City of Scotts Valley
Planning Commission
Meeting Agenda

DATE/TIME:
Thursday, September 24, 2009
6:00 p.m.

MEETING LOCATION:
One Civic Center Drive
Scotts Valley

POSTING: This agenda was posted on September 17, 2009.

CALL TO ORDER: *The Planning Commission Chair calls the meeting to order.*

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

ROLL CALL: *Planning Department staff conduct roll call of the Planning Commission.*

ORAL COMMUNICATIONS: *This portion of the agenda is reserved for discussion by the public of items which are not on the agenda. No action may be taken by the Commission. It is in the best interest of the person speaking to the Commission to be concise and to the point. All speakers are requested to sign their names at the podium so that their names may be accurately recorded in the minutes of the meeting.*

ALTERATIONS TO CONSENT AGENDA: *The Commission may remove or add items on the Consent Agenda.*

CONSENT AGENDA: *These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission.*

None.

ALTERATIONS TO REGULAR OR PUBLIC HEARING AGENDA: *The Commission may remove, add, or re-arrange items on the Public Hearing or Regular agenda.*

REGULAR AGENDA:

1. **Address:** 935 Kings Canyon Court / APN 021-202-02
   Applicant: Karen Streeter for property owners Steve Lampkin and Tom Boyd
   Planning Permit Applications: DR08-013.1
   Project Description: Consideration of a Design Review Amendment to add 978 square feet of conditioned area to the lower level of a previously approved new single-family residence, located in the Monte Fiore planned development.
   Staff Planner: EDS Brenda Stevens, (831) 440-5634

PUBLIC HEARING AGENDA:

2. **Address:** 18 Victor Square / APN 022-042-34
Applicant: Jason Revino
Planning Permit Applications: U06-013.2, DR09-007
Project Description: Consideration of an amendment to a Use Permit U06-013.1 and Design Review to allow an expansion of 1,200 square feet for a new bar and additional seating in an existing restaurant (Jia Tellas Cambodian Cuisine), located in the Scotts Valley Junction shopping center.
Staff Planner: SP Taylor Bateman, (831) 440-5633

DISCUSSION ITEMS: None.

FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS - FOR INFORMATION ONLY: *City Council Minutes are provided if available.*

ADJOURNMENT: *Adjournment shall be no later than 11:00 p.m. unless extended by a four fifths vote of all Planning Commission members or a unanimous vote of the members present (Section 2.21.020)*

PLEASE NOTE: The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a Planning Commission meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate in the meeting, please call the Community Development office at (831) 440-5630 five to seven days in advance of the meeting to make arrangements for assistance.

If you require the agenda of a Planning Commission meeting be available in an alternative format consistent with a specific disability, please contact the Community Development Department office. The California State Relay Service (TDD to voice: 1-800-735-2929 or voice to TDD: 1-800-735-2922) provides Telecommunications Devices for the Deaf and will provide a link between the TDD caller and users of telephone equipment.

Agenda Item 2
9-24-09 P.C. Mtg.
DR08-013.1

STAFF REPORT

Applicant:	Karen Streeter
Owner:	Steve Lampkin and Tom Boyd
Application:	Design Review No. DR08-013.1
Location:	935 Kings Canyon Court / APN 21-202-02
General Plan/Zoning:	Low Density Residential (R-1-40)
Environmental Status:	Exempt from CEQA (Section 15303)
Request:	Consideration of an amendment to a previously approved Design Review application for single family dwelling located in the R-1-40 zoning district subject to the Hillside Combining District Regulations and with grading proposed in slopes over 30 percent. This amendment request to add 978 square feet to the lower level for a total living space of 4,304 square feet.
Staff Planner:	Brenda Stevens, Economic Dev. / Planning Specialist BKS

STAFF RECOMMENDATION

It is recommended that the Planning Commission review the plans for Design Review application No. DR08-013.1, and approve the application, subject to the attached conditions in Exhibit A.

PROJECT DESCRIPTION

The project site is located on the Ridge in the Monte Fiore subdivision at 935 Kings Canyon Court (Attachment 1 - Location Map). The 45,892-square-foot vacant parcel contains a variety of slopes ranging from 0% to over 40%. The average slope of the building pad is 37.5%. The property owners have been granted approval to construct a 3,326 square foot, two-story, single family dwelling with an attached 632 square foot garage (Attachment 2 - Plans) . This amended application request to add 978 square

feet to the lower level for a total living space of 4,304 square feet. The additional space would house two bedrooms, a bathroom and a family room. The footprint of the proposed dwelling would not change from the original proposal as the enclosed space was previously included without the intention of completing the rooms. Therefore, the only notable exterior changes to the original approved plan is the addition of windows and doors on the lower level of the north elevation. As with the prior plans, the exterior of the house is proposed to have stucco siding painted in a stone color, with matching wood trim and stacked-stone veneer accenting. The roof material will be a standing-seam metal roof in a "cool hemlock green". The metal gutters will be painted to match the roof. A color sample board will be available at the hearing. A complete landscape plan has been provided. The design of the home is consistent with the "The Ridge at Monte Fiore Architectural Guidelines," and approval of the proposed home has been granted by the Architectural Review Committee of the homeowner's association (Attachment 3). The project site includes grading in slopes over 40%, however, pursuant to Section 17.40.050 of the Scotts Valley Municipal Code (SVMC) the average slope of the area to be developed is 37.5% as discussed further below. The project will require 1,091cubic yards of grading (957cubic yards of cut and134 cubic yards of fill). The project would include the removal of some trees (discussed below).

BACKGROUND

On October 23, 2008, the Planning Commission approved Design Review application No. DR08-013 to construct the single family dwelling as shown on the current plans minus the lower level rooms.

On March 9, 2000, the Planning Commission reviewed the original and revised slope calculations for the ridge lots in the Monte Fiore subdivision. The staff report specifically addressed slope issues and calculations for the subject property (Lot 64). Calculations prepared by Center Line Surveying, Inc. on October 4, 1999 calculated the average slope of Lot 64 at 40%. The March 9, 2000 staff report concluded that the lot should not have been created, however, the City Attorney determined that the lot is a legal lot of record as it was approved by the City Council. The project is subject to the development standards for existing lots of record as prescribed in Section 17.40.050(B)(1) of the SVMC as discussed above. In the March 9, 2000 staff report, the possibility of creating an open space area along the northeast property line to reduce the average slope of the lot was discussed. A draft open space area was prepared by Center Line Surveying for the March 9, 2000 meeting. No action was taken by the Planning Commission regarding this option.

Due to the steep slope between the subject property and the down slope properties, the Planning Department recommends that activity in the sloped area be limited as a condition of approval and by deed restriction. The limited activity area would be similar to that described in the draft open space easement prepared by Center Line Surveying, Inc. on March 2, 2000 (Conditions 9-10). The open space area would be permanently maintained in a natural state. Within the Monte Fiore subdivision steeply sloped areas are held as common area and reserved as open space.

On May 27, 2006 the Planning Commission approved Design Review application DR05-029 to allow construction of a 3,705 square foot single family dwelling by former property owners Marcus and Anita Marty. The onetime property owners did not build on site. The building area proposed by the current property owners, Lampkin and Boyd, is similar to the envelope proposed by the Marty's with the exception of the driveway location. This proposal avoids construction activity in the 30 foot public utility easement.

PROJECT DISCUSSION

Below is a review of the project's compliance with the City's General Plan and Zoning Requirements.

Hillside Regulations

The City's Hillside Regulations apply to all lots having an average slope of more than 10%. The Hillside Regulations require that construction on hillsides avoid unreasonable interference of views and privacy, preserve the natural landscape, minimize perception of excessive bulk, and that bulk and height be compatible with the neighborhood. Grading in slopes exceeding 30% requires Planning Commission approval.

The average slope of the area to be developed is 37.5%. The building pad is 37% and the driveway is 38.6%. As proposed, this complies with Section 17.40.050(B)(1) of the SVMC, which requires that the building pads have an average slope of less than 40%. Building sites with an average slope exceeding 25% require an engineering geology report to ensure that the site is suitable for the proposed development. An engineering geology report is required prior to issuance of a building permit. The grading required for the footprint of the current project is in keeping with the Hillside Regulations. The proposed dwelling is located on the east side of Kings Canyon Court and portions of the home may be visible from residences below in the Monte Fiore meadow. Existing evergreen trees provide some screening. Architectural features of the proposed house, such as varied roof lines, windows, and doors act to break up mass and bulk.

Soils and Drainage

The proposed driveway alignment will start at the cul-de-sac at an elevation of approximately 850 and traverse the slope to the garage slab at an elevation of approximately 855. The driveway will be a concrete slab-on-grade placed on a conventional cut and fill pad. Retaining walls are proposed to retain driveway cuts and fills. The residential structure will be partially cut into the hillside, with retained cuts up to 11-feet high and essentially conform to existing grades on the downhill side.

A geotechnical investigation was prepared for the previous proposed project by Haro, Kasunich and Associates, Inc., dated September, 2005 (Attachment 4a.). The same firm has prepare a geotechnical update and addendum report for the current proposal, dated June 19, 2008 (Attachment 4b). The report states that "our firm visited the

referenced site on May 7, 2008, to see if site conditions have changed since the issuance of our September 2005 report and to perform two additional exploratory hand auger borings for the driveway. Based on the site visit, exploratory hand auger borings and preliminary site plan, the site is virtually unchanged and the geotechnical recommendations presented in our September 2005 report still apply, however we would like to provide the following updated addendum recommendations" (Condition No.11). This condition address two issues: fill to be removed below the driveway and to be replaced with engineered fill; and piers to be used for retaining wall support. No grading changes are proposed with this amended application as the footprint will not change.

Trees

A tree preservation plan for the Monte Fiore Subdivision was prepared by Barry Coate in 1995. As part of the preservation plan, Mr. Coate created grading envelopes for each parcel, which allowed the removal of certain trees without a tree removal permit. The preservation plan also identified trees for preservation and removal. No trees were identified for preservation on the subject lot and several trees were removed by the subdivision developer upon the recommendation of the subdivision arborist. Trees outside of the envelope are proposed to be removed with this application.

A "Tree Resource Evaluation/Construction Impact Assessment" was prepared on July 7, 2008 by James P. Allen and Associates (Attachment 5). Mr. Allen states in the report that he has "assessed, inventoried and mapped 21 trees/tree groups that are within 20 feet of the proposed grading. To complete the project as presented, 15 trees will need to be removed due to a high level of impacts from the proposed grading or because they are dead, structurally unsound or have fallen. Of the 15 trees proposed for removal, 12 meet 'protected' criteria as defined by Scotts Valley Municipal Code section 17.44.080. Of the 12 protected trees proposed for removal, one is dead, another is structurally unsound and another has fallen." Mr. Allen also states that City approved tree removal will require additional California Department of Forestry permits and that once grade staking has been placed in the field, tree removal/retention totals may vary. The Project Arborist will make these determinations after grade staking is in place. Mr. Allen's recommendations for required procedures have been included as (Conditions 14-16). No additional tree removals are requested with this amended application as the footprint will not change.

FINDINGS

1. *Proposed grading is limited to the minimum necessary for development of roads, building sites, utilities and driveways.* The proposed grading conforms with the Hillside Regulations. The residential structure will be partially cut into the hillside, with retained cuts up to 11-feet high and essentially conform to existing grades on the downhill side. Furthermore, the home has been designed to follow the contours of the hillside further reducing site grading.

2. *Mass grading will not reasonably affect the natural character of the area.* The proposed grading is considerate of the natural character of the area as it follows the contours of the hillside.

3. *The proposed structure minimizes perceptions of bulk in relation to the immediate neighborhood.* As designed, the project incorporates design elements which serve to reduce bulk in relation to the immediate neighborhood. Visual impacts will be minimized by the location of the parcel in relation to the rest to the subdivision.

4. *The proposed structure is compatible with existing residences in the neighborhood and zoning district in terms of bulk and height.* The proposed dwelling is compatible with the bulk and height of residences in the neighborhood.

5. *The proposed buildings and other improvements are consistent with the policies described in the Residential Design Handbook.* The proposed structure complies with the principles of the Residential Design Handbook. The applicant has demonstrated that the project as designed complies with the Hillside Regulations and the Residential Design Handbook.

ATTACHMENTS **PAGE No.**

Resolution to Approve DR08-013.1 (Action Item) 6-12
1. Location Map & Subdivision Detail 13-14
2. Project Plans (Received 6-30-09) . . . . . Attached
3. Architectural Control Committee Approval Letters (6-26-08) 15-16
4. Geotechnical Investigation, Haro, Kasunich and Associates, Inc., (9-25-08 and update and addendum report 6-19-08) 17-64
5. Arborist Report prepared by James P. Allen & Associates (7-7-08) 65-82

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY APPROVING DESIGN REVIEW APPLICATION NO. DR08-013.1 FOR A 978 SQUARE FOOT ADDITION TO A PREVIOUSLY APPROVED SINGLE FAMILY RESIDENCE TO BE LOCATED AT 935 KINGS CANYON COURT //APN 021-202-02.

WHEREAS, the Planning Department of the City of Scotts Valley has received an application filed by Karen Streeter, on behalf of property owners Steve Lampkin and Tom Boyd, for Design Review Permit No. DR08-013.1 for a 978 square foot addition to a single family home to be located at 935 Kings Canyon Court // APN 021-202-02; and,

WHEREAS, Karen Streeter, (referred to as the "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, the project is Categorically Exempt, Class 3 (15303); and,

WHEREAS, the project was reviewed by the Planning Commission at a regularly scheduled meeting on Thursday, September 24, 2009,

NOW THEREFORE, the Planning Commission of the City of Scotts Valley hereby resolves as follows:

SECTION 1: The environmental determination represents the independent judgement of the City.

SECTION 2: The categorical exemption is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the staff report dated September 24, 2009:

1. *Proposed grading is limited to the minimum necessary for development of roads, building sites, utilities and driveways.* The proposed grading conforms with the Hillside Regulations. The proposed driveway utilizes an existing cut slope, therefore reducing the area of the site to be graded. Furthermore, the home has been designed to follow the contours of the hillside further reducing site grading.

2. *Mass grading will not reasonably affect the natural character of the area.* The proposed grading is considerate of the natural character of the area as it follows the contours of the hillside.

3. *The proposed structure minimizes perceptions of bulk in relation to the immediate neighborhood.* As designed, the project incorporates design elements which serve to reduce bulk in relation to the immediate neighborhood. Visual impacts will be minimized by the location of the parcel in relation to the rest to the subdivision.

4. *The proposed structure is compatible with existing residences in the neighborhood and zoning district in terms of bulk and height.* The proposed dwelling is compatible with the bulk and height of residences in the neighborhood.

5. *The proposed buildings and other improvements are consistent with the policies described in the Residential Design Handbook.* The proposed structure complies with the principles of the Residential Design Handbook. The applicant has demonstrated that the project as designed complies with the Hillside Regulations and the Residential Design Handbook.

SECTION 4: 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 of the City of Scotts Valley does hereby approve Design Review Permit No. DR08-013.1 for a 978 square foot addition to a single family residence to be located at 935 Kings Canyon Court // APN 021-202-02, subject to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

SECTION 5: This Design Review No. DR08-013.1 shall lapse and shall be come void one year from the date of this resolution unless prior to the expiration date, a building permit is issued by the Building Division and construction has commenced and diligently pursued toward completion, or an extension of this approval is granted by the Planning Commission.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 24th day of September, 2009, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Chair, Debbie Muth

_____
Susan Westman, Interim Community Development Director

EXHIBIT A

CONDITIONS OF APPROVAL

(Numbers 1 - 44)

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 Planning Commission 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.

3. After Planning Commission approval, the property owner shall have a signed and notarized copy of the Notice of Conditions of Approval recognizing this application (provided by the City), recorded at the County Recorder's Office prior to issuance of any building permits.

4. All required building permits shall be obtained and the applicant shall pay all appropriate fees prior to commencement of any construction on the property.

PLANNING DEPARTMENT

5. The color, materials, size, location, and design of the improvements shall match the approved plans. Modifications to the approved project may require approval by the Planning Commission at the discretion of the Community Development Director. All future colors shall blend with the surrounding environment and be compatible with surrounding structures.

6. All landscaping and irrigation shall be in place prior to building permit final.

7. All fencing shall be approved by the Homeowner's Association prior to installation.

8. An Engineering Geology Report shall be prepared for all proposed structures as required by the Hillside and Grading Regulations. The report shall be reviewed and approved by the Building Department prior to issuance of grading or building permit.

9. The sloped area along the northeast property line shall be permanently maintained in a natural state. The exact boundaries of the sloped area to be permanently maintained in a natural state shall be determined by the Community Development Director prior to issuance of grading or building permit. The area shall be similar to the open space area drafted by Center Line Surveying, Inc. on March 2, 2000, with adjustments as necessary to accommodate the proposed site improvements.

10. A deed restriction shall be recorded on the property specifying the exact boundaries of the sloped area to be permanently maintained in a natural state prior to issuance of grading or building permit. Such deed restriction shall be reviewed and approved by the City Attorney.

11. The applicant shall comply with all recommendations as stated in the Geotechnical update and addendum report prepared by Haro, Kasunich and Associates, Inc., dated June 19, 2008.

12. If grading in the rainy season (October 15th to April 15th) is necessary, all required approvals from the Building Department shall be obtained.

13. 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.

14. The applicant shall comply with all recommendations as stated in the arborist report prepared by James P. Allen and Associates, dated July 7, 2008. However, if the number of required replacement trees exceed the applicant's landscape plans (as submitted with this project), applicant may pay into the City's tree replacement fund.

15. A letter from the consulting arborist indicating that the tree preservation fencing is in place shall be submitted to the Planning Department prior to issuance of grading or building permit .

16. Upon completion of construction activities the consulting arborists shall submit a

letter to the Planning Department stating that all recommended tree preservation measures have been complied with prior to issuance of an Occupancy Permit.

17. Outside lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible.

BUILDING DEPARTMENT

Standard

18. All requirements of the Building Department of the City of Scotts Valley shall be met.

19. Applicant shall obtain a building permit(s) and pay appropriate fees before doing any earth disturbing work on the subject property.

20. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits.

21. All construction shall be contained within the building envelope shown on the proposed map. No encroachment of structures outside of the building envelope shall be allowed. (*USED FOR PLANNED DEVELOPMENTS*)

22. All structures shall comply with the most current California Energy Commission Standards (Title 24).

23. The buildings must be designed to comply with the California Building Code (CBC), 2007 edition, structural and seismic/earthquake requirements.

24. The building permit plans must comply with the California Building Code (CBC), 2007 edition, for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards (2005) (which includes energy-saving appliances, etc.).

25. All new utilities shall be installed underground.

26. The plans submitted for a building permit must include a drainage plan that conforms with the City's Storm Drain Master Plan (December 1989) and post run-off requirements. 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.

27. The applicant shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction.

28. All construction within the City shall be limited to the hours between 8 AM and 6 PM, Monday through Friday, and 9 AM through 5 PM on Saturday. ***No construction activity is allowed on Sundays.***

29. The applicant shall affix a copy of the approving resolution and conditions of approval to each set of construction plans which will be submitted to the Building Department.

Project-specific

30. The plans submitted for a building permit must follow all of the recommendations in the geotechnical investigation update and addendum report prepared by Haro, Kasunich and Associates, Inc. dated June 19, 2008 for the project.

31. Any grading or earthwork proposed between Oct. 15-April 15 requires review and approval by the City Council before any earthwork may occur during this period.

32. Site drainage erosion control and foundation plans must be reviewed and approved by a soils engineer.

33. An engineered grading permit may be required for the proposed site work.

34. All new construction shall comply with the City of Scotts Valley's Green Building Guidelines. Handouts will be provided upon request.

35. Structural calculations shall be submitted and wet-signed by the Engineer of record.

36. Provide names of Special Inspectors with certifications as required.

37. All trades of electrical, plumbing and mechanical will be issued under one building permit for said project (General Contractor permittee).

38. All of the following Codes shall be used:
National Electrical Code (NEC) 2005
California Electrical Code (CEC) 2007
California Building Code (CBC) 2007
California Plumbing Code (CPC) 2007
California Mechanical Code (CMC)2007

39. A soils engineer shall review and approve site grading, drainage, erosion control, and foundation plan prior to issuance of grading or building permit including any post occupancy conditions that may be warranted.

40. A qualified engineer shall approve the foundation and structural design of the proposed dwelling prior to issuance of grading or building permit.

41. Peak pre-development storm water runoff rates shall not be increased after development per section 15.06.120 of the SVMC.

FIRE DISTRICT

42. Fire Department access is required to within 150 feet to furthest point of furthest wall of structure.

WATER DISTRICT

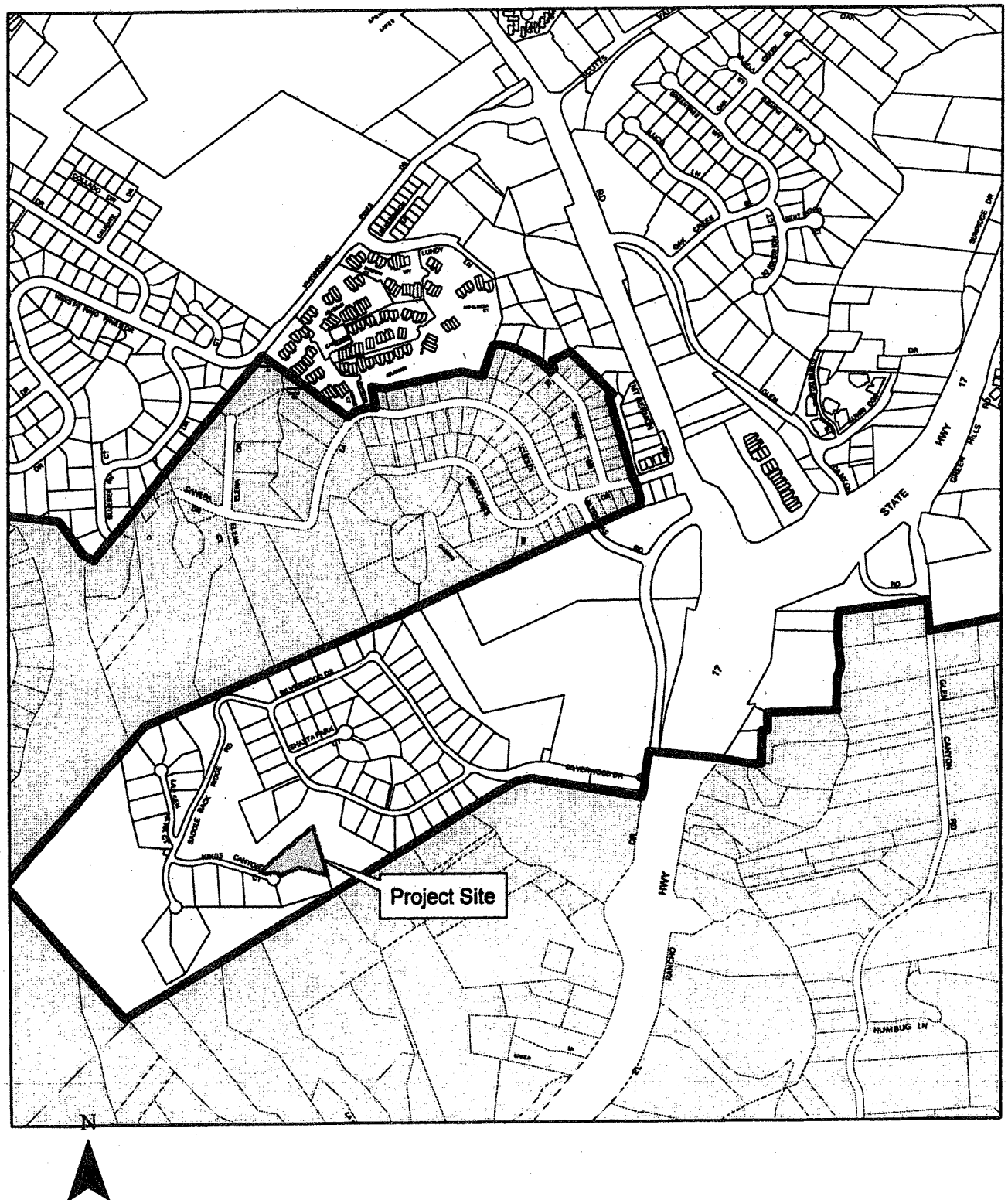
43. Applicant shall work directly with Water District General Manger to resolve all water issues.

