

Staff Report to the Planning Commission

Applicant: Powers Land Planning Owner: Glen Mc Conkey, trustee, etal. **APN:** 041-233-22 Agenda Date: 7/12/06Agenda Item #: 8Time: After 9:00 a.m.

Project Description: Proposal amend 79-1486-U to recognize a conversion of an existing apartment building from 7 units to 12 units, with a density bonus of 20% (to increase the allowed density from 10 units to 12 units through the provision of 3 affordable units) and a concession to vary from the required parking standards and outdoor open space requirements.

Location: Property located on the north side of Soquel Drive approximately 1/2 mile west of Freedom Boulevard. (9669-9681 Soquel Drive)

Supervisoral District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Residential Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 05-0377, based on the attached findings and conditions.

Exhibits

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Location & Assessor's parcel maps
- F. Zoning & General Plan maps
- G. Project photographs
- H. Comments & Correspondence

Parcel Information

Parcel Size:	54,270 square feet
Existing Land Use - Parcel:	Residential apartment complex
Existing Land Use - Surrounding:	Mixed residential & commercial along Hwy 1 frontage
Project Access:	Soquel Drive
Planning Area:	Aptos
Land Use Designation:	R-UH (Urban High Density Residential)

County of Santa **Cruz** Planning Department **701** Ocean Street, 4th **Floor**, Santa **Cruz CA 95060**

Zone District:	RM-4 (Multi-family residential - 4,000 square feet	
	minimum)	
Coastal Zone:	Inside	X Outside

Environmental Information

Not mapped/no physical evidence on site
No report required
Not a mapped constraint
5-15% at existing building, 15-30%+ at rear of property
Not mapped/no physical evidence on site
No grading proposed
No trees proposed to be removed
Highway One scenic comdor
Existing drainage adequate - no changes proposed
Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	X Inside Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Aptos/La Selva Fire Protection District
Drainage District:	Zone 6 Flood Control District

History

Use Permit 79-1486-U authorized a 7 unit apartment complex on the project site. After construction, the lower rooms within the three approved apartment buildings (a triplex and two duplexes) were converted to create 5 additional studio units. **All** of the modifications were performed as interior remodels and the structures have not been physically expanded. The modifications occurred after construction of the apartment complex in the early 1980s and the additional units have been rented continuously for an extended period of time.

Project Setting

The project site is located on the north side of Soquel Drive approximately 1/2 mile west of Freedom Boulevard. The property slopes up from Soquel Drive, and is fairly steep at the rear of the property. The Highway One Scenic Corridor is located immediately across Soquel Drive with multi family residential development to the west, commercial development to the east and single family residential above the exiting apartment complex.

Zoning & General Plan Consistency

The subject property is a 54,270 square foot lot, located in the RM-4 (Multi-familyresidential - 4,000 square feet minimum) zone district, a designation which allows residential uses. The existing apartment building is **an** allowed use within the zone district and the project is consistent

with the site's (R-UH) Urban High Density Residential General Plan designation.

Density Bonus

In order to recognize the conversion of the existing apartment complex, the applicant has proposed to permanently deed restrict three of the units as affordable housing. Without a density bonus, the total number of units that would be allowed on the subject property is 10units. This 10unit total is based on the requirement of 4,000 square feet of net developable land per unit and 42,450 square feet of net developable land (after deducting 11,820 for **slopes** in excess of 30%) on the subject property. Per County Code, 1.5 moderate income affordable units would be required for a 10 unit development without any bonus density (Measure J requirements). The applicant is proposing **3** low income affordable units which is 1.5 units more than required by County Code, with an increased level of affordability for all **3** units. With the provision of these affordable housing units, the proposed development qualifies for a density bonus per County Code and State density bonus law. An increase in the allowed density by 20 percent (or 2 additional units) is allowed based on the number of affordable units provided. This results in a total of 12 units allowed on the subject property with a density bonus, per County Code and State density bonus law.

In order to properly spread the affordable units throughout the development (as required by County Code) two, 2-bedroom units and one, 1-bedroom unit will be required to be deed restricted for affordable housing purposes.

The 5 units to be recognized will not have outdoor open space areas and the applicant is requesting a waiver to these requirements. A waiver of these standards is allowed by County Code and State law for density bonus projects.

Parking

The applicant has requested a reduction in parking standards **as** the concession for this density bonus project. Recent changes in State law allow reduced parking standards for density bonus projects, without considering the reduction as a concession. The current County parking standards require **33** parking spaces for the proposed development. The County requirements are superceded by State density bonus law, which requires a total of 19 parking spaces for the proposed development.

Number of Bedrooms	County Requirements	State Density Bonus Requirements
0 to 1 Bedroom	2 parking spaces/unit	1 parking space/unit
2 to 3 Bedrooms	2.5 parking spaces/unit	2 parking spaces/unit
4 Bedrooms	2.5 parking spaces/unit	2.5 parking spaces/unit
Additional Bedrooms	+.5 parking spaces/bedroom	2.5 parking spaces/unit (no increase)
Guest Parking	+20% in addition to required parking	Guest parking included in required parking

There are currently 22 parking spaces provided on the project site which is in compliance with the requirements of the State law for density bonus projects. However, the layout and dimensions of the parking area is not in conformance with parking standards or the County Design Criteria. For this purpose, the developer is requesting a concession to vary from parking

standards and the County Design Criteria in order to recognize the existing parking situation.

The applicant's representative has prepared a parking study (Exhibit H), which indicates that parking is available on the project site and that the parking spaces are being used as indicated on the project plans. This study was performed through monitoring the use of parking spaces over time and taking notes and photographs to document the parking situation on the subject property. Although the parking does not meet current County standards, it is important to note that the project has been functioning as a twelve-unit complex for approximately 20 years, with no significant parking problems observed.

