Re: Proposed Nissan Project

"The EIR is also intended to demonstrate to an apprehensive public that the agency has, in fact analyzed and considered the ecological implications of its action [in approving a project]."

"The Legislature has made clear that the purpose of an EIR is "an informational document and that the purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project can be minimized, and to indicate the alternatives to such a project." (CEQA)

Most Soquel residents live north of Soquel Drive. We live on streets and roads like Mission Drive, Thurber, Winkle, Dover, Rodeo Gulch, Porter/Old San Jose, Main St/Cherryvale/Glen Haven, Hannah, Fairway, Victory, and Maplethorpe. We have no choice but to travel on Soquel Drive for anything we want or need to do away from our homes. Our every weekday reality is a gridlocked line of cars from Dominican to Park Avenue after 2:30 in the afternoon. Quality of life in our neighborhoods has declined as congestion has increased on Soquel Drive.

The Santa Cruz County Sustainability Plan offered us hope that this untenable situation could be made better through thoughtful land use planning and transportation choices. Soquel residents dutifully attended many public meetings, contributing ideas and opinions about how we wanted our community to look in the future. Our Board of Supervisors accepted the Plan in October 2015 and directed our Planning Department to codify the visions it contains into County statutes and law.

Public trust was shattered in April 2017 when the greater public found our County officials, ignoring the tenets of the Sustainable Plan, were actively supporting a regional car dealership that would add more traffic to the area and be located on properties identified in the Sustainable Plan as a key location for local serving businesses.

A DEIR was ordered to be prepared after citizens expressed anger and dismay. This DEIR was prepared by the Santa Cruz County Planning Department, the same agency that prepared and recommended adoption of a Mitigated Negative Declaration in April 2017.

We find that this DEIR lacking. It is narrow in its scope rather than being comprehensive and informative about the broader implications of the proposed project.

For Sustainable Soquel

Vivian Fenner-Evans  Anita Gabriel  Jan Kampa  Liz Levy
Robert Morgan  Lisa Sheridan  Katherine Sweet
In The Beginning

Page ii 6.0 REFERENCES AND LIST OF PREPARRERS directs readers to Section 6-2 for the list of the DEIR preparers (persons involved in data gathering, analysis, project management, and quality control)

**County of Santa Cruz Planning Department**

*Kathy Molloy Provisich, Planning Director*
*Todd Sexauer, Project Manager/Environmental Coordinator*
*Nathan MacBeth, Project Planner*
*Carolyn Burke, Senior Civil Engineer/Environmental Planning*
*Annie Murphy, Planner/Historic Resources*
*Sarah Neuse, Planner/Native American Consultation*
*Laura Brinson, Senior Plans Examiner/Accessibility*
*Rodolfo Rivas, Traffic Engineer/Traffic Impact Analysis*
*Alyson Tom, Civil Engineer/Storm Water Management*
*Bob Hambleton, Project Manager/Sanitation*

The CEQA Initial Study/Environmental Checklist is dated Thursday, April 6, 2017 with Nathan MacBeth noted as the staff planner. On April 12, 2017, less than one week later, Environmental Coordinator Todd Sexauer signed a Notice Of Intent To Adopt A Mitigated Negative Declaration which states “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...I find that the proposed project MAY have a significant effect on the environment.”

(Note: The project description wrongly states that the proposed project is located “within the community of Live Oak.” It is actually in the Soquel Planning area.)

Soquel (and other County) residents became aware of this proposal on April 22, 2017. It was happenstance that someone in the City of Santa Cruz called a Soquel friend and asked “what do you think about the Nissan proposal on Soquel/41st.”

That was when local residents discovered that County Planning was recommending project approval based on a Mitigated Negative Declaration asserting there would be no problems that could not be solved. Documents supporting the development exceeded 800 pages and any public comments had to be submitted by May 1.

After a number of postings on public media by private citizens, the Board of Supervisors, Planning Department and Planning Commission received numerous e-mails and letters of complaint and concern. Under the weight of public pressure and media exposure, the Planning Director reluctantly extended the public comment deadline to May 8, 2017.

The Planning Department scheduled a hearing on the project before the Planning Commission on May 10, 2017. Citizens were prepared to appear before the Planning Commission but that item was cancelled from the Commission’s agenda on May 9 just before 5 p.m.

Ultimately the 1st District supervisor asked that a Draft Environmental Impact Report (DEIR) be prepared instead of the CEQA Negative Declaration recommended by the Planning Department. Initially, the Planning Department said it would only do a “Focused” DEIR. The public was later advised that a full DEIR would be released in late July 2017, with the comment
period ending in early September. The document was actually released in the week before New Year’s.

Public members requested that the required 45-day public comment period be extended for an additional 45 days so people could review the 314 page DEIR and approximate 1000 pages of eleven technical appendices. The Planning Department only added an additional 8 days to the public comment period.

Questions:
- When did the applicant first make contact Santa Cruz County Planning Department about this project?
- What was the initial advice given to the applicant about the zoning at Soquel Drive/41st Avenue?
- When did the applicant furnish data used by the Planning Department for the CEQA Initial Study?
- What data was furnished?
- Who made the determination to write the DEIR for the applicant?
- When was that decision made?
- Furnish a copy of the contract between the applicant and Santa Cruz County Planning Department.
- How many staff hours were spent creating this DEIR?
- What DEIR sections are solely the work of Santa Cruz County Planning staff?
- How much did the applicant pay Santa Cruz County for its staff’s work on the DEIR?

How Did This Happen?

The applicant evidently began his business plan to open up a Nissan dealership in Santa Cruz County some time in 2015. (We’re guessing) Numerous references in various publications indicate that the applicant decided by at least early 2016 that he wanted to put his business at the intersection of Soquel Drive and 41st Avenue. He made a multi-million dollar commitment to properties with existing zoning that did not allow his proposed project. Why would he have committed this much money without having received some assurances from County personnel that his project was likely to be approved?

From Bloomberg: As of April 19, 2016, Santa Cruz Nissan, Inc. operates as a subsidiary of Groppetti Ltd., Inc.

From the Fresno Bee July 10, 2016:
“I’m driven by profit, but I’m also driven by challenges,” Groppetti said...“The company will temporarily use the existing facilities in Santa Cruz, but has plans to break ground on a new building in early fall, said spokesperson Anna Gonzales.”

From the Santa Cruz Sentinel, May 1, 2017: “The Nissan project has been in the pipeline for about 18 months, according to Karen Calcagno, who with her husband Joseph sold property on Soquel Drive to Groppetti in February for $5.44 million.” (Note:) 18 months before May 2017 is December 2015.
From the Capitola Soquel Times, June 27, 2017: “The Nissan project has been in the pipeline for about 18 months...... Santa Cruz County’s economic development manager, Andy Constable, sees the development as a way to revitalize that section of 41st Avenue.”

From the Santa Cruz Sentinel, January 4, 2018: “Looking for a larger location and fixing on a site at 3820 Soquel Drive across from Ocean Honda,... he was encouraged by Andy Constable, the county’s economic development manager, and purchased 1.3 acres for $5.44 million.”

From the Santa Cruz Sentinel, May 9, 2017: “Andy Constable, Santa Cruz County’s economic development manager, sees the development as a way to revitalize a rundown section of 41st Avenue while creating jobs for residents along a transit corridor and generating tax revenues for county programs.”

Evidently the applicant must have felt confident that his business venture would be approved of and accommodated by Santa Cruz County staff. We believe that assurance was based on his relationship with Santa Cruz County’s new Economic Development Manager Andy Constable.

Constable was hired on October 21, 2015 with a salary of $179,593.35. Susan Maurielo, Santa Cruz County CAO said when Constable was hired: “I am pleased to have Mr. Constable...Andy is the perfect candidate to help us navigate toward a more sustainable economy that works for local residents, provides for economic opportunity and supports the strength and character of our community.”

An extensive and expensive 16-month public process was finished in 2014, culminating with the Santa Cruz County Board of Supervisors accepting the Sustainable Santa Cruz County Plan on October 28, 2014. The Sustainable Plan is a “vision” document and cannot be formally adopted, like General Plan zoning changes. After the Plan was accepted by the Supervisors, the Planning Department was charged with making the specific zoning changes as stated in the Plan. Their timeline was to work on those zoning updates in the summer of 2015, with the Supervisors’ review and adoption of changes by October 2016. The Planning Department has still not finished that charge.

From 2014 through April 2017, Soquel residents thought they knew what would eventually be added as businesses to their community at Soquel and 41st. Their expectations were that that location would eventually be built out as community-serving small businesses. A similar situation had happened in 2015 across the street where the small vacuum cleaner store and several older structures were replaced by a small shopping area. There was anger and surprise when the community realized that not only had the Sustainable Plan been completely ignored by the Planning Department but also that the public had not been informed about this project in any sort of meaningful way.

From the Santa Cruz Sentinel, May 9, 2017: “...residents were miffed they were not notified of a county meeting in December (2016) about the dealership; notices were sent to people living within 300 feet of the site, where most neighbors are businesses.”

From the Santa Cruz Sentinel, May 9, 2017: “Barbara Mason, the county’s economic development coordinator, said only two people attended a community meeting on the project. The public meeting was held Dec. 8, with notices sent out to everyone in a 300-foot radius per county code, according to county spokesman Jason Hoppin.”
The Economic Development noted in their annual report to the Board of Supervisors on June 19, 2017 that assistance had been given to the Nissan proposal.

From the May 18, 2017 Annual Status Report for the Office for Economic Development notes: “In addition, the staff has played a role in working with many businesses/proposed projects over the last year including, but not limited to the following:

- **Nissan – Live Oak** (Note: This report wrongly states this project is in Live Oak)
- The Lumberyard – Pleasure Point
- Grey Bears – Live Oak
- Café – Seacliff
- Sand Rock Farm – Apts
- Inner Faith Church – Soquel
- Mixed Use – Pleasure Point
- Healthy Oceans Seafood – Live Oak
- Women’s Health Center – Live Oak

The same OED report also states “The support of the medical district and businesses, including the new Sutter/PAMF development at the flea market site continues.”

The County OED website includes the following information for potential new businesses:

**4. Verify Zoning Regulations:** Before finalizing your business location or signing a lease, contact the County of Santa Cruz Planning Department at (831) 454-2130 to determine if your business is an eligible use for a specific location and whether any special approvals are required. All businesses must locate in areas zoned to allow that particular business activity.”

Questions:

- Where is Andy Constable referenced in the DEIR as a County staff person involved “in data gathering, analysis, project management, and quality control” in the production of that document?
- Who in our County government structure was first in contact with the applicant or his representatives?
- When did Constable’s involvement with this project start?
- Who made the determination that the 41st Avenue/Soquel Avenue property was the best location for this dealership?
- Who in the County government structure authorized Constable to work on this project?
- Furnish all e-mails exchanged between Constable, the Santa Cruz County Planning Department and the applicant under FOIA (California Freedom of Information Act) from 2015 to 2018.
- What was Constable’s contribution to the applicant’s decision to pursue the Soquel Drive/41st Avenue properties?
- Characterize and explain Andy Constable’s role in moving this project forward.
- Did anyone inform the applicant that the property he was considering did not have the appropriate zoning for his project? If not, why wasn’t he informed?
- The DEIR makes no mention of the potential for greatly increased traffic along the Soquel Drive corridor when Palo Alto Medical Clinic converts the Skyview Drive-in/Flea market to medical uses.
Project kick-off meeting

Postcards notifications for this meeting were sent to properties within 300 feet of the proposed project, missing entirely at least 1000 people who live with 1000 feet of the project site. We were told at the May 2017 community meeting that only two people came to the meeting other than those associated with the project.

The size and scope of this project should have been a clear indication that the greater Soquel community should have been made aware of it in when it was first considered. We feel that a stronger commitment to public involvement should have happened.

"1. INTRODUCTION This traffic study presents the findings of the traffic analysis for the proposed construction of a new auto dealership (Santa Cruz Nissan), which will be located on six parcels southwest of the intersection of 41st Avenue and Soquel Drive in unincorporated Santa Cruz County...The Project will accommodate on-site parking for both bicycles and passenger vehicles and have one full access driveway from Soquel Drive and one right-in right-out driveway from 41st Avenue. It will be open seven days a week from 9:00AM to 8:00PM Monday through Friday, from 9:00AM to 7:00PM on Saturdays, and from 11:00AM to 6:00PM on Sundays. The Project will have 20,111 square feet of gross floor area, which includes the auto showroom, reception area, parts storage rooms, administration and offices, lounge area, bathrooms, and service building...This study was prepared based on discussions with Santa Cruz County during the Project kick-off meeting on October 5, 2016. It also complies with traffic impact study guidelines and criteria set forth by Santa Cruz County."

Questions:

- Who attended the Project kick-off meeting October 5, 2016?
- Who hosted the meeting?
- What specific Santa Cruz County criteria determined that this project should be supported and promoted by the Planning Department even though it conflicts with the Santa Cruz Sustainable Plan adopted by the Supervisors in 2014?
- Who made those determinations?
- Show a list of who was mailed postcards about this meeting?
Section 2.0 Project Description

"This section provides a description of the proposed project, including information regarding the project applicant, project location, major project characteristics, approximate construction schedule, project objectives, and discretionary approvals needed for the project."

Section 2-2 describes the area surrounding the proposed project area: "The project site is located in the central portion of Santa Cruz County, to the west of Soquel Village and to the north of the City of Capitola. The project site is located approximately 1,000 feet north of Highway 1 and approximately 1,100 feet east of Rodeo Creek Gulch. The site is bordered by Soquel Drive and 41st Avenue, on the north and east respectively; by a microbrewery and full service carwash to the south; and by a lumber yard to the west.

This description leaves out a lot. The only sites acknowledged south of the project site are Rain Tree Car Wash and Discretion Brewery. A number of other local-serving businesses located in a C-2 zoning district were ignored. There is a beauty shop, a Cross Fit Gym, a retail tent shop, a cannabis medical dispensary, two furniture store and several restaurants. All of the commercial enterprises are as close as immediately adjacent to the project site to just a few 100 feet away.

A relatively new shopping center (north) just across Soquel Drive has a number of local-serving businesses such as a toy store, a sandwich shop, a United Parcel store, a Fish Vet, a medical office and a fitness gym. Immediately across Soquel Drive are a smog check business and several small automotive repair shops.

The description fails to note that there are two mobile home parks within 500 feet, a large mobile home park (Alimur) whose back border is just over 600 feet away, and an even larger mobile home park (Rodeo Mobile Home Estates) that also has a back perimeter within 700 feet of the proposed project site. Greenbrae Lane is a residential community is just north of the project. Note that all of the mobile home parks and the residential Greenbrae neighborhood are considered Sensitive Receptors under CEQA guidelines.

We feel a factual project description is critical to an honest environmental assessment and regret that the description in this DEIR falls far short of that.
2.5 Project Objectives

The applicant’s objectives of the proposed Nissan of Santa Cruz project are as follows:

- To provide a conveniently located, attractively designed automotive dealership and service center that will offer a full range of automotive models and services that satisfy the demand for new car buying opportunities within unincorporated Santa Cruz County.
- To provide Service Commercial development within an area currently designated as Community Commercial.
- To combine multiple small parcels into one large parcel that can be developed to provide a greater community benefit.
- To provide for the efficient redevelopment of an existing community commercial area that is currently underutilized with blighted non-conforming residential properties, outdated commercial uses, and non-conforming site improvements.
- To provide commercial tax revenues to the unincorporated County of Santa Cruz.

Here are the CEQA Guidelines description of what the statement of objectives should be: Section 15124(b) "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid decision makers in preparing findings of statement of overriding considerations, if necessary the statement of objectives should include the underlying purpose of the project."

We believe it is informative to include a discussion about the Santa Cruz County Sustainable Plan because this applicant asks our decision-makers to override and supersede that Plan to approve his private development project.

State law AB 32, the California Global Warming Solutions Act of 2006, is a comprehensive, long-term approach to addressing climate change. SB 375, the Sustainable Communities and Climate Protection Act of 2008 is a California state law that targets greenhouse gas emissions from passenger vehicles. Each California region was required to develop a "Sustainable Communities Strategy" that integrates transportation, land-use and housing policies to plan for achievement of the emissions target for their region.

The Board of Supervisors voted 5-0 in favor to adopt the Sustainable Santa Cruz County Plan in October 2014. The Plan provides guiding principles for land use, zoning, transportation and infrastructure improvements throughout the County’s urban core and the Planning Department was directed to make the specific zoning changes to reflect those principles. The expectation was that the Supervisors would review and adopt those changes by October 2016.
This DEIR, written by our own Planning Department, states that the Santa Cruz County Sustainable Plan hasn’t been “adopted” so is not applicable to this project application. That statement is misleading, disingenuous and, in our opinion, ill-advised.

The Plan is a “vision” document and cannot be formally adopted like a set of General Plan zoning changes. If that timeline had been adhered to, this Nissan project would have been even more obviously unacceptable than it is now. We acknowledge that the applicant could still have bought the parcels and asked for a zoning change. But we are disheartened that this project has seemingly had the approval of the Planning Department since at least 2016.

In April 2017, the Planning Department wrote and recommended the adoption of a Mitigated Negative Declaration that asserted there would be barely any negative environmental impacts from this project and those few impacts would be easily mitigated. The same Department has prepared the DEIR that again demonstrates a clear bias in support this project.

These are excerpts from the Sustainable Santa Cruz County Plan:

- “In Fall 2014, the Sustainable Santa Cruz County Plan was completed under a multi-year grant from the California Strategic Growth Council in the amount of $500,000. (Note: Santa Cruz County added an additional $150,000) The grant produced a planning study that describes a vision, guiding principles, and strategies that can lead to a more sustainable development pattern in the County.”
- “The Plan was created through a community process that included (16) public workshops, formation of a 20+ member Community Advisory Group, stakeholder meetings, an on-line communication and comment forum called “Open Town Hall”, and public hearings before the Planning Commission and Board of Supervisors.”
- “Economic Vitality. Support locally owned businesses that bind the community together, and new small- to mid-size businesses that generate environmentally friendly, well-paying jobs and local economic prosperity.”
- “Unique Community Character. Enhance the unique characteristics of communities by investing in healthy, safe, attractive, and walkable neighborhoods and efficient transportation choices between communities.”
- “Many residents expressed frustration with traffic congestion, lack of safe infrastructure that feels safe and inviting for biking and walking, limited transit options, housing that is not affordable for many, and lack of investment in commercial properties.”
- “Inclusive Decision-Making. Encourage community and stakeholder involvement in planning and decision-making. Ensure that planning decisions are predictable, fair, forward thinking, and cost-effective. Reform the project review process to encourage high-quality infill development and reduce unnecessary uncertainty and expense.”

Our support for the Sustainable Plan is at the heart of our argument that this proposed project should be rejected. We also rely on some excerpts from CEQA case law:

- “The EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected.”
• "The EIR process will enable the public to determine the environmental and economic values of their elected and appointed officials thus allowing for appropriate action come election day should a majority of the voters disagree."
• "The purpose of CEOA is not to generate paper, but to compel government at all levels to make decisions with environmental consequences in mind."

