



# County of Santa Cruz

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

[www.sccoplanning.com](http://www.sccoplanning.com)

### NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

#### NOTICE OF PUBLIC REVIEW AND COMMENT PERIOD

Pursuant to the California Environmental Quality Act, the following project has been reviewed by the County Environmental Coordinator to determine if it has a potential to create significant impacts to the environment and, if so, how such impacts could be solved. A Negative Declaration is prepared in cases where the project is determined not to have any significant environmental impacts. Either a Mitigated Negative Declaration or Environmental Impact Report (EIR) is prepared for projects that may result in a significant impact to the environment.

Public review periods are provided for these Environmental Determinations according to the requirements of the County Environmental Review Guidelines. The environmental document is available for review at the County Planning Department located at 701 Ocean Street, in Santa Cruz. You may also view the environmental document on the web at [www.sccoplanning.com](http://www.sccoplanning.com) under the Planning Department menu. If you have questions or comments about this Notice of Intent, please contact Matt Johnston of the Environmental Review staff at (831) 454-3201

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. If you require special assistance in order to review this information, please contact Bernice Romero at (831) 454-3137 (TDD number (831) 454-2123 or (831) 763-8123) to make arrangements.

#### **PROJECT: THE LUMBERYARD MIXED USE DEVELOPMENT**

**APP #: 141157**

**APN(S): 032-092-01; 032-092-05**

**PROJECT DESCRIPTION:** The proposal is to demolish an existing lumberyard building and to construct a 9,600 square foot commercial, retail building with one commercial condominium unit at the lower floor that includes 3,200 square feet of restaurant use and 3,200 square feet of retail use and 3,200 square feet of office/service commercial use, and eight residential condominium units totaling 9,600 square feet at the second and third floor, together with a detached 2,033 square foot residential parking structure with eight separate garages, one for each condominium unit. This requires a Commercial Development permit including a Master Occupancy Permit; the approval of a Tentative Map; a Coastal Development Permit; a Height Exception to allow for an increase in height from 35 feet to around 38 feet 4 inches; a Variance to allow for two name signs for the center; Design Review, and the approval of a Parking Plan.

**PROJECT LOCATION:** The project is located at the corner on the south side of Portola Drive and the east side of 38<sup>th</sup> Avenue within the community of Live Oak in the unincorporated County of Santa Cruz.

**EXISTING ZONE DISTRICT: C-2 (Community Commercial)**

**APPLICANT: HAMILTON SWIFT AND ASSOCIATES**

**OWNER: NORTH POINT INVESTMENTS FUND, LLC**

**PROJECT PLANNER: Lezanne Jeffs, (831) 454-2480**

**EMAIL: [Lezanne.Jeffs@santacruzcounty.us](mailto:Lezanne.Jeffs@santacruzcounty.us)**

**ACTION: Mitigated Negative Declaration**

**REVIEW PERIOD: September 12, 2015 through October 13, 2015**

This project will be considered at a public hearing by the Planning Commission. The date, time and location have not yet been set. When scheduling does occur, these items will be included in all public hearing notices for the project.



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### MITIGATED NEGATIVE DECLARATION

**Project: The Lumberyard Mixed Use Development**  
**APN(S): 032-092-01; 032-092-05**

**Application #: 141157**

**Project Description:** The proposal is to demolish an existing lumberyard building and to construct a 9,600 square foot commercial, retail building with one commercial condominium unit at the lower floor that includes 3,200 square feet of restaurant use and 3,200 square feet of retail use and 3,200 square feet of office/service commercial use, and eight residential condominium units totaling 9,600 square feet at the second and third floor, together with a detached 2,033 square foot residential parking structure with eight separate garages, one for each condominium unit. This requires a Commercial Development permit including a Master Occupancy Permit; the approval of a Tentative Map; a Coastal Development Permit; a Height Exception to allow for an increase in height from 35 feet to around 38 feet 4 inches; a Variance to allow for two name signs for the center; Design Review, and the approval of a Parking Plan.

**Project Location:** The project is located at the corner on the south side of Portola Drive and the east side of 38<sup>th</sup> Avenue within the community of Live Oak in the unincorporated County of Santa Cruz.

