into and out of the spaces and the passengers entering and exiting the vehicles conflict with the adjacent narrow bike lane. Furthermore, vehicles often park over the space markings into the bike lane, especially large ones (please see photo for an example).

B1-5 The current plans show that five on-street parking spaces will be removed. This should be positive for cyclists, provided that space becomes part of the bike lane. There is one additional space north of Cathcart on Front Street adjacent to the proposed project that is located where a garage entrance will be, so we assume that will be removed as well. The bottom line should be that the developer accommodates all anticipated short- and long-term motor vehicle parking on site, and the City eliminates the on-street parking to provide straight and wider bike lanes.

Thank you.

Sincerely,

Ana Cole

For Bike Santa Cruz County
333 Soquel Avenue
Santa Cruz, CA 95062

Cc: Transportation and Public Works Commission c/o Chair Peggy Dolgenos
Downtown Commission c/o Chair Deidre Hamilton
Mayor Cummings
Councilmembers Beiers, Mathews, Brown, Golder, Meyers, Watkins

attachments: Vehicle parked into Front St. Bike Lane, Example of dual stairs and ramp, End of Cathcart St. showing ramp around steps in urban river plan

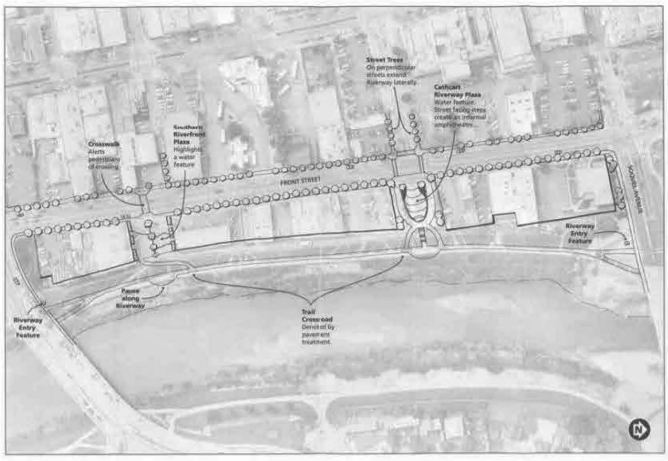

Figure 50
Conceptual Plan for
Front Street Plaza at Cathcart Street

LETTER B1 – Bike Santa Cruz County – Gina Cole

B1-1 Bicycle Access and Removal of Parking on Front Street. The commenter requests that the City require the developer to incorporate a ridable bicycle connection from the end of Cathcart Street to the San Lorenzo River levee path and that the City should remove the remaining on-street parking on Front Street to result in a safer, more ridable bike lane. *Response:* The comment is acknowledged, but does not address analyses in the DEIR and no response is required. However, responses are provided to the commenter's specific comments below.

B1-2 Impacts to Bicycle Transportation. The comment states that the DEIR fails to mention impacts on bicycle transportation. The comment states that the existing bikeable ramp from the top of the river levee to the site would be removed, that the proposed "bike rail" along the stairway to the levee is inconvenient and that a rideable alternative be provided. *Response:* Transportation impacts are addressed on pages 62 to 66 of Appendix B of the DEIR. On page 62, the discussion indicates that the Project is in proximity to transit, bike lanes, and multi-use paths. The commenter is correct in that the existing ramp from the levee to an existing parking lot on the Project site would be removed. However, as indicated in the comment, the Project proposes use of a "bike rail" along the stairway from the pedestrian paths to the river. The Downtown Plan does indicate that bicycle access shall be provided at the extension of Elm Street, but the Plan does not specify a preferred or recommended design method. Neither the City's Active Transportation Plan nor the San Lorenzo River Urban Design Plan provide specific recommendations for bicycle access in the vicinity of the Project site; see also Response to Comment B1-3. Because the Project provides bicycle access and does not conflict with a program, ordinance or policy addressing the circulation system as further explained in Response to Comment B1-3, a significant impact related to bicycle transportation was not identified. The DEIR text has been expanded to provide this discussion; see section 3.3 in the "Changes to Draft EIR" section of this document. The commenter's recommendation for a "rideable" alternative to the proposed Project bike rail along stairways is acknowledged, and will be further considered by City staff and decision-makers.

B1-3 Conflicts with City Plans. The comment states that *City of Santa Cruz Downtown Plan*, the *Santa Cruz City Active Transportation Plan* and *San Lorenzo Urban River Plan* all emphasize bicycle access to the River levee. The comment states that the *Downtown Plan* says, "bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street," but no bikeable ramp at this location is shown in the proposed plans. The comment further recommends that incorporating a bike connection from Cathcart Street since Elm Street does not currently go through to Front Street. *Response:* The referenced plans do support enhanced access to the Santa Cruz Riverwalk. As indicated in the comment, the Downtown Plan does indicate that bicycle access shall be provided

at the extension of Elm Street to serve as the "primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street." Yet, the Plan does not specify a design treatment or recommendation of how this should be provided. Neither the City's Active Transportation Plan nor the San Lorenzo River Urban Design Plan (SLURP) provide specific recommendations for bicycle access to/from the levee in the vicinity of the Project site. The SLURP includes a goal to "Improve public access and pedestrian/bicycle movement to and along the River." In 2018, the California Coastal Commission approved an amendment to the City's Local Coastal Program (LCP) that modified policies developed from the SLURP as coastal policies. A new policy (6-SLR-5.2) was added that requires new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street, but again, does not specify a preferred design treatment. Since the Project provides a bicycle connection to the levee Riverwalk, the Project would not result in conflicts with existing plans.

B1-4 Traffic Impacts on Biking. The comment states that increased motor vehicle trips will have an adverse impact on biking due to vehicles entering and exiting the site. *Response:* Standard conditions of approval will be applied to the Project to include stop and warning signs for cars exiting the site, and the entrances will be set back from the sidewalk and street in prevent cars from extending into the sidewalk or bike lane. Therefore, no adverse effects to cyclists or pedestrians are anticipated.

B1-5 Removal of Parking. The comment states that the removal of five on-street parking spaces should be positive for cyclists provided the space becomes part of the bike lane and that the City eliminate on-street parking to provide straight and wider bike lanes. *Response:* The comment is acknowledged, but does not address analyses in the DEIR. However, all on-street parking along the Project frontage will be removed, and the City is in the process of developing a plan to remove all on-street parking on the east side of Front Street. Currently, there are bike lanes on both sides of the street. The Downtown Plan indicates that on Front Street, "pedestrian safety and closing gaps in the existing system of bicycle lanes are the first priorities for use of the roadway space gained from shifting curbside parking to public off-street parking."

BIKE SANTA CRUZ COUNTY
333 Soquel Avenue • Santa Cruz, CA 95062
(831) 425–0665 www.bikesantacruzcounty.org

August 27, 2020

City of Santa Cruz Planning Commission
809 Center Street
Santa Cruz, CA 95060
cityplan@cityofsantacruz.com

RE: Proposed Riverfront (Front Street) Project

Dear Commissioners,

Bike Santa Cruz continues to request that there be a rideable bicycle connection between the Riverwalk levee and Front Street to replace the one at Elm Street, proposed to be lost by the construction of the Riverfront project. We truly appreciate the applicants taking time to meet with us and describe how the current design of their project would not be able to accommodate bike riders. We now understand that the design would have to be modified to incorporate a rideable bike path.

The Final EIR explains that while the language of the Downtown Area Plan and other official planning documents do not explicitly require a bike path in this location, these documents **all** strongly support improving and expanding bicycle facilities in the City. Per the Final EIR, "a new policy (6-SLR-5.2) was added that requires new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street." Unfortunately, a staircase with a "bike rail" in which a rider must dismount to push their bicycle up, or dismount to guide their bicycle down to access or exit the Riverwalk levee does not provide equitable access for many cyclists. An elevator might not either.

We did note that the EIR also states, "The commenter's recommendation for a "rideable" alternative to the proposed bike rail along the stairway is acknowledged, and will be further considered by City staff and decision makers." Thus, we appeal to your common sense to realize that this is still the perfect place and opportunity to ride a bicycle between the Riverwalk levee and Cathcart Street and nearby Downtown destinations -- an opportunity that will be lost for decades if this stretch of Front Street impedes bicycle access.

BIKE SANTA CRUZ COUNTY
333 Soquel Avenue • Santa Cruz, CA 95062
(831) 425–0665 www.bikesantacruzcounty.org

Please find attached our June 8, 2020, letter to the City of Santa Cruz Planning Department, photos of a vehicle in the bike lane on Front Street, a sample of a possible rideable access structure, and a sketch from the *River Plan.*

Sincerely,

Gina Gallino Cole
Executive Director
Bike Santa Cruz County
333 Soquel Ave.,
Santa Cruz, CA 95062
(831) 425-0665 office
(831) 840-1884 cell
bikesantacruzcounty.org

Gina Cole

Gina Gallino Cole
Executive Director
Bike Santa Cruz County

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809 Center Street
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Please find attached our June 8, 2020, letter to the City of Santa Cruz Planning Department, photos of a vehicle in the bike lane on Front Street, a sample of a possible rideable access structure, and a sketch from the *River Plan.*

Sincerely,

Gina Gallino Cole
Executive Director
Bike Santa Cruz County
333 Soquel Ave.,
Santa Cruz, CA 95062
(831) 425-0665 office
(831) 840-1884 cell
bikesantacruzcounty.org

Gina Cole

Gina Gallino Cole
Executive Director
Bike Santa Cruz County

Rosemary Balsley

From: Connie <camt@cruzio.com>
Sent: Thursday, November 05, 2020 11:08 AM
To: City Council
Subject: Bicycle Access to Riverwalk from Front Street

Dear City Council,

We are writing to express our concern about the prospective loss of the bicycle access ramp to the Riverwalk at Cathcart and Front Street.

Earlier this summer, I [connie] attended an informal meeting with the developer of the Riverfront project where we shared our disappointment that the access ramp to the Riverwalk at Front and Cathcart Streets would be removed. We learned that the project would include a staircase with a "bike rail" where people could dismount and push their bicycles up the rail while they climbed the stairs. The Developer spoke about how the project would also provide elevator access to the Riverwalk for cyclists. Both options require people to dismount and walk/push their bikes.

We believe these types of access points may be a barrier to many cyclists. Additionally, the nearest access to the Riverwalk to the north would be at Soquel Avenue. This entry point would require cyclists to continue on Front Street and turn right on Soquel Avenue, and then make a hard right turn onto the sidewalk to get onto the Riverwalk.

We encourage you all to consider how to ensure safe and convenient ways to get from town to the Riverwalk and from the Riverwalk to Front Street without dismounting.

Sincerely,

Connie and Tom Wilson
Linden Street
Santa Cruz 95062

Rosemary Balsley

From: Gary Patton <gapatton@mac.com>
Sent: Saturday, November 07, 2020 2:58 PM
To: City Council
Subject: Proposed Front Street Development - Agenda Item #25, November 10, 2020 Agenda
Attachments: Letter to Council On Inclusionary and Density Bonus Units.pdf

Dear Mayor Cummings and Council Members,

Here is a letter commenting on Agenda Item #25, on your next agenda. I hope you will stand behind our local inclusionary ordinance, and follow the Planning Commission recommendation on this item! Density bonus units should be ADDED to those affordable units required by Measure O.

Gary A. Patton, Attorney at Law
P.O. Box 1038
Santa Cruz, CA 95061
Telephone: 831-332-8546
Email: gapatton@mac.com
Website / Blog: www.gapatton.net
Facebook: https://www.facebook.com/gapatton

Gary A. Patton, Attorney At Law
Post Office Box 1038, Santa Cruz, California 95061
Telephone: 831-332-8546 / Email: gapatton@mac.com

November 7, 2020

Santa Cruz City Council<Sent By Email>
Santa Cruz City Hall
809 Center Street
Santa Cruz, CA 95060

RE: Agenda Item #25 – November 10, 2020 City Council Agenda
Front Street Development Proposal

Dear Mayor Cummings and Council Members:

I am writing to urge the City Council, if it approves the development project proposed at 418, 428, 440, 504, and 508 Front Street, to insure that the affordable units required to be constructed by the developer, in return for the grant of a so-called "density bonus," be *added* to the number of inclusionary affordable units required by the City's existing inclusionary ordinance. If the Council takes this approach, it will be *maximizing* the number of affordable housing units that will be part of the project. That is the right thing do. I would argue, in fact, that is the legally-required thing to do.

What I am urging is emphatically NOT the current staff recommendation, which favors the desires of the developer over the needs of the community. What I am urging, however, IS consistent with the recommendation of the Planning Commission.

I urge you to follow the Planning Commission's recommendation in this matter.

The proposed project would have a major impact on our downtown. Specifically, the towering heights of the proposed structures would profoundly alter the character of our community along Front Street and cause impacts on the San Lorenzo River and the Riverwalk. Why would our community want this kind of change? Possibly because this proposed development might provide more affordable housing opportunities.

However, most of the new housing units proposed will not address our current housing crisis. Ordinary working families in Santa Cruz will not be able to rent or purchase them. They will simply cost too much. Wealthier people from outside our community will acquire or rent these proposed new units, and yet the impacts of the development will be felt by current city residents.

In these circumstances, I think it is critically important for the Council to *maximize* the number of affordable housing units that will be provided. That is what the Planning Commission recommends. As I say, I think that this is, in fact, legally required. Not to take this approach would be to violate the City's inclusionary ordinance.

The staff's main argument against maximizing the affordable housing component of this proposed project, as the Planning Commission recommends, appears to be based on a legal opinion, which the City Attorney and an outside law firm are said to endorse. Here is how the staff report presents the legal issue:

> "The City's Affordable Housing and Density Bonus ordinances do not explicitly discuss the relationship of the inclusionary affordable housing requirement to the density bonus requirement. However, the Density Bonus Ordinance states that a project is eligible for a density bonus, "…if the applicant agrees to construct at least one of the following [specified affordability percentages] and any additional replacement units required by Section 24.16.222." (Section 24.16.215(1).) Nothing in this section implies that the affordable units providing eligibility for a density bonus must be *in addition* to those provided to meet the City's inclusionary ordinance. (emphasis added)."

The staff, of course, is correct in the final statement that I emphasized. Please note, however, that while there is nothing in state law provisions that implies that the affordable units providing eligibility for a density bonus must be in addition to required inclusionary units, there is also nothing in state law that implies that these additional "density bonus" units should *not* be added to those affordable units already required by preexisting inclusionary requirements.

The best interpretation of the law is that affordable units provided in return for the grant of a "density bonus" should be added to any previously existing requirement for affordable units – in our case, the inclusionary affordable units required by Measure O, which was adopted, I believe, before the newer "density bonus" law was enacted at the state level. The state law does *not* (as the staff correctly indicates) specifically supersede already existing local ordinances, so the correct legal analysis is that the additional affordable units to be given in return for additional, "density bonus" units should be *added* to those affordable units already required by existing law.

If you don't do that, then how are would you be complying with Measure O's inclusionary requirements? Answer: you would *not* be complying with those requirements. You would be, in fact, be *reducing* the Measure O inclusionary requirements without any legal justification at all, since nothing in state law supersedes our pre-existing inclusionary requirements.

Let me address the judicial decision that is being cited as authority for the idea that the provision of affordable units by a developer, in return for "density bonus" units granted under state law, provides an excuse for that developer to reduce affordable units required under our pre-existing inclusionary housing requirements. *Latinos Unidos Del Valle De Napa y Solano v. County of Napa*, 217 Cal.App.4th 1160 (2013) addressed a completely different situation from ours and is definitely not a precedent that is applicable in our situation.

In *Latinos Unidos*, the court confronted a situation in which the state passed the density bonus law, and Napa County then imposed additional inclusionary requirements, subsequent to the passage of the state's density bonus law, which

Napa County then claimed had to be met for a developer to be able to claim the right to build "density bonus" units. The court properly held that this was an attempt on the county's part to impose additional requirements upon a developer, increasing what the developer had to do to qualify to receive a density bonus.

Our case is different. Our inclusionary housing requirement pre-existed the state's density bonus law. To qualify for a density bonus in Santa Cruz, all the developer has to do is to provide the affordable units specified in the state law. However, there is nothing in the state law that says that the developer doesn't have to comply with a pre-existing local ordinance, like ours, which has an inclusionary requirement. All developments have to follow our local inclusionary housing requirements; then, if some developers want to build more, by way of receiving a "density bonus," the developers must provide additional affordable units, as specified in state law. Those "density bonus" units should be *added* to any affordable units that the developer is already required to provide, to comply with our local, Measure O, inclusionary requirements.

The key difference between our situation, and the Napa County situation, is that our ordinance existed BEFORE the state's density bonus law. It was not a way to undercut the state law (as was the case in Napa County). Again, I think that the court's decision in *Latinos Unidos* was appropriate. To be fair, though, the state's density bonus law shouldn't be allowed to undercut our inclusionary ordinance. In fact, I think allowing that to happen would result in a violation of Measure O's requirements.

Thank you for considering my strongly-felt views in this matter.

Yours truly,

Gary A. Patton

Rosemary Balsley

From: Donna Murphy <donna2mm@icloud.com>
Sent: Monday, November 09, 2020 9:26 AM
To: City Council
Subject: Support for Riverfront Project

Dear City Council:

The Riverfront Project will anchor an exciting evolution of Santa Cruz's downtown by finally integrating the natural beauty of the San Lorenzo River into the vibrancy of the city — giving 175 families homes downtown while filling in and expanding the levee as a public space that faces the river.

Two wide pedestrian promenades will connect the downtown to the riverwalk, enhancing the ability of local residents and tourists to experience nature in the heart of downtown, while better connecting both sides of the river to downtown.

Twenty deed-restricted affordable housing units are included in the project, 15 of which are for those with less than half of the average median income.

Further, the housing will be across from the proposed new Farmer's Market and the Metro Center, creating a rich and walkable community near public transit.

Please approve the project to move forward.

Donna Murphy
Santa Cruz resident

Rosemary Balsley

From: Mark Mesiti-Miller <markmesitimiller@gmail.com>
Sent: Monday, November 09, 2020 10:02 AM
To: City Council
Cc: Bonnie Bush
Subject: Support for Item 25 - the Riverfront Project on your 11/10/20 agenda

Greetings Mayor Cummings and City Councilmembers:

I fully support this project and urge you all to follow the recommendations in the City Council Agenda Report.

The Riverfront Project continue the beneficial evolution of our downtown by finally integrating the natural beauty of the San Lorenzo River into the vibrancy of the city — giving 175 families homes downtown while filling in and expanding the levee as a shared public space that fully embraces the river.

With two wide pedestrian promenades connecting our downtown directly to the river walk, local residents and tourists will be able to experience the natural beauty of the mighty San Lorenzo coursing through the heart of downtown.

During this time of incredible need for affordable housing, this project will provide TWENTY deed-restricted affordable housing units, FIFTEEN of which are for those earning less than half of the average median income. Not only that, all of this new housing will be across the street from the METRO center and the proposed new Farmer's Market, creating a rich and walkable community near public transit.

This project is a win-win-win bringing benefits to the people, to the environment and prosperity to our community.

Please approve the project today.

Thank you!

Mark Mesiti-Miller
Santa Cruz City Resident

Rosemary Balsley

From: georgeowjr@aol.com
Sent: Monday, November 09, 2020 10:32 AM
To: City Council

November 9, 2020

Dear Santa Cruz City Council

I grew up in the last Santa Cruz Chinatown, only a few blocks away from the proposed Riverfront 175 unit project on the November 10, 2020 agenda. I would like to ask you to please approve the project in a manner supportive to it being built without complications. We need the housing and it makes sense to build up downtown--in an area that has the infrastructure and support businesses, institutions and transportation there already. These 175 new units, 20 of these being affordable units, are before you now to approve. We need the housing to house workers, artists, students, neighbors, friends, family. These units and the people who live in them will bring life, vibrancy, energy, creativity, sociability to downtown Santa Cruz. The river views and city views will both be beautiful and desirable—making the city's longtime quest for nice housing along the river a reality. Please help make this happen.

I am the patriarch of a Chinese American family that has lived in Santa Cruz for six generations and now numbers close to 100 people. I love Santa Cruz and especially downtown Santa Cruz—where I walk almost daily and was the sponsor for the Chinatown Bridge Gate – Dragon Project that will be completed in the coming days. I see this project being a beautiful addition to Santa Cruz.

I was born in Santa Cruz on January 3, 1943 and have seen the changes since then. My grandparents were here during the 1906 Earthquake. My parents were here as children to see the Palomar Hotel being built and then the Del Mar Theater and the Civic Auditorium. I remember when The Old Wrigley Building and Lipton Tea were built. I participated in the rescue and reopening of the Del Mar Theater and many other community projects, both public and private. My 77 years of life has shown me that change is the constant and our children and grandchildren have to live and work somewhere. Let's build housing for them in this case.