**Objective 1:** To provide a conveniently located, attractively designed automotive dealership and service center that will offer a full range of automotive models and services that satisfy the demand for new car buying opportunities within unincorporated Santa Cruz County.

We do believe that Objective 1 is an accurate description of the applicant’s main reason for wanting this project. We also note that this particular objective sounds, to us, as if it were written by a P.R. firm or advertising agency rather than a local government agency.

The applicant’s business over many years is that of a car dealer. His choice of this location is likely engendered by guidance from Nissan America that likes its dealers to be physically close to a Honda dealership. It is an automotive industry given that a Honda dealership sells about three times as many cars a month as a Nissan dealership. Nissan hopes that having dealerships close to Honda dealerships will give them more traffic and more potential customers than a stand-alone site.

The applicant stated in his local paper, the Fresno Bee on July 10, 2016, "I'm driven by profit, but I'm also driven by challenges." Groppetti said..."The company will temporarily use the existing facilities in Santa Cruz, but has plans to break ground on a new building in early fall, said spokesperson Anna Gonzales."

Note that this statement happened before anyone in the Soquel (or even the greater Santa Cruz) community knew that his plan was to locate his new dealership in Soquel by the end of 2017. If the Santa Cruz County Planning Department’s Mitigated Negative Declaration had been approved as originally scheduled for the May 10, 2017 Planning Commission hearing, the applicant would have been “breaking ground” in early fall 2017.

**Question:**
• What location was the applicant referring to when he speaks of breaking ground “on a new building in early fall (2017)?”
• What Santa Cruz County government agencies were in contact with the applicant in July 2016? What was the nature of those contacts?
• Does Objective 1 actually assert that the applicant only wants to “satisfy the demand for new car buying opportunities within unincorporated Santa Cruz County?”
• Does this mean that they wouldn’t sell vehicles to city-dwellers or out-of-county customers? We say this facetiously but that is actually what this directive states. It also implies that any location other than in the unincorporated parts of Santa Cruz County would be unsuitable or unworkable. That assertion would eliminate many possible alternative locations in our county.
• The only alternative site identified in this DEIR is also located in the unincorporated part of the county. _Were other sites in Santa Cruz County_
considered as possible alternative locations other than the one alternative location examined in this DEIR? If other sites were considered, where were they and why were they rejected?

- Did the Santa Cruz County Office of Economic Development offer any assistance to the applicant in locating other suitable properties for a car dealership elsewhere in the County?

Objectives 2 and 3 are not actually “project objectives” needful for building a new car dealership. These are the special favors that the applicant is asking from the County so he can locate his business in this particular location.

**Objective 2:** To provide Service Commercial development within an area currently designated as Community Commercial.

**Questions:**

- What proof is there that are no existing properties within Santa Cruz County with C-4 zoning that would serve the applicant’s business plan?
- Does Objective 2 indicate a judgment is being made by the DEIR authors (Santa Cruz County Planning Department) that the County has too much Community Commercial zoning and insufficient Service Commercial zoning? The Santa Cruz Sustainability Plan supports this entire area retaining its current General Plan C-2 zoning. The San Lorenzo storage yard next to the proposed Nissan project is noted as non-conforming in the General Plan and, if the current use is changed, that the property will be rezoned to C-2 (Community Commercial).

**Objective 3:** To combine multiple small parcels into one large parcel that can be developed to provide a greater community benefit.

The Land Use section of the General Plan states that commercial areas in Santa Cruz County are designed to respond to five different levels of need for goods and services. “The second level, community commercial, is designed to satisfy a broader need for goods and services and provide concentrated centers of commercial development. Existing Community Commercial areas are generally found along arterial streets such as Soquel Avenue, Soquel Drive, 41st Avenue, and Freedom Boulevard. In addition, some uses in the Community Commercial designation may attract residents from other areas of the county. Large, more “regional” uses may be appropriate in unincorporated urban areas where sufficient land is available and impacts on the surrounding neighborhoods can be mitigated.”

The DEIR lacks any discussion about the pros and cons of combining smaller parcels into one large parcel. The objective is stated but not supported with examples. There are social consequences that may be negative consequences.

An automobile car dealership takes up a large amount of land and has more value to the regional area then a local community. Although it may sometimes provide intensive tax dollars it must also be considered in the context of its negative impact to maintaining or providing a walkable neighborhoods and easy access to community commercial districts.
Questions:

- Why didn’t the DEIR provide any of the plethora of examples available from the Santa Cruz County Sustainable Plan which supports many different types of modern commercial district?
- Did the Economic Development Team consider any other possible development projects for this corner?
- In Objective 3, the “community benefit” accrues to the applicant to have sufficient property for his project. For this plan to be approved, the Board of Supervisors will have to adopt a “statement of overriding considerations” that indicates that even though a project would result in one or more unavoidable adverse impacts, it has specific economic, social or other stated benefits sufficient to warrant project approval. **What is the “greater community benefit” that will happen if these eight small lots are combined into one?**
- Where in the DEIR is it noted that these separate parcels will be joined into one taxable parcel?

These properties were identified in the Sustainable Plan as components in achieving one of the major goals of the plan – reducing greenhouse gas emissions by lowering Vehicle Miles Traveled (VMT). From the Sustainable Plan:

“Focused Development. ...encourage those new uses to use land efficiently. New development should be compact, located primarily within existing urban areas, and should feature a mixture of uses and development intensities that support transportation choices including transit, cycling, walking, and carpools, and to the extent possible, promote the fiscal sustainability of the area.”

“Increased residential and commercial intensity supports more frequent bus service. Bike lanes, enhanced crosswalks and other infrastructure improvements increase safety, comfort, and convenience for bicyclists and pedestrians. Mixed-use development creates more destinations that are accessible to area residents by bus, bicycles, and walking. Shared structured parking allows visitors to park once and walk to different destinations.”

A regional car dealership serves none of the goals stated above.

As the only Nissan dealer in Santa Cruz County, this business will advertise for and encourage customers to come from all parts of the county. People do not walk to car dealerships. This dealership will occupy eight existing properties that could each provide a location for eight local small businesses. This dealership will divide the thriving and diverse commercial community that surrounds this site.

As noted at the February 8 Community meeting, at least 1000 people live in four mobile home parks within 1000 feet of this site. Many of those people have limited incomes and no vehicles. These eight parcels would serve these residents better if they housed a variety of small businesses.

A new small shopping center was built two years ago just across Soquel Drive from the project site. It reflects all the values of the Sustainability Plan. The businesses there already have strong customer bases and serve the local community.
The Starbucks in the Redwood Shopping Center serves the same sort of function of reducing Vehicle Miles Traveled because it draws most of its regular customers from the Soquel neighborhood. Starbucks aficionados no longer have to drive to Clares Street in Capitola, 17th Avenue in Santa Cruz or Soquel Drive in Aptos.

**Objective 4:** To provide for the efficient redevelopment of an existing community commercial area that is currently underutilized with blighted non-conforming residential properties, outdated commercial uses, and non-conforming site improvements.

Objective 4 has absolutely no relationship to this project and has nothing to do with the applicant wanting to open a car dealership. The Clock Tower shopping center, opened just two years ago, replaced a small vacuum cleaner shop in an older, unimproved building and several other dilapidated buildings.

This objective makes the assumption that the proposed Nissan project is the only thing that can save this property from blight, out-dated commercial uses or that this property will remain underutilized for many years to come.

**Questions:**

- Why does this DEIR describe Kings Paint and Paper as an “outdated” commercial use? The paint store is a local business that’s at least 25 years old with two County locations and a loyal clientele. It has relocated to Capitola. The fact that the building could have been updated or re-modeled was the responsibility of the property owner.
- All of these properties are zoned C-2 and sit on the corner of a major transportation corridor. If these properties are “blighted,” why did the applicant pay $5.5 million for them?
- What is the monetary value of comparable C-2 properties?
- What is the new assessed value of each of these lots? Are the commercial possibilities of each lot factored into the re-assessments?
- Is there increased resale value for these lots for something like a Planned Unit Development if they’re owned by one entity?

**Objective 5:** To provide commercial tax revenues to the unincorporated County of Santa Cruz.

The stated “objective” is not explained. It does not add to an accurate description of the project’s underlying purpose. It has no bearing as to why he wants to locate his business in this particular location. Due to this limitation, it prevents the lead agency that prepared the DEIR from evaluating possible alternatives not located in the unincorporated part of Santa Cruz County.

The applicant himself disavowed this objective at his February 8, 2018 community meeting. Asked specifically about this “objective” and “why he listed on his application that he wanted to provide tax dollars to Santa Cruz County,” he stated emphatically that this was not his objective and he did not write it.

There is no logical relationship that this applicant has with Santa Cruz County. The applicant is NOT a resident of Santa Cruz county and has no previous history or ties to the Santa Cruz
County community. This applicant is a private citizen from Visalia and, by his own admission, will soon be residing in Carmel, California.

Questions:

- Why would he rather give tax dollars to Santa Cruz County than any other taxing jurisdiction?
- Who wrote the Objectives listed in this DEIR?

Revenue Questions

Proponents of this project emphasize the fact that this project would "provide commercial tax revenues to the unincorporated County of Santa Cruz."

Mr. Groppetti is quoted in the May 1, 2017 Santa Cruz Sentinel as saying he would increase his employees to 40 at the new dealership (if it is approved)

This property is currently zoned C-2 (Community Commercial) Anything built there will generate tax revenue for the County. We also ask questions that would contrast the proposed project with General Plan/Sustainable Plan compliant uses.

Questions:

- What is the number of car dealership employees based on? Number and revenue of new car sales? Number and revenue of used car sales? The number of cars worked on and revenue of the service and parts department?
- How many cars would a Nissan dealership need to sell or service to justify 40 employees?
- When does the applicant anticipate having 40 employees? One year? Two Years? How many years?
- How many people could be expected to be employed at eight separate service or retail businesses that could be built at this site?
- Does the County have any data that notes the average number of employees at C-2 businesses in the County?
- Various numbers on how many cars this dealership will sell monthly have been discussed in various forums and publications. What is the expected number of new car sales per year?
- What is the expected number of sales of new and used cars to households in Santa Cruz County?
- What is the expected number of sales of new and used cars to be sold to consumers from outside of Santa Cruz County?
- What amount of tax revenue is expected from the dealership's different department (sales, service & parts) per year?
- What portion of the sales tax on a new car stays in Santa Cruz County?
- What portion of the sales tax on a new car is given to the city or county where the car will be registered?
- How many Nissans are sold per month or year in comparably-sized California counties?
- What is the percentage of Nissan sales compared to Toyota or Honda sales?
- Would this dealership be able to sell the same number of cars as a Nissan Store in Monterey or Salinas?
- The Economic Development Team states that a Soquel dealership will sell twenty million in car sales per year. Approximately how many cars would need to be sold?
- Does Nissan America track data that show the average lot size and area population of its dealerships which sells 20 million in (new) car sales per year?
- In dollars, how much tax revenue does Santa Cruz County expect to receive from this new dealership (if approved)?

**Sales Tax by Major Business Group**

The Auto and Transportation sector accounts for the least amount of tax revenue in the seven major business groups.

Questions:
- What data shows the potential revenue that could be generated from mixed use or community commercial businesses occupying the project site be considered for a car dealership??
- What are the revenue potentials of businesses that are suitable for C2 zoning?
3.6 Land Use and Planning

The DEIR lists and examines Policy Consistencies between the proposed project and the Santa Cruz County General plan (Page 3.6-14 to 3.6-29). Here are some of the inconsistencies we have noted: (Quotes from the DEIR are in italics. Our comments are in bold)

**Land Use Element**

**LU-2.16 Public Services Adequacy**

**General Plan** - Consider the adequacy of public service capacity (including without limitation sewer, water, roads), public school capacity, terrain, access, pattern of exiting land use in the neighborhood, unique circumstances of public value, locations with respect to regional of community shopping and other community facilities; access to transportation facilities including transit, rail, bicycle, and pedestrian facilities; and parcel size in the surrounding area in determining the specific density to be permitted for individual projects within each residential density to be permitted for individual projects within each residential density range, as appropriate.

**Consistent** – The proposed project would develop an area composed of eight adjacent parcels containing existing residential and commercial uses that are adjacent to both Community Commercial (CC) and Service Commercial (CS) areas. Amending the General Plan and rezoning the site from the community commercial to service commercial would not disrupt the pattern of existing land use, in that both community and service commercial uses currently exist adjacent to the site, and an existing automobile dealership is located very nearby on the north side of Soquel Drive. An automobile dealership can be considered a regional commercial use, and there are other regional commercial uses nearby, including a Home Depot on the east side of 41st Avenue in the shopping center located to the east side of the proposed site. The project proposes to install sidewalks along the site frontage and beyond, to address the current deficiency/lack of sidewalks. Adequate public services are currently available to serve the proposed project site (See Section1.4.8, Public Services and Utilities). Therefore the project would be consistent with this policy.

The DEIR is not consistent with the General Plan.

- Explain in detail how an “automobile dealership can be considered of regional commercial use, and there are other regional commercial uses nearby including a Home Depot on the east side of upper 41st Avenue in the shopping center located to the east of the proposed project site.” Adequate public services are currently available to serve the proposed project site.”

- Within 1,000 feet of the proposed development there are four mobile home parks. At a minimum, there are 1,000 people living in the mobile home parks. Explain in detail how Home Depot (the example the DIER provides) serves low-income people living in a mobile home park nearby?

- Explain in detail how an automobile dealership can be considered of regional use to the low-income community within 1,000 feet? Please explain in detail how a predominately Spanish-speaking low-income community (Osocales Mobile Home Park – operated by Mercy Housing) can benefit from the proposed dealership? Subsidized housing provides housing for low-income families, seniors and people with special needs at 30 percent of their income.

- Explain how the proposed dealership provides a “public service capacity” to the surrounding residents of the four mobile home parks?

- Subsidized housing provides housing for low-income families, seniors and people with special needs at 30 percent of their income. Explain how the proposed dealership provides a “public service capacity” to the residents of the four mobile home parks in close proximity to the proposed project. One park is a senior-only park, one is a affordable income rental park and one is serves mainly low-income people because of the age and condition of the coaches.
LU-2.17.4. Design of Service Commercial/Light Industrial Uses. Ensure compatibility with adjacent uses through the Commercial Development Permit procedures with careful attention to landscaping, signage, access, site and building design, on-site parking and circulation, fencing, and mitigation of nuisance factors.

Consistent. The proposed project site is surrounded by Community Commercial (C-C) and Service Commercial (C-S) uses. The required development review process would ensure that consistency with the code is achieved. Therefore, the project would be consistent with this policy.

- The proposed project is mistakenly identified as being “surrounded by both Community Commercial (C-C) and Service Commercial (C-S) uses.” The project is only contiguous to Community Commercial zoned properties.

- Two large properties directly across the Street from this proposal on Soquel Drive are currently designated as Service Commercial and the Sustainable Plan recommends that these be designated Community Commercial.

- Further west and north along Soquel Drive from the Honda dealership over toward Rodeo Gulch, the General Plan map shows Service Commercial designation.

- The western properties on the other side of the San Lorenzo lumber property are currently designated as Service Commercial and proposed as “Workplace Flex” designation in the Sustainable Plan.

- The consistency comments seems limited in scope - given that the currently approved Sustainable Plan, which was scheduled to be incorporated into the General Plan by 2015-2016, has not been included and neither have the recommendations for compatibility for this planning area.

These diagrams below are from the Sustainable Plan and show current uses and recommended uses.

Circulation Element  Cir-3.1.1
CIR-3.3.6 Americans with Disabilities Act

Require parking facilities to meet the requirements of the Americans with Disabilities Act, and require that pedestrian ways be designed into parking lots of all developments to enable pedestrians to get to their destinations in a safe manner.

**Consistent.** The proposed project would include three ADA accessible parking spaces, proposed to meet the requirements of the Americans with Disabilities Act. As shown on Figure 2-3, Conceptual Site Plan, accessible pedestrian paths are located immediately in front of the dealership showroom, out the rear of the showroom to the service building, and throughout the relatively level parking lot area. Therefore, the project would be consistent with this policy.

(The site referred to here is Figure 2-3 Conceptual Site Plan)

- Conceptual Site Plan only shows two ADA parking spaces.
Questions and Comments in this section pertain to Section 3, Table 3.6-4; pages 3.6-31 through 3.6-35. An introduction precedes the Section comments and questions.

DIER ES-4 Areas of Known Controversies

1. ES The project site is part of a “Focus Area” studied by the Sustainable Santa Cruz County Plan. SSCC Plan is a planning study that describes a vision, guiding principles, and strategies that can lead to a more sustainable development pattern in Santa Cruz County. The Plan was shaped by community input during more than 16 community workshops where residents responded to questions about sustainability, neighborhoods, transportation, and more. The project site reflects the existing Community Commercial (C-C) Land Use designation with retail frontage and envisions a pedestrian friend frontage area (e.g., existing lumberyard and other parcels along Research Park Drive and South Rodeo Gulch Road) as a modern employment district with a variety of commercial, office, light industrial, and live/work uses. The SSCC Plan was “accepted” as a planning and feasibility study by the Santa Cruz County Board of Supervisors on October 28, 2014 and is considered in the analysis of the Proposed Project and alternatives. There is known controversy about whether the project site should retain its existing Community Commercial zoning as reflected in the SSCC, or be rezoned to Service Commercial as proposed in order to accommodate the proposed automotive dealership. It should be noted however, that the SSCC Plan was not “adopted” by the Santa Cruz County Board of Supervisors and does not serve as a policy document as does the 1994 County of Santa Cruz General Plan. Whether to amend the 1994 General Plan land use designation and the current zoning will be a land use policy decision to be made by the Board of Supervisors after certification of a Final EIR, a public hearing and recommendation of the Planning Commission, and a public hearing held by the Board of Supervisors.

Sustainable Plan Overview 1-1

SUSTAINABLE SANTA CRUZ COUNTY

“The Sustainable Santa Cruz County plan is a planning study that describes a vision, guiding principles, and strategies that can lead to a more sustainable development pattern in Santa Cruz County. The time horizon of the Plan is through 2035.

While a primary goal of the Plan is to reduce production of greenhouse gas emissions, which in Santa Cruz County are generated principally by the use of cars, the strategies can also positively affect many other aspects of community life:

- When housing, employment, and services are closer together the “walkability” and diversity of an area increases. When needs can be met within the neighborhood car trips are shorter and some trips can be made without a car.
- When development is directed into already developed areas and projects are designed to be compact, land is conserved and housing choices can increase.

