

**City of Scotts Valley
INTEROFFICE MEMORANDUM**

DATE: October 15, 2014

TO: Mayor Jim Reed and Members of the City Council

FROM: Corrie Kates, CCD/DCM

APPROVED: Steve Ando, City Manager

SUBJECT: A PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL FOR A GENERAL PLAN AMENDMENT, ZONING ORDINANCE AMENDMENT, PLANNED DEVELOPMENT DISTRICT, PLANNED DEVELOPMENT PERMIT, USE PERMIT AND DESIGN REVIEW APPLICATIONS FOR THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS SITE INTO AN EDUCATIONAL LEARNING CENTER FOR THE 1440 FOUNDATION

BACKGROUND

The project site is located on Bethany Drive at the former Bethany University Campus (Attachment 1 - Location Map). From 1950 to 2011, the project site was used as a religious education facility, known as Bethany University.

SUMMARY OF ISSUE

The development plans will allow construction of an integrated campus that incorporates new and remodeled buildings constructed around an extensive network of pedestrian pathways, all set within a forested landscape of redwoods and other native plantings. The central core of the campus will be on the northern side of the proposed re-aligned Bethany Drive, adjacent to the current chapel. Extensive re-grading, particularly on and around the existing Swanson Hall (which will be demolished), will create a more walkable campus to both spatially and visually integrate the campus.

As shown in Table 1: Land Use Summary, the existing Bethany University is comprised of 185,924 square feet (sf.) At full build out, the proposed development plans entail the

demolition of 69,916 sf., the remodeling of 93,867 sf., and the construction of 234,288 sf. of which 113,860 sf. is non-habitable (parking garage). Total habitable square footage will increase by only 29,795 sf., approximately 16% as compared to existing conditions.

Table 1: Land Use Summary

	Demolished Structures (sf.)	Remodeled Structures (sf.)	New Structures (sf.)	Guest Beds	Parking Spaces	Total Building Space (sf.)
Existing Bethany University						184,500
Phase 1	69,916 sf.	93,867 sf.	51,860 sf.	360	427	145,727
Phase 2	--	--	182,428 sf. (1)	140	590	328,155
Campus Totals	69,916	93,867	234,288	500	590	328,155
Less Non-habitable Space (parking garage)						113,860 ⁽¹⁾
Total habitable Space						214,295
Net New Habitable Space						29,795

Notes:

(1) Includes a 113,860 sf. parking garage

Source: Gerald Yates Architect, 2014.

The proposed project will be developed in two phases. A detailed description of each phase is described in the attached Planning Commission Staff Report.

PLANNING COMMISSION REVIEW

On September 11, 2014, the Planning Commission reviewed the proposed project plans and recommended approval of the project to the City Council. A full discussion of the project is attached in the Planning Commission meeting minutes, resolution and staff report (Attachments 3, 4 & 5 - Planning Commission Minutes, Resolution, and Staff Report). The Planning Commission received comments from 12 individuals regarding the project. While all of the individuals expressed support for the project, some expressed concerns regarding the proposed West Field Parking Garage and traffic impacts on Bethany Drive. The following is a summary these issues.

West Field Parking Garage

As part of Phase 2, the surface parking lot at Gaston Circle will be removed. To accommodate the additional parking demand, the West Field surface parking lot will be replaced with a new two-story, multi-level garage that will accommodate 474 parking

spaces. The garage will be constructed essentially at-grade. A majority of the structure will be a maximum of 22 feet with tower elements on the corners. The towers are for stairwells that are approximately 36 feet in height. The exterior of the garage will be comprised of colored sand blasted concrete. A series of pergola structures will be constructed on the top level to soften its visual appearance and provide shade.

A number of speakers expressed concerns regarding construction of a parking garage on the West Field as part of Phase 2. Issues included:

1. Relocation of the garage either on- or off-site
2. Proximity to existing residences which are located to the west and north.
3. Visual impacts
4. Light and glare
5. Noise from vehicles
6. Auto-emissions and air quality
7. Security

Garage Relocation

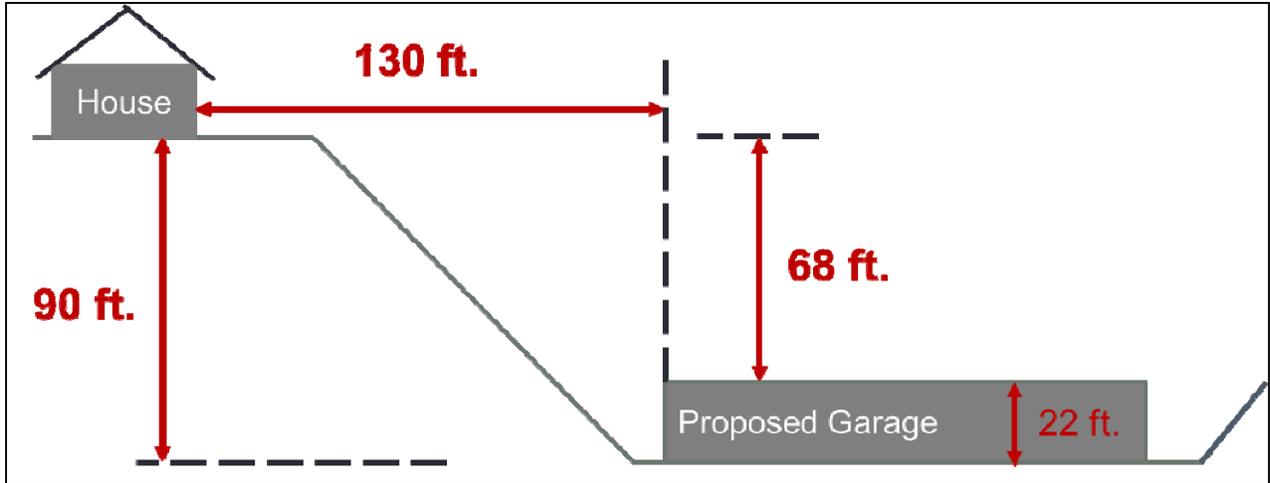
One suggestion was to locate the garage on Gaston Circle and move the proposed housing to the West Field. Gaston Circle is located on a sloping hillside with a ~30 foot change in grade elevation. As such, designing a garage on such a site would require removal of a significant amount of fill and/or considerable engineering challenges. Additionally, to ensure proper fire truck access, a perimeter road would have to be constructed around the entire structure and each floor would have to be 16 feet in height (for internal fire truck access), resulting in a tall, narrow garage. Both issues would result in a garage that would be prohibitively expensive to construct and visually obtrusive.

Because the proposed garage on the West Field would be accessible via a bridge from the connector road to the top of the garage, a perimeter road would not be required and a fire truck would not be required to access each floor, resulting in a lower building height. Additionally, this site is already flat and would not require the removal of fill.

It was also suggested that the project applicant utilize the existing parking located at the Enterprise Technology Center Campus. This was determined not to be feasible as 1) the project applicant does not control the property, and 2) the parking lot is dedicated to on-site uses.

Proximity / Setbacks

A comment was raised about the proximity of the garage to existing surrounding residents. As shown in the diagram below, the project site is located approximately 90 feet lower and 130 feet away from the closest house, well in excess of existing city setback requirements.



Visual Impacts

The proposed garage is located within a “bowl”, surrounded on three sides by steep topography and significant stands of tall evergreen trees. The closest houses are approximately 68 feet above the top of a ~22 ft. high structure, and are screened from view by a densely vegetated hillside. Additionally, the proposed garage would not be visible from surrounding public streets, including Tabor Way and Bethany Way.

Light and Glare

Garage lighting would utilize downward-pointing low-energy LED lighting. The top of the proposed garage would contain four pole-mounted lights and 11 lights mounted to pergolas. The lighting plan has been designed to minimize light dispersion beyond the limits of the structure. Lighting levels would remain very low, averaging only 1.40 foot candles (fcs) on the surface of the garage and 0.03 fcs at the perimeter.

Additionally, Condition of Approval T-10 contains additional language to require the use of “intelligent” lighting systems (e.g. motion and light sensors, timers, etc.) that minimize night lighting to the maximum extent practical while maintaining proper safety.

Noise

Noise from the garage would occur as a result of vehicles traveling in the garage and from car alarms. Typical noise in a suburban environment ranges from 50 to 60 dBA (average annual day-night decibel level). This is the same noise level as a car traveling at 20 miles per hour (MPH) at 50 feet, which is similar to that of a garage.

Table 3 of Noise Element of the City’s General Plan and City noise standards (Municipal Code Section 17.44.020.C3) require that the maximum noise level cannot exceed 60 dBA for residential, park, or institutional uses and that the maximum noise increase in

dBA for a proposed project adjacent to existing residential cannot exceed 3 dBA as measured 50 ft. from the property line.

Additional noise analysis was prepared by Edward L. Pack Associates, Inc., acoustical consultants, to model the potential noise impacts associated with the proposed parking garage (Attachment 9). Existing ambient noise conditions were measured from the deck of an adjacent residence. A noise model was then used to forecast future noise conditions in the proposed garage, taking into account the design of the garage and existing topography.

The analysis concluded that noise conditions associated with operation of the proposed garage, as averaged over a 24-hour period, would be well below the limit of the city's noise standard.

Emissions & Air Quality

Emissions from automobiles and trucks include hydrocarbons, carbon monoxide, nitrogen dioxide, and carbon dioxide. Due to advances and technology (e.g. catalytic converters) and more stringent regulations, vehicle emissions have been reduced by nearly 90% since the mid-1960s.

For the proposed garage, guest vehicle travel will largely be limited to Fridays and Sundays and will typically occur over a seven hour period. It is estimated that there will be approximately 600 average daily trips on each of these two days. This is about 400 trips less than that of a typical neighborhood street, which experiences approximately 1,000 average daily trips.

Additionally, the proposed garage will be ventilated on all four sides allowing ventilation of air without the need for fans, which would be noisy. Because prevailing winds are predominantly travelling south and east, this is away from the existing houses located on Tabor Drive.

Given these facts, City staff concluded that air quality impacts would not be significant which is consistent with the findings as discussed in the Initial Study/Mitigated Negative Declaration (IS/MND).

Security

Some speakers expressed concerns about safety associated with operation of the garage and its proximity to the existing housing on Tabor Drive.

As a condition of approval, the applicant will be required to install security cameras at the garage which will provide 24 hour surveillance. Additionally, the garage will be periodically monitored by an on-campus security service.

Parking Management Plan

To help further reduce potential impacts associated with the construction and operation of the parking lot and parking garage, the project has been conditioned to require the project applicant to prepare a Parking Management Plan (Attachment 10). Key features will include the following:

1. Preparation of a Phase 1 Parking Demand Analysis.
2. During Phase 1, fully utilize Gaston Circle before using the West Field.
3. Incorporate additional landscape screening on project site and on adjacent residences (as appropriate).
4. Treat the surface of the garage to reduce/avoid tire noise.
5. Provide an on-site parking garage coordinator during peak use periods.
6. Incorporate “intelligent” lighting system to minimize night lighting.
7. Install security cameras to provide 24 hour surveillance.
8. Actively monitor garage by campus security service.
9. Provide “Be Courteous” information to guests discouraging access to vehicles after 10:00 PM, no use of car horn, no loud talking, etc.
10. Review parking issues in concert with the Traffic Management Program review meetings with City.

Traffic Impacts to Bethany Drive

A number of comments from the public focused on potential impacts on Bethany Drive, particularly from guest traveling to/from the project site.

As noted in the IS/MND, guests will be departing between Noon and 3:00 p.m., and arriving between 3:00 p.m. and 6:30 p.m. on Fridays and Sundays only. During the other days, a significant majority of the vehicles will remain parked on campus as the guests’ food and lodging will be provided on-site. As such, overall average daily trips was determined to be less than when Bethany Campus was in operation with a student and staff population of about 800.

To address the issues associated with guests traveling through a residential neighborhood, the project has been conditioned to require the applicant to prepare a Transportation Management Program (Attachment 11). Key features will include the following:

1. Prepare and implement a commuter bus pilot project for guests traveling to/from the San Francisco Bay Area.
2. Installation of traffic calming devices (radar speed signs), hazard warning signs (for bends) and pavement treatments on Bethany Drive.
3. Installation of a wayfinding signs at Scotts Valley Drive / Bethany Drive and Bethany Drive / Bethany Way.
4. Provide an on-site traffic coordinator to direct guests during peak periods.
5. Minimize employee and delivery service vehicles during peak periods.

6. On-going review of traffic management effectiveness with City staff.
7. Provide guest “Be Courteous” information materials as part of registration.

CEQA REVIEW

An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the proposed project. The IS/MND was circulated for a 30-day public review period from July 21 to August 21 2014. A public notice was posted on the project site and the IS/MND was posted on the City’s website. Notices about the proposed project were mailed to surrounding property owners within 300 feet, pursuant to State law. The City received eight written comment letters on the IS/MND:

1. State of California, Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit (August 20, 2014)
2. State of California, Department of Transportation (August 18, 2014)
3. Monterey Bay Unified Air Pollution Control District (August 18, 2014)
4. Santa Cruz County Regional Transportation Commission (August 18, 2014)
5. San Lorenzo Valley Water District (August 18, 2014)
6. Scotts Valley Water District (August 7, 2014)
7. Marc Sacoolas (August 19, 2014)
8. Marnye Sacoolas (August 20, 2014)

Comments on the IS/MND focused on the following issues:

- Traffic and parking.
- Water use.
- Site drainage.
- Potential biological impacts.
- Emergency access.

All comments received on the IS/MND were reviewed and considered by the City. The City determined that the comments did not result in the identification of a new or previously unidentified significant adverse impact to the environment.

PUBLIC NOTICE & COMMENT

The site was posted and a public notice was posted in three (3) public places and mailed to property owners within 300 feet pursuant to State law and to all properties north of Vine Hill School Road. The Planning Department has received additional public comment since the Planning Commission Meeting (Attachment 12). The comments express concerns regarding the proposed West Field Parking Garage and traffic impacts on Bethany Drive.

FISCAL IMPACT

The proposed project will be subject to Chapter 3.24 Transient Occupancy Tax of the City of Scotts Valley Municipal Code. Patrons will be considered as utilizing lodging and or a rooming house as a function of the limited stay which is less than 30 consecutive days. The operator will remit Transient Occupancy Tax (TOT) to the City quarterly.

RECOMMENDATION

The Planning Commission recommends approval of the Mitigated Negative Declaration, approval of the General Plan Amendment, Zoning Ordinance Amendment, Planned Development District, Planned Development Permit, Use Permit and Design Review as listed below:

1. Adopt Resolution No. 1895 to approve the Mitigated Negative Declaration; and,
2. Adopt Resolution No. 1119.31 to Amend the General Plan Text
3. Introduce for first reading Ordinance 16.135 to amend the Zoning Ordinance; and,
4. Introduce for first reading Ordinance 16-ZC-223 to approve the Planned Development District; and,
5. Adopt Resolution No. 1895.1 to approve the Planned Develop Permit; and,
6. Adopt Resolution No. 1895.2 to approve the Use Permit; and,
7. Adopt Resolution No. 1895.3 to approve the Design Review.

ATTACHMENTS

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14.	Biological Report, Biotic Resources Group (July 2014)	Attached
15.	Geotechnical Report, Pacific Crest Engineering, Inc. (April 2014).....	Attached
16.	Traffic Generation Data, Kimley-Horn Associates, Inc. (May 2014)	Attached

Attached Documents are available at City Hall.

Some Documents are available electronically at <http://www.scottsvalley.org/>

RESOLUTION NO. 1895

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE MITIGATED NEGATIVE DECLARATION FOR THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS SITE INTO AN EDUCATIONAL LEARNING CENTER FOR THE 1440 FOUNDATION LOCATED AT 800 BETHANY DRIVE

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive (collectively referred to as "Application"); and,

WHEREAS, 1440 Foundation, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on September 11, 2014, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on October 15, 2014, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated October 15, 2014:

1. *The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration for the project has been completed in compliance with CEQA, and the requirements of CEQA Section 15063 have been met.*
2. *All mitigation measures identified in the Mitigated Negative Declaration are included in the resolution approving the project and are made conditions of approval for the project. All mitigation measures have been included in the Conditions of Approval.*
3. *Documents and other material constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director. Copies of the Mitigated Negative Declaration have been made available to the public for review pursuant to CEQA requirements.*
4. *The Mitigated Negative Declaration represents the independent judgment of the City. The City prepared the Mitigated Negative Declaration. All supporting information has been reviewed and approved by the City.*

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves the Mitigated Negative Declaration for the redevelopment of the existing Bethany University campus site into an educational learning center for the 1440 Foundation located at 800 Bethany Drive, subject to the Conditions of Approval set forth in Exhibit A and the Mitigation Monitoring Reporting Program set forth in Exhibit B, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 15th day of October, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jim Reed, Mayor

Tracy Ferrara, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL (Nos. 1-104)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, whichever occurs first.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.
4. All peer review work required by the project applicant to comply with the Conditions of Approval shall be done at the project applicant's expense through a reimbursement agreement with the City.

FINANCE DEPARTMENT

5. Project shall comply with Section 3.24 of the SVMC (Uniform Transient Occupancy Tax).

PLANNING DEPARTMENT

6. The colors, materials, size, location, and design of the improvements shall match the approved plans and material boards for all buildings. Modifications to the approved project may require approval at the discretion of the Community Development Director.
7. The landscaping improvements shall use native landscaping and be irrigated only in the initial period of planting.

8. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District. This condition may or may not be required, depending on final Main Extension Agreement terms.
9. Any new landscape irrigation system shall be metered separately from the existing new buildings. Purple pipe shall be used for landscape lines to facilitate constructed use and/or potential future conversion to recycled water use. A minimum 10-foot spacing shall be maintained between all potable and purple-pipe landscape lines. This condition may or may not be required, depending on final Main Extension Agreement terms.
10. To the maximum extent feasible, landscape installation shall provide for low water consumption plantings, drip irrigation technology, programmable irrigation control, and permeable hard surfaces.
11. All signs shall be in compliance with the Scotts Valley Municipal Code.
12. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. The lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of all final building permits. Where deemed necessary by the Community Development Director, light cutoffs/shields shall be installed.
13. The final design of all new and remodeled buildings shall receive Design Review approval from the City.
14. The property owner shall take measures to reduce congestion and single-occupant vehicle use and will incorporate measures as part of the marketing materials produced for the project. For example, carpooling and alternative mode of transportation will be strongly encouraged.
15. An erosion control plan shall be reviewed and approved by the Director of Public Works prior to winter grading for the project.
16. If deemed necessary by the City the property owner shall work with residents and the City to provide alternative scheduling patterns (i.e. class times and guest arrival and departure times) to improve traffic circulation.
Transportation Management Program
17. Transportation Management Program. The project applicant shall work with the City to prepare and approve a Traffic Management Program (TMP) to minimize congestion, noise, and safety impacts from vehicular traffic to/from the project site. The TMP shall be prepared by the project applicant (or its successor) and approved by the Community Development Director prior to building occupancy. The TMP shall include, but not be limited to, the following components:

- a) Commuter Bus Pilot Project. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community Development Director) to prepare and approve a commuter bus pilot project plan for guests traveling to/from the San Francisco Bay Area. The bus pilot project shall be actively advertised by the applicant and implemented over a 6 month period. At the conclusion of the pilot program, the project applicant (or its successor) shall submit to the Community Development Director a report describing the results of the pilot project including ridership, operation, and cost details. If the pilot project is found to be beneficial, the project applicant shall implement the bus program on an ongoing basis.
- b) Traffic Management on Bethany Drive. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to install a traffic calming device (s) on Bethany Road. This will include the re-installation of a radar speed sign(s) (also called speed display signs) to alert motorists of their speed. Other traffic calming measures that shall be considered include the installation of hazard warning signs for bends in the roadway and pavement treatments to communicate to drivers they are entering a neighborhood setting.
- c) Wayfinding Signage. Prior to building occupancy, the project applicant shall replace the existing Bethany Campus sign located at northeast corner of Bethany Drive and Scotts Valley Drive with a new wayfinding sign to direct guests to the project site and help prevent guests from entering adjacent roadways. The project applicant shall also identify other suitable locations for additional signage (e.g. the retaining wall located on the northeast corner of Bethany Drive and Bethany Way), subject to approval by the City's Public Works Department.
- d) On-Site Traffic Management. Prior to building occupancy, the project applicant shall implement the following on-site traffic management measures: 1) On-site traffic coordination to direct guests during peak periods, 2) Minimizing employee traffic during peak periods, and 3) Minimizing delivery and service vehicles during peak periods, 4) As necessary the project applicant (or its successor) shall meet with City staff to review traffic management issues including roadway congestion, noise, safety, etc. associated with the proposed project. Any complaints/ recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) agrees to investigate additional traffic management strategies to minimize traffic impacts on the public roadways. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

- e) Guest Information Materials. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community Development Director) to prepare a set of educational materials to be included as part of their guest registration confirmation materials regarding traffic safety and “good neighbor” etiquette when driving to/from and parking at the project site. This information may be provided electronically. The materials should address issues associated with the following:
 - i. Providing guests with the Santa Cruz Regional Transportation Commission’s Highway 17 Safety brochure. If registration confirmation is provided digitally, provide the link to the Highway 17 Safety web site (currently www.sccrtc.org/meetings/tos-safe-on-17).
 - ii. Providing guests with a “Be Courteous” flyer that includes a map and directions to the project site. The flyer should also encourage guests to: 1) Keep travel within the speed limit, particularly in residential neighborhoods (e.g. on Bethany Drive), 2) Avoid using their horn if at all possible, and 3) Keep noise to a minimum when parking their vehicles.
 - iii. Any other relevant information, including traffic management changes, as it relates to on-site traffic management per the entirety of this TMP.

Parking Management Program

- 18. Parking Management Program. Prior to building occupancy, the project applicant shall work with the City to approve and implement a Parking Management Program (PMP) to minimize impacts associated with use of the West Field as a surface parking lot during Phase 1 and as a parking garage during Phase 2. The PMP shall include, but not be limited to, the following components:
 - a) Fully Utilize Gaston Circle Parking Lot. During Phase 1, the project applicant (or its successor) shall direct parking to Gaston Circle prior to utilizing the West Field surface parking lot.
 - b) Additional Landscape Screening. Prior to submittal of the design review application for the Phase 1 surface parking lot, the project applicant (or its successor) and the City’s arborist (working at the applicant’s expense) shall coordinate with residents on Tabor Way to install additional landscape screening (e.g. trees, scrubs, etc.) within their respective properties and/or on the project site between the residential properties and the West Field.

Furthermore, the project applicant (or its successor) shall install landscape screening along the southern edge of the West Field to help screen views

of the surface parking lot and future parking garage from Bethany Way. Landscape screening will be planned to incorporate future construction activities associated with the proposed garage. The project applicant (or its successor) shall submit a detailed landscaping plan as part of the design review application for the Phase 2 parking garage to help minimize views of the proposed parking garage from Bethany Way.

- c) Guest Information Materials. As part of guest information materials, guest shall be provided with “be courteous” information to discourage access to vehicles after 10:00 PM, no use of car horn, no loud talking, etc.
- d) Phase 1 Parking Demand Analysis. Prior to submittal of the design review application for the Phase 2 parking garage, the project applicant (or its successor) shall provide to the City an analysis of actual parking demand during Phase 1 and projected demand for Phase 2. It shall identify the average number, location, and respective capacity of both guests and employees (including faculty and faculty assistants) parking at the various parking facilities located throughout the project site. The analysis shall also include a projection that identifies the anticipated demand for both guest and employee parking and where such parking will be provided on site. Based on the Parking Demand Analysis, the project applicant shall work with City staff to revise/refine the final size and capacity of the Phase 2 parking garage as necessary, but in no event shall the Phase 2 parking garage exceed the size or capacity shown on the application.
- e) Parking Garage Traffic Noise. To help minimize noise associated with vehicle travel in the parking garage, the surface of the garage shall be treated (e.g. textured surface) to minimize noise from tires.
- f) Parking Garage Monitor. During peak use periods (i.e. Friday and Sunday afternoons), an on-site parking garage monitor shall be available at the parking garage to help direct traffic and facilitate guests’ needs for getting to/from the main campus.
- g) “Intelligent” Lighting Systems. The project applicant shall incorporate industry-standard “intelligent” lighting systems (i.e. motion sensors, timers, etc.) to help minimize night lighting to the greatest extent feasible while still maintaining sufficient lighting for effective safety and security. This design feature shall apply to the surface parking in Phase 1 and the parking garage in Phase 2.
- h) Safety & Security Surveillance. The final parking garage design plans shall include the installation of 24 hour surveillance security cameras in and/or around the parking garage, particularly at exit and entrance points. Additionally, the parking garage and parking lot shall be actively monitored by campus security as part of on-going campus security operations.

- i) Parking Management Program Review Meetings. In coordination with City review of the Traffic Management Program, the project applicant (or its successor) shall meet with City staff to review parking management issues including parking management, noise, safety, etc. associated with the proposed project. Any complaints/recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) and the City will review and consider additional parking management strategies. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

Trees

19. All recommendations in the Tree Resource Analysis / Construction Impact Assessment, prepared by James P. Allen & Associates, June 2014, are incorporated as conditions of project approval.
20. Tree removal shall not occur until a grading or building permit has been issued for the project and furthermore not until immediately before commencement of site grading.
21. The final grading plans and improvement plans shall be reviewed and approved by the City arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
22. The city arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
23. During the pre-construction phase of development the city arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.
24. The city arborist shall routinely inspect the development site through the term of the project.
25. The cost of the city arborist review and implementation of conditions, site inspection, and related work shall be borne by the applicant.

Biotic

26. All recommendations in the 1440 Center Biological Report, prepared by Biotic Resources Group, July 2014, are incorporated as conditions of project approval.

Grading

27. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Archaeology and Paleontology

28. The project is located in an area of sensitivity for archaeological resources. If potential historical or unique archaeological resources are discovered during construction, suspend all work in the immediate vicinity (within approximately 50 feet) and avoid altering the materials and their context pending site investigation by a qualified archaeological or cultural resources consultant retained by the project applicant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been encountered.
29. If the find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in detailed technical reports. Such reports shall be deposited with the California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed.
30. The project applicant shall assure that project personnel are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.
31. If human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to

overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). In general, these provisions require that the County Coroner shall be notified immediately. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American shall be notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem.

32. All grading in the Santa Cruz Mudstone/bedrock layer shall be monitored by a qualified paleontologist.
33. The paleontologist shall attend a pre-grade meeting with project contractors to discuss the monitoring, collecting, and safety procedures for the project.
34. The paleontologist shall conduct full-time monitoring during any earth moving activities within the Santa Margarita Sandstone. The length of monitoring time is tied directly to the length of time for earth moving activities in the sensitive geologic unit. All recovered specimens would be donated to the designated repository.
35. Santa Cruz Mudstone, if encountered, will require intermittent monitoring. If the Santa Cruz Mudstone proves to be without significant fossil material on the project, the monitoring time can be lowered or eliminated at the discretion of the qualified project paleontologist. The Recent alluvium/colluvium, and fill materials and diorite on the site will not require paleontological monitoring.
36. During the grading or trenching activities in the Santa Margarita Sandstone, the paleontologist or a paleontological monitor(s) under his or her direct supervision, shall conduct sediment screening as part of monitoring effort. To save time, reduce costs, and allow the project to continue on schedule, a matrix sample, earmarked by the paleontologist, could be moved by the contractor to one side of the project. The paleontological monitor(s) could then process the matrix for fossils and collect scientifically significant specimens. This allows the construction schedule to continue as planned while allowing paleontological mitigation.
37. The paleontological monitor shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. The term "temporarily" in this context is interpreted as within one working day for the evaluation process.

38. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. This will include lithologic descriptions, photographs, a measured stratigraphic section(s), and field notes.
39. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system, such as the Applicant of California Museum of Paleontology, Berkeley (UCMP). The UCMP is specifically recommended as the repository for this project.
40. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Noise

41. The operation of an amplified sound system shall not at any time be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.
42. In the event that the operation of an amplified sound system becomes detrimental to the neighborhood, the Community Development Department shall evaluate issue and may refer the matter to the Planning Commission. The Planning Commission, at its discretion, may reverse or modify in whole or in part the conditions of approval associated with noise disturbances.
43. Operation of an amplified sound system shall not extend beyond the hours of 8:00 PM and not before 8:00 AM.

Air Quality

44. Construction equipment are required to use 2003 or later models for all onsite heavy-duty equipment during grading activities or install oxidation catalysts on heavy-duty equipment or use equipment that uses biodiesel fuel to minimize emission of diesel exhaust on all onsite equipment used during grading activities.
45. The applicant must provide proof to the City of MBUAPCD Notification (and asbestos surveys) prior to issuance of demolition permit. Any building materials classified as hazardous materials will be disposed of in conformance with Federal, State, and local laws.