Garbage Enclosures

The current method of solid waste disposal is through the use of individual bins for the residents of each of the units. This results in a large number of bins left out at the edge of Soquel Drive on garbage pickup days. Many of these bins are left at the bottom of the hill and create a noticeable visual impact along the Soquel Drive frontage. The applicant has proposed the continued use of individual bins, with two garbage enclosures for the bins that individual residents would wheel up and down each week for solid waste and recycling collection.

The current failure to bring the wheeled bins back up the slope after garbage pickup is not likely to be altered by the construction of enclosures for these individual bins. In order to eliminate the visual impact of garbage and recycling bins left along the Soquel Drive frontage, the use of dumpsters in two separate locations is required by the conditions of approval. The proposed design of the bin enclosures may be modified in order to accommodate dumpsters in place of individual bins, but the two proposed locations are appropriate for dumpsters as they are easily accessible to each side of the complex.

Utilities

The existing apartment complex is currently served by all municipal utilities. The property owner may be allowed to continue operation of the modified complex without the requirement of additional separate meters and/or separate sewer connections for each unit. The owner will be required to comply with all requirements **of** the utility service providers that result from the proposed modifications to the existing apartment complex. If separate metering and sewer connections are required for each unit, then the property owner will be required to install these improvements.

Design Review

The proposed apartment building complies with the requirements of the County Design Review Ordinance, in that the exterior appearance of the existing apartment building will not he modified. No changes are proposed which would create a visual impact on surrounding land uses and the natural landscape.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of

the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- APPROVAL of Application Number **05-0377**, based **on** the attached findings and conditions.

Supplementary reports and information referred **to** in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: <u>www.co.santa-cruz.ca.us</u>

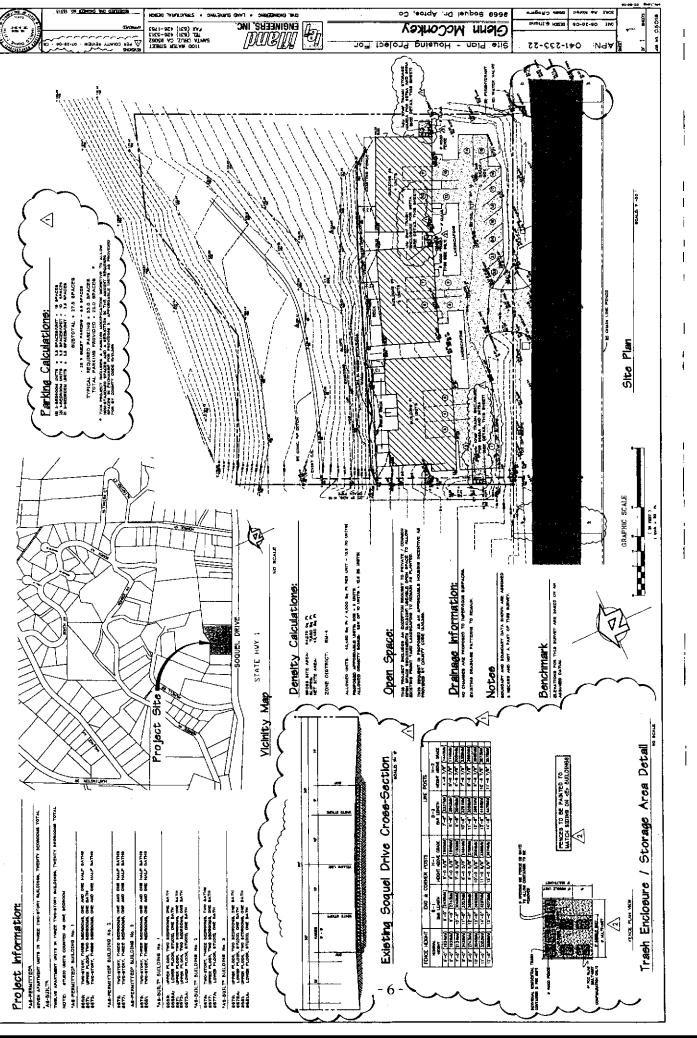
Report Prepared By:

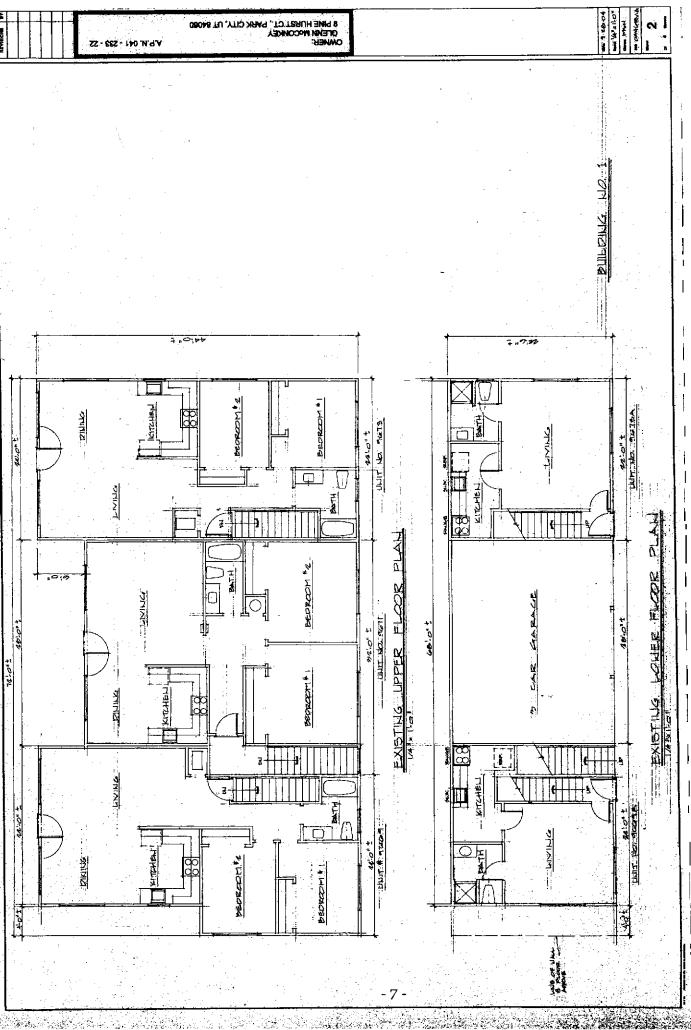
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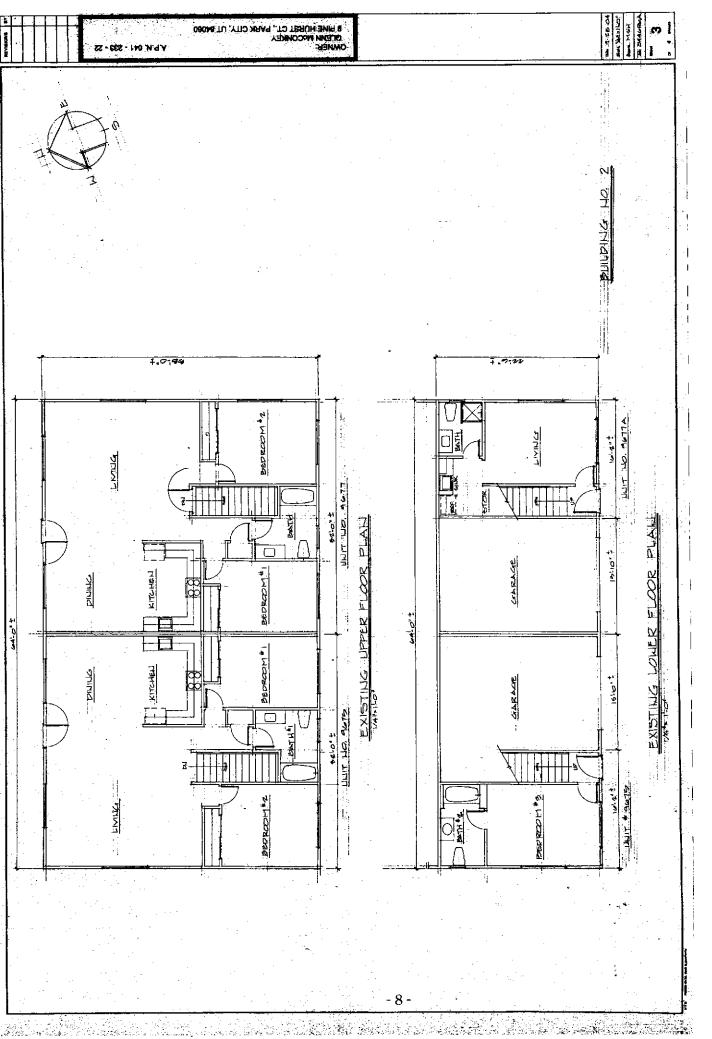
Santa Cruz County Planning Department 701 Ocean Street, 4th **Floor** Santa Cruz CA 95060 Phone Number: (831) 454-3218 E-mail: <u>randall.adams@co.santa-cruz.ca.us</u>

Report Reviewed By:

Cathy Graves Principal Planner Development Review

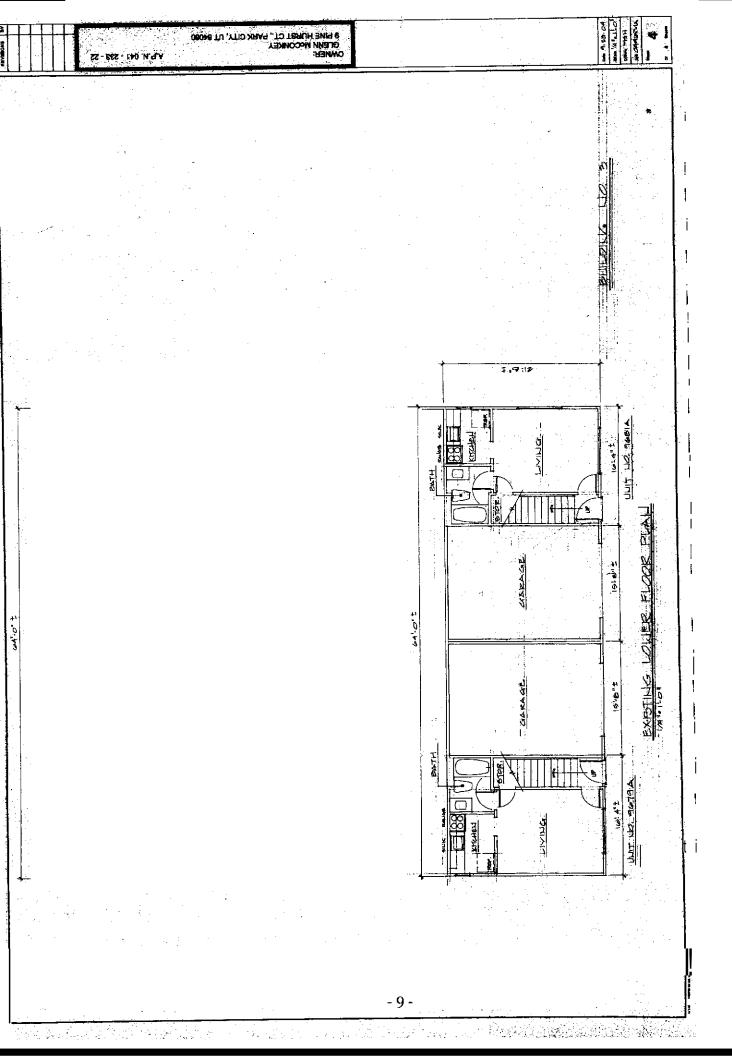


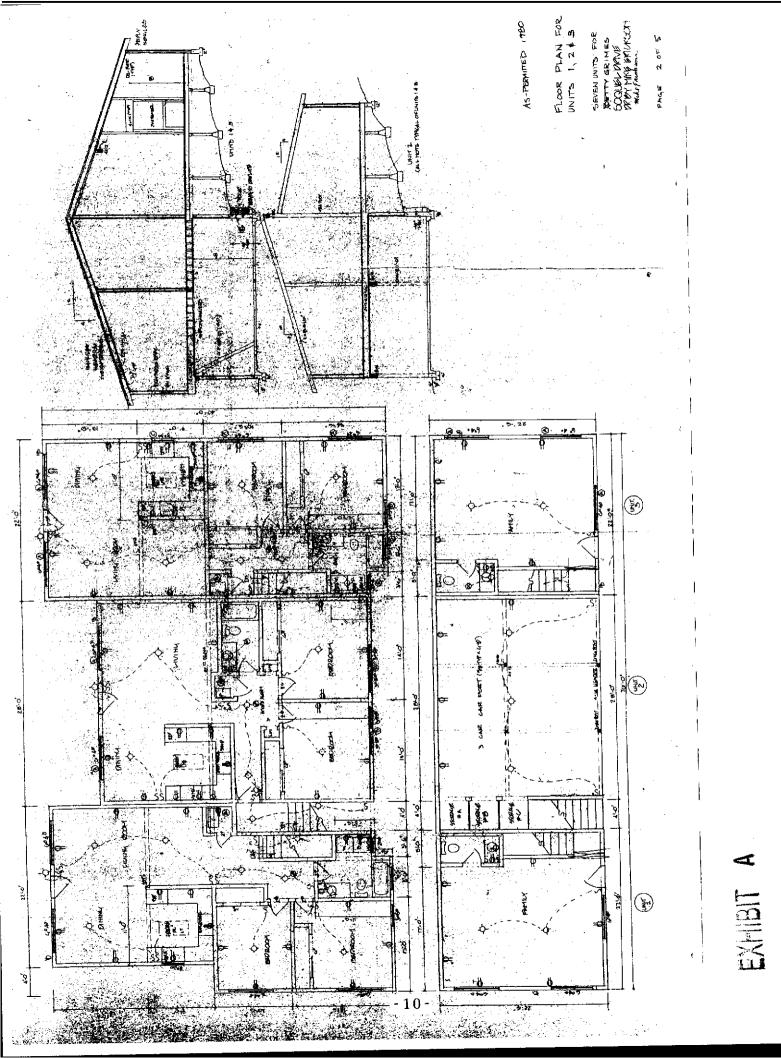


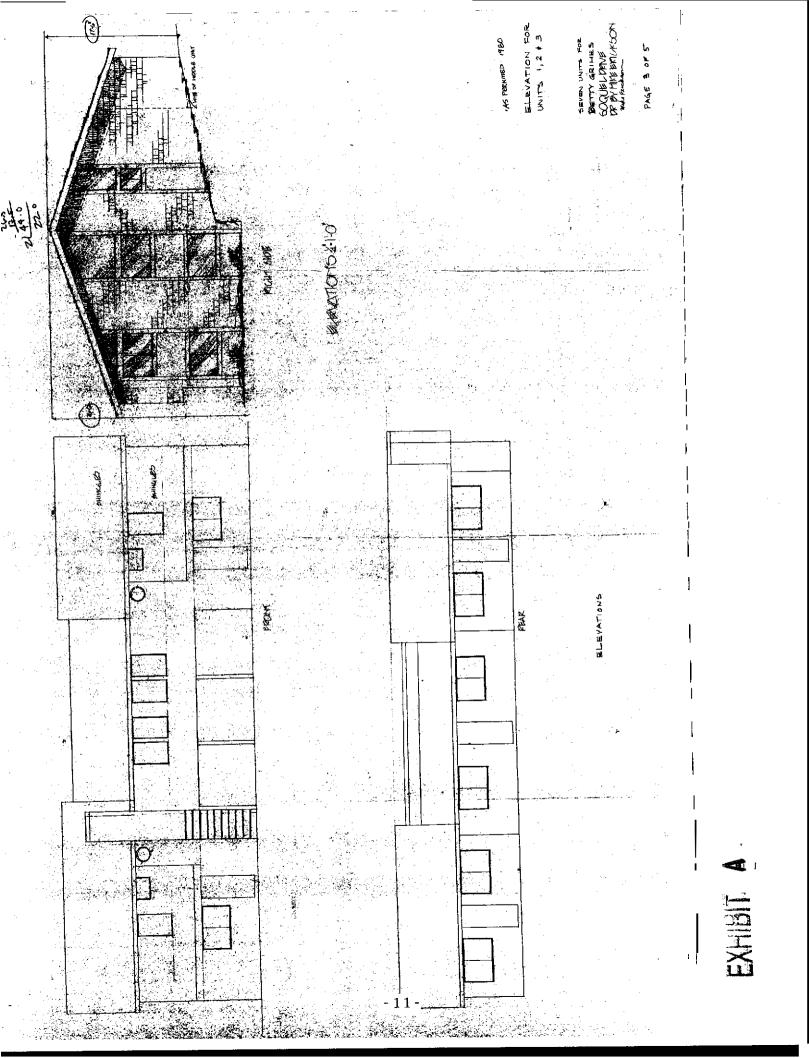