This Plan was shaped by community input about the challenges that County residents currently face and the desires they have for the future. At more than sixteen community workshops residents responded to questions about sustainability, neighborhoods, transportation, and more. Many residents expressed frustration with traffic congestion, lack of safe infrastructure that feels safe and inviting for biking and walking, limited transit options, housing that is not affordable for many, and lack of investment in commercial properties. Residents also expressed strong desire to preserve the natural environment and to have high quality neighborhoods. This Plan responds to that input by recommending strategies for improving community quality of life through coordinated land use and transportation policies. The work upon which this Plan is based was funded in part through a grant awarded by the Strategic Growth Council (SGC). SGC grants help local government to plan for more sustainable communities, with an emphasis on
reducing greenhouse gas emissions. Local government may decide on the contents of these grant-funded plans; no mandates or specific requirements are attached to the grant funding.”

SCSP Pg 2-2.

“Commercial centers feature quality design and convenient connections to neighborhoods for pedestrians and cyclists. Local businesses contribute to a distinctive sense of place and community pride, with jobs providing a living wage to residents. The area is attractive to knowledge-based industries that benefit from the County’s unique assets, such as lifestyle enterprises, ecotourism, and sustainable industries.

“Development is well designed to support a walkable environment and a unique sense of place. Along key corridors, development is of sufficient intensity to support an active environment with transportation choices. New development provides a variety of housing types, and there are housing options that are affordable to households of all income levels. All residents who wish to are able to live within easy walking distance of activity centers that enhance community ties.”

Critique: The proposed Nissan Dealership does not align with tenets of Sustainable Plan and therefore does not reflect the community’s work and vision for development in the Upper 41st Are Focus Area.

DIER Inaccurate and Unfounded Claims.

Table 3.6.4
Page 3.6-31
Assessment of Relationship of Proposed Project to the Sustainable Santa Cruz County Plan Guiding Principles.

“Focused Development. When market demand stimulates new commercial, residential, office, or retail activity, encourage those new uses to use land efficiently. New development should be compact, located primarily within existing urban areas, and should feature a mixture of uses and development intensities that support transportation choices including transit, cycling, walking, and carpools, and to the extent possible, promote the fiscal sustainability of the area.” (italics and bold mine)

Assessment Rationale

“The proposed project reflects replacement of existing improvements including several old single family homes in very poor condition, a self-serve car wash, a paint store and vacant land. These uses can be considered low-value, but they persisted in part due to low market demand for new retail commercial buildings and difficulty aggregating parcels to meet needs of modern commercial uses. The automobile dealership proposal reflects a strong enough market value to have supported successful aggregation of parcels and the proposal for a viable new use to replace the existing low-value uses. The proposed new development is located in the existing urban area that can be accessed by all modes of transportation, and the site is already served by public infrastructure and does not require extension of public infrastructure. The proposed project includes new sidewalks along and beyond the project frontages to connect to existing sidewalks, as well as bike lanes and a dedicated right turn lane along the Soquel Drive frontage to support improved functioning of Soquel Drive through lanes.”

Question and Comment:

- Please explain in detail how the proposed Nissan Car Dealership as represented in the above DIER Assessment reflects the guiding principal that states “New development should be compact, located primarily within existing urban areas, and should feature a mixture of uses and development intensities that support transportation choices including transit, cycling, walking, and carpools, and to the extent possible, promote the fiscal sustainability of the area.
How is this proposed project compact?
How does the commercial function of the proposed auto dealership promote "transit, cycling, walking and carpools?"
How does the proposed project reflect SCCSP Guiding Principles on page 2-2, specifically in the excerpt quoted above i.e., "promote variety of housing types, enhance communities ties, support a unique sense of place?"

*Transportation Choices, 3.6-31:*

Guiding Principle:

Develop safe, reliable, and efficient transportation choices to improve air quality, reduce greenhouse gas emissions, promote public health, and enhance quality of life. Recognize that specific strategies to promote transportation alternatives will vary depending on the unique characteristics of different places.

- How does an auto dealership, whose sole commercial purpose is to sell one mode of transportation, "improve air quality, reduce greenhouse gas emissions, promote public health and enhance quality of life?"
- How does the proposed project "improve air quality through the test drives of ICE vehicles?"
- How does the proposed project, a large regional auto dealership, encourage multimodal transportation choices for buyers coming from throughout the county and beyond?
- How does the proposed project, a regional car dealership destination decrease, reduce Vehicle Miles Traveled (VMT), the primary cause of greenhouse gas emissions?

*Table 3.6-4 pg. 3.6-32*

*Unique Community Character*

*Unique Community Character.* Enhance the unique characteristics of communities by investing in healthy, safe, attractive, and walkable neighborhoods and efficient transportation choices between communities. Focus County investment within existing communities to increase community vitality, provide infrastructure efficiently, increase mobility, and promote social connections while protecting open space and existing community assets.

*Assessment*

The proposed project includes pedestrian and bicycle improvements that would make the area more walkable and safe, including for people walking to shopping areas, Soquel Village, and nearby schools such as Soquel High School. The proposed new dedicated right-turn lane would improve the efficiency of the road network and public safety. The proposed project requires design review in conformance with Chapter 13.11 of the County Code in order the ensure design compatibility with the area.

*Critique: The Assessment does not reflect the Guiding Principal*

- How does the character of the proposed project promote social connections and enhance the unique characteristics of the community?

*Economic Vitality; 3.6-32:*
"Support locally owned businesses that bind the community together and new businesses that generate environmentally friendly, well-paying jobs and local economic prosperity. Encourage businesses that generate tax revenue such as hotels that generate transient occupancy tax, enterprises that generate sales tax, and manufacturing and other basic productive economic developments that create demand for indirect supportive economic activity, so that important services such as police, fire, community services and a social safety net can continue to be provided to residents. Support efforts to train and prepare County residents to occupy locally available jobs. Ensure that County regulations encourage private investment and allow for economically feasible development projects consistent with sustainability goals."

- How does the proposed project "Support locally owned businesses that bind the community together and new businesses that generate environmentally friendly...?"
- How does the proposed project encourage businesses such as "manufacturing and other basic productive economic developments that create demand for indirect supportive economic activity?"
- How is this project "consistent with sustainability goals?"

Housing Options; 3.6-32:

"Expand housing choices for people of all ages and incomes to lower the combined cost of housing and transportation and to promote diversity in terms of age, income, and family size throughout the County. Recognize that many factors including economic feasibility affect the provision of housing choices."

Assessment

"The site of the proposed project has not been planned for and is not considered a strong location for housing or mixed use development in that it is located in a community and service commercial area at the intersection of two very heavily traveled major arterial streets: 41st Avenue and Soquel Drive."

This Assessment is based on an unfounded and contradictory claim. Current zoning is C-2 and is reflected in the Sustainable plan as mixed use in Figure 4-8, Infill along the Soquel Corridor Figure 3-2 and figure 3-3.

Figure 4-8 shows current infill potential. The proposed project lies within this projection.

Figure 3-3 in Chapter 3 provides an illustration of what an infill, mixed-use project along Soquel Drive could look like. In the illustration retail, housing, and public spaces create a new activity center that complements the nearby medical uses. The scale and intensity of the development reflects its location on a transit corridor and proximity to a major employment center (Italics mine). Less intensive mixed-use development
would be more appropriate in locations outside of employment centers such as at the intersection of major arterials in Live Oak and Aptos.

Creating new centers through infill and mixed-use development supports the County’s sustainability goals in the following ways:

- New townhomes and multi-family housing increase the supply of affordable housing.
- Retail and services located close to jobs provide more opportunities for nearby workers to walk to stores and services.
- New public amenities strengthen the real estate market and make further investment more likely.

- How does the proposed project reflect the vision of community residents in figures; 3-3 and 3-6?
• How will rezoning the project parcels to a more intensive use make “New public amenities {which} strengthen the real estate market and make further investment more likely.”
• How does more intense rezoning to C-4 encourage further C-2 development, encourage work flex development which lies adjacent to the proposed project parcels?

**Unique Community Character Page 3.6-32 Table 3.6-4.**

**Assessment**

The proposed project includes pedestrian and bicycle improvements that would make the area more walkable and safe, including for people walking to shopping areas, Soquel Village, and nearby schools such as Soquel High School. The proposed new dedicated right-turn lane would improve the efficiency of the road network and public safety. The proposed project requires design review in conformance with Chapter 13.11 of the County Code in order to ensure design compatibility with the area.

Nearby are four mobile home parks all within a short walk to this intersection. The General Plan and Sustainable Plan both show buildable options for more housing in the surrounding corridor. An opportunity exists to “Enhance the unique characteristics of this community.”

• The response misses the point of the “unique” characteristics of community” and focus solely on the element of the section of sidewalks and a right turning lane. It should be noted that these “improvements” would be required for any development project on this corner. The long city block of an automobile car lot does not strengthen a walkable neighborhood or create community vitality by providing gathering areas or promote social connections.

Below are excerpts from the Sustainable Plan, which emphasizes concepts of “unique characteristics of communities” and “walkable neighborhoods” portion of the assessment of Relationship of Proposed Project to the SSCCP.

• Pg. 4-4 of The Sustainable Plan address this question of “enhancement” under “Focused Development and &Community Character section.” A walkable block pattern is one of the community design features shown to increase the frequency by which people walk or ride bicycles to destinations. As discussed earlier in this chapter, block lengths of 200 to 400 feet are ideal for walkable neighborhoods.

• VIBRANT CENTERS Vibrant centers are an essential component of a sustainable development pattern in Santa Cruz County. These centers of activity contain a diversity of land uses, which create opportunities for people to walk or bike to destinations.

• “Active public gathering places build community and enhance quality of life. Resident-serving stores and services strengthen adjacent neighborhoods and contribute to economic vitality.”

**Street and Block Pattern - Sustainable Plan Pg.4-5**

Street and block patterns play a large role in defining the design character of a place. Figure 4-2 shows typical street and block patterns in Live Oak, Soquel, and Aptos. In these neighborhoods block lengths are greater than the 200 to 400 feet needed to support more walkable neighborhoods. In Live Oak, long block lengths are compounded by numerous cul-de-sacs and dead-end streets, which further limit walkability and pedestrian connectivity. In Soquel and Aptos, residential areas are connected to one another primarily by Soquel Drive, which is generally not a pedestrian-friendly environment due to narrow or missing sidewalks and high vehicle speeds.
Inclusive Decision Making, 3.6-32

Inclusive Decision-Making.

“Encourage community and stakeholder involvement in planning and decision-making. Ensure that planning decisions are predictable, fair, forward thinking, and cost-effective. Reform the project review process to encourage high-quality infill development and reduce unnecessary uncertainty and expense.”

Assessment:

“In order to provide for the maximum level of environmental information and public review and comment, the proposed project has been required to be evaluated by an Environmental Impact Report. The project application and a Final EIR will be considered at public hearings before the Planning Commission and the Board of Supervisors, and the Board will consider action to certify the EIR and approve the project.”

Questions and Comments:

The public was allowed to review of the DEIR at one public session, February 2018. At this meeting the public asked for access to a power point presentation (denied) and for a copy of the recorded session. The project team asked permission to record the meeting and gave assurances the recorded public comments and questions would be made available.

The public comments were not distributed, nor given to the County for public reference. The project team did not keep their word to the public; Consultant Jane Quebe sent an email to a member of the public who attended the February 8th meeting stating that recorded comments would not be forthcoming. See email correspondence from Jane Quebe, President | Family Business Advisor, to Robert Morgan on 2/10/18.

“County Code Section 18.10.211 outlines the requirements for a community meeting which includes a report of the results of the neighborhood meeting(s) in the application submittal package. This report must include the following:
1. Meeting notification materials
2. Mailing lists
3. Dates, times, and locations of all meetings
4. Attendance lists
5. Copies of all plans, mailings, handouts, letters, etc., used as part of the meeting notification or the meeting itself.

We will submit these materials to Bill (Wiseman) who will then submit to the county. We will not be providing an audio file or transcription of the meeting as it is not required. Thank you for your understanding.”

- How does withholding comments and questions from the public which were recorded and given assurances to be distributed “Encourage community and stakeholder involvement in planning and decision-making?”
- How does not keeping one’s word at a public meeting ensure community trust and display the integrity of the project owner to “ensure that planning decisions are predictable, fair, forward thinking, and cost-effective?”
- How does going back on one’s assurance to allow access to the recorded comments and then not releasing those public comments and questions ensure that the public be able to “Reform the project review process to encourage high-quality infill development and reduce unnecessary uncertainty and expense?”
Guiding Principle 3.6-33

Focus Area 3 Upper 41st Avenue

In the SCCC Plan, the site of the proposed car dealership is depicted in the West Soquel Drive Community Diagram on page 4-37 as a Commercial area, reflecting its existing designation and zoning. In contrast, adjacent lands to the west of the site were depicted as an Employment area, reflecting an idea that the area including the South Rodeo Gulch and Research Park and large lumberyard properties could become a more job-dense employment area in the future (SCCC page 4-33 also shows how increased transportation connections could be added within this possible future Employment center). Figure 7-9 of the SCCC shows the Upper 41st Avenue Focus Area, with regard to possible future General Plan land use designations that could implement the goals and strategies of the SCCC. Again, the site of the currently proposed car dealership project is shown to retain its existing Community Commercial designation; the areas of possible change include the above-described Employment center being designated with a new “Workplace Flex (C-WF)” designation, and properties along the west side of South Rodeo Gulch Road being designated “Workplace Flex with a Live/Work Overlay…”

Incongruity with SCCSP proposed land use around the proposed project.

The Guiding Principle comment in the DIER misrepresents the proposed amendment to the General Plan that the SCCSP recommends. The comment excludes the proposed change to C-2 directly across Soquel Dr. from the proposed project and between current C-2, the Tower Plaza, and the C-4 Honda Dealership designation. The momentum for rezoning change proposed by the SCCSP is the de-escalation of existing zoning from Service Commercial to Community Commercial, Urban Low residential and Workplace Flex along this portion of the Soquel Drive Corridor just west of South Rodeo Gulch Road, north east of Rodeo Gulch Rd. and east of the current Honda Dealership (bold mine).

The rezoning of the project parcels to C-4 creates an anomaly of zoning intensification in the area displayed in figures 7-8 and 7-9 and will be the only C-4 zoning south of Soquel Dr. pictured in 7-9.

Figures 7-8 and 7-9 clearly show this less intensive land use and de-escalation from current Service Commercial to lower intensities in the area of the Upper 41st Ave.

See following page for illustrations.
FIGURE 7-8 UPPER 41ST AVENUE CONCEPT DIAGRAM

FIGURE 7-9 UPPER 41ST AVENUE GENERAL PLAN LAND USE DESIGNATIONS

- Current Designations: Service Commercial
  - Proposed Designation: Urban Low Residential
    (Recognizes existing residences)
- Current Designations: Service Commercial
  - Proposed Designation: Workplace Flex
    with Live/Work Overlay
- Current Designation: Service Commercial
  - Proposed Designation: Community Commercial

Legend:
- Focus Area Boundary
- Areas with Designation Changes
- Residential Designations
  - Urban Low Residential (R-UL)
- Commercial and Industrial Designations
  - Community Commercial (C-C)
- Service Commercial and Light Industrial (C-LI)
- Other Designations
  - Urban Open Space (B-O)
- Overlays
  - Workplace Flex (C-WF)
  - Live/Work (C-LW)

Scale: 0 100 200
• How does the proposed project reflect the momentum of the land use rezoning designation the SCCSP advocates to maintain the integrity of the de-escalation of land use, particularly, but not limited to, south of Soquel Dr. and directly east of 41st Avenue?

• How does the proposed project ensure that rezoning to C-4, a more intensive land use, will enhance the area such that it “could become a more job-dense employment area in the future?”

• How does the proposed project ensure that rezoning to a more intensive C-4 designation will not hinder and stultify the intent of possible future General Plan land use designations that could implement the goals and strategies of the SCCSP.

• How does the anticipated project, with a proposed frontage of parked cars, add to the aesthetic of the area in a visually attractive way that is defined in figure 7-8 as “enhanced retail frontage” and that joins with current restaurant and retail businesses to the direct east of 41st avenue?

• How does the parking frontage of the proposed project create contiguous, visually appealing “enhanced retail frontage” with current businesses, not one of which is an auto dealership?
3.7 Noise

Most of our comments about this section are about noise sources not examined or considered in this DEIR or sensitive receptors and other proposed project close neighbors who may be affected by noise generated by the project. Most of this section is filled with a pastiche of general information about noise and sound. Almost all of the information concentrates on the transitory impacts of construction noise. Little or no attention is paid to actual noises that will be generated by this project— from both increased traffic noise to the unique noises produced in a regional car dealership service area.

We regard much of it as cut-and-paste fillers— inserted so that the casual reader thinks there is a serious analysis of the potential negative environmental impact.

After seven pages of general "what is noise" education and "what are the Santa Cruz County General Plan noise guidelines," we encounter the first item we question.

Page 3.7-7 to 3.7-8

d. Sensitive Receptors.

Noise exposure standards for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Residences, hospitals, schools, guest lodging, libraries, and churches are most sensitive to noise intrusion and therefore have more stringent noise exposure standards than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. The nearest sensitive receptors to the project site are residences located approximately 600 feet north of the project site.

Soquel Garden Mobile Home Park is 520 feet east of the project site. Osocales Mobile Home Park is 540 feet north east of the project site. Alimur Mobile Home Park shares a property line with Soquel Garden Mobile Home Park so some of its 147 units are under 600 feet from the project site. Likewise, portions of Rodeo Estates Mobile Home Park share a common property line with Ocean Honda and are slightly over 600 feet north of the project site. We believe that the residences referenced here are portions of Greenbrae Lane, a private residential area just north of the project area.

One of the parks has a seniors-only restriction, one is an affordable housing rental project and one is mainly occupied by low-income residents because the mobile homes there are relatively smaller and older carriages.

Page 3.3-11 actually notes: "Residential uses are located beyond the commercial areas to the north, north north-east, south, and east." Regrettably, it fails to note either the closeness of those residential uses or characterize them as "Sensitive Receptors."

Questions:
- Why did this DEIR fail to acknowledge the four mobile home parks mentioned above?
- Why were these Sensitive Receptors not noted as such?
The DEIR cites the major sources of noise in the County. Some excerpts from that section:

"The predominant noise source in the county originates from motor vehicles. Motor vehicle noise is of concern because it is characterized by a high number of individual events, which often create a sustain noise level."

They even see fit to mention "infrequent rail line operations, which are characterized by the passage of trains at wide time intervals but with individual trains emitting a high sound level" and "the Bonny Doon Village Airport and Watsonville Municipal Airport."

"The general noise environment of the project site and the vicinity is characterized by nearby roadways, including Soquel Drive, 41st Avenue, and Highway 1. Additionally, surrounding development such as the San Lorenzo Lumber Company, Ocean Honda, Safeway, Home Depot, Best Buy, and Beverly’s contribute to the noise environment. Motor vehicle noise is of concern because it is characterized by a high number of individual events, creating a sustained noise level. The project site is directly adjacent to roadways and commercial areas on all sides."

The DEIR notes the large businesses in the vicinity – some as far as 1000' away from the project site. It fails to mention the numerous small local businesses south, east, and north of the project site that are as close as sharing property lines. There are beauty parlors, personal fitness gyms, restaurants, and food shops, furniture stores, auto repair shops, and other assorted retail and service outlets all within 500 feet of the project site.