BUILDING DEPARTMENT

46. All recommendations in the Geotechnical and Geologic Investigation for the 1440 Center, prepared by Pacific Crest Engineering, Inc., April 2014, are incorporated as conditions of project approval.
47. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
48. A soils engineer shall review and approve the final site grading, drainage, erosion control, and foundation design details prior to issuance of a grading and building permit.
49. The final grading plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
50. All construction shall be in compliance with current building code requirements.

WASTEWATER & WATER

51. The project shall comply with all Scotts Valley Water District and Scotts Valley Fire Protection District fire flow requirements.
52. Scotts Valley Water District approved backflow devices shall be installed at all new service connections, as determined applicable by Scotts Valley Water District.
53. Water-conserving plumbing fixtures shall be used exclusively, including, but not limited to, high efficiency toilets (1.28 gallons per flush), waterless urinals, and low-flow showerheads, and pre-rinse spray faucets.
54. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be property abandoned.
55. Prior to commencing realignment of Bethany Drive, applicant shall provide for relocation of the existing Bethany Drive water main pursuant to a main extension agreement with the District.
56. Applicant shall provide for any increase in storage or transmission capacity of the Water District's distribution system necessary for compliance with the Fire District minimum flow requirements for the project.
57. Any new building, as well as any existing building which requires an upgrade in meter size, will require payment of a Water Replenishment Impact Fee to the Scotts Valley Water District which will be used to offset any additional consumptive water demand associated with the proposed project. Furthermore,

any new connection, as well as any existing connection that will be upgraded to a larger meter size, will require payment to the Scotts Valley Water District of the Connection Charge and Water Replenishment Impact Fee.

58. The Applicant shall be required to pay for all water main relocation costs and comply with all other terms of service specified in a water main extension agreement to be negotiated between the Applicant and the District.
59. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private, or public road frontage. This under-grounding of utilities to remove utility poles comes in addition to the State-required under-grounding of transmission lines for the project and any new service connections.

FIRE DISTRICT

60. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a “safe haven” area for guests and employees in the event of an emergency.
61. All existing non sprinkled residence halls shall be sprinkled as determined appropriate by the SVFPD.
62. Elevators will be able to accommodate local emergency response gurney size of 81 inches in the horizontal position.
63. Fire hydrants shall be installed on the site per the California Fire Code for the 27,000 square foot building. Location to be determined by SVFD. Hydrants shall be shown on the site/utilities drawing.
64. All requirements of the Scotts Valley Fire Protection District shall be met and, upon completion of all conditions of the permit, the Fire District shall sign the building permit prior to the allowance of occupancy.
65. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
66. All existing and new structure(s) shall have an automatic fire sprinkler system installed throughout in conformance with the latest edition of National Fire Protection Association or as modified. The fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.

67. Install interior roof access ladders shall be installed for each roof section. Roof access ladder closets shall be a minimum of four feet deep.
68. Structures are required to have a NFPA 13 fire sprinkler system, Class 1 standpipe system, and a fire alarm system complying with NFPA 72.
69. All requirements of the Scotts Valley Fire Protection District shall be met and written acknowledgment from the Fire District shall be presented to the City stating that all conditions have been met prior to occupancy of the project.
70. A final site map shall be submitted to the Fire District prior to the issuance of any Fire District permits. The site map shall include each parcel, each building footprint, all access ways and each fire hydrant. Drawings of the plans shall be submitted on an Auto CAD drawing up to version 13 or a DWG file, on a high density 3.5" floppy disk. A legend of all the layers contained on the disk must be attached. An 11" x 17" hard copy of the site map must also be included.
71. Street names selected for the project are subject to the approval of the Fire District and shall be shown on the final map. Address numbers will be assigned by the Fire District.
72. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
73. Fire flow for the building(s) shall be the minimum gallons per minute required for construction type.
74. Fire hydrants shall be located in accordance with California Fire Code Appendix III-B. The Fire District shall approve placement of fire hydrants prior to the approval of the final site map drawings.
75. Structures shall have an automatic fire sprinkler system installed throughout in conformance with NFPA 13, latest edition for Light Hazard.
76. Class I standard piping is required to be used on the project site.
77. Automatic fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
78. If the automatic fire sprinkler system has 100 or more heads, the water supply valve and water flow switch shall be monitored by an approved central station, remote station, proprietary monitoring station or sound an audible signal at a constantly attended location.
79. A fire alarm system is required per California Fire Code section 1006.

80. Fire alarm plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
81. Building egress shall comply with the California Building Code.
82. Access road and fire road drawings showing width, grade, profile view, surface, and length, will be required for review and comments when building plans are submitted.
83. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.

DEPARTMENT OF PUBLIC WORKS

84. A final drainage report that verifying that the existing drainage infrastructure is adequate for the project site. The report will identify the use of on-site Low Impact Development (LID) measures. Such report shall be reviewed and approved by the Public Work Department prior to issuance of building permit for the project.
85. The final erosion control plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
86. The erosion control plan shall be re-implemented with grading of the site. The erosion control measures should be functional prior, during and after construction. Specific measures shall be identified in the project plans and specifications should include the following features: use of silt fencing and straw bales to prevent sediments from leaving the site, erosion control seeding and mulching following construction and other measures as appropriate. To be installed before grading occurs.
87. Following construction, the effectiveness of the erosion control measures shall be monitored during the first year's rainy season and remedial measures implemented if erosion is noted.
88. Applicant shall construct all storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Stormwater Technical Guide, February 2014.
89. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the

latest adopted City of Scotts Valley Stormwater Technical Guide. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

90. All required documents, final or parcel map sheets, covenants, developer and city improvement agreement and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the application of any building permit.
91. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
92. All work in the public right of way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on site work, as plan reviewed by the Public Works Department, will require an on site civil engineering permit and inspection.
93. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.
94. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
95. The applicant shall establish the location of the property lines for the project site. If a proposed building encroaches over property lines the Applicant shall either merge the properties or adjust the lot line.
96. Prior to submittal of final site plans to the City, the applicant shall conduct an investigation into the stability of the sanitary sewer pipeline running parallel to Carbonera Creek. The applicant shall be responsible for providing evidence to the City of having conducted this investigation into the stability of the pipeline.

Should the investigation determine improvements are required, the improvements will be recorded on final site plans as the applicant's responsibility to address prior to final site plan approval and the issuance of grading or building permits for the project site.

97. All access roads shall be kept clear of construction materials and all vehicles shall not stage or park for any reason.
98. Driveway drawings showing width, grade, profile view, surface, length, and turnaround will be required for review and comments when building plans are submitted.
99. Access roads shall be installed per the approved plan prior to any building construction on the site.
100. The Applicant shall provide to the City a video tape the condition of Bethany Drive prior to the start of construction for each project Phase. Prior to issuance of the first building permit, the Applicant shall submit, to the satisfaction of the City's Traffic Engineer, a brief report identifying any damage and subsequent repairs made as a result of damage to the roadway due to heavy equipment using the road as part of site demolition and grading.
101. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard (Roadway) Details, latest revision, as adopted by the City Council.
102. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of the Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
103. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
104. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to include install a traffic calming device (s) on Bethany Road. This could include the installation of a radar speed sign(s) (also called radar signs, driver feedback signs, speed display signs, and "Your Speed" signs) to alert motorists of their speed.

Name and Signature of Property Owner

Exhibit B

MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) is a CEQA-required component of the Mitigated Negative Declaration (MND) process for the project. The results of the environmental analyses, including proposed mitigation measures, are documented in the Initial Study/MND.

CEQA requires that agencies adopting MNDs take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval.

As part of the CEQA environmental review procedures, Section 21081.6 requires a public agency to adopt a monitoring and reporting program to ensure efficacy and enforceability of any mitigation measures applied to a proposed project. The lead agency must adopt an MMRP for mitigation measures incorporated into the project or proposed as conditions of approval. The MMRP must be designed to ensure compliance during project implementation. As stated in Section 21081.6(a)(1):

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

Table 1 is the MMRP matrix. The table lists each of the mitigation measures proposed in the Initial Study/MND and specifies the agency responsible for implementation of the mitigation measure and the time period for the mitigation measure.

Table 1: Mitigation Monitoring and Reporting Program

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources			
Biological Resources: Impacts to Roosting Bats	Mitigation Measure BIO-1: Protection of Roosting Bats. The applicant shall hire a qualified bat biologist to assess trees scheduled for removal for the presence of roosting bats no more than 30 days prior to removal of any on-site trees. If roosting bats are observed, the biologist will prepare a plan in coordination with the California Department of Fish and Wildlife to allow bats to leave the roost, but not return by use of exclusion devices if necessary.	Project applicant and qualified biologist	Prior to project construction activities on the site
Biological Resources: Impacts to Nesting Birds	Mitigation Measure BIO-2: Protection of Nesting Birds. The applicant shall schedule all on-site tree removal, and grading for the west field parking garage and access road, to occur between August 15 and February 1 of any given year to avoid the bird nesting season. If this schedule is not practical, the applicant shall hire a qualified biologist to conduct preconstruction nesting bird surveys no more than two weeks prior to removal of trees and grading for the west field parking garage and access road. If nesting birds are observed, the biologist will establish a buffer zone where no tree removal or grading will occur until the biologist confirms that all chicks have fledged. The buffer zone may vary from 50 to 250 feet, depending upon the species of bird and exposure of the nest site.	Project applicant and qualified biologist	Prior to project construction activities on the site
Biological Resources: Impacts to Woodrats	Mitigation Measure BIO-3: Protection of Woodrats. The applicant shall hire a qualified biologist to survey the mixed evergreen forest along the route of the proposed Connector Road between on-site parking areas for the presence of woodrat nests. If woodrat nests are observed along the alignment, the biologist will prepare a plan in coordination with California Department of Fish and Wildlife to minimize impacts to woodrats. For example, the nest may be disassembled by hand to allow any woodrats present to escape, the nest may be relocated (if possible), or man-made woodrat nests may be constructed well outside the impact area to replace nests affected by the construction.	Project applicant and qualified biologist	Prior to project construction activities, on the site
Biological Resources: Impacts to On-Site Trees	Mitigation Measure IV-1. Protection of On-Site Trees. The applicant shall implement all measures contained within the project's arborist report for the avoidance and mitigation for tree removal. Measures include implementing a tree protection plan, maintenance of trees to remain, and implementing a tree replacement program. Measures from arborist report shall be incorporated into the final project design and construction documents for each phase of the project.	Project applicant	Prior to project construction

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Geology and Soils	<p>Geology and Soils: Exposure to impacts resulting from seismic-related ground shaking</p> <p>Mitigation Measure GEO-1: Preparation of Design-Level Geotechnical Report. The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the Geotechnical and Geologic Investigation by Pacific Crest Engineering, Inc. (April 2014). The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the City for each phase (Phase 1 and Phase 2) of the project. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.</p>	Project applicant and qualified geologist	Prior to the issuance of building permits
Hazards and Hazardous Materials	<p>Hazards and Hazardous Materials: Emergency Response on the project site</p> <p>Mitigation Measure HAZ-1: No Full Closure of Bethany Drive. At no time during construction activities on the project site shall access to Bethany Drive be entirely closed to vehicular traffic. This includes providing temporary roadway access during all construction activities. This mitigation measure will be included on final construction plans by the applicant prior to review and approval of building permits for the project site by the City.</p>	Project applicant and City of Scotts Valley	Prior to the issuance of building permits
	<p>Mitigation Measure HAZ-2: Temporary Construction Plan. The applicant shall prepare a temporary construction plan which includes coordination with utility providers and noticing to all affected property owners of construction activities, planned partial lane closures, and a 24-hour phone contact. The plan shall be reviewed and approved by the City prior to issuance of grading or building permits for the project site.</p>	Project applicant	Prior to the issuance of building permits

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Hydrology and Water Quality			
Hydrology and Water Quality: Impacts to existing drainage patterns	Mitigation Measure HYD-1. Reduction of Post-Development Runoff Rate. Prior to issuance of the final grading permit by the City, the project applicant shall demonstrate a reduction in the project site's 10-year post-development runoff rate below that of the site's 10-year pre-development runoff rate through the incorporation of additional Low Impact Development (LID) measures to be implemented on the project site.	Project applicant	Prior to issuance of grading permits
Transportation and Traffic			
Transportation and Traffic: Inadequate emergency access	Mitigation Measure T-1: Bethany Way Widening. Before project-related traffic to/from the West Field parking area is allowed, Bethany Way shall be widened to a width sufficient to allow safe access for two way traffic as well as emergency vehicles. The project applicant (or its successor) shall work in coordination with the City of Scotts Valley, the Scotts Valley Fire Protection District, and residents of Bethany Way to determine the final roadway with and configuration as well as installing the appropriate infrastructure including curbs, sidewalk(s), and storm drains..	Project applicant, City of Scotts Valley, Scotts Valley Fire Protection District	Prior to any use of Bethany Way use to access West Field Parking area

RESOLUTION NO. 1119.31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY SCOTTS VALLEY APPROVING A GENERAL PLAN TEXT AMENDMENT (GPA14-002) TO FACILITATE THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS DUE TO THE RECENT DEPARTURE OF BETHANY UNIVERSITY FROM THE CITY OF SCOTT VALLEY

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for a General Plan Amendment (GPA14-002), for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive; and,

WHEREAS, 1440 Foundation, (referred to as “applicant”) has presented substantial evidence which supports the application; and

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

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on September 11, 2014, to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the application, the Planning Commission recommended approval of the application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on October 15, 2014, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated October 15, 2014:

1. *The General Plan Amendment is consistent with the City's General Plan. The proposed zoning ordinance amendment will eliminate the requirement of a specific plan for the Bethany College Special Treatment Area but any development of the area will still require special consideration by requiring a Planned Development Permit and compliance with the Scotts Valley Municipal Code Chapter 17.36 which is consistent with the intent of the General Plan and will protect the public health, safety, general welfare and convenience and sound zoning practices.*

SECTION 2: The Land Use Element of the General Plan is hereby amended as follows:

Special Treatment Areas - The Special Treatment Area ("STA") overlay designation is established for areas where planned developments or some form of special treatment is required to allow future development. Bethany College Neighborhood ("BCSTABNSTA"), the mid-town interchange ("MTISTA"), Camp Evers ("CESTA") area and Mt. Hermon Road near Highway 17 ("MHRSTA") are designated special treatment areas.

The BCSTABNSTA is approximately 80 acres in size with approximately 26 acres of buildable area. The area is located at the northern portion of the City, west of Highway 17. The area is bordered on the west by Bethany Drive/Bethany Way and on the east by Scotts Valley Drive. The center portion of the BCSTABNSTA includes parcels around Gaston Circle. Buildable areas are those areas where the slopes are generally less than 10%. Development has already occurred to some extent in the buildable areas. The sole access to the Bethany area is via Bethany Drive. Most of the built and buildable areas of the ~~existing college~~ BNSTA lie in the narrow valleys between the hills at elevations of 800 to 850 feet. Development includes single family dwellings, former student housing, a ~~new~~ 15,000 square foot office building, child daycare center, church, gymnasium, and other former college related buildings and uses. Approximately 16 lots are developed with single family homes under separate ownership from the former college. These single family homes under separate ownership from the former college will be permitted additions or modifications to the existing structures based upon zoning regulations applicable to the R-1-10 zoning district. The remaining properties in the BCSTABNSTA will be developed under the Planned Development zoning regulations. The land use for these properties in the BCSTABNSTA will reflect a mix of commercial, residential, park, and open space designations similar to the ~~existing former~~ campus in order to minimize traffic impacts and disruption to the surrounding residential neighborhood.

SECTION 3: The Circulation Element of the General Plan is hereby amended as follows:

Circulation Action (CA-129) - Require new development to construct and maintain emergency accesses, including ~~Bethany Drive to Canham Road~~, Sucinto Drive to Highway 17, Upper Willis Road to Scotts Valley Drive and Sunridge Drive to Disc Drive.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves General Plan Amendment No. GPA14-002 to facilitate the redevelopment of the existing Bethany University campus due to the recent departure of Bethany University from the City of Scott Valley.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 15th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jim Reed, Mayor

Tracy Ferrara, City Clerk

ORDINANCE NO. 16.135

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY SCOTTS VALLEY AMENDING TITLE 17.36 (SPECIAL TREATMENT COMBING DISTRICT REGULATIONS) OF THE SCOTTS VALLEY MUNICIPAL TO AMDEND THE REQUIREMENTS RELATED TO THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS SITE INTO AN EDUCATIONAL LEARNING CENTER FOR THE 1440 FOUNDATION LOCATED AT 800 BETHANY DRIVE.

BE IT ORDAINED by the City Council of the City of Scotts Valley as follows:

Section 1. Section 17.56.010, Description and purpose is hereby amended to read as follows:

“The ST combining district is intended to apply to all lands designed in the General Plan as “special treatment” areas, with the exception of the BNSTA which will be reviewed and considered per Land Use Action 12 (LA- 12), and in other areas subsequently designated by the city council where special planning efforts are desired. The intention of this zoning district is to encourage the incorporation of special design considerations into project development and redevelopment, in an effort to implement a visually pleasing environment in areas deemed to be of special importance to community image. It is further intended that development within an ST combining district shall be subject to submittal requirements of a specific plan with the exception of the BNSTA which will be reviewed and considered per Land Use Action 12 (LA- 12), as enumerated herein. In addition, the city encourages planned development where appropriate when proposing developments in the special treatment areas. The development standards set forth in this chapter are consistent with the intent of the special treatment overlay designation for areas specified as special treatment planning areas in the General Plan. “

Section 1. Section 17.56.020, Development Standards is hereby amended to read as follows:

“The following development standards shall apply in all special treatment “ST” combining districts and shall be in addition to the regulations of the base zoning district to which this combining district is attached.

- A. A specific plan shall accompany development proposal(s) in this district, with the exception of the BNSTA which will be reviewed and considered per Land Use Action 12 (LA- 12). The specific plan shall be prepared consistent with California Government Code Section 65451 and the goals, objectives, policies, programs and land use designations described in the

General Plan. The following is a summary of those requirements which shall apply to development proposals in this district.”

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

Section 4. REPEALS CONFLICTING ORDINANCES. All other ordinances of the City of Scotts Valley or provisions of the Scotts Valley Municipal Code which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. CEQA COMPLIANCE. A Mitigated Negative Declaration was prepared and distributed for a 20-day public comment period. The Mitigated Negative Declaration concluded that the zoning ordinance amendment will not have a significant negative impact on the environment. The City Council adopted Resolution No. 1852 finding that the enactment of this Ordinance complies with the California Environmental Quality Act ("CEQA;" Cal. Pub. Resources Code §§ 21000 et seq.) under the State CEQA Guidelines, and that the project will not have a significant negative impact on the environment.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect 30 days after the date of its adoption. Prior to the expiration of 15 days from the date of adoption, this Ordinance shall be published in three public places within the City.

This ordinance was introduced on the 15th day of October, 2014, and was passed and adopted by the City Council of the City of Scotts Valley on the 5th day of November, 2014, by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: _____
Jim Reed, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

Kirsten Powell, City Attorney

ORDINANCE NO. 16-ZC-223

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT DISTRICT (PD14-001) FOR THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS SITE INTO AN EDUCATIONAL LEARNING CENTER FOR THE 1440 FOUNDATION LOCATED AT 800 BETHANY DRIVE.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive (collectively referred to as "Application"); and,

WHEREAS, 1440 Foundation, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on September 11, 2014, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on October 15, 2014, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated October 15, 2014:

1. *The proposed Planned Development zoning is consistent with the underlying zoning designation, the City of Scotts Valley General Plan and the Bethany Neighborhood Special Treatment Area (BNSTA).* The proposed project is consistent with the Public/Quasi Public land use prescribed in the General Plan. The project is consistent with the purpose and intent of the Public/Quasi Public district. The project is consistent with the objectives of special treatment area.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Planned Development District (PD14-001) for the redevelopment of the existing Bethany University campus site into an educational learning center for the 1440 Foundation located at 800 Bethany Drive, pursuant to the Zone Change Map (Exhibit A) which is incorporated herein by this reference.

This ordinance was introduced on the 15th day of October, 2014, and was passed and adopted by the City Council of the City of Scotts Valley on the 5th day of November, 2014, by the following votes:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jim Reed, Mayor

Tracy Ferrara, City Clerk

Exhibit "A"
Zone Change Map
City Council Ordinance No. 16-ZC-223

Map Forthcoming

RESOLUTION NO. 1895.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT PERMIT (PD14-001) FOR THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS SITE INTO AN EDUCATIONAL LEARNING CENTER FOR THE 1440 FOUNDATION LOCATED AT 800 BETHANY DRIVE.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive (collectively referred to as "Application"); and,

WHEREAS, 1440 Foundation, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on September 11, 2014, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on October 15, 2014, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated October 15, 2014:

1. *The planned development permit, as issued, furthers the policies of the general plan and the Bethany Neighborhood Special Treatment Area (BNSTA). The General Plan and the Bethany Neighborhood Special Treatment Area (BNSTA) specifies a mix of land uses to further the goals and objectives of the General Plan by providing housing and educational opportunities and the necessary City infrastructure and services needed to provide those activities.*
2. *The planned development permit, as issued, conforms in all respects to the planned development zoning of the property. Planned Development district and permit will allow the development to be designed to meet the needs of the individual property and the requirements of the BNSTA while maintaining the character of the neighborhood. This permit will enable the applicant to continue to offer educational opportunities and housing in the city.*
3. *The interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious. The project meets the requirements of this finding in that the siting and size of the proposed buildings are designed in a compatible and cohesive manner for the campus and surrounding area and utilize the existing topography and development to create harmony.*
4. *The environmental impacts of the project have been reviewed and considered. A Mitigated Negative Declaration has been prepared and comments have been reviewed and considered.*

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Planned Development No. PD14-001 for the redevelopment of the existing Bethany University campus site into an educational learning center for the 1440 Foundation located at 800 Bethany Drive, subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 15th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jim Reed, Mayor

Tracy Ferrara, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL (Nos. 1-104)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, whichever occurs first.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.
4. All peer review work required by the project applicant to comply with the Conditions of Approval shall be done at the project applicant's expense through a reimbursement agreement with the City.

FINANCE DEPARTMENT

5. Project shall comply with Section 3.24 of the SVMC (Uniform Transient Occupancy Tax).

PLANNING DEPARTMENT

6. The colors, materials, size, location, and design of the improvements shall match the approved plans and material boards for all buildings. Modifications to the approved project may require approval at the discretion of the Community Development Director.
7. The landscaping improvements shall use native landscaping and be irrigated only in the initial period of planting.
8. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District. This condition may or may not be required, depending on final Main Extension Agreement terms.

9. Any new landscape irrigation system shall be metered separately from the existing new buildings. Purple pipe shall be used for landscape lines to facilitate constructed use and/or potential future conversion to recycled water use. A minimum 10-foot spacing shall be maintained between all potable and purple-pipe landscape lines. This condition may or may not be required, depending on final Main Extension Agreement terms.
10. To the maximum extent feasible, landscape installation shall provide for low water consumption plantings, drip irrigation technology, programmable irrigation control, and permeable hard surfaces.
11. All signs shall be in compliance with the Scotts Valley Municipal Code.
12. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. The lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of all final building permits. Where deemed necessary by the Community Development Director, light cutoffs/shields shall be installed.
13. The final design of all new and remodeled buildings shall receive Design Review approval from the City.
14. The property owner shall take measures to reduce congestion and single-occupant vehicle use and will incorporate measures as part of the marketing materials produced for the project. For example, carpooling and alternative mode of transportation will be strongly encouraged.
15. An erosion control plan shall be reviewed and approved by the Director of Public Works prior to winter grading for the project.
16. If deemed necessary by the City the property owner shall work with residents and the City to provide alternative scheduling patterns (i.e. class times and guest arrival and departure times) to improve traffic circulation.
Transportation Management Program
17. Transportation Management Program. The project applicant shall work with the City to prepare and approve a Traffic Management Program (TMP) to minimize congestion, noise, and safety impacts from vehicular traffic to/from the project site. The TMP shall be prepared by the project applicant (or its successor) and approved by the Community Development Director prior to building occupancy. The TMP shall include, but not be limited to, the following components:
 - a) Commuter Bus Pilot Project. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community

Development Director) to prepare and approve a commuter bus pilot project plan for guests traveling to/from the San Francisco Bay Area. The bus pilot project shall be actively advertised by the applicant and implemented over a 6 month period. At the conclusion of the pilot program, the project applicant (or its successor) shall submit to the Community Development Director a report describing the results of the pilot project including ridership, operation, and cost details. If the pilot project is found to be beneficial, the project applicant shall implement the bus program on an ongoing basis.

- b) Traffic Management on Bethany Drive. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to install a traffic calming device (s) on Bethany Road. This will include the re-installation of a radar speed sign(s) (also called speed display signs) to alert motorists of their speed. Other traffic calming measures that shall be considered include the installation of hazard warning signs for bends in the roadway and pavement treatments to communicate to drivers they are entering a neighborhood setting.
- c) Wayfinding Signage. Prior to building occupancy, the project applicant shall replace the existing Bethany Campus sign located at northeast corner of Bethany Drive and Scotts Valley Drive with a new wayfinding sign to direct guests to the project site and help prevent guests from entering adjacent roadways. The project applicant shall also identify other suitable locations for additional signage (e.g. the retaining wall located on the northeast corner of Bethany Drive and Bethany Way), subject to approval by the City's Public Works Department.
- d) On-Site Traffic Management. Prior to building occupancy, the project applicant shall implement the following on-site traffic management measures: 1) On-site traffic coordination to direct guests during peak periods, 2) Minimizing employee traffic during peak periods, and 3) Minimizing delivery and service vehicles during peak periods, 4) As necessary the project applicant (or its successor) shall meet with City staff to review traffic management issues including roadway congestion, noise, safety, etc. associated with the proposed project. Any complaints/ recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) agrees to investigate additional traffic management strategies to minimize traffic impacts on the public roadways. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

- e) Guest Information Materials. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community Development Director) to prepare a set of educational materials to be included as part of their guest registration confirmation materials regarding traffic safety and “good neighbor” etiquette when driving to/from and parking at the project site. This information may be provided electronically. The materials should address issues associated with the following:
 - i. Providing guests with the Santa Cruz Regional Transportation Commission’s Highway 17 Safety brochure. If registration confirmation is provided digitally, provide the link to the Highway 17 Safety web site (currently www.sccrtc.org/meetings/tos-safe-on-17).
 - ii. Providing guests with a “Be Courteous” flyer that includes a map and directions to the project site. The flyer should also encourage guests to: 1) Keep travel within the speed limit, particularly in residential neighborhoods (e.g. on Bethany Drive), 2) Avoid using their horn if at all possible, and 3) Keep noise to a minimum when parking their vehicles.
 - iii. Any other relevant information, including traffic management changes, as it relates to on-site traffic management per the entirety of this TMP.

Parking Management Program

- 18. Parking Management Program. Prior to building occupancy, the project applicant shall work with the City to approve and implement a Parking Management Program (PMP) to minimize impacts associated with use of the West Field as a surface parking lot during Phase 1 and as a parking garage during Phase 2. The PMP shall include, but not be limited to, the following components:
 - a) Fully Utilize Gaston Circle Parking Lot. During Phase 1, the project applicant (or its successor) shall direct parking to Gaston Circle prior to utilizing the West Field surface parking lot.
 - b) Additional Landscape Screening. Prior to submittal of the design review application for the Phase 1 surface parking lot, the project applicant (or its successor) and the City’s arborist (working at the applicant’s expense) shall coordinate with residents on Tabor Way to install additional landscape screening (e.g. trees, scrubs, etc.) within their respective properties and/or on the project site between the residential properties and the West Field.

Furthermore, the project applicant (or its successor) shall install landscape screening along the southern edge of the West Field to help screen views

of the surface parking lot and future parking garage from Bethany Way. Landscape screening will be planned to incorporate future construction activities associated with the proposed garage. The project applicant (or its successor) shall submit a detailed landscaping plan as part of the design review application for the Phase 2 parking garage to help minimize views of the proposed parking garage from Bethany Way.

- c) Guest Information Materials. As part of guest information materials, guest shall be provided with “be courteous” information to discourage access to vehicles after 10:00 PM, no use of car horn, no loud talking, etc.
- d) Phase 1 Parking Demand Analysis. Prior to submittal of the design review application for the Phase 2 parking garage, the project applicant (or its successor) shall provide to the City an analysis of actual parking demand during Phase 1 and projected demand for Phase 2. It shall identify the average number, location, and respective capacity of both guests and employees (including faculty and faculty assistants) parking at the various parking facilities located throughout the project site. The analysis shall also include a projection that identifies the anticipated demand for both guest and employee parking and where such parking will be provided on site. Based on the Parking Demand Analysis, the project applicant shall work with City staff to revise/refine the final size and capacity of the Phase 2 parking garage as necessary, but in no event shall the Phase 2 parking garage exceed the size or capacity shown on the application.
- e) Parking Garage Traffic Noise. To help minimize noise associated with vehicle travel in the parking garage, the surface of the garage shall be treated (e.g. textured surface) to minimize noise from tires.
- f) Parking Garage Monitor. During peak use periods (i.e. Friday and Sunday afternoons), an on-site parking garage monitor shall be available at the parking garage to help direct traffic and facilitate guests’ needs for getting to/from the main campus.
- g) “Intelligent” Lighting Systems. The project applicant shall incorporate industry-standard “intelligent” lighting systems (i.e. motion sensors, timers, etc.) to help minimize night lighting to the greatest extent feasible while still maintaining sufficient lighting for effective safety and security. This design feature shall apply to the surface parking in Phase 1 and the parking garage in Phase 2.
- h) Safety & Security Surveillance. The final parking garage design plans shall include the installation of 24 hour surveillance security cameras in and/or around the parking garage, particularly at exit and entrance points. Additionally, the parking garage and parking lot shall be actively monitored by campus security as part of on-going campus security operations.

