
PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060
(831) 454-2580 FAX (831) 454-2131 TDD (831) 454.2123

September 9, 1999

AGENDA: 9/21/99

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060

SUBJECT: Correction to Condition of Permit 95-0685 (Bailey/Steltenpohl); a Mixed Commercial Use Project in Davenport

Members of the Board:

On October 20, 1998 your Board approved Coastal Zone, Development, and Grading Permits, including a Variance (950685) for the remodel and conversion of an existing structure to a mixed use project which includes a Master Occupancy Approval (Attachment 1). Your Board's approval of the Coastal Zone Permit for this project has been appealed to the California Coastal Commission. The Commission took jurisdiction of the Coastal Zone Approval in May and continued consideration of the appeal until mid-September. The other approvals remain the jurisdiction of the County, but the project cannot be implemented without an the approval of a Coastal Zone Permit.

It has recently come to the attention of Planning Department staff that a typographical error was contained in condition VI.A of the permit regarding future changes of use pursuant to the Master Occupancy Program. The permit was mistakenly prepared stating that new allowable uses can be processed as a Level 1 Change in Occupancy Permit rather than the Level 5 Change in Occupancy approved by your Board (Attachment 2). Level 1 Change in Occupancies are issued over the counter while the Level 5 Occupancy Permit requires a public hearing by the Zoning Administrator.

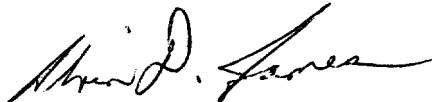
Although the project is now under consideration by the Coastal Commission, it is important that this typographical error be corrected so that the Commission fully understands what your Board intended in the approval of this project. County staff has informed Coastal Commission staff of the typographical error, prior to finalization of their staff report for the Commission's September 15 meeting where the Coastal Zone Permit for the Bailey/Steltenpohl project will be considered. In addition, the applicant has also been notified of this matter. However, it would be appropriate for your Board

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to take formal action to correct the condition for the Development/Variance/Grading Permit which continues to be under the jurisdiction of the County. Therefore, any approval of a Coastal Zone Permit by the Commission will include permit conditions which do not conflict with Development/Variance/Grading Permit conditions approved by the County.

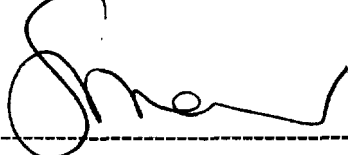
It is therefore RECOMMENDED that your Board authorize the Planning Director to correct the typographical error in condition VI.A of permit 95-0685 by changing "Level 1" to "Level 5," as shown in Attachment 3, and to reissue the permit to the applicants with the corrected language of the permit condition.

Sincerely,



ALVIN D. JAMES
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

Attachments:

1. Board Minute Order
2. Existing Page of Permit Conditions
3. Correct Page of Permit Conditions

cc: Greg Steltenpohl
Fred and Bren Bailey
Brett Brenkwitz
Marilyn Fravel, Citizens for Responsible North Coast Planning
Tammie Grove, Coastal Commission

ADJ/KCT/steltcondition.wpd/pln453

COUNTY OF SANTA CRUZ

STATE OF CALIFORNIA

ATTACHMENT 1



AT THE BOARD OF SUPERVISORS MEETING

On the Date of October 20, 1998

REGULAR AGENDA Item No. 050

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(Public hearing held to consider Application No. 95-0685, a proposal by Greg Steltenpohl and Fred Bailey (to remodel an existing 13,127 square foot (commercial/residential structure and to construct a 9,791 square foot addition on the structure for a Master Occupancy Approval for a mixed use project; excavate 1,350 cubic yards of earth to construct a parking lot to serve the proposed use; and rezone the property from the "C-1" (Neighborhood Commercial) zone district to the "SU" (Special Use) zone district to allow mixed uses to occur on the site. APN: 058-121-04; Applicant and property owner: Greg Steltenpohl and Fred Bailey; (closed public hearing; adopted ORDINANCE NO. 4515 (amending Chapter 13.10 of the Santa Cruz County Code (changing property from one zone district to another; (made findings to approve Application 95-0685 according (to the recommended permit conditions, and amended (language to Condition of Approval IV(a)(8), page 691, (by replacing "striped" with "delineated by a variation (in color and pattern of the stamped concrete (surfacing"; approved the Mitigated Negative (Declaration and Initial Study prepared for project; (granted an exception to the parking lot landscaping (standards of the County's Design Review Ordinance to (all the parking lot landscaping as proposed by the (applicant; and accepted and filed report from Caltrans (on pedestrian safety issues in Davenport; with (additional direction to change language in Condition (VI(B), page 696, line 9, to read "...height of 7 feet (and a maximum growth height of 9 feet..."; that the (uses listed in the Master Occupancy Agreement be (actually those called out in the plans now and that (any change from those requires a Level 5 approval; and (that an operating certificate of occupancy not be (approved until the sewage system improvements have been (completed as presently proposed under the terms of the (grant that has been applied for and apparently (received...