It is a blessing when you get capable and imaginative builders with the land, the money, the resources and staying power to work through the City's difficult permit process. The project is on the table ready to go, please approve it with reasonable conditions so that it can be built quickly. I'm getting closer to 80 and my old Victorian's stairs may not be negotiable for Gail and me in a couple of years. Maybe we'll move into this new project. Being close to the river of my youth, in a room with a view, would be a dream come true. I strongly urge you to support the Riverfront Housing Project on Tuesday.

I want to state here that neither my family nor I have any stake in this project beyond community interest.

Thank you for your time and energy.

Sincerely yours

George Ow, Jr.
203 Highland Avenue
Santa Cruz, CA, 95060
georgeowjr@aol.com

Rosemary Balsley

From: Bonnie Bush
Sent: Monday, November 09, 2020 11:16 AM
To: City Council
Subject: FW: Item 25 Public Hearing

Bonnie Bush, CMC
City Clerk Administrator
City of Santa Cruz
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to bwillman@cityofsantacruz.com, or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

Please note: Public Record Act Requests submitted via email, fax, USPS, or dropoff after 5:00 p.m. on a business day, Saturdays, Sundays, or holidays will be processed as received on the next open business day. The 10-day response period begins when the request is received.

From: Casey Beyer [mailto:casey.beyer@santacruzchamber.org]
Sent: Monday, November 9, 2020 11:14 AM
To: Justin Cummings <jcummings@cityofsantacruz.com>; Donna Meyers <dmeyers@cityofsantacruz.com>; Sandy Brown <sbrown@cityofsantacruz.com>; Cynthia Mathews <CMathews@cityofsantacruz.com>; Katherine Beiers <kbeiers@cityofsantacruz.com>; Martine Watkins <mwatkins@cityofsantacruz.com>; Renee Golder <rgolder@cityofsantacruz.com>
Cc: Bonnie Bush <bbush@cityofsantacruz.com>
Subject: Item 25 Public Hearing

Dear Mayor Cummings, Vice Mayor Meyers and Council members Beiers, Brown, Golder, Mathews and Watkins:

I am writing on behalf of the Santa Cruz County Chamber of Commerce in support of Item 25 - the Mixed Use Development on Front Street. The council agenda item is detailed as: 418, 428, 440, 504, 508 Front St. (Application No. CP18-0153) - Assessor's Parcel Numbers 005-151-22, -30, -31, -39, -50 - Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to Remove One Street Tree and Three Heritage Trees, to Combine Five Parcels, Demolish Three Commercial Buildings, Including Two Historic Commercial Buildings, and to Construct a Seven-story, Mixed-use Building with 175 Residential Condos and 11,498 Square Feet of Ground Floor and Levee Front Commercial Space on Property Located within the CBD/CZ-O/FP-O Zone District (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront Subarea of the Downtown Plan (PL).

This is the type of mixed use project provides the city with a great opportunity to create much needed housing to the downtown including a mixture of 53 studios, 89 one-bedroom, and 33 two-bedrooms where twenty of the unites will be restricted affordable units for low and very low income households, Twenty of the units will be

restricted as affordable to very low and low income households to meet inclusionary housing and density bonus affordability requirements and this restriction will apply in perpetuity pursuant to an Affordable Housing Agreement that is required as a condition of approval of the project.

As cited in the City Staff Report, the project is consistent with city goals and the site is designated as a Regional Visitor Commercial (RVC/Downtown) as noted in the City's General Plan. The RVC/Downtown Santa Cruz General Plan designation is intended to emphasize a mix of uses such as office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions and the CBD zone district is a zone that is intended to implement the objectives of the Downtown Plan. The proposed use of the parcel as a mixed-use commercial/residential project is consistent with the intent of the CBD zone district and the RVC/Downtown Santa Cruz designation, and the proposal to fill the area between the building and the San Lorenzo River levee to expand the Riverwalk area and create additional public open space that highlights the river as a downtown amenity is consistent with several longstanding goals and policies of the General Plan, the Local Coastal Program, the Downtown Plan, and the San Lorenzo Urban River Plan (SLURP). Most importantly, this project will connect the lower downtown area to the river and enhance the downtown experience for both visitors, employers and their employees.

The residential units will have direct access to the Riverwalk, the downtown core, and the Metro Center which will encourage walking and biking as the primary form of transportation. The development includes several publically-accessible open space features including two wide pedestrian passageways and an expanded area at the Riverwalk that will contribute to a strong network of public and private open spaces and encourage a socially active and pedestrian-oriented downtown. The development also includes private open space areas at the rooftop and private residential amenity space including a gym, a game room, and a lounge which look out to the Riverwalk. The development will result in an incremental improvement of the scenic and recreational value of the Riverfront and provide direct connections between the downtown core and the Riverwalk to facilitate pedestrian and bike movement between the two areas.

This is an incredible important project that the Chamber enthusiastically supports. We urge you to vote yes on this project. Thank you for considering the views of the Chamber.

Respectfully submitted.

Casey Beyer
Chief Executive Officer
Santa Cruz County
Chamber of Commerce
(831) 457-3713
www.santacruzchamber.org

Rosemary Balsley

From: Atkinson, Steve <Steve.Atkinson@arentfox.com>
Sent: Monday, November 09, 2020 4:55 PM
To: City Council
Cc: Bonnie Bush; tcondotti@abc-law.com; Lee Butler; Samantha Haschert; Petrilli, Frank R.
Subject: Front Street Project-November 10 Hearing Agenda
Attachments: SC Riverfront - City Council Letter (AF 11-9-20).pdf

Dear Mayor Cummings and City Councilmembers: Attached is a letter addressing the Riverfront residential project which you will be considering for approval on November 10.

Steve Atkinson
Counsel

Arent Fox LLP | Attorneys at Law
55 2nd Street, 21st Floor
San Francisco, CA 94105
415.805.7971 DIRECT | 415.757.5501 FAX
steve.atkinson@arentfox.com | www.arentfox.com

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November 9, 2020

VIA E-MAIL

Mayor Justin Cummings
and City Councilmembers
City of Santa Cruz
809 Center Street
Santa Cruz, CA 95060

Steve Atkinson
Counsel
415.805.7971 DIRECT
415.757.5501 FAX
steve.atkinson@arentfox.com

Reference Number
037881-00001

Re: **418-508 Front St (Riverfront Project): Density Bonus Law/Housing Accountability Act**

Dear Mayor Cummings and Honorable Members of the City Council:

We represent the sponsors of the 418-508 Front Street Project, which will provide 175 new residential units for the City, including twenty BMR units (15 very low income units and five low income units). On behalf of our client, we would like to thank City staff for its assistance throughout the lengthy development review process. We appreciate the City's thorough review and are pleased that the Project will come to the City Council on November 10th for consideration.

As you are aware and as addressed in the staff report, the Planning Commission recommended approval of the Project on September 3, 2020, subject to a new condition related to the Project's affordable housing obligations. As we understand the intent of that proposed condition, the Planning Commission felt that the total number of affordable units should be increased substantially by requiring that the number of units to be provided under the City's inclusionary housing ordinance (i.e., 20 units) be *added* to the number of units required to meet the requirements for a density bonus under the State Density Bonus law and the City's density bonus ordinance (i.e., 15 very low income units) for a total of 35 BMR units.[1]

While we believe this topic is adequately addressed in the staff report, we are writing to reinforce the point that the Planning Commission's proposal is contrary to well-settled California law, and contrary to how the City has been implementing its affordable housing ordinance and the Density Bonus Law in the past. We therefore respectfully request that the City Council reject this part of the Planning Commission's recommendation.

[1] Because the discussion at the Planning Commission hearing regarding the grounds for recommending an additional affordability requirement and the mechanics for calculating the recommended increase was admittedly confusing and not a model of clarity, we are addressing this issue as it was characterized in the staff report for the City Council hearing and the minutes of the Planning Commission meeting.

As you know, the City's inclusionary ordinance, in effect at the time the Project application was deemed complete, requires the Project to provide 15% of the "Base Project's" units as BMR units. As applied to the 133 unit "Base Project," the City's ordinance therefore requires the Project to set aside 20 units at the low income level. Under the State Density Bonus law, and comparable provisions of the City's Code, a project is eligible for a density bonus if it provides a specified percentage of units at various levels of affordability. In this case, the Project is eligible for a 35% density bonus because it is proposing to provide 15 of the 20 BMR units at the very low income level. Thus, by providing 15 units at the very low income level and 5 units at the low income level, the Project meets both the City's inclusionary requirements and the standards for a 35% density bonus, which would allow the Project to include up to 180 units (although the sponsor is proposing only 175 units).

As explained in the staff report, the State Density Bonus law does not allow a City to use its inclusionary ordinance to increase the required number of inclusionary units over that required by the State Density Bonus law. This conclusion is based on the *Latinos Unidos* case, which has not been overruled or negated by any subsequent action by the State legislature. This conclusion is supported both by the City's outside legal expert as well as your City Attorney.[2]

Notwithstanding the foregoing, several Planning Commissioners asserted that their recommendation to require 35 BMR units rather than 20 BMR units is based on the Coastal Act's policies for public access because a portion of the Project Site is within the Coastal Zone. However, as thoroughly addressed in the staff report, the Coastal Act's public access goals deal with **recreational** access, and not access to housing; nothing in the Coastal Act authorizes the Coastal Commission to mandate increased affordable housing, and nothing in the Density Bonus Law even suggests that it applies differently in the Coastal Zone.

The Planning Commissioners advocating for the Project to provide increased affordable housing also asserted that imposing a requirement for increased BMR units would be consistent with the provisions of the state Housing Accountability Act (HAA) because the proposed additional affordable housing requirement would be consistent with the City's "objective written standards." But no "objective written standard" supporting the Planning Commission's position exists, and the Planning Commission's assertions ignore the purposes and express language of the HAA.

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[2] While we were in the process of completing this letter, we became aware of a recent letter from Gary Patton that purports to reinforce the basis for the Planning Commission's recommendation. We understand Mr. Patton's argument to say that because Measure O pre-dated the enactment of the State Density Bonus law, that somehow the City has the discretion to depart from State law. Even if we agreed for the sake of argument with Mr. Patton's characterization of Measure O as mandating a specific requirement on a project-by-project basis, his legal reasoning is unsound. The Legislature has explicitly declared in the State Density Bonus law itself that housing is a matter of statewide importance and therefore the State Density Bonus law preempts local regulations that are contrary to the State Density Bonus law; that remains true regardless of when those regulations were adopted. Mr. Patton's attempt to distinguish the *Latinos Unidos* case is therefore incorrect, and nothing in Mr. Patton's letter changes the validity or accuracy of staff's position.

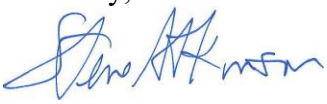
The stated intent of the HAA, among other things, is to limit the ability of localities to disapprove housing developments or impose conditions rendering such developments infeasible. A locality may require a housing development to comply with "objective quantifiable written development standards," but a project shall only be subject to standards "adopted and in effect when a preliminary application is submitted." (Government Code Section 65589.5(f)(1).) Requiring a housing project to comply with a standard not adopted and in effect when a preliminary application is submitted would be a violation of the HAA and subject the locality to enforcement action and financial penalties. (See Government Code Section 65589.5(K)(1)(A)(i) III.)

Based on the minutes of the Planning Commission's meeting, the Planning Commission seems to be arguing that its position is based on the City's inclusionary ordinance, originally adopted by the voters in 1980, and that the HAA allows the City to adopt an objective standard. But the plain language of the City's ordinance is clear and supports staff's recommendation, consistent with the way the City has been applying the density bonus to other recent projects. What some of the Planning Commissioners appear to be seeking is a post-hoc modification to the City's rules for implementing the density bonus. While it would be fair game for the City to consider modifying its inclusionary housing rules (subject to, and consistent with State law) in the future which would then apply prospectively, the HAA is clear that any prospective rule changes cannot be applied to the Project.

While we can appreciate the Planning Commissioners' desire to increase the amount of affordable housing provided in the City, the increased BMR requirement proposed by a majority of the Commissioners would not only jeopardize the Project's economic feasibility, but it would also violate the Density Bonus Law and the HAA.

The Project as proposed by the sponsors, and supported by the Community Development Department, will improve this area of the Downtown in compliance with City goals, greatly improve access to the riverfront, and provide 175 new badly-needed residential units, including 15 very low income and 5 low income BMR units. For all of these reasons, we urge the City Council to approve the Project as proposed, without the additional affordable housing requirement advocated for by a majority of the Planning Commission.

Sincerely,



Steve Atkinson

Rosemary Balsley

From:	Ron Pomerantz <hectic@cruzio.com>
Sent:	Monday, November 09, 2020 9:32 PM
To:	City Council
Cc:	Justin Cummings; Donna Meyers; Katherine Beiers; Sandy Brown; Renee Golder; Martine Watkins; Cynthia Mathews
Subject:	Re. 11-10-20 Council Agenda Item #25:

Re. 11-10-20 Council Agenda Item # 25: 418, 428, 440, 504, 508 Front St. (Application No. CP18-0153) - Assessor's Parcel Numbers 005-151-22, -30, -31, -39, -50 - Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to Remove One Street Tree and Three Heritage Trees, to Combine Five Parcels, Demolish Three Commercial Buildings, Including Two Historic Commercial Buildings, and to Construct a Seven-story, Mixed-use Building with 175 Residential Condos and 11,498 Square Feet of Ground Floor and Levee Front Commercial Space on Property Located within the CBD/CZ-O/FP-O Zone District (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront Subarea of the Downtown Plan (PL)

Good day Mayor and Council members.

The proposed development on Front Street does more harm than good for overall housing affordability.* The RiverFront project should be mandated to provide 20% affordable housing units, instead of the 15% Measure O, to try to stay apace with the Area Medium Income (AMI) changes. With Measure O's 15% affordability mandate, this 175-unit project must provide a minimum of 26 affordable units instead of the proposed 20. (If you accept your Planning Commission's recommendation, as you should, there would be 35 affordable units required.) I ask you how can "density bonus" benefits decrease the number of affordable units provided?! In the staff report the convoluted bureaucratese justifies the City only getting 20 affordable units, or a mere 11%. Why in heavens name would you allow only a paltry 20 affordable units when the community should get 26 to 35 units with this 175-unit development?! Why is staff once again shilling for the developer and not supporting clear established Council direction to seek any and all opportunities to maximize affordable housing, as well as meet community needs. Staff's job is a balance between the developer wants and the Community interests. Only 2 weeks ago the most costly public works project in Santa Cruz history on Lot #7 received the Council go ahead based on the weakly supported promise of 50 units of affordable housing as sufficient justification to build an expensive and unneeded 400 space garage and controversial library! The Napa case is not the same as what's happened in Santa Cruz. Adding Measure O requirements along with the density bonus units appears perfectly appropriate and acceptable. Give the City Attorney the go ahead to legally fight this case. The money spent will be well worth the cost to get the additional affordable housing.

Adding insult to injury Staff is asking you to approve an additional 7.75' in height to the already excessive 70' building wall on the river front. The 70' height nearly doubled the previous

maximum height allowance. The Ordinance change to 70' was approved to give developers the incentive to build higher density projects to justify sufficient incentive to provide affordable housing. The existing 70' maximum height requirement must be the limit. But another 15' is added to the 70' when 8' more height is added for HVAC needs along with the 7.75' requested by the developer. If you approve Staff and the developer's recommendation you will be allowing 20% additional elevation in front of an already heavily impacted river and iconic viewscape. An 85' height is unacceptable, especially for so little public benefit.

Please explain to the community how you would accept the staff recommendation to reduce this development's parking requirements in half? Staff appears intentionally creating a public subsidy for this development's parking demands. Staff is creating a self-fulfilling prophesy to try to justify that the Lot #7 parking garage is built, even when a thorough City commissioned study said the parking structure is not needed. Jeopardizing General Fund money to subsidize private profit is unconscionable.

Please maximize the number of affordable housing units, scale this project's height and mass down, protect the river, and assure 24-hour public access.

Thank you for your time and thoughtful consideration.

Ron Pomerantz

* As market rate housing comes on line, more and more affluent people move to town who can afford the higher and higher and higher rents. The area median income (AMI) increases, which pushes more and more residents out of "low "income status into very "low" and "extremely" low income brackets. The great majority of "affordable" housing is built for "low" income not "very low" or "extremely low" income folks. Not many years ago a "low" income family's AMI earned around $80K now they need to earn around $100K.

Rosemary Balsley

From: Donna Murphy <donna@dm5.biz>
Sent: Sunday, January 10, 2021 9:54 AM
To: City Council
Subject: Support for RiverFront Project

Dear City Council:

The RiverFront Project will anchor an exciting evolution of Santa Cruz's downtown by finally integrating the natural beauty of the San Lorenzo River into the vibrancy of the city — giving 175 families homes downtown while filling in and expanding the levee as a public space that faces the river.

Two wide pedestrian promenades will connect the downtown to the riverwalk, enhancing the ability of local residents and tourists to experience nature in the heart of downtown, while better connecting both sides of the river to downtown.

Twenty deed-restricted affordable housing units are included in the project, 15 of which are for those with less than half the average median income. As a part of COPA, I recognize how impactful and meaningful it is to include very low and low income units in such housing projects, helping create an *economically diverse, vibrant and healthy community* where people can live near where they work.

Further, the housing will be across from the proposed new Farmer's Market and the existing Metro Center, creating a diverse and walkable community near public transit.

Please approve the project to move forward.

Donna Murphy
Santa Cruz resident

Rosemary Balsley

From: Nancy Maynard <mtnmom3@gmail.com>
Sent: Sunday, January 10, 2021 7:44 PM
To: City Council
Subject: 7 story condos on Front St

This makes no sense for the area...we are not San Jose
Please reconsider
Nancy Maynard

Rosemary Balsley

From: Henry Hooker <henry.hooker@gmail.com>
Sent: Sunday, January 10, 2021 10:37 PM
To: City Council
Subject: Regarding Front Street Project: Agenda Item #13

To the Mayor and Council Members

Congratulations and thanks to the Planning Dept for the reasoned response to the confused and confusing November 10, 2020 letter from the California Coastal Commission Staff. Without using the word "nonsense", the planning department letter makes clear that the CCC has no clear objection or objective that falls within their legitimate purview.

The project does provide many clear benefits to the citizens of Santa Cruz; primarily housing, both low income and market rate.

I urge the City Council to pass the three resolutions in Tuesday's meeting that will move this project forward.

Thank you for your attention to this matter.

Henry Hooker
407 Ocean View Ave.
Santa Cruz

Rosemary Balsley

From:	Gina Cole <director@bikesantacruzcounty.org>
Sent:	Monday, January 11, 2021 9:22 AM
To:	City Council; City Plan
Cc:	Samantha Haschert
Subject:	Letter re: Riverfront Project missing from 1/12/2021, Agenda Packet
Attachments:	2020.11.04. Letter to City Council.Front Street .pdf

City of Santa Cruz City Council
809 Center Street, Room 10
Santa Cruz, CA 95060

Dear Mayor Meyers, Vice Mayor Brunner, Councilmembers Brown, Cummings, Golder, Kalantari-Johnson, and Watkins,

Attached, please find a copy of the letter, dated November 4, 2020, sent to City Council by Bike Santa Cruz County. This letter was not included in the agenda packet for the January 12, 2021, City Council meeting.

Bike Santa Cruz County continues to recommend that you ensure safe and convenient bicycle access to and from the San Lorenzo River levee and along Front Street in the vicinity of the proposed Front/Riverfront Apartments project.

We continue to support a **rideable** connection between the levee and Front Street at Cathcart Street.

We request that you interpret or amend Policy 6-SLR-5.2 to explicitly provide for a **rideable** bicycle connection to and from the levee and Front Street between Soquel Avenue and Laurel Street. The inclusion of a "bike rail" on the proposed stairway connection means cyclists must dismount and push their bikes up, or attempt to "guide" their bikes down, daunting and potentially unsafe for many folks. Please note that five out of the six Planning Commissioners who spoke at their hearing on September 3, 2020, voiced support for bicycle access to and from the levee in this area.

We request that the Soquel Avenue crossing from the levee across from River Street be made safer and more convenient for cyclists with striping, signing and traffic control improvements. With the removal of the current ramp at Cathcart Street is removed by this project as proposed, the nearest ramp for cyclists to use to the north empties onto Soquel Avenue eastbound.

We request that the Soquel Avenue/ Front Street intersection be reconfigured and restriped in a manner that provides for safe bicycle travel.

We recommend an added condition of the permit to require on-street parking removal in front of the proposed project.

The proposed apartment and commercial project has the potential to attract a significant number of bicycling residents and patrons. Please ensure that it is as safe and convenient as possible to bike to and from and in the vicinity of the project by acting on our requests.