- i) Parking Management Program Review Meetings. In coordination with City review of the Traffic Management Program, the project applicant (or its successor) shall meet with City staff to review parking management issues including parking management, noise, safety, etc. associated with the proposed project. Any complaints/recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) and the City will review and consider additional parking management strategies. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

Trees

19. All recommendations in the Tree Resource Analysis / Construction Impact Assessment, prepared by James P. Allen & Associates, June 2014, are incorporated as conditions of project approval.
20. Tree removal shall not occur until a grading or building permit has been issued for the project and furthermore not until immediately before commencement of site grading.
21. The final grading plans and improvement plans shall be reviewed and approved by the City arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
22. The city arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
23. During the pre-construction phase of development the city arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.
24. The city arborist shall routinely inspect the development site through the term of the project.
25. The cost of the city arborist review and implementation of conditions, site inspection, and related work shall be borne by the applicant.

Biotic

26. All recommendations in the 1440 Center Biological Report, prepared by Biotic Resources Group, July 2014, are incorporated as conditions of project approval.

Grading

27. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Archaeology and Paleontology

28. The project is located in an area of sensitivity for archaeological resources. If potential historical or unique archaeological resources are discovered during construction, suspend all work in the immediate vicinity (within approximately 50 feet) and avoid altering the materials and their context pending site investigation by a qualified archaeological or cultural resources consultant retained by the project applicant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been encountered.
29. If the find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in detailed technical reports. Such reports shall be deposited with the California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed.
30. The project applicant shall assure that project personnel are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.
31. If human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to

overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). In general, these provisions require that the County Coroner shall be notified immediately. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American shall be notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem.

32. All grading in the Santa Cruz Mudstone/bedrock layer shall be monitored by a qualified paleontologist.
33. The paleontologist shall attend a pre-grade meeting with project contractors to discuss the monitoring, collecting, and safety procedures for the project.
34. The paleontologist shall conduct full-time monitoring during any earth moving activities within the Santa Margarita Sandstone. The length of monitoring time is tied directly to the length of time for earth moving activities in the sensitive geologic unit. All recovered specimens would be donated to the designated repository.
35. Santa Cruz Mudstone, if encountered, will require intermittent monitoring. If the Santa Cruz Mudstone proves to be without significant fossil material on the project, the monitoring time can be lowered or eliminated at the discretion of the qualified project paleontologist. The Recent alluvium/colluvium, and fill materials and diorite on the site will not require paleontological monitoring.
36. During the grading or trenching activities in the Santa Margarita Sandstone, the paleontologist or a paleontological monitor(s) under his or her direct supervision, shall conduct sediment screening as part of monitoring effort. To save time, reduce costs, and allow the project to continue on schedule, a matrix sample, earmarked by the paleontologist, could be moved by the contractor to one side of the project. The paleontological monitor(s) could then process the matrix for fossils and collect scientifically significant specimens. This allows the construction schedule to continue as planned while allowing paleontological mitigation.
37. The paleontological monitor shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. The term "temporarily" in this context is interpreted as within one working day for the evaluation process.

38. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. This will include lithologic descriptions, photographs, a measured stratigraphic section(s), and field notes.
39. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system, such as the Applicant of California Museum of Paleontology, Berkeley (UCMP). The UCMP is specifically recommended as the repository for this project.
40. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Noise

41. The operation of an amplified sound system shall not at any time be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.
42. In the event that the operation of an amplified sound system becomes detrimental to the neighborhood, the Community Development Department shall evaluate issue and may refer the matter to the Planning Commission. The Planning Commission, at its discretion, may reverse or modify in whole or in part the conditions of approval associated with noise disturbances.
43. Operation of an amplified sound system shall not extend beyond the hours of 8:00 PM and not before 8:00 AM.

Air Quality

44. Construction equipment are required to use 2003 or later models for all onsite heavy-duty equipment during grading activities or install oxidation catalysts on heavy-duty equipment or use equipment that uses biodiesel fuel to minimize emission of diesel exhaust on all onsite equipment used during grading activities.
45. The applicant must provide proof to the City of MBUAPCD Notification (and asbestos surveys) prior to issuance of demolition permit. Any building materials classified as hazardous materials will be disposed of in conformance with Federal, State, and local laws.

BUILDING DEPARTMENT

46. All recommendations in the Geotechnical and Geologic Investigation for the 1440 Center, prepared by Pacific Crest Engineering, Inc., April 2014, are incorporated as conditions of project approval.
47. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
48. A soils engineer shall review and approve the final site grading, drainage, erosion control, and foundation design details prior to issuance of a grading and building permit.
49. The final grading plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
50. All construction shall be in compliance with current building code requirements.

WASTEWATER & WATER

51. The project shall comply with all Scotts Valley Water District and Scotts Valley Fire Protection District fire flow requirements.
52. Scotts Valley Water District approved backflow devices shall be installed at all new service connections, as determined applicable by Scotts Valley Water District.
53. Water-conserving plumbing fixtures shall be used exclusively, including, but not limited to, high efficiency toilets (1.28 gallons per flush), waterless urinals, and low-flow showerheads, and pre-rinse spray faucets.
54. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be property abandoned.
55. Prior to commencing realignment of Bethany Drive, applicant shall provide for relocation of the existing Bethany Drive water main pursuant to a main extension agreement with the District.
56. Applicant shall provide for any increase in storage or transmission capacity of the Water District's distribution system necessary for compliance with the Fire District minimum flow requirements for the project.
57. Any new building, as well as any existing building which requires an upgrade in meter size, will require payment of a Water Replenishment Impact Fee to the Scotts Valley Water District which will be used to offset any additional consumptive water demand associated with the proposed project. Furthermore,

any new connection, as well as any existing connection that will be upgraded to a larger meter size, will require payment to the Scotts Valley Water District of the Connection Charge and Water Replenishment Impact Fee.

58. The Applicant shall be required to pay for all water main relocation costs and comply with all other terms of service specified in a water main extension agreement to be negotiated between the Applicant and the District.
59. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private, or public road frontage. This under-grounding of utilities to remove utility poles comes in addition to the State-required under-grounding of transmission lines for the project and any new service connections.

FIRE DISTRICT

60. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a “safe haven” area for guests and employees in the event of an emergency.
61. All existing non sprinkled residence halls shall be sprinkled as determined appropriate by the SVFPD.
62. Elevators will be able to accommodate local emergency response gurney size of 81 inches in the horizontal position.
63. Fire hydrants shall be installed on the site per the California Fire Code for the 27,000 square foot building. Location to be determined by SVFD. Hydrants shall be shown on the site/utilities drawing.
64. All requirements of the Scotts Valley Fire Protection District shall be met and, upon completion of all conditions of the permit, the Fire District shall sign the building permit prior to the allowance of occupancy.
65. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
66. All existing and new structure(s) shall have an automatic fire sprinkler system installed throughout in conformance with the latest edition of National Fire Protection Association or as modified. The fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.

67. Install interior roof access ladders shall be installed for each roof section. Roof access ladder closets shall be a minimum of four feet deep.
68. Structures are required to have a NFPA 13 fire sprinkler system, Class 1 standpipe system, and a fire alarm system complying with NFPA 72.
69. All requirements of the Scotts Valley Fire Protection District shall be met and written acknowledgment from the Fire District shall be presented to the City stating that all conditions have been met prior to occupancy of the project.
70. A final site map shall be submitted to the Fire District prior to the issuance of any Fire District permits. The site map shall include each parcel, each building footprint, all access ways and each fire hydrant. Drawings of the plans shall be submitted on an Auto CAD drawing up to version 13 or a DWG file, on a high density 3.5" floppy disk. A legend of all the layers contained on the disk must be attached. An 11" x 17" hard copy of the site map must also be included.
71. Street names selected for the project are subject to the approval of the Fire District and shall be shown on the final map. Address numbers will be assigned by the Fire District.
72. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
73. Fire flow for the building(s) shall be the minimum gallons per minute required for construction type.
74. Fire hydrants shall be located in accordance with California Fire Code Appendix III-B. The Fire District shall approve placement of fire hydrants prior to the approval of the final site map drawings.
75. Structures shall have an automatic fire sprinkler system installed throughout in conformance with NFPA 13, latest edition for Light Hazard.
76. Class I standard piping is required to be used on the project site.
77. Automatic fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
78. If the automatic fire sprinkler system has 100 or more heads, the water supply valve and water flow switch shall be monitored by an approved central station, remote station, proprietary monitoring station or sound an audible signal at a constantly attended location.
79. A fire alarm system is required per California Fire Code section 1006.

80. Fire alarm plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
81. Building egress shall comply with the California Building Code.
82. Access road and fire road drawings showing width, grade, profile view, surface, and length, will be required for review and comments when building plans are submitted.
83. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.

DEPARTMENT OF PUBLIC WORKS

84. A final drainage report that verifying that the existing drainage infrastructure is adequate for the project site. The report will identify the use of on-site Low Impact Development (LID) measures. Such report shall be reviewed and approved by the Public Work Department prior to issuance of building permit for the project.
85. The final erosion control plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
86. The erosion control plan shall be re-implemented with grading of the site. The erosion control measures should be functional prior, during and after construction. Specific measures shall be identified in the project plans and specifications should include the following features: use of silt fencing and straw bales to prevent sediments from leaving the site, erosion control seeding and mulching following construction and other measures as appropriate. To be installed before grading occurs.
87. Following construction, the effectiveness of the erosion control measures shall be monitored during the first year's rainy season and remedial measures implemented if erosion is noted.
88. Applicant shall construct all storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Stormwater Technical Guide, February 2014.
89. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the

latest adopted City of Scotts Valley Stormwater Technical Guide. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

90. All required documents, final or parcel map sheets, covenants, developer and city improvement agreement and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the application of any building permit.
91. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
92. All work in the public right of way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on site work, as plan reviewed by the Public Works Department, will require an on site civil engineering permit and inspection.
93. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.
94. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
95. The applicant shall establish the location of the property lines for the project site. If a proposed building encroaches over property lines the Applicant shall either merge the properties or adjust the lot line.
96. Prior to submittal of final site plans to the City, the applicant shall conduct an investigation into the stability of the sanitary sewer pipeline running parallel to Carbonera Creek. The applicant shall be responsible for providing evidence to the City of having conducted this investigation into the stability of the pipeline.

Should the investigation determine improvements are required, the improvements will be recorded on final site plans as the applicant's responsibility to address prior to final site plan approval and the issuance of grading or building permits for the project site.

97. All access roads shall be kept clear of construction materials and all vehicles shall not stage or park for any reason.
98. Driveway drawings showing width, grade, profile view, surface, length, and turnaround will be required for review and comments when building plans are submitted.
99. Access roads shall be installed per the approved plan prior to any building construction on the site.
100. The Applicant shall provide to the City a video tape the condition of Bethany Drive prior to the start of construction for each project Phase. Prior to issuance of the first building permit, the Applicant shall submit, to the satisfaction of the City's Traffic Engineer, a brief report identifying any damage and subsequent repairs made as a result of damage to the roadway due to heavy equipment using the road as part of site demolition and grading.
101. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard (Roadway) Details, latest revision, as adopted by the City Council.
102. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of the Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
103. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
104. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to include install a traffic calming device (s) on Bethany Road. This could include the installation of a radar speed sign(s) (also called radar signs, driver feedback signs, speed display signs, and "Your Speed" signs) to alert motorists of their speed.

Name and Signature of Property Owner

RESOLUTION NO. 1895.2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A USE PERMIT (U14-006) FOR THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS SITE INTO AN EDUCATIONAL LEARNING CENTER FOR THE 1440 FOUNDATION LOCATED AT 800 BETHANY DRIVE.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive (collectively referred to as "Application"); and,

WHEREAS, 1440 Foundation, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on September 11, 2014, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on October 15, 2014, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated October 15, 2014:

1. *The proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.* The applicant is proposing the reuse and rehabilitation of a former educational facility which is permitted as a conditional use in the zoning ordinance.

2. *The establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.* The project is required to implement mitigation measures and conditions of approval have been added to the project so that project will not be detrimental to the neighborhood.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Use Permit No. U14-006 for the redevelopment of the existing Bethany University campus site into an educational learning center for the 1440 Foundation located at 800 Bethany Drive, subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 15th day of October, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jim Reed, Mayor

Tracy Ferrara, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL (Nos. 1-104)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, whichever occurs first.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.
4. All peer review work required by the project applicant to comply with the Conditions of Approval shall be done at the project applicant's expense through a reimbursement agreement with the City.

FINANCE DEPARTMENT

5. Project shall comply with Section 3.24 of the SVMC (Uniform Transient Occupancy Tax).

PLANNING DEPARTMENT

6. The colors, materials, size, location, and design of the improvements shall match the approved plans and material boards for all buildings. Modifications to the approved project may require approval at the discretion of the Community Development Director.
7. The landscaping improvements shall use native landscaping and be irrigated only in the initial period of planting.
8. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District. This condition may or may not be required, depending on final Main Extension Agreement terms.

9. Any new landscape irrigation system shall be metered separately from the existing new buildings. Purple pipe shall be used for landscape lines to facilitate constructed use and/or potential future conversion to recycled water use. A minimum 10-foot spacing shall be maintained between all potable and purple-pipe landscape lines. This condition may or may not be required, depending on final Main Extension Agreement terms.
10. To the maximum extent feasible, landscape installation shall provide for low water consumption plantings, drip irrigation technology, programmable irrigation control, and permeable hard surfaces.
11. All signs shall be in compliance with the Scotts Valley Municipal Code.
12. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. The lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of all final building permits. Where deemed necessary by the Community Development Director, light cutoffs/shields shall be installed.
13. The final design of all new and remodeled buildings shall receive Design Review approval from the City.
14. The property owner shall take measures to reduce congestion and single-occupant vehicle use and will incorporate measures as part of the marketing materials produced for the project. For example, carpooling and alternative mode of transportation will be strongly encouraged.
15. An erosion control plan shall be reviewed and approved by the Director of Public Works prior to winter grading for the project.
16. If deemed necessary by the City the property owner shall work with residents and the City to provide alternative scheduling patterns (i.e. class times and guest arrival and departure times) to improve traffic circulation.
Transportation Management Program
17. Transportation Management Program. The project applicant shall work with the City to prepare and approve a Traffic Management Program (TMP) to minimize congestion, noise, and safety impacts from vehicular traffic to/from the project site. The TMP shall be prepared by the project applicant (or its successor) and approved by the Community Development Director prior to building occupancy. The TMP shall include, but not be limited to, the following components:
 - a) Commuter Bus Pilot Project. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community

Development Director) to prepare and approve a commuter bus pilot project plan for guests traveling to/from the San Francisco Bay Area. The bus pilot project shall be actively advertised by the applicant and implemented over a 6 month period. At the conclusion of the pilot program, the project applicant (or its successor) shall submit to the Community Development Director a report describing the results of the pilot project including ridership, operation, and cost details. If the pilot project is found to be beneficial, the project applicant shall implement the bus program on an ongoing basis.

- b) Traffic Management on Bethany Drive. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to install a traffic calming device (s) on Bethany Road. This will include the re-installation of a radar speed sign(s) (also called speed display signs) to alert motorists of their speed. Other traffic calming measures that shall be considered include the installation of hazard warning signs for bends in the roadway and pavement treatments to communicate to drivers they are entering a neighborhood setting.
- c) Wayfinding Signage. Prior to building occupancy, the project applicant shall replace the existing Bethany Campus sign located at northeast corner of Bethany Drive and Scotts Valley Drive with a new wayfinding sign to direct guests to the project site and help prevent guests from entering adjacent roadways. The project applicant shall also identify other suitable locations for additional signage (e.g. the retaining wall located on the northeast corner of Bethany Drive and Bethany Way), subject to approval by the City's Public Works Department.
- d) On-Site Traffic Management. Prior to building occupancy, the project applicant shall implement the following on-site traffic management measures: 1) On-site traffic coordination to direct guests during peak periods, 2) Minimizing employee traffic during peak periods, and 3) Minimizing delivery and service vehicles during peak periods, 4) As necessary the project applicant (or its successor) shall meet with City staff to review traffic management issues including roadway congestion, noise, safety, etc. associated with the proposed project. Any complaints/ recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) agrees to investigate additional traffic management strategies to minimize traffic impacts on the public roadways. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.
- e) Guest Information Materials. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community

Development Director) to prepare a set of educational materials to be included as part of their guest registration confirmation materials regarding traffic safety and “good neighbor” etiquette when driving to/from and parking at the project site. This information may be provided electronically. The materials should address issues associated with the following:

- i. Providing guests with the Santa Cruz Regional Transportation Commission’s Highway 17 Safety brochure. If registration confirmation is provided digitally, provide the link to the Highway 17 Safety web site (currently www.sccrtc.org/meetings/tos-safe-on-17).
- ii. Providing guests with a “Be Courteous” flyer that includes a map and directions to the project site. The flyer should also encourage guests to: 1) Keep travel within the speed limit, particularly in residential neighborhoods (e.g. on Bethany Drive), 2) Avoid using their horn if at all possible, and 3) Keep noise to a minimum when parking their vehicles.
- iii. Any other relevant information, including traffic management changes, as it relates to on-site traffic management per the entirety of this TMP.

Parking Management Program

18. Parking Management Program. Prior to building occupancy, the project applicant shall work with the City to approve and implement a Parking Management Program (PMP) to minimize impacts associated with use of the West Field as a surface parking lot during Phase 1 and as a parking garage during Phase 2. The PMP shall include, but not be limited to, the following components:

- a) Fully Utilize Gaston Circle Parking Lot. During Phase 1, the project applicant (or its successor) shall direct parking to Gaston Circle prior to utilizing the West Field surface parking lot.
- b) Additional Landscape Screening. Prior to submittal of the design review application for the Phase 1 surface parking lot, the project applicant (or its successor) and the City’s arborist (working at the applicant’s expense) shall coordinate with residents on Tabor Way to install additional landscape screening (e.g. trees, scrubs, etc.) within their respective properties and/or on the project site between the residential properties and the West Field.

Furthermore, the project applicant (or its successor) shall install landscape screening along the southern edge of the West Field to help screen views of the surface parking lot and future parking garage from Bethany Way. Landscape screening will be planned to incorporate future construction

activities associated with the proposed garage. The project applicant (or its successor) shall submit a detailed landscaping plan as part of the design review application for the Phase 2 parking garage to help minimize views of the proposed parking garage from Bethany Way.

- c) Guest Information Materials. As part of guest information materials, guest shall be provided with “be courteous” information to discourage access to vehicles after 10:00 PM, no use of car horn, no loud talking, etc.
- d) Phase 1 Parking Demand Analysis. Prior to submittal of the design review application for the Phase 2 parking garage, the project applicant (or its successor) shall provide to the City an analysis of actual parking demand during Phase 1 and projected demand for Phase 2. It shall identify the average number, location, and respective capacity of both guests and employees (including faculty and faculty assistants) parking at the various parking facilities located throughout the project site. The analysis shall also include a projection that identifies the anticipated demand for both guest and employee parking and where such parking will be provided on site. Based on the Parking Demand Analysis, the project applicant shall work with City staff to revise/refine the final size and capacity of the Phase 2 parking garage as necessary, but in no event shall the Phase 2 parking garage exceed the size or capacity shown on the application.
- e) Parking Garage Traffic Noise. To help minimize noise associated with vehicle travel in the parking garage, the surface of the garage shall be treated (e.g. textured surface) to minimize noise from tires.
- f) Parking Garage Monitor. During peak use periods (i.e. Friday and Sunday afternoons), an on-site parking garage monitor shall be available at the parking garage to help direct traffic and facilitate guests’ needs for getting to/from the main campus.
- g) “Intelligent” Lighting Systems. The project applicant shall incorporate industry-standard “intelligent” lighting systems (i.e. motion sensors, timers, etc.) to help minimize night lighting to the greatest extent feasible while still maintaining sufficient lighting for effective safety and security. This design feature shall apply to the surface parking in Phase 1 and the parking garage in Phase 2.
- h) Safety & Security Surveillance. The final parking garage design plans shall include the installation of 24 hour surveillance security cameras in and/or around the parking garage, particularly at exit and entrance points. Additionally, the parking garage and parking lot shall be actively monitored by campus security as part of on-going campus security operations.

- i) Parking Management Program Review Meetings. In coordination with City review of the Traffic Management Program, the project applicant (or its successor) shall meet with City staff to review parking management issues including parking management, noise, safety, etc. associated with the proposed project. Any complaints/recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) and the City will review and consider additional parking management strategies. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

Trees

19. All recommendations in the Tree Resource Analysis / Construction Impact Assessment, prepared by James P. Allen & Associates, June 2014, are incorporated as conditions of project approval.
20. Tree removal shall not occur until a grading or building permit has been issued for the project and furthermore not until immediately before commencement of site grading.
21. The final grading plans and improvement plans shall be reviewed and approved by the City arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
22. The city arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
23. During the pre-construction phase of development the city arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.
24. The city arborist shall routinely inspect the development site through the term of the project.
25. The cost of the city arborist review and implementation of conditions, site inspection, and related work shall be borne by the applicant.

Biotic

26. All recommendations in the 1440 Center Biological Report, prepared by Biotic Resources Group, July 2014, are incorporated as conditions of project approval.

Grading

27. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Archaeology and Paleontology

28. The project is located in an area of sensitivity for archaeological resources. If potential historical or unique archaeological resources are discovered during construction, suspend all work in the immediate vicinity (within approximately 50 feet) and avoid altering the materials and their context pending site investigation by a qualified archaeological or cultural resources consultant retained by the project applicant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been encountered.
29. If the find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in detailed technical reports. Such reports shall be deposited with the California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed.
30. The project applicant shall assure that project personnel are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.
31. If human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to

overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). In general, these provisions require that the County Coroner shall be notified immediately. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American shall be notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem.

32. All grading in the Santa Cruz Mudstone/bedrock layer shall be monitored by a qualified paleontologist.
33. The paleontologist shall attend a pre-grade meeting with project contractors to discuss the monitoring, collecting, and safety procedures for the project.
34. The paleontologist shall conduct full-time monitoring during any earth moving activities within the Santa Margarita Sandstone. The length of monitoring time is tied directly to the length of time for earth moving activities in the sensitive geologic unit. All recovered specimens would be donated to the designated repository.
35. Santa Cruz Mudstone, if encountered, will require intermittent monitoring. If the Santa Cruz Mudstone proves to be without significant fossil material on the project, the monitoring time can be lowered or eliminated at the discretion of the qualified project paleontologist. The Recent alluvium/colluvium, and fill materials and diorite on the site will not require paleontological monitoring.
36. During the grading or trenching activities in the Santa Margarita Sandstone, the paleontologist or a paleontological monitor(s) under his or her direct supervision, shall conduct sediment screening as part of monitoring effort. To save time, reduce costs, and allow the project to continue on schedule, a matrix sample, earmarked by the paleontologist, could be moved by the contractor to one side of the project. The paleontological monitor(s) could then process the matrix for fossils and collect scientifically significant specimens. This allows the construction schedule to continue as planned while allowing paleontological mitigation.
37. The paleontological monitor shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. The term "temporarily" in this context is interpreted as within one working day for the evaluation process.

38. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. This will include lithologic descriptions, photographs, a measured stratigraphic section(s), and field notes.
39. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system, such as the Applicant of California Museum of Paleontology, Berkeley (UCMP). The UCMP is specifically recommended as the repository for this project.
40. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Noise

41. The operation of an amplified sound system shall not at any time be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.
42. In the event that the operation of an amplified sound system becomes detrimental to the neighborhood, the Community Development Department shall evaluate issue and may refer the matter to the Planning Commission. The Planning Commission, at its discretion, may reverse or modify in whole or in part the conditions of approval associated with noise disturbances.
43. Operation of an amplified sound system shall not extend beyond the hours of 8:00 PM and not before 8:00 AM.

Air Quality

44. Construction equipment are required to use 2003 or later models for all onsite heavy-duty equipment during grading activities or install oxidation catalysts on heavy-duty equipment or use equipment that uses biodiesel fuel to minimize emission of diesel exhaust on all onsite equipment used during grading activities.
45. The applicant must provide proof to the City of MBUAPCD Notification (and asbestos surveys) prior to issuance of demolition permit. Any building materials classified as hazardous materials will be disposed of in conformance with Federal, State, and local laws.

BUILDING DEPARTMENT

46. All recommendations in the Geotechnical and Geologic Investigation for the 1440 Center, prepared by Pacific Crest Engineering, Inc., April 2014, are incorporated as conditions of project approval.
47. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
48. A soils engineer shall review and approve the final site grading, drainage, erosion control, and foundation design details prior to issuance of a grading and building permit.
49. The final grading plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
50. All construction shall be in compliance with current building code requirements.

WASTEWATER & WATER

51. The project shall comply with all Scotts Valley Water District and Scotts Valley Fire Protection District fire flow requirements.
52. Scotts Valley Water District approved backflow devices shall be installed at all new service connections, as determined applicable by Scotts Valley Water District.
53. Water-conserving plumbing fixtures shall be used exclusively, including, but not limited to, high efficiency toilets (1.28 gallons per flush), waterless urinals, and low-flow showerheads, and pre-rinse spray faucets.
54. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be property abandoned.
55. Prior to commencing realignment of Bethany Drive, applicant shall provide for relocation of the existing Bethany Drive water main pursuant to a main extension agreement with the District.
56. Applicant shall provide for any increase in storage or transmission capacity of the Water District's distribution system necessary for compliance with the Fire District minimum flow requirements for the project.
57. Any new building, as well as any existing building which requires an upgrade in meter size, will require payment of a Water Replenishment Impact Fee to the Scotts Valley Water District which will be used to offset any additional consumptive water demand associated with the proposed project. Furthermore,

any new connection, as well as any existing connection that will be upgraded to a larger meter size, will require payment to the Scotts Valley Water District of the Connection Charge and Water Replenishment Impact Fee.

58. The Applicant shall be required to pay for all water main relocation costs and comply with all other terms of service specified in a water main extension agreement to be negotiated between the Applicant and the District.
59. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private, or public road frontage. This under-grounding of utilities to remove utility poles comes in addition to the State-required under-grounding of transmission lines for the project and any new service connections.

FIRE DISTRICT

60. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a “safe haven” area for guests and employees in the event of an emergency.
61. All existing non sprinkled residence halls shall be sprinkled as determined appropriate by the SVFPD.
62. Elevators will be able to accommodate local emergency response gurney size of 81 inches in the horizontal position.
63. Fire hydrants shall be installed on the site per the California Fire Code for the 27,000 square foot building. Location to be determined by SVFD. Hydrants shall be shown on the site/utilities drawing.
64. All requirements of the Scotts Valley Fire Protection District shall be met and, upon completion of all conditions of the permit, the Fire District shall sign the building permit prior to the allowance of occupancy.
65. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
66. All existing and new structure(s) shall have an automatic fire sprinkler system installed throughout in conformance with the latest edition of National Fire Protection Association or as modified. The fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.

67. Install interior roof access ladders shall be installed for each roof section. Roof access ladder closets shall be a minimum of four feet deep.
68. Structures are required to have a NFPA 13 fire sprinkler system, Class 1 standpipe system, and a fire alarm system complying with NFPA 72.
69. All requirements of the Scotts Valley Fire Protection District shall be met and written acknowledgment from the Fire District shall be presented to the City stating that all conditions have been met prior to occupancy of the project.
70. A final site map shall be submitted to the Fire District prior to the issuance of any Fire District permits. The site map shall include each parcel, each building footprint, all access ways and each fire hydrant. Drawings of the plans shall be submitted on an Auto CAD drawing up to version 13 or a DWG file, on a high density 3.5" floppy disk. A legend of all the layers contained on the disk must be attached. An 11" x 17" hard copy of the site map must also be included.
71. Street names selected for the project are subject to the approval of the Fire District and shall be shown on the final map. Address numbers will be assigned by the Fire District.
72. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
73. Fire flow for the building(s) shall be the minimum gallons per minute required for construction type.
74. Fire hydrants shall be located in accordance with California Fire Code Appendix III-B. The Fire District shall approve placement of fire hydrants prior to the approval of the final site map drawings.
75. Structures shall have an automatic fire sprinkler system installed throughout in conformance with NFPA 13, latest edition for Light Hazard.
76. Class I standard piping is required to be used on the project site.
77. Automatic fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
78. If the automatic fire sprinkler system has 100 or more heads, the water supply valve and water flow switch shall be monitored by an approved central station, remote station, proprietary monitoring station or sound an audible signal at a constantly attended location.
79. A fire alarm system is required per California Fire Code section 1006.