PUBLIC WORKS

44. All additional storm water concentration points must be directed to Kings Canyon Court or the storm drain pipe in the open space north west of this parcel.

Name and Signature of Property Owner Date

Location Map



935 Kings Canyon Court

Subdivision Detail

935 Kings Canyon Court

Attachment 3

RECEIVED
AUG 0 3 2009
CITY OF SCOTTS VALLEY

Heritage Parks Association
c/o Management Financial Consultants
P.O. Box 593 Redwood Estates, CA 95044-0593
(408) 353-2126 (408) 353-2127 fax

July 30, 2009

City of Scotts Valley
Building Department Att. Jeff Gower
Planning Department Att. Taylor Bateman
1 Civic Center Drive
Scotts Valley, CA 95066

Re: Boyd/Lampkin
935 Kings Canyon Court
Interior New Construction

To Taylor Bateman and Jeff Gower:

Please be advised that because the new construction at 935 Kings Canyon Court is all interior and will not change the footprint or the exterior appearance of the home, no further approval is required from the Association's Architectural Committee.

We appreciate the City working with the Association on these matters.

Yours sincerely,

MANAGEMENT FINANCIAL CONSULTANTS

Bonnie Walsh

Bonnie Walsh
Executive Assistant

Cc: 5.4, lot file, 4.1

Russell J. Short - Architect
Architecture and Planning

RECEIVED
JUL 08 2008
CITY OF SCOTTS VALLEY

June 23, 2008

Monte Fiore Homeowner Association
P.O. Box 593
Redwood Estates, CA 95044

The Ridge at Monte Fiore
Architectural Review

I have reviewed the design documents submitted by applicant, Streeter Group, Inc, for a single-family residence proposed for lot 64. The documents submitted for review consist of sheets C1, C2, L1 & A1-A4 dated 5-24-08, 5-13-08, 6-4-08, 5-29-08, 5-28-08, 5-24-08 & 5-24-08 respectively. The project consists of a new two story single family residence of approximately 3,326 square feet of habitable floor area.

I have reviewed the aforementioned documents and haves found the submittal to be in general conformance with the City of Scotts Valley Resolution #1185, Exhibit B, "The Ridge at Monte Fiore Architectural Guidelines", subject to compliance with items noted below.

Findings

1. A new water lateral must be installed within the street to provide adequate water for fire sprinklers. The applicant shall patch the street and reseal to restore the street to the pre-installation condition.
2. The property owner shall submit information regarding methods and locations of discharge of concentrated runoff from impervious areas. An easement from the homeowners association will be required if the applicant intends on connecting to the storm drainage system located in the common open space.
3. Paving at parking area shall be brick, stone pavers or stamped & colored concrete. The proposed decomposed granite surface is not allowed.

Review by this office is limited to review for conformance with the Architectural Guidelines, Exhibit B, only. The applicant should note that approvals from various governmental agencies are required. It is the applicant's responsibility to obtain approvals from the jurisdictions having control over the proposed project. In no way shall the findings of this office supersede any requirement to comply with any applicable statues, codes, ordinances or regulations.

Russell J. Short
Architect

6-23-08
Date

5274 Scotts Valley Drive, Suite 201, Scotts Valley, CA 95066
(831) 439-8555 FAX (831) 439-8579

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING GEOTECHNICAL & COASTAL ENGINEERS

Attachment 4A

Project No. SC9686
19 June 2008

MR. STEVE LAMPKIN
265 West Hilton Drive
Boulder Creek, California 95006

Subject: **GEOTECHNICAL UPDATE AND ADDENDUM REPORT**

Reference: **Proposed Residential Development**
APN 021-202-02
935 Kings Canyon Court
Scotts Valley, California

Geotechnical Investigation Report
By Haro, Kasunich and Associates Dated September 2005

RECEIVED
JUN 26 2008
CITY OF SCOTTS VALLEY

Dear Mr. Lampkin:

At your request, our firm has developed this geotechnical update and addendum report for the referenced project in Scotts Valley. The purpose of our work was to verify if site conditions have changed significantly since the issuance of our September 2005 Geotechnical Investigation report and to provide updated and addendum recommendations in relation to the revised development and 2007 California Building Codes.

Based on phone conversations and the review of the preliminary site plan by Karen Streeter (architect), Streeter Group Inc. for the proposed development, we understand a single family residence, attached garage and access driveway is proposed at 935 Kings Canyon Court, Scotts Valley, California (see attached Boring Site Plan).

Our firm prepared a geotechnical investigation report for the previous owners of the property, Marcus and Anita Marty, dated September 2005 (attached). The building area proposed by Mr. Lampkin is very similar to the envelope proposed by the Marty's, with the exception of the driveway location. The Lampkin driveway alignment will start at the cul-de-sac at elevation of about 850 and traverse the slope to the garage slab at about elevation 855. The driveway will be a concrete slab-on-grade placed on a conventional cut a fill pad. We understand retaining walls are proposed to retain driveway cuts and fills. The residential structure will be partially cut into the hill side, with retained cuts up to 11 feet high and essentially conform to existing grades on the downhill side.

Our firm visited the referenced site on 7 May 2008 to see if site conditions have changed since the issuance of our September 2005 report and to perform two additional exploratory hand auger borings for the driveway (see attached boring logs for Borings 6 and 7). Based on this site visit, exploratory hand auger borings and preliminary site

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JUN 26 2008
CITY OF SCOTTS VALLEY

plan, the site is virtually unchanged and the geotechnical recommendations presented in our September 2005 report still apply, however we would like to provide the following updated and addendum recommendations.

Geotechnical Update and Addendum Recommendations

1. Based on our exploratory hand auger borings performed for the driveway, 4 feet of unclassified fill was encountered in boring 6. The fill appears to be the result of historic grading operations to establish final grades of the cul-de-sac for Kings Canyon Court. We recommend this fill be removed below the driveway and replace it with engineered fill. In addition to provide uniform bearing support for the concrete driveway, we recommend the concrete driveway be supported by a minimum of 12 inches of engineered fill as measured from final subgrade elevation. Engineered fill should be processed in accordance with the grading recommendations presented in our September 2005 report.

2. Inboard retaining walls founded into fractured mudstone may utilize spread footings for structural support. Outboard retaining walls placed on existing slopes should utilized piers to penetrate fill and topsoil and be embedded into fractured mudstone.

3. For seismic design, a Site Class C may be assumed for determining the maximum considered earthquake spectral response accelerations for short and one second periods relative to section 1613 of the 2007 California Building Code.

Plan Review, Construction Observation and Testing

4. Our firm should be commissioned to review the project plans prior to construction so that our geotechnical recommendations may be properly interpreted and implemented. The purpose is to determine if this preliminary report is adequate and complete for the final planned grading and construction. It is not intended that the geotechnical engineer approve or disapprove the plans, but to provide an opportunity to update our reports and include additions or qualifications as necessary. If our firm is not accorded the opportunity of making the recommended review, we can assume no responsibility for misinterpretation of our recommendations.

5. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report require our review of final plans and specifications prior to construction and upon our observation and, where necessary, testing of the earthwork and foundation excavations. Observation of grading and foundation excavations allows us to compare subsurface conditions exposed during construction with those inferred from this investigation

If you have any questions concerning the data or conclusions presented in this report, please call our office.

Very truly yours,

Reviewed By:

HARO, KASUNICH & ASSOCIATES, INC.

John E. Kasunich
G.E. 455

William E. St. Clair
Staff Engineer

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JUN 26 2008
CITY OF SCOTTS VALLEY

WSC/jm

Attachments

Copies: 1 to Addressee
4 to Karen Streeter (Streeter Group, Inc.)

LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. The conclusions and recommendations noted in this report are based on probability and in no way imply that the proposed improvements will not possibly be subjected to ground failure or seismic shaking so intense they will be severely damaged or destroyed.

2. This report is issued with the understanding that it is the duty and responsibility of the owner or his representative or agent to ensure that the recommendations contained in this report are brought to the attention of the architects and engineers and contractors for the project, incorporated into the plans and specifications, and that the necessary steps are taken to see that the contractor and subcontractors carry out such recommendations in the field.

3. The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice in the Santa Cruz County area. No other warranty, expressed or implied, is made.

4. If any unexpected variations in soil conditions, or if any undesirable conditions are encountered during construction, or if the proposed construction will differ from that planned at the present time, Haro, Kasunich and Associates should be notified so that supplemental recommendations can be given.

5. The findings of this report are valid as of the present date. However, changes in the conditions of a property can occur with the passage of time, whether they be due to natural processes or to the works of man, on this or adjacent properties. In addition, changes in applicable or appropriate standards occur whether they result from legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated, wholly or partially, by changes outside our control. Therefore, this report should not be relied upon after a period of three years without being reviewed by a geotechnical engineer.

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935 Kings Canyon Court

PROJECT NO. SC9686

LOGGED BY BSC DATE DRILLED May 7, 2008 BORING DIAMETER 4" BORING NO. B-6

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			(Fill) Light brown Silty SAND, damp, loose	SM					
			Dark grey-black Sandy SILT, damp, soft-firm	SM					
	B-1 (B)							16.9	
5			(Native) Grey lean CLAY with Sand & light brown Mudstone Clasts, damp, firm	SC					
			Light brown Silty SAND (Fractured MS) damp, hard	SM					
			Boring terminated at 6.0 feet						
10									
15									
20									
25									
30									
35									

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ARO, KASUNICH AND ASSOCIATES, INC.

BY: dk | FIGURE NO. 1

21

SiteLog CivilTech Software, USA www.civiltech.com File: C:\Sitelog\HKA\LOGS\SC9686.log Date: 6/25/2008

HKA Harro Kasunich and Associates, Inc.

935 Kings Canyon Court

PROJECT NO. SC9686

GGED BY BSC | DATE DRILLED May 7, 2008 | BORING DIAMETER 4" | BORING NO. B-7

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Dark grey-black Sandy SILT with roots, damp, firm-stiff	SM					
5	7-1 (B)		Grey lean CLAY with Sand & light brown Mudstone clasts, damp, very stiff	SC				36.7	Atterberg Limits LL = 54.1% PL = 26.4% PI = 27.7
			Boring terminated at 6.0 feet						
10									
20									
25									
30									
35									

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HARRO, KASUNICH AND ASSOCIATES, INC.

BY: dk | FIGURE NO. 2

Attachment 4.B

GEOTECHNICAL INVESTIGATION
For
A.P.N 021-202-02
935 Kings Canyon Court
Scotts Valley, California

Prepared
For
MARCUS AND ANITA MARTY
208 Southwood Drive
Scotts Valley, California 95066

Prepared By
HARO, KASUNICH AND ASSOCIATES, INC.
Geotechnical & Coastal Engineers
Project No. SC8929
September 2005

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CITY OF SCOTTS VALLEY

HARO, KASUNICH AND ASSOCIATES, INC.

CONSULTING GEOTECHNICAL & COASTAL ENGINEERS

Project No. SC8929
23 September 2005

MARCUS AND ANITA MARTY
208 Southwood Drive
Scotts Valley, California 95066

Subject: **Geotechnical Investigation - Design Phase**
A.P.N. 021-202-02
935 Kings Canyon Court
Scotts Valley, California

Dear Mr. and Mrs. Marty,

In accordance with your authorization, we have performed a Geotechnical Investigation for the proposed residential project in Scotts Valley, California.

Primary geotechnical concerns at the site include strong seismic shaking, adequate foundation support for the proposed residential construction, and appropriate control of surface runoff around the proposed home site.

The accompanying report presents our conclusions and recommendations, as well as the results of the geotechnical investigation on which they are based.

If you have any questions concerning the data or conclusions presented in this report, please call our office.

Very truly yours,

Reviewed By:

REGISTERED PROFESSIONAL ENGINEER
JOHN E. KASUNICH
No 33177
exp. 6/06
CIVIL
STATE OF CALIFORNIA

HARO, KASUNICH & ASSOCIATES, INC.

John E. Kasunich
G.E. 455

William E. St. Clair
Staff Engineer

WSC/JEK/jm

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24

TABLE OF CONTENTS

LETTER OF TRANSMITTAL
GEOTECHNICAL INVESTIGATION 1
Introduction 1
Purpose and Scope 2
Site and Project Description 3
Field Exploration 4
Laboratory Testing 6
Subsurface Conditions 6
Quantitative Slope Stability Analysis 8
Seismic Shaking Considerations 9

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS 11
General Site Grading 13
Cut and Fill Slopes 16
Utility Trenches 17
UBC Design Criteria 18
Building Foundations 19
Conventional Spread Footings (Garage Basement) 19
Pier and Grade Beam Foundation (Upslope living levels) 21
Retaining Wall Lateral Pressures 23
Concrete Slabs-on-Grade 24
Surface Drainage 26
Pavement Design 28
Plan Review, Construction Observation, and Testing 29

LIMITATIONS AND UNIFORMITY OF CONDITIONS 30

APPENDIX A 31
Vicinity Map 32
Boring Site Plan 33
Key To Logs 34
Logs of Test Borings 35

GEOTECHNICAL INVESTIGATION - DESIGN PHASE

Introduction

This report summarizes the findings, conclusions and recommendations from our geotechnical investigation for the proposed residential construction at 935 Kings Canyon Court in the Heritage Park Subdivision in community of Scotts Valley, California. The purpose of our investigation was to explore and evaluate the subsurface conditions at the site and provide geotechnical recommendations pertaining to earthwork and foundation design for the proposed residential construction.

As the foundation and grading plans have not been finalized, some of the recommendations presented in this report are general in nature. Our firm should be provided the opportunity for a geotechnical review of the project plans prior to construction, so that our recommendations may be properly interpreted and implemented, and to determine if this report is adequate and complete for the final planned grading and construction. It is not intended that the geotechnical engineer approve or disapprove the plans, but to provide an opportunity to update the preliminary report and include additions or qualifications as necessary.

This investigation was performed to evaluate subsurface soil conditions and to provide geotechnical engineering information to be used in the design and construction of the proposed single family residence. As data presented in this report was developed from the

design standpoint, it may not contain sufficient detail to address specific construction issues or other needs required by the contractor. Therefore, it is recommended prospective bidders obtain additional subsurface information as they deem necessary.

Purpose and Scope

The purpose of our investigation was to explore the subsurface conditions at the site, in order to assess the subsoil characteristics, evaluate the soil-structure interaction from a static (dead plus live) loading condition and develop geotechnical recommendations pertaining to earthwork and foundation design for the proposed construction. It is presumed the latest UBC (1997) edition design considerations, specifically the seismic factors and coefficients from Chapter 16, Volume 2, will be followed in the design of the residential-type structure.

The scope of our services included the following:

1. Site reconnaissance and review of the following Geotechnical and Geologic Reports regarding the site and region:
   - Preliminary Geotechnical Investigation by Tejima and Associates dated 29 September 1989
   - Geotechnical Study by Geoconsultants dated 14 December 1988

2. Field exploration, consisting of logging and interval sampling of soils encountered in five (5) exploratory borings drilled to depths of 9 to 21 feet. Soil samples were obtained, sealed and returned to our laboratory for testing.
3. Laboratory classification and testing of selective samples considered representative of subsurface conditions.
4. Engineering analysis, evaluation of field and laboratory test data and development of recommendations for general site grading, structural foundations, retaining walls, concrete slabs-on-grade, and general site drainage.
5. Preparation of this report and related graphics, presenting the results of our investigation.

Site and Project Description

The subject property is located on the north side of an east west trending saddle back ridge in the Heritage Park Subdivision west of Highway 17 and south of Scotts Valley, California (see Vicinity Map, Figure No. 1). Kings Canyon Court runs along the east west saddle back ridge to a cul de sac and accesses several existing single family homes. The parcel is undeveloped with an existing graded dirt road on the northwest side of the property. The existing road bed defines a public utility easement with several underground utilities lying beneath the road grade. The dirt road parallels and cuts into the existing slope with outboard edge road fill to accommodate its width.

The general slope gradients within the building envelope are 3:1 (horizontal : vertical), the inboard road cut is nearly vertical and the outboard edge fill slope is 2:1.

Based on our discussions with you and a preliminary topographic site plan by the project architect, Russell Short, it is our understanding the proposed project will consist of a two-story single family residence plus a lower partial basement garage. The existing dirt road will be utilized for an access driveway to the new home.

We presume the new structure will be of wood frame and masonry construction, combined with some concrete slab-on-grade floors. Exact wall and column loads are not known at this time but are expected to be typical of such construction. The proposed project will also require exterior flatwork, decking and attendant utility and landscaping improvements. The structure will essentially conform to existing grades, therefore grading is expected to be minimal.

Field Exploration

Our investigation included a site reconnaissance by the project engineer, and on 23 June and 1 July 2005 subsurface conditions were explored by drilling five (5) exploratory borings to depths of 9 to 21 feet. The borings were advanced using a truck-mounted drilling rig with 6-inch, continuous solid-flight auger equipment. The approximate boring locations are shown on Figure No. 2, Boring Site Plan. The borings were located in the field by using a

tap measure from known landmarks and are therefore within the accuracy of such measurement.

Representative soil samples were obtained from the exploratory borings at selected depths, or at major strata changes. These samples were recovered using a 3.0 inch O.D. Modified California Sampler (L), or by a Standard Terzaghi Sampler (T). The soils encountered in the borings were continuously logged in the field and visually described in accordance with the Unified Soil Classification System (ASTM D2486, Figure No. 3). The Logs of Test Borings are included in the Appendix of this report. The logs depict subsurface conditions at the time of our exploration and only at the specific locations shown on the Boring Site Plan; subsurface conditions at other locations may differ from those encountered at the explored locations. The conditions may also change over time. Stratification lines shown on the logs represent the approximate boundaries between soil types; actual transitions may be more gradual. These stratification lines were used for analytical purposes and should not, unless specifically stated otherwise, be used as a basis for design or construction cost estimates.

The penetration blow counts noted on the boring logs were obtained by driving a sampler into the soil with a 140-pound hammer dropping through a 30-inch fall. The sampler was driven up to 18 inches into the soil and the number of blows counted for each 6-inch penetration interval. The numbers indicated on the logs are the total number of blows that

were recorded for the second and third 6-inch intervals, or the blows that were required to drive the penetration depth shown if high resistance was encountered.

Laboratory Testing

Soil samples obtained from the borings at selected depths were taken to our laboratory for further examination and laboratory testing. The laboratory testing program was directed toward determining pertinent engineering and index soil properties.

The soils were classified based on visual observation during drilling. The natural moisture contents and dry densities were determined on selected samples and are recorded on the boring logs at the appropriate depths. Since water has a significant influence on soil, the natural moisture content provides a rough indicator of the soil's compressibility, strength, and potential expansion characteristics. The strength parameters of the underlying earth materials were determined from field penetration resistance of the in-situ soils and direct shear testing. To simulate possible adverse field conditions, the direct shear samples were pre-saturated prior to shearing. The results of the laboratory testing appear on the "Logs of Test Boring" opposite the sample tested.

Subsurface Conditions

To the depths explored, the subsurface materials encountered consisted of approximately 2 to 4 feet of loose black silty sand with organic roots (top soil mantel/fill), over stiff to hard

light brown silt with sand (weathered mudstone). The topsoil zone is heavily vegetated with large roots from adjacent trees and stumps. The top soil mantel appears to be native and undisturbed at lower elevations of the lot above the existing road cut. However this soil layer appears to be comprised of some manmade fill at the upper elevations of the lot. The fill thickness may be up to 2 feet, however it was difficult to differentiate between the fill and topsoil material during our drilling activities.

As previously stated, an existing road cut traverses across the lot at the lower elevations exposing the top 7 feet of the ground surface. The road cut consists of 5 feet of topsoil over fractured mudstone. The inboard edge of the road appears to be cut into mudstone for a horizontal distance of 5 feet measured from the inboard to the outboard edge of the road. The outboard edge of the existing road at the surface appears to be fill, however due to the abundance of underground utilities it was deemed unsafe to perform any subsurface exploration in this area. The outboard edge fill was roughly estimated to be 3 feet thick over topsoil over mudstone. The fill thickness was estimated based on slope changes on the existing slope profile. The thickness of the topsoil is unknown. The relative densities and strength parameters of the fill, topsoil and mudstone are unknown, however are anticipated to be consistent with the material encountered in the upslope borings.

Groundwater was not encountered in any of our borings, however it should be noted that groundwater levels may fluctuate due to variations in rainfall or other factors not evident

during our investigation. Contrasts in permeability between soil and bedrock strata could allow perched groundwater conditions to develop. Subsurface conditions and water levels at other locations may differ from conditions at the locations where sampling was conducted. The passage of time may also result in changes to the conditions observed or inferred from our investigation.

Qualitative Slope Stability Analysis

Based on the review of the Preliminary Geotechnical Investigation of the area by Tejima and Associates, some areas within this subdivision are subject to soil creep or slope movement on soil covered slopes, but more probable where seasonal expansion-contraction occur within clayey soils. Based on this investigation, the geologic units at the site consist of the Santa Cruz Mudstone and Purisima Formation. This investigation indicates bedding of the Purisima formation is generally indistinct, however published maps indicate nearly flat-lying attitude with a slight dip to the east. There is no indication of the attitude of the mudstone in this report but generally it conforms to the bedding attitude of the Purisima sandstone in Santa Cruz County.

Based on an east west trending cross section (section A-A') through a neighboring ridge published in the Geotechnical Study by Geoconsultants, the contact between the Santa Cruz Mudstone/Purisima and the Santa Margarita Sandstone formation dips down to the east at roughly 2 degrees.

Based on our subsurface and laboratory information, non-plastic silts or non-clayey soils were encountered on the site. However a moderately thick topsoil cover (up to 5 feet in thickness) exists over the native mudstone. To minimize the potential for creeping topsoil over the mudstone, we recommend the removal of the top soil zone down to the mudstone where the basement conventional spread footings are used.

Historically, the slope surface within the building envelope appears to be stable with no signs of creep, slumping or major erosional features. The inboard road cut is roughly 7 feet high and is nearly vertical with no signs of slumping or major erosional features. The outboard edge fill is inclined at 2:1 (horizontal:vertical) with no signs of slumping or major erosional features.

A quantitative slope stability analysis is not part of our scope of work. However based on our field investigation in conjunction with the aforementioned geotechnical reports the potential for deep seated slope failures within the building envelope is low.

Seismic Shaking Considerations

An in-depth study of seismicity, faulting and other geologic hazards is beyond our scope of services for this project. However, we offer the following general comments as a guideline for building design.

Experience following the 17 October 1989 Loma Prieta earthquake indicates that the quality of construction is a primary factor affecting the amounts of earthquake damage sustained by residential structures. Most of the structural damage from the Loma Prieta earthquake was sustained in homes where the foundations were not adequately embedded into firm materials, where the framing was not well braced for lateral shear and/or was not securely tied to the building foundations.

Conversely, where structures were supported on foundations embedded into firm material, well braced for lateral shear and securely tied to the foundation, structural damage was generally minor, even in areas quite close to the epicenter where homes sustained very strong to severe ground shaking. Based on these considerations, the risk of substantial structural damage from earthquakes appears relatively low for well built homes which incorporate lateral shear bracing and modern building code requirements into their design and construction.

In the event of a major earthquake with the epicenter near the proposed building site, ground shaking could be severe. The effects of ground shaking on the proposed development can be reduced by earthquake resistant design in accordance with the latest edition of the Uniform Building Code (UBC). The 1997 version of the UBC ("1997 UBC Seismic Design Considerations") was utilized in preparation of this report. Structures designed in accordance with the most current UBC should react well to seismic shaking.

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our investigation, the proposed development appears compatible with site conditions, from a geotechnical standpoint, provided our recommendations are closely followed during the design and construction phases of the project.

Primary geotechnical concerns at the site include strong seismic shaking, appropriate foundation support and adequate control of surface runoff around the property.

The project site is located within a seismically active area and strong seismic shaking is expected to occur over the lifetime of the project. Structures should be designed and constructed in accordance with the most current UBC and the recommendations of this report to minimize reaction to seismic shaking.

Based on the result of our investigation the proposed residential structure may be found on a combination of conventional spread footings and drilled piers deriving structural support from the underlying mudstone. We understand the half basement garage will be cut into the existing slope were hard mudstone was encountered in our borings. The garage basement may utilize slab-on-grade floors with conventional spread footings or a pier and grade beam foundation. A pier and grade beam foundation is recommended only for the upslope living levels.

We recommend the trees, stumps and topsoil zone within building enveloped be removed and stripped down to the mudstone before excavating the foundation. Stripping depth is anticipated to be between 6 to 36 inches in some areas.