Respectfully,

Gina Cole

Gina Gallino Cole
Executive Director
Bike Santa Cruz County
333 Soquel Ave.,
Santa Cruz, CA 95062
(831) 425-0665 office
(831) 840-1884 cell
bikesantacruzcounty.org

BIKE SANTA CRUZ COUNTY
333 Soquel Avenue • Santa Cruz, CA 95062
(831) 425–0665 www.bikesantacruzcounty.org

November 4, 2020

City of Santa Cruz City Council
809 Center Street, Room 10
Santa Cruz, CA 95060

Dear Mayor Cummings, Vice Mayor Meyers, Councilmembers Beiers, Brown, Golder, Matthews, and Watkins,

Bike Santa Cruz County recommends that you ensure safe and convenient bicycle access to and from the San Lorenzo levee and along Front Street in the vicinity of the proposed Front/Riverfront Apartments project. Specifically:

1. We continue to support a rideable connection between the levee and Front Street at Cathcart Street. Please see our previous letter and attachments of June 8, 2020 on pg. 4-8 the Final EIR and of August 27, 2020 to the Planning Commission.

2. We request that you interpret or amend recently adopted Policy 6-SLR-5.2 to explicitly provide for a <u>rideable</u> bicycle connection to and from the levee and Front Street between Soquel Avenue and Laurel Street. The policy currently requires new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street. The unfortunate addition of the word "or" into the policy is being used to justify including only stairways in the proposed project as satisfying the pedestrian requirement of the policy is being deemed sufficient. We urge you to reject this narrow interpretation as not meeting all of the other provisions in various City plans that also require bicycle access. Unless clarified, this interpretation can be used again in the future to justify both removal of the other ramp near the paint store and not imposing a requirement for a bikeable ramp in or between any other future development on this block of Front Street. We note that five out of the six

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333 Soquel Avenue • Santa Cruz, CA 95062
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Planning Commissioners who spoke at their hearing on this matter voiced support for bicycle access to and from the levee in this area.

3. We request that the Soquel Avenue crossing from the levee across from River Street be made safer and more convenient for cyclists with striping, signing and traffic control improvements. If the current ramp at Cathcart Street is removed by this project as proposed, the nearest ramp for cyclists to use to the north empties onto Soquel Avenue eastbound. For cyclists to travel westbound to Front Street, they need to cross Soquel Avenue. There is a pedestrian crosswalk there now, but not an explicit bike crossing.

4. We request that the Soquel Avenue/ Front Street intersection be reconfigured and restriped in a manner that provides for safe bicycle travel. For example, there should be a green lane on northbound Front Street and then eastbound Soquel Avenue leading to the entrance ramp to the levee path. Again, this intersection will experience increased cyclist use as a result of both the elimination of the ramp from the levee and from the new residents and patrons of the proposed project. A recommended condition of the project requires that the applicants pay their fair share for intersection improvement projects at Front/Soquel. A preliminary reconfiguration and striping plan presented at the September 2020 Transportation and Public Works Commission meeting showed at least two deficiencies for bicyclists: One, the westbound Soquel Avenue bike lane dead ends into a traffic island. Second, the two traffic lanes turning left onto Front Street and meeting with the two southbound Front Street travel lanes
crowd out cyclists also turning left or riding southbound on Front Street through the intersection. These impediments to cycling need to be remedied as part of the reconstruction of this intersection.

5. We recommend an added condition of the permit to require on-street parking removal in front of the proposed project. A recommended condition of the project requires the applicants to pay their fair share of the construction of a two way left-turn lane. The preliminary striping plan mentioned above illustrates that this center turn lane is achieved, in part, by eliminating the on-street parking in front of the project. Currently, the northbound Front Street bike lane swerves around this parking creating

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unsafe maneuvers for cyclists and potential conflicts with vehicles and their passengers entering and leaving the spaces. Because the striping plan removing the parking is still preliminary, and because it does not have to be implemented until after the project is occupied, we need explicit assurances that the on-street parking will be removed. The proposed project includes a large garage that can accommodate parking without the need for retaining any on-street spaces.

The proposed apartment and commercial project has the potential to attract a significant number of bicycling residents and patrons. Please ensure that it is as safe and convenient as possible to bike to and from and in the vicinity of the project by acting on our five requests.

Thank you,

Sincerely,

Gina Gallino Cole
Executive Director
Bike Santa Cruz County

Rosemary Balsley

From: Bonnie Bush
Sent: Monday, January 11, 2021 9:44 AM
To: City Council
Subject: FW: Letter for Jan 12th council meeting RE Front street project for council members
Attachments: Scan 2021-1-11 09.35.50.pdf

Bonnie Bush, CMC
City Clerk Administrator
City of Santa Cruz
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to bwillman@cityofsantacruz.com, or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

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From: fred willoughby [mailto:redmtn2@comcast.net]
Sent: Monday, January 11, 2021 9:38 AM
To: Bonnie Bush <bbush@cityofsantacruz.com>
Subject: Letter for Jan 12th council meeting RE Front street project for council members

Affordable Housing NOW!
P.O. Box 2374, Santa Cruz, California 95063
(831) 295-2756
affordablehousing-now.org

Jan 11, 2021

For : Jan 12th meeting- RE: Front Street project

Dear Council Members:

Affordable Housing NOW supports the Front Street project.

This project is appropriate for downtown and will provide both needed smaller market rate units and, what is most important to AHN, inclusionary units targeted for very-low and low income categories, the area most deficient in the city's RHNA numbers.

It is also important as an example of how the bonus density inclusionary system (imposed by the state) is working. Previous projects proposed at this scale rarely had inclusionary units at the lowest income levels. The density bonus system incentivizes that choice.

Based on comments in the media there is clearly a misunderstanding of how the bonus density system works, why the bonus units are not counted in figuring the number of inclusionary units, and, generally, not understanding that total numbers do not tell the whole story. The subsidy amount for fewer very-low and low income units can equal or be greater than a larger number of moderate and above moderate income units. The percentage of inclusionary units must be put in context with their affordability levels.

Having these very-low and low income downtown units is vital to maintaining our community's diversity- worthy of council's support.

Sincerely,

Tim Willoughby, AHN Chair

Rosemary Balsley

From: Lisa Johnson <lisajohnsonsantacruz@gmail.com>
Sent: Monday, January 11, 2021 12:32 PM
To: City Council
Subject: input on local developer Owen Lawlors RiverFront development

Hi council,

A couple thoughts on this development.

Given that the developer is using all incentives available for this project, and thus receiving the option of having 42 more units (I hate that word) .... let's call them homes, places where real people will live.

I agree with the coastal commission's argument that in order to fulfill the coastal appeal zone, require that all 42 "homes" be affordable in nature rather than the current 15-20.

As we are all very aware, Santa Cruz is in the same crisis as all those cities and vacation destinations where the folks that provide the services to those with money and real estate, cannot afford to live here. So, who will serve all those monied folk? All those tourists who bring in the revenue? All those who are buying/building their second and third homes? These essential workers are the folks who pay into my future, and yours, social security. These are the essential workers that fuel our local economy.

Most of those that I know, do not make more than $20/hr, and in most cases more like $17/hr. And these are adults, not kids.
Also, why have a private in house gym? That's rediculous. We have several wonderful health clubs/gyms throughout our city. Let the folks who will be living in the Riverfront development contribute to the local economy and help keep our current gyms up and running. Mr Lawlor can then use that space for more housing units. And while I am at it, require rainwater capture for all landscape watering. California and our city will continue to experience more drought years.

You all know the medium income breakdown:

two people earning $80k/yr are $20/hr employees working full time
two people earning $70k/yr (this is where my husband & I fall) are $17/hr employees working full time

Right now, in the middle of a pandemic no less, the average one bedroom market rate apartment is $1,850 (902 3rd St) to $2,905 (363 Western, Hilltop)

Developers will not leave Santa Cruz, especially those, like Mr Lawlor, who have very deep roots here. Only those folks who live and raise families here really contribute to our city's health ...

Thank you for your consideration,
Lisa Johnson

Rosemary Balsley

From: Bonnie Bush
Sent: Monday, January 11, 2021 1:23 PM
To: City Council
Subject: FW: MBEP Letter to City Council re: Riverfront Development
Attachments: Riverfront Support Letter City Council 1_12.pdf

Bonnie Bush, CMC
City Clerk Administrator
City of Santa Cruz
831-420-5035

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From: Alexia Garcia [mailto:agarcia@mbep.biz]
Sent: Monday, January 11, 2021 1:22 PM
To: Bonnie Bush <bbush@cityofsantacruz.com>
Cc: Kate Roberts <kroberts@mbep.biz>; Matt Huerta <mhuerta@mbep.biz>
Subject: MBEP Letter to City Council re: Riverfront Development

Hi Bonnie,

Attached please find MBEP's support letter regarding the proposed Riverfront development to be discussed during tomorrow's City Council meeting. We'd appreciate it if each City Councilmember received this letter and that it was entered into the record.

Thank you,
Alexia
Alexia Garcia
Monterey Bay Economic Partnership
Community Engagement Assistant
(831) 682-1363

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CEO, Community Foundation Santa Cruz County

Matt Wetstein
Superintendent/President, Cabrillo College

Staff: Kate Roberts, President & CEO

January 11, 2020

Santa Cruz City Council
809 Center Street
Santa Cruz, CA 95060

Subject: Support for Proposed Riverfront Mixed Use Project

Dear Mayor Meyers and Santa Cruz City Councilmembers,

The Monterey Bay Economic Partnership (MBEP) was founded in 2015 and consists of over 87 public, private and civic entities located throughout Monterey, San Benito and Santa Cruz counties with a mission to improve the economic health and quality of life in the Monterey Bay region. Our Housing initiative consists of a broad coalition of community members, local employers, and organizations to advocate for and catalyze an increase in housing of all types and income levels in the region.

In July 2019, SC Riverfront requested MBEP support for their proposed mixed use development. We evaluated the project and received input from regional housing leaders and the MBEP Board Executive Committee before approving the development for our endorsement. The proposed Riverfront mixed-use project answers a critical need for housing in our community. Of the total 175 residential condos included in the proposal there are 20 affordable homes, 15 would be designated to households making 50% of the Area Median Income (AMI) and 5 to households making 80% of the AMI. The proposed development would also provide 11,498 square feet of ground-floor commercial space and community benefits such as its enhancement of the levee. The project is in strong alignment with the City's Downtown Plan and its outlined goals to restore the Downtown's physical connection to the river.

MBEP's Housing Initiative supports the construction of housing in our region at all types and income levels in appropriate locations near existing jobs, transit and services. Additionally, MBEP's Climate Change Initiative advocates for the construction of transit-oriented housing developments and climate-resilient infrastructure. With its use of Density Bonus Law to maximize land use in an appropriate site proximate to jobs and transportation, Riverfront is in alignment with our housing production and climate change resiliency goals.

Finally, after evaluating the concerns brought forth by the Coastal Commission during the project's most recent City Council hearing, we believe there is no reason to further delay the approval of this important project. The agenda report issued by City Staff addresses each of the concerns raised by the Coastal Commission, including those pertaining to the 8' height deviance proposed by the developer and its consistency with city planning documents.

3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

Santa Cruz . San Benito . Monterey

Monterey Bay
ECONOMIC PARTNERSHIP

We strongly recommend the City Council accept the recommendations of city staff and approve this development to take another step toward creating more housing opportunities for Santa Cruz residents.

Thank you for your consideration.

Sincerely

Kate Roberts
President & CEO

3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

Santa Cruz . San Benito . Monterey

Rosemary Balsley

From: Andrew Ow <andrew.m.ow@outlook.com>
Sent: Monday, January 11, 2021 3:20 PM
To: City Council
Subject: Please Vote to Approve the Mixed-Use Project at 418 Front Street

Dear Santa Cruz City Council,

I am writing regarding Application No, CP18-0153 (418, 428, 440, 504, and 508 Front St.) to respectfully request that you vote in favor of the resolution certifying the Environmental Impact Report and other approvals necessary so this project can get built. In addition to all of the technical reasons set forth in the staff report recommending approval, the proposed mixed-use project is exactly the type of project that Santa Cruz needs. It includes many residential units, including over a dozen units reserved for low-income households, and it will place housing near jobs and transit.

The major crises that Santa Cruz is facing, COVID-19 and the aftermath of the CZU August Lightning Complex Fires, illustrate how badly we need this project and others like it. COVID-19 is particularly dangerous in situations of residential crowding, something that is a major issue throughout the City and County of Santa Cruz. We will only be able to reduce residential crowding if we build more housing for people to live in. This project will provide 175 households with housing! The terrible wildfires ravaging our state and the rural parts of the county also demonstrate what happens when we don't build out our city centers. It is better for people and the environment when people live near where they work, play, and shop.

As a city resident who was born and raised here, for decades I have heard arguments against projects like this. For far too long we have decried and demonized density or adding population to the City of Santa Cruz. Now we are living with the consequences: skyrocketing rent, skyrocketing home prices, and skyrocketing traffic because too many people who work in Santa Cruz cannot afford to live here. We need more housing and we need it now.

The more housing we provide for people in Santa Cruz, the more cars we get off of Highway 1. If we build housing near offices and service, which are abundant downtown, we can have walkable and bikeable communities. We can have communities that don't rely on cars, and the hazards they bring to our pedestrians and our lungs.

In addition to providing housing, this project will bring much-needed jobs and tax revenues to the City. We'll get the construction jobs, the jobs when the ground-floor commercial space is filled, and the jobs that are created to service the hundreds of more people living downtown. Property tax revenues will increase, as will sales taxes when all of the residents move in and start shopping.

How nice it will be for the new residents when the project is complete! They'll be able to walk to Santa Cruz Warriors games, and the Wharf, and El Palomar, and MAH, and the Catalyst, and so many other wonderful places. They will have new, energy-efficient appliances. They will have a beautiful view. It doesn't have to be a dream. You can make it a reality. Please do.

Many of us in Santa Cruz like to think of ourselves as inclusive and progressive. But we cannot be inclusive and progressive unless we build housing for the people who would like to live here. Whether it's a refugee fleeing war, an immigrant seeking a better life, a lifelong Santa Cruz resident who fears of being priced out of their community, or someone from an inland county who wants to reduce their carbon emissions by using less air conditioning in Santa Cruz's mild climate, we will not be an inclusive and progressive community unless our housing policies allow us to build enough housing for our own residents and for others.

Our country has faced a reckoning as we grapple with the United States' legacy of racism, including and especially in law enforcement. Unfortunately, the history of racism in housing discrimination is just as old, just as

pervasive, and just as damaging. We need to not only condemn the atrocities of our past, but work to fix those wrongs. Allowing a mixed-income, multi-racial residential building near the old segregated Chinatown would be a great way to start.

Please vote to certify the EIR and approve the necessary permits for this project. Thank you for your time, consideration, and service to our great city.

Sincerely,

Andrew Ow

Rosemary Balsley

From: Fran Guerrero <mamasein@netscape.net>
Sent: Monday, January 11, 2021 4:15 PM
To: City Council
Subject: In support of Riverfront Housing Project!

Dear City Council,

I am in support of the riverfront Housing Project and strongly urge you to vote in favor of this project going forward.

Housing is is so important to Santa Cruz not only for economic benefits but for quality of life at all income levels. The 20 units for extremely low and low income families is of utmost necessity for many and will help in the long-term economic recovery, post - COVID.

It is so heartening to know that it includes the 20 deed-restricted affordable housing units, 15 of which are for those with less than 1/2 of the average median income. Also, the fact that the housing will be across from the proposed new Farmer's Market location and the Metro Center, will greatly decrease need for cars and increase mass transportation or walking around a vibrant community area and bring the riverfront walk into what it was meant to be, a place for community.

As a leader in COPA, I strongly support creating homes for 175 individual/families in downtown Santa Cruz!

Sincerely,
Frances Guerrero

Rosemary Balsley

From: Petrilli, Frank R. <Frank.Petrilli@arentfox.com>
Sent: Monday, January 11, 2021 7:46 PM
To: City Council
Cc: Lee Butler; Tony Condotti
Subject: 418 Front Street Project -
Attachments: Letter to SC City Council re Response to Coastal Commission (1-11-21).pdf

Dear Honorable Members of the City Council,

Please find attached a letter on behalf of the applicant in connection with the 418 – 508 Front Street project. We very much look forward to the hearing tomorrow, and hope you are staying safe and sound.

With much appreciation,

Frank R. Petrilli
Partner

Arent Fox LLP | Attorneys at Law
55 2nd Street, 21st Floor
San Francisco, CA 94105
415.805.7970 DIRECT | 415.757.5501 FAX
415.215.1796 CELL
frank.petrilli@arentfox.com | www.arentfox.com

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January 11, 2021

Frank R. Petrilli
Partner
415.805.7970 DIRECT
415.757.5501 FAX
frank.petrilli@arentfox.com

Mayor Meyers and City Councilmembers
809 Center Street, Room 10
Santa Cruz, CA 95060

Re: 418 – 508 Front Street / Riverfront Project

Dear Mayor Meyers and Honorable Councilmembers:

We represent the applicant for the 418-508 Front Street Project. Our client is excited about the opportunity to revitalize the riverfront area and help the City achieve its vision in the Downtown Plan by providing 175 units of much-needed market rate and affordable housing. As you know, the Project was originally scheduled for a hearing on November 10, 2020, which was continued due to a last-minute letter from Coastal Commission staff. The Project will be before you again tomorrow, and on behalf of the development team, we would like to thank you for the opportunity to present the Project and to thank City staff for its assistance throughout the development review process. While we certainly wish that you had been able to take a final action on November 10th, we are no less excited about reaching this important milestone.

The Project is before you at a critical time in the City's history. The City desperately needs to add affordable and market rate units to its housing stock. Well before the onset of the pandemic, the City – along with much of the rest of the State – was already in the throes of a historic housing crisis that was decades in the making. And while we look forward to better days to come, the pandemic has laid bare and exacerbated the structural issues underpinning the housing crisis, making it even more difficult for families across the income spectrum to find housing that is affordable due to the lack of a sufficient supply.

Over the past few years, our client and City staff have worked productively through an extensive and thorough development review process to refine the Project and ensure that it complies with all of the applicable laws and design standards. The end result is that the Project has widespread community support, and promises to greatly improve public access to the riverfront area via two new pedestrian passageways while helping the City meet its Regional Housing Needs Assessment goals for very-low income families.

Notwithstanding the concerns expressed by Coastal Commission staff about the Project's massing as expressed in their November 10th and December 30th letters, we remain confident that there are no outstanding legal issues to resolve. While admittedly we wish that Coastal Commission staff's efforts to engage with the City had occurred much earlier in the process, we nonetheless believe that the City Council now has all of the information it needs to make a fully informed decision.

Given the outstanding job by City staff in responding to each of the arguments raised in Coastal Commission staff's letters, we will not repeat the entirety of their analysis here. The purpose of this letter is instead to reinforce a few key points and to provide some additional context which we hope you will find useful during your deliberations.

1. **The Project does not adversely impact coastal resources related to public views and riverfront aesthetics despite exceeding the 70 foot height limit under the LCP.**

The Project exceeds the 70 foot maximum height permitted in this location under the provisions for Additional Height Zone B by 7 feet 9 inches. As discussed in the staff report and below, the additional height is permitted pursuant to the State Density Bonus Law, the City's Density Bonus ordinance, and by extension the LCP because it incorporates by reference the City's Density Bonus ordinance. Notwithstanding City staff's thorough review, Coastal Commission staff has expressed concerns about the Project's massing and suggested that the additional height would result in unspecified impacts on visual resources. That position starkly departs from Coastal Commission staff's prior analysis and representations in connection with the LCP amendment for the Downtown Plan when the height limits in the downtown area were increased to make redevelopment more attractive and feasible.

When recommending approval of the LCP Amendment for the Downtown Plan several years ago, Coastal Commission staff found that "while these changes [i.e., increasing the allowable height to 70'] will impact views within and between the downtown and other areas, the impacts of the proposed changes are likely to be *negligible*" (emphasis added) given the existing downtown environment and the fact that the area is located significantly inland of the ocean. Further, when the Coastal Commission approved the LCP amendment regarding the density bonus in 2019, and as recognized in the Coastal Commission's staff report, there was no indication of any concerns that additional height granted pursuant to a density bonus would negatively impact coastal resources. The visual simulations previously provided to the City by our client, which are attached to this letter for ease of reference together with a short chronology, further demonstrate that the difference between 70 feet and 77 feet 9 inches is almost imperceptible. If a 70 foot project at this location would have a "negligible" impact on coastal resources, as Coastal Commission staff

represented to the Coastal Commission a few years ago, then it is impossible to discern how the conclusion could be any different for the slightly higher density bonus project.