80. Fire alarm plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
81. Building egress shall comply with the California Building Code.
82. Access road and fire road drawings showing width, grade, profile view, surface, and length, will be required for review and comments when building plans are submitted.
83. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.

DEPARTMENT OF PUBLIC WORKS

84. A final drainage report that verifying that the existing drainage infrastructure is adequate for the project site. The report will identify the use of on-site Low Impact Development (LID) measures. Such report shall be reviewed and approved by the Public Work Department prior to issuance of building permit for the project.
85. The final erosion control plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
86. The erosion control plan shall be re-implemented with grading of the site. The erosion control measures should be functional prior, during and after construction. Specific measures shall be identified in the project plans and specifications should include the following features: use of silt fencing and straw bales to prevent sediments from leaving the site, erosion control seeding and mulching following construction and other measures as appropriate. To be installed before grading occurs.
87. Following construction, the effectiveness of the erosion control measures shall be monitored during the first year's rainy season and remedial measures implemented if erosion is noted.
88. Applicant shall construct all storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Stormwater Technical Guide, February 2014.
89. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the

latest adopted City of Scotts Valley Stormwater Technical Guide. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

90. All required documents, final or parcel map sheets, covenants, developer and city improvement agreement and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the application of any building permit.
91. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
92. All work in the public right of way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on site work, as plan reviewed by the Public Works Department, will require an on site civil engineering permit and inspection.
93. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.
94. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
95. The applicant shall establish the location of the property lines for the project site. If a proposed building encroaches over property lines the Applicant shall either merge the properties or adjust the lot line.
96. Prior to submittal of final site plans to the City, the applicant shall conduct an investigation into the stability of the sanitary sewer pipeline running parallel to Carbonera Creek. The applicant shall be responsible for providing evidence to the City of having conducted this investigation into the stability of the pipeline.

Should the investigation determine improvements are required, the improvements will be recorded on final site plans as the applicant's responsibility to address prior to final site plan approval and the issuance of grading or building permits for the project site.

97. All access roads shall be kept clear of construction materials and all vehicles shall not stage or park for any reason.
98. Driveway drawings showing width, grade, profile view, surface, length, and turnaround will be required for review and comments when building plans are submitted.
99. Access roads shall be installed per the approved plan prior to any building construction on the site.
100. The Applicant shall provide to the City a video tape the condition of Bethany Drive prior to the start of construction for each project Phase. Prior to issuance of the first building permit, the Applicant shall submit, to the satisfaction of the City's Traffic Engineer, a brief report identifying any damage and subsequent repairs made as a result of damage to the roadway due to heavy equipment using the road as part of site demolition and grading.
101. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard (Roadway) Details, latest revision, as adopted by the City Council.
102. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of the Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
103. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
104. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to include install a traffic calming device (s) on Bethany Road. This could include the installation of a radar speed sign(s) (also called radar signs, driver feedback signs, speed display signs, and "Your Speed" signs) to alert motorists of their speed.

Name and Signature of Property Owner

RESOLUTION NO. 1895.3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING DESIGN REVIEW (DR14-005) FOR THE REDEVELOPMENT OF THE EXISTING BETHANY UNIVERSITY CAMPUS SITE INTO AN EDUCATIONAL LEARNING CENTER FOR THE 1440 FOUNDATION LOCATED AT 800 BETHANY DRIVE.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive (collectively referred to as "Application"); and,

WHEREAS, 1440 Foundation, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on September 11, 2014, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on October 15, 2014, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated October 15, 2014:

1. *The siting of the structure on the site as compared with the siting of other structures in the immediate neighborhood is appropriate.* The neighborhood has been home to structures and facilities related to Bethany University since the 1950s. The 1440 Center project will re-use and re-habilitate existing structures associated with the former Bethany University. Proposed new structures will be compatible with the existing neighborhood setting.
2. *The materials, colors, proportion, mass, and detail of the exterior improvements are in good proportion, have simplicity of mass and detail, and are compatible with the appearance of the surrounding structures.* All of the proposed remodeled or new buildings/structures on the site will be constructed using wood, stone, and metal finishes representative of a Craftsman architectural style. Earth-toned colors and roofing materials are expected to be used to blend the structures with the surrounding environment. None of the proposed new buildings will exceed the maximum height limit of 35 feet. The proposed materials, colors, proportion, mass, and detail of exterior improvements will be compatible with the surrounding neighborhood.
3. *The landscaping is in keeping with the character and design of the proposed development.* Extensive tree plantings are proposed throughout the project site to re-establish a more natural forest environment on the site. Native species of trees and drought-tolerant understory plants are proposed to compliment and reinforce a forest setting on the site.
4. *The size, location, and arrangement of on-site parking and paved areas.* Based on review of proposed on-site parking for the site, the size, location, and arrangement of on-site parking is in compliance with City parking requirements.
5. *Ingress, egress and internal traffic circulation.* Ingress, egress, and internal traffic will be provided in compliance with City requirements. Access to the site is provided via Bethany Drive and the project has been condition to at no point during on-site construction activities to have full closure of Bethany Drive. The re-alignment of Bethany will allow for safe traffic movement.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Design Review No. DR14-005 for the redevelopment of the existing Bethany University campus site into an educational learning center for the 1440 Foundation located at 800 Bethany Drive, subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 15th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jim Reed, Mayor

Tracy Ferrara, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL (Nos. 1-104)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, whichever occurs first.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.
4. All peer review work required by the project applicant to comply with the Conditions of Approval shall be done at the project applicant's expense through a reimbursement agreement with the City.

FINANCE DEPARTMENT

5. Project shall comply with Section 3.24 of the SVMC (Uniform Transient Occupancy Tax).

PLANNING DEPARTMENT

6. The colors, materials, size, location, and design of the improvements shall match the approved plans and material boards for all buildings. Modifications to the approved project may require approval at the discretion of the Community Development Director.
7. The landscaping improvements shall use native landscaping and be irrigated only in the initial period of planting.
8. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District. This condition may or may not be required, depending on final Main Extension Agreement terms.

9. Any new landscape irrigation system shall be metered separately from the existing new buildings. Purple pipe shall be used for landscape lines to facilitate constructed use and/or potential future conversion to recycled water use. A minimum 10-foot spacing shall be maintained between all potable and purple-pipe landscape lines. This condition may or may not be required, depending on final Main Extension Agreement terms.
10. To the maximum extent feasible, landscape installation shall provide for low water consumption plantings, drip irrigation technology, programmable irrigation control, and permeable hard surfaces.
11. All signs shall be in compliance with the Scotts Valley Municipal Code.
12. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. The lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of all final building permits. Where deemed necessary by the Community Development Director, light cutoffs/shields shall be installed.
13. The final design of all new and remodeled buildings shall receive Design Review approval from the City.
14. The property owner shall take measures to reduce congestion and single-occupant vehicle use and will incorporate measures as part of the marketing materials produced for the project. For example, carpooling and alternative mode of transportation will be strongly encouraged.
15. An erosion control plan shall be reviewed and approved by the Director of Public Works prior to winter grading for the project.
16. If deemed necessary by the City the property owner shall work with residents and the City to provide alternative scheduling patterns (i.e. class times and guest arrival and departure times) to improve traffic circulation.
Transportation Management Program
17. Transportation Management Program. The project applicant shall work with the City to prepare and approve a Traffic Management Program (TMP) to minimize congestion, noise, and safety impacts from vehicular traffic to/from the project site. The TMP shall be prepared by the project applicant (or its successor) and approved by the Community Development Director prior to building occupancy. The TMP shall include, but not be limited to, the following components:
 - a) Commuter Bus Pilot Project. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community

Development Director) to prepare and approve a commuter bus pilot project plan for guests traveling to/from the San Francisco Bay Area. The bus pilot project shall be actively advertised by the applicant and implemented over a 6 month period. At the conclusion of the pilot program, the project applicant (or its successor) shall submit to the Community Development Director a report describing the results of the pilot project including ridership, operation, and cost details. If the pilot project is found to be beneficial, the project applicant shall implement the bus program on an ongoing basis.

- b) Traffic Management on Bethany Drive. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to install a traffic calming device (s) on Bethany Road. This will include the re-installation of a radar speed sign(s) (also called speed display signs) to alert motorists of their speed. Other traffic calming measures that shall be considered include the installation of hazard warning signs for bends in the roadway and pavement treatments to communicate to drivers they are entering a neighborhood setting.
- c) Wayfinding Signage. Prior to building occupancy, the project applicant shall replace the existing Bethany Campus sign located at northeast corner of Bethany Drive and Scotts Valley Drive with a new wayfinding sign to direct guests to the project site and help prevent guests from entering adjacent roadways. The project applicant shall also identify other suitable locations for additional signage (e.g. the retaining wall located on the northeast corner of Bethany Drive and Bethany Way), subject to approval by the City's Public Works Department.
- d) On-Site Traffic Management. Prior to building occupancy, the project applicant shall implement the following on-site traffic management measures: 1) On-site traffic coordination to direct guests during peak periods, 2) Minimizing employee traffic during peak periods, and 3) Minimizing delivery and service vehicles during peak periods, 4) As necessary the project applicant (or its successor) shall meet with City staff to review traffic management issues including roadway congestion, noise, safety, etc. associated with the proposed project. Any complaints/ recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) agrees to investigate additional traffic management strategies to minimize traffic impacts on the public roadways. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

- e) Guest Information Materials. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community Development Director) to prepare a set of educational materials to be included as part of their guest registration confirmation materials regarding traffic safety and “good neighbor” etiquette when driving to/from and parking at the project site. This information may be provided electronically. The materials should address issues associated with the following:
 - i. Providing guests with the Santa Cruz Regional Transportation Commission’s Highway 17 Safety brochure. If registration confirmation is provided digitally, provide the link to the Highway 17 Safety web site (currently www.sccrtc.org/meetings/tos-safe-on-17).
 - ii. Providing guests with a “Be Courteous” flyer that includes a map and directions to the project site. The flyer should also encourage guests to: 1) Keep travel within the speed limit, particularly in residential neighborhoods (e.g. on Bethany Drive), 2) Avoid using their horn if at all possible, and 3) Keep noise to a minimum when parking their vehicles.
 - iii. Any other relevant information, including traffic management changes, as it relates to on-site traffic management per the entirety of this TMP.

Parking Management Program

- 18. Parking Management Program. Prior to building occupancy, the project applicant shall work with the City to approve and implement a Parking Management Program (PMP) to minimize impacts associated with use of the West Field as a surface parking lot during Phase 1 and as a parking garage during Phase 2. The PMP shall include, but not be limited to, the following components:
 - a) Fully Utilize Gaston Circle Parking Lot. During Phase 1, the project applicant (or its successor) shall direct parking to Gaston Circle prior to utilizing the West Field surface parking lot.
 - b) Additional Landscape Screening. Prior to submittal of the design review application for the Phase 1 surface parking lot, the project applicant (or its successor) and the City’s arborist (working at the applicant’s expense) shall coordinate with residents on Tabor Way to install additional landscape screening (e.g. trees, scrubs, etc.) within their respective properties and/or on the project site between the residential properties and the West Field.

Furthermore, the project applicant (or its successor) shall install landscape screening along the southern edge of the West Field to help screen views

of the surface parking lot and future parking garage from Bethany Way. Landscape screening will be planned to incorporate future construction activities associated with the proposed garage. The project applicant (or its successor) shall submit a detailed landscaping plan as part of the design review application for the Phase 2 parking garage to help minimize views of the proposed parking garage from Bethany Way.

- c) Guest Information Materials. As part of guest information materials, guest shall be provided with “be courteous” information to discourage access to vehicles after 10:00 PM, no use of car horn, no loud talking, etc.
- d) Phase 1 Parking Demand Analysis. Prior to submittal of the design review application for the Phase 2 parking garage, the project applicant (or its successor) shall provide to the City an analysis of actual parking demand during Phase 1 and projected demand for Phase 2. It shall identify the average number, location, and respective capacity of both guests and employees (including faculty and faculty assistants) parking at the various parking facilities located throughout the project site. The analysis shall also include a projection that identifies the anticipated demand for both guest and employee parking and where such parking will be provided on site. Based on the Parking Demand Analysis, the project applicant shall work with City staff to revise/refine the final size and capacity of the Phase 2 parking garage as necessary, but in no event shall the Phase 2 parking garage exceed the size or capacity shown on the application.
- e) Parking Garage Traffic Noise. To help minimize noise associated with vehicle travel in the parking garage, the surface of the garage shall be treated (e.g. textured surface) to minimize noise from tires.
- f) Parking Garage Monitor. During peak use periods (i.e. Friday and Sunday afternoons), an on-site parking garage monitor shall be available at the parking garage to help direct traffic and facilitate guests’ needs for getting to/from the main campus.
- g) “Intelligent” Lighting Systems. The project applicant shall incorporate industry-standard “intelligent” lighting systems (i.e. motion sensors, timers, etc.) to help minimize night lighting to the greatest extent feasible while still maintaining sufficient lighting for effective safety and security. This design feature shall apply to the surface parking in Phase 1 and the parking garage in Phase 2.
- h) Safety & Security Surveillance. The final parking garage design plans shall include the installation of 24 hour surveillance security cameras in and/or around the parking garage, particularly at exit and entrance points. Additionally, the parking garage and parking lot shall be actively monitored by campus security as part of on-going campus security operations.

- i) Parking Management Program Review Meetings. In coordination with City review of the Traffic Management Program, the project applicant (or its successor) shall meet with City staff to review parking management issues including parking management, noise, safety, etc. associated with the proposed project. Any complaints/recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) and the City will review and consider additional parking management strategies. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

Trees

19. All recommendations in the Tree Resource Analysis / Construction Impact Assessment, prepared by James P. Allen & Associates, June 2014, are incorporated as conditions of project approval.
20. Tree removal shall not occur until a grading or building permit has been issued for the project and furthermore not until immediately before commencement of site grading.
21. The final grading plans and improvement plans shall be reviewed and approved by the City arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
22. The city arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
23. During the pre-construction phase of development the city arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.
24. The city arborist shall routinely inspect the development site through the term of the project.
25. The cost of the city arborist review and implementation of conditions, site inspection, and related work shall be borne by the applicant.

Biotic

26. All recommendations in the 1440 Center Biological Report, prepared by Biotic Resources Group, July 2014, are incorporated as conditions of project approval.

Grading

27. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Archaeology and Paleontology

28. The project is located in an area of sensitivity for archaeological resources. If potential historical or unique archaeological resources are discovered during construction, suspend all work in the immediate vicinity (within approximately 50 feet) and avoid altering the materials and their context pending site investigation by a qualified archaeological or cultural resources consultant retained by the project applicant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been encountered.
29. If the find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in detailed technical reports. Such reports shall be deposited with the California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed.
30. The project applicant shall assure that project personnel are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.
31. If human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to

overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). In general, these provisions require that the County Coroner shall be notified immediately. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American shall be notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem.

32. All grading in the Santa Cruz Mudstone/bedrock layer shall be monitored by a qualified paleontologist.
33. The paleontologist shall attend a pre-grade meeting with project contractors to discuss the monitoring, collecting, and safety procedures for the project.
34. The paleontologist shall conduct full-time monitoring during any earth moving activities within the Santa Margarita Sandstone. The length of monitoring time is tied directly to the length of time for earth moving activities in the sensitive geologic unit. All recovered specimens would be donated to the designated repository.
35. Santa Cruz Mudstone, if encountered, will require intermittent monitoring. If the Santa Cruz Mudstone proves to be without significant fossil material on the project, the monitoring time can be lowered or eliminated at the discretion of the qualified project paleontologist. The Recent alluvium/colluvium, and fill materials and diorite on the site will not require paleontological monitoring.
36. During the grading or trenching activities in the Santa Margarita Sandstone, the paleontologist or a paleontological monitor(s) under his or her direct supervision, shall conduct sediment screening as part of monitoring effort. To save time, reduce costs, and allow the project to continue on schedule, a matrix sample, earmarked by the paleontologist, could be moved by the contractor to one side of the project. The paleontological monitor(s) could then process the matrix for fossils and collect scientifically significant specimens. This allows the construction schedule to continue as planned while allowing paleontological mitigation.
37. The paleontological monitor shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. The term "temporarily" in this context is interpreted as within one working day for the evaluation process.

38. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. This will include lithologic descriptions, photographs, a measured stratigraphic section(s), and field notes.
39. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system, such as the Applicant of California Museum of Paleontology, Berkeley (UCMP). The UCMP is specifically recommended as the repository for this project.
40. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Noise

41. The operation of an amplified sound system shall not at any time be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.
42. In the event that the operation of an amplified sound system becomes detrimental to the neighborhood, the Community Development Department shall evaluate issue and may refer the matter to the Planning Commission. The Planning Commission, at its discretion, may reverse or modify in whole or in part the conditions of approval associated with noise disturbances.
43. Operation of an amplified sound system shall not extend beyond the hours of 8:00 PM and not before 8:00 AM.

Air Quality

44. Construction equipment are required to use 2003 or later models for all onsite heavy-duty equipment during grading activities or install oxidation catalysts on heavy-duty equipment or use equipment that uses biodiesel fuel to minimize emission of diesel exhaust on all onsite equipment used during grading activities.
45. The applicant must provide proof to the City of MBUAPCD Notification (and asbestos surveys) prior to issuance of demolition permit. Any building materials classified as hazardous materials will be disposed of in conformance with Federal, State, and local laws.

BUILDING DEPARTMENT

46. All recommendations in the Geotechnical and Geologic Investigation for the 1440 Center, prepared by Pacific Crest Engineering, Inc., April 2014, are incorporated as conditions of project approval.
47. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
48. A soils engineer shall review and approve the final site grading, drainage, erosion control, and foundation design details prior to issuance of a grading and building permit.
49. The final grading plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
50. All construction shall be in compliance with current building code requirements.

WASTEWATER & WATER

51. The project shall comply with all Scotts Valley Water District and Scotts Valley Fire Protection District fire flow requirements.
52. Scotts Valley Water District approved backflow devices shall be installed at all new service connections, as determined applicable by Scotts Valley Water District.
53. Water-conserving plumbing fixtures shall be used exclusively, including, but not limited to, high efficiency toilets (1.28 gallons per flush), waterless urinals, and low-flow showerheads, and pre-rinse spray faucets.
54. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be property abandoned.
55. Prior to commencing realignment of Bethany Drive, applicant shall provide for relocation of the existing Bethany Drive water main pursuant to a main extension agreement with the District.
56. Applicant shall provide for any increase in storage or transmission capacity of the Water District's distribution system necessary for compliance with the Fire District minimum flow requirements for the project.
57. Any new building, as well as any existing building which requires an upgrade in meter size, will require payment of a Water Replenishment Impact Fee to the Scotts Valley Water District which will be used to offset any additional consumptive water demand associated with the proposed project. Furthermore,

any new connection, as well as any existing connection that will be upgraded to a larger meter size, will require payment to the Scotts Valley Water District of the Connection Charge and Water Replenishment Impact Fee.

58. The Applicant shall be required to pay for all water main relocation costs and comply with all other terms of service specified in a water main extension agreement to be negotiated between the Applicant and the District.
59. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private, or public road frontage. This under-grounding of utilities to remove utility poles comes in addition to the State-required under-grounding of transmission lines for the project and any new service connections.

FIRE DISTRICT

60. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a “safe haven” area for guests and employees in the event of an emergency.
61. All existing non sprinkled residence halls shall be sprinkled as determined appropriate by the SVFPD.
62. Elevators will be able to accommodate local emergency response gurney size of 81 inches in the horizontal position.
63. Fire hydrants shall be installed on the site per the California Fire Code for the 27,000 square foot building. Location to be determined by SVFD. Hydrants shall be shown on the site/utilities drawing.
64. All requirements of the Scotts Valley Fire Protection District shall be met and, upon completion of all conditions of the permit, the Fire District shall sign the building permit prior to the allowance of occupancy.
65. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
66. All existing and new structure(s) shall have an automatic fire sprinkler system installed throughout in conformance with the latest edition of National Fire Protection Association or as modified. The fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.

67. Install interior roof access ladders shall be installed for each roof section. Roof access ladder closets shall be a minimum of four feet deep.
68. Structures are required to have a NFPA 13 fire sprinkler system, Class 1 standpipe system, and a fire alarm system complying with NFPA 72.
69. All requirements of the Scotts Valley Fire Protection District shall be met and written acknowledgment from the Fire District shall be presented to the City stating that all conditions have been met prior to occupancy of the project.
70. A final site map shall be submitted to the Fire District prior to the issuance of any Fire District permits. The site map shall include each parcel, each building footprint, all access ways and each fire hydrant. Drawings of the plans shall be submitted on an Auto CAD drawing up to version 13 or a DWG file, on a high density 3.5" floppy disk. A legend of all the layers contained on the disk must be attached. An 11" x 17" hard copy of the site map must also be included.
71. Street names selected for the project are subject to the approval of the Fire District and shall be shown on the final map. Address numbers will be assigned by the Fire District.
72. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
73. Fire flow for the building(s) shall be the minimum gallons per minute required for construction type.
74. Fire hydrants shall be located in accordance with California Fire Code Appendix III-B. The Fire District shall approve placement of fire hydrants prior to the approval of the final site map drawings.
75. Structures shall have an automatic fire sprinkler system installed throughout in conformance with NFPA 13, latest edition for Light Hazard.
76. Class I standard piping is required to be used on the project site.
77. Automatic fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
78. If the automatic fire sprinkler system has 100 or more heads, the water supply valve and water flow switch shall be monitored by an approved central station, remote station, proprietary monitoring station or sound an audible signal at a constantly attended location.
79. A fire alarm system is required per California Fire Code section 1006.

80. Fire alarm plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
81. Building egress shall comply with the California Building Code.
82. Access road and fire road drawings showing width, grade, profile view, surface, and length, will be required for review and comments when building plans are submitted.
83. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.

DEPARTMENT OF PUBLIC WORKS

84. A final drainage report that verifying that the existing drainage infrastructure is adequate for the project site. The report will identify the use of on-site Low Impact Development (LID) measures. Such report shall be reviewed and approved by the Public Work Department prior to issuance of building permit for the project.
85. The final erosion control plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
86. The erosion control plan shall be re-implemented with grading of the site. The erosion control measures should be functional prior, during and after construction. Specific measures shall be identified in the project plans and specifications should include the following features: use of silt fencing and straw bales to prevent sediments from leaving the site, erosion control seeding and mulching following construction and other measures as appropriate. To be installed before grading occurs.
87. Following construction, the effectiveness of the erosion control measures shall be monitored during the first year's rainy season and remedial measures implemented if erosion is noted.
88. Applicant shall construct all storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Stormwater Technical Guide, February 2014.
89. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the

latest adopted City of Scotts Valley Stormwater Technical Guide. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

90. All required documents, final or parcel map sheets, covenants, developer and city improvement agreement and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the application of any building permit.
91. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
92. All work in the public right of way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on site work, as plan reviewed by the Public Works Department, will require an on site civil engineering permit and inspection.
93. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.
94. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
95. The applicant shall establish the location of the property lines for the project site. If a proposed building encroaches over property lines the Applicant shall either merge the properties or adjust the lot line.
96. Prior to submittal of final site plans to the City, the applicant shall conduct an investigation into the stability of the sanitary sewer pipeline running parallel to Carbonera Creek. The applicant shall be responsible for providing evidence to the City of having conducted this investigation into the stability of the pipeline.

Should the investigation determine improvements are required, the improvements will be recorded on final site plans as the applicant's responsibility to address prior to final site plan approval and the issuance of grading or building permits for the project site.

97. All access roads shall be kept clear of construction materials and all vehicles shall not stage or park for any reason.
98. Driveway drawings showing width, grade, profile view, surface, length, and turnaround will be required for review and comments when building plans are submitted.
99. Access roads shall be installed per the approved plan prior to any building construction on the site.
100. The Applicant shall provide to the City a video tape the condition of Bethany Drive prior to the start of construction for each project Phase. Prior to issuance of the first building permit, the Applicant shall submit, to the satisfaction of the City's Traffic Engineer, a brief report identifying any damage and subsequent repairs made as a result of damage to the roadway due to heavy equipment using the road as part of site demolition and grading.
101. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard (Roadway) Details, latest revision, as adopted by the City Council.
102. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of the Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
103. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
104. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to include install a traffic calming device (s) on Bethany Road. This could include the installation of a radar speed sign(s) (also called radar signs, driver feedback signs, speed display signs, and "Your Speed" signs) to alert motorists of their speed.

Name and Signature of Property Owner

Location Map



STAFF REPORT

Applicant: 1440 Foundation/Scott Kriens

Property Owner: Bethany University

Application: General Plan Amendment No. GPA14-002
Zoning Ordinance Amendment No. AZO14-001
Planned Development No. PD14-001
Use Permit No. U14-006
Design Review No. DR14-005

Location: 800 Bethany Drive / Former Bethany University Campus

General Plan/Zoning: P/QP - Public/Quasi Public

Environmental Status: A Mitigated Negative Declaration has been prepared

Request: Consideration for recommendation to City Council of a General Plan Amendment, Zoning Ordinance Amendment, Planned Development, Use Permit and Design Review applications for the 1440 Foundation's redevelopment of the existing Bethany University Campus site into an educational learning center

Staff Planner: Corrie Kates, CDD/DCM

STAFF RECOMMENDATION

It is recommended that the Planning Commission recommend to the City Council approval of the General Plan Amendment, Zoning Ordinance Amendment, Planned Development, Use Permit and Design Review applications for the 1440 Foundation's redevelopment of the existing Bethany University Campus site into an educational learning center, subject to the proposed conditions in Exhibit A.

PROJECT BACKGROUND

The project site is located on Bethany Drive at the former Bethany University Campus (Attachment 1 - Location Map). From 1950 to 2011, the project site was used as a religious education facility, known as Bethany University.

PROJECT DESCRIPTION

The proposed project, known as the 1440 Center, involves the redevelopment of the existing Bethany University campus into an education, training, and personal enrichment facility that caters to individuals and businesses. Types of education and training courses could include yoga, spiritual classes, individual and family enrichment, communication, and leadership. Typical courses will include yoga, spiritual classes, individual and family enrichment, communication, and leadership. Guests will attend either a weekday session occurring Sunday through Friday, or a weekend session occurring Friday through Sunday, and will be provided overnight accommodations with on-site dining facilities.

Development plans will allow construction of an integrated campus that incorporates new and remodeled buildings constructed around an extensive network of pedestrian pathways, all set within a forested landscape of redwoods and other native plantings. The central core of the campus will be on the northern side of the proposed re-aligned Bethany Drive, adjacent to the current chapel. Extensive re-grading, particularly on and around the existing Swanson Hall (which will be demolished), will create a more walkable campus to both spatially and visually integrate the campus.

As shown in Table 1: Land Use Summary, the existing Bethany University is comprised of 185,924 s.f. At full build out, development plans entail the demolition of 69,916 sf., the remodeling of 93,867 s.f., and the construction of 234,288 s.f. of which 113,860 s.f. is non-habitable (parking garage). Total habitable square footage will increase by only 29,795 s.f., approximately 16% as compared to existing conditions.

Table 1: Land Use Summary

	Demolished Structures (sf.)	Remodeled Structures (sf.)	New Structures (sf.)	Guest Beds	Parking Spaces	Total Building Space (sf.)
Existing Bethany University						184,500
Phase 1	69,916 sf.	93,867 sf.	51,860 sf.	360	427	145,727
Phase 2	--	--	182,428 sf. (1)	140	590	328,155
Campus Totals	69,916	93,867	234,288	500	590	328,155
Less Non-habitable Space (parking garage)						113,860 ⁽¹⁾
Total habitable Space						214,295
Net New Habitable Space						29,795

Notes:

(1) Includes a 113,860 sf. parking garage

Source: Gerald Yates Architect, 2014.

The project site includes 16 existing single-family residences around Bethany Loop. Two of the residences will be demolished. Apart from minor repairs and improvements, the remaining houses will remain unchanged and some of them may be used for employee/faculty housing.

The proposed project will be developed in two phases. A summary of the proposed development for each phase is described below.

Phase 1

In Phase 1, the 1440 Center will accommodate up to 360 guests (including faculty and faculty assistants), and employ approximately 150 full-time equivalent employees. At the completion of Phase 2, the proposed project will accommodate up to 500 guests and faculty, and employ approximately 225 employees.