As previously mentioned, the consistency and strength of the fill soil material on the outboard edge of the existing dirt road is unknown. Based on visual observations of the road bed, three types of soils exist across the road (mudstone, old top soil and fill). In order to provide uniform support for a paved or base rock surfaced driveway, top 12 inches of subgrade should be processed in accordance with the General Site Grading section of this report.

As previously mentioned, the inboard cut is near vertical and comprised of 5 feet of top soil over 2 feet of mudstone. Also, based on past geotechnical reports soil covered slopes may be subjected to land movement or creep. If the vertical cut is not retained and is left near vertical the potential for slumping and erosion is moderately high. This condition would require monitoring and maintenance (i.e. clearing of debris or talus material) to maintain access to the residence. A compromise between constructing a retaining wall Or living with the near vertical cut, is to excavate the top soil zone back to a more stable gradient and leave the mudstone (bottom 2 feet) as is. Then apply erosion resistant cover over the cut. In some areas along the top of the cut, very large living redwood stumps exist. We recommend leaving these areas as is and periodically maintaining the driveway as

needed. It should be made clear the compromise solution will probably require less maintenance than leaving the cut slope as is, however it will still require some periodic monitoring and maintenance to maintain access to the residence.

Surface drainage should be strictly controlled around the property. Under no circumstances should surface runoff be allowed to flow onto the existing outboard driveway fill slope or flow next to structural building or retaining wall foundations. Surface flow should be collected into closed conduits and released to a suitable location that will not cause erosion or exacerbate slope in-stability.

The following recommendations should be used as guidelines for preparing project plans and specifications, and assume that **Haro, Kasunich & Associates** will be commissioned to review project grading and foundation plans before construction and to observe, test and advise during earthwork and foundation construction. This additional opportunity to examine the site will allow us to compare subsurface conditions exposed during construction with those inferred from this investigation. Unusual or unforeseen soil conditions may require supplemental evaluation by the geotechnical engineer.

General Site Grading

1. As previously discussed, since foundation and grading plans have not been finalized some of our recommendations are general in nature. We should be provided an

opportunity to review project plans during the design process to ensure the intent of our geotechnical recommendations have been met.

2. The geotechnical engineer should be notified at least four (4) working days prior to any grading or foundation excavating so the work in the field can be coordinated with the grading contractor, and arrangements for testing and observation can be made. The recommendations of this report are based on the assumption that the geotechnical engineer will perform the required testing and observation during grading and construction. It is the owner's responsibility to make the necessary arrangements for these required services.

3. Where referenced in this report, Percent Relative Compaction and Optimum Moisture Content shall be based on ASTM Test Designation D1557-00.

4. Areas to be graded should be cleared of structures, obstructions and deleterious material, including trees not designated to remain and other unsuitable material. Existing depressions or voids created during site clearing should be backfilled with engineered fill.

5. Cleared areas should then be stripped of organic-laden topsoil. Stripping depth is anticipated to be from 6 to 36 inches. Strippings should be wasted off-site or stockpiled for use in landscaped areas if desired.

6. Following clearing and stripping, exposed subgrades in areas to receive engineered fill, pavements or concrete slabs should be scarified to a depth of 8 inches, moisture conditioned (or allowed to dry as necessary) to produce a moisture content within 2 percent of the laboratory optimum value, and uniformly compacted to at least 90 percent relative compaction.

7. Engineered fill should be placed in thin lifts not exceeding 8 inches in loose thickness, moisture conditioned, and compacted to at least 90 percent relative compaction. The upper 8 inches of pavement and slab subgrades should be compacted to at least 95 percent relative compaction. Aggregate base below pavements should likewise be compacted to at least 95 percent relative compaction.

8. If grading is performed during or shortly after the rainy season, the grading contractor may encounter compaction difficulty with the wet soil. If compaction cannot be achieved after adjusting the soil moisture content, it may be necessary to use imported fill or gravel and stabilize the bottom of the excavation with stabilization fabric. The need for ground stabilization measures to complete grading effectively should be made in the field at the time of grading, based on exposed soil conditions.

9. In general, the on-site soils appear suitable to use as engineered fill material. Materials used for engineered fill which must be imported should be free of organic and

deleterious material, contain no rocks or clods over 4 inches in dimension, and should contain no more than 15 percent by weight of rocks larger than 2½ inches. Imported fill should also be granular, have a Plasticity Index of less than 15, and should have sufficient binder to allow excavations to stand without caving. Prior to delivery to the site, a representative sample of proposed import should be sent to our laboratory for evaluation.

Cut and Fill Slopes

10. Temporary excavations should be properly shored and braced during construction to prevent sloughing and caving at sidewalls. The contractor should be aware of all CAL OSHA and local safety requirements and codes dealing with excavations and trenches.

11. All proposed cut slopes to accommodate the residential structure should be retained.

12. Engineered fill slopes are not recommended for this project without further review and analysis by the geotechnical engineer.

13. Following grading, all slopes and/or exposed soil, including natural slopes that have been exposed as a result of grading, should be covered with an erosion resistant layer of plants and erosion control fabric.

14. After the earthwork operations have been completed and the geotechnical engineer has finished his observation of the work, no further earthwork operations shall be performed without the approval and direct observation of the geotechnical engineer.

Utility Trenches

15. Trenches must be properly shored and braced during construction or laid back at an appropriate angle to prevent sloughing and caving at sidewalls. The project plans and specifications should direct the attention of the contractor to all CAL OSHA and local safety requirements and codes dealing with excavations and trenches.

16. Trenches should be backfilled with granular-type material and uniformly compacted by mechanical means to the relative compaction as required by city specifications, but not less than 95 percent under paved areas and 90 percent elsewhere. The relative compaction will be based on the maximum dry density obtained from a laboratory compaction curve run in accordance with ASTM Procedure #D1557-00.

17. We strongly recommend placing a three-foot (3') concrete plug in each trench where it passes under the exterior foundations. Care should be taken not to damage utility lines.

18. Trenches should be capped with 1.5± feet of relatively impermeable soil.

UBC Seismic Design Coefficients

It is highly probable that a major earthquake will occur in northern California during the next 50 years. During a major earthquake epicentered nearby, there is a potential for severe ground shaking at this site. Structures designed in accordance with the most current UBC should react well to seismic shaking.

Based on information obtained from our research and exploratory borings, we have classified the site soil profile as Soil Type S_c as defined in table 16-J of the 1997 UBC. The following table presents the 1997 UBC Seismic Coefficients appropriate for this site. These are minimum values; the project designer or structural designer may utilize more conservative values at his or her discretion.

Fault Name	Distance To Site (km)	M_{max}	Slip Rate (mm/yr)	UBC Fault Type	N_a	N_v	C_a	C_v
San Andreas*	13.5	7.9	24.0	A	1.0	1.1	0.40	0.62
Zayante-Vergeles	8.0	6.8	0.1	B	1.0	1.1	0.40	0.62
Monterey Bay Tularcitos	15.0	7.1	0.5	B	1.0	1.0	0.40	0.56
San Gregorio	18.0	7.3	5.0	A	1.0	1.0	0.40	0.56

* Note San Andreas is the critical fault at this location

Building Foundations

Based on the result of our investigation the proposed residential structure may be found on a combination of conventional spread footings and drilled, concrete piers deriving structural support from the underlying mudstone. The garage basement may utilize slab-on-grade floors with conventional spread footings or a pier and grade beam foundation. A pier and grade beam foundation is recommended for the upslope living levels.

Conventional Spread Footings (Garage Basement)

19. Based on the results of our investigation, it is our opinion that the proposed half basement garage may be supported by continuous, conventional spread footings that bear uniformly upon competent mudstone.

20. Interior load-bearing walls and concentrated loads should be supported on continuous, reinforced concrete foundations that are structurally connected at each end to the continuous perimeter foundations to create a grid system. Spacing of interior continuous foundations for the grid pattern will depend on the specific structure, however spacing of 20 feet could be used as an initial guideline.

21. We recommend footings have a minimum embedment depth of 18 inches as measured from lowest adjacent grade. The foundation trenches should be kept moist and be thoroughly cleaned of all slough or loose materials prior to pouring concrete. In addition, all footings located adjacent to other footings or utility trenches should have their

bearing surfaces founded below an imaginary 1½ : 1 plane projected upward from the bottom edge of the adjacent footings or utility trenches.

22. Foundations designed in accordance with the above may be designed for an allowable soil bearing pressure of 3,500 psf for dead plus live loads. This value may be increased by one-third to include short-term seismic and wind loads.

23. Post-construction total and differential settlement of foundations should not exceed one (1inch).

24. Lateral load resistance for structures supported on spread footings may be developed in friction between the foundation bottom and the supporting subgrade. A friction coefficient of 0.30 is considered applicable.

25. All footings should be reinforced in accordance with applicable UBC and/or ACI standards, however, we recommend the continuous footings contain a minimum steel reinforcement of four (4) #4 bars; i.e., two near the top and two near the bottom of the footing.

26. All footing excavations should be thoroughly cleaned and observed by the geotechnical engineer prior to placing forms and steel. Observation of foundation

excavations allows anticipated soil conditions to be correlated to those inferred from our investigation and to verify that the footings are in accordance with our recommendations

Pier and Beam Foundation (upslope living levels)

27. Drilled piers in conjunction with reinforced concrete grade or elevated beams should be used to support structural building loads for the upslope living levels. The final pier depths will depend upon a force analysis by the project structural designer.

28. The concrete piers should be at least eighteen inches (18") inches in diameter and vertically reinforced the full length with at least four #4 bars. The vertical reinforcement should be tied to the upper grade beam reinforcement. Actual reinforcement should be determined by the structural designer.

29. The concrete piers should penetrate fill, and topsoil and be embedded into dense weathered mudstone (bedrock). The outboard, downslope perimeter piers should be founded a minimum embedment depth of 15 feet. The interior piers should be embedded a minimum depths of 10 feet.

30. The concrete piers may be designed for end bearing using an allowable bearing capacity of 10,000 psf for dead plus live loads for the mudstone sandstone. These values may be increased by one-third to include the effects of short term wind and seismic

loading. Total and differential settlements under the proposed building loads are anticipated to be less than 1 inch.

31. The top 5 feet of all piers should be designed to resist a lateral earth pressure equivalent to a fluid weight of 40pcf acting against a plane 1½ times the diameter of the pier hole.

32. Passive restraining earth pressures may be assumed to be equivalent to fluids weighting 400 pcf for portions of the piers embedded in mudstone. Neglect the top 5 feet when computing passive resistance for the piers. The passive resistance can be assumed to act on a plane 2½ times the diameter of the piers.

33. Grade beams should be embedded a minimum of twelve inches (12") below lowest adjacent grade- to prevent surface water from flowing into crawl space.

34. A representative from **Haro, Kasunich & Associates** should be present during pier drilling to verify subsurface soil conditions are consistent with the anticipated soil conditions and to ensure the intent of our geotechnical recommendations have been met. Prior to placing steel and concrete, pier excavations should be thoroughly cleaned and approved by the geotechnical engineer.

Retaining Wall Lateral Pressures

35. Retaining walls should be designed to resist both lateral earth pressures and any additional surcharge loads. For design of retaining walls up to 12 feet high and fully drained, the following design criteria may be used:

A. Active earth pressure for walls allowed to yield is that exerted by an equivalent fluid weighing 35 pcf for a level backslope gradient; and 50 pcf for a 2:1 (horizontal to vertical) backslope gradient. This assumes a fully drained condition.

B. Where walls are restrained from moving at the top (as in the case of basement walls), design for a uniform rectangular distribution equivalent to 24H psf per foot for a level backslope, and 32H psf per foot for a 2:1 backslope, where H is the height of the wall.

C. In addition, the walls should be designed for any adjacent live or dead loads which will exert a force on the wall (garage and/or auto traffic).

D. Retaining walls that act as interior house walls should be thoroughly waterproofed.

36. For seismic design of retaining walls a dynamic surcharge load of 12H psf, where H is the height of the wall, should be added to the above active lateral earth pressures.

37. The above lateral earth pressures assume that the walls are fully drained to prevent hydrostatic pressure behind the walls. Drainage materials behind the wall should consist of Class 1, Type A permeable material complying with Section 68 of Caltrans Standard Specifications, latest edition.

38. The drainage material should be at least twelve inches (12") thick. The drains should extend from the base of the walls to within twelve inches (12") of the top of the backfill. A perforated pipe should be placed (holes down) about four inches (4") above the bottom of the wall and be tied to a suitable drain outlet. Wall backdrains should be capped at the surface with clayey material to prevent infiltration of surface runoff into the backdrains. A layer of filter fabric (Mirafi 140N or equivalent) should separate the subdrain material from the overlying soil cap.

Concrete Slabs-on-Grade

39. Building floor slabs and exterior slabs should be constructed upon compacted subgrade that has been processed in accordance with the recommendations under the "General Site Grading" Section of this report. If hard mudstone is exposed at slab subgrade elevation, the processing of the subgrade may be waived only under the approval of a geotechnical engineer.

40. The project design professional should determine the appropriate slab reinforcing and thickness, in accordance with the anticipated use and loading of the slab. However, we recommend that consideration be given to a minimum slab thickness of 4 inches and steel reinforcement necessary to address temperature and shrinkage considerations. It is recommended that rebar in lieu of wire mesh be used for slab reinforcement. The steel reinforcement should be held firmly in the vertical center of the slab during placement and finishing of the concrete with pre-cast concrete dobies.

41. Where floor dampness must be minimized or where floor coverings will be installed, concrete slabs-on-grade should be constructed on a capillary break layer at least 6 inches thick, covered with a membrane vapor retarder. The capillary break material should be free-draining, clean gravel or rock, such as 3/4-inch gravel. The gravel should be washed to remove fines and dust prior to placement on the slab subgrade. The vapor retarder should be a high quality membrane, at least 10 mil thick. A layer of sand about 2 inches thick should be placed between the vapor barrier and the floor slab to protect the membrane and to aid in curing concrete. The sand should be lightly moistened prior to placing concrete.

42. Floor coverings to be installed over concrete slabs should be installed in accordance with the recommendations of the manufacturer, including appropriate waterproofing applications.

43. Exterior concrete slabs-on-grade should be founded on firm, well-compacted ground or hard mudstone as delineated above. Reinforcing should be provided in accordance with the anticipated use and loading of the slab. The reinforcement should not be tied to the building foundations. These exterior slabs can be expected to suffer some cracking and movement. However, thickened exterior edges, a well-prepared subgrade including pre-moistening prior to pouring concrete, adequately spaced expansion joints, and good workmanship should minimize cracking and movement.

Surface Drainage

44. Surface drainage should be strictly controlled around the property. Under no circumstances should surface runoff be allowed to spill onto adjacent slopes, flow onto the existing outboard driveway fill slope or pond next to structural building or retaining wall foundations. Accumulated storm water should be collected into closed conduits and released to a suitable location that will not cause erosion or exacerbate slope in-stability.

45. All exposed soil should be landscaped as soon as possible after grading to reduce erosion. All slopes should be permanently protected against erosion as required by a landscape erosion control expert.

46. We recommend that full gutters be used along all roof eaves to collect storm runoff water and channel it through closed rigid conduits to a suitable discharge point.

47. Surface runoff should **not** be allowed to flow next to structural foundations or onto native or graded slopes. Consideration should be given to catch basins, berms, concrete v-ditches, or drainage swales at the top of all slopes to intercept runoff and direct it to a suitable discharge point.

48. Water must not be allowed to pond adjacent to structural foundations or on the paved areas. Final grades should be provided with positive gradient away from all foundations in order to provide rapid removal of the surface water from the foundations to an adequate discharge point. Concentrations of surface water runoff should be handled by providing necessary structures, such as paved ditches, catch basins, etc.

49. Irrigation activities at the site should be done in a controlled and reasonable manner. Planter areas should not be placed adjacent to walls; otherwise, measures should be implemented to contain irrigation water and prevent it from seeping into walls and under foundations.

50. The migration of water or spread of extensive root systems below foundations, slabs, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.

51. Drainage patterns approved at the time of fine grading should be maintained throughout the life of proposed structure.

Pavement Design

52. The design of structural pavement sections was beyond our scope of services for this project, however to have the selected pavement sections perform to their greatest efficiency, it is very important that the following items be considered:

a. Scarify and moisture condition the top eight inches (8") of subgrade and compact to a minimum relative compaction of 95 percent, at a moisture content which is within 2 to 4 percent above laboratory optimum value.

b. Provide sufficient gradient to prevent ponding of water.

c. Use only quality materials of the type and thickness (minimum) specified. All baserock (R=78 minimum) must meet CALTRANS Standard Specifications for Class 2 Untreated Aggregate Base (Section 26). All subbase (R=50 minimum) must meet CALTRANS Standard Specifications for Class 2 Untreated Aggregate Subbase, (Section 25).

d. Compact the baserock and subbase uniformly to a minimum relative compaction of 95 percent.

e. Place the asphaltic concrete only during periods of fair weather when the free air temperature is within prescribed limits.

f. Maintenance should be undertaken on a routine basis.

Plan Review, Construction Observation and Testing

53. Our firm should be provided the opportunity for a general review of the project plans prior to construction so that our geotechnical recommendations may be properly interpreted and implemented. The purpose is to determine if this preliminary report is adequate and complete for the final planned grading and construction. It is not intended that the geotechnical engineer approve or disapprove the plans, but to provide an opportunity to update the preliminary report and include additions or qualifications as necessary. If our firm is not accorded the opportunity of making the recommended review, we can assume no responsibility for misinterpretation of our recommendations.

54. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report require our review of final plans and specifications prior to construction and upon our observation and, where necessary, testing of the earthwork and foundation excavations. Observation of grading and foundation excavations allows us to compare subsurface conditions exposed during construction with those inferred from this investigation

LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. The conclusions and recommendations noted in this report are based on probability and in no way imply that the proposed improvements will not possibly be subjected to ground failure or seismic shaking so intense they will be severely damaged or destroyed.

2. This report is issued with the understanding that it is the duty and responsibility of the owner or his representative or agent to ensure that the recommendations contained in this report are brought to the attention of the architects and engineers and contractors for the project, incorporated into the plans and specifications, and that the necessary steps are taken to see that the contractor and subcontractors carry out such recommendations in the field.

3. The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice in the Monterey County area. No other warranty, expressed or implied, is made.

4. If any unexpected variations in soil conditions, or if any undesirable conditions are encountered during construction, or if the proposed construction will differ from that planned at the present time, Haro, Kasunich and Associates should be notified so that supplemental recommendations can be given.

5. The findings of this report are valid as of the present date. However, changes in the conditions of a property can occur with the passage of time, whether they be due to natural processes or to the works of man, on this or adjacent properties. In addition, changes in applicable or appropriate standards occur whether they result from legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated, wholly or partially, by changes outside our control. Therefore, this report should not be relied upon after a period of three years without being reviewed by a geotechnical engineer.

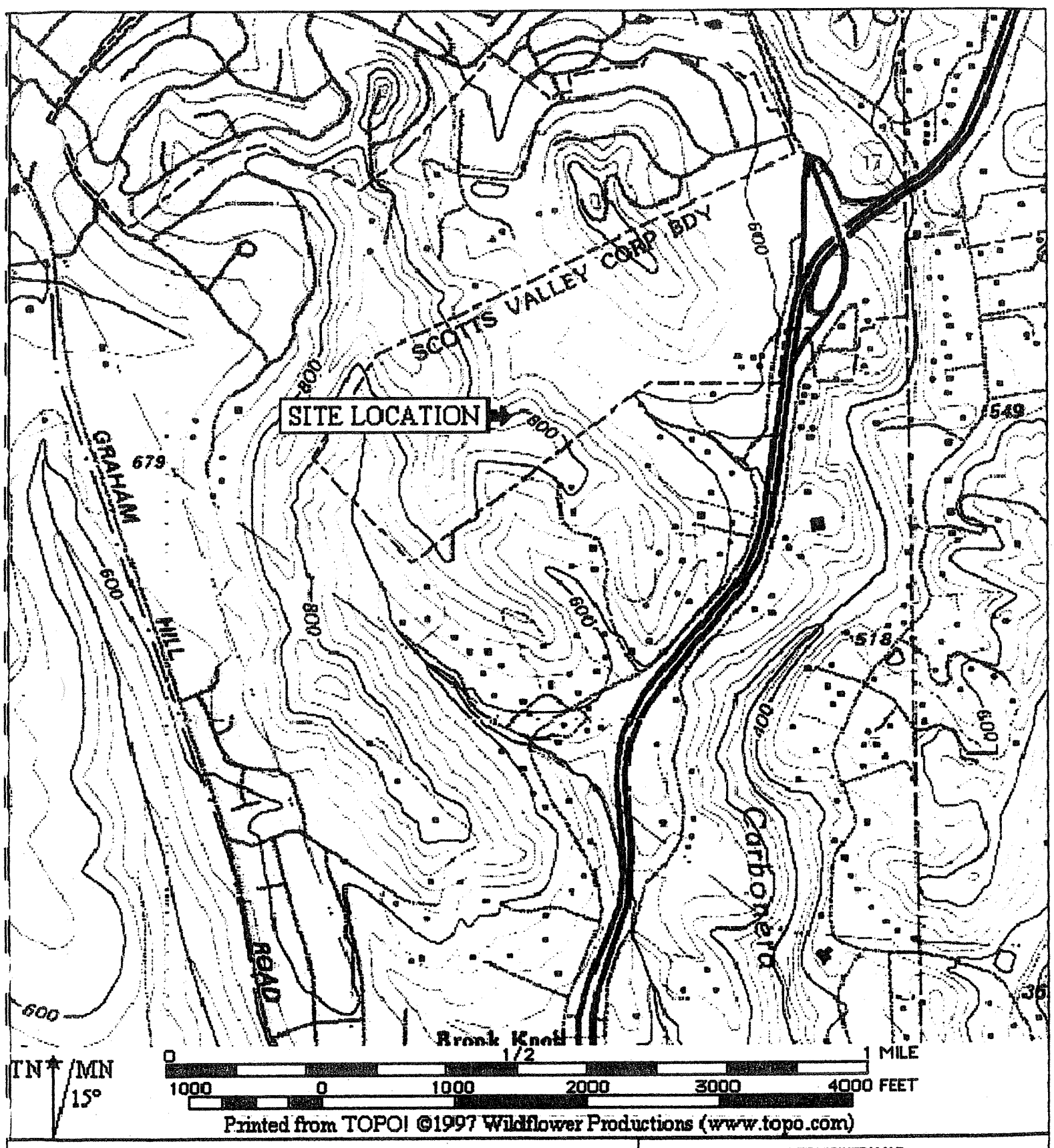
APPENDIX A

Site Vicinity Map

Boring Site Plan

Key To Logs

Logs of Test Borings



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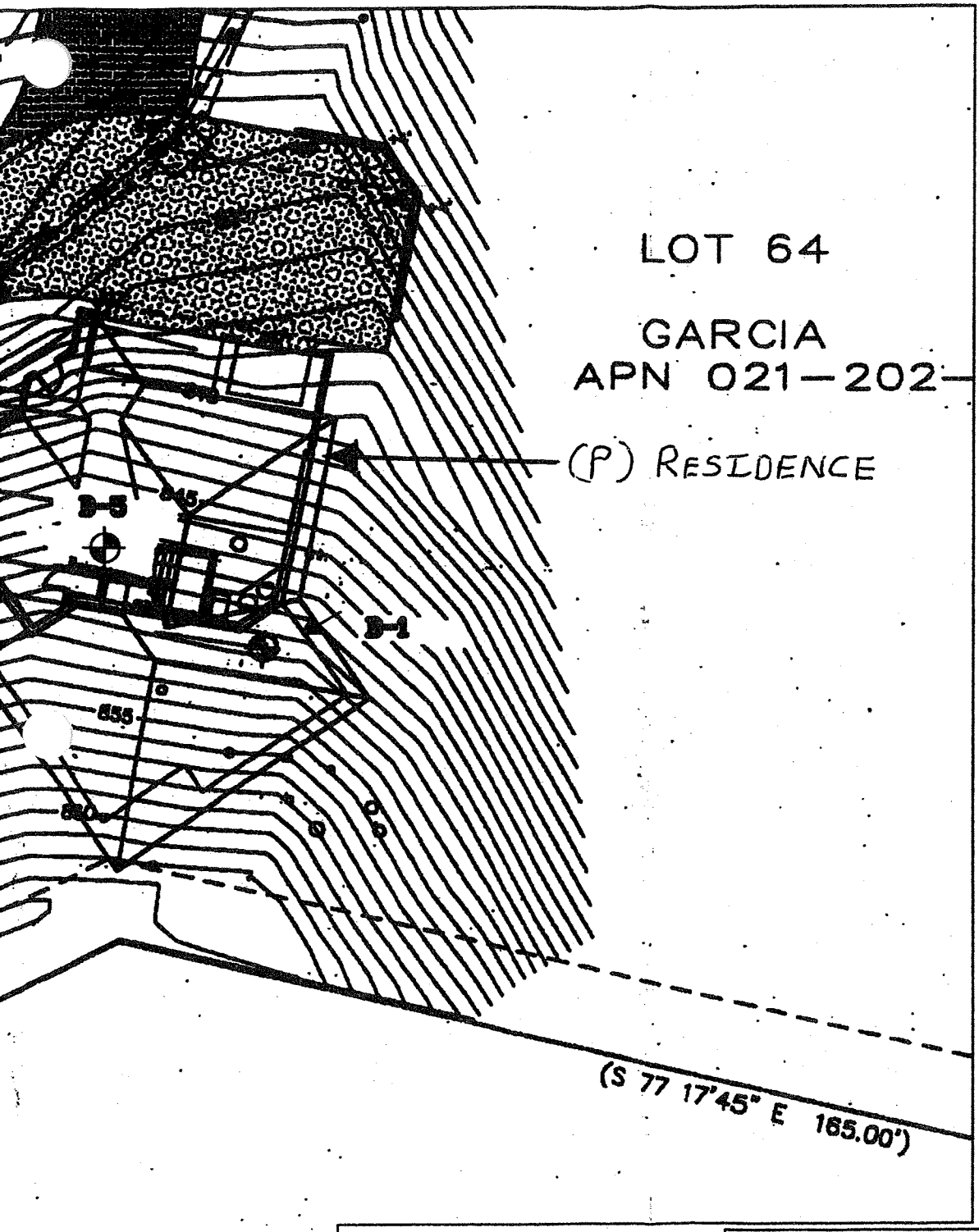
SITE VICINITY MAP
935 KINGS CANYON COURT
SCOTTS VALLEY, CALIFORNIA