2. **The LCP permits exceptions to the Skyline Architectural Variation and Design Variation requirements if certain conditions are satisfied and does not mandate that those exceptions be evaluated in terms of the degree of "public benefit" or "coastal resource enhancements" provided. Similarly, there is no requirement under the State Density Bonus Law to provide a public benefit, beyond the specified number of affordable units at deeper levels of affordability, to obtain a waiver of the height limit or stepback requirements.**

First, the Downtown Plan, and thus the LCP, allows modifications of the skyline architectural variation standard for projects that include a pedestrian passage to the Riverwalk. By providing passageways to the Riverwalk, the Project meets the standard and the variation is therefore allowed. There is no requirement or even a suggestion that the decision to grant an exception must be measured against a different standard or whether other "public benefits" are provided. Unlike a development agreement, in which an applicant provides negotiated public benefits in exchange for vested rights, there is no analogous requirement to provide any public benefits other than the requisite public access set forth in the Downtown Plan and the LCP. It is that simple.

Second, the State Density Bonus Law, the City's Density Bonus Ordinance, and the LCP, as amended, authorize waivers for the Project with respect to height above 70 feet and modification of upper level stepback requirements. Under those rules, in order to obtain a waiver, the applicant must demonstrate that the development standard at issue will have the effect of precluding the physical construction of the project (i.e., that the waiver is necessary to provide a sufficient building envelope to physically accommodate the bonus units). In this case, the applicant is proposing to set aside 15 units for very-low income families and is therefore entitled to a 35% density bonus, which equates to 47 bonus units (although the applicant is actually seeking only 42 bonus units). Under the State Density Bonus Law, these bonus units are intended to help offset the much greater level of subsidy required to provide the very-low income units. Because those units cannot be physically accommodated without a modest waiver of the height and upper stepback standards, a waiver of those standards is appropriate. That is how the density bonus concept works, consistent with the State Legislature's intent to incentivize deeper levels of affordability as well as increase housing supply at all income levels. No additional "public benefit" beyond the affordable units required to qualify for a density bonus is required.

Of course, we recognize that projects must still adhere to the qualitative LCP policy requirements that protect coastal resources, consistent with AB 2797 which requires that the Coastal Act and State Density Bonus Law be "harmonized" to achieve the goals of increasing affordable housing

in the coastal zone and effectuate the purpose of the Density Bonus Law, while protecting coastal resources.

The Project increases the supply of affordable units within the coastal zone at much deeper levels of affordability than would otherwise be required by providing fifteen units for very-low income families, and five units for low-income families. It therefore meets all of the criteria in the LCP for a density bonus and a waiver from the height and stepback standards to accommodate the bonus units, which, again, are authorized in order to help offset the costs of providing the much deeper level of subsidy required for the very-low income units. The Project also enhances public access to the Riverfront area by providing two pedestrian passageways, significant publicly accessible open space, and activated frontage, with no discernible adverse impacts on coastal resources as demonstrated by the record and the visual resource analysis submitted by our client. These are the facts, which we do not believe can reasonably be disputed, and facts matter.

For these reasons, we respectfully disagree with the position taken by Coastal Commission staff that any increase in height equates to a "violation" of the LCP because it would automatically result in adverse impacts on coastal resources. That interpretation renders the State Density Bonus Law and the corresponding LCP density bonus amendment meaningless, which is exactly the opposite of what the State Legislature intended when it adopted AB 2797.

3. Conclusion

The State Legislature has made clear in recent years just how critical it is for the development review process to be predictable and fair. That point is critical because, for better or worse, it takes years to go through all of the steps required in order to build new housing, with developers privately shouldering the economic risk as a result – all in the service of helping to improve the built environment and make it more sustainable, and provide much-needed housing for current and future generations. As both a policy matter and a practical matter, the rules need to be applied fairly and with common sense, and they need to provide a degree of certainty or else new housing will not be built. And those rules should not change mid-stream.

The Project before you is the culmination of years of analysis by City staff, informed by countless community meetings, input from the public, and the expertise of various consultants. Great care and attention has been paid to abiding by the City's prescriptive standards to ensure that the City is receiving the type of product that it envisioned when it amended the Downtown Recovery Plan while respecting and enhancing coastal resources.

As detailed in the staff recommendation, the Project is consistent with both the spirit and letter of the LCP, and we believe it will go a long way towards helping the City achieve its objective of revitalizing the downtown area.

For all of these reasons, and those set forth in the agenda report, we encourage you to evaluate the Project based on a fair and objective assessment of the standards that apply, and request your support. Again, we very much appreciate the City's efforts throughout this process, and we hope this letter will help you with your decision.

Sincerely,

Frank Petrilli

Attachments:

SC Riverfront History and Visual Resources Analysis

AFDOCS/23554439.1

SC RIVERFRONT PROJECT SUPPLEMENTAL VISUAL RESOURCE ANALYSIS

The Front Street / Riverfront project located at 418-508 Front Street is designed to rejuvenate the Riverfront area and to further the City of Santa Cruz's efforts to achieve the vision of the Downtown Plan by providing a total of 175 market rate and affordable housing units and approximately 11,000 square feet of retail and commercial space. The purpose of this memorandum and the attached visual simulations prepared by the applicant's architect is to provide a partial response to the position taken by Coastal Commission staff in their November 10, 2020, comment letter that, notwithstanding the State Density Bonus Law and a recent LCP Amendment that allows for relaxation of height standards for density bonus projects, any increase above the maximum allowable height limit of 70' is categorically prohibited due to unspecified concerns about visual resource and aesthetic impacts, as well as the position taken in their more recent December 30, 2020, clarifying letter that any increase beyond the maximum allowable height under the LCP (70 feet, per Special Height Zone B) automatically creates significant adverse coastal resource impacts.

The visual simulations depict the Project from multiple vantage points to illustrate the difference between a 70' tall project (i.e., a non-density bonus "base" project) and the 77' 9" tall project being proposed (i.e., the density bonus project which Coastal Commission staff suggests creates adverse impacts on coastal resources).

As shown on the attached exhibits, whether one looks north, south, east or west, the Project integrates into the Downtown environs, inclusive of existing, approved and proposed projects, with no visual conflicts with existing development or effects on views to or along the coast (which is especially true given the site's inland location more than a half-mile away from the coast). The density bonus version of the Project is imperceptibly taller than the base building version. Both versions are similar in mass and scale to nearby existing and approved projects in the already built out downtown, and the difference would have no impact on a the use or appreciation of coastal resources.The analysis shows that no public views would be affected or even slightly obstructed if the Project were built at 77' 9" feet, as opposed to the 70' already authorized by the LCP. The results of the analysis is consistent with all prior analysis of visual resource impacts undertaken by the City, the applicant, and even Coastal staff as noted below in connection with the Downtown Recovery Plan Amendments and the Project's EIR, all of which concluded that no visual impacts would occur from taller buildings in Downtown Santa Cruz.

A chronology identifying the key historic milestones and relevant LCP amendments is provided below. Notably, the staff report prepared by Coastal Commission staff for the Downtown Plan LCP Amendment, which was approved by the Coastal Commission in 2018, indicates that the "visual impact of increased building heights along the riverfront is not significant," and that the "impacts of the proposed [height] changes are likely to be negligible."

Front Street / Riverfront Project - History of the Planning and Development Review Processes

--2017--

November 2017 - City Approves the Downtown Recovery Plan Amendments. On November 14, 2017, the City approved the Downtown Recovery Plan Amendments (aka, the Downtown Plan). Among other things, the City evaluated the impacts from taller buildings pursuant to CEQA and determined that "The project area is not adjacent to the coast and the views toward the downtown from Riverwalk do not constitute "scenic coastal areas.""

--2018--

March 2018 - Coastal Commission Approves Downtown Plan Local Coastal Program Amendment. On March 8, 2018, the California Coastal Commission approved a Local Coastal Program Amendment for the Downtown Plan without any conditions or objections. The staff report prepared by Coastal Commission staff stated multiple times that taller buildings in the downtown area would not impact coastal resources, particularly visual resources, going so far as to state that the impacts of the proposed changes would be "negligible":[1]

- "Increased building heights along the riverfront will alter views in the downtown area, but other LCP policies ensure that new construction will be visually consistent with surrounding development, and *the location of the downtown relative to the coastline precludes impacts to views of scenic coastal areas, so the visual impact of increased building heights along the riverfront is not significant.*"

- "In sum, while the proposed amendment will permit development that alters the downtown viewscape, *ocean views will not be affected, the changes only apply to a relatively small area within Santa Cruz's urban core, and other components of the LCP will continue to ensure visual consistency with adjacent uses. The proposed LCP amendment will therefore not result in significant, adverse impacts to scenic and visual resources*."

- "While these changes will impact views within and between the downtown and other areas, the *impacts of the proposed changes are likely to be negligible*."

August 2018 - Submittal of Land Use Application. On August 6, 2018, the Project proponent submitted an application to the City.

September 2018 - Governor Approves Assembly Bill No. 2797 to Harmonize Coastal Act and State Density Bonus. On September 29, 2018, the Governor approved Assembly Bill No. 2797 which clarifies that the Legislature's intent is that the State Density Bonus Law and the California Coastal Act be "harmonized" to help increase the supply of affordable housing in the coastal zone while also protecting coastal resources and coastal access.

[1] The Coastal Commission Staff Report is available here: https://documents.coastal.ca.gov/reports/2018/3/th13a/th13a-3-2018-report.pdf

--2019--

July 2019 - Determination of Application Completeness. In July 2019, the Project's application was deemed complete by City staff. Under State law, this "froze" the rules and regulations applicable to the project, including, but not limited to, the City of Santa Cruz's then-applicable inclusionary housing requirement of 15%.

September 2019 - Coastal Commission Approves the Density Bonus LCP Amendment. On September 11, 2019, the California Coastal Commission approved an LCP Amendment which incorporated the City's Density Bonus Ordinance into the certified LCP. The LCP Amendment expressly allows for height standards to be relaxed to accommodate increased residential density pursuant to the State Density Bonus Law and the City's Density Bonus Ordinance:

> "Projects using the State's Density Bonus criteria (i.e., an increase in the number of otherwise allowable residential units and modification of certain development standards to provide for those units in exchange for a certain percentage of those units to be affordable) shall comply with the certified City of Santa Cruz LCP, except as they relate to certain numeric standards that may be changed through the State Density Bonus provisions. In other words, while some of the more quantitative LCP development standards (e.g., those related to height, density, and parking) may be relaxed so as to accommodate the increased residential density for the affordable housing units pursuant to the State Density Bonus Law, the more qualitative LCP policy requirements to protect coastal resources (e.g., related to protection of environmentally sensitive habitat, provision of public access, protection of public views, etc.) must still be adhered to in all cases, notwithstanding any bonus, concession, incentive, waiver, or reduction in development standards allowed under the State Density Bonus Law."

November 2019 - Environmental Review Commences. On November 20, 2019, the City released a Notice of Preparation ("NOP"), notifying the public that an Environmental Impact Report ("EIR") should be prepared for the Project. The City did not identify any potential impacts to visual resources.

December 2019 - California Coastal Commission Submits a Letter Regarding the NOP. Coastal Commission staff submitted a letter to the City, dated December 16, 2019, requesting an evaluation of whether the Project's 81 foot (actually, 77' 9" as measured according to the City's rules and the approved LCP) height and the shape and mass of the buildings would potentially affect coastal views to the south and downriver towards the ocean. Coastal Commission staff also recommended that the EIR should include detailed visual simulations that assess the potential impacts.

--2020--

May 2020 - The Project's EIR Does Not Disclose Impacts Due to Building Height. The Project's Draft EIR was published for a 45-day public review period on May 11, 2020. No impacts on visual resources were identified pertaining to the Project's height. The EIR also included a detailed response to each of the questions raised by Coastal Commission staff, including references to photo-simulations that were included in the EIR, as well as a detailed LCP consistency analysis. Coastal Commission staff did not submit a comment letter on the Draft EIR or raise any concerns about the analysis at any of the public meetings held on the Project.

September 2020 - The City's Planning Commission Recommends Approval of the Project. On September 3, 2020, the City's Planning Commission reviewed the Project and voted to make a recommendation that the City council approve the Project. Although a majority of the Planning Commission recommended an increase in the number of inclusionary units (despite the City Attorney and staff's position that such a recommendation was contrary to case law and the City's regulations), the Planning Commission did not make any findings that the Project was inconsistent with the Downtown Plan or the LCP. The City did not receive comments from Coastal Commission staff at or in advance of the Planning Commission meeting.

November 2020 - California Coastal Commission Staff Submits Letter on the Same Day of the City of Santa Cruz City Council Hearing. On November 10, 2020, the City Council held a public hearing on whether to approve the Project. Several hours after the City Council meeting started, and with no advance notice to City staff or the applicant, Coastal Commission staff submitted a letter via email arguing that the Project is inconsistent with the LCP with respect to height, notwithstanding the 2019 LCP Amendment. The hearing was continued so that the issues raised by Coastal Commission staff could be evaluated.

December 2020 – California Coastal Commission Staff Submits Clarifying Letter. On December 30, 2020, Coastal Commission staff submitted a clarifying letter which states that, following meetings with City staff, Coastal Commission staff now understands that most of the exceedances identified in their prior letter are indeed allowed by the LCP. Coastal Commission staff still asserts that any increase above the LCP allowed maximum heights automatically create significant adverse impacts on coastal resources, but no concrete impacts on public views or riverfront aesthetics were identified.

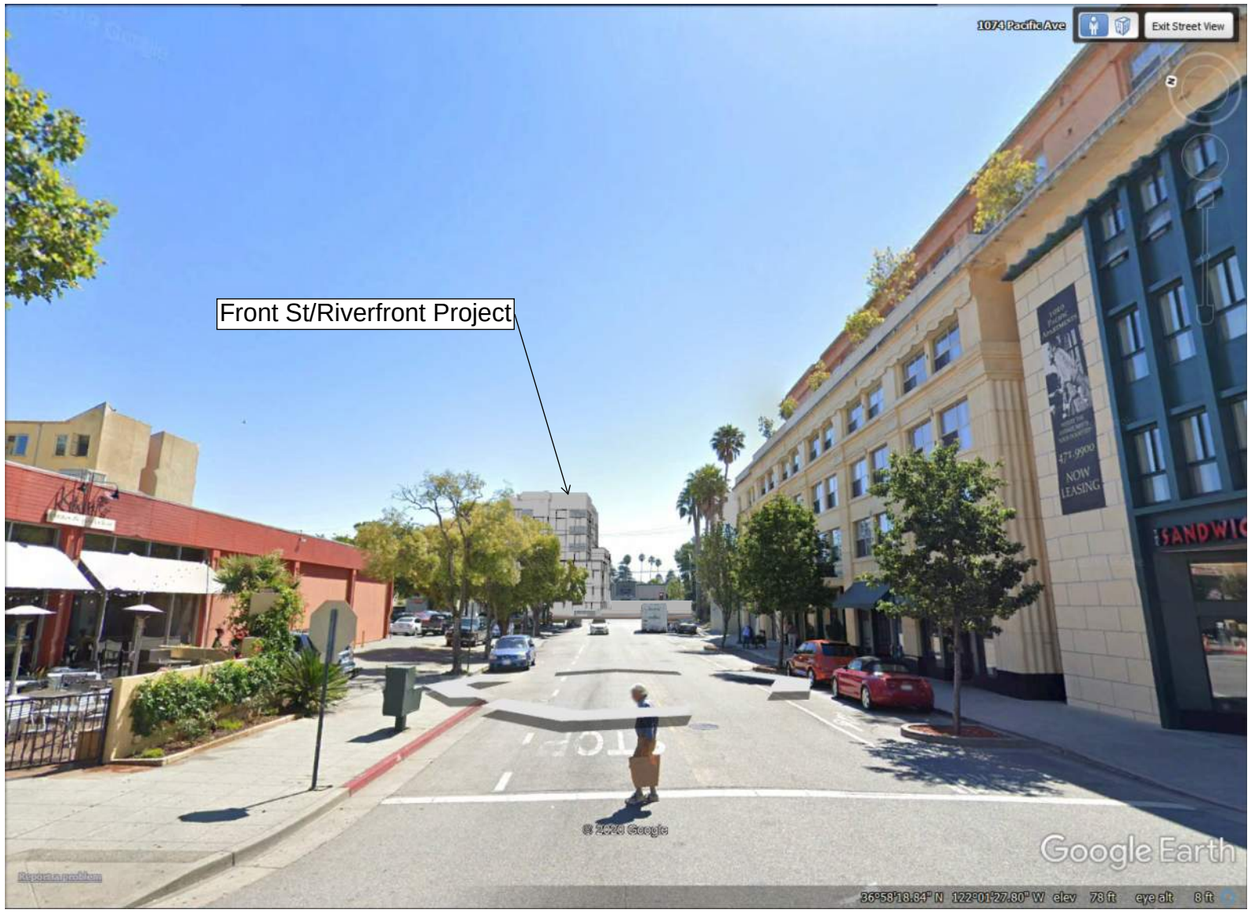
Coastal Commission Height Exhibit

Base building height per zoning code
Looking South West from the North side of the river bike path at the Soquel Bridge.

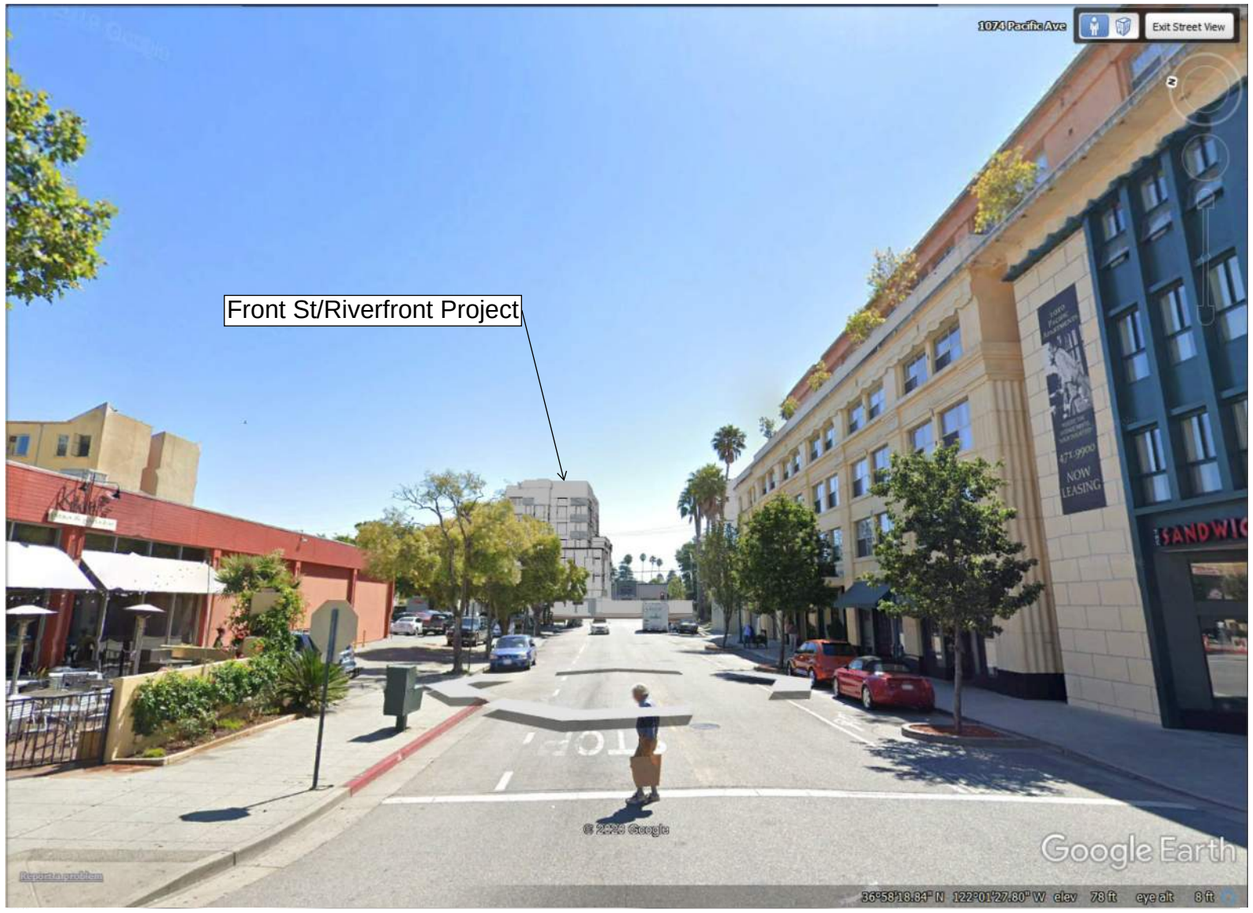
State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking South West from the North side of the river bike path at the Soquel Bridge.

Base building height per zoning code (70')
Looking North West from the South side of the river bike path at the Laurel Bridge.