Ten existing buildings totaling 93,867 s.f. will be remodeled. These include the Stowell Center, the chapel, Redwood Auditorium, and several residence halls. Four new buildings, totaling 51,860 s.f., will be constructed including a new spa, dining hall, lodging, and a cafe. Upon completion, Phase 1 of the project will consist of a total of 149,688 gross s.f. of new and remodeled buildings. Phase 1 will include the demolition of 69,916 s.f. of administrative space, classrooms, residence halls, 10 single-family homes around Gaston Circle, and 2 single-family houses on Bethany Loop.

Phase 2

Phase 2 will increase the amount and type of on-site accommodations by approximately 182,428 s.f. of additional habitable space, able to accommodate 140 additional guests (for a total of 500 guest beds). A new garage will also be constructed on the West Field, replacing the surface parking lot constructed as part of Phase 1. A new 18,000 s.f. lodging facility will be constructed on the site of the existing Swanson Hall (removed as part of Phase 1) which will accommodate 44 guests and faculty. The existing Gaston Circle parking lot will be removed and replaced with up to 12 new "four-plex" guest lodging buildings (approximately 50,658 s.f.). Referred to as Gaston Village, this new housing complex will accommodate 96 additional guests. No building demolition will occur as part of Phase 2.

PROPOSED ENTITLEMENTS

The following section is a summary discussion of the relevant planning, entitlement and environmental issues associated with the proposed project. This includes required amendments to the City of Scotts Valley General Plan (General Plan) and Zoning Code, and a discussion regarding the findings in and comments on the Initial Study and Mitigated Negative Declaration (IS/MND).

General Plan Amendment

General Plan Designation

The project site is designated Public/Quasi Public (P) in the City of Scotts Valley General Plan. This designation is for public and private educational facilities, emergency services, health care facilities, religious facilities, governmental buildings, and cultural facilities.

Special Treatment Area

The project site is located within the Bethany College Special Treatment Area (BCSTA). A Special Treatment Area is an overlay designation established by the General Plan for areas identified as requiring special treatment for future development. With the departure of Bethany University this section of the General Plan needs updating as follows:

Special Treatment Areas - The Special Treatment Area ("STA") overlay designation is established for areas where planned developments or some form of special treatment is required to allow future development. Bethany College Neighborhood ("BCSTABNSTA") , the mid-town interchange ("MTISTA") , Camp Evers ("CESTA") area and Mt. Hermon Road near Highway 17 ("MHRSTA") are designated special treatment areas.

The BCSTABNSTA is approximately 80 acres in size with approximately 26 acres

of buildable area. The area is located at the northern portion of the City, west of Highway 17. The area is bordered on the west by Bethany Drive/Bethany Way and on the east by Scotts Valley Drive. The center portion of the BCSTABNSTA includes parcels around Gaston Circle. Buildable areas are those areas where the slopes are generally less than 10%. Development has already occurred to some extent in the buildable areas. The sole access to the Bethany area is via Bethany Drive. Most of the built and buildable areas of the ~~existing college~~ BNSTA lie in the narrow valleys between the hills at elevations of 800 to 850 feet. Development includes single family dwellings, former student housing, a ~~new~~ 15,000 square foot office building, child daycare center, church, gymnasium, and other former college related buildings and uses. Approximately 16 lots are developed with single family homes under separate ownership from the former college. These single family homes under separate ownership from the former college will be permitted additions or modifications to the existing structures based upon zoning regulations applicable to the R-1-10 zoning district. The remaining properties in the BCSTABNSTA will be developed under the Planned Development zoning regulations. The land use for these properties in the BCSTABNSTA will reflect a mix of commercial, residential, park, and open space designations similar to the ~~existing-former~~ campus in order to minimize traffic impacts and disruption to the surrounding residential neighborhood.

Circulation and Safety Elements

The project site is located at the end of Bethany Drive which serves as the primary roadway to and from the site. Figure S-1 ("Fire Hazard Areas") of the General Plan, indicates that the project site is located in an area identified as having a "high" fire hazard potential. In response to this designation, the Figure C-2 of the General Plan Circulation Element shows an emergency access to be constructed from the end of Bethany Drive, over to Canham Road. Additionally, the General Plan Circulation Element requires the following action: CA 129 "Require new development to construct and maintain emergency accesses, including Bethany Drive to Canham Road ..." (for fire safety). The Fire District has evaluated the project as a whole for fire safety and recommends that in lieu of constructing a new road to Canham Road, all buildings on the project site have sprinkler systems installed, which is a condition of approval for this project. A second condition of approval will require that the proposed parking lot (Phase 1) and parking garage (Phase 2) in the West Field area will serve as a "safe haven" area for guests in the event of an emergency. Figure S-6 ("Evacuation Routes") of the General Plan designates Bethany Drive as the road for exiting the area in the case of an emergency. No changes to this aspect of the emergency response plan are proposed.

The applicant is requesting that the General Plan be amended to remove the requirement to construct and maintain emergency access from Bethany Drive to Canham Road. As proposed the General Plan Text would be amended as follows:

Circulation Action (CA-129) - Require new development to construct and maintain emergency accesses, including ~~Bethany Drive to Ganham Road~~, Sucinto Drive to Highway 17, Upper Willis Road to Scotts Valley Drive and Sunridge Drive to Disc Drive.

Figure C-2 of the General Plan Circulation would also be update to reflect this change.

Scotts Valley Zoning Ordinance Amendment

Zoning

The project site is zoned Public/Quasi-Public (P), which is the same designation for the site as the General Plan designation. The district is intended to provide space for community facilities needed to complement urban residential areas and for institutions which may complement a residential environment. The proposed project involves the redevelopment of existing structures and space for the establishment of an educational, training, and personal enrichment facility, which is consistent with the Zoning designations as Public/Quasi Public facility. As such, the underlying zoning will not change as part of the proposed project.

Special Treatment Combing District (ST District)

The project site is subject to Special Treatment Combing District (ST district) regulations, per Chapter 17.36 of the Scotts Valley Municipal Code (SVMC). The purpose of this district is to encourage the incorporation of special design considerations into project development and redevelopment through the preparation of a Specific Plan.

The proposed project involves the redevelopment of existing structures and space within the project site for the establishment of an educational, training, and personal enrichment facility, which is consistent with the current General Plan and Zoning designations as Public/Quasi Public facility.

Due to the project's consistency with the zoning regulations and the requirement for Planned Development approval (see Planned Development section below), the applicant is requesting that the Zoning Ordinance be amended to eliminate the requirement for the preparation of Specific Plan. The Zoning Ordinance would be amended as follows:

17.36.010 – Description and purpose

The ST combining district is intended to apply to all lands designed in the General Plan as “special treatment” areas, with the exception of the BNSTA which will be reviewed and considered per Land Use Action 12 (LA- 12), and in other areas subsequently designated by the city council where special planning efforts are desired. The intention of this zoning district is to encourage the incorporation of special design considerations into project development and redevelopment, in an

effort to implement a visually pleasing environment in areas deemed to be of special importance to community image. It is further intended that development within an ST combining district shall be subject to submittal requirements of a specific plan with the exception of the BNSTA which will be reviewed and considered per Land Use Action 12 (LA- 12), as enumerated herein. In addition, the city encourages planned development where appropriate when proposing developments in the special treatment areas. The development standards set forth in this chapter are consistent with the intent of the special treatment overlay designation for areas specified as special treatment planning areas in the General Plan.

17.36.020 – Development Standards

The following development standards shall apply in all special treatment “ST” combining districts and shall be in addition to the regulations of the base zoning district to which this combining district is attached.

- A. A specific plan shall accompany development proposal(s) in this district, with the exception of the BNSTA which will be reviewed and considered per Land Use Action 12 (LA- 12). The specific plan shall be prepared consistent with California Government Code Section 65451 and the goals, objectives, policies, programs and land use designations described in the General Plan. The following is a summary of those requirements which shall apply to development proposals in this district.*

Planned Development Zoning and Permit

Per the General Plan Land Use Action (LA-12) “all future development of the Bethany College area shall be reviewed and considered under the Planned Development zoning regulations”. According to the General Plan, the purpose of Planned Development Zoning is to “provide the means to tailor zoning regulations and to apply specific standards for the development of a particular site. This process enables the City Council to consider the unique characteristics of a site and its surroundings to better implement the citywide objectives, goals and policies of the General Plan and to provide site-specific development standards. Anytime Planned Development zoning is utilized, the standards established for the zoning district which reflects the General Plan designation are tailored as part of a General Development Plan. Tailored zoning regulations include, but are not limited to, site intensities, location, height, coverage and appearance of structures.”

The second phase of a Planned Development zoning process, the Planned Development permit, is a site/architectural permit which implements the approved Planned Development overlay zoning of the property.

The proposed project will be required to comply with all provisions of the Planned Development zoning process, including approval of a Planned Development permit. The following items are components of the General Development plan proposed by the applicant.

Architecture and Design

The proposed project will consist of the remodeling of several existing buildings throughout the campus, as well as the construction of a number of new buildings, including a new dining hall, lodging facilities, classrooms, a spa, and administrative facilities. All of the remodeled and new buildings will be constructed using wood, stone, and metal finishes representative of a Craftsman architectural style. Earth-toned colors and roofing materials are expected to be used to blend the structures with the surrounding forested environment. None of the new buildings will exceed the maximum height limit of 35 feet.

Final design of proposed new and/or remodeled buildings on the site will require Design Review approval by the City as a condition of the project.

Lighting

Exterior project lighting will consist of wall and pole mounted fixtures around the perimeters of buildings and parking areas on the site. City conditions requiring that exterior lighting be the minimum necessary for security purposes, and that all exterior lighting be downward facing and not directly visible from adjacent properties, will be applicable to all development proposed on the site. Exterior lighting exists on the project site and post-project conditions will not substantially alter lighting on the site. The introduction of new lighting to the project site will primarily be located in the area designated as the West Field parking lot.

Trees

A Tree Resources Analysis/Construction Impact Assessment/Tree Protection Plan was prepared by arborists James P. Allen & Associates, dated June 11, 2014 (Attachment 6). Construction of the proposed project will require extensive grading, slope retention systems and site stabilization. To construct the improvements, 273 trees will be removed. Of these, 184 meet "Protected" criteria as defined by the City of Scotts Valley Municipal Code (Section 17.44.080). Of the 273 proposed for removal, 152 trees are required to be removed due to construction impacts. The remaining 121 trees are dead (33 trees), diseased, have fallen, or are structurally unsound and are recommended to be removed to eliminate the risk to future users of the site. A comprehensive preservation and replanting plan consisting of redwood trees and various native plants is proposed for the project site. The project is conditioned to require review by the City Arborist of the final grading and planting plans prior to tree removal and grading of the site.

Landscaping

Extensive tree plantings are proposed throughout the campus. Additionally, as part of the tree replacement described above, extensive native tree and understory planting will occur north of the proposed connector road. Drought-tolerant understory plants will be incorporated to compliment and reinforce a forest setting. Turf areas (less than one acre) will be limited to small areas south of Williams Hall and the Dining Hall. Irrigation will be limited and used only to the extent practical to establish new plants and maintain them in healthy conditions. The irrigation system will utilize drip irrigation technology, programmable irrigation controls, and permeable hard surfaces (to the extent practical) for all pathways and outdoor patios. In the event that at a future date recycled water becomes available for use on the site, the Water District has conditioned that all landscape irrigation be installed to recycled water standards.

Biological Resources

A Biological Report was prepared for the site by the Biotic Resources Group, dated July, 2014 (Attachment 7). The project area is characterized by the presence of a mixed evergreen forest, with a relatively dense understory of young trees. No sensitive habitats or species were identified on site. The proposed project would result in the removal of native trees that have value to wildlife, particularly if used by nesting raptors. Project Mitigation Measures include a survey for nesting bats and birds prior to commencement of grading and tree removal and if raptor nests are discovered, grading and tree removal shall be postponed until nestlings have fledged. Mitigation Measures regarding the protection of woodrats and the protection of on-site trees have also been identified for the project.

Grading

A Geotechnical and Geologic Investigation, dated April 2014, was prepared for the proposed project by Pacific Crest Engineering, Inc. (Attachment 8) Approximately, 16,530 cubic yards will be excavated on the project site, with 14,415 cubic yards re-distributed on site and 2,115 cubic yards to be exported off site. A significant portion of the grading will occur with the re-grading and realignment of Bethany Drive. This roadway will be moved south through the center of the campus from west of Gaston Circle, east to the beginning of Bethany Loop. The hilltop knoll near the existing library building will be lowered by approximately eight feet. This soil will be moved further west to raise the elevation at Bethany Drive / Gaston Circle by about six (6) feet. The purpose of this re-grading and realignment is to construct a flatter and straighter Bethany Drive and surrounding area, and thereby create a safer and more walkable central campus. The roadway up to the Gaston Circle parking lot will be re-graded to integrate better with the realigned Bethany Drive and accommodate accessible parking north of Stowell Center. Grading will also be required to accommodate the new connector road. This will involve cutting into the hillside generally along the alignment of the existing trail and constructing a series of retaining

walls along the roadway. Minor grading will also be required to construct the surface parking lot on the existing West Field.

The results of the geotechnical investigation indicate that, from a geotechnical engineering standpoint, the project site may be developed as proposed provided the recommendation for design and construction are incorporated, all recommendations are incorporated as Conditions of Approval for the project, and that a design-level geotechnical report be prepared and incorporated into the final project design and construction documents for each phase of the project. All of these requirements have been incorporated as conditions of approval.

Cultural Resources

The Scotts Valley 1994 General Plan, Figure OS-2 ("Archeological Sensitivity Zones"), indicates that the subject parcel is located within an area of archaeological sensitivity. City regulations require that all grading for the project be monitored by a qualified archaeologist. Monitoring by a qualified archaeologist is included as a Condition of Approval. The subject parcel is underlain by Santa Cruz Mudstone, an indicator for paleontological sensitivity. Monitoring during any site disturbance of this bedrock layer is a condition of project approval.

Hydrology

Of the total project site square footage, the total pre-project impervious surface area is approximately 250,354 s.f. Construction of the proposed project on the site would result in approximately 60,107 s.f. of increased impervious surface area on the project site, for a total site impervious surface area of 310,461 s.f. A Stormwater Control Plan has been prepared for the project, which identifies opportunities for the usage of Low Impact Development (LID) strategies to retain potential runoff from the site. Mitigation will be required ensuring that prior to issuance of the final grading permit by the City, the project applicant shall demonstrate a reduction in the project site's 10-year post-development runoff rate below that of the site's 10-year pre-development runoff rate through the incorporation of additional LID measures to be implemented on the project site.

Noise

The Noise Contour Map for the City indicates that the subject parcel area is in an area of less than 60 dBA. The City of Scotts Valley General Plan requires interior sound levels for residential housing to be controlled to a noise level of 45 Ldn when indoors and windows are closed and exterior levels controlled to a level less than 60 Ldn. Operation of the proposed Center is not anticipated to significantly alter the ambient noise levels of the surrounding area. During construction, noise levels will increase due to grading and construction activities. The project is located adjacent to the Early Childhood Learning Center (ECLC) which is a noise sensitive land use. The ECLC building is approximately 50 feet below the project site and the outdoor play area for children is on the other side of the two story building and over 100 feet from the area of construction. The noise will be

temporary and will diminish when construction is completed. All construction within the City of Scotts Valley is limited to the hours between 8 AM and 6 PM, Monday through Friday, and between 9 AM and 5 PM on Saturday. No construction activity is allowed on Sundays.

Traffic

Traffic Generation Data was prepared by Kimley-Horn Associates, Inc., June 2014, which was used to form traffic impact analysis in the project's Initial Study (Attachment 9). Overall, the proposed project would produce fewer daily trips as compared to the existing baseline conditions (i.e. existing with Bethany University). The existing baseline conditions would generate 800 daily trips during lower volume conditions (i.e. Monday – Thursday and Saturday) and 1,479 daily trips during higher volume conditions (i.e. Friday and Sunday). Comparatively, the proposed project at build out would generate 546 daily trips during lower volume conditions (255 fewer daily trips) and 1,171 during higher volume conditions (308 fewer trips).

Circulation

The Bethany University campus is located at the end of Bethany Drive, and access is primarily to and from Bethany Drive. To improve circulation in the project site's vicinity, Bethany Drive will be realigned further south and straightened between Bethany Way and Bethany Loop. Arriving guests will turn left off from Bethany Drive to Gaston Circle and cross a newly constructed bridge and check-in at Stowell Center. Guests will then self-park at the Gaston Circle or West Field surface parking lots.

A new "connector" road will be constructed along the hillside on the northern side of the project site connecting Gaston Circle to the new West Field surface parking lot where the current athletic field exists. This roadway will be 20 feet wide and include retaining walls along some portions.

To facilitate on-site pedestrian circulation, an extensive network of pedestrian paths will be constructed to create an aesthetically pleasing and walkable campus.

Project plans include a new roadway extending from Bethany Way north uphill to the proposed parking lot (Phase 1) and garage (Phase 2). Initially, this roadway extension will service as an emergency vehicle access (EVA) road only with a bollard system installed (as approved by the Scotts Valley Fire Prevention Department) that will prohibit non-emergency access. Under these conditions, guests parking in the West Field area will utilize the proposed connector road as the sole means of ingress and egress.

However, depending on the number of guests and operational conditions, the project applicant may wish to utilize the EVA road for guests to exit the proposed parking garage downhill to Bethany Way and then south onto Bethany Drive. During peak periods, namely Friday and Sunday mornings, a portion of the vehicles parked in the garage would exit via Bethany Way.

Given the fact that Bethany Way is a substandard roadway, the increased traffic resulting from the proposed project could potentially result in conflicts for access to the adjacent five single-family residents. This is considered a potentially significant impact. Implementation of the Mitigation Measure T-1 would reduce this impact to less than significant.

Mitigation Measure T-1, as defined in the project’s Initial Study, states that before project-related traffic to/from the West Field parking area is allowed, the project applicant shall work with the City of Scotts Valley, the Scotts Valley Fire Protection District, and residents of Bethany Way to determine the final roadway width and configurations as well as installing the appropriate infrastructure including curbs, sidewalk(s), and storm drains. Therefore, future collaboration between the City, applicant, and area residents will occur before project-related traffic is allowed to access the West Field parking area via Bethany Way.

Parking

As described in Table 2: Phase 1 Parking Plan, parking for Phase 1 will accommodate a total of 427 parking spaces. The existing parking lot on Gaston Circle will be reconfigured to accommodate 120 parking spaces. The West Field will be re-graded and a new surface parking lot constructed to accommodate 197 parking spaces. Additional parking will be provided adjacent to the Redwood Auditorium, and Burnett, Harp, and Gerhart residence halls, providing 110 additional parking spaces.

Table 2: Phase 1 Parking Plan

Parking Area / Lot	Standard Spaces	ADA Spaces	Total Spaces
Gaston Circle	120	0	120
West Field	191	6	197
Stowell Center	4	5	9
Redwood Auditorium	20	4	24
Burnett Hall	46	2	48
Harp & Gerhart Hall	20	1	21
Maintenance Building	8	0	8
Total	409	18	427

Source: Gerald Yates Architects, 2014.

As part of Phase 2, the surface parking lot at Gaston Circle will be removed. To accommodate the additional parking demand, the West Field surface parking lot will be replaced with a new two-story, three-level garage that will accommodate 474 parking spaces over a covered building area of approximately 113,860 s.f. The garage will be constructed essentially at-grade and will be approximately 36’ tall at its highest point, which will be at the corner towers containing stairways. The remainder of the structure will be approximately 24’ in height. The exterior of the garage will be comprised of colored

sand blasted concrete. A series of pergola structures will be constructed on the top level to soften its visual appearance and provide shade.

Lighting for the garage will consist of wall and pole mounted fixtures around the perimeters of buildings and parking areas on the site. City conditions requiring that exterior lighting be the minimum necessary for security purposes and that all exterior lighting be downward facing and not directly visible from adjacent properties will be applicable to all development proposed on the site, including the parking garage.

Ingress to the garage will be from the new connector road from Gaston Circle via a bridge at the third (top) parking level on the east side of the structure. Depending on occupancy rates and traffic patterns, the project applicant may convert the emergency vehicle access road to Bethany Way to a private roadway. This will allow guest the option of exiting from the garage at the ground level on the southwest side of the structure and travel south downhill to Bethany Way.

Parking on the remainder of the site will remain unchanged, with the exception of six spaces in Gaston Village. A summary of the total parking for Phase 2 is described in Table 3: Phase 2 Parking Plan.

Table 3: Phase 2 Parking Plan

Parking Area / Lot	Standard Spaces	ADA Spaces	Total Spaces
West Field	464	10	474
Stowell Center	4	5	9
Redwood Auditorium	20	4	24
Burnett Hall	46	2	48
Harp & Gerhart Hall	20	1	21
Gaston Village	4	2	6
Maintenance Building	8	0	8
Total	566	24	590

Source: Gerald Yates Architects, 2014.

Use Permit

The project site is in the Public/Quasi Public (P/QP) zoning district. Per Section SVMC section 17.30.030, educational facilities in the P/QP zoning district require Use Permit approval from the Planning Commission.

The P/QP district is designed to accommodate governmental, public utility, educational, community service, religious or recreational facilities. Such uses are somewhat unique in that their proximity to sensitive land uses is not generally detrimental to the quality of life and in many cases is desirable and convenient. The district is intended to provide space for community facilities needed to complement urban residential areas and for institutions which may complement a residential environment.

Due to their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and provide the district use regulations the necessary flexibility, the Planning Commission is empowered to grant and to deny applications for use permits and to impose such reasonable conditions in connection with a use permit as it deems necessary to secure the purposes of this title.

Items associated with the Use Permit application are discussed in the Planned Development section of the staff report.

Design Review

In the P/QP zoning district, architectural and site plan review by the Planning Commission is required for all structures, alterations to structures and signage in the P/PQ zoning district. The Design Review process is established to carry out the objectives of the city's general plan and related zoning ordinances and to ensure that permits for construction as set out hereinafter will be carried out in a manner which is not detrimental to the surrounding uses and is consistent with the overall planning goals of the city.

Items associated with the Design Review application are discussed in the Planned Development section of the staff report.

CEQA REVIEW

A Mitigated Negative Declaration has been prepared in conjunction with this project. The Initial Study / Mitigated Negative Declaration was circulated for a 30-day public review period. The site was posted and a public notice was posted on the City's website and in three public places and mailed to surrounding property owners within 300 feet of the project site pursuant to State law. The City received the following written comment letters on the Negative Declaration:

1. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (August 20, 2014)
2. State of California, Department of Transportation (August 18, 2014)
3. Monterey Bay Unified Air Pollution Control District (August 18, 2014)
4. Santa Cruz County Regional Transportation Commission (August 18, 2014)
5. San Lorenzo Valley Water District (August 18, 2014)
6. Scotts Valley Water District (August 7, 2014)
7. Marc Sacoolas (August 19, 2014)
8. Marnye Sacoolas (August 20, 2014)

Comments on the IS/MND focused on the following issues:

- Establishment of a baseline for the project to include Bethany University as a functioning operation.
- Traffic.
- Water Use.
- Site Drainage.
- Potential Biological Impacts.
- Emergency Access.

All comments received on the IS/MND were reviewed and considered by the City. The City determined that in no instance did the comments result in the identification of a new or previously unidentified significant adverse impact to the environment.

Responses to comments received described in Attachment 4, Response to Comments on the Draft IS/MND. Revisions to the Initial Study in response to comments received are provided in Attachment 5.

PUBLIC NOTICE

The site was posted and a public notice was posted in three (3) public places and mailed to surrounding property owners within 300 feet pursuant to State law. Additionally, the IS/MND was submitted to the State of California Governor's Office of Planning and Research (State Clearinghouse). The public review period of the IS/MND occurred between July 21st and August 19th. Eight comment letters were received in response to review of the IS/MND, as identified above. Two property owners in the project vicinity provided comments on the Initial Study/Mitigated Negative Declaration, as identified and addressed above.

ATTACHMENTS

PAGE No.

Resolution to Approve GPA14-002, AZO14-001, PD14-001, U14-006 & DR14-005
(Action Item) 17

1. Location Map 38
2. Project Plans (received June 17, 2014) Attached
3. Initial Study Attached
4. Comment Letters Received and Response to Comments Attached
5. Revisions to Initial Study Attached
6. Tree Resources Analysis, JP Allen & Associates (May 2014) Attached
7. Biological Report, Biotic Resources Group (July 2014) Attached
8. Geotechnical Report, Pacific Crest Engineering, Inc. (April 2014)..... Attached
9. Traffic Generation Data, Kimley-Horn Associates, Inc. (May 2014) Attached

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE MITIGATED NEGATIVE DECLARATION, APPROVE A GENERAL PLAN AMENDMENT, ZONING ORDINANCE AMENDMENT PLANNED DEVELOPMENT DISTRICT AND PERMIT, USE PERMIT AND DESIGN REVIEW FOR THE 1440 CENTER PROJECT ON THE FORMER BETHANY UNIVERSITY CAMPUS LOCATED AT 800 BETHANY DRIVE.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive; and,

WHEREAS, 1440 Foundation, (referred to as “applicant”) has presented substantial evidence which supports the application; and

WHEREAS, the application is a “project” pursuant to the California Environmental Quality Act (“CEQA”); and

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, a public hearing on the proposed project was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law and a duly noticed hearing was held by the Planning Commission on September 11, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Scotts Valley (“Commission”), that the Commission hereby recommends that the City Council:

SECTION 1: Certify the Mitigated Negative Declaration

SECTION 2: Approve the Planned Development Permit as shown on the plans as submitted to the Planning Commission with the Conditions of Approval provided in Exhibit A and the Mitigation Monitoring Reporting Program provided in Exhibit B based on the following findings:

1. *The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration for the project has been completed in compliance with CEQA, and the requirements of CEQA Section 15063 have been met.*
2. *All mitigation measures identified in the Mitigated Negative Declaration are included in the resolution approving the project and are made conditions of approval for the project. All mitigation measures have been included in the Conditions of Approval.*
3. *Documents and other material constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director. Copies of the Mitigated Negative Declaration have been made available to the public for review pursuant to CEQA requirements.*
4. *The Mitigated Negative Declaration represents the independent judgement of the City. The City prepared the Mitigated Negative Declaration. All supporting information has been reviewed and approved by the City.*

General Plan Amendment

5. *The General Plan Amendment is consistent with the City's General Plan. The proposed zoning ordinance amendment will eliminate the requirement of a specific plan for the Bethany College Special Treatment Area but any development of the area will still require special consideration by requiring a Planned Development Permit and compliance with the Scotts Valley Municipal Code Chapter 17.36 which is consistent with the intent of the General Plan and will protect the public health, safety, general welfare and convenience and sound zoning practices.*

Zoning Ordinance Amendment

6. *The proposed zoning ordinance amendment is in general conformance with the General Plan and it is in the interest of the public health, safety, general welfare or convenience or sound zoning practices. The proposed zoning ordinance amendment will eliminate the requirement of a specific plan for the Bethany College Special Treatment Area but any development of the area will still require special consideration by requiring a Planned Development Permit and compliance with the Scotts Valley Municipal Code Chapter 17.36 which is consistent with the intent of the General Plan and will protect the public health, safety, general welfare and convenience and sound zoning practices.*

Planned Development Zoning

7. *The proposed Planned Development zoning is consistent with the underlying zoning designation, the City of Scotts Valley General Plan and the Bethany Neighborhood Special Treatment Area (BNSTA).* The proposed project is consistent with the Public/Quasi Public land use prescribed in the General Plan. The project is consistent with the purpose and intent of the Public/Quasi Public district. The project is consistent with the objectives of special treatment area.

Planned Development Permit

8. *The planned development permit, as issued, furthers the policies of the general plan and the Bethany Neighborhood Special Treatment Area (BNSTA).* The General Plan and the *Bethany Neighborhood Special Treatment Area (BNSTA)* specifies a mix of land uses to further the goals and objectives of the General Plan by providing housing and educational opportunities and the necessary City infrastructure and services needed to provide those activities.
9. *The planned development permit, as issued, conforms in all respects to the planned development zoning of the property.* Planned Development district and permit will allow the development to be designed to meet the needs of the individual property and the requirements of the *BNSTA* while maintaining the character of the neighborhood. This permit will enable the applicant to continue to offer educational opportunities and housing in the city.
10. *The interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious.* The project meets the requirements of this finding in that the siting and size of the proposed buildings are designed in a compatible and cohesive manner for the campus and surrounding area and utilize the existing topography and development to create harmony.
11. *The environmental impacts of the project have been reviewed and considered.* A Mitigated Negative Declaration has been prepared and comments have been reviewed and considered.

Design Review

12. *The siting of the structure on the site as compared with the siting of other structures in the immediate neighborhood is appropriate.* The neighborhood has been home to structures and facilities related to Bethany University since the 1950s. The 1440 Center project will re-use and re-habilitate existing structures associated with the former Bethany University. Proposed new structures will be compatible with the existing neighborhood setting.