SCALE: AS SHOWN	
DRAWN BY: BILL S.	
DATE: 28 JUNE 2006	HARO, KASUNICH & ASSOCIATES, INC.
REVISED:	GEOTECHNICAL AND COASTAL ENGINEERS
JOB NO.: SC8929	116 E. LAKE AVENUE, WATSONVILLE, CA 95076
	(831) 722-4175

FIGURE NO. 1

SHEET NO. OF 1

37 579



PLAN
Y
L SHORT

NOTES:

EXPLORATORY BORING

BORING SITE PLAN
935 KINGS CANYON COURT
SCOTTS VALLEY, SANTA CRUZ COUNTY, CALIFORNIA

SCALE	1"=20'
DRAWN BY	MC
DATED	AUGUST 2005
REVISED	
JOB NO.	SC 8929

HARO, KASUNICH & ASSOCIATES, INC.
GEOTECHNICAL AND COASTAL ENGINEERS
116 E. LAKE AVENUE, WATSONVILLE, CA 95076
(831) 722-4175

FIGURE NO. 2

SHEET NO. OF 1

COARSE GRAINED SOILS — MORE THAN HALF OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVELS — MORE THAN HALF OF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS (LESS THAN 5% FINES)	GW	Well graded gravels, gravel-sand mixtures, little or no fines.
			GP	Poorly graded gravels or gravel-sand mixtures, little or no fines.
		GRAVEL WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines.
	SANDS — MORE THAN HALF OF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS (LESS THAN 5% FINES)	SW	Well graded sands, gravelly sands, little or no fines.
			SP	Poorly graded sands or gravelly sands, little or no fines.
		SANDS WITH FINES	SM	Silty sands, sand-silt mixtures, non-plastic fines.
			SC	Clayey sands, sand-clay mixtures, plastic fines.
FINE GRAINED SOILS — MORE THAN HALF OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS — LIQUID LIMIT IS LESS THAN 50%		ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity.
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
			OL	Organic silts and organic silty clays of low plasticity.
	SILTS AND CLAYS — LIQUID LIMIT IS GREATER THAN 50%		MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
			CH	Inorganic clays of high plasticity, fat clays.
			OH	Organic clays of medium to high plasticity, organic silts.
HIGHLY ORGANIC SOILS			Pt	Peat and other highly organic soils.

GRAIN SIZES

U.S. STANDARD SERIES SIEVE				CLEAR SQUARE SIEVE OPENINGS			
200	40	10	4	3/4"	3"	12"	
SILTS AND CLAYS	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		

RELATIVE DENSITY

SANDS AND GRAVELS	BLOWS/FT*
VERY LOOSE	0 - 4
LOOSE	4-10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY

SILTS AND CLAYS	STRENGTH**	BLOWS/FT*
VERY SOFT	0 - 1/4	0 - 2
SOFT	1/4 - 1/2	2 - 4
FIRM	1/2 - 1	4 - 8
STIFF	1 - 2	8 - 16
VERY STIFF	2 - 4	16 - 32
HARD	OVER 4	OVER 32

*Number of blows of 140 pound hammer falling 30 inches to drive a 2 inch O.D. (1 3/8 inch I.D) split spoon (ASTM D-1586)

** Unconfined compressive strength in tons/ft² as determined by laboratory testing or approximated by the standard penetration test (ASTM D-1586), pocket penetrometer, torvane, or visual observation

KEY TO LOGS

SCALE:
DRAWN BY:
DATE:
REVISED:
JOB NO.

HARO, KASUNICH & ASSOCIATES, INC.
GEOTECHNICAL AND COASTAL ENGINEERS
116 E. LAKE AVENUE, WATSONVILLE, CA 95076
(831) 722-1475

SHEET NO. OF 1

58

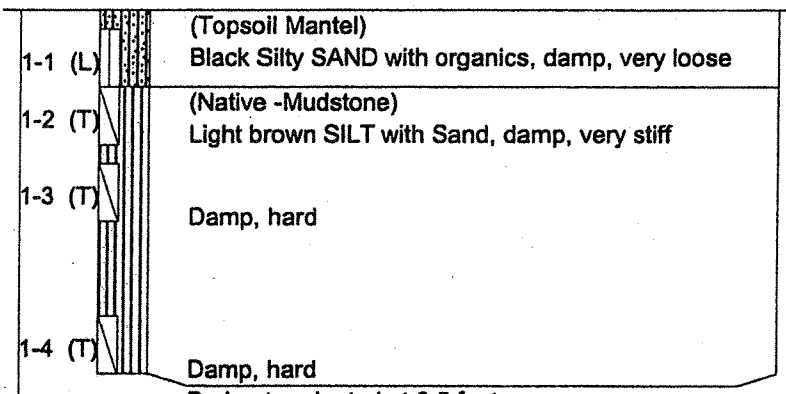
FIGURE NO. 3

Haro, Kasunich & Associates, Inc.
Coastal and Geotechnical Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED June 23, 2005 | BORING DIAMETER 6" | BORING NO. B-1



Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			(Topsoil Mantel)	SM					
	1-1 (L)		Black Silty SAND with organics, damp, very loose		9				
			(Native -Mudstone)	ML					
	1-2 (T)		Light brown SILT with Sand, damp, very stiff		16			44.1	
5	1-3 (T)		Damp, hard		40			45.5	
	1-4 (T)		Damp, hard		45			44.6	
10			Boring terminated at 9.5 feet						
15									
20									
25									
30									
35									

IARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 1

SuperLog Civil Tech Software, USA www.civiltech.com File: C:\Superlog4\HKALOGS\SC8929.log Date: 9/16/05

Haro, Kasunich & Associates, Inc.
Geotechnical Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED June 23, 2005 | BORING DIAMETER 6" | BORING NO. B-2

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			(Fill)	SM					
	2-1 (L)		Black Silty SAND with organics, damp, loose		13		82.9	27.3	
	2-2 (T)		Damp, loose		8			42.5	
5			(Native Mudstone) Light brown Silt with SAND, damp, firm-stiff	ML					
	2-3 (L)		Damp, stiff		50/3"				
10			(Encountered Root @ 9 feet) Boring terminated at 9.0 feet						
15									
20									
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 2

Haro, Kasunich & Associates, Inc.
Coastal and Geotechnical Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED July 1, 2005 | BORING DIAMETER 6" | BORING NO. B-3

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			(Fill) Black Silty SAND with organic & angular chunks of Mudstone damp, loose-medium dense	SM					
	3-1 (T)		(Native - Mudstone) Light brown orange mottled Silt with SAND, damp, stiff	ML	14			43.7	Atterberg Limits (Non Plastic)
5									
	3-2 (T)		Damp, very stiff		20			47.6	
10									
	3-3 (T)		Damp, very stiff		23			47.3	
15									
	3-4 (T)		Damp, stiff		12			35.6	
20	3-5 (L)		Damp, stiff		13		66.7	524	Direct Shear-Saturated c = 1400 psf 0 = 44 Degrees Ms = 58.8%
			Boring terminated at 21 feet						
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 3

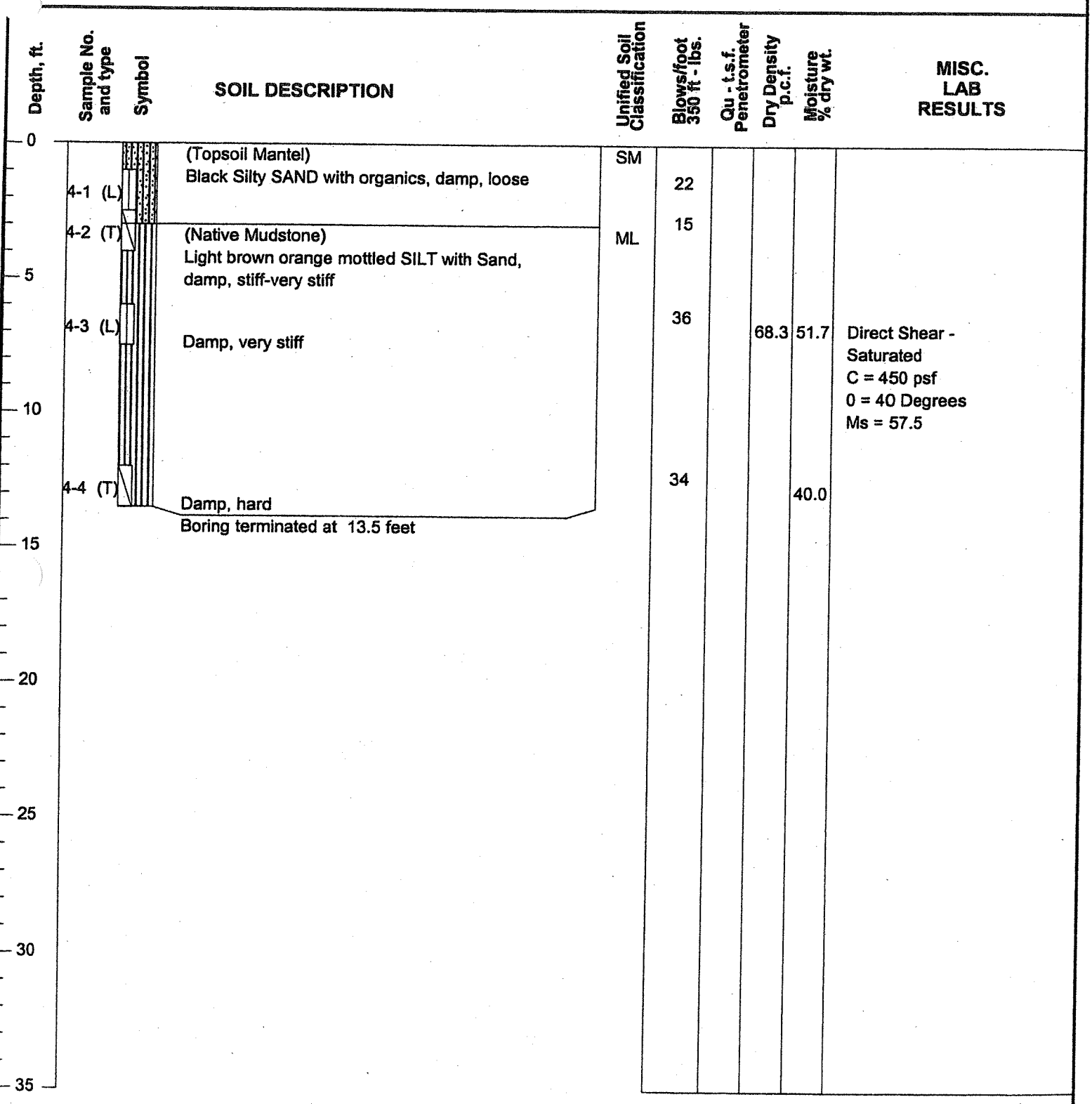
SuperLog CivilTech Software, USA www.civiltech.com File: C:\Superlog4\HKALOGS\SC8929.log Date: 9/16/05

Haro, Kasunich & Associates, Inc.
Geotechnical and Environmental Engineers

...gs Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED July 1, 2005 | BORING DIAMETER 6" | BORING NO. B-4



HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 4

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Geotechnical and Environmental Engineers

Kings Canyon Court

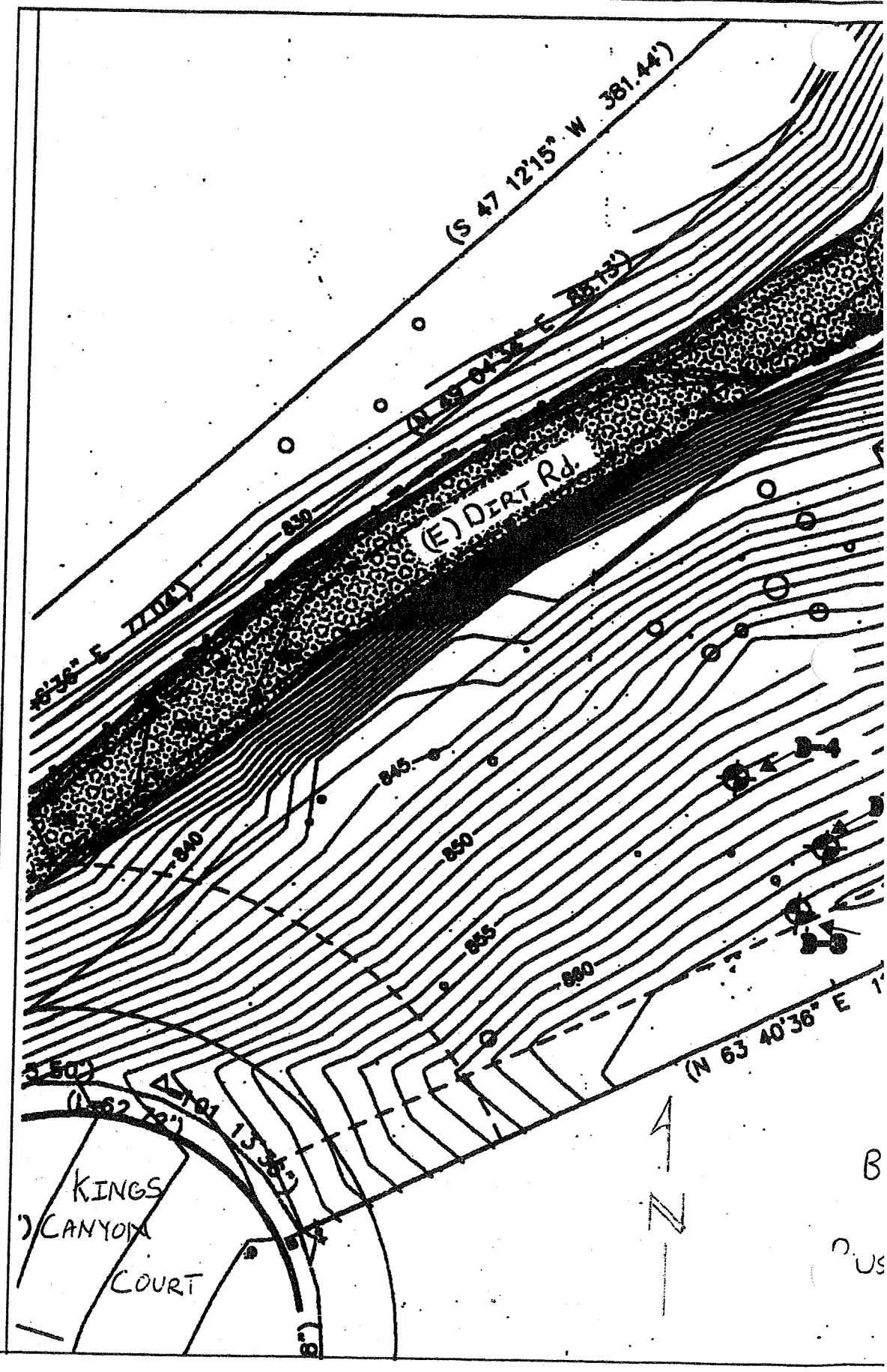
PROJECT NO. SC8929

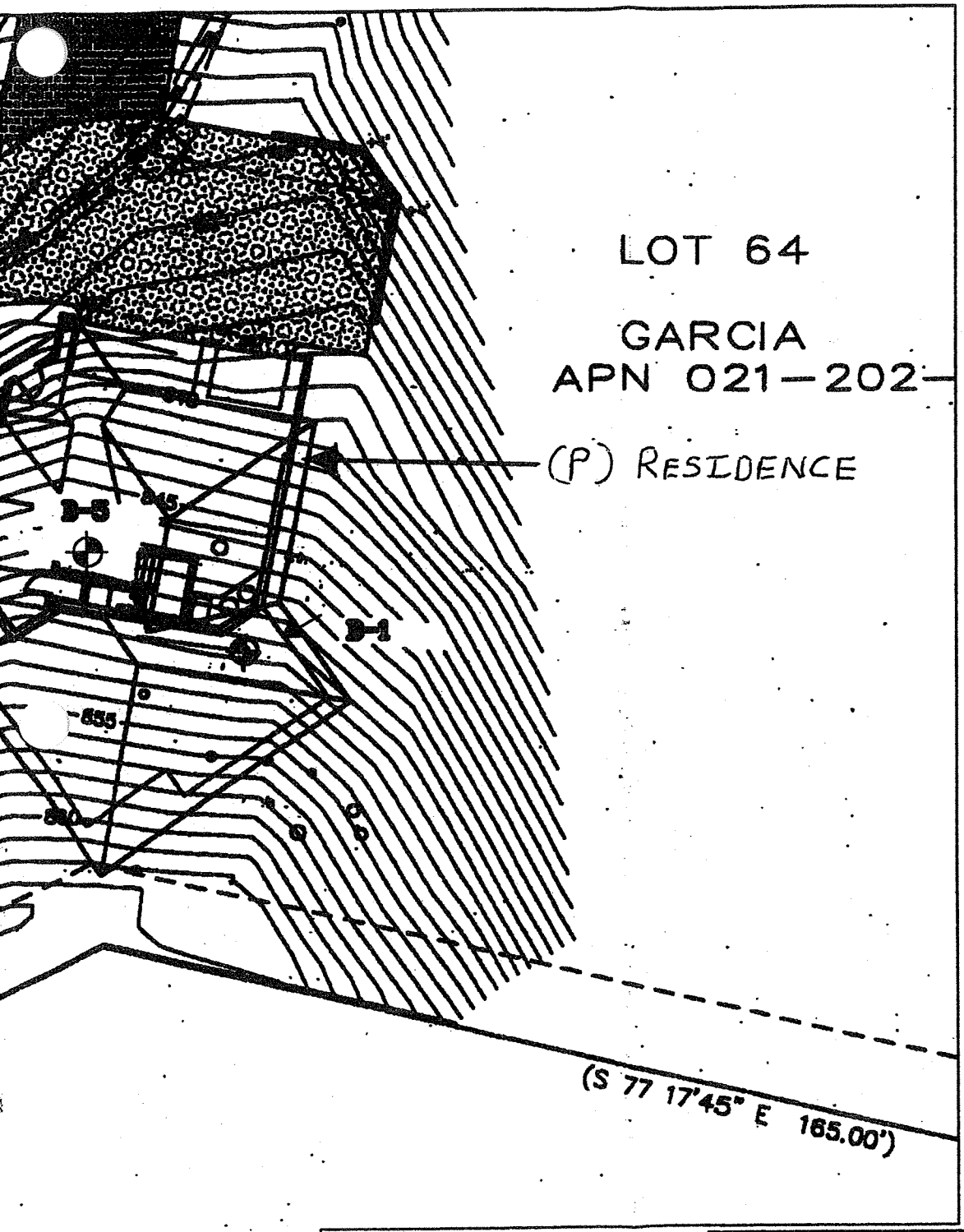
LOGGED BY BSC | DATE DRILLED July 1, 2005 | BORING DIAMETER 6" | BORING NO. B-5

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			(Topsoil Mantel) Black Silty SAND with organics, damp, loose	SM					
	5-1 (T)		(Native Mudstone) Light brown orange motteled Silt with Sand, damp, very stiff	ML	26			36.6	
5	5-2 (T)		Damp, hard		52			41.7	
10	5-3 (T)		Damp, very hard		74			38.3	
			Boring terminated at 13.5 feet						
20									
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 5


(S 47 12'15" W 381.44')
(E) DIRT Rd.
830
840
845
850
855
860
(N 63 40'36" E
KINGS
CANYON
COURT
N



PLAN

CT

NOTES:

EXPLORATORY BORING

BORING SITE PLAN
935 KINGS CANYON COURT
SCOTTS VALLEY, SANTA CRUZ COUNTY, CALIFORNIA

SCALE	1"=20'
DRAWN BY	MC
DATED	AUGUST 2005
REVISED	
JOB NO.	SC 8929

HARO, KASUNICH & ASSOCIATES, INC.
GEOTECHNICAL AND COASTAL ENGINEERS
116 E. LAKE AVENUE, WATSONVILLE, CA 95076
(831) 722-4175

FIGURE NO. 2

SHEET NO. OF 1

COARSE GRAINED SOILS (MORE THAN HALF OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE)	GRAVELS (MORE THAN HALF OF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE)	CLEAN GRAVELS (LESS THAN 5% FINES)	GW	Well graded gravels, gravel-sand mixtures, little or no fines.
			GP	Poorly graded gravels or gravel-sand mixtures, little or no fines.
		GRAVEL WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines.
	SANDS (MORE THAN HALF OF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE)	CLEAN SANDS (LESS THAN 5% FINES)	SW	Well graded sands, gravelly sands, little or no fines.
			SP	Poorly graded sands or gravelly sands, little or no fines.
		SANDS WITH FINES	SM	Silty sands, sand-silt mixtures, non-plastic fines.
			SC	Clayey sands, sand-clay mixtures, plastic fines.
FINE GRAINED SOILS (MORE THAN HALF OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE)	SILTS AND CLAYS LIQUID LIMIT IS LESS THAN 50%		ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity.
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
			OL	Organic silts and organic silty clays of low plasticity.
	SILTS AND CLAYS LIQUID LIMIT IS GREATER THAN 50%		MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
			CH	Inorganic clays of high plasticity, fat clays.
			OH	Organic clays of medium to high plasticity, organic silts.
HIGHLY ORGANIC SOILS			Pt	Peat and other highly organic soils.

GRAIN SIZES

U.S. STANDARD SERIES SIEVE				CLEAR SQUARE SIEVE OPENINGS			
200	40	10	4	3/4"	3"	12"	
SILTS AND CLAYS	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		

RELATIVE DENSITY

SANDS AND GRAVELS	BLOWS/FT*
VERY LOOSE	0 - 4
LOOSE	4-10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY

SILTS AND CLAYS	STRENGTH**	BLOWS/FT*
VERY SOFT	0 - 1/4	0 - 2
SOFT	1/4 - 1/2	2 - 4
FIRM	1/2 - 1	4 - 8
STIFF	1 - 2	8 - 16
VERY STIFF	2 - 4	16 - 32
HARD	OVER 4	OVER 32

*Number of blows of 140 pound hammer falling 30 inches to drive a 2 inch O.D. (1 3/8 inch I.D) split spoon (ASTM D-1586)

** Unconfined compressive strength in tons/ft² as determined by laboratory testing or approximated by the standard penetration test (ASTM D-1586), pocket penetrometer, torvane, or visual observation

KEY TO LOGS

SCALE:
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DATE:
REVISED:
JOB NO.