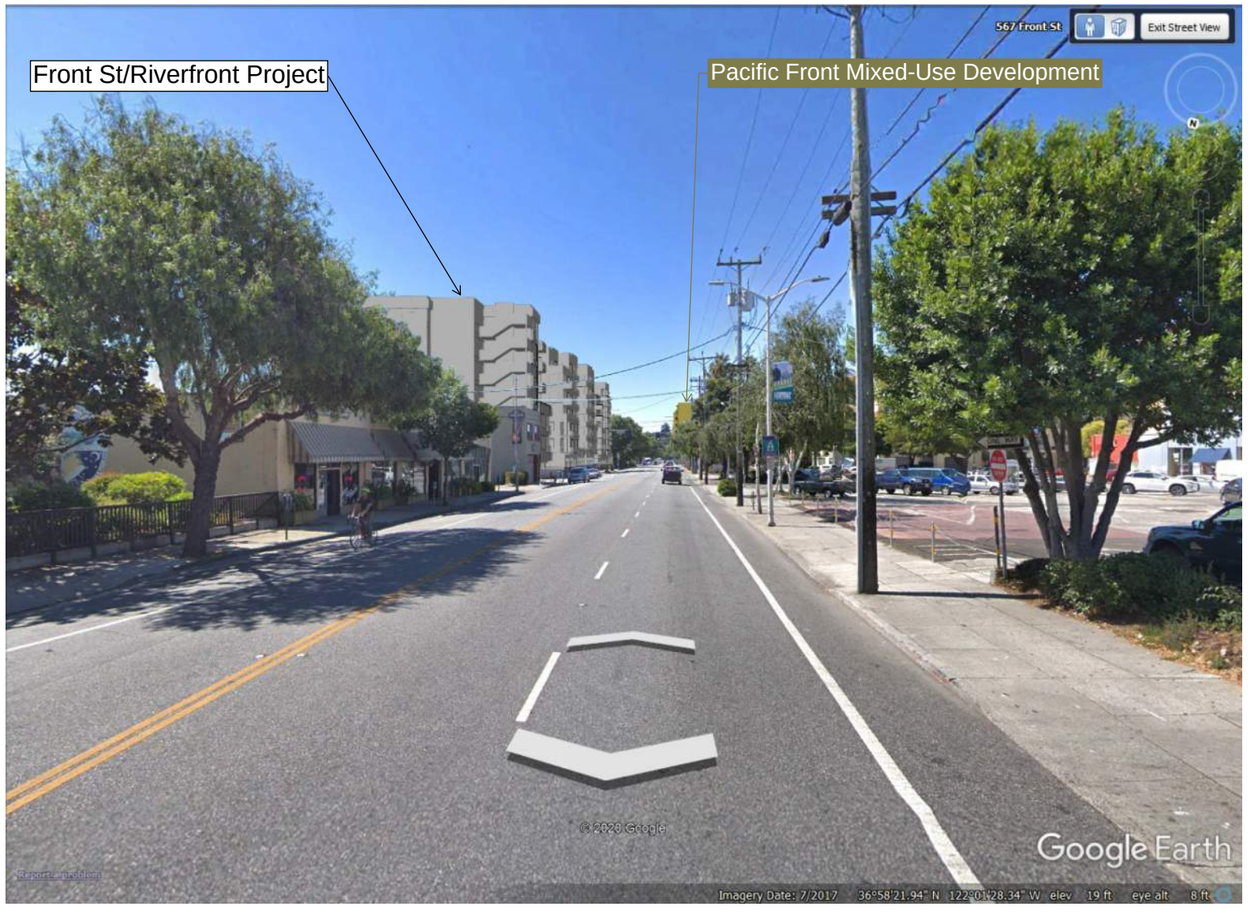
State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking North West from the South side of the river bike path at the Laurel Bridge.



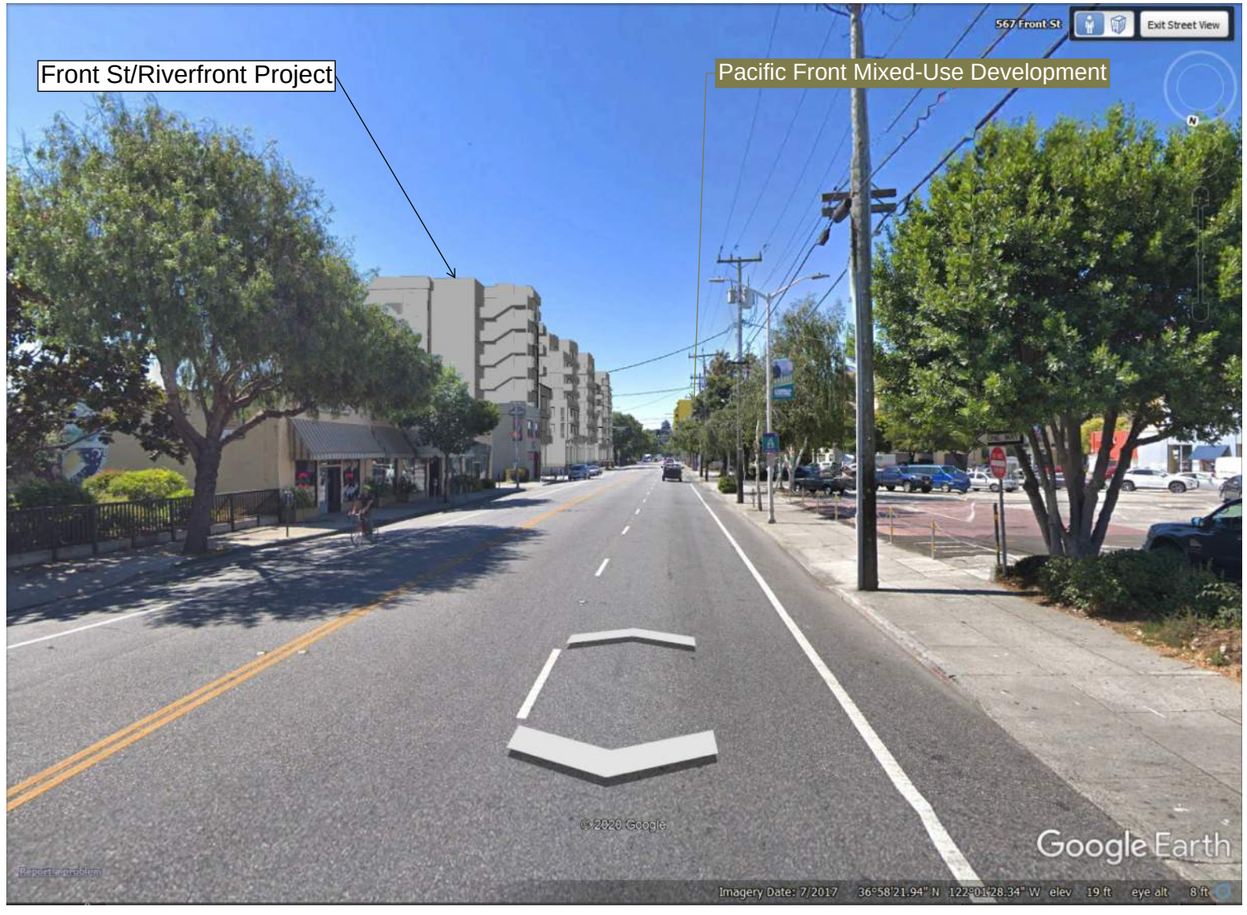
Base building height per zoning code (70')
Looking East from the corner of Cathcart and Pacific.



State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking East from the corner of Cathcart and Pacific.



Base building height per zoning code (70')
Looking South East from the North side of Front St.



State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking South East from the North side of Front St.

Base building height per zoning code (70')
Looking North West from Laurel Street.

State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking North West from Laurel Street.

Base building height per zoning code (70')
Looking North West from San Lorenzo River Railroad Bridge.

State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking North West from San Lorenzo River Railroad Bridge.

Rosemary Balsley

From:	Lee Brokaw <lee45_94306@yahoo.com>
Sent:	Monday, January 11, 2021 9:19 PM
To:	Donna Meyers; Sonja Brunner; Sandy Brown; Justin Cummings; Renee Golder; Shebreh Kalantari-Johnson; Martine Watkins; City Council
Subject:	Agenda Item # 13, 011221

Dear Council, 011121

Re: the River Front Project , Agenda Item # 13

I have not seen the engineering for the 80' tall building proposed to be built as part of the River Front Project, however, as a builder of 40 years-experience, [License # 524663 (today the license numbers are over 1,xxx,xxx)], I have some experience evaluating basements in areas of underground water. I also have some experience with drainage and the 'laws' of engineering applied there-to.

The tallest of this group of buildings will have foundations going deep and peirs below, going even deeper. The bottom slab may be 10-20 feet thick, so as not to be buoyed up by ground water's hydraulic action. I understand from former Council Member Ed Porter, that the Hotel Palomar has a very thick basement floor and it is not even close to the river, AND it has ground water intrusion.

Without the soils report and civil engineering, (not available), so I am just speculating, but please indulge me:

1). The bottom of the basement excavation WILL BE below the level of the river, even at low tide. The level of the river at low tide is in fact the level of the ground water under Front Street.

2.) The excavation for these buildings will require an incredible amount of 'de-watering'. That is where wells are dug around the perimeter and pumps, 24/7 for months will be pumping the intrusion of the river's ground water, presumably back into the river, in a never-ending battle with the ground water as it rises and falls with the tide. Is this really in the 'interest of sustainability' and all the other progressive values of this City? In Palo Alto, where I build, the builder is no longer allowed to dewater into the storm drain. Said water must be trucked away! With time, as climate change progresses, there will be increased hydraulic pressure causing increased structural stress on the building foundation and the levee.

3.) Next we look at whether such excavation in such close proximity to the levee, is in the levee's best interest?? Considering that the US Army Corps of Engineers built this levee and is responsible for it, they should be consulted, and approve any modifications or potential compromising. On the other hand, as I recall, they also built the levies in New Orleans which Hurricane Katrina breached.

Lastly, the word breach hangs 'pregnant' in the paragraph above. Should this project, during construction or after erosion, cause the levee to breach, the river would wash into down town and every business would be affected.

So, I ask, does everyone have flood insurance to cover damage caused by an ill conceived project so close to the river, with some serious engineering short-comings??

At a minimum, Council should have an engineering firm who believes that this is a risky project, give an opposing opinion to Council.

Finally, the Council has an obligation to notify all businesses in down town of the potential for a man-made breach of the levee, due to the River Front development,
such that they can increase their flood insurance, if that is even available, once the Insurance Industry gets wind of this project.

Respectfully submitted

Lee Brokaw

M. Lee Brokaw, General Contractor, Inc.
524663

Rosemary Balsley

From:	Gary Patton <gapatton@mac.com>
Sent:	Monday, January 11, 2021 10:48 PM
To:	City Council
Cc:	Renee Golder; Donna Meyers; Martine Watkins; Sandy Brown; Justin Cummings; Shebreh Kalantari-Johnson; Sonja Brunner
Subject:	City Council Meeting of January 12, 2021 - Agenda Item #13
Attachments:	Follow Up Letter to Council On Inclusionary and Density Bonus Units - Riverfront Project.pdf

Dear Council Members,

Here is a letter sent in connection with Agenda Item #13 on your January 12, 2021 Agenda, one purpose of which is to reiterate points made in a previous letter on the project that you will consider tomorrow.

Gary A. Patton, Attorney at Law
P.O. Box 1038
Santa Cruz, CA 95061
Telephone: 831-332-8546
Email: gapatton@mac.com
Website / Blog: www.gapatton.net
Facebook: https://www.facebook.com/gapatton

Gary A. Patton, Attorney At Law
Post Office Box 1038, Santa Cruz, California 95061
Telephone: 831-332-8546 / Email: gapatton@mac.com

January 11, 2021

Santa Cruz City Council<Sent By Email>
Santa Cruz City Hall
809 Center Street
Santa Cruz, CA 95060

RE: Agenda Item #13 – January 12, 2021 City Council Agenda
Front Street Development Proposal

Dear Mayor Meyers and Council Members:

I am aware that the California Coastal Commission has raised very significant concerns about the proposed actions that are before you in connection with Agenda Item #13, and specifically about whether the staff recommendation for approval conforms to Coastal Act policies and the City's LCP/LUP. I urge you to require a complete redesign of the project to respond to the concerns relayed to you by the Commission. I am also aware of the significant questions raised by a communication from Lee Brokaw, sent to you by email. Please do not move ahead with an approval of the project unless and until the concerns raised by Mr. Brokaw can be satisfactorily ruled out. The Council should make sure that the proposed construction will not put downtown businesses in danger of flooding.

Since your staff did not see fit to include my earlier correspondence in your agenda packet, I am writing today, as I did on November 7, 2020, to urge the City Council to follow the Planning Commission's recommendations with respect to the number of affordable housing units that will be required, if the Council approves the proposed project.

My previous letter stated as follows:

I am writing to urge the City Council, if it approves the development project proposed at 418, 428, 440, 504, and 508 Front Street, to <u>ensure that the affordable units required to be constructed by the developer, in return for the grant of a so-called "density bonus," be *added* to the number of inclusionary affordable units required by the City's existing inclusionary ordinance</u>.

If the Council takes this approach, it will be *maximizing* the number of affordable housing units that will be part of the project. That is the right thing do. I would argue, in fact, that is the legally-required thing to do.

What I am urging is emphatically NOT the current staff recommendation, which favors the desires of the developer over the needs of the community. What I am urging, however, IS consistent with the recommendation of the Planning Commission.

I urge you to follow the Planning Commission's recommendation in this matter.

The proposed project would have a major impact on our downtown. Specifically, the towering heights of the proposed structures would profoundly alter the character of our community along Front Street and cause impacts on the San Lorenzo River and the Riverwalk. Why would our community want this kind of change? Possibly because this proposed development might provide more affordable housing opportunities.

However, most of the new housing units proposed will not address our current housing crisis. Ordinary working families in Santa Cruz will not be able to rent or purchase them. They will simply cost too much. Wealthier people from outside our community will acquire or rent these proposed new units, and yet the impacts of the development will be felt by current city residents.

In these circumstances, I think it is critically important for the Council to *maximize* the number of affordable housing units that will be provided. That is what the Planning Commission recommends. As I say, I think that this is, in fact, legally required. Not to take this approach would be to violate the City's inclusionary ordinance.

The staff's main argument against maximizing the affordable housing component of this proposed project, as the Planning Commission recommends, appears to be based on a legal opinion, which the City Attorney and an outside law firm are said to endorse. Here is how the staff report presents the legal issue:

> "The City's Affordable Housing and Density Bonus ordinances do not explicitly discuss the relationship of the inclusionary affordable housing requirement to the density bonus requirement. However, the Density Bonus Ordinance states that a project is eligible for a density bonus, "…if the applicant agrees to construct at least one of the following [specified affordability percentages] and any additional replacement units required by Section 24.16.222." (Section 24.16.215(1).) Nothing in this section implies that the affordable units providing eligibility for a density bonus must be *in addition* to those provided to meet the City's inclusionary ordinance. (emphasis added)."

The staff, of course, is correct in the final statement that I emphasized. Please note, however, that while there is nothing in state law provisions that implies that the affordable units providing eligibility for a density bonus must be in addition to required inclusionary units, there is also nothing in state law that

implies that these additional "density bonus" units should *not* be added to those affordable units already required by preexisting inclusionary requirements.

The best interpretation of the law is that affordable units provided in return for the grant of a "density bonus" should be added to any previously existing requirement for affordable units – in our case, the inclusionary affordable units required by Measure O, which was adopted, I believe, before the newer "density bonus" law was enacted at the state level. The state law does *not* (as the staff correctly indicates) specifically supersede already existing local ordinances, so the correct legal analysis is that the additional affordable units to be given in return for additional, "density bonus" units should be *added* to those affordable units already required by existing law.

If you don't do that, then how are would you be complying with Measure O's inclusionary requirements? Answer: you would *not* be complying with those requirements. You would be, in fact, be *reducing* the Measure O inclusionary requirements without any legal justification at all, since nothing in state law supersedes our pre-existing inclusionary requirements.

Let me address the judicial decision that is being cited as authority for the idea that the provision of affordable units by a developer, in return for "density bonus" units granted under state law, provides an excuse for that developer to reduce affordable units required under our pre-existing inclusionary housing requirements. *Latinos Unidos Del Valle De Napa y Solano v. County of Napa*, 217 Cal.App.4th 1160 (2013) addressed a completely different situation from ours and is definitely not a precedent that is applicable in our situation.

In *Latinos Unidos*, the court confronted a situation in which the state passed the density bonus law, and Napa County then imposed additional inclusionary requirements, subsequent to the passage of the state's density bonus law, which Napa County then claimed had to be met for a developer to be able to claim the right to build "density bonus" units. The court properly held that this was an attempt on the county's part to impose additional requirements upon a developer, increasing what the developer had to do to qualify to receive a density bonus.

Our case is different. Our inclusionary housing requirement pre-existed the state's density bonus law. To qualify for a density bonus in Santa Cruz, all the developer has to do is to provide the affordable units specified in the state law. However, there is nothing in the state law that says that the developer doesn't have to comply with a pre-existing local ordinance, like ours, which has an inclusionary requirement. All developments have to follow our local inclusionary housing requirements; then, if some developers want to build more, by way of receiving a "density bonus," the developers must provide additional affordable units, as specified in state law. Those "density bonus" units should be *added* to

any affordable units that the developer is already required to provide, to comply with our local, Measure O, inclusionary requirements.

The key difference between our situation, and the Napa County situation, is that our ordinance existed BEFORE the state's density bonus law. It was not a way to undercut the state law (as was the case in Napa County). Again, I think that the court's decision in *Latinos Unidos* was appropriate. To be fair, though, the state's density bonus law shouldn't be allowed to undercut our inclusionary ordinance. In fact, I think allowing that to happen would result in a violation of Measure O's requirements.

Thank you for considering my strongly-felt views in this matter.

Yours truly,

Gary A. Patton

Rosemary Balsley

From:	Ron Pomerantz <hectic@cruzio.com>
Sent:	Tuesday, January 12, 2021 7:58 AM
To:	City Council
Cc:	Justin Cummings; Renee Golder; Sandy Brown; Martine Watkins; Donna Meyers; Sonja Brunner; Shebreh Kalantari-Johnson
Subject:	Re. 1-12-21 Council Agenda Item #13: River Front project

Re. 1-12-21 Council Agenda Item #13: 418, 428, 440, 504, 508 Front St. (Application No. CP18-0153) - Assessor's Parcel Numbers 005-151-22, -30, -31, -39, -50 - Coastal Permit, Non-Residential Demolition Authorization Permit, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal to Remove One Street Tree and Three Heritage Trees, to Combine Five Parcels, Demolish Three Commercial Buildings, Including Two Historic Commercial Buildings, and to Construct a Seven-story, Mixed-use Building with 175 Residential Condos and 11,498 Square Feet of Ground Floor and Levee Front Commercial Space on Property Located within the CBD/CZ-O/FP-O Zone District (Central Business District, Coastal Zone Overlay, Floodplain Overlay) and within the Front Street/Riverfront Subarea of the Downtown Plan (PL)

Good day Mayor Meyers and Councilmembers.

The proposed development on Front Street does more harm than good for overall housing affordability.* The River Front project should be mandated to provide 20% affordable housing units, instead of the 15%, to try to stay apace with the Area Medium Income (AMI) changes. With Measure O's 15% affordability mandate, this 175-unit project must provide a minimum of 26 affordable units instead of the proposed 20. (If you accept your Planning Commission's recommendation, as you should, there would be 35 affordable units required.) I ask you how can "density bonus" benefits decrease the number of affordable units provided?! In the staff report the convoluted bureaucratese justifies the City only getting 20 affordable units, or a mere 11% of the total units that would be built. Why in heavens name would you allow only a paltry 20 affordable units when the public benefit to the community should be 26 to 35 units with this 175-unit development?! Why is staff once again shilling for the developer and not supporting clear established Council direction to seek any and all opportunities to maximize affordable housing, to meet community needs. Staff's job is a balance between the developer's wants and the Community interests, which includes public benefits. The Napa case is not the same as what's happened in Santa Cruz. Adding Measure O requirements along with the density bonus units appears perfectly appropriate and acceptable. Give the City Attorney the go ahead to legally fight this case. The money spent will be well worth the cost to get the additional affordable housing.

Staff is asking you to approve an additional 7.75' in height to the already excessive 70' building wall on the river front. The 70' height nearly doubled the previous maximum height allowance. The Ordinance change to 70' was approved to give developers the incentive to build higher density projects to justify sufficient incentive to provide affordable housing. The existing 70' maximum height requirement must be the limit. But another 15' is added to the 70' when 8' more height is added for HVAC needs along with the 7.75' requested by the developer. If you approve Staff and the developer's recommendation you will be allowing 20% additional elevation on top of an already heavily impacted river and iconic viewscape. An 85+/-' height is unacceptable, especially for so little public benefit. The Coastal Commission staff has clearly informed the city in their

correspondences they too are still not pleased with the height and mass of the project, nor with the lack of public benefits such as affordable housing.

Please explain to the community how you would accept the staff recommendation to reduce this development's parking requirements so significantly? Staff appears intentionally creating a public subsidy for this development's parking demands. Staff is creating a self-fulfilling prophesy to try to justify that the Lot #7 parking garage is built. Jeopardizing the City's Parking Fund to subsidize private profit is unconscionable.