13. *The materials, colors, proportion, mass, and detail of the exterior improvements are in good proportion, have simplicity of mass and detail, and are compatible with the appearance of the surrounding structures.* All of the proposed remodeled or new buildings/structures on the site will be constructed using wood, stone, and metal finishes representative of a Craftsman architectural style. Earth-toned colors and roofing materials are expected to be used to blend the structures with the surrounding environment. None of the proposed new buildings will exceed the maximum height limit of 35 feet. The proposed materials, colors, proportion, mass, and detail of exterior improvements will be compatible with the surrounding neighborhood.
14. *The landscaping is in keeping with the character and design of the proposed development.* Extensive tree plantings are proposed throughout the project site to re-establish a more natural forest environment on the site. Native species of trees and drought-tolerant understory plants are proposed to compliment and reinforce a forest setting on the site.
15. *The size, location, and arrangement of on-site parking and paved areas.* Based on review of proposed on-site parking for the site, the size, location, and arrangement of on-site parking is in compliance with City parking requirements.
16. *Ingress, egress and internal traffic circulation.* Ingress, egress, and internal traffic will be provided in compliance with City requirements. Access to the site is provided via Bethany Drive and the project has been condition to at no point during on-site construction activities to have full closure of Bethany Drive. The re-alignment of Bethany will allow for safe traffic movement.

Use Permit

17. *The proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.* The applicant is proposing the reuse and rehabilitation of a former educational facility which is permitted as a conditional use in the zoning ordinance.
18. *The establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.* The project is required to implement mitigation measures and conditions of approval have been added to the project so that project will not be detrimental to the neighborhood.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission recommends that the City Council certify the mitigated negative declaration, approve General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive, subject to the Conditions of Approval set forth in Exhibit A and the Mitigation Monitoring Reporting Program set forth in Exhibit B, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the Planning Commission of the City of Scotts Valley at a meeting held on the 11th day of September, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chair, Russ Patterson

Corrie Kates, Community Development Director

EXHIBIT A

CONDITIONS OF APPROVAL

(Nos. 1-x)

Standard

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, which ever occurs first.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.
4. All peer review work required by the project applicant to comply with the Conditions of Approval shall be done at the project applicant's expense through a reimbursement agreement with the City.

PLANNING DEPARTMENT

5. The colors, materials, size, location, and design of the improvements shall match the approved plans and material boards for all buildings. Modifications to the approved project may require approval at the discretion of the Community Development Director.
6. The landscaping improvements shall use native landscaping and be irrigated only in the initial period of planting.
7. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District. This condition may or may not be required, depending on final Main Extension Agreement terms.
8. Any new landscape irrigation system shall be metered separately from the existing new buildings. Purple pipe shall be used for landscape lines to facilitate

constructed use and/or potential future conversion to recycled water use. A minimum 10-foot spacing shall be maintained between all potable and purple-pipe landscape lines. This condition may or may not be required, depending on final Main Extension Agreement terms.

9. To the maximum extent feasible, landscape installation shall provide for low water consumption plantings, drip irrigation technology, programmable irrigation control, and permeable hard surfaces.
10. All signs shall be in compliance with the Scotts Valley Municipal Code.
11. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. The lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of all final building permits. Where deemed necessary by the Community Development Director, light cutoffs/shields shall be installed.
12. The final design of all new and remodeled buildings shall receive Design Review approval from the City.
13. The property owner shall take measures to reduce congestion and single-occupant vehicle use and will incorporate measures as part of the marketing materials produced for the project. For example, carpooling and alternative mode of transportation will be strongly encouraged.
14. An erosion control plan shall be reviewed and approved by the Director of Public Works prior to winter grading for the project.
15. If deemed necessary by the City the property owner shall work with residents and the City to provide alternative scheduling patterns (i.e. class times and guest arrival and departure times) to improve traffic circulation.

Trees

16. All recommendations in the *Tree Resource Analysis / Construction Impact Assessment*, prepared by James P. Allen & Associates, June 2014, are incorporated as conditions of project approval.
17. Tree removal shall not occur until a grading or building permit has been issued for the project and furthermore not until immediately before commencement of site grading.
18. The final grading plans and improvement plans shall be reviewed and approved by the City arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

19. The city arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
20. During the pre-construction phase of development the city arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.
21. The city arborist shall routinely inspect the development site through the term of the project.
22. The cost of the city arborist review and implementation of conditions, site inspection, and related work shall be borne by the applicant.

Biotic

23. All recommendations in the *1440 Center Biological Report*, prepared by Biotic Resources Group, July 2014, are incorporated as conditions of project approval.

Grading

24. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Archaeology and Paleontology

25. The project is located in an area of sensitivity for archaeological resources. If potential historical or unique archaeological resources are discovered during construction, suspend all work in the immediate vicinity (within approximately 50 feet) and avoid altering the materials and their context pending site investigation by a qualified archaeological or cultural resources consultant retained by the project applicant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been encountered.
26. If the find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to

result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in detailed technical reports. Such reports shall be deposited with the California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed.

27. The project applicant shall assure that project personnel are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.
28. If human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). In general, these provisions require that the County Coroner shall be notified immediately. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American shall be notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem.
29. All grading in the Santa Cruz Mudstone/bedrock layer shall be monitored by a qualified paleontologist.
30. The paleontologist shall attend a pre-grade meeting with project contractors to discuss the monitoring, collecting, and safety procedures for the project.
31. The paleontologist shall conduct full-time monitoring during any earth moving activities within the Santa Margarita Sandstone. The length of monitoring time is tied directly to the length of time for earth moving activities in the sensitive geologic unit. All recovered specimens would be donated to the designated repository.
32. Santa Cruz Mudstone, if encountered, will require intermittent monitoring. If the Santa Cruz Mudstone proves to be without significant fossil material on the project, the monitoring time can be lowered or eliminated at the discretion of the qualified

project paleontologist. The Recent alluvium/colluvium, and fill materials and diorite on the site will not require paleontological monitoring.

33. During the grading or trenching activities in the Santa Margarita Sandstone, the paleontologist or a paleontological monitor(s) under his or her direct supervision, shall conduct sediment screening as part of monitoring effort. To save time, reduce costs, and allow the project to continue on schedule, a matrix sample, earmarked by the paleontologist, could be moved by the contractor to one side of the project. The paleontological monitor(s) could then process the matrix for fossils and collect scientifically significant specimens. This allows the construction schedule to continue as planned while allowing paleontological mitigation.
34. The paleontological monitor shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. The term "temporarily" in this context is interpreted as within one working day for the evaluation process.
35. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. This will include lithologic descriptions, photographs, a measured stratigraphic section(s), and field notes.
36. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system, such as the Applicant of California Museum of Paleontology, Berkeley (UCMP). The UCMP is specifically recommended as the repository for this project.
37. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Noise

38. The operation of an amplified sound system shall not at any time be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.
39. In the event that the operation of an amplified sound system becomes detrimental to the neighborhood, the Community Development Department shall evaluate issue and may refer the matter to the Planning Commission. The Planning Commission, at its discretion, may reverse or modify in whole or in part the conditions of approval associated with noise disturbances.

40. Operation of an amplified sound system shall not extend beyond the hours of 8:00 PM and not before 8:00 AM.

Air Quality

41. Construction equipment are required to use 2003 or later models for all onsite heavy-duty equipment during grading activities or install oxidation catalysts on heavy-duty equipment or use equipment that uses biodiesel fuel to minimize emission of diesel exhaust on all onsite equipment used during grading activities.
42. The applicant must provide proof to the City of MBUAPCD Notification (and asbestos surveys) prior to issuance of demolition permit. Any building materials classified as hazardous materials will be disposed of in conformance with Federal, State, and local laws.

BUILDING DEPARTMENT

43. All recommendations in the *Geotechnical and Geologic Investigation for the 1440 Center*, prepared by Pacific Crest Engineering, Inc., April 2014, are incorporated as conditions of project approval.
44. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
45. A soils engineer shall review and approve the final site grading, drainage, erosion control, and foundation design details prior to issuance of a grading and building permit.
46. The final grading plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
47. All construction shall be in compliance with current building code requirements.

WASTEWATER & WATER

48. The project shall comply with all Scotts Valley Water District and Scotts Valley Fire Protection District fire flow requirements.
49. Scotts Valley Water District approved backflow devices shall be installed at all new service connections, as determined applicable by Scotts Valley Water District.
50. Water-conserving plumbing fixtures shall be used exclusively, including, but not limited to, high efficiency toilets (1.28 gallons per flush), waterless urinals, and low-flow showerheads, and pre-rinse spray faucets.
51. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be property abandoned.

52. Prior to commencing realignment of Bethany Drive, applicant shall provide for relocation of the existing Bethany Drive water main pursuant to a main extension agreement with the District.
53. Applicant shall provide for any increase in storage or transmission capacity of the Water District's distribution system necessary for compliance with the Fire District minimum flow requirements for the project.
54. Any new building, as well as any existing building which requires an upgrade in meter size, will require payment of a Water Replenishment Impact Fee to the Scotts Valley Water District which will be used to offset any additional consumptive water demand associated with the proposed project. Furthermore, any new connection, as well as any existing connection that will be upgraded to a larger meter size, will require payment to the Scotts Valley Water District of the Connection Charge and Water Replenishment Impact Fee.
55. The Applicant shall be required to pay for all water main relocation costs and comply with all other terms of service specified in a water main extension agreement to be negotiated between the Applicant and the District.
56. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private, or public road frontage. This under-grounding of utilities to remove utility poles comes in addition to the State-required under-grounding of transmission lines for the project and any new service connections.

FIRE DISTRICT

57. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.
58. All existing non-sprinkled residence halls shall be sprinkled as determined appropriate by the SVFPD.
59. Elevators will be able to accommodate local emergency response gurney size of 81 inches in the horizontal position.
60. Fire hydrants shall be installed on the site per the California Fire Code for the 27,000 square foot building. Location to be determined by SVFD. Hydrants shall be shown on the site/utilities drawing.

61. All requirements of the Scotts Valley Fire Protection District shall be met and, upon completion of all conditions of the permit, the Fire District shall sign the building permit prior to the allowance of occupancy.
62. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
63. All existing and new structure(s) shall have an automatic fire sprinkler system installed throughout in conformance with the latest edition of National Fire Protection Association or as modified. The fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
64. Install interior roof access ladders shall be installed for each roof section. Roof access ladder closets shall be a minimum of four feet deep.
65. Structures are required to have a NFPA 13 fire sprinkler system, Class 1 standpipe system, and a fire alarm system complying with NFPA 72.
66. All requirements of the Scotts Valley Fire Protection District shall be met and written acknowledgment from the Fire District shall be presented to the City stating that all conditions have been met prior to occupancy of the project.
67. A final site map shall be submitted to the Fire District prior to the issuance of any Fire District permits. The site map shall include each parcel, each building footprint, all access ways and each fire hydrant. Drawings of the plans shall be submitted on an Auto CAD drawing up to version 13 or a DWG file, on a high density 3.5" floppy disk. A legend of all the layers contained on the disk must be attached. An 11" x 17" hard copy of the site map must also be included.
68. Street names selected for the project are subject to the approval of the Fire District and shall be shown on the final map. Address numbers will be assigned by the Fire District.
69. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
70. Fire flow for the building(s) shall be the minimum gallons per minute required for construction type.
71. Fire hydrants shall be located in accordance with California Fire Code Appendix III-B. The Fire District shall approve placement of fire hydrants prior to the approval of the final site map drawings.

72. Structures shall have an automatic fire sprinkler system installed throughout in conformance with NFPA 13, latest edition for Light Hazard.
73. Class I standard piping is required to be used on the project site.
74. Automatic fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
75. If the automatic fire sprinkler system has 100 or more heads, the water supply valve and water flow switch shall be monitored by an approved central station, remote station, proprietary monitoring station or sound an audible signal at a constantly attended location.
76. A fire alarm system is required per California Fire Code section 1006.
77. Fire alarm plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
78. Building egress shall comply with the California Building Code.
79. Access road and fire road drawings showing width, grade, profile view, surface, and length, will be required for review and comments when building plans are submitted.
80. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.

DEPARTMENT OF PUBLIC WORKS

81. A final drainage report that verifying that the existing drainage infrastructure is adequate for the project site. The report will identify the use of on-site Low Impact Development (LID) measures. Such report shall be reviewed and approved by the Public Work Department prior to issuance of building permit for the project.
82. The final erosion control plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
83. The erosion control plan shall be re-implemented with grading of the site. The erosion control measures should be functional prior, during and after construction. Specific measures shall be identified in the project plans and specifications should

include the following features: use of silt fencing and straw bales to prevent sediments from leaving the site, erosion control seeding and mulching following construction and other measures as appropriate. To be installed before grading occurs.

84. Following construction, the effectiveness of the erosion control measures shall be monitored during the first year's rainy season and remedial measures implemented if erosion is noted.
85. Applicant shall construct all storm drain facilities in conformance with data and analysis in the adopted *City of Scotts Valley Stormwater Technical Guide*, February 2014.
86. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted *City of Scotts Valley Stormwater Technical Guide*. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.
87. All required documents, final or parcel map sheets, covenants, developer and city improvement agreement and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the application of any building permit.
88. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
89. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
90. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.
91. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to

commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

92. The applicant shall establish the location of the property lines for the project site. If a proposed building encroaches over property lines the Applicant shall either merge the properties or adjust the lot line.
93. Prior to submittal of final site plans to the City, the applicant shall conduct an investigation into the stability of the sanitary sewer pipeline running parallel to Carbonera Creek. The applicant shall be responsible for providing evidence to the City of having conducted this investigation into the stability of the pipeline. Should the investigation determine improvements are required, the improvements will be recorded on final site plans as the applicant's responsibility to address prior to final site plan approval and the issuance of grading or building permits for the project site.
94. All access roads shall be kept clear of construction materials and all vehicles shall not stage or park for any reason.
95. Driveway drawings showing width, grade, profile view, surface, length, and turnaround will be required for review and comments when building plans are submitted.
96. Access roads shall be installed per the approved plan prior to any building construction on the site.
97. The Applicant shall provide to the City a video tape the condition of Bethany Drive prior to the start of construction for each project Phase. Prior to issuance of the first building permit, the Applicant shall submit, to the satisfaction of the City's Traffic Engineer, a brief report identifying any damage and subsequent repairs made as a result of damage to the roadway due to heavy equipment using the road as part of site demolition and grading.
98. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard (Roadway) Details, latest revision, as adopted by the City Council.
99. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of the Transportation and Traffic Engineering Handbook, by the Institute of

Transportation Engineers, and the State Department of Transportation "Standard Specifications".

100. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
101. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to include install a traffic calming device (s) on Bethany Road. This could include the installation of a radar speed sign(s) (also called radar signs, driver feedback signs, speed display signs, and "Your Speed" signs) to alert motorists of their speed.



CITY OF SCOTTS VALLEY

PLANNING DEPARTMENT

One Civic Center Drive • Scotts Valley • California • 95066
Phone (831) 440-5630 • Facsimile (831) 438-2793 • www.scottsvalley.org

Planning Commission Action Meeting Minutes

DATE / TIME: Thursday, September 11, 2014 at 6:00PM

MEETING LOCATION: City Hall Council Chambers at One Civic Center Drive

POSTING: Agenda posted at the City of Scotts Valley City Hall and Senior Center, and the Public Library on September 5, 2014

Planning Commissioners Russ Patterson, Chair Deborah Muth, Vice-Chair Carlos Arcangeli, Commissioner Steve Horlock, Commissioner Derek Timm, Commissioner	City Staff Members Corrie Kates, Community Development Director/ Deputy City Manager Taylor Bateman, Senior Planner Michelle Fodge, Senior Planner
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CALL TO ORDER: *Planning Commission Chair called the meeting to order at 6:08pm.*

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: *Planning Commission Chair led the pledge of allegiance.*

ROLL CALL: *All present.*

ORAL COMMUNICATIONS: *None.*

ALTERATIONS TO CONSENT AGENDA: *None.*

CONSENT AGENDA:

1. *The Planning Commission approved the action meeting minutes from the August 14 and 28, 2014, meeting.*

ALTERATIONS TO PUBLIC HEARING OR REGULAR AGENDA: *None.*

PUBLIC HEARING AGENDA:

2. ***Continued item from August 14, 2104 Meeting***

Addresses: 903 Whispering Pines Drive / APN 021-291-27 and
100 Blueberry Court / APN 021-291-28

Applications: V05-002.2 and DR05-022.2

Applicant: Jason Ashton

Property Owners: Jason Ashton and Ethrington Estate

Project Description: Consideration of Variance Amendment and Design Review Amendment, to request three (3) more years to build a previously approved debris flow wall (120-feet long x 8-feet high x 10-inches wide) for hillside protective infrastructure, reduced-size pool deck expansion (about 1,100 square feet), and reduced-size pool retaining walls, subject to the previously approved project plans, mitigation measures, and conditions of approval.

Staff Planner: Michelle Fodge (831) 440-5632 or mfodge@scottsvalley.org

Action: *Planning Commission continued the item to October 9, 2014, with a 5/0/0 vote, for the applicant to show performance with an expired building permit.*

3. **Project Title:** 1440 Center

Addresses: 800 Bethany Drive (former Bethany University Campus)

Applications: GPA14-002, AZO14-001, PD14-006, U14-006 & DR14-005

Applicant: 1440 Foundation

Property Owners: Bethany University

Project Description: Consideration of a recommendation of approval to the City Council of a General Plan Amendment, Zoning Ordinance Amendment, Planned Development, Use Permit and Design Review applications for the 1440 Foundation's redevelopment of the existing Bethany University Campus site into an educational learning center.

Staff Planner: Taylor Bateman (831) 440-5633 or tbateman@scottsvalley.org

Action: *Planning Commission recommended approval of the applications to the City Council, via Resolution No. 1671, subject to mitigations and conditions, with a 5/0/0 vote.*

REGULAR AGENDA: *None.*

DISCUSSION ITEMS: *None.*

FUTURE AGENDA ITEMS: *None.*

WRITTEN COMMUNICATIONS - FOR INFORMATION ONLY: *None.*

ADJOURNMENT: *Meeting adjourned at _____pm.*

RESOLUTION NO. 1671

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE MITIGATED NEGATIVE DECLARATION, APPROVE A GENERAL PLAN AMENDMENT, ZONING ORDINANCE AMENDMENT PLANNED DEVELOPMENT DISTRICT AND PERMIT, USE PERMIT AND DESIGN REVIEW FOR THE 1440 CENTER PROJECT ON THE FORMER BETHANY UNIVERSITY CAMPUS LOCATED AT 800 BETHANY DRIVE.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by 1440 Foundation for General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive; and,

WHEREAS, 1440 Foundation, (referred to as “applicant”) has presented substantial evidence which supports the application; and

WHEREAS, the application is a “project” pursuant to the California Environmental Quality Act (“CEQA”); and

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, as mitigated, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, a public hearing on the proposed project was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law and a duly noticed hearing was held by the Planning Commission on September 11, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Scotts Valley (“Commission”), that the Commission hereby recommends that the City Council:

SECTION 1: Certify the Mitigated Negative Declaration

SECTION 2: Approve the Planned Development Permit as shown on the plans as submitted to the Planning Commission with the Conditions of Approval provided in Exhibit A and the Mitigation Monitoring Reporting Program provided in Exhibit B based on the following findings:

1. *The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration for the project has been completed in compliance with CEQA, and the requirements of CEQA Section 15063 have been met.*
2. *All mitigation measures identified in the Mitigated Negative Declaration are included in the resolution approving the project and are made conditions of approval for the project. All mitigation measures have been included in the Conditions of Approval.*
3. *Documents and other material constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director. Copies of the Mitigated Negative Declaration have been made available to the public for review pursuant to CEQA requirements.*
4. *The Mitigated Negative Declaration represents the independent judgement of the City. The City prepared the Mitigated Negative Declaration. All supporting information has been reviewed and approved by the City.*

General Plan Amendment

5. *The General Plan Amendment is consistent with the City's General Plan. The proposed zoning ordinance amendment will eliminate the requirement of a specific plan for the Bethany College Special Treatment Area but any development of the area will still require special consideration by requiring a Planned Development Permit and compliance with the Scotts Valley Municipal Code Chapter 17.36 which is consistent with the intent of the General Plan and will protect the public health, safety, general welfare and convenience and sound zoning practices.*

Zoning Ordinance Amendment

6. *The proposed zoning ordinance amendment is in general conformance with the General Plan and it is in the interest of the public health, safety, general welfare or convenience or sound zoning practices. The proposed zoning ordinance amendment will eliminate the requirement of a specific plan for the Bethany College Special Treatment Area but any development of the area will still require special consideration by requiring a Planned Development Permit and compliance with the Scotts Valley Municipal Code Chapter 17.36 which is consistent with the intent of the General Plan and will protect the public health, safety, general welfare and convenience and sound zoning practices.*

Planned Development Zoning

7. *The proposed Planned Development zoning is consistent with the underlying zoning designation, the City of Scotts Valley General Plan and the Bethany Neighborhood Special Treatment Area (BNSTA).* The proposed project is consistent with the Public/Quasi Public land use prescribed in the General Plan. The project is consistent with the purpose and intent of the Public/Quasi Public district. The project is consistent with the objectives of special treatment area.

Planned Development Permit

8. *The planned development permit, as issued, furthers the policies of the general plan and the Bethany Neighborhood Special Treatment Area (BNSTA).* The General Plan and the *Bethany Neighborhood Special Treatment Area (BNSTA)* specifies a mix of land uses to further the goals and objectives of the General Plan by providing housing and educational opportunities and the necessary City infrastructure and services needed to provide those activities.
9. *The planned development permit, as issued, conforms in all respects to the planned development zoning of the property.* Planned Development district and permit will allow the development to be designed to meet the needs of the individual property and the requirements of the *BNSTA* while maintaining the character of the neighborhood. This permit will enable the applicant to continue to offer educational opportunities and housing in the city.
10. *The interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious.* The project meets the requirements of this finding in that the siting and size of the proposed buildings are designed in a compatible and cohesive manner for the campus and surrounding area and utilize the existing topography and development to create harmony.
11. *The environmental impacts of the project have been reviewed and considered.* A Mitigated Negative Declaration has been prepared and comments have been reviewed and considered.

Design Review

12. *The siting of the structure on the site as compared with the siting of other structures in the immediate neighborhood is appropriate.* The neighborhood has been home to structures and facilities related to Bethany University since the 1950s. The 1440 Center project will re-use and re-habilitate existing structures associated with the former Bethany University. Proposed new structures will be compatible with the existing neighborhood setting.

13. *The materials, colors, proportion, mass, and detail of the exterior improvements are in good proportion, have simplicity of mass and detail, and are compatible with the appearance of the surrounding structures.* All of the proposed remodeled or new buildings/structures on the site will be constructed using wood, stone, and metal finishes representative of a Craftsman architectural style. Earth-toned colors and roofing materials are expected to be used to blend the structures with the surrounding environment. None of the proposed new buildings will exceed the maximum height limit of 35 feet. The proposed materials, colors, proportion, mass, and detail of exterior improvements will be compatible with the surrounding neighborhood.
14. *The landscaping is in keeping with the character and design of the proposed development.* Extensive tree plantings are proposed throughout the project site to re-establish a more natural forest environment on the site. Native species of trees and drought-tolerant understory plants are proposed to compliment and reinforce a forest setting on the site.
15. *The size, location, and arrangement of on-site parking and paved areas.* Based on review of proposed on-site parking for the site, the size, location, and arrangement of on-site parking is in compliance with City parking requirements.
16. *Ingress, egress and internal traffic circulation.* Ingress, egress, and internal traffic will be provided in compliance with City requirements. Access to the site is provided via Bethany Drive and the project has been condition to at no point during on-site construction activities to have full closure of Bethany Drive. The re-alignment of Bethany will allow for safe traffic movement.

Use Permit

17. *The proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.* The applicant is proposing the reuse and rehabilitation of a former educational facility which is permitted as a conditional use in the zoning ordinance.
18. *The establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.* The project is required to implement mitigation measures and conditions of approval have been added to the project so that project will not be detrimental to the neighborhood.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission recommends that the City Council certify the mitigated negative declaration, approve General Plan Amendment No. GPA14-002, Zoning Ordinance Amendment No. AZO14-001, Planned Development No. PD14-001, Use Permit No. U14-006 and Design Review No. DR14-005 for the 1440 Center project on the former Bethany University campus located at 800 Bethany Drive, subject to the Conditions of Approval set forth in Exhibit A and the Mitigation Monitoring Reporting Program set forth in Exhibit B, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the Planning Commission of the City of Scotts Valley at a meeting held on the 11th day of September, 2014, by the following vote:

AYES: Commissioners Muth, Arcangeli, Horlock, Timm and Patterson
NOES:
ABSTAIN:
ABSENT:

Chair, Russ Patterson

Corrie Kates, Community Development Director

EXHIBIT A

CONDITIONS OF APPROVAL

(Nos. 1-102)

*Amended by the Planning Commission 09/11/14

Standard

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, which ever occurs first.
3. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.
4. All peer review work required by the project applicant to comply with the Conditions of Approval shall be done at the project applicant's expense through a reimbursement agreement with the City.

PLANNING DEPARTMENT

5. The colors, materials, size, location, and design of the improvements shall match the approved plans and material boards for all buildings. Modifications to the approved project may require approval at the discretion of the Community Development Director.
6. The landscaping improvements shall use native landscaping and be irrigated only in the initial period of planting.
7. All landscape irrigation shall be installed to recycled water plumbing standards as prescribed by the Scotts Valley Water District. This condition may or may not be required, depending on final Main Extension Agreement terms.

8. Any new landscape irrigation system shall be metered separately from the existing new buildings. Purple pipe shall be used for landscape lines to facilitate constructed use and/or potential future conversion to recycled water use. A minimum 10-foot spacing shall be maintained between all potable and purple-pipe landscape lines. This condition may or may not be required, depending on final Main Extension Agreement terms.
9. To the maximum extent feasible, landscape installation shall provide for low water consumption plantings, drip irrigation technology, programmable irrigation control, and permeable hard surfaces.
10. All signs shall be in compliance with the Scotts Valley Municipal Code.
11. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. The lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of all final building permits. Where deemed necessary by the Community Development Director, light cutoffs/shields shall be installed.
12. The final design of all new and remodeled buildings shall receive Design Review approval from the City.
13. The property owner shall take measures to reduce congestion and single-occupant vehicle use and will incorporate measures as part of the marketing materials produced for the project. For example, carpooling and alternative mode of transportation will be strongly encouraged.
14. An erosion control plan shall be reviewed and approved by the Director of Public Works prior to winter grading for the project.
15. If deemed necessary by the City the property owner shall work with residents and the City to provide alternative scheduling patterns (i.e. class times and guest arrival and departure times) to improve traffic circulation.

Trees

16. All recommendations in the *Tree Resource Analysis / Construction Impact Assessment*, prepared by James P. Allen & Associates, June 2014, are incorporated as conditions of project approval.
17. Tree removal shall not occur until a grading or building permit has been issued for the project and furthermore not until immediately before commencement of site grading.
18. The final grading plans and improvement plans shall be reviewed and approved by the City arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

19. The city arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
20. During the pre-construction phase of development the city arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.
21. The city arborist shall routinely inspect the development site through the term of the project.
22. The cost of the city arborist review and implementation of conditions, site inspection, and related work shall be borne by the applicant.

Biotic

23. All recommendations in the *1440 Center Biological Report*, prepared by Biotic Resources Group, July 2014, are incorporated as conditions of project approval.

Grading

24. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

Archaeology and Paleontology

25. The project is located in an area of sensitivity for archaeological resources. If potential historical or unique archaeological resources are discovered during construction, suspend all work in the immediate vicinity (within approximately 50 feet) and avoid altering the materials and their context pending site investigation by a qualified archaeological or cultural resources consultant retained by the project applicant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been encountered.

26. If the find is determined to be an historical or unique archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in detailed technical reports. Such reports shall be deposited with the California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed.
27. The project applicant shall assure that project personnel are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.
28. If human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). In general, these provisions require that the County Coroner shall be notified immediately. If the remains are found to be Native American, the County Coroner shall notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American shall be notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem.
29. All grading in the Santa Cruz Mudstone/bedrock layer shall be monitored by a qualified paleontologist.
30. The paleontologist shall attend a pre-grade meeting with project contractors to discuss the monitoring, collecting, and safety procedures for the project.
31. The paleontologist shall conduct full-time monitoring during any earth moving activities within the Santa Margarita Sandstone. The length of monitoring time is tied directly to the length of time for earth moving activities in the sensitive geologic unit. All recovered specimens would be donated to the designated repository.