HARO, KASUNICH & ASSOCIATES, INC.
GEOTECHNICAL AND COASTAL ENGINEERS
116 E. LAKE AVENUE, WATSONVILLE, CA 95076
(831) 722-1475

FIGURE NO. 3

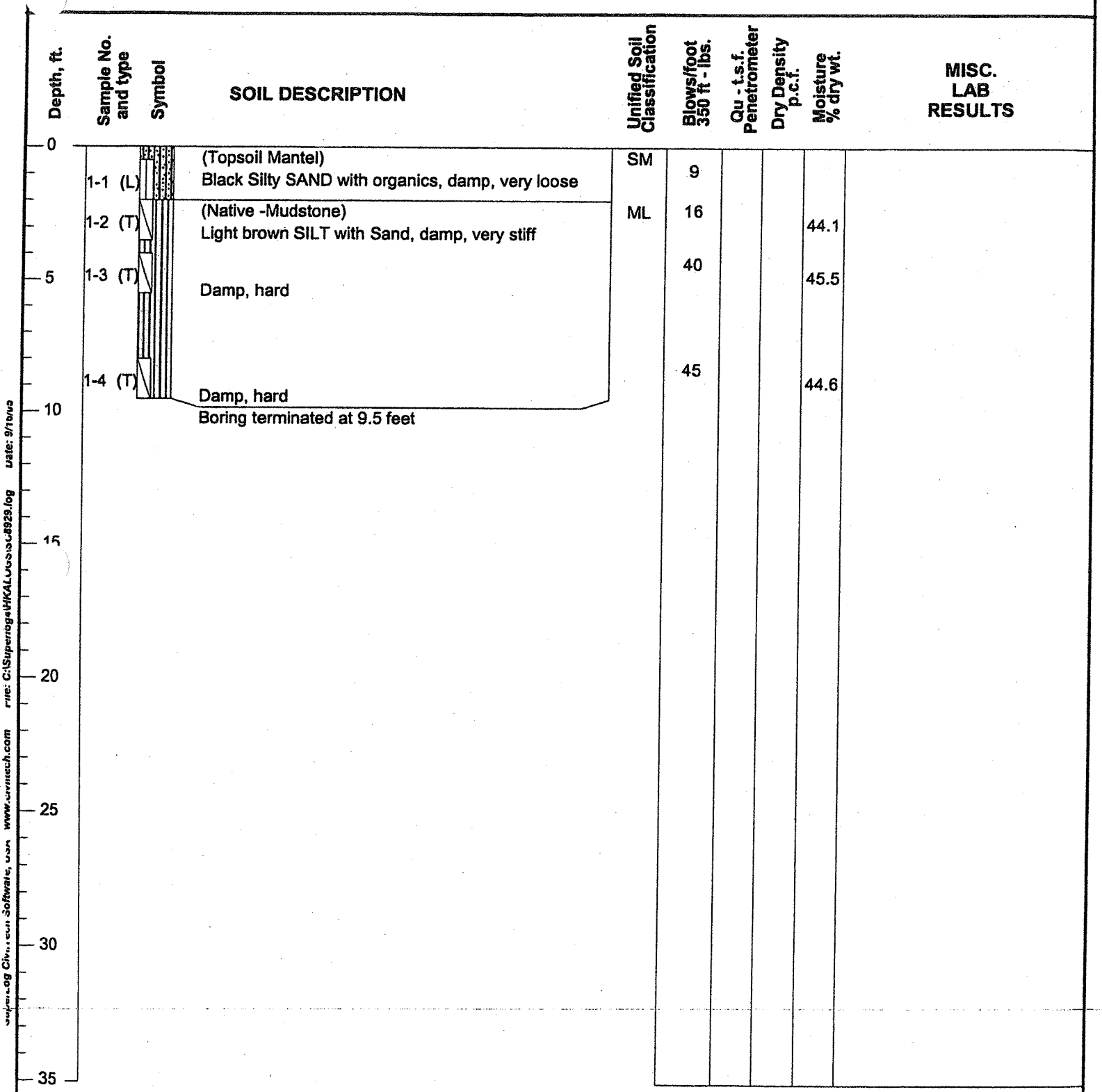
SHEET NO. OF 1

Haro, Kasunich & Associates, Inc.
Geotechnical and Environmental Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED June 23, 2005 | BORING DIAMETER 6" | BORING NO. B-1



HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 1

Logging Civiltech Software, USA www.civiltech.com File: C:\Superlogs\HKA\Logs\sc8929.log Date: 9/19/05

Haro, Kasunich & Associates, Inc.
Geotechnical and Environmental Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED June 23, 2005 | BORING DIAMETER 6" | BORING NO. B-2

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0	2-1 (L)		(Fill) Black Silty SAND with organics, damp, loose	SM	13		82.9	27.3	
	2-2 (T)		Damp, loose		8			42.5	
5			(Native Mudstone) Light brown Silt with SAND, damp, firm-stiff	ML					
	2-3 (L)		Damp, stiff (Encountered Root @ 9 feet)		50/3"				
10			Boring terminated at 9.0 feet						
15									
20									
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 2

Haro, Kasunich & Associates, Inc.
Coastal and Geotechnical Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED July 1, 2005 | BORING DIAMETER 6" | BORING NO. B-3

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			(Fill) Black Silty SAND with organic & angular chunks of Mudstone damp, loose-medium dense	SM					
	3-1 (T)		(Native - Mudstone) Light brown orange mottled Silt with SAND, damp, stiff	ML	14			43.7	Atterberg Limits (Non Plastic)
5									
	3-2 (T)		Damp, very stiff		20			47.6	
10									
	3-3 (T)		Damp, very stiff		23			47.3	
	3-4 (T)		Damp, stiff		12			35.6	
20	3-5 (L)		Damp, stiff		13		66.7	524	Direct Shear-Saturated c = 1400 psf 0 = 44 Degrees Ms = 58.8%
			Boring terminated at 21 feet						
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

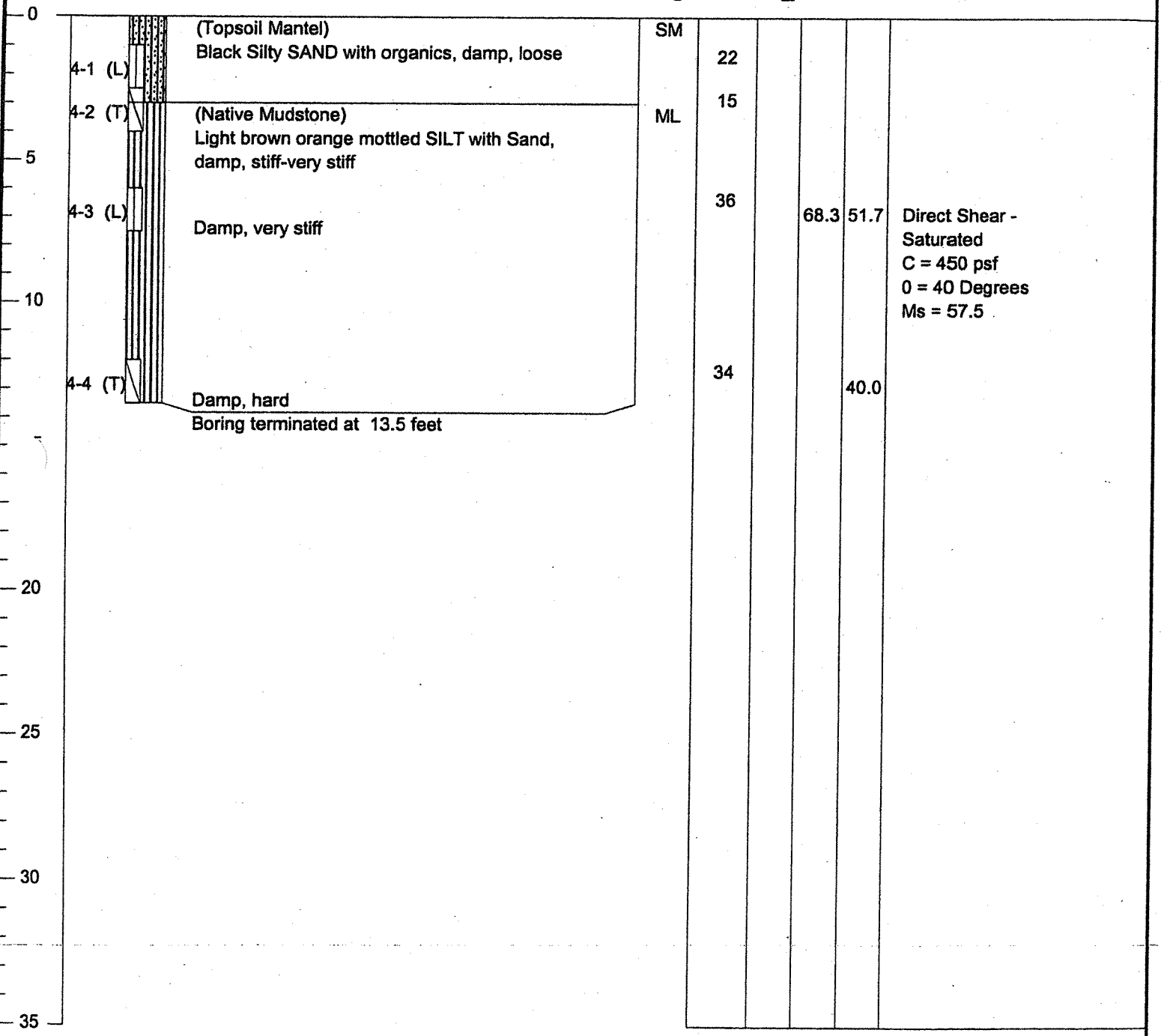
BY: DK | FIGURE NO. 3

Haro, Kasunich & Associates, Inc.
Geotechnical and Environmental Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED July 1, 2005 | BORING DIAMETER 6" | BORING NO. B-4



HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 4

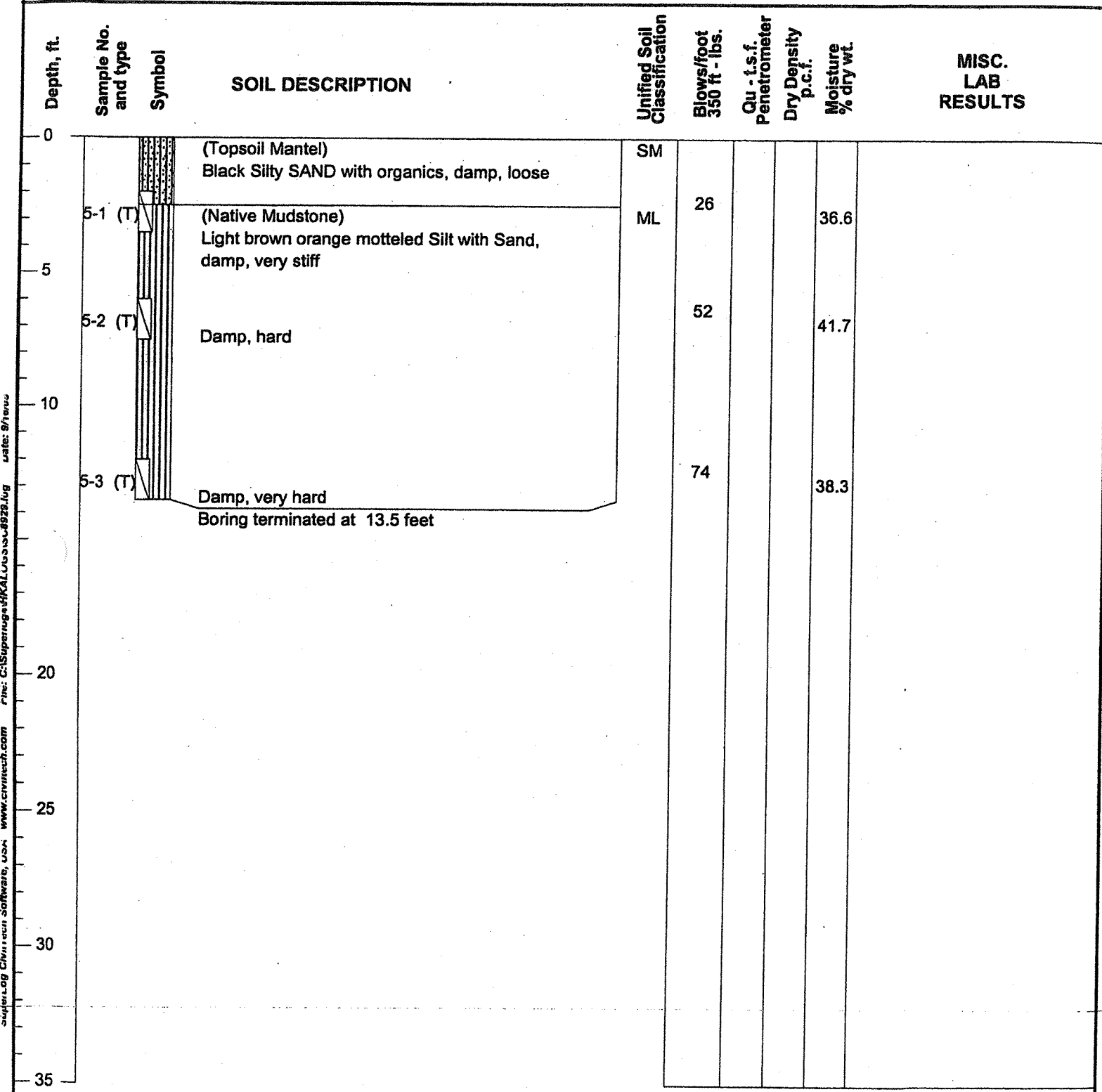
Haro, Kasunich & Associates, Inc.
Coastal and Geotechnical Engineers

Kings Canyon Court

PROJECT NO. SC8929

LOGGED BY BSC | DATE DRILLED July 1, 2005 | BORING DIAMETER 6" | BORING NO. B-5

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			(Topsoil Mantel) Black Silty SAND with organics, damp, loose	SM					
	5-1 (T)		(Native Mudstone) Light brown orange motteled Silt with Sand, damp, very stiff	ML	26			36.6	
5									
	5-2 (T)		Damp, hard		52			41.7	
10									
	5-3 (T)		Damp, very hard		74			38.3	
			Boring terminated at 13.5 feet						
20									
25									
30									
35									



HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 5

SuperLog CivilTech Software, USA www.civiltech.com File: C:\Superlogs\HKALOGS\SC8929.log Date: 9/16/05

Attachment 5

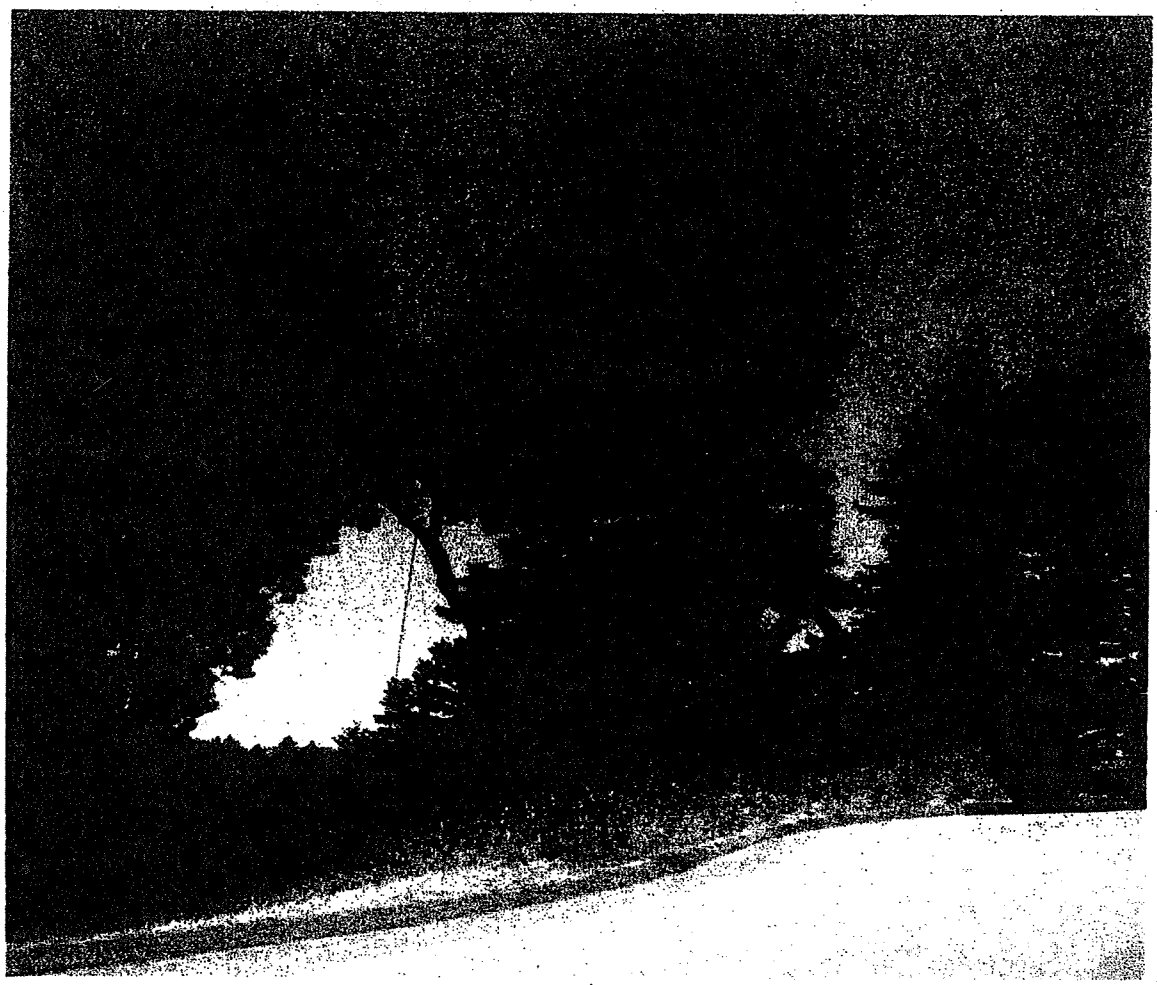
Dedicated to the Preservation of Trees

James P. Allen & Associates

RECEIVED
JUL 10 2008
CITY OF SCOTTS VALLEY

Lampkin/Boyd Residence
935 Kings Canyon Court
APN 021-212-02

Tree Resource Evaluation/
Construction Impact Assessment



Prepared for
Steve Lampkin
Property Owner

Consulting Arborists
611 Mission Street
Santa Cruz, CA 95060
831.426.6603 office
831.460.1464 fax
jallen@cruzio.com

ASSIGNMENT/SCOPE OF SERVICES

Residential development is planned at 935 Kings Canyon Court in the city of Scotts Valley, APN 021-202-02. The site is populated with numerous native tree species some of which are components of a protected scenic easement. To ensure the protection of the tree resources and meet City requirements the preparation of a tree resource evaluation and construction impact analysis are necessary for submittal to the City of Scotts Valley Planning Department. To meet these requirements, Steve Lampkin, the property owner has requested the following services be performed:

- Locate, catalog and map trees greater than 6 inches in trunk diameter growing within the property boundary and within 20 ft of impacts.
- Identify each tree as to species and trunk diameter.
- Determine suitability for incorporation into the redesigned site.
- Review construction plans (building and landscape) to determine potential impacts to trees.
- Provide recommendations for remedial treatments and maintenance to improve tree condition in preparation for construction.
- Create tree preservation specifications including a protection-fencing plan.
- Provide all findings in the form of a report accompanied by a Tree Location Map/Preservation Plan adhering to the requirements set by the City of Scotts Valley Planning Department.
- Calculate mitigation requirements for trees removed due to construction impacts.
- Determine appraised value of trees to be preserved

SUMMARY

The construction of a single-family residential development is proposed for a vacant site at 935 Kings Canyon Court in Scotts Valley, CA. Plans for this project have been reviewed and the impacts to the tree resources resulting from the proposed grading and construction have been assessed.

I have assessed, inventoried and mapped 21 trees/tree groups that are within 20 feet of the proposed grading.

To complete the project as presented, 15 trees will need to be removed due to a high level of impacts from the proposed grading or because they are dead, structurally unsound or have fallen.

In order to lessen the impacts to the tree resources a major plan modification would be required to decrease grading impacts and minimize the footprint of the proposed structure. Existing trees considered for retention would need to be preserved in groups in order to buffer winds and maintain stability. Trees suitable for preservation include Trees #4 through 7 and 9 through 12. In order to preserve either of these groups, 15-foot exclusion zone between tree trunks and grading would be required.

Of the 15 trees proposed for removal, 12 meet "protected" criteria as defined by Scotts Valley Municipal Code section 17.44.080. Of the 12 "protected" trees proposed for removal, one is dead, another is structurally unsound and another has fallen.

July 7, 2008

City approved tree removal will require additional California Department of Forestry permits.

Once grade staking has been placed in the field, tree removal/retention totals may vary. The Project Arborist will make these determinations after grade staking is in place.

The loss of the tree resources on this site will be compensated for by implementing the following program:

- Preservation, maintenance and enhancement of the surrounding conservation easement
- Tree planting as a component of the planned landscape
  - Two twenty-four inch box nursery grown replacement trees will be replanted on the property or within the conservation easement for each "protected" tree removed

A Mitigation Maintenance and Monitoring Program will be designed to ensure the trees are maintained in perpetuity

The value of the preserved trees in proximity to the proposed grading has been appraised at $29,000. As required by Scotts Valley Municipal Code Section 17.44.080, a retention bond in this amount shall be posted by the developer and held in trust by the City of Scotts Valley. If project management fails to implement recommended procedures or damages trees, the contract cost of implementation of recommended tree preservation treatments or appraised value of damage to these preserved trees, resulting from construction activities shall be determined by the Project Arborist, monetary fines assessed and deducted from the retention funds.

Monitoring, by the Project Arborist should occur at the intervals defined within this report to assure tree protection guidelines are adhered to and unforeseen impacts are resolved prior to damage occurring.

BACKGROUND

The proposed project is a modification of a previously approved development on this property. Assessment reports were prepared and submitted by our firm in May of 2002. Since that time several trees have been removed or have fallen.

Site inspections were conducted during the month of May of this year. Trees within and directly adjacent to the limits of grading were assessed.

Numbered metal tags have been attached to the each tree/tree group's representative trunk at six feet above grade. The corresponding numbers and surveyed tree locations are documented on the attached Tree Location map.

Trees were assessed visually while standing on the ground. Neither aerial inspections nor root crown examinations were performed.

Impacts were evaluated using grading, building and utility plans provided by Streeter Group Inc. Landscape plans were not available for my review. They will be reviewed and appropriate modifications incorporated into the finalized plan when they are available.

OBSERVATIONS

Site Description

This property lies to the south of the terminus of Kings Canyon Court, APN 021-212-02. It is bound by forested conservation easement to the north and west, a residential property to the east and Kings Canyon Court to the south.

This property slopes dramatically from Kings Canyon Court to the south. Remnants of native forest systems populate the area proposed for development. Extensive grading will be required within the development envelope to accommodate the proposed construction.

Tree Descriptions

Tree resources on the site include Coast redwood and mixed evergreen forest/forest remnants.

Trees species on and adjacent this site are comprised of **coast live oak** *Quercus agrifolia,* **interior live oak** *Quercus wislizenii,* **madrone** *Arbutus menziesii,* **California bay** *Umbellularia californica,* **Coast redwood** *Sequoia sempervirens,* **Douglas fir** *Pseudotsuga menziesii,* and **Tanbark** *Lithocarpus densiflorus.*

This area appears to have once been a dense forest system extending over the entire knoll. Stately homes now stand in the areas that were once densely forested. Remnants of a Coast redwood/mixed evergreen forest stand on the area proposed for development. Large diameter second growth redwood is the dominant species.

Many trees were removed to construct the adjacent homes. This has left remnant fragments; small groups or individual trees, which at one time were complete systems. The remaining trees on this site are subject to wind forces of wind they were previously buffered or protected from. One large tree has uprooted during the past winter. The red arrow indicates the upturned root structure of Tree #8.

The surrounding conservation easement is a dense mixed conifer system. Tree cover is thick in these dry sloping areas with a mixture of Douglas fir, California bay, madrone, coast live oak, tanbark oak and some redwood.