I would like to express my deep concern about City Planning's recommendation of approving the River Front Project while as proposed it still abrogates the California Coastal Act and the City's own Local Coastal Plan. I would recommend delaying project hearing and approval for at least another two weeks or more while a course of action we have outlined below is considered by the City and the Coastal Commission. I think such an approach could bring the project significantly closer to the requirements of the Coastal Act/LCP and greatly enhance public benefit, public access, and coastal resource protection.

Please expand public benefits by using the tax advantages created by the Opportunity Zones under the 2017 Federal Tax Law. Perhaps we have all lost sight of the fact that this project (and others in the City) is in an area designated by the City as an Opportunity Zone. (https://www.cityofsantacruz.com/government/city-departments/economic-development/business-support/opportunity-zones)

That means, this project will reap millions of dollars in tax benefits to its investors (https://www.nytimes.com/2019/08/31/business/tax-opportunity-zones.html). Opportunity Zones provide wealthy investors a means to shelter recent and future capital gain. As currently proposed, this project has only 20 affordable units. Given the tax savings this project will offer investors, we suggest the tax savings be applied at the front end by increasing affordable units to 20%, or 35 units, or by paying a fee. Why should the City of Santa Cruz allow a tax haven to be built as staff proposed rather than achieve a project with substantially more public benefit?

I also strongly recommend expanding public access by requiring a Condition of Approval to fund more public and park space Downtown or in nearby, underserved areas. I would like to focus on what truly is the public access being created by this project. As the Planning Staff's report says its "two large pedestrian passageways (that) connect the downtown core to the Riverwalk and an expansion of the area adjacent to the Riverwalk." This is not Abbott Square nor a meaningful public gathering space – its square footage is limited. I think a more reasonable approach would be for the City to require the developer to set aside funds to help improve public spaces in the area or in nearby, underserved communities. Looking into how other cities use their development fees would be a good place to start.

Please increase the number of affordable housing units, scale this project's height and mass down, protect the river, assure 24-hour public access, and provide increased benefits to underserved areas of the city when this development is approved. I strongly encourage you to delay the project's approval in order to get the best project possible commensurate with its location, scope, and scale that benefits the entire community.

Thank you for your time and thoughtful consideration.

Ron Pomerantz

* As market rate housing comes on-line, more and more affluent people move to town who can afford the higher and higher and higher rents. The area median income (AMI) increases which causes “affordable” housing to rent for more and more.

Rosemary Balsley

From: Mary Male <mmale@baymoon.com>
Sent: Tuesday, January 12, 2021 9:59 AM
To: City Council
Subject: Please support the Riverfront Project!

Dear City Council,

You have the opportunity to provide housing for 175 families, most importantly, for 15 low income families. The project will expand public space along the levees, and will hopefully create momentum for other projects under consideration.

I support this project wholeheartedly and hope you will support it (and others in the pipeline). Nothing is more important to our community right now than providing homes for its people.

Sincerely,

Mary Male
101 Alta Vista Dr
Santa Cruz, CA 95060

Rosemary Balsley

From: georgeowjr@aol.com
Sent: Tuesday, January 12, 2021 10:29 AM
To: City Council
Subject: RIVERFRONT 175 PROJECT.

citycouncil@cityofsantacruz.com,

January 11, 2021

Dear Santa Cruz City Council

I grew up in the last Santa Cruz Chinatown, only a few blocks away from the proposed Riverfront 175 unit project on the November 10, 2020 agenda. I would like to ask you to please approve the project in a manner supportive to it being built without complications. We need the housing and it makes sense to build up downtown--in an area that has the infrastructure and support businesses, institutions and transportation there already. These 175 new units, 20 of these being affordable units, are before you now to approve. We need the housing to house workers, artists, students, neighbors, friends, family. These units and the people who live in them will bring life, vibrancy, energy, creativity, sociability to downtown Santa Cruz. The river views and city views will both be beautiful and desirable—making the city's longtime quest for nice housing along the river a reality. Please help make this happen.

I am the patriarch of a Chinese American family that has lived in Santa Cruz for six generations and now numbers close to 100 people. I love Santa Cruz and especially downtown Santa Cruz—where I walk almost daily and was the sponsor for the Chinatown Bridge Gate – Dragon Project that will be completed in the coming days. I see this project being a beautiful addition to Santa Cruz.

I was born in Santa Cruz on January 3, 1943 and have seen the changes since then. My grandparents were here during the 1906 Earthquake. My parents were here as children to see the Palomar Hotel being built and then the Del Mar Theater and the Civic Auditorium. I remember when The Old Wrigley Building and Lipton Tea were built. I participated in the rescue and reopening of the Del Mar Theater and many other community projects, both public and private. My 78 years of life has shown me that change is the constant and our children and grandchildren have to live and work somewhere. Let's build housing for them in this case.

It is a blessing when you get capable and imaginative builders with the land, the money, the resources and staying power to work through the City's difficult permit process. The project is on the table ready to go, please approve it with reasonable conditions so that it can be built quickly. I'm getting closer to 80 and my old Victorian's stairs may not be negotiable for Gail and me in a couple of years. Maybe we'll move into this new project. Being close to the river of my youth, in a room with a view, would be a dream come true. I strongly urge you to support the Riverfront Housing Project on Tuesday.

I want to state here that neither my family nor I have any stake in this project beyond community interest.

Thank you for your time and energy.

Sincerely yours

George Ow, Jr.
203 Highland Avenue
Santa Cruz, CA, 95060
georgeowjr@aol.com

Rosemary Balsley

From: Mark Mesiti-Miller <markmesitimiller@gmail.com>
Sent: Tuesday, January 12, 2021 10:31 AM
To: City Council
Subject: Agenda Item 13 - Approve the Riverfront Project

Greetings Mayor Meyers and Councilmembers,

I fully support the Riverfront Project and **urge you to approve all three proposed resolutions approving the project.** This project comports with the Downtown Plan, adds much needed housing (especially permanently affordable housing), will help fight climate change and, fulfill a long-time community desire to more intimately connect our community to the natural beauty of the San Lorenzo River.

For those who may not remember, the Downtown Plan was updated through a multi-year collaboration involving the entire community. A collaboration involving many years of public workshops and public hearings involving citizens, your esteemed Planning Commission and other city commissions, and finally approved by the entire City Council.

The Riverfront Project is exactly the type of project the Downtown Plan envisions. A new mixed-use commercial/residential project that will infill the dead space between the levee and the building transforming the area into a park along the banks of the San Lorenzo River. A project that will provide not one, but two promenades connecting residents of and visitors to our downtown to the river. A project that offers 175 new homes to our city, a city with an acute shortage of housing. A project that offers 20 units of deed-restricted, permanently affordable housing, 15 of which will be occupied by residents earning only 50% of the area median income. A project that, by virtue of its location in the heart of one of our county's major employment centers; in our very walkable downtown; and, across the street from a public transit hub and the future permanent home of the Farmer's Market; will dramatically reduce Vehicle Miles Travelled, GHG emissions and the number of car trips making our streets safer for everyone.

Please approve this project and move Santa Cruz towards a more equitable, more sustainable and more prosperous future. Sooner, not later!

Respectfully yours,

Mark
Mark Mesiti-Miller, P.E.
Husband, father, grandfather and champion for social, environmental, and economic justice
Resident of the City of Santa Cruz since 1983
Former 2 term member of the City Planning Commission

Rosemary Balsley

From: Joyce D. Rodgers <joycedrodgers@yahoo.com>
Sent: Tuesday, January 12, 2021 10:52 AM
To: City Council
Subject: Affordable housing

Dear City Council members,

I live in Soquel, but I am concerned about the lack of affordable housing in our community overall. I believe the RiverFront Project will anchor an exciting evolution of Santa Cruz's downtown by finally integrating the natural beauty of the San Lorenzo River into the vibrance of the city -- giving 175 families homes downtown while filling in and expanding the levee as a public space that faces the river.

Two wide pedestrian promenades will connect the downtown to the riverwalk, enhancing the ability of the local residents and tourists to experience nature in the heart of downtown, while better connecting both sides of the river to downtown.

Twenty deed-restricted affordable housing units are included in the project, 15 of which are for those with less than half the average median income. As a part of COPA, I recognize how impactful and meaningful it is to include very low and low-income units in such housing projects, helping create an economically diverse, vibrant, and healthy community where people can live near where they work.

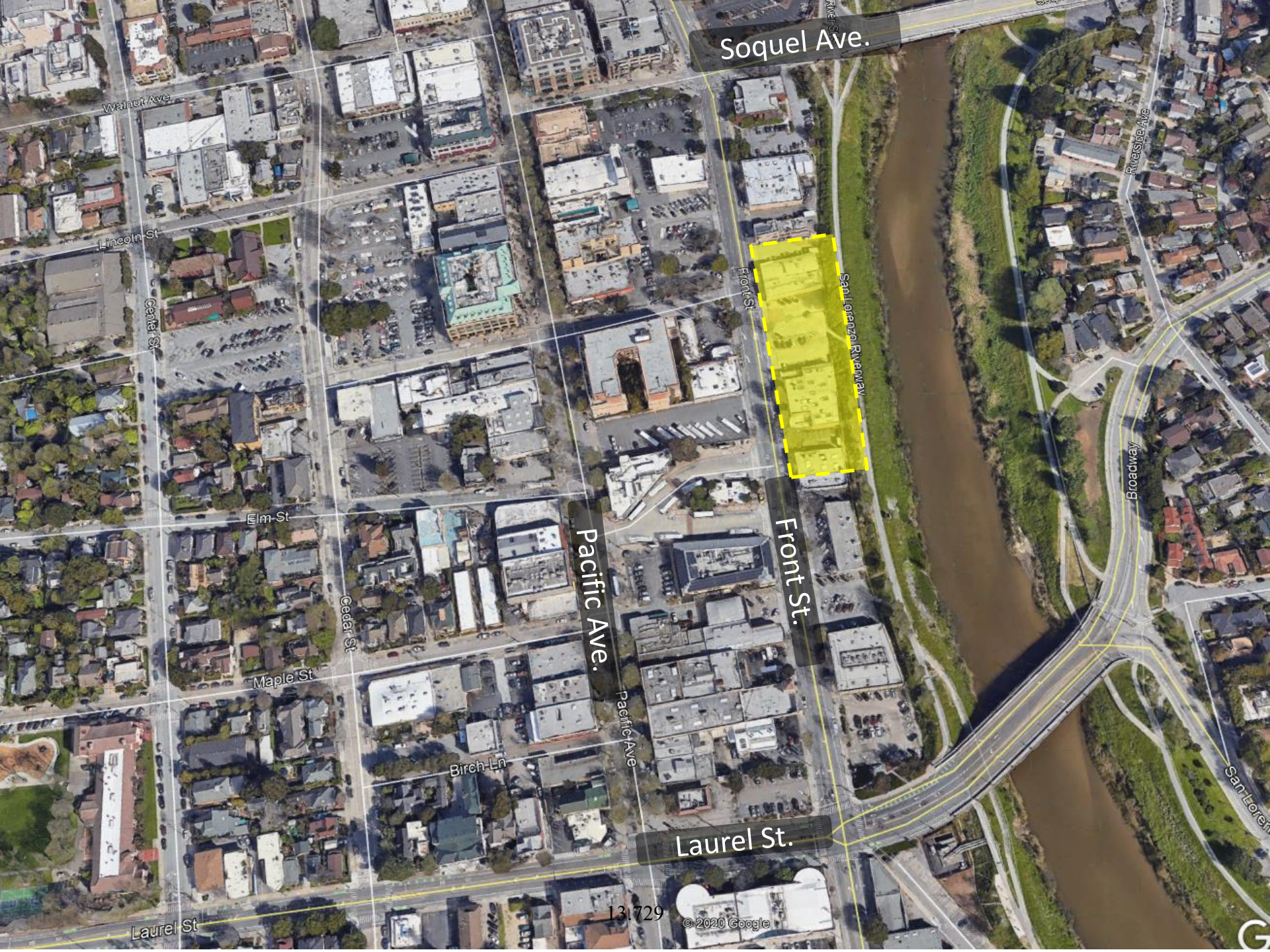
Further, the housing will be across from the proposed new Farmer's Market and the existing Metro Center, creating a diverse and walkable community near public transit.

Please approve the project to move forward.

Joyce D. Rodgers
Soquel, CA

Front Riverfront Mixed Use Project

Nonresidential Demolition Authorization Permit
Tentative Map
Design Permit
Special Use Permit
Administrative Use Permit
Coastal Permit
Revocable License for an Outdoor Extension Area
Heritage Tree Removal Permit
Street Tree Removal


Soquel Ave.
Walnut Ave.
Lincoln St
Center St
Front St
San Lorenzo Riverway
Riverside Ave
Broadway
Elm St
Pacific Ave.
Front St.
Cedar St
Maple St
Pacific Ave
Birch Ln
Laurel St.
Laurel St
© 2020 Google

CORNER AND ENHANCE CORNER DESIGN
UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS
CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.

Existing Planting to remain.
4 bike racks(8 spaces) for the commercial bike parking and 23 bike racks(46 spaces) for resident bike parking
Plaza Signage
Movable Planter Pot, typ.
Asphalt, typ.
Bench, typ.
Rubber Surface Landform
Bike Lane
Seating Element, typ.
Asphalt, typ.
Accent Paver, typ.
16" Seatwall, typ.
Accent Paver, typ.
Bike Lane
Sloped area. See Civil Drawings
Concrete Retaining Wall w/ 43" guardrails
Decomposed Granite, typ.
Lawn
String Light, typ.
Interactive Water Feature
Accent Paver, typ.
16" Seat Wall, typ.
Yoga Mat Storage Bench
Security Fence and Gate, typ. closed at night
Accent Paver, typ.
Lawn
Accent Paver Band, typ.
Raised Planter, typ.
New box Tree, typ. See Plant Palette - trees below.
Art Sculpture
Bike Rail
Grand Stairs w/ raised Planter and printed Graphic, 14' for Steps, overall Width 50'
Bike Rail
Seating Element, typ.
FRONT ST.
New box Street Tree with Tree Grate, typ. See Plant Palette - trees below.
Ingress/Egress Access. Existing Asphalt to remain.
FRONT St.
Existing Tree to remain, typ.

418

LOBBY

Coastal Commission Feedback

- Received Letter to CC on 11/10/20
- Met twice with Coastal Commission staff
  - Inclusionary calculation inaccurate
  - Impacts to Coastal Resources
  - Need for Additional Public Benefits
- Received Follow-Up Letter on 12/30/20
  - City should use their discretion in approving variations from LCP.
  - City require additional public benefits to allow for such variations.

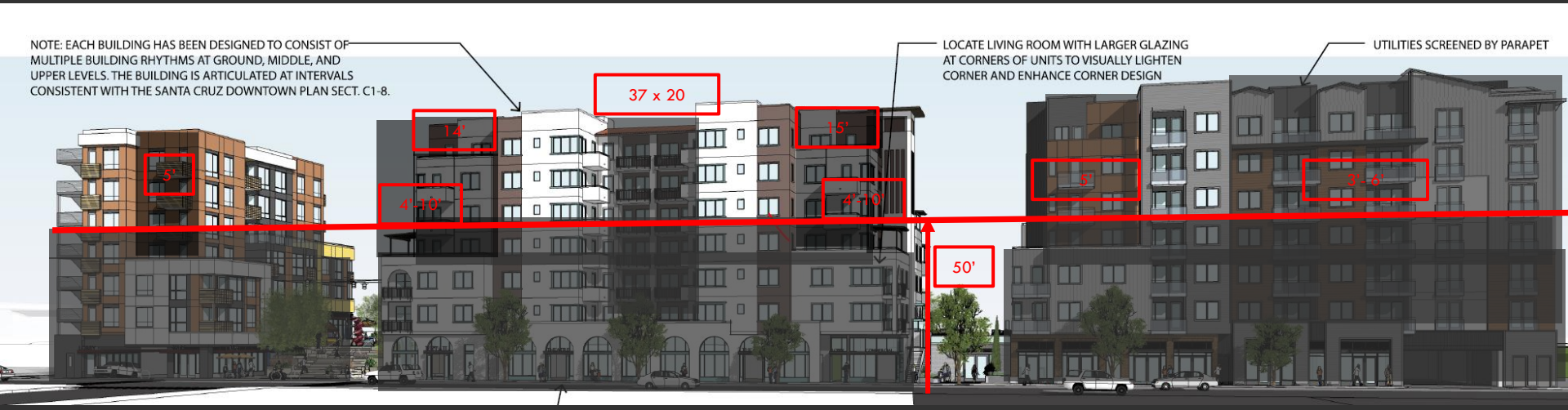
Coastal Commission/LCP Background

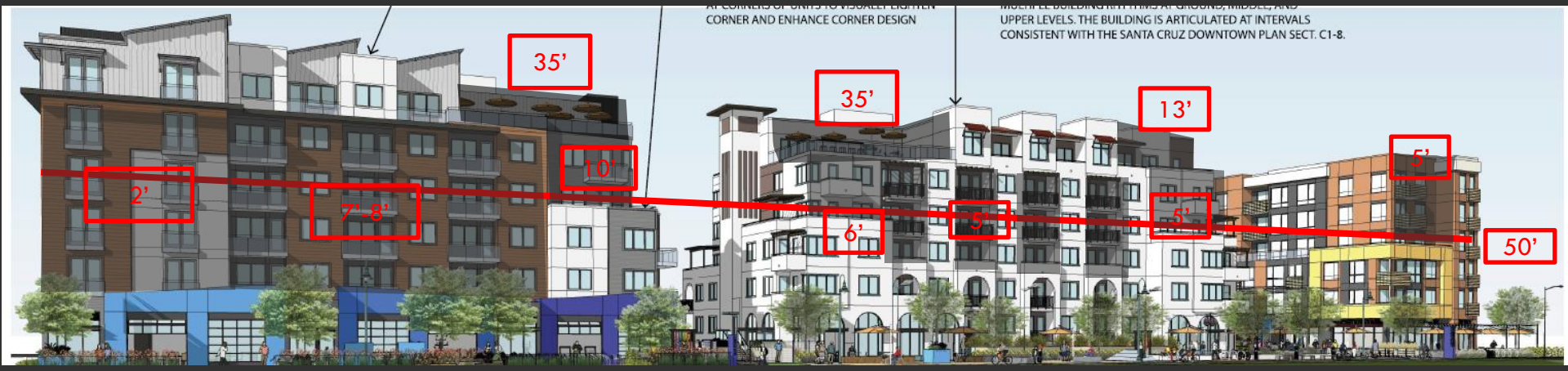
- 2017 Downtown Plan Amendments
  - Eliminate recovery component
  - Recognized appropriateness of increased density in downtown area
  - Increased height from 50 feet to 70-85 in certain areas.
  - Enhanced implementation of policies to strengthen the river as a natural amenity and recreational resource.
  - Approved by City Council – November 14 & 28, 2017
  - Approved by Coastal Commission – March 8, 2018

March 8, 2018 CCC Staff Report

"Overall, the proposed LCP amendment concentrates needed development in an appropriate place. It leverages the ability to build larger structures for design features that provide and enhance opportunities for public access and coastal recreation while avoiding significant adverse impacts to coastal resources. As such, the proposed IP changes can be found consistent with and adequate to carry out the certified LUP, and the proposed LUP changes can be found consistent with the Coastal Act."

"While these changes will impact views within and between the downtown and other areas, the impacts of the proposed changes are likely to be negligible. Currently the levee blocks street level views to the river in the downtown area, and the additional 20 to 35 feet of allowable building height between Pacific Avenue and the Riverwalk will not block any public views that would exist currently if the area was developed to the present 50 foot limit. LUP policies protecting views require identification of important vistas and require development to provide visual and physical breaks to allow access to these areas (LUP Community Design Element Policy 2.2.2); the IP amendment provides for passageways between Front Street and the Riverwalk that will help maintain views to the river."