The slant and intent of how this document is written implies that the project site will be inundated with noise from other places and other parties but will add nothing to the existing noise environment.

As shown in Table 3.7-3, County of Santa Cruz standards state that noise exposure at office buildings, business commercial, and professional not exceed 60 dBA to be normally acceptable, and not exceed 80 dBA to be conditionally acceptable.

Questions:
- Why did the DEIR not include the distance in feet to the closest neighboring commercial properties on the southern border?
- Why did the DEIR not include the sound impacts on other types of business inside this south-of-the-project business complex which appears to be less than 50' away?
- Why did the noise study give a distance to the 41st Avenue property line but not the southern and western property lines where the proposed project could potentially have negative impacts on neighboring property owners or buildings?

This next section is the last paragraph before the DEIR starts its Impact Analysis.

Page 3.7-8 Noise Level Measurements.
In order to establish the existing noise conditions, noise level measurements taken by Charles M. Salter Associates, Inc. at various locations throughout the unincorporated
County in 2016 were used to determine the existing ambient noise conditions at the proposed project site. Existing noise levels taken on Soquel Drive and Twin Palms Drive 40 feet from the roadway centerline were used to estimate the existing onsite ambient noise conditions. The day-night average sound level (DNL) or community noise equivalent level (CNEL) taken on Soquel Drive in May of 2016 is 69 dB DNL or CNEL.

Twin Palms Drive is over 3.2 miles away from the project site. It is located in the Aptos Planning area. The Twin Palms location is on a portion of the Soquel Drive corridor that is a residential area. Any sound measurements taken at that location would be demonstrably quieter than sound measurements taken at the very busy Soquel Drive/41st Avenue intersection.

Questions:

- Why did the authors of this DEIR determine that existing noise levels at the project site are best represented by noise level measurements taken over 3 miles from site?
- Who made the decision to use this measurement to establish the ambient noise level at the project site?
- Have noise measurements been taken within ¼ mile of the project site?
- Were any portions of the proposed development site measured for ambient noise? If so, how was this threshold calculated? (Note: This property is 2.6 acres)

The Santa Cruz County General Plan directs that the San Lorenzo Lumber yard on the western property line would become a C-2 commercial zoning in the future if there is a change in its current usage.

This DEIR contends that the proposed project will only add a "modest increase in traffic trips." Sustainable Soquel contends that this document seriously underestimates the number of car trips the propose project will generate and overestimates the number of existing car trips generated by the paint store and car wash and credited to the project's increased traffic.

Page 3.7-10 *Due to the modest increase in traffic trips associated with the proposed project (168 net new daily trips), noise levels associated with existing and future traffic along area roadways would not increase. Project trip generation is discussed in greater detail in Section 3.8, Transportation/Traffic. For traffic-related noise, impacts are considered significant if project-generated traffic results in exposure of sensitive receptors to unacceptable noise levels based on the May 2006 Transit Noise and Vibration Impact Assessment guidelines created by the Federal Transit Administration (FTA). Table 3.7-2 above shows the FTA recommendations for identifying significant changes in noise. These thresholds apply to both the noise generated by the project alone and cumulative noise increases. If sensitive receptors would be exposed to traffic noise increases exceeding the criteria below, impacts would be considered significant.*
Questions:
- How will these noise calculations change if more than 168 net new daily trips are calculated in the final DEIR?

b. Project Impact and Mitigation Measures

"Impact NOI-1 The proposed project land use category is classified in Figure 6-1 of the County of Santa Cruz General Plan as "Office Buildings, Business Commercial, and Professional," which has a normally acceptable noise range of up to 60 dBA, and conditionally acceptable up to 80 dBA. Nearby residences have a normally acceptable range up to 60 dBA, and conditionally acceptable range up to 75 dBA. The project would not be exposed to noise levels over this range nor expose nearby residences to noise levels over this range; therefore impacts would be Class III, less than significant."

Page 3.7-11 "Operation of the dealership would involve six operating service bays with the use of pneumatic tools and impact wrenches, an oil change bay, car wash bay, restrooms, lounge, and oil and tool storage areas. The use of pneumatic tools in the service bays are expected to produce a maximum level of 85 decibels at 50 feet. This would be reduced to approximately 73 decibels at the eastern property line on 41st Avenue. It should be noted that this is a maximum level. The overall hourly Leq would be much lower."

"The use of pneumatic tools would occur in irregular intervals. If it is assumed that pneumatic tools would be used 20 percent of the time, the hourly Leq at the property line would be approximately 65 dB from project operations. The threshold according to the General Plan at the property line is 69 decibels due to the higher ambient noise level in the project area due to existing traffic noise. This is 4 decibels below the allowed threshold at the property line. This is also within the conditionally acceptable range for a commercial use as outlined in Figure 6-2 of the County of Santa Cruz General Plan. Therefore, impacts would be less than significant. No mitigation measures would be required for the operation phase."

The DEIR concludes that no mitigation would be required because any noise produced by the project will be less than significant.

This DEIR was written after the applicant’s May 2017 community meeting and after the Planning Department received numerous e-mails and letters objecting to the approval of the April 2017 Mitigated Negative Declaration.

Public comments were made both verbally at the meeting and in written correspondence that there were serious noise issues associated with Ocean Honda. Ocean Honda is located across Soquel Drive, within a few hundred feet of the proposed Nissan dealership.

These complaints came from Rodeo Estates Mobile Home Park, Soquel Garden Mobile Home Park and Greenbrae Lane residents. The complaints focused on the noises that came from
Honda’s service center and included continual noise from car alarms, honking associated with finding cars, horns associated with locking cars, mechanics honking as they come around corners, beeping from back up sounds of forklifts and trucks, and, especially, the pneumatic devices which are used throughout the day.

The authors of this DEIR knew from these citizen complaints that noise from a car dealership automotive service bays is potentially a significant impact yet they chose to ignore this issue and did no analysis, asserting that the proposed project will not produce the same sort of disruptive noises throughout the day that occur just north of the proposed project.

Questions:

- Who made the decision that operational noise from the service center would make no significant impacts?
- What analysis was used to make that analysis?
- Why was the assumption made that pneumatic tools and impact wrenches would be used only 20% of the time? What data of other information was used in making that assumption?
- Were neighbors of the Honda dealership interviewed or records reviewed regarding noise impacts complaints? Some residents tell us they have made complaints over a number of years to various government personnel and/or agencies.
- Since pneumatic device sound levels were not measured at the southern and western property boundaries, provide evidence or calculations that support the conclusion that impacts would be less than significant and no mitigation measures required.

The ambient noise threshold cited here was based on a measurement made over 3 miles from this project site in a residential area. Logically, the actual ambient noise level at the highly-commercialized, car-congested Soquel Drive/41st Avenue intersection will be higher than the 69 dB used to make Impact calculations.

The DEIR states "The use of pneumatic tools in the service bays are expected to produce a maximum level of 85 decibels at 50 feet. This would be reduced to approximately 73 decibels at the eastern property line on 41st Avenue.

The noise study indicates "the conditionally acceptable range of dBA is 75" However this range is considered at the top of conditionally acceptable. The range included on Figure 6-1 indicates that for business, commercial and professional and residential the range for conditional use actually begins at 60 dBA and is unacceptable beyond 75 because mitigation is usually not feasible to comply with noise element policies."
Questions:

- How would this assessment change if the ambient noise threshold is higher from the one used in this DEIR?
- The final DEIR should be required to do an actual noise study at the project site instead of using the dB SNL from a distant site. A DNL greater than the 69 dB DNL means that additional noise generated by the project could become a significant impact.
- The service building in within 50 feet of the southern property line that abuts a small business district. What will be the level of noise that will affect several small businesses there?
- The eastern property line is 41st Avenue. Noise impacting the roadway would not be a problem. But 85 decibels at 50 feet will impact the small businesses on the southern property line. Why was this potential issue not examined or even mentioned?
- Why was the hourly Leq not given for the south or west property lines?
- Explain the process for or the conditions necessary to be for a noise level to be “conditionally acceptable”
- Were any sound measurements taken in the business area south of the site?

We already know that noise from the Honda Dealership can be heard all the way up to the hilltops on Anna Jean Cummings Park to the Greenbrae neighborhood and the Rodeo Mobile Home Estates. Neighbors have complained about these noises for years.

Topography plays an important role in determining how far noise travels. Soquel is the bottom edge of the Santa Cruz Mountains and a number of hills are located close to the project site. Trees are not an effective way to abate noise and solid walls or berms sometimes just bounce noise to a different location. Soquel residents up in the hills Old San Jose Road, Rodeo Gulch, Cherryvale, Glen Haven and Fairway Drive can sometimes hear noise such as the announcer at the flea market or Soquel High and large trucks on Highway 1. These noise sources are several miles away but still discernible.

This entire noise study appears to have been pasted together from various manuals by Santa Cruz County Planning staff and not by a consultant, firm or group that specializes in environmental noise assessments. That’s probably the major reason that this section is short on actual measurements and data and long on assumptions. It’s regrettable that more attention was not paid to this issue and the close businesses and sensitive receptors barely mentioned.

If the Greenbrae or Rodeo Mobile Estates neighbor had any inkling of the disruption and regular annoyance that Ocean Honda would bring into their lives from the service department, they would have fought that development tooth and nail or, at least, tried to factors in rules and conditions to help abate the noise.

Our last question is this: What recourse will local residents or other businesses have if this dealership is built and the new noise from it exceeds County thresholds and disturbs others?
3.8 Transportation/Traffic

All of the conjectures made in this section for the nine existing study intersections are based on data collected over four hours on one day, Tuesday, October 18, 2016 (Kimley Horn, Appendix G, Page 12.)

"Weekday intersection turning movement volumes, not including the future Project driveways, were collected. These counts included vehicles, bicycles, and pedestrians. Volumes for intersections were collected during the AM and PM peak periods of 7:00-9:00 AM and 4:00-6:00 PM, respectively. These traffic counts were taken when local schools were in session and the weather was fair."

It is noted on Page 3.8-10 that "the trips generated by a proposed development are typically estimated between the hours of 7:00-9:00 AM and 4:00-6:00 PM on a weekday. While the project itself may generate more traffic during some other time of the day such as around noon, the peak of "adjacent street traffic" represents the time period when the uses potentially contribute to the greatest amount of congestion and impacts." "Trip generation for the proposed project was calculated using the Institute of Transportation Engineer's publication, Trip Generation 9th Edition."

The Institute of Transportation Engineer's publication, Trip Generation 9th Edition is the most commonly used reference for traffic studies. But it is not infallible. Their data has been compiled from approximately 4,800 different studies voluntarily submitted since the 1980's, in various geographical locations, at various times of the day and the year and with various durations of data collection.

Data is not differentiated by where it was collected – a large city, a small town or a more rural area. Data is not differentiated when it was collected – it could have been submitted in 1965, 1975, 1985, 1995, or 2005. Another inherent weakness is that most traffic studies are extrapolated from what is essentially a moment in time. This entire section is based on numbers collected on one day for a total of four hours.

A more reliable traffic study will incorporate informed facts and figures about local conditions and not rely solely on numbers listed in a manual that's updated every 4 to 5 years. At best, assumptions are made; at worst, only guesses.

We believe that Soquel and other Santa Cruz County residents have a better understanding of how our roads function than the ITE publication relied on in this DEIR and those who created this traffic evaluation.

Traffic flows reasonably well westward from Soquel Village to Dominican Hospital from 7-9 AM. That is in large part because many who commute to San Jose from Soquel and Aptos areas generally leave earlier than 7 AM. Much of the AM peak traffic through the Soquel Drive corridor is due to school traffic. From Highway 1 by Dominican Hospital to Main Street in Soquel there are two private elementary schools, three public elementary schools and one public high school that are accessed from Soquel Drive. Only one school, Soquel Elementary, can be reached by a route that doesn't use Soquel Drive. There are usually major AM backups in Soquel Village because vehicles going to Soquel High have to access Old San Jose Road from the Porter Street intersection from three different directions – east, south and west.

Back-ups on the Soquel corridor (from Highway 1 to Park Avenue) start as early as 2:00 PM on weekdays. Soquel Drive is the only continuous direct route across the county other than
Highway 1. If anything impedes Highway 1 traffic in either direction at any time of any day of the week, Soquel Drive will suffer immediate congestion.

Questions:
- Was the Institute of Transportation Engineer’s publication, Trip Generation 9th Edition the only reference used to estimate traffic impacts? If not, what additional references/programs were employed?
- Who made the various counts?
- What methods (manual or automatic) were used to collect data?

Regulatory Framework

The writers of this document lay out the local and state regulations that determine whether or not a project will cause significant impacts that will degrade the environment. These are laid out on pages 3.8-7 to 3.8-9.

Senate Bill 743 mandates a change in the way that public agencies evaluate transportation impacts of projects under CEQA and supports AB 32, the California Global Warming Solutions Act of 2006, and SB 375, the Sustainable Communities and Climate Protection Act of 2008. “Under the new CEQA Guidelines, aspects of project location and design that influence travel choices, and thereby improve or degrade air quality, safety, and health, must be considered.”

“The new CEQA Guidelines will no longer rely upon measurements of automobile delay, including LOS, in evaluating transportation impacts and replace LOS/delay metrics with Vehicle Miles Traveled (VMT), based on a goal of reducing statewide GHG emissions by 15% by the year 2020. The new CEQA Guidelines measure whether a project contributes to various state goals, such as reducing GHG emissions, developing multimodal transportation, preserving open spaces, and promoting diverse land uses and infill development. Projects that are shown to decrease vehicle miles traveled — for example, bike lanes or pedestrian paths, or a grocery store that allows local residents to travel shorter distances to shop — may be automatically considered to have a less than significant impact under CEQA. Under the new CEQA Guidelines, projects may be able to mitigate transportation impacts by funding better transit, creating better access to transit, designing more walkable communities, or implementing other improvements that increase travel choices.

“The statewide revisions to the CEQA Guidelines were completed in mid-2017, and the implementation of the revised guidelines may be phased in over the course of two years.” Therefore, SB 743 and the associated revised CEQA Guidelines are not being applied to the proposed project as related to the use of VMT rather than LOS.

The Association of Monterey Bay Area Governments (AMBAG) released a Draft EIR on December 4, 2017 for public review and comment, for the proposed 2040 Metropolitan Transportation Plan / Sustainable Communities Strategy and Regional Transportation Plans that includes Santa Cruz County. Those Plans share the goal of supporting changes in the pattern that would reduce vehicle miles traveled (VMT) as well as congestion, in order to lower greenhouse gases from levels that might otherwise occur in the absence of such Plans. The Draft EIR incorporates by reference information about VMT in order to provide the higher-level “land use/transportation pattern” discussion related to vehicle miles traveled.
Questions:

- Why was the Sustainable Santa Cruz County Plan, accepted by the Board of Supervisors on October 28, 2014, not used as a guiding plan for this project?
- Who in Santa Cruz County government made the decision not to use the revised CEQA VMT guidelines in evaluating this project?
- Have the revised CEQA VMT guidelines been used to evaluate any other Santa Cruz County (public or private) projects since the adoption of those guidelines in mid-2017?
- Have any other Santa Cruz County (public or private) projects been absolved from using the revised CEQA VMT guidelines as this one?
- Did Santa Cruz County’s comments on AMBAG’s Draft EIR for the proposed 2040 Metropolitan Transportation Plan / Sustainable Communities Strategy and Regional Transportation Plans reflect that Santa Cruz County would selectively not follow portions of these Plans for certain developments?
- What responsibilities accrue to Santa Cruz County as an AMBAG member to support the tenets of the Sustainable Communities Strategy in making land uses decisions that upgrade zonings from C-2 (Community Commercial) to C-4 (Light Industrial)?
- Will the State require repayment of the $500,000 grant money given to Santa Cruz County if they make conscious decisions to ignore the Sustainable Santa Cruz County Plan?

Goal 3.12 of the County of Santa Cruz General Plan Circulation Element aims to “ensure that development shall not create traffic which will exceed acceptable levels of service on surrounding roadways.” This is supported by Policy 3.12.1, which states: “... LOS D as the minimum acceptable (where costs, right-of-way requirements, or environmental impacts of maintaining LOS under this policy are excessive, capacity enhancement may be considered infeasible). Review development project or proposed roadway improvements to the Congestion Management Program network for consistency with Congestion Management Plan goals."

Proposed development projects that would cause LOS at an intersection or on an uninterrupted highway segment to fall below LOS D during weekday peak hour will be required to mitigate their traffic impacts. Proposed development projects that would add traffic at intersections on highway segments already at LOS E or F shall also be required to mitigate any traffic volume resulting in a 1% increase in the volume/capacity ratio of the sum of all critical movements. Projects shall be denied until additional capacity is provided or where overriding finding of public necessity and or benefit is provided.

The 1% increase in the volume/capacity ratio of the sum of all critical movements threshold cited above in General Plan Policy 3.12.1 is no longer considered an appropriate threshold and is not used by the County due to past case law nullifying the ratio theory. As a result, the 1% threshold will not be applied to this project."

"Santa Cruz County Code. Section 15.12.030 of the Santa Cruz County Code states that all development projects shall pay a transportation and roadside improvement fee. The fee
amount for non-residential developments is determined on a basis of project generated traffic as reported as end trips. Transportation and roadside improvement fees are paid into separate traffic and roadside improvement trust funds for each General Plan planning area. Fees for the volume/capacity ratio 1% threshold for significance are no longer employed due to past case law nullifying the approach to determination of significance for cumulative impacts.”...“These court rulings invalidated the use of a “ratio theory” or “comparative approach” criterion because they improperly measure a proposed project’s incremental impact relative to the existing cumulative effect rather than focus on the combined effects of the project and other relevant past, present, and future projects.”

Questions:
- What other Santa Cruz County development projects have been absolved from this 1% ratio since January 2017?
- Why has General Plan Policy 3.12.1 not been either altered or removed from the Santa Cruz County General Plan if it is no longer considered an appropriate threshold?
- What metric is now being used by Santa Cruz County as the threshold for required mitigation for increased traffic volumes at intersections on highway segments already at LOS E or F?
- What metric is now being used to determine the transportation and roadside improvement fee required by Santa Cruz County Code? Section 15.12.030?
- If Santa Cruz County Code, Section 15.12.030 is no longer considered valid because of recent court cases, why has it not been either altered or removed from the Santa Cruz County General Plan?
- What formula was used to determine that the applicant would only have to pay $14,500 for what is characterized as the Robertson Street mitigation?

3.8.2 Environmental Impact Analysis

Pages 3.8-9 to 3.8-11 lays out processes used to measure and evaluate the traffic impacts of this project and states: “This analysis relies partially on the Traffic Impact Analysis Report conducted for the project by Kimley Horn, which is included as Appendix G to this report.” (Note: The Kimley Horn report is 251 pages.)