July 7, 2008

The presence of **"Sudden Oak Death"**, ***Phytophthora ramorum*** a disease, is active on several sections of the conservation easement adjacent to this property. Several coast live, interior oak and tanbark trees have died because of this disease and others many others display symptoms. There are no remedial treatments available at this time to combat this pathogen. It is recommended that trees with advanced symptoms or those in an irreversible state of decline be removed. Trees with early stage symptoms should be monitored and removed when at risk of falling.

Tree #21 is a tall California bay that leans toward the adjacent property and the proposed residence. This tree is at great risk of falling and damaging property or causing personal injury.

Fungal fruiting bodies, visible in the trees' buttress sections are evidence of *Ganoderma applanatum.* This indicates the presence of internal decay.

Decay is the result of fungi assisted decomposition of wood tissues and is an important factor when gauging a tree's structure.

Trees with high levels of decay have compromised support capabilities and are prone to failure. The decay organisms present in this bay tree trunks is verified by the fruiting bodies. (at the red arrow)

The main trunk separates into two stems at the height of four feet above grade. The attachment point is narrow with included bark. Included bark is a substantial structural defect. Structural systems of this type are typically at risk of failure.

The bulge on the trunk can be an indication of forces from inside the tree pushing against the bark and the attachment point. Bulges can indicate an area of internal decay close to one side of the tree (Mattheck 1997).

July 7, 2008

TREE INVENTORY

The appended inventory lists information on 21 individual trees/tree groups growing within the parcel and documented on the attached Tree Location map. This inventory includes trees with diameters ≥ six diameter inches at 4.5 feet above natural grade growing within 20 feet of the limits of grading.

The tree inventory lists species, trunk diameter, Critical Root Zone (CRZ) for preserved trees, health, structure, suitability for preservation, level/description of defined impacts, observations of tree defects, recommended procedures and whether the tree meets "protected" criteria.

Inventory ratings are based on the following criteria:

Critical Root Zone Radius: Provided for preserved trees only. Individual tree root systems provide anchorage, absorption of water/minerals, storage of food reserves and synthesis of certain organic materials necessary for tree health and stability. The Critical Root Zone (CRZ) is the species-specific area necessary for root development opportunities to supply elements essential for each tree to stand upright and maintain vigor. This distance reflects the minimum footage measurement from the trunk required for the protection of the tree's root zone.

Tree health and structure are separate issues that are related since both are revealed by tree anatomy. A tree's vascular system is confined in a thin layer of tissue between the bark and wood layers. This thin layer is responsible for transport of nutrients and water between the root system and the foliar canopy. When this tissue layer is functioning properly, a tree has the ability to produce foliage (leaves). As long as the tree maintains a connected vascular system, it may appear to be in good health.

When conditions conducive to decay are present, fungi, bacteria or poor compartmentalization, wood strength is degraded. As decay advances, the tree's ability to continue standing is compromised. Thus, a tree can appear to be in good health, but have poor structure.

Tree Health: This rating is determined visually. Annual growth rates, leaf size and coloration are examined. Indications of insect activity, decay and dieback percentages are also used to define health ratings.

Trees in **"good"** health are full canopied, with dark green leaf coloration. Areas of foliar dieback or discoloration are less than 10% of the canopy. Dead material in the tree is limited to small twigs and branches less than one inch in diameter. There is no evidence of insects, disease or decay.

Trees with a **"fair"** health rating have from 10% to 30% foliar dieback, with faded coloration, dead wood larger than one inch, and/or visible insect activity, disease or decay.

Trees rated as having **"poor"** health have greater than 30% foliar dieback, dead wood greater than two inches, severe decay, disease or insect activity.

Tree Structure: This rating is determined by visually assessing the roots, root crown (where the trunk meets the ground), supporting trunk, and branch structure. The presence of decay can affect both health and structural ratings.

Trees that receive a **"good"** structural rating are well-rooted, with visible taper in the lower trunk, leading to buttress root development. These qualities indicate that the tree is solidly rooted in the growing site. No structural defects such as codominant stems (two stems of equal size that emerge from the same point), poorly attached branches, cavities, or decay are present.

Trees that receive a **"fair"** structural rating may have defects such as poor taper in the trunk, inadequate root development or growing site limitations. They may have multiple trunks, included bark (where bark turns inward at an attachment point), or suppressed canopies. Decay or previous limb loss (less than 2 inches in diameter) may be present in these trees. Trees with fair structure may be improved through proper maintenance procedures.

Poorly structured trees display serious defects that may lead to limb, trunk or whole tree failure due to uprooting. Trees in this condition may have had root loss or severe decay that has weakened their support structure. Trees in this condition can present a risk to people and structures. Maintenance procedures may reduce, but not eliminate these defects.

Suitability for preservation: This rating evaluates tree health, structure, species characteristics, age and potential longevity.

Trees with a **"good"** rating have adequate health and structure with the ability to tolerate moderate impacts and thrive for their safe, useful life expectancy.

A **"fair"** rating indicates health or structural problems have the ability to be corrected. They will require more monitoring and intense management with an expectation that their lifespan will be shortened by construction impacts.

Trees with a **"poor"** rating possess health or structural defects that cannot be corrected through treatment. Trees with poor suitability can be expected to continue to decline regardless of remedies provided. Species characteristics may not be compatible with redefined use of the area.

DESCRIPTION OF CONSTRUCTION IMPACTS

Site inspections and review of the plans resulted in the determination that the extensive grading requirements require all trees within the proposed "limits of grading" to be removed.

The cumulative impacts from the proposed grading activities are classified per severity as **None, Low, Moderate** or **High.** These classifications are defined as follows:

None, the tree is not near the impact area of the proposed grading.

Low, adverse affects from the proposed construction activities are minimal.

Moderate, this level of impacts will result in loss in tree vigor and/or stability. Recommended procedures must be implemented to decrease these impacts.

High, within or in close proximity to the proposed grading area. Tree removal is necessary or the understanding that premature tree mortality can be anticipated. Replacement or some form of compensatory mitigation is required for trees subject to this level of impacts.

The construction of this project as presented requires the following procedures;

Grading for site stabilization as well as trenching drainage for structures. These procedures require alteration of natural grade in the form of cut and/or fill (described below) at the defined "Limits of Grading". Roots shattered during this process provide openings for opportunistic decay causing organisms degrading tree support systems and vigor.

Alteration of natural grade

- Cuts, lowering of natural grade, require the removal of soil until the desired elevation is reached. A cut within the trees Critical Root Zone can remove non-woody and woody roots. Non-woody (absorbing) roots are responsible for transporting moisture and nutrients necessary for maintaining tree health. Cuts that are more significant remove woody roots that provide structural support, compromising the tree's ability to stand upright.

- Fill, increasing natural grade, often requires an initial cut to "knit in" and stabilize the material. This material is applied in layers and compacted in the process. Compaction breaks down soil structure by removing air and adding moisture. Anaerobic conditions may develop, promoting decay. Absorbing roots can suffocate from lack of oxygen. Structural roots may be compromised because of the decay.

RECOMMENDATIONS FOR REQUIRED PROCEDURES

Tree Removal

A total of 15 trees are proposed for removal to construct the project as proposed. Tree removal shall be performed in a sectional manner, controlled by lowering the sections with a crane in order to avoid damaging surrounding trees and natural resources.

Tree removal will require California Department of Forestry "less than three acre conversion exemption" to allow conversion of the property.

Locations of trees to be removed are documented on the attached map (Tree Location Map).

Removal due to Construction Impacts
Twelve trees, **Trees #1 through 7 and 9 through 13** are required to be removed as they are in direct conflict with proposed site stabilization grading activities. Of this number, ten trees meet "protected" criteria

Removal due to Condition
Two "Protected" trees, #8, 17 and 21 are to be removed. **Tree #8** has uprooted and is lying on the ground. **Tree #17** is dead; **Tree #21** is located in the conservation easement and structurally unsound. It is at risk of falling and striking the neighboring property or the proposed residence on this site.

Stump removal
Stumps, from the removed trees may be cut close to natural grade and left in place, ground to 24" below natural grade or dug and disposed of off-site.

A qualified state licensed, fully insured timber operator using the most current versions of the following industry guidelines should be contracted to perform the above-described work.

- American National Standards Institute *Z133.1-1994 for Tree Care Operations- Pruning, Trimming, Repairing, Maintaining, and Removing Trees and Cutting Brush-Safety Requirements*

To ensure the successful implementation of the recommended procedures **Site inspections** will be performed by the Project Arborist. Site inspections will take place at the following intervals throughout the course of the project:

- During all tree removal activities.
- Following on-site placement of grade stakes.
- After Tree Preservation fencing locations have been staked.
- Following Tree Protection fencing installation and prior to the commencement of grading.
- As necessary during the grading, building and landscape construction activities to ensure compliance with all conditions of project approval.

Site monitoring forms will be submitted to the City of Scotts Valley Planning Department at regular intervals.

Required Tree Replacement:
To adequately compensate for the loss of the "protected" trees proposed for removal a multi-featured canopy loss replacement approach will be implemented consisting of the following elements:

- Preservation, maintenance and enhancement of the surrounding conservation easement
- Tree planting as a component of the planned landscape
  - Two, twenty-four inch box nursery grown replacement trees will be replanted on the property or within the conservation easement for each "protected" tree removed

The Project Arborist and Landscape architect will identify suitable programs. A Mitigation Maintenance and Monitoring Program will be a condition of project approval to ensure the trees are maintained in perpetuity.

July 7, 2008

APPRAISED VALUE OF PRESERVED TREES

As required by Scotts Valley Municipal Code Section 17.44.080, the trees on this site to be preserved were valued using Trunk Formula Method. This procedure is consistent with the national standards authored by the Council of Tree and Landscape Appraisers and published in the year 2000 by the International Society of Arboriculture in the Guide for Plant Appraisal, Ninth Edition.

The Trunk Formula Method is used to appraise the monetary value of trees. Appraisal calculations for individual trees are included on an attached spreadsheet. This method uses planting costs, trunk diameter at 4.5 feet and a factor representing growth to determine the Basic Tree Cost. This Basic Tree Cost is multiplied by Species, Condition, Location and Damage factors to establish the appraised value of the loss.

The appraised value of the trees to be preserved is $29,000.00. A retention bond in this amount shall be posted by the developer and held in trust by the City of Scotts Valley. In the event project management fails to implement recommended procedures or damages trees, the contract cost of implementation of recommended tree preservation treatments or appraised value of damage to these preserved trees shall be determined by the Project Arborist, monetary fines assessed and deducted from the retention funds.

To ensure the protection of the trees remaining on this site it is imperative that the recommendations detailed within this document are incorporated as conditions of project approval.

Questions regarding this report may be directed to my office.

Respectfully submitted,

James P. Allen
Registered Consulting Arborist #390

July 7, 2008

Tree Preservation Specifications

Lampkin/Boyd Residence

935 Kings Canyon Court

APN 021-212-02

These guidelines should be printed on all pages of the development plans. Contractors and sub contractors should be aware of tree protection guidelines and restrictions. Contracts should incorporate tree protection language that includes "damage to trees will be appraised using the Guide to Plant Appraisal 9th Edition and monetary fines assessed".

A pre construction meeting with the Project Arborist

A meeting with the Project Arborist, Project Manager and all contractors involved with the project shall take place prior to the onset of tree removal. Tree removal and preservation specifications will be reviewed and discussed.

Establishment of a tree preservation zone (TPZ)

Safety fencing, no less than 48 inches in height with metal stakes embedded in the ground, shall be installed in areas designated on the attached map. Fencing will be installed prior to the onset of grading, under the supervision of the Project Arborist and shall not be moved.

Restrictions within the Tree Preservation Zone (TPZ)

No storage of construction materials, debris, or excess soil will be allowed within the TPZ. Parking of vehicles or construction equipment in this area is prohibited. Solvents or liquids of any type should be disposed of properly, never within this protected area.

Field decisions

The Project Arborist, Soils Engineer and Grading Contractor will determine the most effective construction methods to maintain tree health.

Alteration of grade

Maintain the natural grade around trees. If trees roots are unearthed during the construction process the consulting arborist will be notified immediately. Exposed roots will be covered with moistened burlap until the Project Arborist makes a determination.

Trenching requirements

Any areas of proposed trenching will be evaluated with the Project Arborist and the contractor prior to construction.

Tree canopy alterations

Unauthorized pruning of any tree on this site will not be allowed. Necessary tree canopy alterations will be performed to the specifications established by the Project Arborist.

July 7, 2008

James P Allen & Associates

LAMPKIN RESIDENCE
APN 021-202-02
935 Kings Canyon Court, Scotts Valley, CA
TREE RESOURCE INVENTORY

DA: 0/08

Dedicated to the Preservation of Trees

TREE #	SPECIES	DIAMETER @ 4.5ft ABOVE NATURAL GRADE (INCHES)	CRITICAL ROOT ZONE FOOTAGE RADIUS	HEALTH	STRUCTURE	SUITABILITY	IMPACTS Level of Severity/ Description	•OBSERVATIONS •REQUIRED PROCEDURES •MEETS "PROTECTED" CRITERIA Yes/No
1	**Coast live oak** *Quercus agrifolia*	19.1	N/A Not Applicable		Poor	Poor	**HIGH/ Within proposed building**	•Trunk swoops dramatically to the south Previous stem removal •**Remove due to Construction Impacts** •Yes
2	**Coast live oak** *Quercus agrifolia*	21.8	N/A	Fair	Poor	Poor	**HIGH/ Within proposed driveway**	•Trunk sweeps to west Severe decay/voids in lower trunk Active bees nest •**Remove due to Construction Impacts** •Yes
3	**California bay** Umbellularia californica	9.8	N/A	Good	fair	Poor	**HIGH/ Within proposed building**	•Small, young tree •**Remove due to Construction Impacts** •No
4	**Coast redwood** *Sequoia sempervirens*	47	N/A	Good	Fair	Good	**HIGH/ Within proposed building**	•Suppressed canopy on north portion of stem •**Remove due to Construction Impacts** •Yes
5	**Coast redwood** *Sequoia sempervirens*	Double trunk 43 & 38	N/A	Good	Poor	Poor	**HIGH/ Within proposed building**	•Poor trunk/stem attachments •**Remove due to Construction Impacts** •Yes

83

James P. Allen & Associates

LAMPKIN RESIDENCE
APN 021-202-02
935 Kings Canyon Court, Scotts Valley, CA
TREE RESOURCE INVENTORY

DAT 10/08

Dedicated to the Preservation of Trees

TREE #	SPECIES	DIAMETER @ 4.5ft ABOVE NATURAL GRADE (INCHES)	CRITICAL ROOT ZONE FOOTAGE RADIUS	HEALTH	STRUCTURE	SUITABILITY	IMPACTS Level of Severity/ Description	•OBSERVATIONS •REQUIRED PROCEDURES •MEETS "PROTECTED" CRITERIA Yes/No
6	**Coast redwood** *Sequoia sempervirens*	13.5	N/A	Good	Poor	Poor	**HIGH/ Within proposed building**	•Smaller tree Rubbing against western stem of Tree #5 •**Remove due to Construction Impacts** •Yes
7	**Coast redwood** *Sequoia sempervirens*	Double trunk 43 & 17	N/A	Fair	Poor	Fair	**HIGH/ Within proposed building**	•Poor trunk/stem attachments Canopy develops in the westerly direction •**Remove due to Construction Impacts** •Yes
8	**Coast redwood** *Sequoia sempervirens*	26	N/A	Uprooted			**HIGH/ Within proposed grading**	•Uprooted •**Remove due to Condition** •Yes
9	**Coast redwood** *Sequoia sempervirens*	24	N/A	Fair	Fair	G	**HIGH/ Within proposed grading**	•Within group of four trees •**Remove due to Construction Impacts** •Yes
10	**Coast redwood** *Sequoia sempervirens*	29	N/A	Fair	Fair	Good	**HIGH/ Within proposed building**	•Within group of four trees Decayed mechanical wound in lower trunk •**Remove due to Construction Impacts** •Yes

TREE #	SPECIES	DIAMETER @ 4.5ft ABOVE NATURAL GRADE (INCHES)	CRITICAL ROOT ZONE FOOTAGE RADIUS	HEALTH	STRUCTURE	SUITABILITY	IMPACTS Level of Severity/ Description	•OBSERVATIONS •REQUIRED PROCEDURES •MEETS "PROTECTED" CRITERIA Yes/No
11	**Coast redwood** *Sequoia sempervirens*	20	N/A	Fair	Fair	Good	**HIGH/ Within proposed building**	•Within group of four trees •**Remove due to Construction Impacts** •Yes
12	**Coast redwood** *Sequoia sempervirens*	20	N/A	Fair	Fair	Good	**HIGH/ Within proposed building**	•Within group of four trees •**Remove due to Construction Impacts** •Yes
13	**California bay** *Umbellularia californica*	Double 7.8 & 8.3	N/A	Fair	Poor	Poor	**HIGH/ Within proposed building**	•Poor trunk/stem attachments •**Remove due to Construction Impacts** •Yes
14	**Coast redwood** *Sequoia sempervirens*	33	16	Fair	Fair	Good	**NONE**	•Stands within conservation easement •**Preserve and Protect** •Yes
15	**Coast redwood** *Sequoia sempervirens*	33	16	Fair	Fair	Good	**NONE**	•Stands within conservation easement •**Preserve and Protect** •Yes

85

TREE #	SPECIES	DIAMETER @ 4.5ft ABOVE NATURAL GRADE (INCHES)	CRITICAL ROOT ZONE FOOTAGE RADIUS	HEALTH	STRUCTURE	SUITABILITY	IMPACTS Level of Severity/ Description	•OBSERVATIONS •REQUIRED PROCEDURES •MEETS "PROTECTED" CRITERIA Yes/No
16	**Coast redwood** *Sequoia sempervirens*	42	14	Fair	Fair	Good	**NONE**	•Stands within conservation easement •**Preserve and Protect** •Yes
17	**madrone** *Arbutus menziesii*	24	N/A	Dead	Dead	Dead	**NONE**	•Dead tree at risk of falling •**Remove due to Condition** •No
18	**Douglas fir** *Pseudotsuga menziesii*	12.8	16	Fair	Poor	Poor	**NONE**	•Exposed surface roots Suppressed to the east Top removed at 30 feet •**Preserve and Protect** •No
19	**California bay** *Umbellularia californica*	18.5	20	Fair	Poor	Poor	**NONE**	•Leans to the north One trunk has been removed •**Preserve and Protect** •Yes

James P. Allen & Associates

Appraised Value of Preserved "Protected" Trees
LAMPKIN/BOYD RESIDENCE
APN 021-202-02

Dedicated to the Preservation of Trees

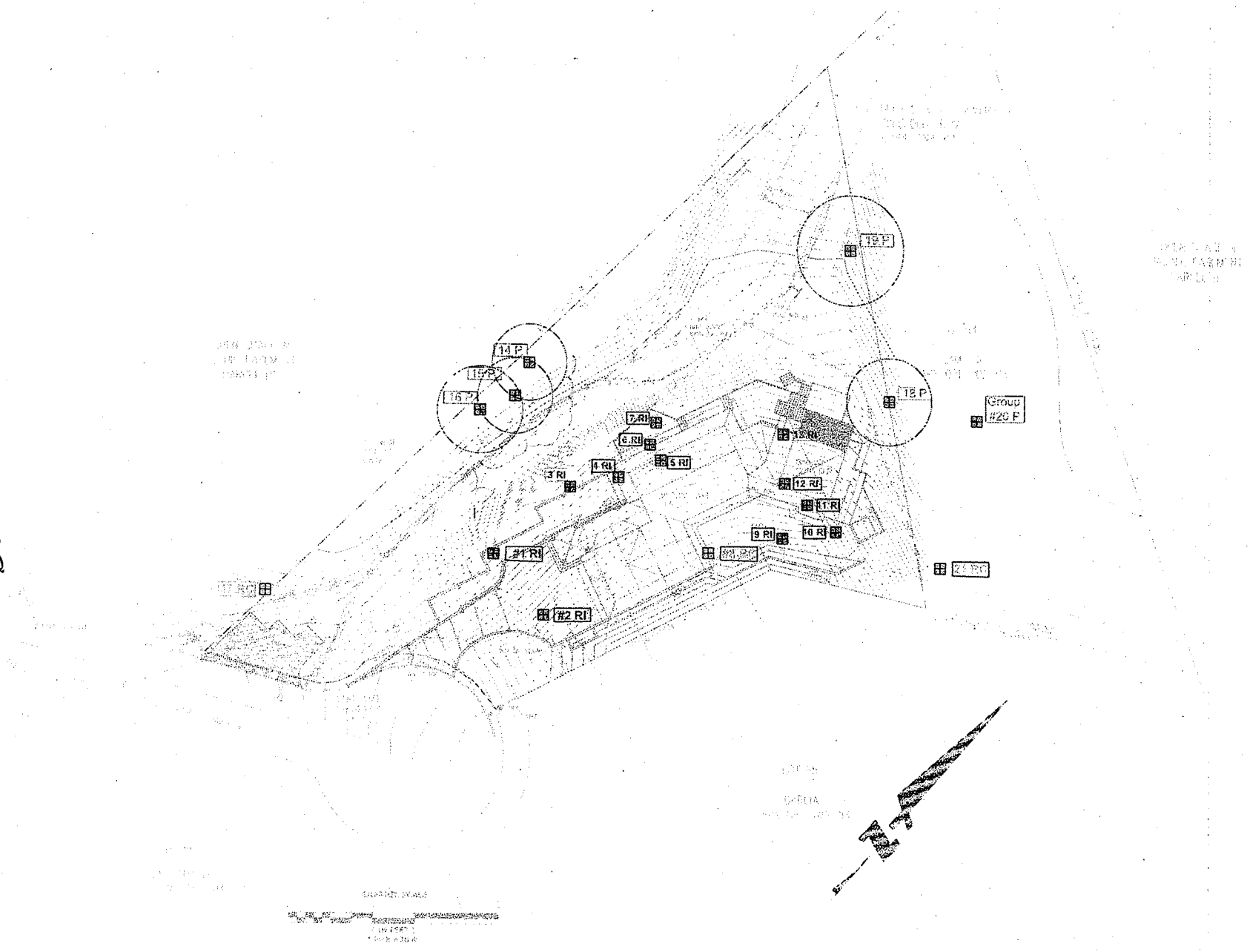
Trunk Formula Method

TREE #	SPECIES	DIAMETER INCHES @ 4 feet above grade	RATING %				APPRAISED VALUE
			Condition	Site	Contribution	Placement	
14	**Redwood** *Sequoia sempervirens*	32	64	40	40	40	$8,459
15	**Redwood** *Sequoia sempervirens*	33	64	40	40	40	$7,201
16	**Redwood** *Sequoia sempervirens*	42	64	40	40	40	$11,640
19	**California bay** *Umbellularia californica*	18.5	38	40	40	40	$1,360
						Total Value	$28,660
						Appraised Value[1]	$29,000

[1]Total appraised value rounded to the nearest $100 by convention:

87

June 30, 2008



Legend

- \+ Surveyed Tree Trunk Location
- Preserve and Protect
- RI Remove due to Construction Impacts
- Remove due to Tree Condition
- Critical Root Zone
- Canopy extents, Preserved trees only
- Tree Preservation Fencing
- Meets "Protected" criteria

Preliminary Tree Resource Analysis/
Construction Impact Assessment
Lampkin Residence
935 Kings Canyon Court

APN 021-202-02

Scotts Valley, CA

Tree Location Map
&
Preservation Plan

James P. Allen & Associates

1 of 1

Date: 6/30/08

88

Agenda Item No. 2
09/24/09 PC Mtg.
U06-013.2/DR09-007

STAFF REPORT

Applicant:	Jason Revino
Property Owner:	SVJ LLC / Michael Messinger
Application:	Use Permit No. U06-013.2 & DR09-007
Location:	18 D Victor Square / APN 022-042-34
General Plan/Zoning:	C-S Commercial Service
Environmental Status:	Categorically Exempt : Class 1-Existing Facilities
Request:	Consideration of an expansion of an existing restaurant to include a bar and out door stage in the Scotts Valley Junction Shopping Center.
Staff Planner:	Taylor Bateman, Senior Planner

STAFF RECOMMENDATION

It is recommended that the Planning Commission approve the Use Permit and Design Review, by adoption of the attached resolution, subject to the conditions in Exhibit A.

PROJECT DESCRIPTION

The applicant is proposing a 1,200 square foot expansion to an existing 2,090 square foot restaurant located in the Scotts Valley Junction shopping center (Attachment 1 - Location Map and Shopping Center Map). The expanded restaurant will include a bar and an outdoor stage for live entertainment (Attachment 2 - Plans).