32. Santa Cruz Mudstone, if encountered, will require intermittent monitoring. If the Santa Cruz Mudstone proves to be without significant fossil material on the project, the monitoring time can be lowered or eliminated at the discretion of the qualified project paleontologist. The Recent alluvium/colluvium, and fill materials and diorite on the site will not require paleontological monitoring.
33. During the grading or trenching activities in the Santa Margarita Sandstone, the paleontologist or a paleontological monitor(s) under his or her direct supervision, shall conduct sediment screening as part of monitoring effort. To save time, reduce costs, and allow the project to continue on schedule, a matrix sample, earmarked by the paleontologist, could be moved by the contractor to one side of the project. The paleontological monitor(s) could then process the matrix for fossils and collect scientifically significant specimens. This allows the construction schedule to continue as planned while allowing paleontological mitigation.
34. The paleontological monitor shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. The term "temporarily" in this context is interpreted as within one working day for the evaluation process.
35. During monitoring and salvage, any scientifically significant specimens shall be properly collected after evaluation by, and under the supervision of, the paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. This will include lithologic descriptions, photographs, a measured stratigraphic section(s), and field notes.
36. Specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and curated in a suitable repository that has a retrievable storage system, such as the Applicant of California Museum of Paleontology, Berkeley (UCMP). The UCMP is specifically recommended as the repository for this project.
37. A final report shall be prepared at the end of earth moving activities, and shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. This report shall be sent to the City of Scotts Valley, signifying the end of mitigation. Another copy shall accompany any recovered fossils, along with field logs and photographs, to the designated repository.

Noise

38. The operation of an amplified sound system shall not at any time be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.

39. In the event that the operation of an amplified sound system becomes detrimental to the neighborhood, the Community Development Department shall evaluate issue and may refer the matter to the Planning Commission. The Planning Commission, at its discretion, may reverse or modify in whole or in part the conditions of approval associated with noise disturbances.
40. Operation of an amplified sound system shall not extend beyond the hours of 8:00 PM and not before 8:00 AM.

Air Quality

41. Construction equipment are required to use 2003 or later models for all onsite heavy-duty equipment during grading activities or install oxidation catalysts on heavy-duty equipment or use equipment that uses biodiesel fuel to minimize emission of diesel exhaust on all onsite equipment used during grading activities.
42. The applicant must provide proof to the City of MBUAPCD Notification (and asbestos surveys) prior to issuance of demolition permit. Any building materials classified as hazardous materials will be disposed of in conformance with Federal, State, and local laws.

BUILDING DEPARTMENT

43. All recommendations in the *Geotechnical and Geologic Investigation for the 1440 Center*, prepared by Pacific Crest Engineering, Inc., April 2014, are incorporated as conditions of project approval.
44. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
45. A soils engineer shall review and approve the final site grading, drainage, erosion control, and foundation design details prior to issuance of a grading and building permit.
46. The final grading plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.
47. All construction shall be in compliance with current building code requirements.

WASTEWATER & WATER

48. The project shall comply with all Scotts Valley Water District and Scotts Valley Fire Protection District fire flow requirements.
49. Scotts Valley Water District approved backflow devices shall be installed at all new service connections, as determined applicable by Scotts Valley Water District.

50. Water-conserving plumbing fixtures shall be used exclusively, including, but not limited to, high efficiency toilets (1.28 gallons per flush), waterless urinals, and low-flow showerheads, and pre-rinse spray faucets.
51. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be property abandoned.
52. Prior to commencing realignment of Bethany Drive, applicant shall provide for relocation of the existing Bethany Drive water main pursuant to a main extension agreement with the District.
53. Applicant shall provide for any increase in storage or transmission capacity of the Water District's distribution system necessary for compliance with the Fire District minimum flow requirements for the project.
54. Any new building, as well as any existing building which requires an upgrade in meter size, will require payment of a Water Replenishment Impact Fee to the Scotts Valley Water District which will be used to offset any additional consumptive water demand associated with the proposed project. Furthermore, any new connection, as well as any existing connection that will be upgraded to a larger meter size, will require payment to the Scotts Valley Water District of the Connection Charge and Water Replenishment Impact Fee.
55. The Applicant shall be required to pay for all water main relocation costs and comply with all other terms of service specified in a water main extension agreement to be negotiated between the Applicant and the District.
56. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private, or public road frontage. This under-grounding of utilities to remove utility poles comes in addition to the State-required under-grounding of transmission lines for the project and any new service connections.

FIRE DISTRICT

57. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.
58. All existing non-sprinkled residence halls shall be sprinkled as determined appropriate by the SVFPD.
59. Elevators will be able to accommodate local emergency response gurney size of 81 inches in the horizontal position.

60. Fire hydrants shall be installed on the site per the California Fire Code for the 27,000 square foot building. Location to be determined by SVFD. Hydrants shall be shown on the site/utilities drawing.
61. All requirements of the Scotts Valley Fire Protection District shall be met and, upon completion of all conditions of the permit, the Fire District shall sign the building permit prior to the allowance of occupancy.
62. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
63. All existing and new structure(s) shall have an automatic fire sprinkler system installed throughout in conformance with the latest edition of National Fire Protection Association or as modified. The fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
64. Install interior roof access ladders shall be installed for each roof section. Roof access ladder closets shall be a minimum of four feet deep.
65. Structures are required to have a NFPA 13 fire sprinkler system, Class 1 standpipe system, and a fire alarm system complying with NFPA 72.
66. All requirements of the Scotts Valley Fire Protection District shall be met and written acknowledgment from the Fire District shall be presented to the City stating that all conditions have been met prior to occupancy of the project.
67. A final site map shall be submitted to the Fire District prior to the issuance of any Fire District permits. The site map shall include each parcel, each building footprint, all access ways and each fire hydrant. Drawings of the plans shall be submitted on an Auto CAD drawing up to version 13 or a DWG file, on a high density 3.5" floppy disk. A legend of all the layers contained on the disk must be attached. An 11" x 17" hard copy of the site map must also be included.
68. Street names selected for the project are subject to the approval of the Fire District and shall be shown on the final map. Address numbers will be assigned by the Fire District.
69. The Fire District shall make the final determination for placement of the automatic fire sprinkler control valve and fire department connection prior to the approval of the final site map drawings.
70. Fire flow for the building(s) shall be the minimum gallons per minute required for construction type.

71. Fire hydrants shall be located in accordance with California Fire Code Appendix III-B. The Fire District shall approve placement of fire hydrants prior to the approval of the final site map drawings.
72. Structures shall have an automatic fire sprinkler system installed throughout in conformance with NFPA 13, latest edition for Light Hazard.
73. Class I standard piping is required to be used on the project site.
74. Automatic fire sprinkler plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
75. If the automatic fire sprinkler system has 100 or more heads, the water supply valve and water flow switch shall be monitored by an approved central station, remote station, proprietary monitoring station or sound an audible signal at a constantly attended location.
76. A fire alarm system is required per California Fire Code section 1006.
77. Fire alarm plans shall be submitted directly to the Fire District for review and permit prior to starting work on the system.
78. Building egress shall comply with the California Building Code.
79. Access road and fire road drawings showing width, grade, profile view, surface, and length, will be required for review and comments when building plans are submitted.
80. The project applicant shall work in coordination with the Scotts Valley Fire Protection District to append the final buildings plans to enable the proposed park lot (Phase 1) and parking garage (Phase 2) in the West Field area to serve as a "safe haven" area for guests and employees in the event of an emergency.

DEPARTMENT OF PUBLIC WORKS

81. A final drainage report that verifying that the existing drainage infrastructure is adequate for the project site. The report will identify the use of on-site Low Impact Development (LID) measures. Such report shall be reviewed and approved by the Public Work Department prior to issuance of building permit for the project.
82. The final erosion control plan shall be reviewed and approved by the Building Department prior to issuance of a grading/building permit.

83. The erosion control plan shall be re-implemented with grading of the site. The erosion control measures should be functional prior, during and after construction. Specific measures shall be identified in the project plans and specifications should include the following features: use of silt fencing and straw bales to prevent sediments from leaving the site, erosion control seeding and mulching following construction and other measures as appropriate. To be installed before grading occurs.
84. Following construction, the effectiveness of the erosion control measures shall be monitored during the first year's rainy season and remedial measures implemented if erosion is noted.
85. Applicant shall construct all storm drain facilities in conformance with data and analysis in the adopted *City of Scotts Valley Stormwater Technical Guide*, February 2014.
86. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted *City of Scotts Valley Stormwater Technical Guide*. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.
87. All required documents, final or parcel map sheets, covenants, developer and city improvement agreement and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the application of any building permit.
88. Engineered improvement plans for all work, signed and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
89. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
90. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.

91. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required to satisfy tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
92. The applicant shall establish the location of the property lines for the project site. If a proposed building encroaches over property lines the Applicant shall either merge the properties or adjust the lot line.
93. Prior to submittal of final site plans to the City, the applicant shall conduct an investigation into the stability of the sanitary sewer pipeline running parallel to Carbonera Creek. The applicant shall be responsible for providing evidence to the City of having conducted this investigation into the stability of the pipeline. Should the investigation determine improvements are required, the improvements will be recorded on final site plans as the applicant's responsibility to address prior to final site plan approval and the issuance of grading or building permits for the project site.
94. All access roads shall be kept clear of construction materials and all vehicles shall not stage or park for any reason.
95. Driveway drawings showing width, grade, profile view, surface, length, and turnaround will be required for review and comments when building plans are submitted.
96. Access roads shall be installed per the approved plan prior to any building construction on the site.
97. The Applicant shall provide to the City a video tape the condition of Bethany Drive prior to the start of construction for each project Phase. Prior to issuance of the first building permit, the Applicant shall submit, to the satisfaction of the City's Traffic Engineer, a brief report identifying any damage and subsequent repairs made as a result of damage to the roadway due to heavy equipment using the road as part of site demolition and grading.
98. Applicant shall construct street improvements for the full parcel frontage in accordance with the City of Scotts Valley Standard (Roadway) Details, latest revision, as adopted by the City Council.

99. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of the Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
100. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
101. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to include install a traffic calming device (s) on Bethany Road. This could include the installation of a radar speed sign(s) (also called radar signs, driver feedback signs, speed display signs, and "Your Speed" signs) to alert motorists of their speed.

**Amended by the Planning Commission 09/11/14*

102. *Applicant shall prepare a Transportation Management Program to address traffic concerns associated with the operation of the facility.



EDWARD L. PACK ASSOCIATES. INC.

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SUITE 26
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Acoustical Consultants

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FAX: 408-371-1196
www.packassociates.com

October 10, 2014
Project No. 46-075A

Mr. Scott Kriens
1440 DevCo
P.O. Box 3141
Saratoga, CA 95070

Subject: Preliminary Noise Results, Parking Structure, 1440 Foundation,
Scotts Valley

Dear Scott:

This letter will provide you with some preliminary results of the noise analysis for the proposed parking structure at the 1440 Foundation facility. The City of Scotts Valley General Plan Noise Element uses a noise limit of the existing noise exposure + 5 decibels, as directed by Policy NP-442. The noise exposure is a 24-hour time-weighted average noise level and is quantified using the Day-Night Level (DNL) descriptor.

The existing noise exposures at the Bunter back patio at 700 Tabor Drive were measured to be 55 dB DNL on Friday and 53 dB DNL on Sunday. Therefore, Sunday would present the most restrictive limit of 58 dB DNL for the existing + project scenario. In order not to exceed 58 dB DNL overall, the project's noise exposure is limited to 56 dB DNL. Note that $58 \text{ dB} - 53 \text{ dB} = 56 \text{ dB}$. Sunday also is predicted to generate the highest parking structure operational noise levels. For the purposes of brevity, this letter will address Sunday activity for now.

The table on the following page provides the breakdown of project traffic using the garage on a Sunday. The table shows the number of cars entering the garage (assuming 1/3 of the volume on each floor), driving along the westerly drive aisle, filling the first floor, the second third entering and filling the second floor and the final third entering and filling the roof deck. Sound reflection from vehicles inside the garage was added as was sound reflection off the hillsides. Sound shielding from the structure walls provided a small amount of reduction. The distance to the receptor is the distance from the source to the nearest residence rear yard/patio. The $L_{eq(h)}$ is the hourly average for the various operations. The L_{eq} 's were then combined for the purposes of calculating the DNL.

SUNDAY WORST-CASE		reference	# of cars	reference		reflection	building reduction	Receptor Dist	dBA @ Recept.	Duration, sec	Leq(h) Driving	Parking/ Exiting	Total Leq(h)
				dBA	Dist								
Driving in/out	reference	60	1	15	9	6	135	44	7				
1st floor	in	81	122	15	9	6	135	65	7	38	41	43	
2nd floor	in	84	243	15	9	6	135	68	7	41	41	44	
3rd floor	in	86	365	15	9	6	135	70	7	43		43	
3rd floor on deck	in	81	122	15	6		135	68	7	41	46	47	
1st floor	out	81	130	15	9	6	135	65	7	38	29	39	
2nd floor	out	84	260	15	9	6	135	68	7	41	49	50	
3rd floor	out	86	390	15	9	6	135	70	7	43		43	
3rd on deck	out	81	130	15	9	6	135	65	7	38	51	51	
Parking	reference	64	1	15	9	6	160	46	10	21			
	1st	82	61	15	9	6	125	66	10	41			
	2nd	82	61	15	9	6	125	66	10	41			
	3rd	83	61	15	6		125	71	10	45			
	3rd	83	61	15	6		200	67	10	41			
exiting	reference	70	1	15	9	6	160	52	15	29			
	1st	88	65	15	9	6	125	73	15	49			
	2nd	88	65	15	9	6	125	73	15	49			
	3rd	83	65	15	6		125	71	15	47			
	3rd	83	65	15	6		200	67	15	43			

The total $L_{eq(h)}$ values were inserted into the DNL Calculation spreadsheet shown below. The DNL for predicted Sunday parking structure noise due to vehicles was calculated to be 42 dB. Although the parking structure will be operational between 8:00 AM and 9:00 PM, the traffic volumes were grouped into two 3-hour periods, one for inbound and one for outbound. This was done purely for sake of simplifying and expediting the calculations. All daytime (7:00 AM – 10:00 PM) noise is treated the same so it doesn't matter what time the cars go in and out.

DNL CALCULATIONS			
CLIENT:	1440 FOUNDATION		
FILE:	46-075		
PROJECT:	PARKING STRUCTURE		
DATE:	10/9/2014		
SOURCE:	PROJECT-GENERATED NOISE		
LOCATION 1	Res. PL		
TIME		$10^{Leq/10}$	
7:00 AM		1.0	
8:00 AM		1.0	
9:00 AM		1.0	
10:00 AM		1.0	
11:00 AM		1.0	
12:00 PM	42.6	18322.9	
1:00 PM	43.9	24366.8	
2:00 PM	48.7	74393.8	
3:00 PM	38.6	7224.2	
4:00 PM	49.6	90802.2	
5:00 PM	51.8	151449.9	
6:00 PM		1.0	
7:00 PM		1.0	
8:00 PM		1.0	
9:00 PM		1.0	SUM= 366568.8
10:00 PM		1.0	Ld= 55.6
11:00 PM		1.0	
12:00 AM		1.0	
1:00 AM		1.0	
2:00 AM		1.0	
3:00 AM		1.0	
4:00 AM		1.0	
5:00 AM		1.0	
6:00 AM		1.0	SUM= 9.0
			Ld= 9.5
	Daytime Level=	55.6	
	Nighttime Level=	19.5	
	DNL=	42	
	24-Hour Leq=	41.8	

The parking activity includes noise from people entering the parking space, parking the vehicle, opening the door(s) and getting out, sometimes talking, closing the door(s) and locking the vehicle (including lock chirps). This operation typical takes approximately 10 seconds to perform from the time the vehicle turns into the parking space.

The exiting operation includes people approaching the vehicle, sometimes talking, unlocking the door (includes lock chirps), opening the door(s), getting in, closing the door(s) and backing out. This operation typically takes 15 seconds to perform.

These are average values from many analyses of parking lot/structure noise conditions.

Items left to be included in the final analysis are the cars approaching the garage and leaving the garage along the entrance driveway, people talking or socializing in or on the structure, and the effect of intermittent or spurious noises, such as a car alarm. Note that, however, after a few decades of analyzing vehicular noise, we have never heard a vehicle's alarm suddenly go off in a parking lot or parking structure during a study. The possibility of this occurrence would be extremely rare as some external stimulus usually is needed to trigger the alarm, such as a heavy truck passby shaking the car, someone striking the vehicle or a burglary.

As the calculated noise exposure due to the project thus far is well below the limit of the noise standards, it is highly unlikely that the remaining noise levels to be analyzed would raise the project-generated noise exposure to near the imposed limit. For instance, in terms of the vehicular noise analysis presented herein, the traffic volumes would need to increase tenfold to raise the noise exposure to 52 dB DNL. Therefore, the project results in acceptable noise exposures at this time.

Sincerely,

EDWARD L. PACK ASSOC., INC.

A handwritten signature in blue ink, reading "Jeffrey K. Pack", is written over a horizontal line.

Jeffrey K. Pack
President

- T-9 Transportation Management Program. The project applicant shall work with the City to prepare and approve a Traffic Management Program (TMP) to minimize congestion, noise, and safety impacts from vehicular traffic to/from the project site. The TMP shall be prepared by the project applicant (or its successor) and approved by the Community Development Director prior to building occupancy. The TMP shall include, but not be limited to, the following components:
- a) Commuter Bus Pilot Project. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community Development Director) to prepare and approve a commuter bus pilot project plan for guests traveling to/from the San Francisco Bay Area. The bus pilot project shall be actively advertised by the applicant and implemented over a 6 month period. At the conclusion of the pilot program, the project applicant (or its successor) shall submit to the Community Development Director a report describing the results of the pilot project including ridership, operation, and cost details. If the pilot project is found to be beneficial, the project applicant shall implement the bus program on an ongoing basis.
 - b) Traffic Management on Bethany Drive. Prior to building occupancy, the project applicant shall work in coordination with the City of Scotts Valley Public Works and Police Departments to install a traffic calming device (s) on Bethany Road. This will include the re-installation of a radar speed sign(s) (also called speed display signs) to alert motorists of their speed. Other traffic calming measures that shall be considered include the installation of hazard warning signs for bends in the roadway and pavement treatments to communicate to drivers they are entering a neighborhood setting.
 - c) Wayfinding Signage. Prior to building occupancy, the project applicant shall replace the existing Bethany Campus sign located at northeast corner of Bethany Drive and Scotts Valley Drive with a new wayfinding sign to direct guests to the project site and help prevent guests from entering adjacent roadways. The project applicant shall also identify other suitable locations for additional signage (e.g. the retaining wall located on the northeast corner of Bethany Drive and Bethany Way), subject to approval by the City's Public Works Department.
 - d) On-Site Traffic Management. Prior to building occupancy, the project applicant shall implement the following on-site traffic management measures: 1) On-site traffic coordination to direct guests during peak periods, 2) Minimizing employee traffic during peak periods, and 3) Minimizing delivery and service vehicles during peak periods, 4) As necessary the project applicant (or its successor) shall meet with City staff to review traffic management issues including roadway congestion, noise, safety, etc. associated with the proposed project. Any complaints/recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its

successor) agrees to investigate additional traffic management strategies to minimize traffic impacts on the public roadways. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

- e) Guest Information Materials. Prior to building occupancy, the project applicant shall work in coordination with the City (via the Community Development Director) to prepare a set of educational materials to be included as part of their guest registration confirmation materials regarding traffic safety and “good neighbor” etiquette when driving to/from and parking at the project site. This information may be provided electronically. The materials should address issues associated with the following:
- i. Providing guests with the Santa Cruz Regional Transportation Commission’s Highway 17 Safety brochure. If registration confirmation is provided digitally, provide the link to the Highway 17 Safety web site (currently www.sccrtc.org/meetings/tos-safe-on-17).
 - ii. Providing guests with a “Be Courteous” flyer that includes a map and directions to the project site. The flyer should also encourage guests to:
1) Keep travel within the speed limit, particularly in residential neighborhoods (e.g. on Bethany Drive), 2) Avoid using their horn if at all possible, and 3) Keep noise to a minimum when parking their vehicles.
 - iii. Any other relevant information, including traffic management changes, as it relates to on-site traffic management per the entirety of this TMP.

T-10 Parking Management Program. Prior to building occupancy, the project applicant shall work with the City to approve and implement a Parking Management Program (PMP) to minimize impacts associated with use of the West Field as a surface parking lot during Phase 1 and as a parking garage during Phase 2. The PMP shall include, but not be limited to, the following components:

- a) Fully Utilize Gaston Circle Parking Lot. During Phase 1, the project applicant (or its successor) shall direct parking to Gaston Circle prior to utilizing the West Field surface parking lot.
- b) Additional Landscape Screening. Prior to submittal of the design review application for the Phase 1 surface parking lot, the project applicant (or its successor) and the City's arborist (working at the applicant's expense) shall coordinate with residents on Tabor Way to install additional landscape screening (e.g. trees, scrubs, etc.) within their respective properties and/or on the project site between the residential properties and the West Field.

Furthermore, the project applicant (or its successor) shall install landscape screening along the southern edge of the West Field to help screen views of the surface parking lot and future parking garage from Bethany Way. Landscape screening will be planned to incorporate future construction activities associated with the proposed garage. The project applicant (or its successor) shall submit a detailed landscaping plan as part of the design review application for the Phase 2 parking garage to help minimize views of the proposed parking garage from Bethany Way.

- c) Guest Information Materials. As part of guest information materials, guest shall be provided with "be courteous" information to discourage access to vehicles after 10:00 PM, no use of car horn, no loud talking, etc.
- d) Phase 1 Parking Demand Analysis. Prior to submittal of the design review application for the Phase 2 parking garage, the project applicant (or its successor) shall provide to the City an analysis of actual parking demand during Phase 1 and projected demand for Phase 2. It shall identify the average number, location, and respective capacity of both guests and employees (including faculty and faculty assistants) parking at the various parking facilities located throughout the project site. The analysis shall also include a projection that identifies the anticipated demand for both guest and employee parking and where such parking will be provided on site. Based on the Parking Demand Analysis, the project applicant shall work with City staff to revise/refine the final size and capacity of the Phase 2 parking garage as necessary, but in no event shall the Phase 2 parking garage exceed the size or capacity shown on the application.

- e) Parking Garage Traffic Noise. To help minimize noise associated with vehicle travel in the parking garage, the surface of the garage shall be treated (e.g. textured surface) to minimize noise from tires.
- f) Parking Garage Monitor. During peak use periods (i.e. Friday and Sunday afternoons), an on-site parking garage monitor shall be available at the parking garage to help direct traffic and facilitate guests' needs for getting to/from the main campus.
- g) "Intelligent" Lighting Systems. The project applicant shall incorporate industry-standard "intelligent" lighting systems (i.e. motion sensors, timers, etc.) to help minimize night lighting to the greatest extent feasible while still maintaining sufficient lighting for effective safety and security. This design feature shall apply to the surface parking in Phase 1 and the parking garage in Phase 2.
- h) Safety & Security Surveillance. The final parking garage design plans shall include the installation of 24 hour surveillance security cameras in and/or around the parking garage, particularly at exit and entrance points. Additionally, the parking garage and parking lot shall be actively monitored by campus security as part of on-going campus security operations.
- i) Parking Management Program Review Meetings. In coordination with City review of the Traffic Management Program, the project applicant (or its successor) shall meet with City staff to review parking management issues including parking management, noise, safety, etc. associated with the proposed project. Any complaints/recommendations received by neighbors and/or guests will be reviewed, as well as any incident reports received by the City of Scotts Valley Police Department. Should conditions warrant, the project applicant (or its successor) and the City will review and consider additional parking management strategies. City staff shall report its findings to the City Council periodically as necessary to keep them fully apprised and informed.

Add on Agenda Item 3
9/11/14 P.C.
Mtg.

At the request of Ms. Katey Kennedy of 1440.org, I would like to take a moment to speak to you about the upcoming planning decisions in Scotts Valley, regarding the 1440 Organization and their acquisition and plans for the retired Bethany University campus. I sent Ms. Kennedy a much longer correspondence, and at her request, I would like to excerpt and summarize my feelings expressed to her this week, since it appears that I will be unable to attend the Planning meeting on Thursday night.

I live across the street from the old Bethany campus. My house faces the music rooms and gymnasium and is just below the old women's dormitory. I have lived here over ten years, renting a home from a couple that purchased the home long ago and renovated it into its current condition. I like where I live and plan to be here for some time.

I am associated with many of the previous staff and founders of parts of the Bethany campus and know some of the professors that used to teach there. I also have among my friends many who graduated from Bethany University in the past. I am also an evangelical Christian who attends a church in Scotts Valley.

In the ten years that I have lived near the college, I was saddened by the many tales I heard of poor financial management as I watched the college falling into disrepair. I saw the dining hall burn down from my front window long ago and then watched the failed effort to rebuild it. I was surprised during my tenancy here, by the noise and general lack of concern for the surrounding community that the last administration showed for the local residents. It seemed to me, on the outside, as though the college had been here so long that there was a sense of entitlement to pursue any types of activities, at any time of day, with no concern for the residences surrounding these events. (I particularly remember a summer camp leader shouting on a bullhorn and leading hide and seek games at midnight, on the street outside my bedroom where I was trying to sleep before work early the next morning. He would be one of my least favorite visitors.) I realize that the college had a long-standing tradition here, dating to before I was born, but they chose at some point to sell some of the surrounding properties and accept non-school residents in their neighborhoods. And to put it mildly, Bethany was not always the most conscientious neighbor. I bore the brunt of most of this, since my home is right across from the school, not safely down the street and away from the loudest of the clamor.

I have no real axe to grind overall with the previous college operators- indeed, as I have mentioned, I have close relationships with many of them and believe the way Bethany decayed is not the way they would have wished it. They were well intentioned, if sometimes a bit inconsiderate in their institutional sort of way. But the college has finally collapsed, leaving me with orange snow fence and piles of broken pipes and construction debris abandoned behind temporary chain link construction fences, and a derelict steel structure, half- finished, standing like a silent sentinel to mismanagement, a home for crickets and a roost for hooting owls at night. This is the view from my front window.

Olivet University made a run at moving into the empty property. I met many of the students as they began attending my church at the bottom of the hill en masse. (Two young women took

me under their wing and began to teach me Mandarin Chinese- new lessons every time we met at my mailbox. I miss them.) I had the highest hopes for them and I even met their president one day, as he walked down the street in front of my house looking over the neighborhood. But they are gone now too.

I tell the previous tale as context to my next paragraphs, in support of the people I have met from 1440.org. I have been waiting patiently for someone to finally move into the property across from my house, all the time keeping a watchful eye on the place, turning off water to broken pipes, checking on beeping smoke alarms late at night. Last Saturday I attended my first meeting with the new owners, 1440. (I had already looked them over pretty thoroughly on their website and had looked at their plans.) I was impressed with the genuine concern they showed for the local residents and the thoughtful way they are dealing with their project. I realize that some of the actions they are taking are mandated by local ordinances but they seem to actually be concerned about the impact they have on the community. I spoke with a few of the 1440 representatives that morning, along with the Mayor, Mr. Reed. They seemed genuine and they listened. I have also met the South Bay Construction superintendant, when I voiced a few concerns one day, about early morning noise. He was very receptive and concerned about my perspective and seems to be a complete professional. (I am in the building trades myself.)

The neighborhood residents voiced some strong concerns last Saturday about the changes coming to the neighborhoods. I sincerely hope that their concerns can be resolved successfully. I understand that many have settled here and the project may impact their lives to some degree or another. But many of the most vocal live some distance from the actual construction zone. I live right on top of it. No one will be impacted more than I. Yet I agree with one resident who stood and spoke, saying she will accept change, learn to adapt to it and shape her life around the new paradigm.

Change will come. I will live with it. I'm sure that I have some philosophical and even theological differences with the members of 1440. Who cares. Welcome to America. I strongly prefer the type of people managing neighborhood change to be like the ones that I met last Saturday, as opposed to another Seagate, where I worked for some time, or Borland, two colossal wastes of local resources. My estranged wife works at the Chaminade and I am quite familiar with conference center operations and all the occupancy tax, local restaurant and shopping benefits that come with an influx of visitors. I would surely prefer a conference center full of quiet students than 300 new condos. I think this is a good thing for Scotts Valley.

I am in support of 1440.org and their vision for the campus. I think their operations will be well aligned with the local environment. They appear to desire to integrate into the community, not steam-roller over it. They will be creating a new lake and planting new trees. What's not to like about that? I would like to welcome them to Scotts Valley and wish them luck on their endeavors.

Larry Taylor 685 Bethany Dr. #A Scotts Valley CA 95066

Add on Agenda Item 3
9/11/14
P.C. Mtg.