Public hearing held to consider Application No. 95-0685, a proposal by Greg Steltenpohl and Fred Bailey to remodel an existing

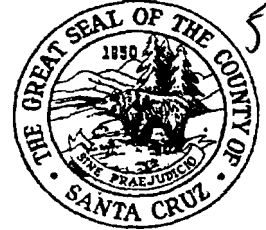
State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, &-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the notes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

COUNTY OF SANTA CRUZ

STATE OF CALIFORNIA

ATTACHMENT 1



AT THE BOARD OF SUPERVISORS MEETING

On the Date of October 20, 1998

REGULAR AGENDA Item No. 050

13,127 square foot commercial/residential structure and to construct a 9,791 square foot addition on the structure for a Master Occupancy Approval for a mixed use project; excavate 1,350 cubic yards of earth to construct a parking lot to serve the proposed use; and rezone the property from the "C-1" (Neighborhood Commercial) zone district to the "SU" (Special Use) zone district to allow mixed uses to occur on the site. APN: 058-121-04; Applicant and property owner: Greg steltenpohl and Fred Bailey;

Closed public hearing;

Motion made by Supervisor Wormhoudt to deny the mitigated negative declaration and initial study prepared for this project; accept and file report from Caltrans; hold on the rezoning ordinance or making the findings; and to express the Board's opinion that an Environmental Impact Report is required in order for this project to move forward; motion failed due to lack of a second;

Upon the motion of Supervisor Belgard, duly seconded by Supervisor Symons, the Board, with Supervisors Wormhoudt and Beautz voting "no", adopted Ordinance No. 4515 amending Chapter 13.10 of the Santa Cruz County Code changing property from one zone district to another; made findings to approve Application 95-0685 according to the recommended permit conditions, and amended language to Condition of Approval IV(a)(8), page 691, by replacing "striped" with "delimited by a variation in color and pattern of the stamped concrete surfacing"; approved the Mitigated Negative Declaration and Initial Study prepared for project; granted an exception to the parking lot landscaping standards of the County's Design Review Ordinance to all the parking lot landscaping as proposed by the applicant; and accepted and filed report from Caltrans on pedestrian safety issues in Davenport; with additional direction to change language in Condition VI(B), page 696, line 9, to read "...height of 7 feet and a maximum growth height of 9 feet..."; that the uses listed in the Master Occupancy Agreement be actually those called out in the plans now and that any change from those requires a Level 5 approval; and that an operating certificate of occupancy not be approved until the sewage system improvements have been completed as presently proposed under the terms of the grant that has been applied for and apparent-

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the notes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

COUNTY OF SANTA CRUZ

STATE OF CALIFORNIA

ATTACHMENT 1



AT THE BOARD OF SUPERVISORS MEETING

On the Date of October 20, 1998

REGULAR AGENDA Item No. 050

ly received

cc:

CAO

Planning

Greg Steltonpohl

Fred and Bren Bailey

Brett Brenkwitz

Interested Neighbors

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

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by _____, Deputy Clerk, on October 26, 1998.

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ATTACHMENT 2

**EXISTING LANGUAGE WITH
TYPOGRAPHICAL ERROR**

2. All inspections required by the Building Permit shall be completed to the satisfaction of the County Building Official; and
3. The project geotechnical engineer shall submit a letter to the Planning Department verifying that all construction has been performed according to the recommendations of the accepted geotechnical report. A copy of the letter shall be kept in the project file for future reference.

VI. Operational Conditions.

- A. This permit constitutes a Master Occupancy Program for the project site. Those "C-I" and "CT" zone district uses specified below shall be authorized to occupy the subject building provided that a Level 1 Change of Occupancy Permit is issued by the County of Santa Cruz Planning Department. No use will be allowed which requires more parking than available on site. The "C-I" and "CT" zone district uses allowed on the site are as follows:

1. Restaurant/cafe
2. Micro-juicer-y and warehouse associated with a restaurant and or cafe
3. Offices, not to exceed 50% of the floor area of the building
4. Conference and seminar facilities
5. Neighborhood scale retail sales (See County Code Section 13.10.332)
7. Two residential dwelling units
8. Day spa, sauna, hot tub uses
9. "Type A" overnight visitor accommodations (See County Code Section 13.10.332)

- B. All landscaping shall be permanently maintained with the species specified on the landscape plan. Replacement of any tree or shrub fatalities shall be done with the same species as shown on the plan or a species with nearly identical characteristics as approved by County

Greg Steltenpohl and Fred Bailey
Permit 95-0685
A.P.N. 58-121-04

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2. All inspections required by the Building Permit shall be completed to the satisfaction of the County Building Official; and
3. The project geotechnical engineer shall submit a letter to the Planning Department verifying that all construction has been performed according to the recommendations of the accepted geotechnical report. A copy of the letter shall be kept in the project file for future reference.

VI. Operational Conditions.

- A. This permit constitutes a Master Occupancy Program for the project site. Those "C-I" and "CT" zone district uses specified below shall be authorized to occupy the subject building provided that a Level 5 Change of Occupancy Permit is issued by the County of Santa Cruz Planning Department. No use will be allowed which requires more parking than available on site. The "C-I" and "CT" zone district uses allowed on the site are as follows:
 1. Restaurant/cafe
 2. Micro-juicer-y and warehouse associated with a restaurant and or cafe
 3. Offices, not to exceed 50% of the floor area of the building
 4. Conference and seminar facilities
 5. Neighborhood scale retail sales (See County Code Section 13.10.332)
 7. Two residential dwelling units
 8. Day spa, sauna, hot tub uses
 9. "Type A" overnight visitor accommodations (See County Code Section 13.10.332)
- B. All landscaping shall be permanently maintained with the species specified on the landscape plan. Replacement of any tree or shrub fatalities shall be done with the same species as shown on the plan or a species with nearly identical characteristics as approved by County

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ATTACHMENT 4

MAILING LIST

Fred and Bren Bailey
P. O. Box 152
Davenport, CA 95017

Greg Steltenpohl
3500 Coast Highway 1
Davenport, CA 95017

Brett Bren kwitz
202 San Jose Avenue
Capitola, CA 95010

Marilyn Fravel
Citizens for Responsible North Coast Planning
P. O. Box 178
Davenport, CA 95017

Tammie Grove, Deputy Director
California Coastal Commission
725 Front Street
Santa Cruz, CA 95060