Residents' concerns — both new and ongoing — about the 831 Water Street proposal

Project update:

The revision that the developer submitted on October 2, 2024, includes:

- one building, 54 feet and 5 stories tall
- reduced commercial space from 2,400 to 800 square feet
- 140 units, all extremely low to moderate income
- reduced parking spaces, from 136 to 43

Given the substantial changes to this project, we strongly believe the City should require the developer to resubmit a full application for this project.

When the 831 proposed project was first under consideration by the City of Santa Cruz, our "831 Responsible Development" citizens group compiled a comprehensive list of issues and health & safety concerns related to the original project. Most of those concerns continue to be shared by city residents, including the nearly 600 who weighed in on this project via a petition. Seemingly to a person, our citizens group absolutely supports new housing, we just expect the City of Santa Cruz — even in an environment with the State removing some local control — to do everything possible to ensure that the projects in its jurisdiction are done in a manner that doesn't endanger its residents.

Issues and health & safety concerns —

- Transportation ingress and egress: The developer's plan doesn't accommodate the forward movement of large vehicles out of the site. This means most delivery vans and trucks (think Amazon Prime, Fed Ex, etc.) moving trucks, garbage trucks, and other large vehicles serving 140 units will need to back out onto Branciforte, a major arterial (see municipal code 24.12.295). Such a plan is unsafe and would seriously impede the flow of traffic on a heavily trafficked, critical, and irreplaceable route for emergency vehicles.
  - There MUST be a Condition of Approval that necessitates FORWARD ingress and egress from the project, as well as sufficient room for loading, unloading and maneuvering a vehicle on site.

- Shade-Mold-Solar: The project, given its scale and location near Belvedere Terrace, will create massive amounts of shade (and mold) on existing homes adjacent to the project. The shade will also block sunlight from reaching solar panels already installed by a number of neighbors.
  - A "shade study" of current plan should be required and reviewed before any building permit is issued.

- Noise: Large truck backup alarms emit 97-112 decibel noise, and hearing loss begins at 70 dBA. If the loading zone is unworkable and all delivery trucks must back up for egress, the backup noise will create a health & safety issue for nearby residents (not to mention residents of the building itself).
  - A noise level study is badly needed.

- Parking: Reduction in parking spaces from 136 to 43 is placing yet another undue financial burden on neighbors. If a parking permit system is paid for by neighbors to address traffic dangers and parking issues, the residents of the development must be precluded, as a condition, from getting a parking permit BEFORE the building permit is issued.

- Liability: What liability do the developer and the City bear if neighbors sustain damage or irreparable harm due to this development, such as damage to their foundation, change in groundwater levels on their property, black mold, inability to turn out of Belvedere Terrace, etc?

- Geotechnical and hydrology: These issues have never been satisfactorily responded to by the developer or the City, raising many questions about the safety of this project. Here is *much more* detail on this critical issue:
    - Two borings were done on May 25, 2021, revealing loose sand to a depth of 5 feet and medium-dense sand to about 9 feet, where they discovered groundwater perched on a layer of siltstone that is friable (defined as easily broken down with hand or finger pressure) and completely weathered (defined as rock reduced to soil-like structure).
    - At 15 feet of depth, this layer is underlain by either more completely weathered or deeply weathered siltstone (defined as “rock fabric apparent but extensive disintegration; moderate to deep mineral composition; fractures coated and/or filled with oxides, carbonates and/or soil.” This deeply and/or completely weathered siltstone extends to the depth of the borings, 20.95’ and 26.5’.
    - According to the geotech report for the proposed project, the bottom of the garage excavations “will be about 15’ below surface grade.” How will adjacent neighbors be assured that this extent of disturbance won’t destabilize their homes? Or destabilize a major arterial (Water Street)?
    - According to the borings, the base of the garage will be in the middle of a layer of completely or deeply weathered (extensively disintegrated) siltstone. It is overlain by the perched groundwater, which rises up and pools at the surface during seasonal high water events. How will the foundation be guaranteed to be built without triggering pooling around the foundations and in the garage during seasonal high water events?
    - According to the geotech report, the bedrock is disintegrating. How will it then have the integrity to support a five story building? How deep will the foundation have to go in order to support not only the weight of the buildings, but also to absorb the seismic shaking of the 6.7 or greater earthquake that USGS says has a 70% chance to occur before 2043 in this area? The project site is located in one of the most seismically active regions in the US. Where are the seismic design criteria? We understand that liquefaction is the only criterion mentioned in SB 35, but isn’t it ultimately the responsibility of our City Council to protect its citizens from adverse health and safely risks? We know of six geotech reports from single family homes in the immediate neighborhood. Every one of them is more specific and thorough, with more precise language, than the geotech report Novin Development has submitted in order to build a five story building on 9/10 of an acre. Where is the evidence of slope stability? Where is the quantitative slope analysis?
    - The geotech report is also filled with caveats. One of the most glaring is on p. 3. “Changes in the surface and subsurface conditions…may affect the validity of the conclusions and recommendations in this report.” The borings were done on May 25 of the driest year on record in Santa Cruz.
    - Finally, why does the geotech report have only “recommendations” rather than mandates?

One Final Observation: It has been more than three years since the developer first applied for a building permit, and there have been a dizzying number of revisions that have been impossible to track. In the interests of its citizens, the City should require the developer to re-submit a comprehensive new application with updated conditions of approval that sync up with the latest significant changes.