PROJECT DISCUSSION

The project site is in the Service Commercial (C-S) zoning district. Per Section 17.20.030 of the Scotts Valley Municipal Code (SVMC), restaurants and bars in the C-S zoning district require Use Permit approval from the Planning Commission. Additionally, all structures in the (C-S) zoning district require design review by the Planning Commission. Below is a review of the projects compliance with the City's General Plan and Zoning Requirements.

Parking

The parking requirements for restaurants and bars is based on the floor area for public accommodation in addition to the floor area for non-public areas. The parking requirements for public areas are one space for each 60 square feet of accommodation area. The parking requirement for non-public areas is one parking space for every 250 square feet of floor area. The 1,200 square feet restaurant expansion consists of 400 square feet of non-public area and 800 square feet of public area (Attachment 3 - Floor Plan). The proposed expansion requires 15 parking spaces.
The existing restaurant consists of 1,098 square feet of non-public area and 992 square feet of public area requiring twenty one parking spaces. Including the proposed expansion the required number of parking spaces for the restaurant is thirty-six.

The applicant has prepared a parking analysis which considers all of the current tenants in the shopping center (Attachment 4). Based on this information the required number of parking spaces for the shopping center is 266. The shopping center currently has 174 parking spaces.

In addition to calculating the parking requirement for the shopping center, the applicant has quantified the number of open parking spaces in the shopping center on ten occasions in July between 12:00 PM and 1:00 PM (Attachment 5 - Parking Survey). The lunch hour is typically the most busy time for all shopping centers in Scotts Valley. Based on the information provided by the applicant the average number of open spaces was 39 and the fewest number of open parking spaces recorded during the survey was 22 at 12:15 on a Tuesday. Planning Department staff visited the site during the lunch hour on several occasions during the past month and noted open parking spaces on each visit.

The parking analysis indicates that four tenant spaces are vacant in the shopping center. The analysis calculates their parking requirement based on the business/retail/service parking requirement of one parking space for each 250 square feet of area. If all the vacant tenant spaces were occupied (including the proposed restaurant expansion area) there is the potential for up to 30 new cars in the parking lot

during the lunch hour. This number is obtained from the parking analysis in Attachment No. 4 and is accounted for in the number of required spaces. The average number of empty parking spaces counted by the applicant could be lowered by up to 30 if all the vacant tenant spaces are occupied, potentially resulting in a shortage during the lunch hour.

On October 27, 2005, the Planning Commission approved a new parking lot layout and circulation plan for the shopping center. The plan included resurfacing, re-striping, and relocating parking spaces within the existing parking lot to improve traffic circulation. The revised parking lot included parking for delivery trucks, realignment of the intersection between Bldg. 1 (Postel Annex) & Bldg. 7 (Starbucks), and a new pedestrian access walkway from Scotts Valley Drive. While visiting the site, the Planning Department staff noted that the parking lot was busy during the lunch hour, however, vehicles were able to move easily through the parking lot and in and out of the parking spaces.

Restaurant/Bar Expansion

As proposed the existing 2,090 square foot restaurant would be expanded by 1,200 square feet. The expansion area would include additional restaurant seating and a bar. The existing restaurant currently serves beer and wine. The hours of operation for the restaurant would remain the same at 11:00 AM to 9:00 PM Sunday through Thursday and 11:00 AM to 10:00 PM Friday and Saturday. The hours of operation for the expanded restaurant area/bar will be from 3:00 PM to 12:00 AM seven days a week. The door connecting the two parts of the restaurant would be closed at 10:00 PM when the restaurant/kitchen closes. During these hours the restaurant expansion area and the bar will have access through the front door. The proposed bar is approximately 30 feet in length and pursuant to the Department of Alcohol Beverage Control (ABC) regulations seating at the bar is limited to persons 21 and older. The general seating area can be used by all other persons. The expanded restaurant/bar area will have several large television screens and light background music (Attachment 6 - Project Description).

Signs

Pursuant to City regulations and the Planned Sign Program for the shopping center each tenant is allowed one identification sign. The current application is to expand the existing restaurant therefore no separate sign would be allowed for the restaurant expansion area/bar.

Outdoor stage

The application includes a proposal to operate and 150 square foot outdoor stage with amplified live music. Performances are Friday and Saturday evenings in the spring, summer and fall from 7:00 PM to 10:00 PM. The stage is currently in place and performances have been happening for the last year (Attachment 7 - Outdoor Site Plan and Stage Pictures). The stage is constructed of wood and is painted to match the existing buildings. Additionally, the applicant proposes to construct a fence along the front and side of the outdoor seating area to match existing fencing along the rear outdoor seating area. The fence is solid wood for the first 40 inches and open view for the remaining 14 inches for a total height of four and half feet (Attachment 8 - Existing Fence Picture). The fence would provide a privacy screen for the tenant in the building on the other side of the outdoor seating area. As of the printing of this staff report the Fire District has not commented on the proposed fencing plan. The project has been conditioned to require Fire District review of the project prior to construction of the fence.

PUBLIC NOTICE & COMMENT

A public notice was published in *The Banner* and mailed to surrounding property owners within 300 feet pursuant to State law. The City has received comments from an adjacent tenant in the shopping center regarding the addition of the bar to the restaurant (Attachments 9 & 11 - Tenant Letters). The letters express concerns regarding the mixture of alcohol and live entertainment and the potential effects that this might have on children and families visiting the center. The applicant has written a response letter (Attachment 10 - Applicant Letter). The Police Department has reviewed the application and noted that they have not received complaints or had a significant number of service calls to the restaurant during the operation of the outdoor stage.

ATTACHMENTS

PAGE No.

Resolution No. ____ to Approve U06-013.2 (Action Item) 5
1. Location Map & Shopping Center Map 10
2. Plans (received 08/05/09) 11
3. Expansion Area Floor Plan (received 08/05/09 12
4. Applicant Parking Analysis (received 08/05/09) 13
5. Applicant Parking Survey (received 08/05/09) 14
6. Project Description (received 09/16/09) 15
7. Outdoor Site Plan & Outdoor Stage Pictures (received 09/16/09) 17
8. Existing Fence Picture (received 09/16/09) 19
9. Tenant Letter (received 08/24/09) 20
10. Applicant Letter (received 08/27/09) 22
11. Tenant Letters (received 08/27/09) 25

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY APPROVING USE PERMIT NO. U06-013.2 AND DR09-007 FOR A 1,200 SQUARE FOOT EXPANSION OF AN EXISTING 2,090 SQUARE FOOT RESTAURANT TO INCLUDE A BAR, OUTDOOR STAGE AND FENCE LOCATED IN THE SCOTTS VALLEY JUNCTION SHOPPING CENTER AT 18 D VICTOR SQUARE // APN 022-042-34.

WHEREAS, the Planning Department of the City of Scotts Valley has received an application filed by Jason Revino, for Use Permit No. U06-013.2 and DR09-007 for a 1,200 square foot expansion of an existing 2,090 square foot restaurant to include a bar, outdoor stage and fence located in the Scotts Valley Junction shopping center at 18 D Victor Square // APN 022-042-34.

WHEREAS, the project is determined to be categorically exempt from CEQA, Class 1 (Section 15301); and,

WHEREAS, the project was reviewed by the Planning Commission at a duly noticed public hearing on September 24, 2009.

NOW THEREFORE, the Planning Commission of the City of Scotts Valley hereby resolves as follows:

SECTION 1: The environmental determination represents the independent judgement of the City.

SECTION 2: The categorical exemption is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the Planning Commission staff report dated September 24, 2009:

Use Permit

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 project is located in the Service Commercial zoning district, which is suitable for the proposed use.

2. *The establishment, maintenance, or operation of the use 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 or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.* Information provided by the applicant demonstrates that parking is available during peak business hours. Recent improvements to the parking facilities have improved site circulation. The proposed use will compliment and blend with existing commercial, office, and restaurants in the shopping center. The bar use will be an extension of the existing restaurant and the outdoor stage will provide an amenity to the City's residents.

Design Review

3. *The siting of the structure on the site as compared with the siting of other structures in the immediate neighborhood is appropriate.* The location of the structures are compatible with adjacent buildings in the immediate neighborhood.

4. *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.* The materials, colors, proportion, mass, and detail of the improvements is in good proportion and is compatible with the appearance of the surrounding structures.

SECTION 4: 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 of the City of Scotts Valley does hereby approve Use Permit No. U06-013.2 and Design Review No. DR09-007 for a 1,200 square foot expansion of an existing 2,090 square foot restaurant to include a bar, outdoor stage and fence located in the Scotts Valley Junction shopping center at 18 D Victor Square // APN 022-042-34, subject to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 24th day of September, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

Chair Deborah Muth

_____

Susan Westman, Community Development Director

EXHIBIT A

CONDITIONS OF APPROVAL

(Numbers 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 Planning Commission 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.

PLANNING DEPARTMENT

4. The color, materials, size, location, and design of the improvements shall match the approved plans. Modifications to the approved project may require approval by the Planning Commission at the discretion of the Community Development Director.

BUILDING DEPARTMENT

5. All requirements of the Environmental Health Department shall be met prior to operation of the restaurant.

6. All new improvements shall comply with ADA and U.B.C requirements. All pertinent ADA parking spaces shall be installed to standard ADA regulations prior to operation of the restaurant expansion.

FIRE DISTRICT

7. All requirements of the Scotts Valley Fire District shall be met prior to operation of the restaurant expansion.

8. The Scotts Valley Fire District shall review the entire project prior to operation of the restaurant expansion.

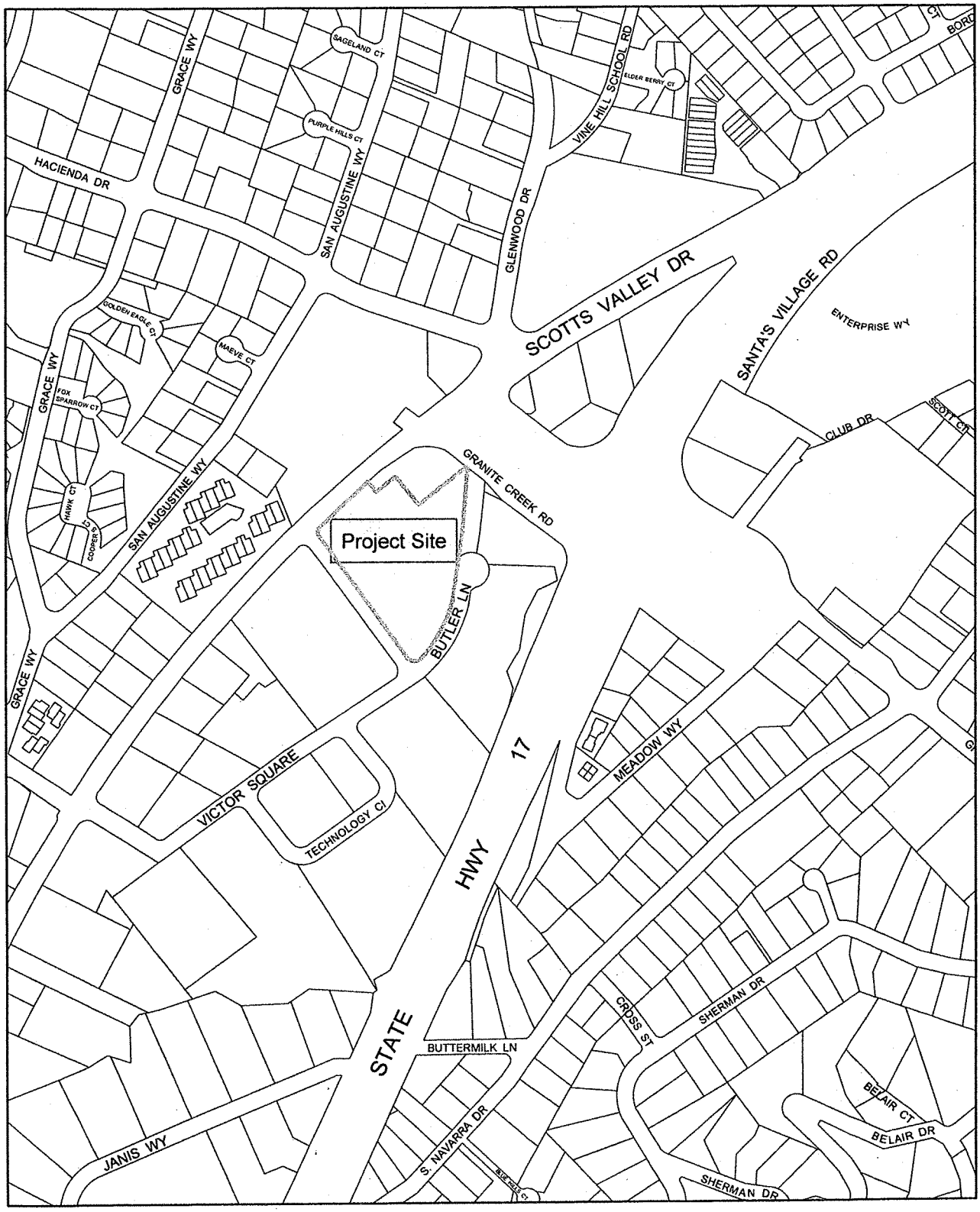
9. The Scotts Valley Fire District shall review the entire project fencing plan for the outdoor seating area prior to construction of fencing.

Police Department

10. The restaurant shall comply with all Department of ABC regulations.

Property Owner Name & Signature Date

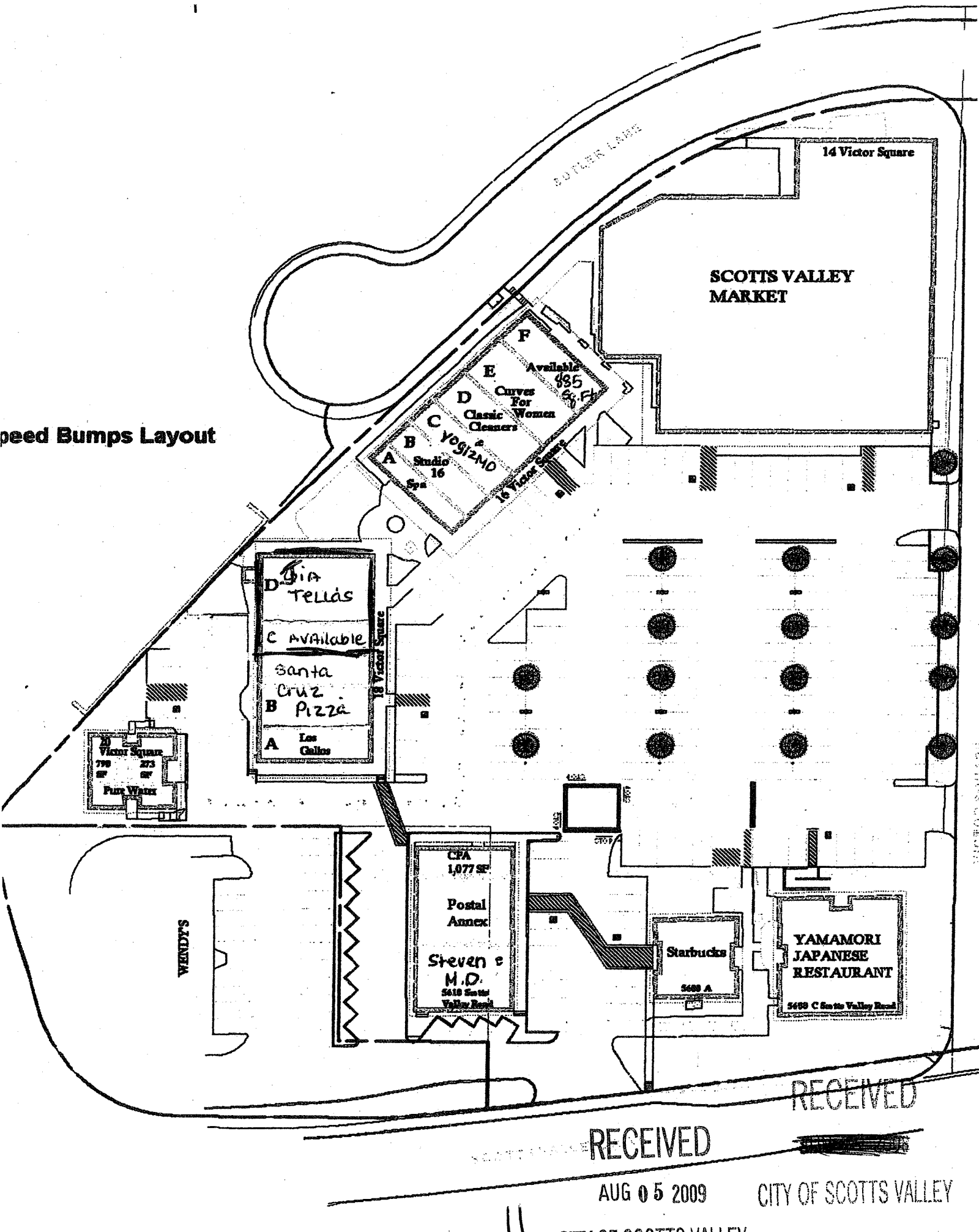
Location Map



N

18 D Victor Square

peed Bumps Layout



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Attachment No. 2

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REVISED

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JUL 1[illegible] 2008
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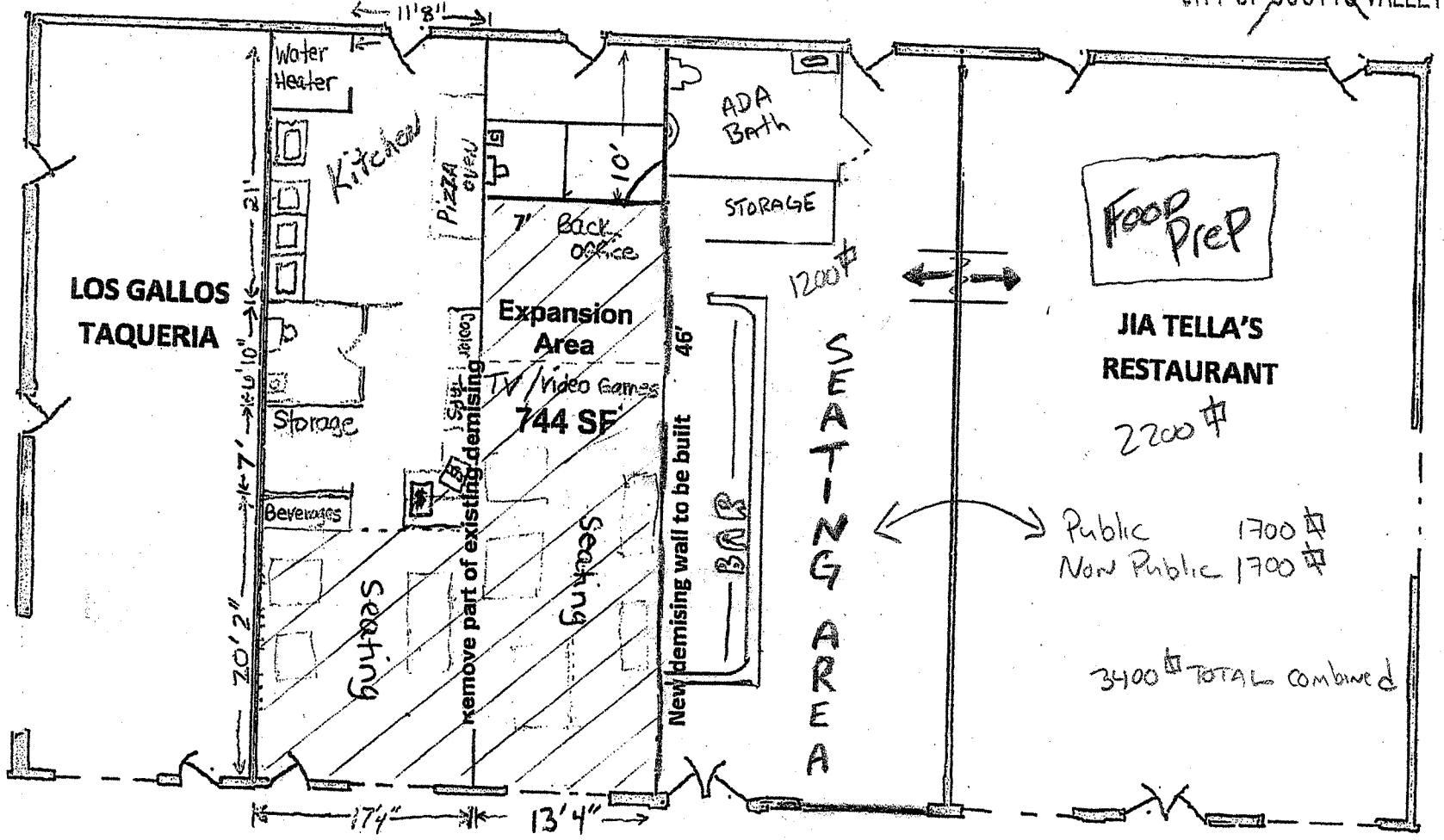

- Low temp dishwasher
- Hand wash sink
- 3 compartment wash sink

ALL Behind Bar

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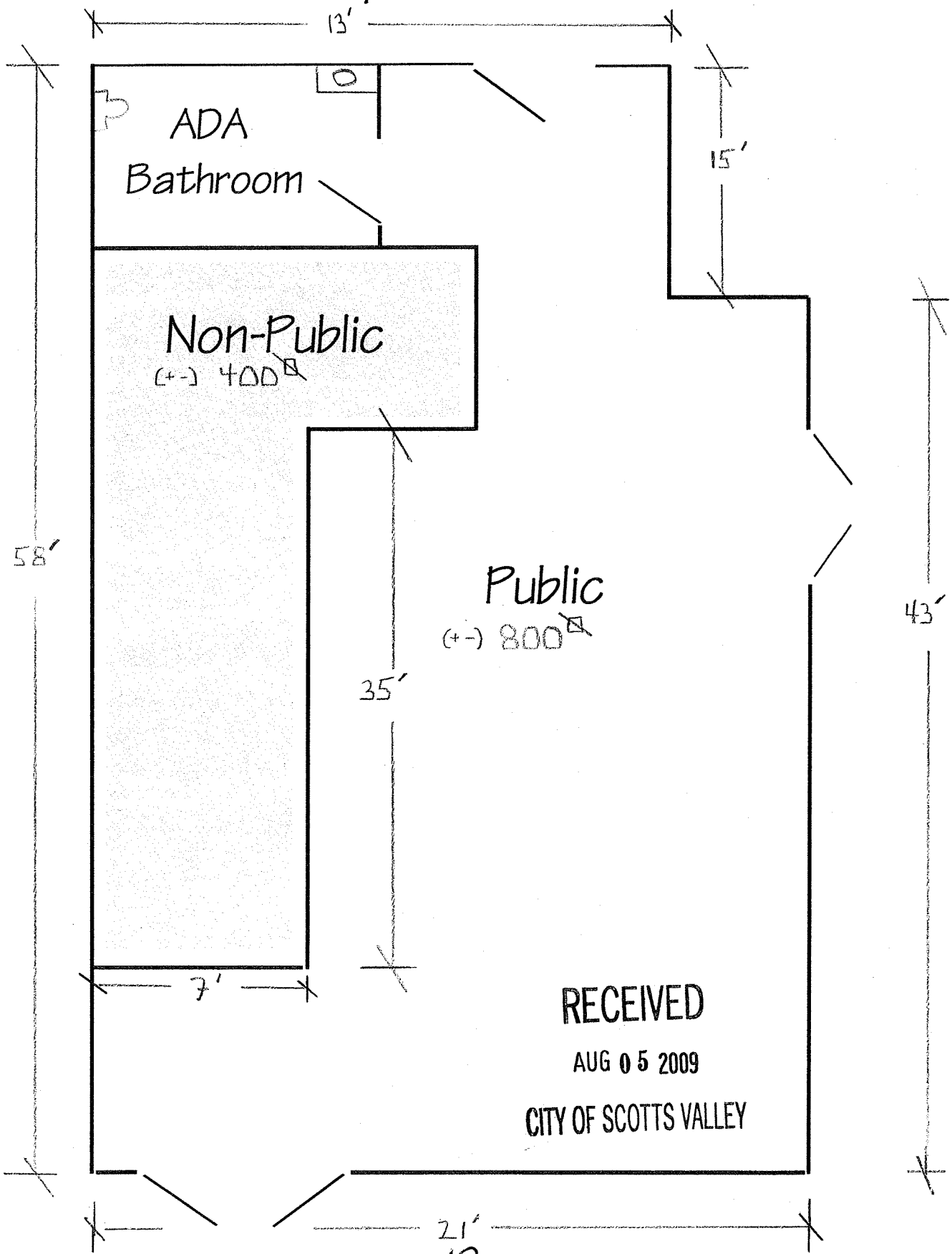
CITY OF SCOTTS VALLEY

12

Floorplan for JT's Expansion

Attachment No. 3



Revisions to Parking Analysis					
Scotts Valley Junction Shopping Center					
Aug-09					
	Tenant	Use	Parking	Lease Area	Spaces
		Description	Ratio	Sq. Ft.	Required
14	SCOTTS VALLEY MKT	Retail	1/250	24,363	97.5
16 A	SKIN CARE SPA	Business	1/250	1,044	4.2
16 B	STUDIO 16	Business	1/250	1,058	4.2
16 C	YOGIZMO	Business	1/250	1,044	4.2
16 D	HILLSIDE CLEANERS	Service Retail	1/250	1,028	4.1
16 E	VACANT		1/250	1,208	4.8
16 F	VACANT		1/250	885	3.5
18 A/G	LOS GALLOS	Public	1/60	200	3.3
18 B	SANTA CRUZ PIZZA	Non-Public	1/250	829	3.3
		Public	1/250	938	3.7
18 D/E	JIA TELLA'S RESTAURANT	Public	1/60	1790	29.8
		Non-Public	1/250	1,498	6.0
20 A	WATER STORE	Business	1/250	660	2.6
20 B	TAX LIFE BOAT	Business	1/250	1,063	4.3
20 C	VACANT	Business	1/250	699	2.8
20 F	WENDY'S (STORAGE)	Business	1/250	110	0.4
20 D	CHOCOLATE VISIONS	Business	1/250	623	2.5
20 G	VACANT	Business	1/250	990	4.0
5610 A	STEVEN MD	Business	1/250	1,497	6.0
5610 B	POSTAL ANNEX	Business	1/250	1,392	5.6
5610 C & Upstairs	BUS. CONSULTING	Business	1/250	2,030	8.1
5600 A/B	STARBUCKS	Public (Indoor)	1/60	420	7.0
		Public (Outdoor) Approx. 12 Spaces	-	-	
		Non-Public	1/250	680	2.7
		Retail	1/250	490	2.0
5600 C	YAMAMORI	Public	1/60	2,746	45.8
		Non-Public	1/250	1,114	4.5
				Total	266.9
				Avail. Spots	174.0
				Parking Def	-79.0

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Parking Survey

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Attachment No. 5

Date	Peak Times			
	12:00	12:15	12:30	12:45
MON 7-20-09	38			
Tue 7-21-09		22		
Wed 7-22-09			31	
Thurs 7-23-09	39			
Fri 7-24-09	48			47
[redacted] MON 7-27-09		41		
Tue 7-28-09			54	
Wed 7-29-09		36		
Thurs 7-30-09	22			
FRI 7-31-09				55

I am currently working on an expansion project for Jia Tellas. I have leased the 1200 sq ft lot directly next door to the restaurant for this purpose. I have composed this letter to address and clarify several points with regards to this expansion project.

