

SV seeks details on Skypark apartments

By KAREN CLARK
Sentinel staff writer

SCOTTS VALLEY — Kaufman and Broad executives may be shooting themselves in the foot by ignoring requests from the city for information regarding the 112-unit affordable apartment complex.

"My personal recommendation, and that's all it can be at this point, to (City Manager Chuck Comstock) is that unless they have the required items in hand that he just pull it from the Planning Commission agenda," said Vice Mayor Joe Miller, a member of the city's affordable housing subcommittee. "They (Kaufman and Broad) have not been particularly cooperative."

The Planning Commission is expected to make a recommendation on the Lockhart Gulch Road project at its meeting on Thursday. The commission's decision will be forwarded to the City Council, which will conduct a hearing on Nov. 1.

At issue are requests from the city to Kaufman and Broad for a time line spelling out when the company must complete certain phases of the project to collect the federal tax credits for which the project already has won approval.

According to Comstock, that information still had not been received by Tuesday afternoon. A telephone call from the city to Kaufman and Broad's Los Angeles office on Friday had not been returned.

Kevin Payne, director of development for Kaufman and Broad's multihousing group, also has not returned several telephone calls from the Sentinel seeking information on the project.

"If they continue to be uncooperative, I guess we're not going to bend over backward and help them," Miller said.

Company officials originally told the city that final approval of the project had to be made by Nov. 1 to meet the deadline for collecting the tax credits. Those credits are part of a federal incentive program to encourage private developers to build affordable housing. That appears to no longer be the case given that a delay in the Planning

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Commission process means the council likely couldn't make a decision until Nov. 15 at the earliest.

Norman Schwartz, a development consultant with Bolton Hill Co. of Santa Cruz, which is handling the project, said Tuesday that Kaufman and Broad had suffered "no loss of interest that I'm aware of" in winning approval for the apartment complex.

"We'll be there bright-eyed and bushy tailed for the conclusion of the (Planning) Commission action," Schwartz said. "We've processed all the revisions to the application that the city has requested."

Schwartz said Kaufman and Broad has "been aware for months there was a good chance the sewer hookups might not be available until next October," and that has not dampened its enthusiasm for the project.

That's an important factor given the City Council's decision last Wednesday to stop issuing any building permits until at least January, when the Regional Water Quality Control Board will consider increasing the permitted capacity of the city's sewer plant by 30,000 gallons a day.

The council wants to maintain a 5 percent reserve capacity at the plant, and that was impossible, given the latest processing numbers from the sewer plant. That's why the temporary moratorium was put in place.

The problem should be eased dramatically late next year, when the sewer-expansion project now under way is expected to be finished. The \$7 million expansion will give the plant the capacity of processing up to 1.5 million gallons a day. The plant is allowed to process 890,000 gallons a day.

At Thursday's Planning Commission meeting, members will have in hand a staff report that recommends they approve the affordable housing project despite numerous objections from neighbors in the Lockhart Gulch Road area.

Among the issues concerning residents are:

- A lack of water in the Santa Margarita aquifer to support continued growth.

But Jon Sansing, general manager of the Scotts Valley Water District, confirmed in a letter to the Planning Department "that there is sufficient water to serve the Skypark apartments."

Miller said he was not as optimistic as Sansing that there is adequate water available. In addition, he wants to make sure Kaufman and Broad recharges as much water as it takes out to serve the project.

- Erosion from the sandy cliff near the proposed apartments could threaten residents during the rainy season.

Caldwell said Kaufman and Broad already installed erosion-control measures when the company began building the 190 single-family homes on the Skypark site above the apartments. Permits to build about 70 of those houses already have been issued by the city.

- Sewer capacity won't be adequate until late 1996, or possible early 1997 if the expansion project is delayed.

Miller said this is a key issue that must be addressed, although Schwartz's contention that Kaufman and Broad doesn't expect to get building permits until late next year may ease council concerns.

- Traffic congestion on Lockhart Gulch and Mount Hermon roads would be exacerbated by the pro-

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ject.

Caldwell said the staff is demanding Kaufman and Broad widen Lockhart Gulch in the area by the apartments and install a traffic signal at Mount Hermon Road. There will be no parking allowed on Lockhart Gulch near the apartments.

● A group called Scotts Valley Citizens for Responsible Growth that recently formed by neighbors of the project, most of whom live in the county, has hired Scotts Valley attorney Gerald Bowden to challenge the legality of the affordable-housing project.

Bowden said the development agreement exceeds legal requirements for such pacts, and that the proposed project is inconsistent with the General Plan and the Sky-park specific plan. In addition, he said, the environmental impact re-

port is not in compliance with state law.

But in a letter to the Planning Commission written on Tuesday, City Attorney Robert Logan disputed those claims, including the need for further environmental review.

"Any potential environmental and other project impacts were adequately considered in the extensive planning and environmental review process leading up to the development agreement's approval," Logan said.

The Scotts Valley Planning Commission will meet Thursday at 6:30 p.m. in the council chamber at City Hall, 1 Civic Center Drive. No further public testimony on the affordable housing complex will be taken at the meeting.