Questions:
- What does “partially” mean?
- What sections or conclusions of the Kimley Horn report were not used, altered, changed, or re-evaluated for this DEIR?
- Who made the decisions to use or not use portions of the Kimley Horn Report? What data or criteria were those decisions based on?
Project Trip Distribution and Assignment

The rationale for anticipated Project Trip Distributions is found on Pages 3.8-11, 3.8-16 to 3.8-17: "The trip distribution was developed based on consultation with Santa Cruz County staff, SCCRTC Average Daily Traffic Volumes, Caltrans Average Annual Daily Traffic volumes, and knowledge of the study area."

This DEIR "expects" traffic going to the dealership will be distributed from these directions: "33% of Project trips to travel on north Highway 1, 31% to travel south on Highway 1, 10% will travel to and from the site south of Highway 1 via 41st Avenue, 14% will travel to and from the site via Soquel Drive west of the site, 11% of trips will travel to and from the site via Soquel Drive east of the site, with approximately 1% of the trips traveling on north Porter Street and 2% traveling on south Porter Street."

It is reasonable to assume that most customers going to the dealership would likely take the same routes as they came in on as they exit.

We believe these distribution percentages were just pulled out of the air and should be disregarded. There is no explanation of the methodology or verifiable information used to develop this assessment of trip distribution.

We know of no databases that can effectively determine where customers will come from to purchase Nissan vehicles at a regional Santa Cruz County dealership. It is common knowledge that people frequently travel to other cities or urban areas to purchase vehicles. There is also no way to know which local Nissan owners will have car problems or decide to come in for services at any given time.

A car dealership may have a reasonable expectation of where existing customers who schedule regular vehicle maintenance may live but anything more than that is purely speculative.

The percentages listed above add up to 102%, another sloppy detail which strengthens our distrust of these numbers. The fact that this traffic analysis was peer-reviewed by Mott MacDonald does not inspire confidence in their overall review.

Questions:
- Whose "knowledge" of the study area was used to make these assumptions?
- Give an explanation of what comprised the "knowledge of the study area."
- What methodology, database or verifiable information was used to develop this assessment of trip distribution?
Agreement between Visual and Written Components

Three driveways are identified on the site plan (Figure 2-3, Page 2-7 and listed in Table 3.8-2,-4,-5, and -6). On Page 3.8-2, Numbers 2 and 7 are described as proposed Project driveways 1 and 2. Those two driveways are illustrated on Figures 3.8-1 and 3.8-2.

The Driveway listed as #2 is the westernmost driveway on Soquel Drive and the Driveway listed as #7 is on 41st Avenue. These are described on Page 3.8-2. Unfortunately, they are also described as Project Driveway 1 (signified by the #2) and Project Driveway 2 (signified by the #7). The written description on Page 3.8-11 that purports to explain how vehicles will enter and leave the project site consistently describes Project Driveway 2 which is identified on the map as Driveway 7. This is confusing.

In a Feb 9th E-mail, Nathan MacBeth (Development Review Planner) responded to a question about the project driveways: “The project proposes three driveways (two on Soquel Drive and one on 41st Ave). The primary driveways are the driveway on 41st Ave and the western most driveway on Soquel. The third driveway (eastern most driveway on Soquel) is necessary to preserve an existing easement serving the parcel which is not included in the proposed development. Vehicles entering and existing the site have the flexibility to use either (sic) of the three driveways. Deliveries would enter the site using the 41st Ave driveway and exit the western most driveway on Soquel.”

Errors of misidentifying Intersection 2 as signalized also occur on page 3.8-16: “(Regulatory Setting), as its significance threshold at signalized intersections (Intersections 2 and 4)” and “Specifically, a significant impact to a signalized intersection (Intersections 2 and 4) would occur ...”

These are a few examples of just plain sloppiness in this evaluation. The fact that these mistakes were not picked up when they were recommended in a Mitigated Negative Declaration in April 2017. They were again missed when the DEIR was written by County staff and also missed by Mott MacDonald’s peer-review. This makes us wonder if anyone actually read or examined the initial traffic study or the traffic study in this DEIR with a critical eye.
Project Trip Distribution Assumptions

Project Trip Distributions conjectures are used to make other assumptions of how vehicles will enter the project. Even if Driveway 7 on 41st had been correctly identified in this analysis, we would still question the basic assumptions made in this DEIR.

"Figure 3.8-2...The Project Driveway on 41st Avenue (Driveway 2) is anticipated to be partially accessed via up to ten vehicles (AM Peak) making northbound u-turns at Soquel Drive and 41st Avenue (Intersection #3) and then making a southbound right-turn into Project Driveway 2 in the peak hour. ...It is anticipated that up to two vehicles (PM Peak) exiting Project Driveway 2 in the peak hour would make a southbound u-turn at the unsignalized Redwood Shopping Center driveway (Intersection #8) south of Project Driveway 2 since southbound u-turns are not permitted at the signalized Redwood Shopping Center intersection. U-turns are analyzed as left-turns since the HCM does not provide methodology for u-turn analysis.

Questions:

- What data and formula was used to determine that cars coming north on 41st Avenue would be more likely to make a u-turn at the top of 41st Avenue and then a right-hand turn into the project area than a left hand turn onto Soquel Drive and a left hand turn into the dealership service area?
- How was the assumption made that drivers would be likely to make a u-turn at Intersection 7 if they wanted to head either east or west on Soquel Drive? It seems more likely that a car would exit directly onto Soquel Drive.

County Planner MacBeth (Feb 9th E-mail) states that deliveries would enter the site on 41st Avenue and exit onto Soquel Drive.

Questions:

- Where in the DEIR is it stated that deliveries will enter on 41st Avenue and exit on Soquel Drive?
- Does this include all deliveries, including vehicle transport trucks?
  The applicant promised at both of his community meetings that all large vehicle transit trucks will unload and load in the actual dealership site. It's illogical to assume that smaller vehicles like parts delivery vans will only use the 41st Avenue access, in part because the service department will be located off Soquel Drive. It would seem that the direction that a delivery truck is coming from would be the more determinant factor in which project driveway will be used.
- How can large delivery trucks enter the site using the stated 41st Ave driveway? It seems impossible for large delivery trucks and impractical for small delivery trucks to enter the dealership by driving north on the 41st Avenue and make a u-turn at the end of 41st Ave so they can turn right into the dealership.
Factual Descriptions of Project Components

Factual descriptions of project components are critical to an honest evaluation of the environmental effects of a project and neither of these descriptions is accurate:

This is the DEIR's Description of the Soquel Drive/Robertson Street intersection: "This is a four-legged, all-way stop controlled (AWSC) intersection with marked crosswalks on the south and east legs. The southbound leg is a private driveway serving local businesses. The intersection has one shared left-turn, thru, and right-turn lane in the northbound and southbound directions; and one shared left-turn and thru lane and one shared thru and right-turn lane in both the eastbound and westbound directions." (Page 3.8-2)

This is part of the DEIR's Description of the Soquel Drive/Daubenbiss intersection: "This is a four-legged, signal controlled intersection with marked crosswalks on all four legs. The southbound leg is a private driveway serving the Santa Cruz Hope Church."

Questions:
- Why is the Soquel Drive/Robertson Street intersection described as a four-legged, all-way stop controlled intersection when any observer will note that there is only a singular narrow private driveway with no stop sign directly opposite Robertson?
- Where are the "shared" southbound lanes on Soquel Drive / Robertson Street located? Again, the north side of this intersection is a singular narrow private driveway.
- Why does the description of the Soquel Drive/Daubenbiss intersection fail to note that the southbound leg is Daubenbiss Avenue and the northbound side is not just a private driveway but also the entrance to Hope Church and a public parking lot

This DEIR contends that project impacts will be successfully mitigated by implementing changes at both the Robertson Street (Wharf Road) and Porter Street intersections.

Soquel Drive/Robertson Street

TRA-1: Soquel Drive/Robertson Street (Intersection #4) Uncertain feasibility therefore classified as infeasible "Traffic at the Soquel Drive / Robertson Street intersection, which is currently operating at an unacceptable LOS E during the AM and PM peak hour, will continue to operate at LOS E or worse during all future conditions. To mitigate these significant impacts, the project applicant shall, prior to issuance of a building occupancy permit, pay $14,200 (2.84% of the total unfunded improvement costs) toward the cost of construction of the following improvements:
- Install a traffic signal control.
- On Soquel Drive, restripe the westbound approach to one left turn lane and one thru lane, consolidate north driveways and close the north leg (southbound approach), converting the intersection to a signalized, three directional intersection. Until north driveways are consolidated, the north leg will remain open to provide access to the building(s) using the existing driveway. The analysis evaluated this intersection with three approaches (i.e., a signalized "T" intersection with east, west, and south legs). Existing traffic volumes on the
north approach are very low at (0 vehicles in the AM peak and 3 vehicles in the PM peak). The intersection would also operate acceptably should the County decide to construct a signalized four-way intersection instead (i.e., with east, west, south, and north legs).

- On Robertson Street, restripe the northbound approach from one lane to one left- and one right-turn lane. Limit the restriping to approximately 25 feet, due to the close spacing of the mobile home park driveway southwest of the intersection. The design for this improvement will be challenging and the designer should exercise care to ensure that northbound and southbound traffic can be safely accommodated. Analysis conservatively analyzed this intersection with one shared thru, left, and right lane." (pgs 3.8-21 – 3.8-22)

Questions:

- Why does the title of this mitigation include the phrase “Uncertain feasibility therefore classified as infeasible?”
  A simple reading suggests that the outcome of this proposed mitigation is so uncertain so it is classified as infeasible. If there is no predictable positive result from implementation of this “mitigation,” why is it considered mitigation?

- How will a payment of $14,200 mitigate project impacts when an intersection, already operating at an unacceptable LOS E, will continue to operate at LOS E or worse during all future conditions?

  “The County of Santa Cruz Department of Public Works has placed the cost of the signalization closer to $500,000. Because this signalization project is listed in the 2017/2018 CIP as unprogrammed, no funding for design or construction is currently available. The only available funding would be the project’s fair share contribution of $14,200 or 2.84% of the total unfunded improvement costs. Therefore, it is uncertain as to whether proposed Mitigation Measure TRA-1 could be implemented within the next five years. For this reason, the addition of project generated traffic trips to the intersection at Soquel Drive/Robertson Street (Intersection #4) in the PM peak hour under the Existing Plus Project and Near-term Plus Project conditions would be considered significant and unavoidable.”(pg 3.8-23)

- What metric or formula was used to estimate that Nissan project traffic would only contribute an additional 2.84% of traffic volume to the Robertson Street intersection?

- What methodology/analysis was used to determine that installing a traffic light will “improve” this intersection?

- Who made that decision?

- When was the determination first made that this intersection should be signalized?

- What information and analysis was used to conclude that these intersections would move the Level of Service C or D?

Making an assertion neither informs nor proves an improvement. On Page 3.8-22 through 3.8-24, the language describing these “improvements” is couched with the use of the words “anticipated” and “infeasible.”

"It is anticipated that, when the intersection of Soquel Drive/Robertson Street is signalized, Soquel Drive/Daubenbiss Avenue and Soquel Drive/Porter Street signal timings and coordination would be updated and optimized... "Anticipated Near Term Plus Project LOS at intersections #4 and #6 with implementation of Mitigation Measures TRA-1 and TRA-2 is shown in Table 3.8-8... However, due to the potential infeasibility of Mitigation Measure TRA-1 due to a currently unidentified or unavailable source of funding, impacts would be significant and unavoidable.”

- What other roads in Santa Cruz County have three traffic signals within a 750’ road segment?

  Adding a new traffic signal will do nothing to relieve any additional eastbound afternoon traffic on Soquel Drive. If three traffic lights (over a 750’ road section)
are sequenced and timed to move traffic faster, then eastbound Soquel Drive will essentially become a fast-moving thoroughfare with no regard for the fact that Soquel Village has small businesses, local residents, cyclists, and pedestrians. Soquel residents have made it abundantly clear over many public forums over many years that we have no desire to be a shortcut or alternate route for those seeking to avoid Highway 1 by speeding through our neighborhoods to reach their destinations past Park Avenue.

- **What methodology/analysis was used to determine that restriping the westbound approach to one left turn lane and one thru lane will improve traffic flow?**
  This traffic analysis offers no evidence that this turn-lane will change or improve any traffic pattern. Many drivers use Robertson/Wharf Road as a regular alternate route rather than proceed up the hill to 41st Avenue. The single lane that exits Soquel Village westbound widens into two lanes just by Hope Church and a few hundred feet before Robertson. Generally, those wishing to turn left onto Robertson move to the left hand lane as soon as the road widens. It is likely that 95% of those who regularly drive this section of road believe that the current configuration of lanes works effectively and safely.

- **Who made the determination in this DEIR that the three private driveways on the north side of the intersection should be consolidated?** This mitigation states “Until north driveways are consolidated” **When and how will that be accomplished?**

- **Why was information from County staff about this intersection ignored?**
  Jack Schriakoff, Santa Cruz County Public Works traffic engineer notified Kimley-Horn staff in an e-mail (11/30/2016) that “An EBLT (note – Eastbound Turn Lane) may not be recommended since this is essentially a T intersection with only small business and residences on the north side of Soquel Drive. A shared access for these uses may not be possible.”
  Additionally our understanding is that these three properties are zoned C-4 Light Industrial and federal law preclude their accesses being impeded.

- **What methodology/analysis was used to determine that restriping the northbound approach (Robertson by Alimur Mobile Home Park) to create a left turn lane and a right turn lane is even possible, much less improve traffic flow?**
  The roadway is very narrow and constrained by mobile home park access road on one side and a sidewalk on the other.

- **What are the County’s requirements of minimum lane width on a public roadway?**

- **Will creating three traffic lanes on the northbound leg of Robertson preclude having a dedicated bicycle lane on that same segment?**

- **What is the legal time frame for implementing a mitigation to relieve a project’s significant negative impact?**

- **What is the legal time frame for evaluating the effectiveness of mitigation?**

- **What happens if the mitigation noted as speculative or potentially infeasible does not relieve the negative impacts of a project?**
  The DEIR notes (pg 3.8-23) that of the approximately $500,000 cost for this proposed mitigation, the project’s tiny share of $14,200 would be the only money available for implementation. No funding for design or construction is currently available and it is “uncertain as to whether proposed Mitigation Measure TRA-1 could be implemented within the next five years.”
This mitigation would create three traffic lights in 756.' Where else in the County are three traffic lights on the same road segment separated by only 300' to 400'? What is considered the “best practices” or most recommended distance between traffic lights?

The Robertson Street “mitigation” was described differently in the April 2017 Mitigated Negative Declaration recommended by Santa Cruz Planning staff. That document stated:

**Mitigation Measures TRA-1: Soquel Drive / Robertson Street (Intersection #4) (AM and PM Peaks) (Existing & Near Term Conditions)**
- Install traffic signal control and construct left-turn pockets on Soquel Drive. (This analysis requires one eastbound left-turn pocket and westbound left-turn pocket)

As was pointed out in public comments to the Mitigated Negative Declaration, the only way to create a dedicated eastbound turn lane would be to eliminate one of the eastbound through lanes and, more foolishly, a dedicated eastbound turn-lane would only serve a local business, Heather Glass.

**Questions:**
- Who made the decision to change the Soquel Drive/Robertson Street “mitigation” in the Mitigated Negative Declaration to what now appears in the DEIR?
- What was that decision based on?
- How is it possible that the completely unworkable mitigation recommended in the Mitigated Negative Declaration was deemed able to mitigate any additional traffic impacts from the Nissan dealership?

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**Soquel Drive/Porter Street**

**TRA-2: Soquel Drive/Porter Street (Intersection #6)** On Soquel Drive, the area on the south side west of Porter Street (adjacent to the curb) is currently signed as a loading zone from 8am to 5pm, Monday through Friday. When not in use as loading zone, this area currently operates as a de facto right-turn pocket. To mitigate AM and PM peak hour traffic impacts, the project applicant shall, prior to building occupancy permit, pay $20,000 to the County of Santa Cruz to construct the following improvements:

- Through signage and restriping, convert the on-street loading zone on the south side of west leg (eastbound approach) into an eastbound right-turn pocket lane during peak hours, and optimize the signal phasing, cycle length, and splits.
- Restripe the existing bike lane to provide a right-turn with bike access, the lane should be combined into a 12-foot shared bike lane and right turn lane. The combined bike lane/turn lane treatment will include signage advising motorists and bicyclists of proper positioning within the lane.

**Questions:**
- What is the current General Plan Guidelines for the required width of vehicle lanes? What is the current General Plan Guidelines for the required width of a designated bike lane?
The American Association of State Highway and Transportation (AASHTO) recommends "that right-turn lanes should be used only where warranted by a traffic study, as they present problems for both bicyclists and pedestrians. There are increased safety issues if right-turning cars and through bicyclists must cross paths, the additional lane width adds to the pedestrian crossing distance or if right-turn moves are made easier for motorists, which may cause inattentive drivers to not notice pedestrians on the right.

A through bike lane to the left of a right-turn lane should be striped with two 4" wide stripes and connected to the preceding bike lane with 3-foot dashes and 9-foot spaces. This allows turning motorists to cross the bike lane. A legend must be placed at the beginning of the through bike lane. Sign R4-4, BEGIN RIGHT TURN LANE, YIELD TO BIKES, may be placed at the beginning of the taper in areas where a through bike lane may not be expected.

On bike lane retrofit projects where there is insufficient room to mark a minimum 4'foot bike lane to the left of the right-turn lane, a right-turn lane may be marked and signed as a shared-use lane to encourage through-cyclists to occupy the left portion of the turn lane. This is most successful on slow-speed streets."

Because of the every weekday afternoon gridlock, drivers are likely tired and angry and just wanting to get home after work making this an inherently dangerous intersection for cyclists. And it is not a "slow" street. It seems to create a more dangerous situation if drivers feel that they have a "right" to turn right or they’re anxious to make the light before cross-traffic starts.

- Explain how "cycle length, phasing, and splits" will be accomplished. This intersection already has four different splits. How will the current signal system at this intersection change?
- What will “optimization” achieve? There is a genuine concern in the community along Soquel Drive that “optimal” signalization will mean moving vehicles more quickly.
- If motorists are already using the Loading Zone area as a “de facto” right-hand turn lane during the PM peak hours, how will this “mitigation” relieve additional project traffic?
- How many cars are estimated to use this dedicated right-hand turn lane during PM peak hours? It appears that no more than three cars could use this
narrow shared lane at a time. If a cyclist is also in the shared lane, maybe only one or two cars could move over for the right-hand turn.