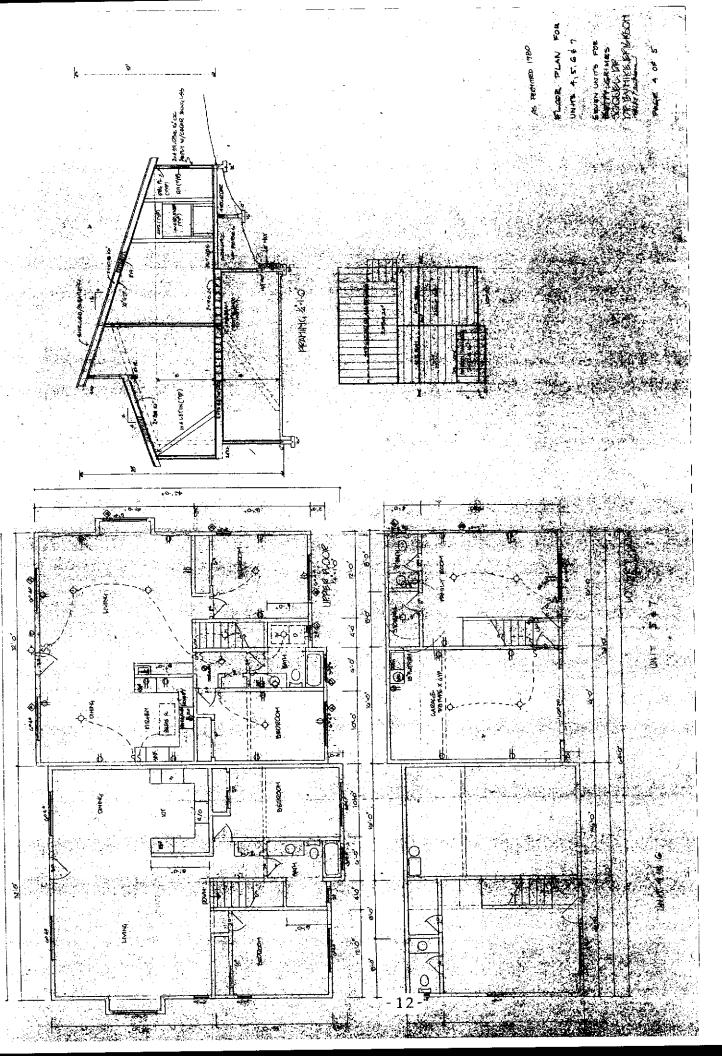
EXHIBIT

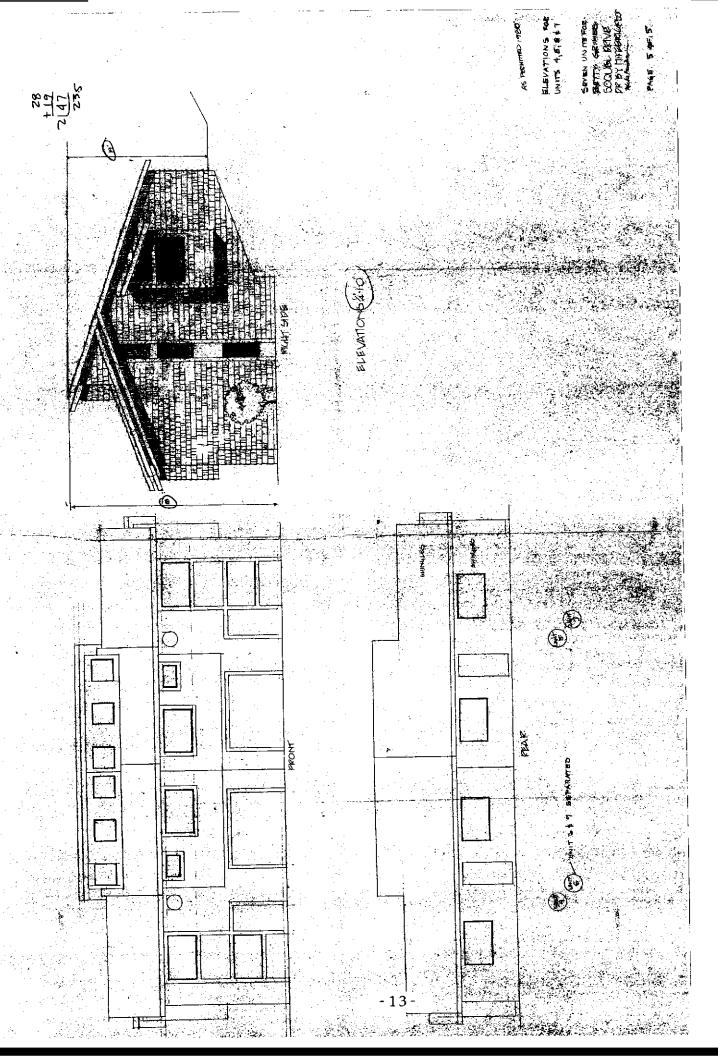
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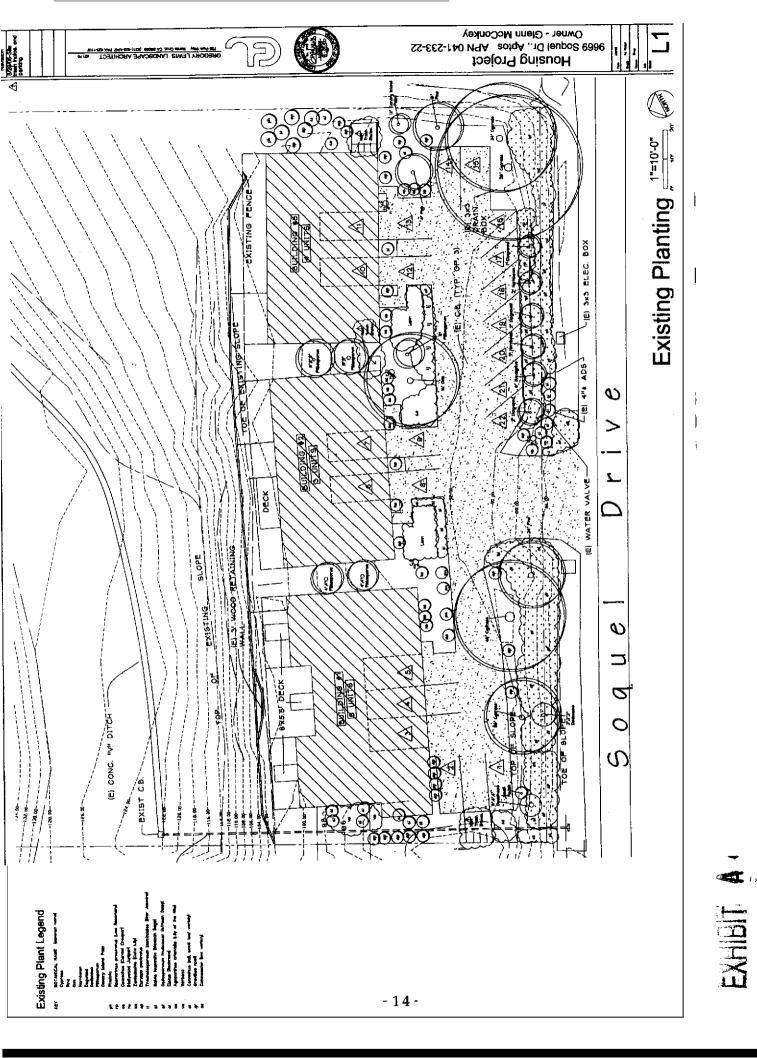












Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can **be** made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The modifications to the existing apartment complex will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the existing structures meet all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the location of the existing apartment complex and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RM-4 (Multi-family residential - 4,000 square **feet** minimum) zone district in that the primary use of the property will be a multi-family apartment complex that (with the proposed density bonus) meets all current site standards for the zone district.

The proposed parking layout varies from the standards specified in County Code section 13.10.552 (Parking) and the County Design Criteria, per the concession requested by the applicant and as allowed by State density bonus law.

The outdoor open space required for the 5 new units can be waived per County Code section 13.10.394 (Waiver or Modification of Standards) and State density bonus law, in that the application of this standard would render the proposed development both technically and economically infeasible.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use (with the proposed density bonus) is consistent with the use and density requirements specified for the Urban High Density Residential (R-UH) land use designation in the County General Plan.

The modifications to the existing apartment complex will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the modifications to the existing apartment complex will not adversely shade adjacent properties, and the existing

structures meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The modifications to the existing apartment complex will provide affordable rental housing as specified in General Plan section 4.7.1 (Housing Goals and Policies), in that the modifications to the existing apartment complex will result in the provision of additional rental housing and affordable housing units.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can **be** made, in that the additional units within the existing apartment complex, while unpermitted, have been occupied for a number of years. No increase in traffic is anticipated from the proposed project.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the existing apartment complex is located in a mixed neighborhood containing residential and commercial land uses and a variety **of** architectural styles. The apartment complex is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the exterior of the existing apartment building will not be modified and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

- Exhibit A: Project plans, "Housing Project for Glenn McConkey", prepared by Ifland Engineers, 9 sheets, dated 8/25/05.
- I. This permit authorizes the interior remodel of an existing apartment complex to create 5 additional residential units, for a total of 12 residential units, per the approved Exhibit "A" for this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Obtain final water service approval from the Soquel Creek Water District.
 - D. Obtain final sanitary sewer approval from the Santa Cruz County Sanitation District.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - **A.** Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - **B.** Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1. Details showing the required dumpster enclosures in the locations indicated on the approved Exhibit "A" for this permit. The dumpster enclosures may not exceed *6* feet in height.
 - 2. Details showing compliance with fire department requirements, including all requirements **of** the Urban Wildland Intermix Code, if applicable.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Meet all requirements of and pay any applicable drainage fees to the County Department of Public Works, Drainage.

- E. Obtain final water service approval **from** the Soquel Creek Water District.
- F. Obtain final sanitary sewer approval from the Santa Cruz County Sanitation District.
- *G.* Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- H. Pay the current fees for Parks and Child Care mitigation for 5 bedroom(s). Currently, these fees are, respectively, \$750 and \$36 per bedroom, and are subject to change.
- I. Pay the current fees for Roadside and Transportation improvements for 5 unit(s). Currently, these fees are, respectively, \$1456 and \$1456 per unit, and are subject to change.
- J. Provide required off-street parking for a minimum of 19 cars as indicated on the approved Exhibit "A" for this permit. Parking spaces must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- L. Enter into a Certification and Participation Agreement with the County of Santa Cruz to meet the Affordable Housing Requirements specified by Chapter 17.10 of the County Code. This agreement must include the following statements:
 - I. The developer shall permanently provide three designated affordable units for rent to low income households. The units must be spread evenly throughout the development, and shall include two 2 Bedroom units and one 1 bedroom unit.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior *to* final building inspection, the applicant/owner must meet the following conditions:
 - **A.** All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All site improvements required by the Soquel Creek Water District shall be installed.
 - C. All site improvements required by the Santa Cruz County Sanitation District shall be installed.

- D. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coronerif the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
 - A. Garbage and recycling service will be maintained on the project site through the use of dumpsters shared between units. The use of individual waste and recycling bins for each unit is not allowed.
 - B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition **of** this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney'sfees and costs; and

- 2. COUNTY defends the action in good faith.
- C. <u>Settlement</u>. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request **of** the applicant **or** staff in accordance with Chapter 18.10of the County Code.

Please note: This permit expires on the expiration date listed below unless you obtain the required permits and commence construction.