On the patio adjacent to Jia Tellas, there are plans for a 150 sq ft stage. The stage will host live amplified music Friday and Saturday evenings in the spring/summer and fall months during the hours of 7pm-10pm.

In addition to developing the outdoor patio area to include a stage, I have leased the property directly next door to Jia Tellas to expand our dining area and include a more extensive menu, including wine, beer and spirits. This new area will have its own entrance as well as a door to access Jia Tellas. The hours of operation for the expanded area will be 3pm-12am, with the access door between the two facilities closed and locked by 10 pm. Expanding our restaurant will allow us to host larger parties, including fundraising events for local businesses and schools. There will be a 30-foot bar in the expanded facility; seating at this bar will be limited to patrons 21 and older. There will be several large screen televisions and light background music as well. The additional business generated through this expansion project should not negatively affect neighboring tenants.

Sincerely,
Jason Revino

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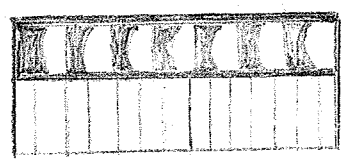
Attachment No. 7



14"

40"

To match existing fence made of Redwood

color to match existing fence

ALL OPEN

DECK =299.9'

FENCE

Stage Area

Expansion

JiaTella's

One (1) Redwood Tree To Remain

Existing Fence

3

2

CONCRETE WALK

One (1) Olive Tree To Remain

ole To emain

WALK

8" TREE

ELEC.

FLAGPOLE

One (1) Olive Tree To Remain

NEW FENCE

2

CONCRETE WALK

ROOF OVERHANG

26'-0"

Intercept and Extend w/ New 1" C Sch 40 Conduit to New

RECEIVED

SEP 16 2009

CITY OF SCOTTS VALLEY

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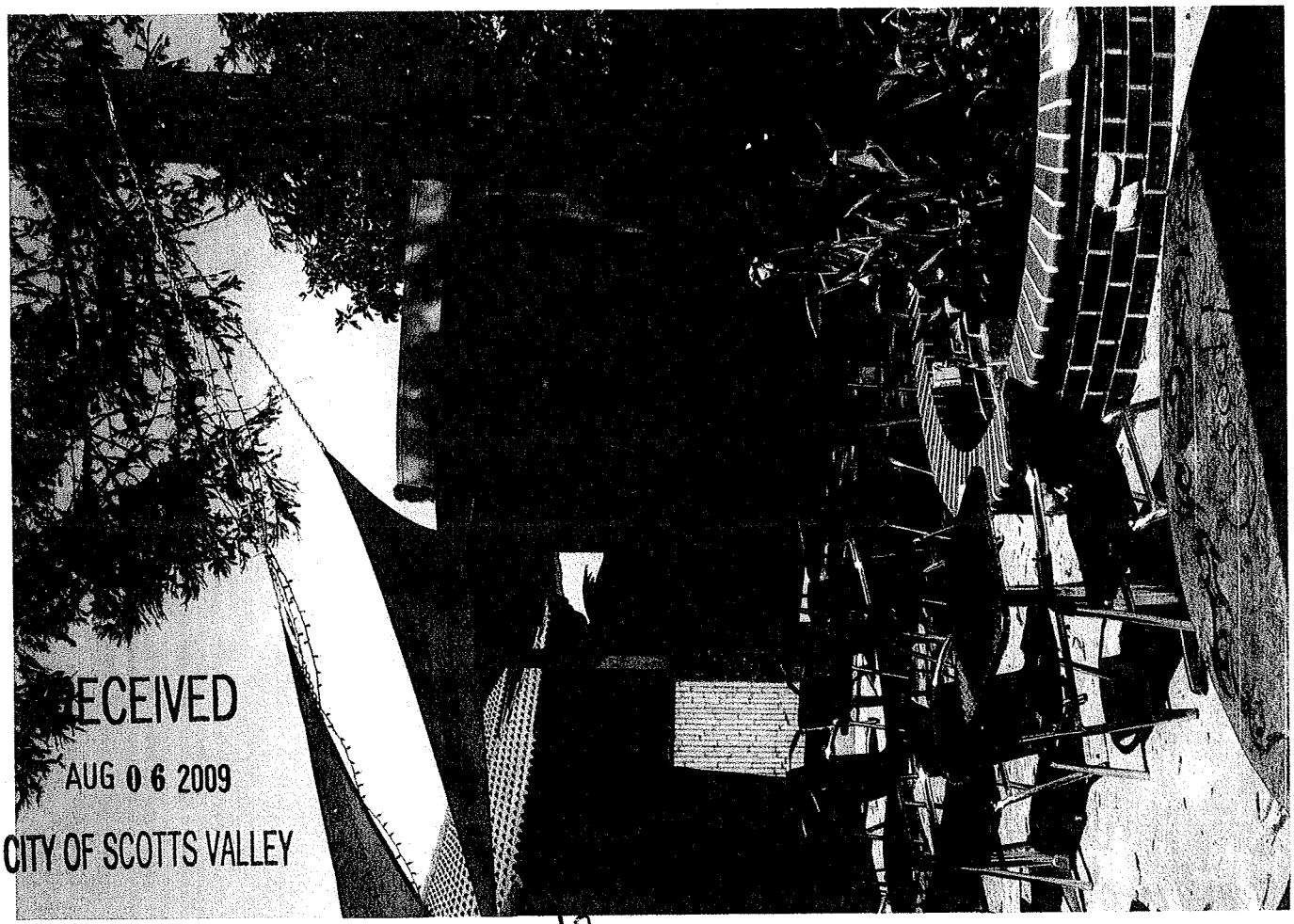

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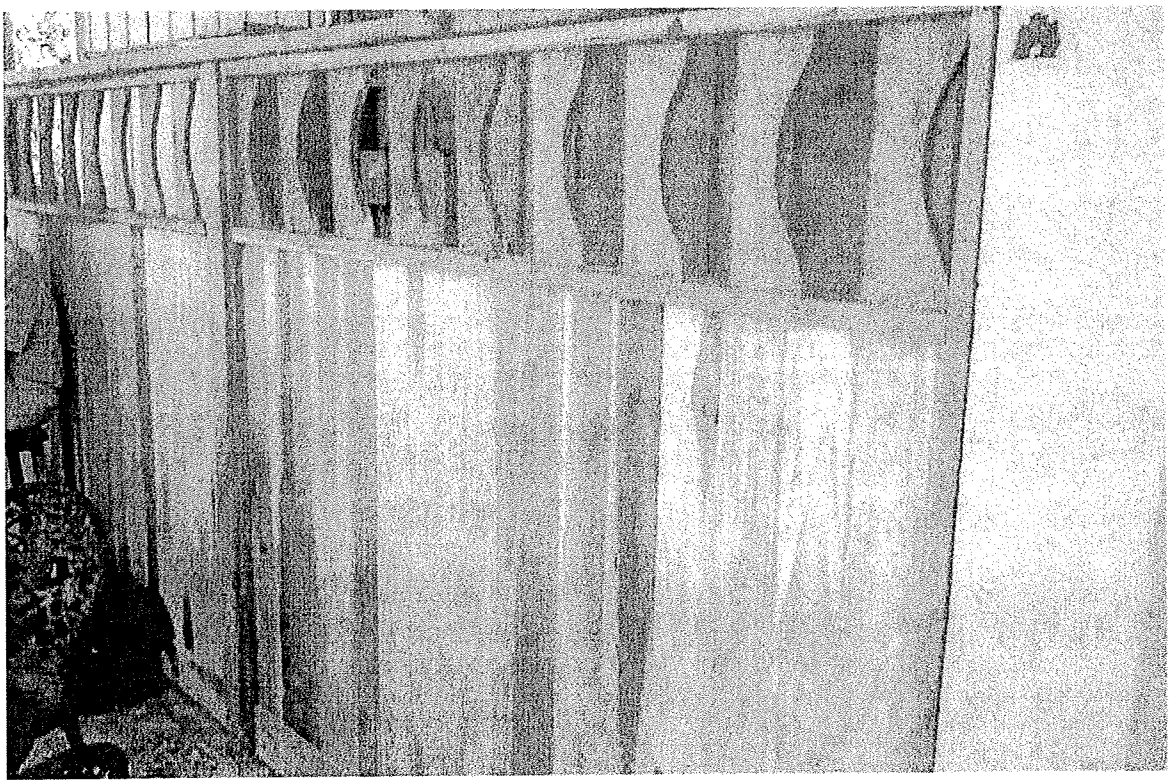

Taylor Bateman

From: Joe Strasser [jstrasser@scottsvalley.org]
Sent: Monday, August 24, 2009 7:30 AM
To: tbateman@scottsvalley.org
Subject: FW: Concerns.....

Attachment No. 9

From: Dene Bustichi [mailto:dene@bustichi.com]
Sent: Sunday, August 23, 2009 4:45 PM
To: 'Steve Ando'
Cc: 'Joe Strasser'
Subject: FW: Concerns.....

We need to talk about this ASAP

Dene

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AUG 24 2009
CITY OF SCOTTS VALLEY

-----Original Message-----
From: christine [mailto:cjoy108@hotmail.com]
Sent: Saturday, August 22, 2009 4:52 PM
To: seajems@pacbell.net; dene@bustichi.com; rlj12@comcast.net; dlindslind@earthlink.net; Anita Long
Subject: Concerns.....

Hello, I Know most of you, but just in case let me re introduce myself. My name is Christine Smith. My husband and I own Santa Cruz Pizza Company in the Scotts Valley Junction Center.
I Hope everyone is well. We are chamber members, and support the local high school in which our children attend. We support any and all local events we possible can to benefit or town of Scotts valley, especially education.

I I am writing you today because I have some serious concerns regarding the center my business is located in. Maybe you might have some idea's to help. ?? The past few months there has been talk of a bar opening in the expansion of Jia Tellas, the business attached to me. My self and my husband had approached the owner Jason regarding the rumor in hopes to find out what the plan was. To no avail we could not get a straight answer.

During the past two weeks we have watched the expansion process begin. We had heard it was going to be a wine bar from some patrons and city officials. In which any case we welcome all new growth and business to the center, it only makes us stronger as a center .

Long story short we noticed a application for a 47 permit posted on his window. With this we have some serious concerns on how detrimental it will be to our business. We service primarily families and students. Hosting birthday parties, athletic parties and ect. The fact that the proposed location host "live outdoor" entertainment and intends on adding cocktails to the mix is very alarming. They are not planning on just adding cocktails to there menu, but furnishing a "BAR" for there concert goers. Most of there outdoor concerts are attended by people for entertainment value and alcohol consumption. Not for the dinning experience.

Our front door is located 25 feet away from there's. We cater to families, and many after school students. In which many are here after school for pizza, burritos, ice cream with out parental supervision. Children ranging

in ages 8-18. Vine Hill students, Bay Monte and the High School. I don't know any parent that will allow them to hang out next door to a bar. As a parent it would not reflect a good atmosphere or have any positive over view for children or young adults. A full service "lounge" with a bar. Not a restaurant that serves drinks on there menu, but a full bar. We have enough of a hard time dealing with the out door concerts and the intoxicated patrons that already take place. Our front door is 25 feet away from there's. The loitering of intoxicated people, and the unwillingness of locals to frequent the center with there families due to these reasons. I am extremely concerned and am aware of how this will impact my business. I have had overwhelming concern from my patrons and other complex business owners of how this could really harm us as a family atmosphere. And the financial impact could cause us to close our doors. I would have never opened our family business next door to a bar. Please email or call my cell with any help or words of wisdom you might have. I am just very overwhelmed with the thought of how this will effect so many aspects of doing business here. The morale and environment will become a drinking crowd not a family center which we have strived so hard to support and be apart of. Thank you for your time and I welcome and look forward to hearing from you. As always thanks again for supporting our business we always look forward to seeing you and your families.

Christine Smith cell-

831-435-0434

Santa Cruz Pizza

Company 831-430-0793

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AUG 24 2009

CITY OF SCOTTS VALLEY

My name is Jason Revino. My wife and I own Jia Tellas, in the Scotts Valley Junction Center. My family and I opened our restaurant over 2 years ago and have enjoyed entertaining our local families with good food and good entertainment during this time. I am writing this letter in response to a recent correspondence from the owners of the Santa Cruz Pizza Company.

It has come to my attention, indirectly, that the owners of Santa Cruz Pizza Company have some concerns about the expansion project planned in the unoccupied space between our restaurants. The SC Pizza Company recently expanded the size of their restaurant to provide for a larger population of patrons. We supported their development, and were patient with the construction process. It was very disappointing to learn of Christine Smith's letter regarding grievances about our potential growth. The content of her letter is both inaccurate and somewhat hypocritical. Furthermore, it was done very surreptitiously. As a business owner in a small community-shopping plaza, I highly value open and direct communication between business owners about controversial issues. Without this direct dialogue, there is often misinformation and poor conflict resolution. The letter Christine recently submitted was the first time I learned of her discontent with Jia Tellas, our live music and our potential expansion. She has never approached me or my wife with any specific complaints. Had she done so, we might have had the opportunity to clarify any misinformation. It is regrettable that Christine chose to write a letter specifically about my business and Jia Tellas without extending the courtesy of giving me a copy directly. I would like to take this opportunity to specifically address some of her concerns.

Our family started Jia Tellas with the hopes of creating a warm, comfortable environment for family and friends to gather. We have succeeded in this vision and we believe our restaurant has increased patron flow through SV Junction and hopefully provided our neighboring businesses with increased revenue as well. Contrary to Christine's accusation that there is an "unwillingness of locals to frequent the center...and outdoor concerts are attended...for entertainment...and alcohol consumption...not for the dining experience," the Scotts Valley families we serve throughout the week are the same patrons attending our live concerts over the weekends. The evidence behind this statement is seen in the fact that our food sales far exceed our alcohol sales during our music events. Furthermore, we specifically provide entertainment targeted to families, not merely "concert goers...and intoxicated patrons." For example, we recently promoted a band consisting of junior high and high school students, with their parents supporting them in the audience. Several of our other bands include members who are fathers of Vine Hill students. All anyone needs to do is join us for an evening of live entertainment, and they could see for themselves that the majority of dancing patrons are below the age of 10, directly contradicting Christine's assessment that our live concerts are focused entirely around alcohol. Currently, Jia Tellas and SC Pizza Company both serve wine and beer; to suggest that our restaurant generates more "loitering intoxicated patrons" may only reflect the larger service generated at Jia Tellas when compared to SCPC, rather than a different, less desirable clientele.

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As our population of patrons continues to grow, my wife and I have become eager to expand and accommodate this change. We decided to use the space next door to Jia Tellas to create a different but equally enjoyable dining experience. JT's Lounge, the name of our new site, will hopefully provide an expanded and varied food menu with a more extensive wine and spirit selection. The focus of The Lounge will be similar to Jia Tellas: a comfortable atmosphere to eat, drink and linger with friends. It will have a large screen TV featuring sporting events, a shuffle board, dart boards, increased patio seating as well as a selection of various cocktails. Similar venues exist in Scotts Valley and have served the community well. Both Mayas and Malones offer food and a full bar. Specifically, Mayas is located in a shopping plaza, in close proximity to one of our local schools, similar to the environment surrounding Jia Tellas. Families enjoy both of these restaurants and they have done quite well, generating revenue that can be put back into our community. We have already signed a lease with the shopping center property owner for our new site, which we feel is a show of support for our new facility. Our expansion plans are still a work in progress and I would be glad to discuss the general concepts with anyone who has questions, with the understanding that the details of the expansion are not required to be available to the public.

Having clarified the basic concept behind our expansion project, I feel it is important to address a few of Christine's other concerns. As she pointed out, our front door is approximately 25 feet from the SCPC entrance. As such, we often have their patrons eating food from their restaurant on our patio. Similarly, the large student population that is attracted to "hanging out" in front of their facility after school often loiters along the walkway in front of our restaurant. These are young students looking for a place to socialize, not viable clients interested in buying food from our restaurant. This same group of SCPC patrons often race on skateboards past our front door, with a slice of pizza in hand, disrupting our clientele on lunch break from local businesses. Until recently, I felt there was a mutual level of tolerance between our restaurant and SCPC given our close proximity. However, the tone of Christine's recent letter suggests otherwise.

There is a clear implication in Christine's letter that Jia Tellas attracts a less desirable clientele and fails to serve our local community: "There...is a loitering of intoxicated patrons and an unwillingness of locals to frequent the center." This is a blatant untruth and personally hurtful. I have lived in this town for nearly 20 years. My commitment to supporting this community goes without question, as I have been a resident here for two decades. It is my understanding that Christine's business is called Santa Cruz Pizza Company, not the Scotts Valley Pizza Company, as she initially planned on locating in Santa Cruz. She has lived in our city for less than 2 years. I resent and disagree with her suggestion that my current restaurant, and potential future expansion would not be good for the community. In fact, I find myself questioning the sincerity of her complaints; I cannot help but wonder if they represent a more personal financial threat rather than a threat to our community. I built my restaurant with my family for the people of Scotts Valley. We wanted to see our friends, family and neighbors put their money back into the local community, money that previously was being lost to facilities outside of Scotts Valley. We have met these goals, and plan to do the same with any plans of expanding. We know

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nearly everyone who eats and drinks at Jia Tellas by first name, and have been referred to in newspapers as one of the "local's favorite hangouts," in addition to several other awards. Furthermore, we often host bridal showers, birthday parties and business luncheons as well. The financial benefits of these relationships are obvious, but seem to have been overlooked by Christine in her letter. Jia Tellas has generated increase patron flow through SV Junction, specifically BECAUSE it is family run restaurant and people enjoy purchasing food and drink from one of their own. Any expansion project will have a similar outcome. We believe The Lounge will provide the same warm and friendly environment. We frequently see all of you enjoying an evening of food, drink and live entertainment at Jia Tellas, and look forward to seeing the same familiar faces at The Lounge as well.

Please feel free to contact me with any questions. I welcome any future discussions regarding the concerns addressed in this letter, and hope they are both evidence-based and productive.

Jason Revino
421-1170 cell
Jason@jiatellas.com

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Taylor Bateman Attachment No. 11

From: christine [cjoy108@hotmail.com]
Sent: Thursday, August 27, 2009 8:57 PM
To: Jason Revino
Cc: stephany aguilar;randy johnson;donna lind;bstevens@scottsvalley.org;Taylor Bateman;jschwartz@scottsvalley.org;MIKE MESSINGER;dene bustichi;jimreedSV@gmail.com
Subject: Re: Jia Tellas expansion project

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Hello Jason, I am writing you in response to the current email you Copied me on. I am very sorry you feel that I went behind your back in emailing some city officials on what my rights are as a business owner dealing with the issue at hand. Myself and my husband both had asked you face to face on a few occasions what your intentions were with a possible expansion. You continued to insist that you had not signed anything and were holding out to negotiate a cheaper lease. My husband personally approached you regarding rumors of a wine bar, and commented on how great that would be for the complex. But you would not comment about any expansion. We are always excited about growth and the potential it brings to the complex. We were in fact very disappointed that we had to find out about your intensions of a bar from another business in the complex when we had directly asked you on a few occasions about this. Shortly after that, a application from the ABC was posted in your window.

My reasoning for emailing the city was in fact to get some insight on my concerns, and what my options are. I was approached by another business in regards to a protest letter that contained concerns of the expansion and the current activities. Which I did NOT sign. This petition included comments of the live entertainment without a permit. The COMMON area you have converted into YOUR patio seating that you do not pay rent for and how it is a patio for every business's use. Along with may other things. Which I expressed was not a concern of mine personally. I have always kept in mind that at the end of the day you are still my neighbor. Regardless of the name of my business or the fact of how many years I have lived in this town. I always have been neighborly to everyone helping out anyway I can, including Jia Tella's. I wouldn't have had any issue at all discussing my opposition to a bar located next door to my business with you, but you never gave us the opportunity. As I stated above.

I completely understand your desire to expand and have your business prosper, yet I feel you are very misguided by comparing a profit margin from my business to yours. Believe me there is no jealousy or spite in my concern. Every business in this complex provides a variety of options for our patrons and that Is a great thing. It draws patrons here and offers them options for dinning. They are likely to return and visit a neighboring business on there next visit. That's a positive thing.

My issue is that I would have never opened my business next door to a bar. We strive to keep a family atmosphere, and Hard Alcohol brings a different cliental. I believe it would have a dramatic impact on every business in the complex. We would lose a lot of the family business that supports this complex. But in fact I did not jump on the band wagon of a petition. I simple inquired help about my concerns regarding a bar located next door to me, that was all. It is very unfortunate you have directed your anger towards my business. No matter what the outcome is, we will still be neighbors. My issue never has been with your growth, your building in progress, or any other aspect. Only the bar.

You had commented in your email regarding the "young students" looking for a place to socialize and not being viable clients to buy food from your restaurant. Yes, I can attest that we do cater to allot of "young students" and that is part of our concern. We feel they need a place to socialize, eat and hang out. That's why we offer video games and student discounts. They are a vital part of our town and need a safe place to go after school. This complex offers that to them not just our business but also with the draw of ice cream, taco's and Wendy's. That is in large, part of our concerns of a bar.

As always, I wish you and your family well. But I do not support the bar and have made my opinion clear and up front. And again I apologize for any other information you have been given. Never

was my intention on having bad relations with my neighbor. I am just concerned for the welfare of my business and my patrons.

Christine Smith
430-0793

When

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