This proposed mitigation was also preceded by a different version of this mitigation in the April 2017 Mitigated Negative Declaration that the Planning Department had determined would mitigate any project impacts and recommended for approval. That document stated:  

**Soquel Drive / Porter Street (Intersection #6) (PM Peak) (Existing, Near Term, and Cumulative Conditions)**

- Construct one additional southbound left-turn pocket and optimize cycle length, phasing, and splits.
- The Project will pay a proportional fair share for improvements at Soquel Drive / Porter Street of 1.75% based on estimated Project AM and PM peak hour trips traveling through the intersection. The nexus for the fair share is based on all future growth in traffic, estimated at the intersection (from Existing to Cumulative conditions). The unfunded planned improvement cost is estimated to be in excess of $1,000,000 and right-of-way would be required. The Project will pay a fair share fee of $17,500 based on a $1,000,000 improvement cost (Transportation Impact Analysis Page 2-3, Mitigated Negative Declaration)

In public comments made in response to the Mitigated Negative Declaration, it was pointed out that a major error called for a southbound left-hand turning lane at Soquel/Porter. There is already a dedicated southbound left hand turn lane on the eastern side of this intersection (in front of the fire station) A southbound left-hand turn lane cannot exist at this intersection while traveling eastbound. At the time it was thought that perhaps the report’s authors meant an additional northbound left-hand turn lane (up Old San Jose Road) at this intersection. Evidently the authors actually intended an eastbound right-hand turn.

It was a private citizen who picked up on this error. Santa Cruz County Planning staff failed to note the problem and instead concurred that this “southbound” left-hand turn lane would successfully mitigate additional traffic from the Nissan project. County staff evidently also advised the traffic consultants that the cost of this “improvement” would be unfunded and cost in excess of $1,000,000. Somehow throughout this process they were able to compute that the applicant would have to pay only $17,500 – under 2% of the cost. (The question is moot now since a different configuration is proposed in the DEIR but there is a strong public reaction to a private developer creating more traffic but only having to contribute $17,500 to a $1,000,000 project)

It becoming increasingly difficult to give much credence to the conclusions reached in this traffic analysis when consultants and County staff are unable to give clear descriptions of project components, cannot differentiate or clearly describe proposed project driveways and existing project area intersections, and seemed equally ready to endorse the impossible to achieve mitigations in the Mitigated Negative Declaration and the current DEIR. The fact that the County also had a separate engineering firm “peer-review” this document and that person also missed errors is disturbing.
Significance After Mitigation

This document contends that any impacts from the proposed project will be mitigated by the two proposed mitigation – the unfunded and unprogrammed signalization at Soquel/Robertson and, at Soquel/Porter, combining an existing short loading zone into a 12-foot shared bike and right turn lane and optimizing signal phasing, cycle length, and splits. The document itself say “Traffic at the Soquel Drive / Robertson Street intersection, which is currently operating at an unacceptable LOS E during the AM and PM peak hour, will continue to operate at LOS E or worse during all future conditions.” It fails to explain with any specificity how the changes to Soquel/Porter will improve the traffic there.

Highway 1 - In addition, the proposed project would result in potentially significant impacts to the segment of Highway 1 located north/west of 41st Avenue and the Highway 1 segment located south/east of 41st Avenue. These segments currently operate at LOS F in both the AM and PM peak hours. LOS D or better is acceptable under Caltrans significance criteria, and LOS E and F is considered unacceptable. Any new trips added to Highway 1 at these segments is considered to be significant requiring mitigation. However, no mitigation is available to reduce impacts to Highway 1. Therefore, project impacts under Existing Plus Project and Near Term Plus Project conditions would be Class I, significant and unavoidable for Highway 1 segment operations. Pg 3.8-17

But then the DEIR makes a bold statement – or maybe one of wishful thinking. It contends on Page 3.8-23 that both of these congested, problematic intersections will suddenly improve to acceptable Levels of Service in both the AM and PM peak hours.

Significance After Mitigation. Anticipated Existing Plus Project LOS at intersections #4 and #6 with implementation of Mitigation Measures TRA-1 and TRA-2 is shown in Table 3.8-7. With the implementation of the above improvements outlined in Mitigation Measures TRA-1 and TRA-2, the Soquel Drive/Robertson Street intersection would improve to LOS B in the AM and LOS D in the PM peak hours for Existing Plus Project, and Soquel Drive at Porter Street would improve to LOS C in the AM and LOS D in the PM peak hours for Existing Plus Project.

Questions:
- What information and analysis was used to conclude that these intersections would move the Level of Service C or D?
- How will these changes at these two intersections negate the negative impacts of a project one/half mile away that puts additional cars a day onto to this already congested corridor?

Daubenbiss Level of Service

A major question about the validity of this traffic study is illustrated in the Tables that illustrate Level Of Service (LOS). Examine Tables 3.8-3, 3.8-4, 3.8-5, and 3.8-6. Three of the study intersections (Soquel/Porter, Daubenbiss, Soquel/Robertson Street) exist within a road segment that measures 756'.
Questions:
- How can the signalized Soquel/Porter and stop-sign controlled Soquel/Robertson Road intersections both be failing or near-failing intersections (LOS E and F) and yet Daubenbiss, a signalized intersection about equidistance between them is determined to be a LOS A?
- When and by whom were these assessments made?

No one driving eastbound on Soquel Drive during PM peak hours will agree with the assessment here that this is a LOS A intersection (Defined as free flow with no delays... Users are virtually unaffected by others in the traffic stream)

The Daubenbiss traffic light is two lanes eastbound. Past the light is a short (one car length) dedicated southbound turn-lane that turns onto Daubenbiss. Then the roadway becomes three lanes – a dedicated northbound left-hand turn lane for Old San Jose Road that accommodate about 6 vehicles and two through lanes.

One of the biggest problems at Daubenbiss is that eastbound through traffic has to “fight” for location to get into one of the through lanes while drivers wanting to turn left (northbound) frequently hold up traffic flow because there isn’t room for them in the dedicated left-hand turn lane. It is not uncommon for a driver to have to wait through two or more light changes at Daubenbiss after clearing Robertson to finally get into the Porter Street section.

Project Trip Generation

This section is probably the most important for Sustainable Soquel to rebut. That is because this is the section we believe is most likely to be manipulated by the authors to favor the outcome they want. Dealing with traffic studies is daunting for anyone not a traffic engineer. Most people’s eyes glaze over at the plethora of numbers, figures and charts. This sometimes is used as an intentional way to structure a desired outcome in an environmental review.

Some of the following information is from an internet site called mkeontraffic.com.

Some of “the primary issues with using ITE data are:
- **Old and new data is mixed together.** Is a study of an office trip generation from the 1980s still accurate given today’s environment?
- **No breakdown of the area where the studies were collected.** Downtown is different than suburban is different than rural. Similarly, bike-friendly Minneapolis is different than car-centric Los Angeles is different than transit-heavy Manhattan.
- **An exact land use match is not always possible.** Fast casual restaurants like Chipotle fit nicely between the official land uses of Fast Food Restaurant and High Turnover (Sit-Down) Restaurant.
- **Many land uses only have one or two incomplete studies available for use.**

“Combine these issues with the fact that many land uses have a very large standard deviation (a residential single family home has a standard deviation of 3.7 on a rate of 9.52 trips per dwelling unit, meaning the actual trip generation could be between 5.82 to 13.22 trips per dwelling unit), and it’s easy to see how trip generation is another TIS assumption that could be challenged.”
"The Institute of Transportation Engineers' (ITE) Trip Generation Manual could be considered the Bible of Traffic Impact Studies (TIS). Composed of thousands of voluntary study submissions over many decades, this book is the most comprehensive list of average traffic per various land uses in the United States. It is used by virtually all traffic engineers across the country." (Note: This is the major reference used in this DEIR) "As good as this source is, it's not perfect." ITE itself says, "At specific sites, the user may wish to modify trip generation rates presented in this... In other words, take these rates with a grain of salt.

This DEIR considers only one proposed land use for this development and uses the Trip generation for Automobile Sales (Land Use #841) average trip rates to determine project trips for the 22,547-square foot proposed dealership. The problem here is that the authors have added together the square footage of two separate and distinct parts of the project – a 12,551 square foot auto dealership and a separate 9,996 square foot automotive service building.

In the ITT Manual cited, New Car Sales (Land Use #841) shows a rate of 2.62 trips for every 1000 square feet. Automobile Parts and Service Center (Land Use #943) shows 4.46 for every 1000 square feet. Note that the ITT manual acknowledges that an auto service department generates almost twice as many trips as New Car Sales.

Questions:
- Why does this DEIR reference Land Use #841 as Automobile Sales while the manual references #841 as New Car Sales?
- Why weren’t the Auto Parts and Service Center’s trips calculated separately from the Automotive Sales?
- Who made the decision to use only the Land Use #841 for both parts of the project?
- Does the rate given for New Cars Sales count only the square footage of the building? Does it also count the square footage of the site where the cars are displayed for sale?
- How many daily trips would occur if Land Use #841 and Land Use #943 had been used for the calculation?

Trip credits are given for the existing homes based on Single-Family Detached Housing (Land Use #210) Trip credits for the commercial building and car wash on the ITE rates and counted study data on Tuesday 5/23. "The study counted 24-hours of the in and out trips of the Kings Paint & Paper store as well as the car wash for each of the three driveways that access the existing site."

The ITT manual has calculated trip rates for Hardware/Paint Store (Land Use #816), 4.84 trips per 1000 square feet and Self-Service Car Wash (Land Use #947), 5.54 per stall.

Questions:
- Were the final counts for these two commercial uses calculated with the ITT Manual numbers or with the one-day 24-hour counts?
- Was a combination of the two methods used?

Many members of the public have difficulty accepting the numbers given in this DEIR for the number of daily trips calculated for both Kings Paint and Paper and the Car Wash. This doubt is based on personal observations made during almost daily trips past these sites. Of particular
interest is what people see while stuck in the daily PM gridlock when cars inch past these businesses.

The counted study cited in this document was done by Quality Counts, LLC, a transportation data collection company. Conducted on Tuesday May, 23, 2017, "the study counted 24-hours of the in and out trips of the Kings Paint & Paper store as well as the Car Wash for each of the three driveways that access the existing site." From the DEIR: "The existing car wash generates 257 daily trips, 10 AM peak hour trips (4 in/6 out), and 25 PM peak hour trips (14 in/11 out)."

The configuration of the existing businesses allows a vehicle to pass through behind the paint store to the back of the car wash. That area also accesses the small road that runs behind the back of the homes on 41st Avenue and into the adjacent small business area that contains a Cross-fit gym, Discretion Brewery, and other small business and restaurants. A car going that way can enter 41st Avenue at the signalized Redwood Shopping Center light. During times of high congestion, a driver can avoid the Soquel Drive/41st Avenue light by turning into the road next to the car wash.

The tally sheets are in Appendix G in the Technical Appendices are difficult to understand for a lay person.

Here is some of what confuses us about the Car Wash numbers:

- Adding up the numbers in various columns for the Car Wash gives the following numbers: **Ins: 129; Outs: 93; Cut Throughs/Others: 81.**
- Matching up the In times with the OUT times, shows that some cars were there for literally seconds and others were there for over an hour.
- The earliest car wash In is listed at 4:55 am; the latest at 21:53 (9:53 p.m.)
- The earliest OUT is listed at 1:18 a.m; the latest at 22:31 (10:53 p.m.)

**Questions:**

- What method(s) did Quality Counts LLC use?
- If automatic counters were used, which ones – portable, permanent or videotape?
- Where were the counting methods (observer locations) set or deployed?
- What are the car wash hours? Are car wash lights on 24 hours a day?
- It would be helpful to see the actual mathematic calculations used to create the trip numbers.
- What would be the trip counts if the ITT Land Use numbers were used instead of the Quality Counts LLC data?

King's Paint and Paper is a long-time local serving business. Quality Counts LLC claims that they generated 265 car trips on Tuesday, May, 23, 2017. The business is open from 7:30am to 5 pm. Conversations with paint store staff at their new location in Capitola verify that they usually have, at most, 100 daily customers and usually they have fewer. Counting each customer as one trip in and one trip out, that would equal, at best, 200 trips a day – much less than what this traffic study claims.

Here is some of what confuses us about the paint store numbers:

- Adding up the numbers in various columns for the paint store gives the following numbers: **Ins: 81; Outs: 118; Cut-throughs/Others: 90.**
- The earliest In is listed at 6:46 am; the latest at 21:53 (9:53 pm)
• The earliest Out is listed at 7:23 am; the latest at 18:22 (6:22 pm)

Questions:
• Why would 37 more vehicles leave the Paint Store than enter it?
• How did Quality Counts LLC determine the 90 cut-throughs?
• Where were the counting methods (observer locations) set or deployed?
• What would be the trip counts if the ITT Land Use numbers were used instead of the Quality Counts LLC data?

For the public, it is difficult to find any obvious way of adding up these various numbers to reach a clear understanding of these traffic counts. It would be helpful to see the actual formulas and calculations. The conclusion that there will only be an additional 168 daily car trips is not accepted or believed by a wide majority of citizens examining this proposal.

It is important to note that making these numbers – the daily trips at the paint store and the car wash – high - and under-estimating the number of daily trips generated by the car dealership, paints an incredibly biased picture of the environmental impact of the proposed project.

The major issue in the Soquel community about this project is the additional traffic that will be added to an already grid-locked traffic corridor, especially in weekday afternoons.

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**Site Access**

A major discussion of a serious issue was discussed in the April 2017 Mitigated Negative Declaration but is missing in its entirety in the DEIR. A new driveway is proposed on Soquel Drive. It is described in the Negative Declaration as providing full access to the site for patrons, employees, and inventory drop-off.

A 340’ dedicated right-hand-turn lane would also be added at this location. Soquel Drive at 41st Avenue will then have three eastbound lanes, one shared turning lane, and two westbound lanes. This segment of Soquel Drive on the eastbound approach to 41st Avenue is part of the most congested intersection in the County. This additional project component should have triggered review in this document. It is inexplicable why the authors of this DEIR did not examine the effects of adding this major change to the existing roadway.

Questions:
• Why was this Site Access and Circulation Impact Analysis not considered in the DEIR?
• Who made that decision?

The Soquel Drive westernmost project driveway is the only full access to the site.

The April 2017 Mitigated Negative Declaration examined this driveway before the right-hand turn lane was added to the project. Here it that section:

"Transportation Impact Analysis, Pg 44, Site Access and Circulation
SOQUEL DRIVE / PROJECT DRIVEWAY #1 (INTERSECTION #2)
The driveway located on Soquel Drive (Intersection #2) will provide full access to the site for patrons, employees, and inventory drop-off. The Project driveway (northbound approach) will be one stop controlled, shared left and right lane. The driveway will have one lane for traffic entering the site via Soquel Drive. A two-way left-turn lane currently exists in front of the proposed driveway, which will provide enough space for vehicles exiting the site (via northbound left-turn) and traveling to the site (available westbound left-turn storage is greater than 50 feet) to leave the flow of traffic and wait for gaps to complete the left-turns. The eastbound approach to the Soquel Drive / 41st Avenue intersection was observed to back up past this proposed driveway. It is anticipated that eastbound motorists (waiting for red light to change) will provide courtesy gaps to vehicles wishing to enter or exit the site.”

These are some of the public comments that were submitted in May 2017 to the mitigated negative declaration:

“The traffic study assumes that the only full access driveway to the project area will be able to accommodate additional project traffic via the existing two-way left turn lane on westbound Soquel Drive. The distance from the 41st Avenue intersection to the proposed access driveway is under 290’. The shared single center lane in the project area is currently used for right and left hand turns to Greenbrae Lane (a residential street), a small strip of mainly car repair shops and the new Soquel Tower Plaza shopping area to the north and King’s Paint and a stand-alone car wash to the south. The Nissan dealership will add additional vehicles to these existing uses. Most of the additional added Nissan dealer traffic will move through this driveway. The 41st Avenue entrance only allows right-hand turns into the dealership and right-hand turns out of the dealership.”

“This analysis assumes that there will be adequate space for vehicles traveling west to use the center lane to turn into the dealership. A large part of that assumption is that eastbound motorists (waiting for red light to change) will provide courtesy gaps to vehicles wishing to enter or exit the site.”

A singular problem is likely to occur during AM peak hours and was not addressed in either the Mitigated Negative Declaration or this DEIR. Employees and service customers traveling westbound Soquel may not be able to move in a timely fashion across the three eastbound lanes and the center shared turning lane depending on morning traffic (including school traffic from two private and two public elementary schools and Soquel High School.)

Relying on other drivers’ goodwill to allow stacked-up vehicles to complete left hand turns into the dealership seems a rosy best-case scenario. Morning schedules can be very demanding on individual drivers either trying to get to work or their children to school and they may or may not allow a string of cars waiting to turn left to complete their turns. If cars are unable to move into the dedicated turn lane, then the left hand westbound through lane will become impacted creating additional traffic problems in a segment that actually flows relatively well during morning peak hours.

Relying on that same goodwill for PM drivers who wish to exit the dealership and travel westbound will also be problematic. It is currently almost impossible to make a left hand turn across two lanes of queued vehicles in the afternoon from the south side of Soquel Drive.
Adding an additional right-hand turn lane will make three lanes of grid-locked cars that must be crossed in either the AM or PM peak hours.

Questions:
- Add a discussion and environmental assessment of the consequence of adding a new 340' right-hand turning lane.

Site Circulation and Parking

There is little actual discussion in this DEIR of the internal circulation of this site or of the adequacy of on-site parking. These are things which have the potential to add major traffic congestion to both Soquel Drive and 41st Avenue and create neighborhood anger and irritation by having dealership staff and customers park off-site.
Parking and Interior Circulation

The number of parking spaces dedicated for Service seems extremely low at twelve spaces. There are six mechanic bays and two car prep spaces. Cars are frequently kept in the department while waiting for parts. Cars dropped off in the morning may not be picked up until the afternoon and may be parked in some of these spaces. Cars that are dropped off and waiting for service will be parked here.

The Applicant stated that he expects a dozen cars to be serviced daily in the first year and up to 24 to 30 cars a day starting in the second year. It seems to be a low business expectation to have six service bays and to service two cars in each bay a day, even for a new dealership. Twelve parking places seem to be inadequate for the expected service business.

Questions:
- How were twelve parking spaces determined to be enough for the service area?
- How many cars are expected to be serviced daily after the first year?
- How many cars are serviced daily at comparably-sized Nissan dealerships?
- How many cars is the applicant currently servicing daily at his Soquel Avenue location?
- What percentage of total business is the service component of a Nissan dealership? Measurement re Toyota and Honda
- How many “dead cars” awaiting parts are typically held in the service department for more than two days? How long can some of those waits be?
- If just two cars are kept overnight and 25 to 30 cars came in during one day for service, where the extra cars would be parked?
- What percentage of people wait while work is completed on their car?
- What percentage of people drop their cars off early in the day and come back later? Customers dropping off cars often have another car coming to pick them up. The situation is reversed in the afternoon when someone drops a service customer off to pick up their car.
- Have these pick-up cars been factored into customer parking spaces?
- Have these ride scenarios been factored into traffic studies?
- Will the dealership provide a shuttle service? If so, how many daily trips does the shuttle service make? If so, is special parking allotted for a shuttle?
- Which driveway will customers be directed to for service for their car? Which exit will they be directed to after service?
The Service Reception area and the Parts Department area are both located off the same internal driveway. There are no separate parking spaces adjacent to the parts department. If a service customer or a parts customer enters the driveway from either Soquel Drive or 41st avenue, it is unclear where they will park in the area in front of the service department.