Approval Date:	7/12/06
Effective Date:	7/26/06
Expiration Date:	7/26/08

Cathy Graves Principal Planner Randall Adams Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 05-0377 Assessor Parcel Number: 041-233-22 Project Location: 9669-9681 Soquel Drive

Project Description: Proposal to recognize 5 existing units in an apartment complex.

Person or Agency Proposing Project: Powers Land Planning

Contact Phone Number: (831) 426-1663

A. _____ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. _____ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
D. _____ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. <u>X</u> <u>Cateeorical Exemption</u>

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

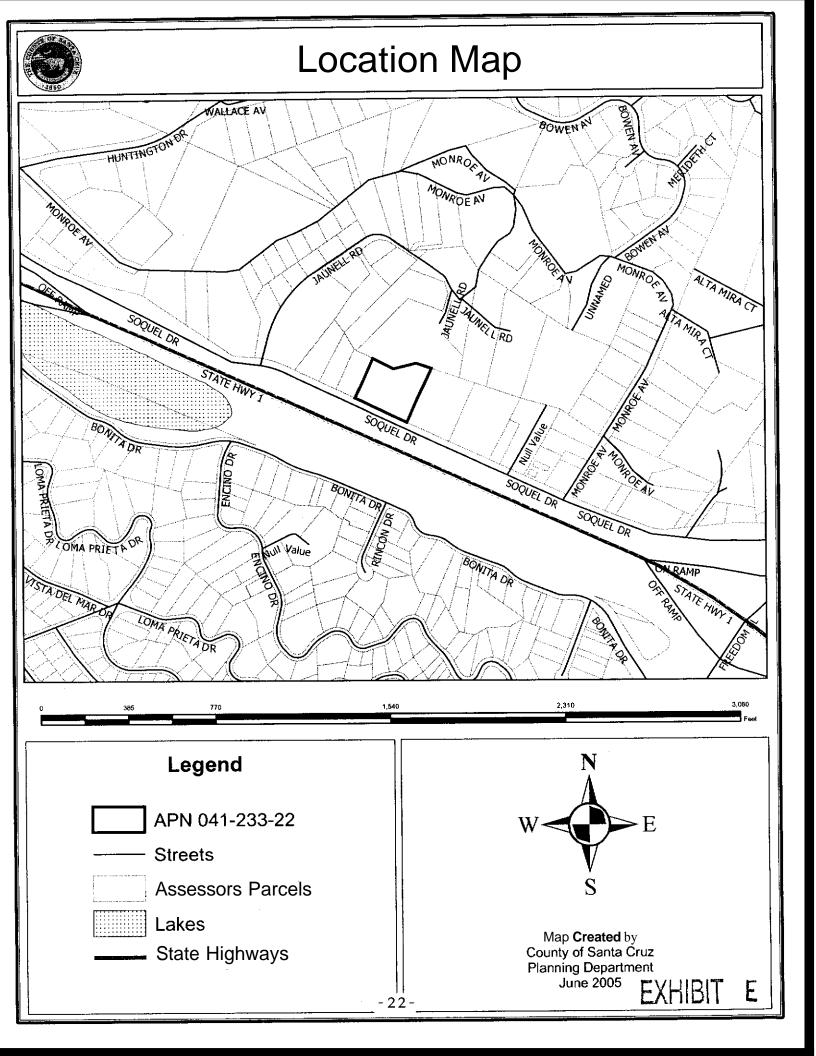
F. Reasons why the project is exempt:

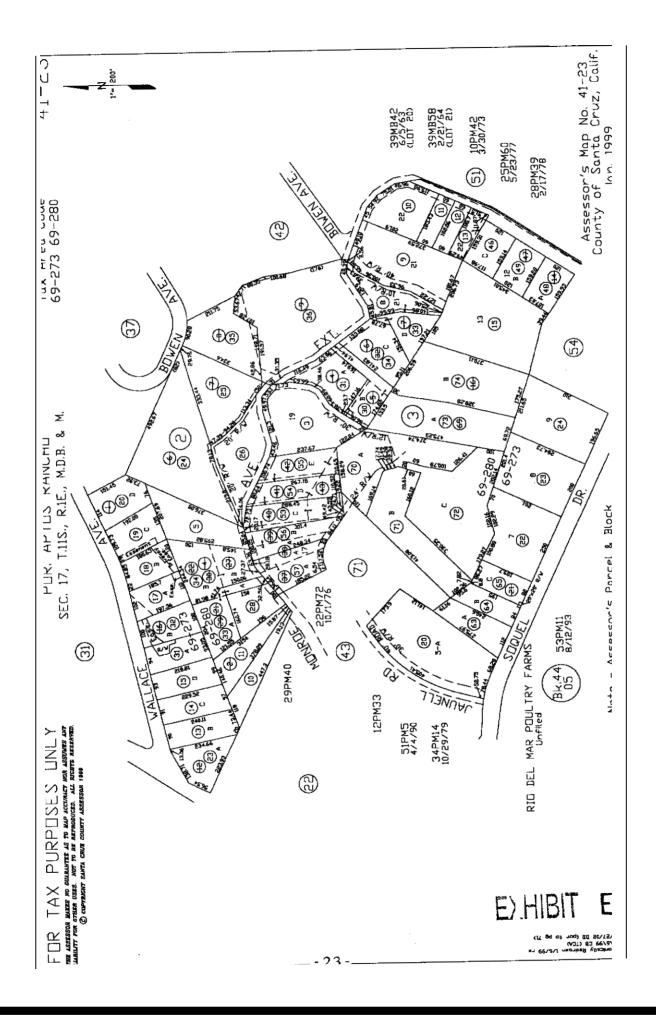
Conversion of an existing apartment building in an urbanized area with a total of less than 6 new residential units.