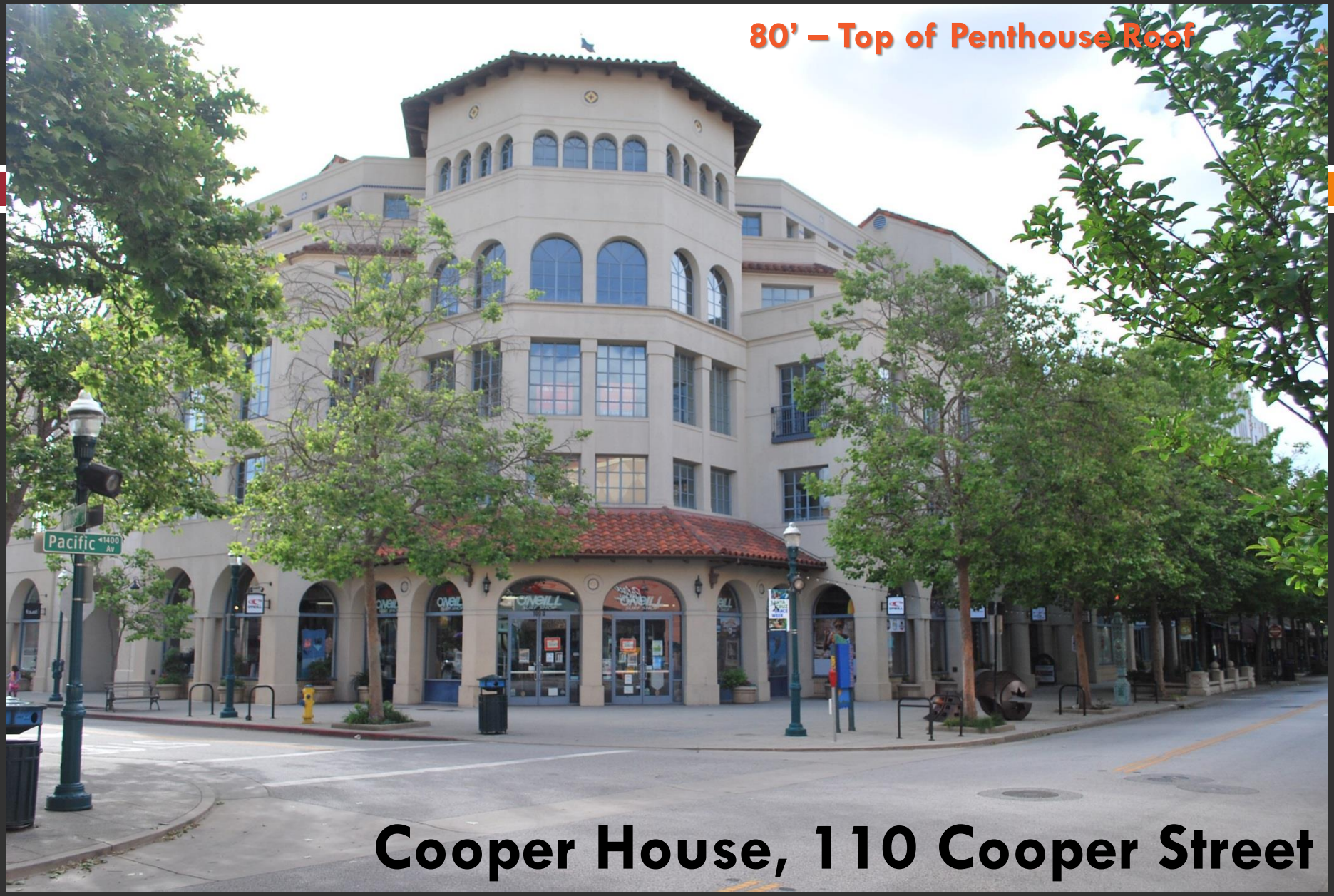

NOTE: EACH BUILDING HAS BEEN DESIGNED TO CONSIST OF MULTIPLE BUILDING RHYTHMS AT GROUND, MIDDLE, AND UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.
LOCATE LIVING ROOM WITH LARGER GLAZING AT CORNERS OF UNITS TO VISUALLY LIGHTEN CORNER AND ENHANCE CORNER DESIGN
UTILITIES SCREENED BY PARAPET
37 x 20
14'
15'
5'
4'-10'
4'-10'
5'
3'-6'
50'


CORNER AND ENHANCE CORNER DESIGN
UPPER LEVELS. THE BUILDING IS ARTICULATED AT INTERVALS
CONSISTENT WITH THE SANTA CRUZ DOWNTOWN PLAN SECT. C1-8.
35'
35'
13'
10'
5'
2'
7'-8'
6'
5'
5'
50'

University Town Center, 1101 Pacific

69.5' Top of Roof

76.5' – Top of Elevator Penthouse
66.5' – Top of 6th Floor
50.0' – Top of Parapet
Sesame
KOREAN GRILL
435


80' – Top of Penthouse Roof
Pacific
1400
AV
O'NEILL
Cooper House, 110 Cooper Street

El Palomar is 92 Feet tall

Pacific Front Laurel 85 Feet tall

Pacific Station South 80 Feet tall

Base building height per zoning code
Looking South West from the North side of the river bike path at the Soquel Bridge.

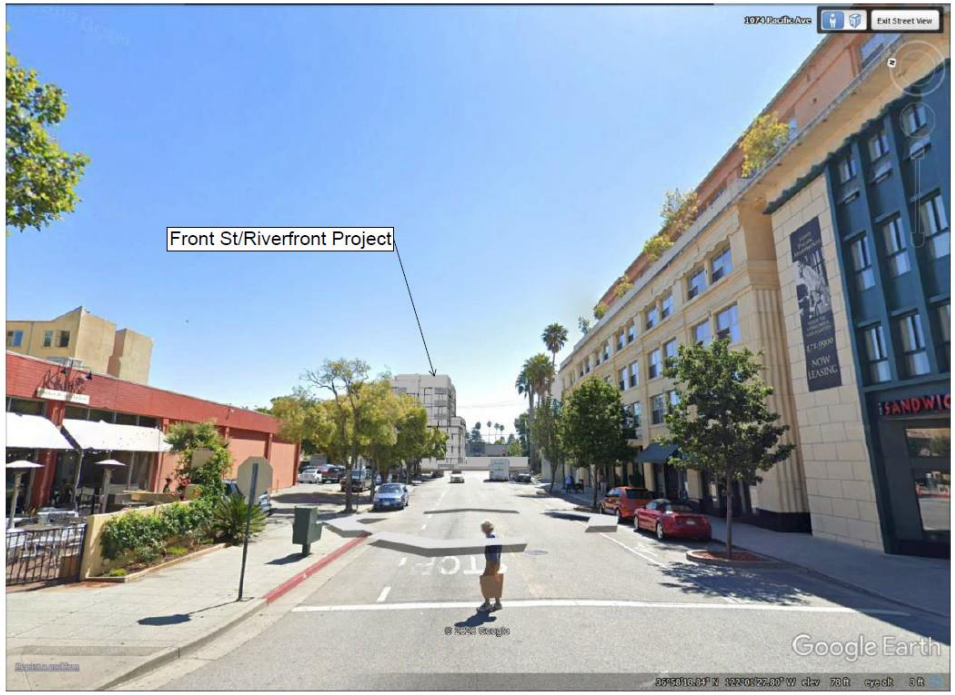
State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking South West from the North side of the river bike path at the Soquel Bridge.

Base building height per zoning code (70')
Looking North West from the South side of the river bike path at the Laurel Bridge.

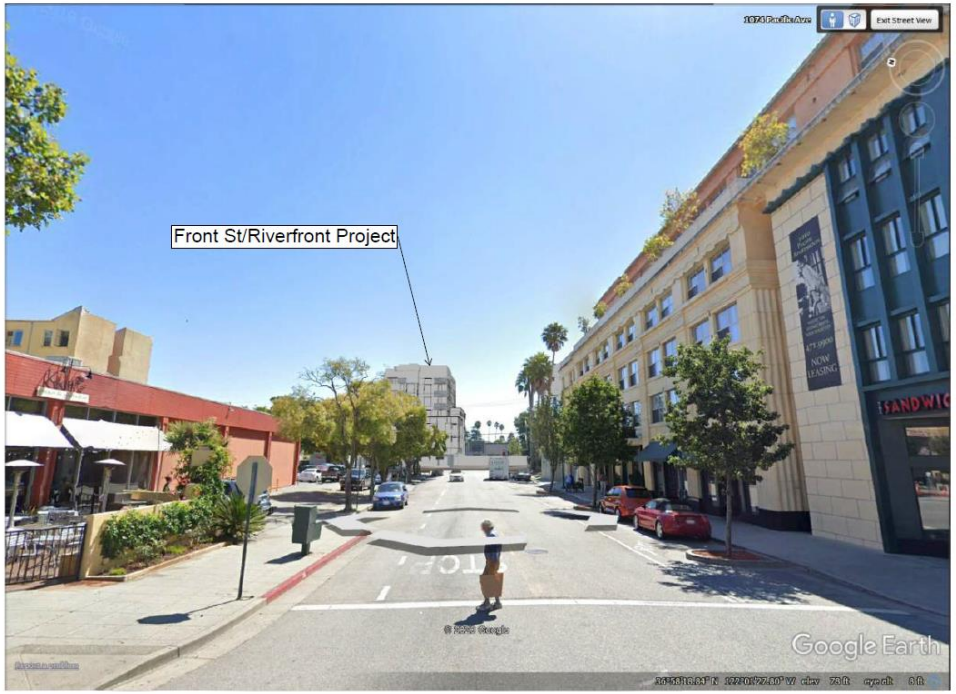
State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking North West from the South side of the river bike path at the Laurel Bridge.

Base building height per zoning code (70')
Looking North West from Laurel Street.

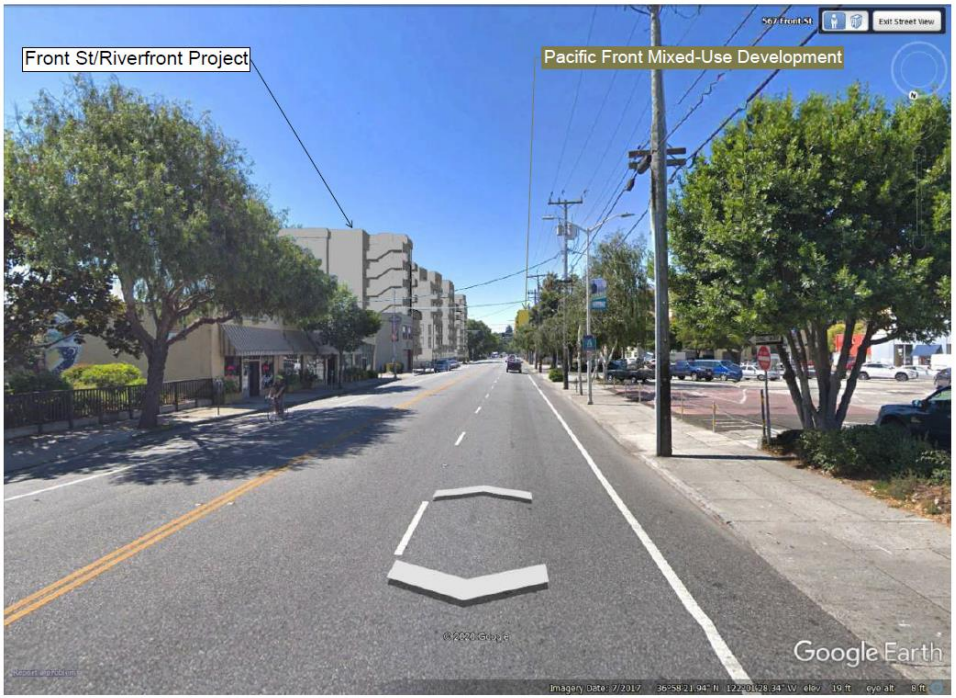
State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking North West from Laurel Street.



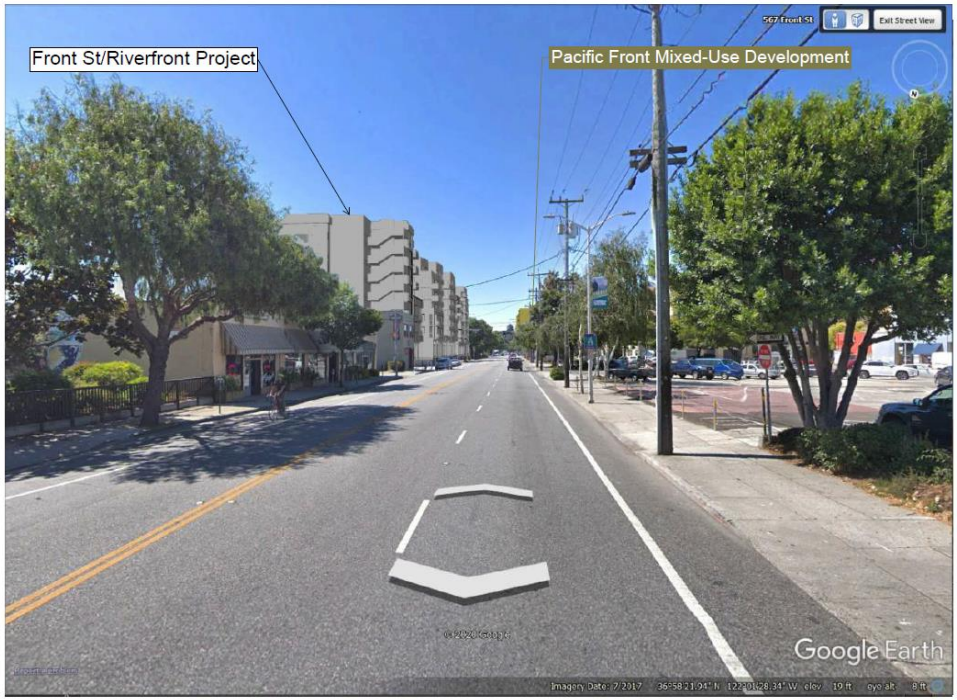
Base building height per zoning code (70')
Looking East from the corner of Cathcart and Pacific.



State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking East from the corner of Cathcart and Pacific.



Base building height per zoning code (70')
Looking South East from the North side of Front St.



State Density Bonus +7'-9" building height over zoning code (77'-9")
Looking South East from the North side of Front St.

Pacific Front Mixed-Use Development
Pacific Station Redevelopment
Front St/Riverfront Project

CCC Recommendations

- City should use their discretion in approving variations from LCP.
- City require additional public benefits to allow for such variations.

Downtown Plan, criteria for additional height:
"Clear demonstration of the public benefit relating to two principal objectives: high quality public access between Front Street and the river, and the appropriate treatment of the riverfront edge along the Riverwalk."

2019 LCP Amendment

24.16.262 Local Coastal Plan Consistency

1. State density bonus law provides that it shall not be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976.
2. For development within the coastal zone, the required density bonus and any requested incentive, concession, waiver, modification, modified parking standard, or commercial development bonus shall be consistent with State Density Bonus criteria. All applicable requirements of the certified Santa Cruz local coastal program shall be met (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access, and open space) with the exception of the numeric standards changed through the State Density Bonus provisions.

Recommendations

HPC 1) Partial Preservation of the historic buildings;

PC 2) Conditions of Approval to ensure that the murals are completed;

3) Conditions of Approval to require inclusionary units in additional to affordable density bonus units.

Recommendations

1. Certification of the EIR
2. Adopt Findings, MMRP, Statement of Overriding Considerations
3. Approval of permits based on findings and conditions

SC Riverfront Project – Draft Finding and Condition of Approval Language

1. Draft New Finding for Approval Resolution (to be included just before "Therefore, it shall be resolved. . .")

"In finding that approval of the Project is fully consistent with the Local Coastal Program, the City has fully considered the issues raised by the Coastal Commission staff in the letters dated November 10, 2020 and December 30, 2020, and has concluded that no changes to the Project, or additional conditions of approval, are necessary in order to satisfy the requirements of the LCP or the Coastal Act. Nevertheless, it is recognized that the Coastal Permit is appealable to the Coastal Commission, and because of the positions taken by the Commission staff, there can be no assurance that the Coastal Commission will not find a "substantial issue." If the Project is subject to such an appeal hearing, the applicant has indicated and the Council understands that result would be substantial cost and delay for the Project that may endanger the ability of the Project to proceed in a timely fashion, or at all, and therefore may risk all the substantial benefits of the Project, including but not limited to significant improvements to riverfront access and twenty affordable dwelling units, including fifteen units for very-low income families and five units for low income families. Therefore, in an effort to mitigate this risk, the applicant has voluntarily agreed to provide additional public benefits as enforceable conditions of approval. Said voluntary condition of approval is included in the attached "Exhibit A" as condition number 69.1 under the "Prior to Building Permit Final/Occupancy" heading. Although the City finds that such additional conditions are not required to achieve consistency with the LCP, these additional conditions, benefitting the riverfront area and affordable housing, are consistent with City and Coastal Act policies. In adopting these additional conditions, the Council understands that (1) in the event that the Coastal Permit is appealed and there is a finding of substantial issue, the Coastal Permit will be subject to de novo review and as a result these and all conditions of the Coastal Permit will become null and void unless imposed by the Coastal Commission, and further (2) as a result of any such appeal process, the applicant will incur substantial costs and, as a result, the applicant has indicated that they may oppose the re-imposition of the above condition by the Coastal Commission.

Because this new condition is not required for the Coastal Permit to be consistent with the LCP, and is instead proposed in response to special circumstances, the imposition of these additional conditions shall not be considered to set any precedent for any future projects within the Coastal Zone."

2. New Condition of Approval of Local Coastal Permit:

"As an additional condition of approval for the Coastal Permit only, as voluntarily agreed to by the applicant, the Project shall make the following payments prior to certificate of occupancy being issued, unless otherwise specified:

- A pro-rata contribution not to exceed $50,000 towards the City's upcoming preparation of a San Lorenzo River management, maintenance, and enhancement plan, including the associated studies and CEQA documentation, that will address activation, public amenities, environmental habitat restoration, and climate adaptations along the river. .
- A contribution of $400,000 to the City's Affordable Housing Trust Fund.
- If a funding offset for a portion of the Front Street signal improvement adjacent to the project can be secured, then a 50% matching amount of the funding offset, up to $100,000, will also be provided by the developer to the City's Affordable Housing Trust Fund.,

If the Coastal Commission finds substantial issue, and considers an appeal, that appeal is a de novo proceeding. For the avoidance of any confusion, given that this is a voluntary contribution, in the event the Coastal Commission finds a substantial issue and asserts jurisdiction in the event of an appeal, then the City acknowledges that, due to the de novo nature of the Coastal Commission's hearing, this condition will be null and void, and the City understands that, if it is proposed as a part of a Coastal Commission approval, it could, at the applicant's discretion, be challenged by the applicant."

CITY OF SANTA CRUZ

INFORMATION REPORT

COUNCIL MEETING

1/12, 2021

DATE: December 16, 2020

TO: City Manager

DEPARTMENT: Finance

SUBJECT: Portfolio Management Report – Pooled Cash and Investments as of November 30, 2020

APPROVED: DATE: 12.21.20

Attached is the Portfolio Management Report for the City's internal investment pool as of November 30, 2020. We will continue to provide a separate expanded summary report of market conditions and current investment activity at the end of each quarter.

The report provides information about how most funds held by the City are pooled and invested. It includes charts and graphs that reflect the investment distribution by issuer, pooled portfolio by detail, projected cash flow from maturing investments, historical portfolio yields for the investment pool, and yield comparisons with other investment benchmarks. Pooled investments reported here do not include certain unpooled City investments that are required by bond and loan covenants to be held separately. Those unpooled investments are described on a quarterly basis in a separate information report entitled "Portfolio Management Report – Unpooled Cash and Investments."

The majority of the pool is on deposit with the State of California Local Agency Investment Fund (LAIF), which provides a stable, liquid investment vehicle for the City. The City also invests in various federal agency securities. The attachments reflect an interest rate environment in which the City's average investment yields and market rates are declining. The federal government continues to call higher yielding agency investments prior to maturity, and if not needed for current expenditures, these funds are reinvested in new lower rate investments consistent with market conditions. As of November 30, 2020, the City's rate of return, based upon yield to maturity for outstanding investments, is 0.752%.

The Finance Department will continue to review all investments in the pooled cash and investment accounts to ensure that the primary objectives of safety and liquidity are being met, consistent with the City's Investment Policy. Once those requirements are satisfied, staff will strive to maximize the yield on the City's investments.