**Applicant: Hamilton Swift and Associates**

**Owner: North Point Investments Fund, LLC**

**Staff Planner: Lezanne Jeffs, (831) 454-2480** email: [Lezanne.Jeffs@santacruzcounty.us](mailto:Lezanne.Jeffs@santacruzcounty.us)

**This project will be considered at a public hearing by the Planning Commission at a date to be determined. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.**

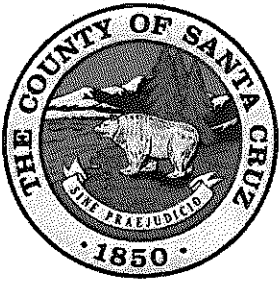
#### California Environmental Quality Act Negative Declaration Findings:

Find, that this Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period, and; on the basis of the whole record before the decision-making body (including this Negative Declaration) that there is no substantial evidence that the project will have a significant effect on the environment. The expected environmental impacts of the project are documented in the attached Initial Study on file with the County of Santa Cruz Clerk of the Board located at 701 Ocean Street, 5<sup>th</sup> Floor, Santa Cruz, California.

Review Period Ends: October 13, 2015

Date: \_\_\_\_\_

\_\_\_\_\_  
TODD SEXAUER, Environmental Coordinator  
(831) 454-3511



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## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY/ENVIRONMENTAL CHECKLIST

**Date:** August 24, 2015

**Application Number:** 141157

**Project Name:** The Lumberyard

**Staff Planner:** Lezanne Jeffs

### I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

**APPLICANT:** Hamilton Swift and Associates

**APN(s):** 032-092-01; 032-092-05

**OWNER:** North Point Investments Fund, LLC

**SUPERVISORAL DISTRICT:** First District

**PROJECT LOCATION:** The proposed project is located at the corner on the south side of Portola Drive and the east side of 38<sup>th</sup> Avenue within the community of Live Oak in the unincorporated County of Santa Cruz. The County of Santa Cruz is bounded on the north by San Mateo County, on the south by Monterey and San Benito counties, on the east by Santa Clara County, and on the south and west by the Monterey Bay and the Pacific Ocean.

**SUMMARY PROJECT DESCRIPTION:** The proposal is to demolish an existing lumberyard building and to construct a 9,600 square foot commercial, retail building with one commercial condominium unit at the lower floor that includes 3,200 square feet of restaurant use and 3,200 square feet of retail use and 3,200 square feet of office/service commercial use, and eight residential condominium units totaling 9,600 square feet at the second and third floor, together with a detached 2,033 square foot residential parking structure with eight separate garages, one for each condominium unit. This requires a Commercial Development permit including a Master Occupancy Permit; the approval of a Tentative Map; a Coastal Development Permit; a Height Exception to allow for an increase in height from 35 feet to around 38 feet 4 inches; a Variance to allow for two name signs for the center; Design Review, and the approval of a Parking Plan.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** *All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.*

- |   |  |
|---|--|
| <input type="checkbox"/> Aesthetics and Visual Resources    | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Mineral Resources     |
| <input checked="" type="checkbox"/> Air Quality             | <input checked="" type="checkbox"/> Noise      |

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** *All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.*

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Biological Resources                 | <input type="checkbox"/> Population and Housing                        |
| <input checked="" type="checkbox"/> Cultural Resources                   | <input type="checkbox"/> Public Services                               |
| <input checked="" type="checkbox"/> Geology and Soils                    | <input type="checkbox"/> Recreation                                    |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions             | <input checked="" type="checkbox"/> Transportation/Traffic             |
| <input checked="" type="checkbox"/> Hazards and Hazardous Materials      | <input type="checkbox"/> Utilities and Service Systems                 |
| <input checked="" type="checkbox"/> Hydrology/Water Supply/Water Quality | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

**DISCRETIONARY APPROVAL(S) BEING CONSIDERED:**

- |  |  |
|--|--|
| <input type="checkbox"/> General Plan Amendment        | <input checked="" type="checkbox"/> Coastal Development Permit                   |
| <input checked="" type="checkbox"/> Land Division      | <input checked="" type="checkbox"/> Grading Permit                               |
| <input type="checkbox"/> Rezoning                      | <input type="checkbox"/> Riparian Exception                                      |
| <input checked="" type="checkbox"/> Development Permit | <input type="checkbox"/> LAFCO Annexation  |
| <input type="checkbox"/> Sewer Connection Permit       | <input checked="" type="checkbox"/> Other: Signage Variance and Height Exception |

**OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., permits, financing approval, or participation agreement):**

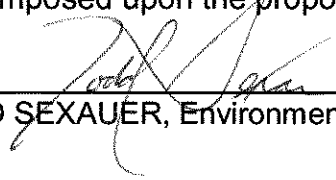
<u>Permit Type/Action</u>	<u>Agency</u>
None required	N/A

**DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

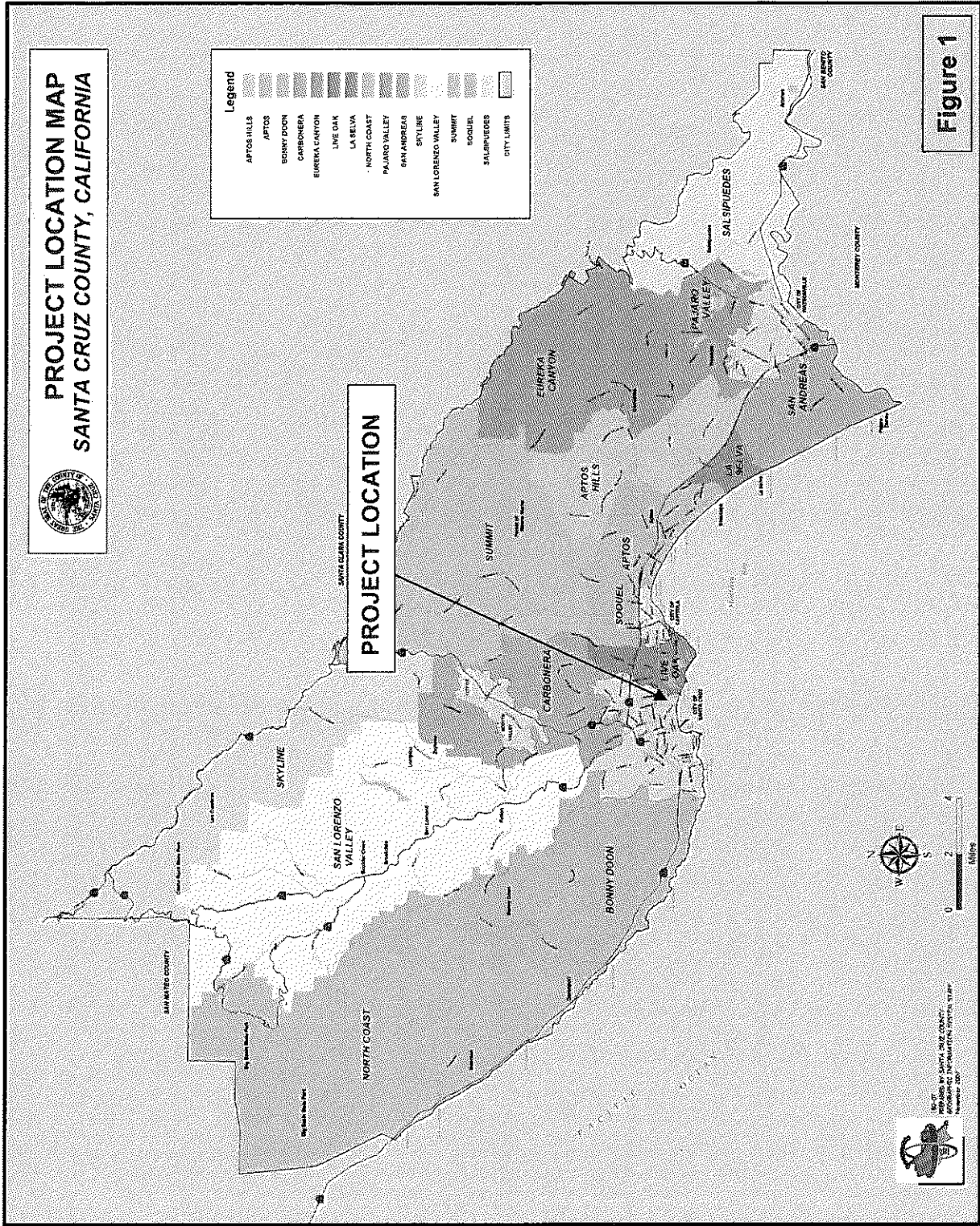
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
TODD SEXAUER, Environmental Coordinator

9/8/15  
\_\_\_\_\_  
Date



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