**Questions:**
- Where will a parts customer park?
- Where will customers waiting for a service rep wait?
- Explain how the different customers, service, parts and potential buyers will navigate the site.

It is common knowledge from the local businesses near the Honda dealership that the dealership does not have sufficient employee parking. Some neighboring businesses have become angry and annoyed with Honda employees parking in those businesses' customers' spaces.

The applicant was quoted in an article in the Santa Cruz Sentinel in May 2017 stating that employee numbers would grow from 11 currently to 40 at the new dealership. The site plan currently shows approximately 15 employee parking spaces.

**Questions:**
- Show where the Nissan dealership will provide on-site parking for 40 employees.

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**Another Unaddressed Traffic Study Question**

This is another scenario that isn’t accounted for in this traffic analysis:

**New Car Sales:** Customers shopping for a car often have other family members or friends meet at the car lot. Several people may be coming after work to meet up to view a potential car. Customers often return on several other days to discuss the finances or negotiate the sales price and to actually pick up the new purchase. Again, they are frequently accompanied by other people. Many new car purchases necessitate multiple car trips to the dealership. A test drive could mean that two cars will be left at the lot for an hour.

If just two different sets of people are looking or test-driving a car, there could easily be four cars parked in the customer/visitor parking spaces. The site plan shows approximately eight customer parking spaces and two van accessible spaces in front of the showroom.

A comment in this DEIR notes 9. *Other transportation evaluations:* “For comparison purposes, the traffic study for the Ocean Honda car dealership, with a building area of 38,300 square feet, provided thirteen customer parking spaces.” Did the authors of the DEIR investigate if the Honda dealership's thirteen customer parking spaces were sufficient for their needs or if there were problems because thirteen spaces were not enough?
If just two different sets of people are looking or test-driving a car, there could easily be four cars parked in the customer/visitor parking spaces. The site plan shows approximately eight customer parking spaces and ADA accessible spaces in front of the showroom.

Questions:
- What methodology was used to determine how many spaces would be needed for each dealership department?
- What will customer parking needs be for a car dealership that sells between 60 to 80 cars a month and service 25 to 30 cars a day? These are the numbers that the applicant has stated in his two community meetings.
- Is 2.6 acres considered an appropriately-sized site for a car dealership that anticipates the amount of anticipated business claimed by the applicant? We have been told than Nissan USA would actually like this sort of regional dealership have a site of 4+ acres.

Site Circulation:

There are three project access driveways located on the site plan - two on Soquel Drive and one on 41st Avenue.

Questions:
- Provide a Circulation Plan showing how all traffic for service, parts and new sales customers, parts department delivery trucks and over-sized vehicle transport trucks are anticipated to enter the property and exit and share with delivery trucks?
- What is the primary Intended use of the eastern-driveway on Soquel Drive?
- What is the primary intended use of the western-most driveway on Soquel Drive?
- What is the primary purpose of the 41st avenue driveway on Soquel Drive.
- Are all internal driveways divided for autos going both directions?
- Show directional information for all the driveways.
- How was information about the various dealership access and egress components integrated and evaluated in this DEIR?
Transport Trucks

Concerns were voiced during two community meetings held by the applicant in May 2017 and February 2018 that auto transport deliveries and auto parts deliveries to the Honda Dealership on Soquel Drive create added traffic congestion to this intersection.

"Transport trucks," "big rig trucks," "semi-trucks" and special delivery trucks arrive on a weekly basis to a car dealership at different times throughout the day. Because these large trucks cannot turn into their destinations, they park in the middle of the roadway. On Soquel Drive, they stop in front of the Honda dealership in the shared center turning lane several times a week, blocking the turning lane, hindering views from oncoming traffic for left turns and potentially interfering with emergency response vehicles during the peak traffic hours.

The applicant stated at two community meetings that he would "guarantee" that no transport trucks servicing his dealership would unload or on-load vehicles on the street. He stated that all transport vehicles would park within his dealership site.

He also stated at the February 2018 community meeting that he plans to sell 50 to 60 cars a month for the first year and up to 90 cars a month in future years. An auto-transport truck typically carries 6 to 8 cars. Selling 80 cars a month would require at least 10 or more transport deliveries a month so at least two transport trucks a week could be expected.

A verbal statement by the applicant/auto dealer at the community meeting and other research confirms that Nissan dealership expects to do one-third to half of the business as Honda dealerships does. The Honda dealership on Soquel Drive sells a minimum of 150 to 160 new cars. This relatively common knowledge within the automotive industry is why Nissan America urges its dealers to locate in close proximity to Honda dealerships.

Currently three to four transit trucks make deliveries to the Honda dealership. Adding another car dealership just across from the Honda dealership adds at least another two weekly trucks. The two dealerships combined will bring a minimum of seven or eight vehicle transport car deliveries a week.

Honda’s transit delivery trucks already impact traffic on Soquel Drive several times a week. The trucks are so large that they do not pull into the dealership but park in the center shared turning lane. They are usually there for at least an hour for each delivery.
Questions:
- How will these dealerships manage their deliveries if transports came at the same time? Has Santa Cruz Nissan been in any communication with Ocean Honda?
- Why haven't the impacts of these large transport trucks been factored into the traffic study? These big-rig trucks are given for any new car dealership.
- How many trucks deliver cars to the Honda dealership each week? What impacts do they make on existing Soquel Drive traffic?
- Is there any method or system that can track or control vehicle transit truck delivery times?
- How would two delivery trucks be managed in the center lane at the same time? It's our understanding that transport trucks' delivery times vary greatly and are determined by my own schedules. If more than one truck arrives at the same time and the loss of a major part of the center turning lane for a space of time, what will be the impact on Soquel Drive traffic? What will be the impact on other local businesses if their customers are unable to turn into them?
- This DEIR has failed to analyze the environmental impacts of having two car dealerships in close proximity. Information of increased impacts should be knowable since most counties and cities set aside special areas that are developed into "auto rows." What are the potential impacts of two dealerships in the Soquel Drive/41st Avenue?

The DEIR does not address the variety of issues related to auto transport truck deliveries. There are no reference to the actual trucks, the frequency of deliveries, the turning radius needs, center lane parking impacts and size of trucks. An auto transport truck can range from 50' to 75' feet long, up to 11' feet wide, 13 to 14' tall, and weighing as much as 80,000 pounds.

![Figure 4. Conventional Automobile Transporter Combination](image-url)
The following questions are based on over-sized truck concerns and the need to clarify the day-to-day operations and likely impacts associated with them.

**Questions:**
- List any applicable California and Santa Cruz County code requirements for street width and load restrictions regarding oversized trucks.
- Confirm if auto transport trucks would have a legal right to load or unload on the center lane of Soquel Drive.
- What is the legal weight, height, width and length of vehicle transport trucks in California?

The DEIR does not discuss that 41st Avenue is a divided roadway with medium divider in some sections and an approximate width of 20 feet. **Confirm the actual width of each lane on 41st avenue traveling south in front of the proposed project.** This data from the CalTrans Design Manual describes the required minimum road width of 27 feet for an 18 meter (60') semi truck to make a 90 degree turn.

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<th>Maximum Angle Intersection</th>
<th>Minimum Road Width Required</th>
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<td>5°</td>
<td>28'</td>
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<td>10°</td>
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<td>34'</td>
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<tr>
<td>30°</td>
<td>38'</td>
</tr>
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**Questions:**
- Provide information that shows how an auto transport truck, which may be up to 75' feet in length, will be able to make a right turn into or out of this project site onto 41st avenue.
- What is the maximum length truck that can navigate this ninety degree righthand turn.

There is some confusion as the roles of the three proposed project driveways. The 41st Avenue driveway only allows right-hand southbound turns into and out of the dealership. That is referenced as Driveway # 2 in the DEIR but identified on DEIR figures as 7.

There are two Soquel Drive proposed driveways. The westernmost one is referenced as Driveway #2 in the DEIR and identified on DEIR figures as 2. This is the only driveway with full access, allowing both right and left-hand turns into and out of the project site. The third driveway is closest to 41st Avenue and serves as a project driveway and a deeded easement to a separately owned parcel (APN 030-121-34).
In a Feb 9th E-mail, Nathan MacBeth (Development Review Planner) responded to a question about the project driveways: “The project proposes three driveways (two on Soquel Drive and one on 41st Ave). The primary driveways are the driveway on 41st Ave and the western most driveway on Soquel. The third driveway (eastern most driveway on Soquel) is necessary to preserve an existing easement serving the parcel which is not included in the proposed development. Vehicles entering and exiting the site have the flexibility to use either of the three driveways. Deliveries would enter the site using the 41st Ave driveway and exit the western most driveway on Soquel.”

Questions:
- Confirm which driveway of the three listed on this project would be the ingress and egress for trucks. Delineate between smaller delivery trucks and large vehicle transit trucks.
- Confirm which driveways expected to be used for sales or service customers.
- Visually depict how an oversized truck will be able to exit Driveway #1 (Soquel Drive side) via a left hand turn onto westbound Soquel Drive.
- It is common knowledge that large semi-trucks or vehicle transport trucks cannot negotiate the northbound Highway 1 on-ramp from 41st Avenue. Explain how the configuration of this on-ramp affects the circulation flow of this project on local streets.
- Which Highway 1 on and off-ramps are able to be accessed by large vehicle transport trucks?
- All project driveways are two-way and two lanes. How will a 65’ to 75’ long transport truck or other large truck navigate through the property?
- Demonstrate how a transport truck, if it could enter from 41st Avenue, would physically drive through the site, making a right turn, left turn and second right turn (snake pattern) through the project site and out to Soquel Drive via Driveway #1. Show this in reverse if the transport truck enters on Driveway #1 and exits out Driveway #2.
- The landscape plan shows a shade tree canopy extending over the driveway and the parked cars. The trees are required by the county to provide shade, block glare and as compensation for removing the 46’ Sequoia Tree. How would 14’ foot tall transport trucks or large parts delivery trucks maneuver through this site without interference with the trees?

The project description states the concrete driveways would be built with 2,500 PSI. Concrete used for significant weight loads requires asphalt or concrete with a minimum of 4,000 and even 5,000 PSI. Transport trucks can weigh up to 80,000 pounds. If the concrete specifications are only 2,500 psi, it appears that the applicant either underestimated or did not plan to have large transport trucks actually enter into his dealership for loading and unloading.

When community members first expressed concerns about these large trucks at the applicant’s May 2017 Community meeting, he promised that he would bring those large trucks onto his dealership site for loading and unloading. He repeated that same promise at his February 8, 2018 community meeting.

The Santa Cruz County General Plan already addresses this issue, acknowledging that commercial and industrial loading can cause traffic and congestion problems.
Service Vehicles/Loading Space. Loading space shall be provided as required in SCCC 13.10.570 through 13.10.578, inclusive, for commercial and industrial uses. Loading areas shall be designed to not interfere with circulation or parking, and to permit trucks to fully maneuver on the property without backing from or onto a public street.

Question:
- How will this proposed project be modified to meet the specifications necessary to have these heavily weighted trucks access the site?
- The applicant made his verbal promise before this DEIR was written. Why wasn’t that change discussed or analyzed in the DEIR?
- Will the applicant’s verbal promise be codified into the project’s Use Permit if approved? What happens if this promise isn’t kept? Certainly no one in the Soquel community or traveling on Soquel Drive knew that large vehicle transport trucks would block the shared center turning lane. Now that we know this is an issue that potentially makes the Soquel Drive even more congested and impacted, it is reasonable that we would want to avoid any additional increase in this activity.
- Has the General Plan section cited above been met by this proposed project?

Other Items

The site plan shows porous asphalt would be used for both the mechanic bay and loading dock area. The porous asphalt is considered to have lower load-bearing capacity than conventional pavement which may be an issue in the loading dock area. There is concern that this material should not be used on storm water “hotspots” with high pollutant loads because storm water cannot be pretreated prior to infiltration. No-source point pollutants such as oil, gasoline and other fluids used in cars are reasonably expected to be more likely to be split in an automotive repair facility. Perhaps the use of water-permeable and porous asphalt would be ill-advised in this area. Was this potential pollution issue considered in the drafting of the site plan?
Section 5.0 Project Alternatives

CEQA Guidelines require that alternatives could feasibly achieve most of the basic project objectives, but avoid or substantially lessen the project's significant environmental effects.

In identifying suitable alternatives, potential alternatives must be reviewed to determine whether they:

- Can avoid or substantially reduce significant environmental effects;
- Can attain most of the basic project objectives;
- Are potentially feasible;
- Are reasonable and realistic.

The alternatives discussed should be ones that offer substantial environmental advantages over the proposed project. The alternatives analysis discussed must be reasonable, and selected to foster informed decision-making and public participation.

Sustainable Soquel has difficulty even having to consider these alternatives because we find so much inherently wrong with all aspects of this project in this location. We believe that only Objective 1 is a truthful statement or rationale for building this development. We do know that the applicant wants to open up an auto dealership on eight lots that are not zoned for that industrial use and is asking the County to change its General Plan and other County Codes (like Signage guidelines) to allow him to do that.

We also know that The Santa Cruz County Economic Development Department and the Santa Cruz County Planning Department has aided and encouraged his efforts. Last year, the Santa Cruz Planning Department recommended the approval of a Mitigated Negative Declaration that was quietly, with no authentic public notice, moving through the system. That approval would have precluded this environmental review from taking place. The only reason this DEIR was prepared is because of loud public outcry from the Soquel community.

The objectives for the project, as listed in Section 2.0, Project Description, are as follows:

1. To provide a conveniently located, attractively designed automotive dealership and service center that will offer a full range of automotive models and services that satisfy the demand for new car buying opportunities within unincorporated Santa Cruz County.

2. To provide Service Commercial development within an area currently designated as Community Commercial.

3. To combine multiple small parcels into one large parcel that can be developed to provide a greater community benefit.

4. To provide for the efficient redevelopment of an existing community commercial area that is currently underutilized with blighted properties, outdated commercial uses, and non-conforming uses.

5. To provide commercial tax revenues to the unincorporated County of Santa Cruz.
We have set out our larger arguments against Objectives 2, 3, 4, and 5 in another section (Project Description).

Succinctly, Objectives 2 and 3 are special favors that the applicant is asking from the County so he can locate his business in this particular location. Objective 4 has no relationship to this project and is misleading, in that it implies that this area will remain “blighted” if this project isn’t approved.

The applicant himself disavowed Objective 5 at a public meeting stating emphatically that this was not his objective and he did not write it. The specious and incongruous Objective 5 prevents the lead agency the DEIR authors from evaluating any possible alternatives not located in the unincorporated part of Santa Cruz County.

The alternatives are listed and summarized below:

- Alternative No. 1: No Project/No Development
- Alternative No. 2: Proposed Project with APN 030-121-34
- Alternative No. 3: Mixed Use Development
- Alternative No. 4: Commercial Development
- Alternative No. 5: Offsite Nissan Dealership

In conducting the alternatives analysis consideration must be given as to how, and to what extent, an alternative can meet the project’s basic objectives.

**Alternative 1 5.2.1: “The No Project/No Development Alternative assumes that the Proposed Project is not pursued, and that the project site remains in its current state...**

“...the project site would remain in its current condition and not be redeveloped...”

“Also, since no additional employees and customers would be traveling to the project as a result of the proposed development, impacts based on a per capita generation from new residents or employees resulting from the project would not occur under this alternative.”

“These impacts include those primarily related to transportation/traffic. Existing Plus Project, Near-term Plus Project, and Cumulative Plus Project traffic trips generated by the Proposed Project would not occur; and therefore, would not impact the intersections of Soquel Drive at Robertson Street and Soquel Drive at Porter Street. In addition the added project generated traffic trips would not occur; and therefore would not impact Highway 1 north/west and south/east of 41st Avenue. Overall, impacts resulting from the No Project/No Development Alternative would be less than for the Proposed Project.

The improvement in Traffic LOS with the signalization of the intersection of Soquel Drive and Robertson Street would not occur, which is similar to the Proposed Project, if Mitigation Measure TRA-1 involving the signalization of the intersection of Soquel Drive/Robertson Street is assumed to be infeasible. In addition, the right-turn pocket proposed as Mitigation Measure TRA-2 at the intersection of Soquel Drive and Porter Street would not occur under the No Project/No Development Alternative resulting in a reduced level of service at that intersection. It should also be noted that frontage
improvements to include a right-turn pocket from northbound Soquel Drive to 41st Avenue and separated sidewalks on both Soquel Drive and 41st Avenue would not occur under this alternative. Also, none of the project objectives would be achieved. In summary, this alternative would avoid the mitigated less than significant impacts and significant and unavoidable impacts identified in this EIR, but would not produce certain benefits of the project.

This is valuable commercial property and it will be developed within the next few years. It was identified in the 2014 Santa Cruz Sustainable Plan as a critical piece of property to meet future community needs. It is on a very busy transportation corridor. A small shopping center just opened across Soquel Drive two years ago that was built on a similar under-utilized property.

Mitigation Measure TRA-1 is unscheduled, unfunded, unpopular in the Soquel Community and so highly speculative that its very title refers to it as Unfeasible. TRA-2, a very short right hand turn lane at Porter Street is already acknowledged as being used as a "de facto" turn lane now. Its total cost is $20,000 for repainting and could be easily accomplished if it were determined that it would actually help this congested intersection.

The corner of Soquel Drive/41st Avenue was identified some years back as a property where whoever owns, upgrades or develops it will be obliged to construct a right-hand turn lane and sidewalks.

Questions:
- Why does this DEIR claim that this property would not be developed if this project isn’t built?
- What “impacts on a per capita generation” would not occur? We do not understand the intent of this statement.
- Explain and quantify the “certain benefits” of this project?

Alternative No. 2: Proposed Project with APN 030-121-3

5.3.1 Description Under Alternative No. 2, development of the eight parcels included under the Proposed Project (Table 2-1) would occur as proposed with the addition of Assessor Parcel Number 030-121-34, for a total of nine parcels.

This alternative should be disregarded for the purpose of this DEIR. The additional property has not been purchased by the applicant. He has stated in the January 4, 2018 Santa Cruz Sentinel, “We do not anticipate that this property will be part of our project and we will not be pursuing it further,” Groppetti said.” He reiterated that same sentiment in a February 8, 2018 Santa Cruz Sentinel article.

This alternative is the one adjudged as the environmentally superior. It gains its extra “++” that makes it better than any other plan because it is rated as more "aesthetically" pleasing. We note that Alternative 2 would result in a larger auto dealership than the proposed project examined in this DEIR.

The DEIR makes the following assumption: “It is not foreseeable to identify how the parcel might be developed in the future; under this scenario it is assumed that the existing single-family
structure and associated detached garage (which has been listed for sale for an extended time but with no change in its status) remains in its present condition."

The more aesthetically pleasing part comes when the “existing dilapidated single-family structure and associated detached garage would be demolished” and made into additional parking for automobiles displayed for sale.