Prepared by:
Kim Wigley
Kim Wigley
Finance Manager

Approved by:
K Krause
Kim Krause
Finance Director

Attachment: Pooled Investment Report

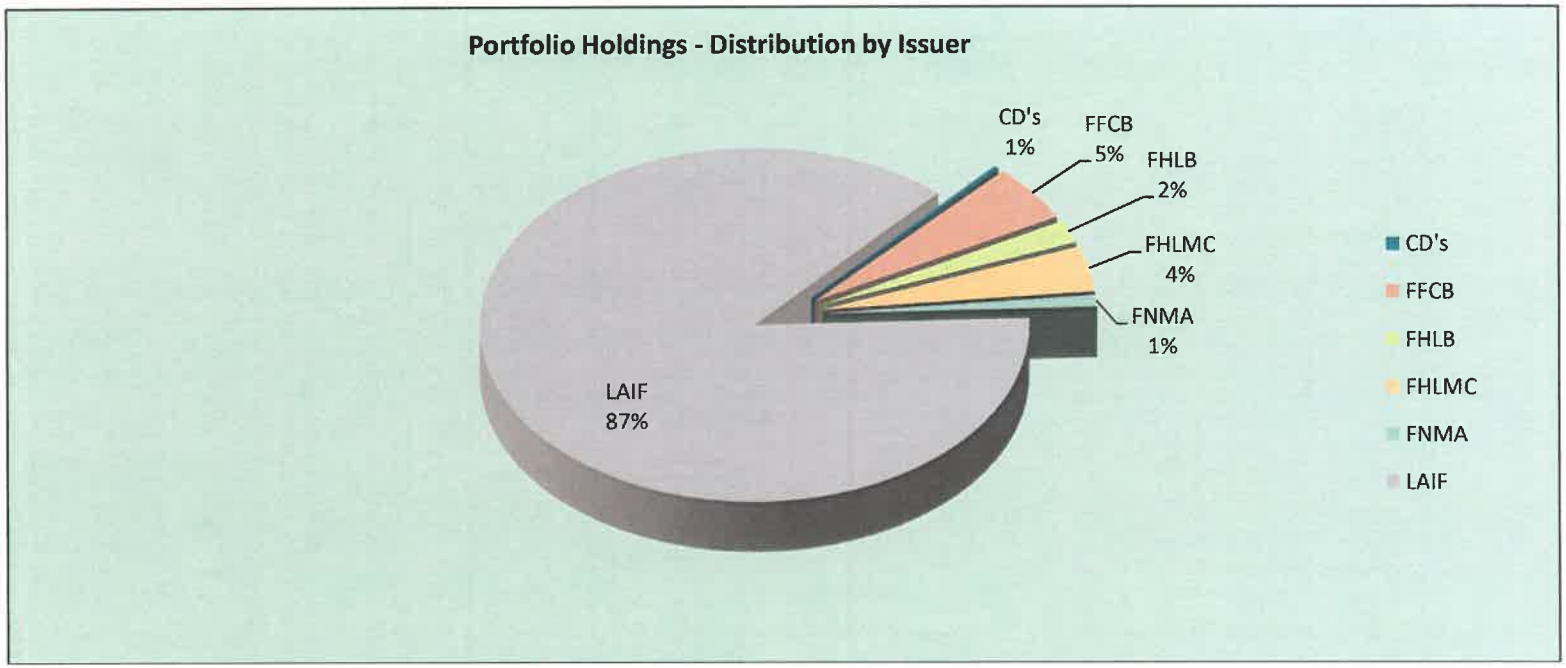
FN FYI Pooled Cash and Investments - Monthly

FN FYI 336

City of Santa Cruz
Santa Cruz Pooled Portfolio Summary
As of 11/30/2020

Issuer	Par Value	Market Value	Cost	Days To Call/ Maturity	Yield to Maturity @ Cost	% of Portfolio
Local Financial Institution Certificates of Deposit	304,867.95	304,867.95	304,867.95	738	0.537	0.32%
Federal Farm Credit Bank (FFCB Bond)	5,000,000.00	5,096,700.00	4,998,230.00	398	2.064	5.18%
Federal Home Loan Bank (FHLB Bond)	2,000,000.00	2,013,040.00	2,000,000.00	132	1.875	2.07%
Federal Home Loan Mortgage Corporation (FHLMC Bond)	4,000,000.00	4,047,970.00	3,962,980.00	265	1.967	4.14%
Federal National Mortgage Association (FNMA Bond)	1,000,000.00	1,007,620.00	967,760.00	260	2.010	1.03%
Local Government Investment Pool (LAIF)	84,282,143.54	84,628,925.28	84,282,143.54	1	0.576	87.26%
Total / Average	**96,587,011.49**	**97,099,123.23**	**96,515,981.49**	**40**	**0.752**	**100.00%**

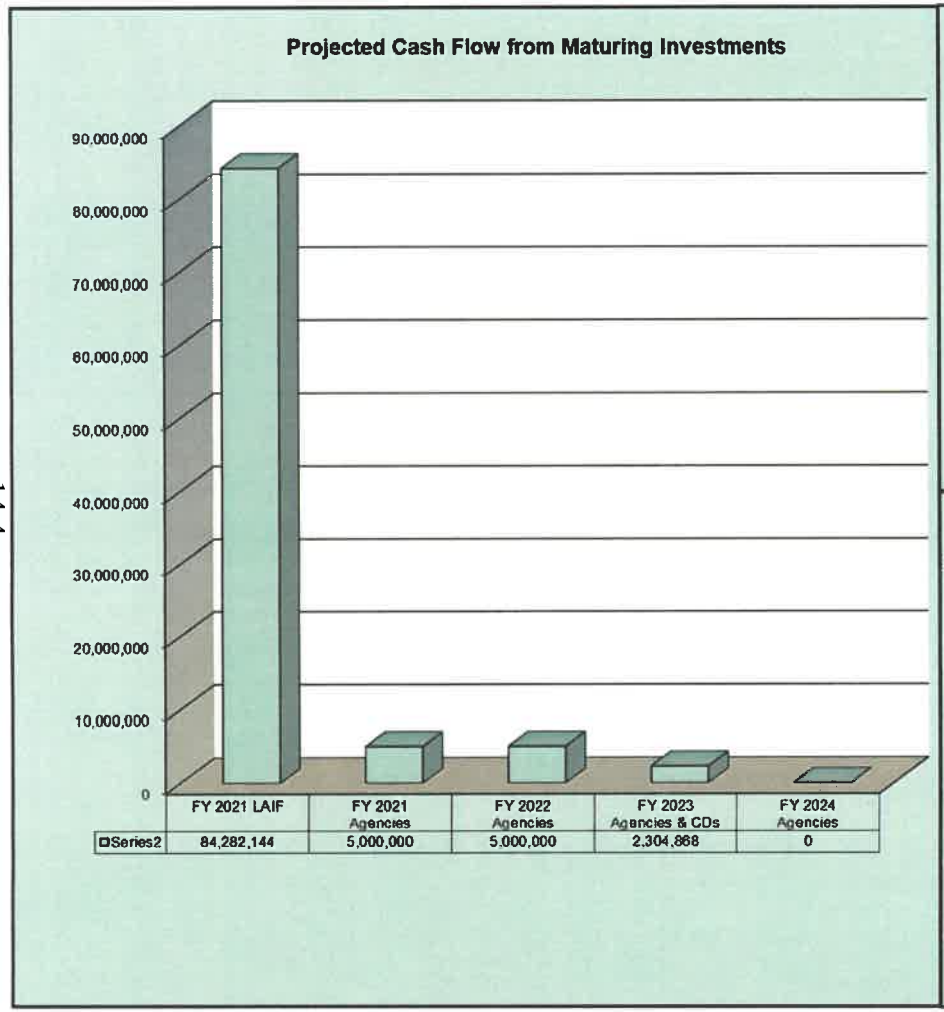
Earnings	Month Ending 11/30/20	Fiscal Year To Date
Interest/Dividends	21,162.38	715,312.68

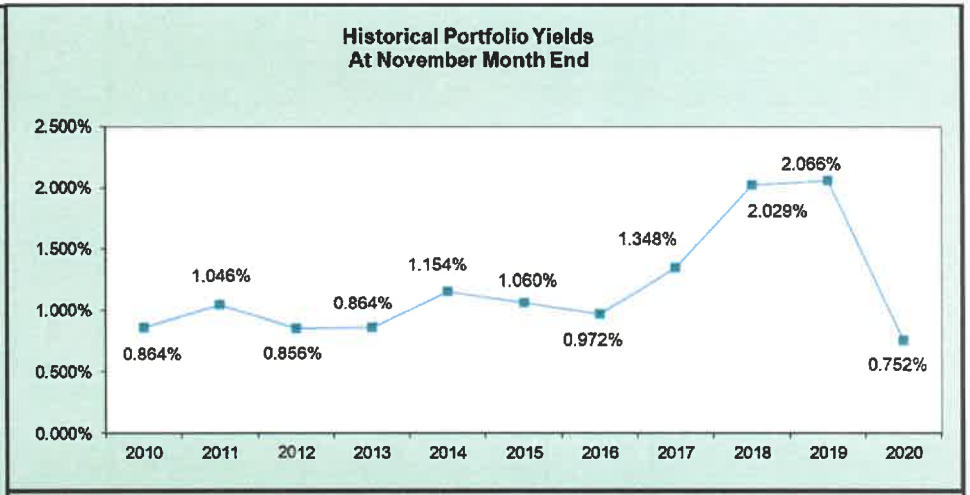


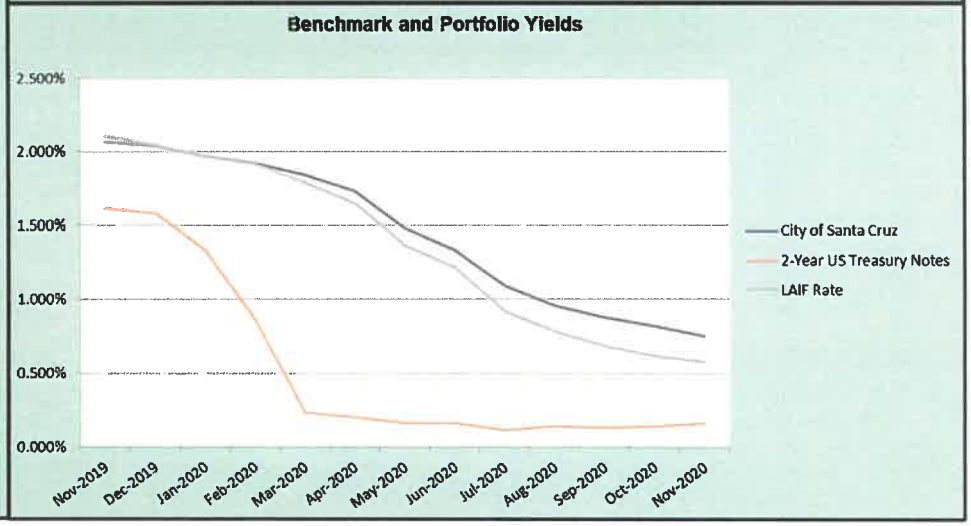
City of Santa Cruz
Portfolio Holdings
As of 11/30/2020

Issuer	Description	CUSIP/Ticker	Coupon Rate	Maturity Date	Next Call Date	Face Amount/Shares	Market Value	Cost Value	Days To Call/Maturity	YTM @ Cost
Certificate Of Deposit										
Comerica Bank	Comerica Bank 0.2 12/14/2022	CD-CB05	0.200	12/14/2022		100,605.79	100,605.79	100,605.79	744	0.200
Lighthouse Bank	Lighthouse Bank 1 12/9/2022	CD-LB04	1.000	12/09/2022		103,045.42	103,045.42	103,045.42	739	1.000
Santa Cruz County Bank	Santa Cruz County Bank 0.4 12/1/2022	CD-SCCB05	0.400	12/01/2022		101,216.74	101,216.74	101,216.74	731	0.400
Sub Total / Average	Certificate Of Deposit		0.537			304,867.95	304,867.95	304,867.95	738	0.537
FFCB Bond										
FFCB	FFCB 1.6 7/15/2022	3133ELHU1	1.600	07/15/2022		2,000,000.00	2,045,420.00	2,000,000.00	592	1.600
FFCB	FFCB 1.75 5/3/2021	3133EHHG1	1.750	05/03/2021		1,000,000.00	1,006,970.00	998,630.00	154	1.786
FFCB	FFCB 2.625 4/4/2022	3133EJJM2	2.625	04/04/2022		1,000,000.00	1,032,830.00	999,600.00	490	2.636
FFCB	FFCB 2.7 5/10/2021	3133EJNS4	2.700	05/10/2021		1,000,000.00	1,011,480.00	1,000,000.00	161	2.700
Sub Total / Average	FFCB Bond		2.055			5,000,000.00	5,096,700.00	4,998,230.00	398	2.064
FHLB Bond										
FHLB	FHLB 1.75 2/24/2021-18	3130ABYY6	1.750	02/24/2021		1,000,000.00	1,003,790.00	1,000,000.00	86	1.750
FHLB	FHLB 2 5/28/2021-18	3130ACUK8	2.000	05/28/2021		1,000,000.00	1,009,250.00	1,000,000.00	179	2.000
Sub Total / Average	FHLB Bond		1.875			2,000,000.00	2,013,040.00	2,000,000.00	132	1.875
FHLMC Bond										
FHLMC	FHLMC 1.125 8/12/2021	3137EAEC9	1.125	08/12/2021		1,000,000.00	1,006,990.00	962,980.00	255	2.000
FHLMC	FHLMC 1.8 6/29/2021-18	3134GBUF7	1.800	06/29/2021		1,000,000.00	1,009,850.00	1,000,000.00	211	1.800
FHLMC	FHLMC 2 9/16/2021-18	3134GA5C4	2.000	09/16/2021		1,000,000.00	1,015,010.00	1,000,000.00	290	2.000
FHLMC	FHLMC 2.07 9/28/2021-18	3134GBAX0	2.070	09/28/2021		1,000,000.00	1,016,120.00	1,000,000.00	302	2.070
Sub Total / Average	FHLMC Bond		1.755			4,000,000.00	4,047,970.00	3,962,980.00	265	1.967
FNMA Bond										
FNMA	FNMA 1.25 8/17/2021	3135G0N82	1.250	08/17/2021		1,000,000.00	1,007,620.00	967,760.00	260	2.010
Sub Total / Average	FNMA Bond		1.250			1,000,000.00	1,007,620.00	967,760.00	260	2.010
Local Government Investment Pool										
LAIF	LAIF LGIP	LAIF	0.576	N/A	N/A	50,560,127.45	50,768,158.81	50,560,127.45	1	0.576
LAIF	LAIF LGIP	LAIFRDA	0.576	N/A	N/A	33,722,016.09	33,860,766.47	33,722,016.09	1	0.576
Sub Total / Average	Local Government Investment Pool		0.576			84,282,143.54	84,628,925.28	84,282,143.54	1	0.576
Total / Average			0.735			96,587,011.49	97,099,123.23	96,515,981.49	40	0.752

City of Santa Cruz
Santa Cruz Pooled Portfolio Statistics & Performance
As of 11/30/20







CITY OF SANTA CRUZ

INFORMATION REPORT

COUNCIL MEETING

1/12, 2021

DATE: December 15, 2020

TO: City Manager

DEPARTMENT: Planning and Community Development

SUBJECT: **831 Water Street – Pre-application for Mixed-Use Development (PLFYI 053)**

APPROVED: DATE: 12/16/2020

BACKGROUND

On October 12, 2020 the Planning Department received a Pre-application (CP20-0121) to review a proposed development at the northwest corner of Water Street and North Branciforte Avenue (823, 831, 833, 905, and 907 Water Street). The purpose of the Pre-application review is to allow applicants to receive preliminary feedback from City staff. This enables an applicant to address significant design issues before a formal application is filed. For larger projects such as this, a Pre-application review allows early public input at community meetings in accordance with the City's Community Outreach Policy more fully discussed below.

PROJECT DESCRIPTION

The proposal being reviewed as part of this Pre-application includes demolition of the commercial buildings on the site and construction of two, five-story, mixed-use buildings that total 114,039 square feet. The proposed project includes 151 apartments (34 studios, 46 1-bedrooms, and 3 2-bedrooms) with shared underground parking, ground-floor commercial and residential amenity space, and rooftop open space and commercial bar/lounge. The project also includes a request for a State Density Bonus of 35% pursuant to providing a minimum of 11% of the base density units as affordable to Very Low Income households, however the applicant indicates that the project may provide as much as 51% of units as affordable to households between 30% and 80% of Area Median Income. The applicant is requesting increases in building height and Floor Area Ratio (FAR) as Density Bonus incentives/concessions and/or waivers, which would result in a 59-foot tall building where 40 feet is the maximum height in the zone district, and a 2.9 FAR where 2.75 is the maximum allowed in the General Plan. The applicant indicates that the variations are necessary in order to achieve the density and height needed for project feasibility and to accommodate density bonus units.

The Density Bonus is a requirement set forth by the State that all jurisdictions provide certain benefits to a residential project (greater than five units) that includes a specified percentage of deed-restricted affordable units at identified levels of affordability. The Density Bonus law specifies a variety of benefits for qualifying projects, such as increased density and maximum parking requirements, and it allows for deviations from objective standards through waivers and/or concessions/incentives. Staff is evaluating the project's compliance with the Density Bonus law and any discretion that the City may have in how it applies to this project.

INTERDEPARTMENTAL REVIEW

To date, an interdepartmental review meeting has been conducted to discuss the project and some written comments have been received from various departments. The following is a summary of some of the issues raised by interdepartmental review staff:

- Police Department (in conjunction with the Planning Department) are in the process of reviewing the proposed rooftop bar to determine if the use will be a high- or low-risk alcohol outlet and to determine if the use is acceptable in the proposed location.
- Fire Department requests revisions to address an existing 12-foot wide emergency access lane that was recorded in 2006 with the westerly adjacent Belvedere Cottages development and that runs through the southern portion of one of the parcels on the project site (APN 009-212-38).
- Public Works Department indicated that the project would require a traffic study to analyze parking and on-site circulation, the proposed driveway access off Water Street, and impacts to bicycle movement. The Public Works Department has also requested a dedication of right-of-way to develop a right-turn lane on southbound North Branciforte Avenue.

DESIGN DISCRETION

Since the Pre-application review was submitted, staff has created a project webpage in accordance with the Community Outreach Policy. The webpage allows for members of the public to comment on the proposal. Since creation of the webpage, a number of comments have been received expressing concern with the design and massing of the development and the lack of compatibility with the immediate neighborhood. At this early stage, Planning staff are hopeful that the applicant will be open to design suggestions from the Planning Department and the community to achieve a more harmonious appearance, though the City has to be mindful of requirements contained in recent housing-related legislation adopted by the State.

As noted in the Housing Study Session conducted on November 4th, the Housing Accountability Act (HAA) is a California state law designed to promote infill development. It limits the ability of local governments to restrict the development of new housing when the proposed development meets the City's "objective general plan and zoning standards", "does not cause a significant, adverse impact" to public health and safety, and meets the standards of the California Environmental Quality Act.

In order for the City to deny an application that meets the City's objective standards, it must make a written finding that the project creates a "significant, adverse impact" to public health and safety and provide substantial evidence to support said finding. The HAA also, among other things, eliminates the ability of jurisdictions from proposing modifications to a project that would reduce the number of units to be developed and from adopting new rules that would retroactively make the project non-compliant.

It should be noted that the HAA does not in any way supersede the City's obligation to mitigate impacts as required under the California Environmental Quality. For instance, the project site is within a mapped sensitive archaeological area. Adjacent developments to this site have discovered archeological resources from the Villa Branciforte settlement. An evaluation of impacts to those potential archeological resources will be required with a formal application.

COMMUNITY OUTREACH

A Community Meeting is required pursuant to the City's Community Outreach Policy for Significant Planning Projects, and the feedback provided may contribute to alterations in the project design and additional project entitlements. There are no formal actions that are taken to approve or deny a project that has been submitted for Pre-application review, rather the process results in feedback from the City and the community. The community meeting is tentatively scheduled for mid-January and will be conducted via online conferencing due to the COVID-19 crisis.

Although the City has received a petition to cancel the community meeting due to the Covid-19 crisis, doing so would actually result in a disservice to the community insofar as it would effectively eliminate an opportunity for the public to provide early input. The formal permit application process is subject to the permit processing timeframes established by the Permit Streamlining Act, and the project may be eligible for additional permit streamlining under recent housing bills; therefore, the timeframe within which to comment may be significantly shorter under a formal application. In other words, once a formal application is submitted, the City is legally bound to process it in accordance with timelines specified by the state. Delay of the community meeting on the Pre-application could just mean that the applicant submits a formal application to proceed without the input from the community meeting, and staff would be required to proceed with review of the formal application. Of note, plans submitted for Pre-application review are typically more flexible than the plans that are submitted with a formal permit application in that they are usually conceptual and not yet fully engineered; therefore, input from the community is very valuable at the early Pre-application review phase when changes are less costly and therefore easier to incorporate into the proposed design.

Staff has received feedback that some community members are uncomfortable participating in Zoom meetings. For those members of the public who are not comfortable attending a web-based community meeting, the project plans are available on the Planning Department's website at: http://cityofsantacruz.com/831water. This webpage is dedicated to the project and includes an online form that allows for the public to submit comments directly to the project manager. These comments are kept throughout the process as part of the public record and are provided to decision-makers in advance of a public hearing. The project webpage also contains an online form where community members who are interested in following the project can sign up for email alerts related to the project, such as community meeting notifications, formal application submittal, receipt of revised plans, or posting of project-related information on the website.

At this time, staff does not provide hard copy plans for public review due to COVID-19; however, staff could request that the developer provide hard copies of the plans for viewing without any personal contact needed through use of the locked bin located in front of the Planning Office.

Michael Ferry is the planner on this project.

VIEW FROM N BRANCIFORTE AVE AND WATER ST

Prepared by: Mike Ferry, Senior Planner

Submitted by:

Lee Butler
Director of Planning and Community Development

ATTACHMENTS:
None

CRS B-