Taylor Bateman

From: Tracy Ferrara
Sent: Friday, September 05, 2014 4:10 PM
To: Taylor Bateman; Corrie Kates; Kirsten Powell; Steve Ando
Subject: FW: Bethany Campus Development - 1440 Center Project
Attachments: 1440 Invitation.pdf; 1440 Foundation Plans.pdf; 1440 Rendering and Map.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Tracy A. Ferrara

City Clerk
City of Scotts Valley
1 Civic Center Drive
Scotts Valley, CA 95066
Phone: 831-440-5600
tferrara@scottsvalley.org
www.scottsvalley.org

From: mark@seabrightmortgage.com [mailto:mark@seabrightmortgage.com]
Sent: Friday, September 05, 2014 3:56 PM
To: campusrenovation@1440.org
Cc: SVCH-cityhall; jennifera@serenogroup.com
Subject: Bethany Campus Development - 1440 Center Project

To whom it may concern,

I strongly object to the 1440 Center projects proposed new entry to the Bethany Campus via Bethany Way. I will be out of town and unable to attend the 10:00am meeting Saturday 9/6/14. The attached invitation seems to be open to anyone interested in attending so I hope the other per public record homeowners will also get involved along with other existing residents. The attached map appears to show that they have ample access on their own property to allow cars to enter and exit the parking areas accordingly. This may require some minor reconfiguration but will prevent unnecessary overdevelopment of public and private land via Bethany Way. They should be required to keep incoming and outgoing traffic on their own property as much as possible. Since I will not be able to attend the meeting this e-mail stating my opinion is being sent to you and Mr. Taylor Bateman, Senior Planner, City of Scotts Valley at cityhall@scottsvalley.org.

Respectfully,

Mark Lawsen
Owner of Public Record
115 Bethany Way
Scotts Valley, CA

CONFIDENTIALITY AND DISCLAIMER:

Add on Agenda Item No. 3
RECEIVED
SEP 10 2014
9/11/14
P.C. Mtg.
CITY OF SCOTTS VALLEY

To: Scotts Valley Planning Dept.
RE: The 1440 Foundation Proposal
September 9, 2014

As homeowners, we're happy to welcome the 1440 Foundation campus to our neighborhood and look forward to the renewed vision of the Bethany University property. Our concern, however, is the traffic impact, and the uncertainty of which route would be used as an exit for the phase II build out.

As Bethany Way homeowners, we would be remiss if we did not encourage the planning commission to keep Bethany Way a cul-de-sac and keep the exiting traffic on Bethany Drive, which is the current and original two-way entrance and exit to Bethany University.

As stated in the 1440 proposal, Bethany Way will be a fire road used in the case of an emergency only. If we lose our cul-de-sac we lose the value of our property and the safety of a 'not a thru street' that we sought out when we purchased our home.

Please remove the contingency of making Bethany Way a thru road that would be used as an exit for the 600 cars that would be leaving the events held at the 1440 Foundation.

Thank You,
Dan Vannatter
Sharon Evans

Ken Bunter

From: Andrew Finn [andrewf710@yahoo.com]
Sent: Monday, September 08, 2014 3:16 PM
To: Ken Bunter
Subject: Fw: 1440 Building Plan Impact

Hello Ken,

Below is an email I sent to the directors and founders of 1440. If you or Kathleen will be able to attend the Thursday planning commission meeting, I would appreciate it if you would read it as a concern/request/objection to the planning commission. Good seeing you the other day.

- Andy

On Monday, September 8, 2014 5:04 PM, Andrew Finn <

> wrote:

Dear Scott & Joanie Kriens,

I would like to bring to your attention a few of the negative impacts the 1440 Foundation and it's future clients will have on myself and a number of homeowners and occupants of the adjacent property. My house, on 710 Tabor Drive, is just above the planned, monstrous, phase II parking garage. Currently there is an open field bordered by two very steep ridges, with 150+ foot trees. The shape of this valley acts as an echo chamber. One can hear the conversation from someone at the bottom 100 yards away very clearly. The sound created by the exodus of many cars, at the same time, or the sound of a single car alarm will be absolutely huge. The published impact study did not address this. I guarantee you, it will prevent children from sleeping and disturb the now peaceful nature and general well being of the neighborhood. The other and more important concern is the safety of the residents on the upper portion of Tabor Drive. The street grade, narrowness of the road, and illegal street parking not enforced by the city, results in many types of large vehicles having trouble getting up the road, especially in the evening when most residents are home. Fortunately this has never had to been tested with fire engines. The city of Scotts Valley has categorized the area as extremely hazardous. I've been notified by my currently insurance company that I will be dropped due to fire risk at the end of the year. Replacing the current quasi open space with high density automobiles and drivers will increase the risk a thousand fold. The current impact report did not address upper Tabor Drive access either. I implore you to reconsider your parking plan and come up with an alternative, that has less impact.

Respectfully,
Andrew Finn

710 TABOR

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SEP 11 2014

CITY OF SCOTTS VALLEY

September 11, 2014

To: City of Scotts Valley
Planning Department

From: Ken & Kathleen Bunter

Re: 1440 Center

It has recently been brought to our attention that the 1440 Foundation will be renovating Bethany College into a Wellness Center.

We support the 1440 Foundation with their plan to create a wellness center but are vehemently opposed to the 3 story parking structure on the field boarding residential homes. The proposed parking garage would literally be in our backyard as our property borders Bethany's recreational field. We would be exposed to: car exhaust and noise, car alarms (disrupting our sleep), lights from the parking structure, as well as an increased fire risk, litter, traffic, vagrancy and crime.

There are other alternatives. The multi story parking structure could be built on the existing parking lot on campus or relocated elsewhere not boarding residential property. Better yet, 1440 could also utilize unused existing parking located off site and provide a shuttle service for their guests.

Living or visiting anywhere on Bethany Drive, Bethany Way, Tabor Drive and/or Scotts Valley Drive, everyone will have to deal with grid-lock traffic every Friday and Sunday afternoon as 1440's multi-day seminars let out and new ones begin. Because they have specific arrival and departure times for all their guests, traffic will be heavy and congested on our small residential streets. With today's technology, many attendees will easily find the alternate exit route of Tabor Way to Tabor Drive. Most days Tabor Drive is a one lane road with excessive street parking. Adding any increase in traffic to Tabor Drive poses a dangerous risk to the residents, their vehicles, and potentially blocks safe passage of emergency vehicles. Furthermore, others will seek to exit via Vine Hill School Road which is next to our elementary school, afterschool care facility, playgrounds, little league fields and soccer fields.

RECEIVED

SEP 11 2014

1440 Center
September 11, 2014
Page Two

We bought our home almost 15 years ago because we loved the quiet beauty of the land and its location. This is our forever home and we spend most of our time in our backyard enjoying our peaceful surroundings. Our backyard provides us a quiet place to spend time with friends and family as well as reflect personally and rejuvenate spiritually. Because there are no lights on Tabor Drive or in our surrounding area, we are able to enjoy the quiet night sky from our backyard.

A 3 story parking garage located on the Bethany Field would destroy our quiet oasis. We are unaware of any multi story parking garage in Santa Cruz County that borders residential homes. If you allow this to happen, this would be the first of its kind. This proposed parking structure would take away our ability to enjoy our quiet backyard, would devalue our home and negatively affect our own well beings.

It's ironic that the purpose of 1440 Foundation is to promote wellness yet they propose a parking structure that would negatively affect and alienate so many of their new neighbors on Bethany Way and Tabor Drive.

Since 1440 Foundations mission statement is "Compassionate communities leading generative lives", it seems to us that by changing the parking plan 1440 would be more in line with their mission statement and would create more social harmony and preserve the general well being of their neighbors.

This discussion is bigger than the 300' radius that the notices were mailed to. This project impacts everyone traveling on or near North Scotts Valley. Before a final decision is made, we strongly urge you to notify all Scotts Valley residents of 1440 Foundation's proposed plan and allow everyone an opportunity to weigh in on the very hot topic of increased traffic.

We implore the Planning Commission to require 1440 Foundation establish a new parking plan which does not boarder residential homes and to use the Bethany field as its intended use for outdoor recreation.

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SEP 11 2014

1440 Center
September 11, 2014
Page Three

Thank you,

Ken & Kathleen Bunter
700 Tabor Drive
Scotts Valley, CA 95066
Home 831-461-1712

To: Planning Commission

I'd like to address two major concerns I have with the 1440 Foundation's plans:

First of all, the 3-level, 457-space parking structure to be built on the open field bordering many homes on Tabor Drive.

This parking structure will directly behind my home barely 100 feet away. If allowed, this parking structure will be the only one in all of Santa Cruz County that directly borders residential lots. It will be the first of its kind. Nowhere else in our town is there a parking garage directly next to someone's backyard. My guess is there's a reason no parking garages share property lines with residential lots – it's because parking garages are unpleasant places.

Parking garages are unattractive, noisy, dirty, over-lit, and smell bad. They attract litter, vagrancy, crime, and increase the fire hazard. Since this garage will be below all our homes on Tabor Drive, the smell of exhaust will waft directly up into our backyards during the mass arrival and departure times expected by 1440. These times being Friday and Sunday afternoons – prime times that we are all enjoying our currently quiet and peaceful backyards. The sounds of engines starting, horns honking, doors slamming will become the norm for our Sunday afternoon BBQs. This noise will be amplified by the canyon effect that exists. If someone is in the field currently and simply having a conversation, we can hear it clear as a bell. Then after everyone is off to their weekend seminar, well away from their cars, we can expect the regular unattended car alarms to go off at all hours of the night – disturbing our sleep before work the next day and school for our children.

Before we purchased our home on Tabor Dr. nearly 15 years ago we checked into the use of the field below our backyard. We were told that it was “un-engineered landfill” that could not be built upon, and was only ever used for outdoor recreation. The field was named after our next door neighbor – Don Annis.

We must insist that the planning commission require the 1440 foundation to find another way to park their guests. We are not opposed to the 1440 Foundation's plans for a wellness retreat center, but we do insist that they consider our wellness as well. It seems to me, that given their commitment to personal wellness and social harmony, they would be very interested in finding another way that didn't create such a huge detriment to the peacefulness, quietness and tranquility we all moved our neighborhood to enjoy. I read remarks from Joanie Kriens where the idea of the center's name came to her in a moment of tranquility that she was enjoying while working in her garden harvesting vegetables. I wonder if she would have had that moment of tranquility if there were 450 cars arriving to a parking structure only yards away from her? At the meet and greet last Saturday, when my wife expressed our concerns to her about the parking structure and how awful it will be for all of our homes, her response was “we have the right to build right up to the property line and there's really nothing you can do about it.” Not much

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SEP 11 2011

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CITY OF SCOTTS VALLEY

social harmony there.... Regardless, we welcome them to our neighborhood. We wish them success, but there are alternatives to building a parking structure in my backyard.

Offsite parking with a shuttle seems the best alternative to me. I drove thru the Borland parking lots today at 1:45. There were over 500 unused parking spaces. This doesn't include the underground garages that exist at each building as well. If some sort of parking sharing could be arranged there, it would make better use of existing parking that is thoroughly underutilized. And this would have the added benefit of my second concern.

Traffic.

I read the traffic study prepared by Kimly Horn and I have to say I am baffled by it. They continually refer to a baseline of traffic from when Bethany College was still a functioning university. First of all, the traffic patterns of people coming and going all day, every day from Bethany College is decidedly different than a similar number of people arriving and leaving all within a few hours time. If 450 cars are leaving via Bethany Drive to Scotts Valley Drive, heading for the freeway on-ramp thru our funky double-traffic-light we have there, gridlock will ensue. Those of us all over the north side of Scotts Valley will be stuck on our streets waiting for the seminar traffic to clear. Much like you wait in your car at a ballgame or a concert when they let out. Additionally, people will use their GPS devices to look for alternate routes causing them to use Tabor Way to Tabor Drive, and Vine Hill School Rd. to Glenwood Dr – creating terrible traffic on quiet residential streets. The report studies the possibility of a seminar traffic time coinciding with the high-school letting out and said the traffic patterns were different enough as to not create any significant impact. However, the report did not note that the times also coincide with Vine Hill Elementary, and those of us involved in school pickup know firsthand that will be very difficult. The report seems to conclude that the 1440 center will somehow result in fewer trips than previous. Again, a dubious conclusion as the comparison is “apples to oranges.”

I understand that the 1440 Foundation is passionate about their plan and their mission. I also understand the benefit of the increased occupancy tax to the city of Scotts Valley. Those of us against the parking structure are not looking to gain anything – we simply want to keep the peaceful, quiet homes and yards that we've all enjoyed for decades. Offsite parking with shuttles allows for everyone to get what they want.

Thank you for the opportunity to speak tonight.

Ken Bunter

700 Tabor Drive

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SEP 11 2004

CITY OF SCOTTS VALLEY

My name is Don Annis and my wife and I have lived at 690 Tabor Drive since 1977. Due to my wife serious illness, I am unable to attend this meeting in person. I have a personal connection with Bethany College as I was the secretary and treasurer for 14 years and the President of Bethany College for 7 years. In honor of my service and contributions, the outdoor recreational field was named after me, the Dan Annis Field. My understanding was that since the field is an unengeneried land field, it is only to be used as outdoor recreation. I am shocked that the city would allow a parking structure to border residential homes that have been here since 1977.

I am greatly apposed of the proposed parking structure which would be located directly behind my house. It's just not right.

Please find an alternative parking plan.

Thank you,

Don Annis
690 Tabor Drive

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SEP 11 2013

CITY OF SCOTTS VALLEY

Taylor Bateman

From: Tracy Ferrara
Sent: Monday, September 15, 2014 10:40 AM
To: Taylor Bateman; Corrie Kates
Subject: FW: 1440 Foundation

From: "Ken Bunter" <kenbunter101@comcast.net>
Subject: 1440 Foundation
Date: September 13, 2014 at 12:43:11 PM PDT
To: <seajems@pacbell.net>, <dene@bustichi.com>, <rlj12@comcast.net>, <dlindslind@earthlink.net>, <dlindslind@gmail.com>, <jimreedSV@gmail.com>

9/13/2014

To: Scotts Valley City Council Members

From: Ken & Kathleen Bunter
700 Tabor Drive
Scotts Valley, CA 95066

Re: 1440 Foundation plan for Bethany Campus

RECEIVED

SEP 15 2014

Dear Mayor Reed and Council Members,

CITY OF SCOTTS VALLEY

On Thursday September 11th we attended the Planning Commission meeting in which they granted their blessing for the 1440 Foundation's plans for Bethany campus. While we are not opposed to the 1440 Foundation moving to the campus and converting it into a beautiful new learning center, we are extremely opposed to the three-level, 457-car parking structure they plan to build barely 100 feet behind our backyard.

If allowed, this parking structure will be the only one in all of Santa Cruz County that directly borders residential lots. It will be the first of its kind. Nowhere else in our county is there a parking garage directly next to someone's backyard. Our guess is there's a reason no parking garages share property lines with residential lots – it's because parking garages are unpleasant places. Parking garages are unattractive, noisy, dirty, over-lit, and smell bad. They attract litter, vagrancy, crime, and increase the fire hazard. Since this garage will be below all our homes on Tabor Drive, the smell of exhaust will waft directly up into our backyards during the mass arrival and departure times expected by 1440. These times are Friday and Sunday afternoons – prime times that we are all enjoying our currently quiet and peaceful backyards. The sounds of engines starting, horns honking, and doors slamming will become the norm for our Sunday afternoon BBQs. This noise will be amplified by the canyon effect that exists. Then after everyone is off to their seminars, well away from their cars, we can expect the regular unattended car alarms to go off at all hours of the night – disturbing our sleep before work the next day and school for our children.

Additionally, this parking structure bordering our property will negatively impact our home value. According to our realtor – a 26-year Santa Cruz County realtor – being next to a parking garage will reduce our home value and increase the difficulty of selling. Lost value will then translate into our inability to sell and buy another, comparable home. Our choice then is either stay next to the parking structure we dislike or move to a smaller, less-desirable home than we have now. These negative impacts to our home life and decreased home value will be the same for all of our neighbors whose lots also will border this new parking structure.

A secondary yet equally important concern of ours is the traffic congestion that will ensue at the arrival and departure times planned by the 1440 Foundation. 400 – 500 cars arriving and leaving all via north Scotts Valley Drive and Bethany Drive will be at best extremely inconvenient, and at worst very dangerous and life-threatening. The traffic study submitted at the meeting last night was flawed, and clearly not written by someone who regularly drives those streets. The study downplays the actual true affect of several hundred cars leaving and arriving within a short period of time – all trying to get on 17 North through our funky double-signal-light setup we have where Scotts Valley Drive connects to Hwy. 17. Folks stuck in this gridlock will use their GPS devices to find alternate routes, causing them to take Tabor Way to Tabor Dr. and Vine Hill School Rd. to Glenwood Dr. This is excessive traffic for these small residential streets. Clogging them up will impede regular neighborhood traffic and emergency vehicle access.

We must insist that the city council require the 1440 foundation to find another way to park their guests. We are not opposed to the 1440 Foundation's plans for a wellness retreat center, but we do insist that they consider our wellness and the wellness of the community they are joining as well.

We have lived in Scotts Valley for 21 years. Our son attends Vine Hill School and plays in SV Little League. We coach Scotts Valley Little League baseball, are members of the Little League board, are active members and contributors to the PTA, and volunteer in our schools. We regularly contribute to the Scotts Valley Education Foundation, Vine Hill School Auction and The Falcon Club. We have voted on and supported the bond measures and tax measures to build the high school, rebuild the middle school and improve Scotts Valley Drive. We love our town, and would hate to leave. Up until two weeks ago when we learned of the parking structure we had never even considered leaving. Please ask yourselves, "Would I want a three-story parking garage 100 feet behind my backyard?" and "Would I want to wait 30-45 minutes in traffic to go to the store on a Sunday afternoon?" You are in a position to do something about it, please insist that the 1440 Foundation find another way – off-site parking with shuttles, or a combination of off-site parking with a smaller parking structure built in the middle of their campus where there already is large parking area. These types of ideas will allow everyone to prosper. We will keep our peaceful backyards, the 1440 Foundation will still be able to realize their vision, and the City of Scotts Valley will still benefit from the increased economic activity and occupancy taxes.

Thank you for reading our letter and for your consideration.

Sincerely,

Ken & Kathleen Bunter
700 Tabor Drive
Scotts Valley, CA 95066

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SEP 15 2014

CITY OF SCOTTS VALLEY

Taylor Bateman

From: Tracy Ferrara
Sent: Monday, September 15, 2014 10:41 AM
To: Taylor Bateman; Corrie Kates
Cc: Stephany E. Aguilar (EXT); Randy Johnson (EXT); Dene Bustichi (EXT); Donna Lind (EXT)
Subject: FW: Fwd:

On Sat, Sep 13, 2014 at 8:53 AM, Larry Taylor <larrytaylor55@gmail.com> wrote:
Dear Mr. Reed,

I met you at the neighborhood meeting last Saturday presented by 1440.org. I spoke with you briefly in support of the project. I previously sent an email to Ms. Katey Kennedy voicing my support and perspective. She asked me to forward my thoughts to you and the other involved planners.

Please find attached my letter in support of their project. I am not associated with them in any way- I am simply a resident of the neighborhood, living in close proximity to the coming construction work and new facilities. I have sent you a letter, since I was unable to attend the planning meeting last Thursday night. For some reason, my earlier attempt to send this email to you failed and I just received notice of that from my email server, although I did send this letter to the planning members and they replied that they had received it before last Thursday's meeting.

I hope you can find time to hear my thoughts, giving my perspective on the project and the impact it might have on this neighborhood and Scotts Valley in general.

Thank you for you time.

Sincerely,

Larry Taylor

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SEP 15 2014

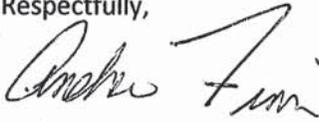
CITY OF SCOTTS VALLEY

City Hall Planning Department
One Civic Center Drive
Scotts Valley, CA 95066

Dear Sirs:

I object to the 1440 plan to construct both a large scale parking lot at the currently proposed location and object to the phase 2 plan of constructing a multilevel parking lot for the reasons stated in the attached email sent to the directors of the 1440 foundation. As I have not received any response from my email I make the same objection and request to you, the Scotts Planning Commission.

Respectfully,



Andrew Finn

Property Owner, 710 Tabor Drive

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SEP 15 2014

CITY OF SCOTTS VALLEY
167

To

Scott Joanie Kriens

Sep 8 at 3:04 PM

Dear Scott & Joanie Kriens,

I would like to bring to your attention a few of the negative impacts the 1440 Foundation and it's future clients will have on myself and a number of homeowners and occupants of the adjacent property. My house, on 710 Tabor Drive, is just above the planned, monstrous, phase II parking garage. Currently there is an open field bordered by two very steep ridges, with 150+ foot trees. The shape of this valley acts as an echo chamber. One can hear the conversation from someone at the bottom 100 yards away very clearly. The sound created by the exodus of many cars, at the same time, or the sound of a single car alarm will be absolutely huge. The published impact study did not address this. I guarantee you, it will prevent children from sleeping and disturb the now peaceful nature and general well being of the neighborhood. The other and more important concern is the safety of the residents on the upper portion of Tabor Drive. The street grade, narrowness of the road, and illegal street parking not enforced by the city, results in many types of large vehicles having trouble getting up the road, especially in the evening when most residents are home. Fortunately this has never had to been tested with fire engines. The city of Scotts Valley has categorized the area as extremely hazardous. I've been notified by my currently insurance company that I will be dropped due to fire risk at the end of the year. Replacing the current quasi open space with high density automobiles and drivers will increase the risk a thousand fold. The current impact report did not address upper Tabor Drive access either. I implore you to reconsider your parking plan and come up with an alternative, that has less impact.

Respectfully,
Andrew Finn

RECEIVED

SEP 13 2014

CITY OF SCOTTS VALLEY

September 19, 2014

Taylor Bateman
Senior Planner
City of Scotts Valley
Community Development Department
One Civic Center Drive
Scotts Valley, CA 95066

RE: 1440 Educational Facility – Redevelopment of Bethany campus

Dear Mr. Bateman,

I am writing in **absolute support** of 1440 Foundation's plan to redevelop the vacant Bethany campus.

As a resident in very close proximity to the Bethany campus, I have watched many changes during the 10 years I've lived here. Our family moved in with full understanding we were joining a neighborhood with an active university, literally driving through the campus each day to get home.

But over the years, we have watched the Bethany campus thrive, then suffer fire, attempt partial re-build, be abandoned, and ultimately suffer extreme disrepair and neglect. It is time for change.

1440's plan to rebuild the Bethany campus is exciting and I welcome them into our neighborhood and our town. I have attended the informal meetings over recent months, and have seen firsthand how the 1440 team invites feedback, both positive and not so positive, then works to best meet their developmental goals, while also addressing the needs of affected neighbors. I have also heard comments from both Scotts Valley council and local neighbors pondering the thought of who else might someday, ever?, be interested in the vacant campus. The option of high density housing in an area zoned for education is not what the neighborhood needs.

The vision 1440 has for redeveloping the campus will be a positive asset for the neighborhood and town. Let them proceed with the plan!

Respectfully,

Karen Andrews
1000 Bethany Drive
Scotts Valley, CA 95066
831-713-9194
kmaandrews@gmail.com

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SEP 19 2014

CITY OF SCOTTS VALLEY

Steve Ando

From: Donna Lind [dlindslind@earthlink.net]
Sent: Tuesday, September 16, 2014 11:45 AM
To: Corrie Kates; Steve Ando
Subject: 1440 Project Concerns

From: Michael Weaver <mbweaver@sbcglobal.net>
Subject: 1440 Project Concerns
Date: September 16, 2014 at 10:12:35 AM PDT
To: "dlindslind@gmail.com" <dlindslind@gmail.com>, "dlindslind@earthlink.net" <dlindslind@earthlink.net>
Reply-To: Michael Weaver <mbweaver@sbcglobal.net>

Hi Donna,

Kelly and I live on upper Tabor Drive. We are on the High School side of the Tabor, however the 1440 Parking Structure and Traffic related to the new 1440 site of GREAT Concern. The two story parking structure will have over 500 vehicles with doors closing, people conversing, horns honking, alarms sounding all hours of the day and night. Exhaust from these vehicles and the noise occurs in a natural bowl below Tabor Drive which is less than 100 feet from our quiet and peaceful neighborhood.

Secondly, the traffic daily on Bethany and over flow onto Tabor will be an issue. The streets are not wide enough for true two way traffic, and that is specially noticed on Tabor Drive before Tabor Way. Most often one lane is clear for half of Tabor for two way flow at about 25 mph maximum. Everyone coming and going on Fridays around noon and then around 3-6 will affect Vine Hill School children pick up at the four way stop at Tabor-Bethany-Scotts Valley Drive. The High School traffic at Glenwood and Scotts Valley Drive is terrible as is at school let out, so add 500 vehicles to the Shell Station and Granite Overpass intersections including Baymonet School on the other side. Our quiet Sundays will have the same concerns limiting our movements if we try to go anywhere Sundays around noon, or 3-6 in the evening. Our family backyard barbecues will be affected by noise, exhaust and limit our guests from coming and going.

I moved to Scotts Valley in 1989 for the beauty, quiet and to get away from congestion. We don't go to Santa Cruz in the summertime weekends because of the beach traffic and congestion. So now if this structure gets built, we wont be able to leave our house, must put up with exhaust smells and all kinds of noise for hours. Don't build the garage. Avoid 1440 guest from driving into our neighborhood, other than daily workers. I suggest making use of the numerous parking facilities already paved and lined for vehicles in empty commercial buildings. Borland site has over 500 parking spots unused daily. We have many more business vacant and a shuttle system of buses to move guest to 1440 is a much better solution. It eliminates exhaust from vehicles in a bowl, traffic from several vehicles at once and noise 24/7 from a parking structure. It will be easier to control speeds and flow with shuttle buses. Guest wont be lost or in a hurry up or down our streets. I am very glad that the site is being used and developed, I know it was a College and it had several Students coming and going. It was all day every day and not focused times.

Mike Weaver
715 Tabor Drive
Scotts Valley
8312391375

RECEIVED

SEP 21 2014

CITY OF SCOTTS VALLEY

Taylor Bateman

Subject: FW: 1440 Project Problems

From: <svcouncil@nelianet.com>

Date: Oct 6, 2014 11:39 AM

Subject: 1440 Project Problems

To: <jimreedSV@gmail.com>, <dene@bustichi.com>, <seajems@pacbell.net>, <rlj12@comcast.net>, <dlindslind@gmail.com>, <dlindslind@earthlink.net>

Cc: <carcangeli@me.com>, <debbie.muth@sbcglobal.net>, <dtimm@montalvohomes.com>, <russell_patterson@sbcglobal.net>, <steve.horlock@sbcglobal.net>

I am a long time (36 years!) homeowner, who lives on upper Tabor Dr. I have concerns about the 1440 project.

1. The 3 story parking garage that will be erected directly adjacent to homes here.
2. The massive traffic problems.

Parking Garage

The proposed location is terrible. It's backing up to long established homes in a very desirable area of the city. Certainly there is somewhere on the 70 acre property, where the garage wouldn't directly impact residential neighbors with fumes, noise, and light from a 3 story structure. I realize the developers are trying to mitigate the damage, but no matter what they do, there still will be substantial problems. And ones that likely will negatively affect housing values, thus lowering property taxes as well.

As far as I'm aware there are no other multi story parking garages in Scotts Valley. Putting the first one next to a quiet, residential area, rather than a commercial area is a very bad idea.

Traffic.

The proposal indicates that clients entering and leaving the 1440 project will do so at set times within a limited time period. I am very concerned about how this traffic will be handled. When fully open, there could be 500 cars leaving or entering at the same time! I realized that Bethany Dr. is scheduled for improvements. However, with a four way stop at the bottom of Tabor Dr. and Scotts Valley Dr./Vine Hill School Rd., Bethany Dr. traffic will quickly back up and the intersection itself will be a nightmare. Add in traffic from the elementary school, the new academy, and actual residents and things only get worse. Much worse.

Everyone has access to GPS these days via their cell phones. Once traffic slows, cars to or from 1440 will make their via Tabor Way and Tabor Dr. Neither of these narrow streets can handle more traffic. Tabor Dr. is already a horror show with cars parked out into the traffic lanes – even around blind curves. Prayers, as well as driving skills, are needed to avoid head on crashes, as cars veer into the oncoming traffic lane. Adding more cars will definitely cause more accidents.

The only way around this that I can think of is to make Tabor Dr. up to Tabor Way a one way street going uphill. Downhill would be troublesome due to the steepness of the left turn onto Tabor Dr. from Tabor Way. But this would add more traffic onto Bethany Dr.

Both Tabor Dr. and Bethany use the only intersection for the area. Once this gridlocks, how will emergency vehicles access the area? What if there is a wild fire? There is a history of arson set fires in this area of town. How will we be able to evacuate?

I'm not an unreasonable person. I realize that something was bound to go into the old Bethany University property. 1440 actually seems like a good fit for our city and I'm not opposed to it in general. The proposed plans seem to be thoughtful, except for the two things I mentioned. It will generate needed income in taxes and probably will increase local business traffic. However, care needs to be taken with how it's implemented to avoid destroying the semi-rural way of life that has drawn you, me, my neighbors, and 1440 to this area.

Regards,

Nelia Lyda

610 Tabor Dr.