**Questions:**
- Did anyone ever consult or talk to the owners of this parcel?
- If it’s not “foresightable to identify how the parcel might be developed in the future,” then what information was used to make the assumption that the property would remain as it is now? The property remains valuable (C-2) commercial property located in a busy business district.
- How would a larger project “avoid or substantially reduce (the) significant environmental effects” of a smaller project?

Both Alternatives 3 and 4 are intentionally designed to appear much more impactful and unappealing compared to the proposed project. This is regrettable and contrary to the intention of CEQA as stated here: “The alternatives analysis discussed must be reasonable, and selected to foster informed decision-making and public participation.”

**5.4 Alternative No. 3: Commercial Use Development**

*5.4.1 “...no General Plan Amendment or Zone change would occur. The site would maintain its existing General Plan Land Use Designation of Community Commercial (C-C) and Zoning of Community Commercial (C-2).*

"The Commercial Use Development concept, prepared with the assistance of a local design consultant, consists of 36,100 square feet of commercial space, with three separate buildings to include: Building A – single story with 3,968 square feet; Building B – first floor with 14,848 square feet and second floor with 10,628 square feet for a total square footage of 25,476 square feet; and Building C – single story with 6,656 square feet (Figure 5-2)."

"A total of 147 parking spaces would be proposed to meet the demand of the proposed commercial use. Two vehicle access points would be provided as for the Proposed Project. One would be provided from eastbound Soquel Drive and one from southbound 41st Avenue."

"As with the Proposed Project, frontage improvements would include new curb gutter and standard ADA six-foot sidewalk along the entire project frontage of Soquel Drive and 41st Avenue. As under the Proposed Project, the Commercial Use Development Alternative would also provide approximately 15-foot road right-of-way along the project frontage on Soquel Drive that would be required to construct a dedicated approximately 340 foot long right-turn pocket onto 41st Avenue from eastbound Soquel Drive."

"The Commercial Use Development Alternative would likely support a 4,000 square foot restaurant in addition to 36,100 square feet of commercial retail."

This alternative is a fantasy put together by the authors of the DEIR and their “local design consultant.” Essentially it is a design planned to make the car dealership look like the best choice. Modifying phrases and words like “likely result,” “may look like,” and “would likely have” are used throughout different sections. Maximum usage is illustrated to make the impacts look worse than a regional car dealership.

The project area is comprised of eight (8) different lots. Each is zoned C-2. Each may be bought and developed by a different entity. General Plan and County Code will determine what can be built on each separate lot and require adherence to all applicable building codes such as setbacks from lot lines, window schedules, signage and parking - even if all of the lots were purchased for development by the same party, The Santa Cruz Sustainability Plan demonstrates many different ideas for this commercial area. The relatively new shopping area just north of the project site is a good example of the type of buildings and businesses that could be built on these properties.

The most egregious assumption this alternative makes is that if this area was developed according to the existing General Plan and the vision of the Sustainable Plan, project traffic would be almost three times greater than a regional car dealership.

The intent of the Sustainable Plan is to make changes to the General Plan and local ordinances so that Santa Cruz County to conform to California state law (SB375). The intent is to lessen Vehicles Miles Traveled (VMT) and lessen Greenhouse Gas Emissions.

The ratings of the five alternatives illustrated on Table 5-4 mark Alternative 3 as “inferior” to the proposed plan in Aesthetics and Visual Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Noise, and Transportation and Traffic.

Questions:
- Identify the “local design consultant” referenced in this section.
- How much was this consultant paid?
- What sort of detailed plan or report was submitted by the consultant?
- Who in the Planning Department was most responsible for writing the Alternatives section of the DEIR?

Under Aesthetics and Visual Resources, the final sentence is “Although visual impacts from Alternative No. 3 would be less than significant, due to the minimum setback of the associated structures, visual impacts could be considered greater by some individuals under this alternative than for the Proposed Project.”

Many individuals would find buildings more attractive than car lots.

Questions:
- Why does Table 5-4 grade Alternative 3 as “inferior” for Aesthetics when the last sentence of that section clearly states a very subjective opinion?
- Why does Table 5-4 grade Alternative 3 as “inferior” for Aesthetics but acknowledge that the visual impacts would be less than significant?
Under Air Quality, the assumptions made are based on the "imagined" commercial use design depicted here. It claims greater energy use and car trips will result in greater impacts to air quality. This again is contrary to the vision of the Sustainable Plan which has different commercial uses "imagined" for this property.

Question:

- Why does Table 5-4 grade Alternative 3 as "inferior" for Air Quality while the discussion acknowledges that the impacts would be less than significant?

We almost started laughing when we read the Geology and Soils section's rationale for rating Alternative 3 "inferior" to the proposed project. This is what is really written (and it's a quite an amazing stretch): "Because this alternative would result in construction of additional square footage of commercial buildings at the project site, an increase in the number of persons would be exposed to these hazards, and therefore, impacts would be greater than under the Proposed Project. However, it is anticipated that compliance with applicable building codes would ensure impacts associated with this alternative would be less than significant as under the Proposed Project."

Question:

- Why does Table 5-4 grade Alternative 3 as "inferior" for Geology and Soils while the discussion acknowledges that the impacts would be less than significant?

Greenhouse Gas Emissions are deemed greater of the subjective estimation of the square footage of the buildings and the amount of project traffic generated. However, the last sentence again concludes "However, as with the Proposed Project, impacted related to greenhouse gas emissions would be less than significant."

Question:

- Why does Table 5-4 grade Alternative 3 as "inferior" for Greenhouse Gas Emissions but the discussion acknowledges that the impacts would be less than significant?

Under the Noise discussion, the DEIR notes that "impacts associated with noise would be similar to those described in Section 3.7, Noise with the exception of construction-related noise. Given the additional square footage of structures from that provided under the Proposed Project (13,500 square feet), construction-related noise would likely have a longer duration; and therefore would be slightly increased from that of the Proposed Project. As under the Proposed Project temporary construction-related noise impacts would be reduced to a less than significant level with the incorporation of mitigation measures" and "overall, impacts under this alternative would be slightly increased to the Proposed Project."

Question:

- Why does Table 5-4 grade Alternative 3 as "inferior" for Noise even as the discussion describes the noise as "similar" to the proposed project?

- If Alternative 3 construction noise would be reduced to less than significant with mitigation, describe how impacts will be "slightly increased?"
The Transportation and Traffic discussion is also engendered by the size of the "fantasy" design outlined in this document. "As a result, impacts associated with additional project-generated traffic trips on Highway 1 under this alternative would be considered significant and unavoidable as under the Proposed Project. Therefore, impacts to transportation/traffic would be of the same class, but of greater magnitude under this alternative."

We acknowledge that any development at the project site bounded by Soquel Drive and 41st Avenue will bring more traffic to the roadways in the vicinity. We argue that the intention of the Sustainable Plan is to create local-serving retail and service businesses so that local residents do not have to travel as far in their cars or can reach those business areas by other means like public transit, walking or using a bicycle.

**Question:**
- Was the sole reason Alternative 3 was rated "inferior" because the DEIR authors estimated a much greater number of cars?

**5.5 Alternative No. 4: Mixed Use Development:** "no General Plan Amendment or Zone change would occur. The site would maintain its existing General Plan Land Use Designation of Community Commercial (C-C) and Zone of Community Commercial (C-2). The Mixed Use Development concept was formulated with the assistance of a local design consultant, and includes 21,000 square feet of commercial space and 21,000 square feet of residential consisting of three separate buildings...A total of 28 housing units would occur within the residential portion of the project. A total of 147 parking spaces would be proposed to meet the demand (144 spaces) of the mixed use project alternative."

We believe the reason Alternative 4 was included was to add another alternative specifically designed to make the proposed car dealership appear to be the environmentally superior choice.

The amount of development proposed by this alternative offers more than double the building square footage offered by the proposed project and almost half again as much square footage as Alternative 3. In addition to 21,000 square feet of retail space, this plan would also include 28 housing units.

Table 5-4 paints an even bleaker picture of this alternative by ranking it as inferior to the proposed project in eight categories - Aesthetics and Visual Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Noise, Public Service/Utilities, Recreation and Transportation and Traffic.

**Questions:**
- Identify the "local design consultant" referenced in this section.
- How much was this consultant paid?
- What sort of detailed plan or report was submitted by the consultant?
- Who in the Planning Department was most responsible for writing the Alternatives section of the DEIR?
- Why does Table 5-4 grade Alternative 4 as "inferior" for Aesthetics when the last sentence of that section clearly states a very subjective opinion?
Why does Table 5-4 grade Alternative 4 as “inferior” for Aesthetics but acknowledge that the visual impacts would be less than significant?

Table 5-4 grades Alternative 3 as “inferior” for Air Quality because of the enormous amount of building square footage and the even larger number of car trips this Alternative assumes would be a mixed-use project. What would the impacts of a mixed-use project if those uses were built a much smaller scale on the eight separate lots following existing County regulations?

Why does Table 5-4 grade Alternative 4 as “inferior” for Geology and Soils while the discussion acknowledges that the impacts would be less than significant?

Why does Table 5-4 grade Alternative 4 as “inferior” for Greenhouse Gas Emissions but the discussion acknowledges that the impacts would be less than significant?

Table 5-4 grades Alternative 4 as “inferior” for Noise because it assumes an enormous amount of building square footage, an even larger number of car trips and road noise impacts to 28 multifamily residential units. What would the impacts of a mixed-use project if those uses were built a much smaller scale on the eight separate lots following existing County regulations?

Why does Table 5-4 grade Alternative 4 as “inferior” for Public Services and Utilities while the discussion acknowledges that, while the impacts would be greater than the Proposed Project, impacts will be less than significant?

Why does Table 5-4 grade Alternative 4 as “inferior” for Recreation while the discussion acknowledges that “no impact would occur?”

From the DEIR: “impacts associated with additional project-generated traffic trips on Highway 1 under this alternative would be considered significant and unavoidable as under the Proposed Project. Therefore, impacts to transportation/traffic would be of the same Class, but of a greater magnitude under this alternative for overall daily trips (but no differences in AM or PM peaks as compared to the Proposed Project).”

Why does Table 5-4 grade Alternative 4 as “inferior” for Transportation/Traffic while the discussion acknowledges that, while some impacts will be the same and some will be of “greater magnitude” but there would be no difference in AM or PM peak periods? Was the “inferior” rating based solely of the assumption that Alternative 4, as proposed, would put more cars on the road? What would the impacts of a mixed-use project if those uses were built a much smaller scale on the eight separate lots following existing County regulations?

It would seem that applicant himself discounts Alternative 5. In a Santa Cruz Sentinel article, he is quoted as saying: “The parcels at Soquel Drive and 41st Avenue, once developed, would best meet the needs of our customers.” He has made it clear at his two community meetings that the only property he is interested in is the corner of Soquel Drive and 41st Avenue.

We believe that this alternative was included so the authors of the DEIR could go through the motions of proposing as alternate site. We doubt if there has been any serious search by the applicant, his representatives or the Santa Cruz County Economic Development staff to find another site for this private development project.
5.6 Alternative No. 5: Offsite Nissan Dealership “an alternative offsite location for the proposed dealership, assumes a location south of Highway 1 at the southwest corner of Soquel Avenue and Chanticleer Avenue in Live Oak (Figure 5-5). The site is not currently owned by the project applicant...The offsite alternative proposes similar improvements as the Proposed Project, although the site is over one-half acre smaller in size and the scale of improvements and/or car sales area would need to be reduced by about 20% to fit the site. The 1.92 acre site is currently designated Service Commercial (C-S) under the County of Santa Cruz General Plan and zoned Light Industrial (M-1)...As with the Proposed Project, a Zone change would be required to change the Zone district from M-1 to Commercial Services (C-4) in order to accommodate the proposed automobile sales and service use, but no change to the General Plan would be required because C-4 zoning would be consistent with the existing General Plan land use designation of Service Commercial (C-S).

This alternative is judged superior to both Alternatives 3 and 4. It is telling to see the Environmental Topics where it is judged inferior to the Proposed Project and the reasoning behind those choices.

Questions:
- Our understanding is that the acreage of the Soquel Avenue/41st Avenue site is only marginally acceptable to Nissan America for a regional car dealership. What amount of acreage does Nissan America recommend for a stand-alone car dealership? Does Alternative 5 meet that standard? We ask this question because, under CEQA, alternatives should feasibly obtain the proposed project's objective. If this acreage is substandard for Nissan America, it should not be considered a feasible alternative.

The ratings of the five alternatives illustrated on Table 5-4 mark Alternative 5 as "inferior" to the proposed plan in Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Traffic.

Although this alternative is described at 20% smaller than the proposed project it states that there would be "a greater increase in net new operational vehicle trips." This is accomplished by noting that this property is essentially vacant so they aren't taking credit for traffic generated by a paint store or self-service car wash. As we contend in our questions on transportation, we believe the numbers calculated as existing trips were exaggerated to make the additional traffic impacts on the Soquel Drive corridor appear less impactful.

We find it incredible ironic that Alternative 5 expresses "numerous sensitive receptors to the south and southwest of the site" when the DEIR ignored the four mobile home parks that are all within 600 feet of the Proposed Project site.

This alternative is also judged to create more greenhouse gas emissions because of the increase in vehicle trips. It's also interesting that there is a discussion of the congestion and high volume of traffic in the roadways surrounding this alternative site. We contrast that with little information about the daily gridlock that occurs on both Soquel Drive and 41st Avenue on a daily basis.

We do not believe that this alternative was ever considered as an actual feasible alternative and has been examined in only a cursory way.
Addendum:

This DEIR has Figures, Tables and Appendices. We have been unable to locate in either the main document or in any of the Technical Appendices anything named Attachment.

We have looked for Attachments because the DEIR references, in four different locations, Attachment I. This attachment evidently outlines and describes the location, size and color of all signage.

It's ironic that the Planning Department is seeking to make a sign exception for this applicant that we can only assume will allow more square-footage or size than current County Code permits. The same Planning Department went after several small Soquel Village businesses last year for displaying small A-frame sidewalk signs, threatening “offenders” with fines.

We do know from the staff report for the May 10, 2017 Planning Commission meeting (which was cancelled) that the sign exception Planning staff sought increasing the allowed 50 square feet of signage to 200 square feet. Their justification was that “the location of the proposed buildings and configuration of the project site support the need...” The actual square footage of the signs they list is 202 square feet but they also note that the “200” square feet of signage will be in “addition to a 6-foot high monument sign located at the entrance along 41st Avenue”

Pg ES-2: The project also includes a sign exception to increase the allowed square footage of signage. The location, size and color of all signage is outlined in the proposed sign plan (Attachment I).

Pg 2-6 The project also includes a sign exception to increase the allowed square footage of signage. The location, size and color of all signage is outlined in the proposed sign plan (Attachment I).

Pg 2-20 Sign Exception. The project includes a sign exception to increase the allowed square footage of signage. The proposed sign plan (Attachment I) indicates the location, size and color of all signage. The project would be conditioned to ensure that lighting associated with signage and the site would not result in excessive glare leaving the site.

Pg 3.1-10 The project includes a sign exception to increase the allowed square footage of signage. The proposed sign plan (Attachment I) indicates the location, size and color of all signage. The project would be conditioned to ensure that lighting associated with signage and the site would not result in excessive glare leaving the site.

Questions:

- Where is Attachment I?
- How can this sign exception be examined if it is not included in the DEIR or associated documents?
- What other County private businesses have been given similar sign exceptions within the last two years?
Test Driving Cars:

At the February 8, 2018 community meeting a citizen voiced concerns that his residential road of Rodeo Gulch has dangerous one way sections, windy and narrow roads and can be dangerous to drive. He related this has already been a problem with Honda sales people bringing potential customers on test drives coming up his road. Other citizens in other forums and in written complaints have made the same complaint. Evidently the Honda dealership has agreed to not have test drives on Rodeo Gulch.

Mr. Groppetti was asked if he would also promise to not test drive on this Rodeo Gulch and he affirmed that with the audience. 

The Soquel community has many rural roads that are similar to Rodeo Gulch – narrow, windy and some with dangerous sections. Many of those roads are also inherently unsuitable for drivers who, for example, want to see how a car handles a tight curve or how much acceleration it has. 

We've also heard from friends that live near the current Nissan dealership and other car dealerships on Soquel Avenue in Santa Cruz that car mechanics regularly drive through neighborhoods to determine problems with cars.

Test driving a car before purchase is expected by every car buyer. Test drives are an integral part of almost every car purchased at a dealership. Many more cars will be test driven than sold.

Questions:
- Were traffic studies ever considered for non-sold vehicles? Non-sold-vehicles would include test drives for prospective purchasers and test drives by mechanics driving cars out of the service department.
- How many test drives are likely to occur in a month?
- How many test drives can be expected by mechanics be in a month?
- Has the dealership determined where they would take prospective customers on test rides?
- What is the expected route to be taken after 2:00 on weekdays when traffic is at its worse?
- What routes would be taken on weekends?
- What routes would be taken by mechanics needing to test drive cars? Have those test drives been factored into traffic studies?

This is a matter of concern because the applicant made a similar promise to not having vehicle transport trucks park in the middle of Soquel Drive. He promised that all vehicle deliveries would be accomplished on his property.

After careful examination of the DEIR, we have come to the conclusion that, as sincere as he may have been when he made the promise about the transport trucks, it appears impossible for him to keep.

What happens if the applicant makes verbal promises to the community but doesn't adhere to them later? Are these items that can be factored in a use permit? What can the community rely on for enforcement of promises made about test rides?
Miscellaneous Additional Questions

1. Page 2-19 of the DEIR states that the project will "satisfy the demand for new car buying opportunities within unincorporated Santa Cruz County." Is this a mathematically calculated market "demand," or are these just words that are meant to suggest there is such demand? How do we know it exists and/or to what extent?

2. Page 2-19 states there is "greater community benefit" in combining small land parcels into one large parcel — with no supporting evidence. What is the "greater community benefit"?

3. Page 2-19 states that an objective of the project is "To provide commercial tax revenues to the unincorporated County of Santa Cruz." What is the estimated commercial tax revenue projected to be for this project for the first 5 years of operation?

4. Has the project applicant provided projected tax revenues for this project to any county official(s)?

5. Page 134 (3.4-10) the document states, "On September 23, 2010, CARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The Monterey Bay Air Resources District (MBARD) was assigned targets of a 0% reduction in GHGs from transportation sources from 2005 levels by 2020 and a 5% reduction in GHGs from transportation sources from 2005 levels by 2035."

Will the authors of the DEIR update the above information with the recently released Updated Targets by ARB, published in October of 2017:
https://www.arb.ca.gov/cc/sb375/final_staff_proposal_sb375_target_update_october_2017.pdf

6. Section 3.4-11 states, "CARB is currently working to update the Scoping Plan to provide a framework for achieving the 2030 target. The updated Scoping Plan is expected to be completed and adopted by CARB in 2016," — will the author(s) of the DEIR update this sentence with the most recent information, considering we are now in 2018?