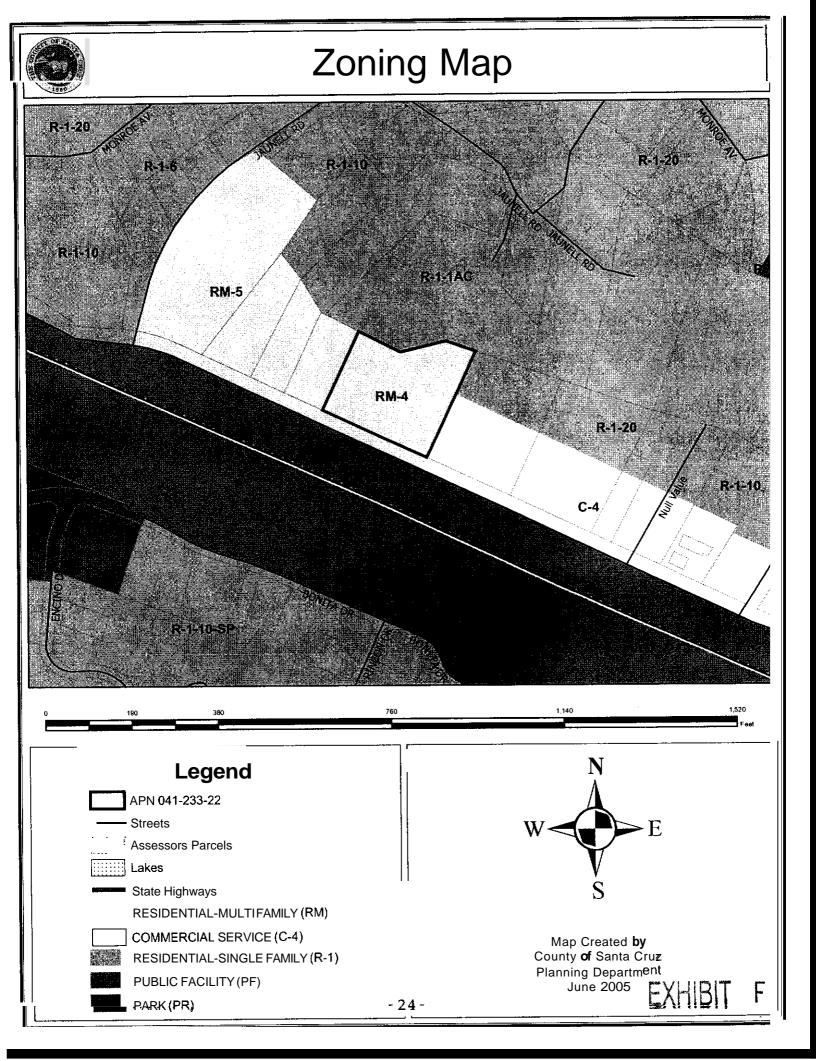
In addition, none of the conditions described in Section 15300.2 apply to this project.

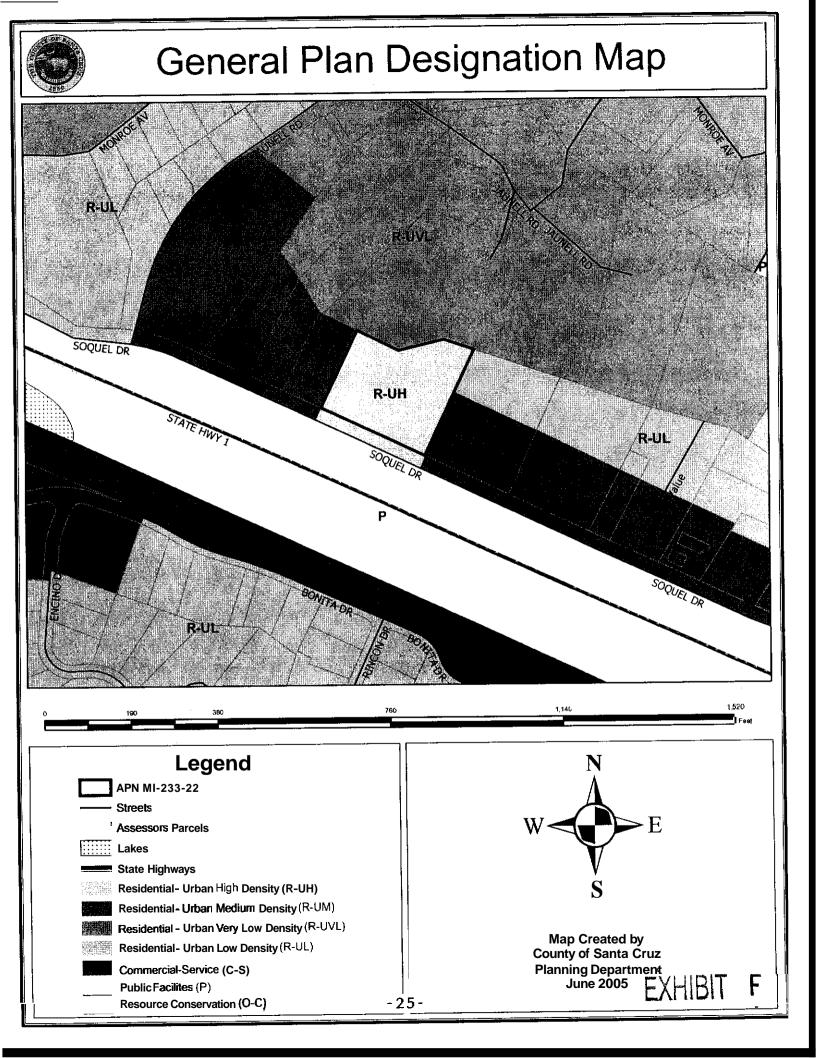
Date:_____

Randall Adams, Project Planner

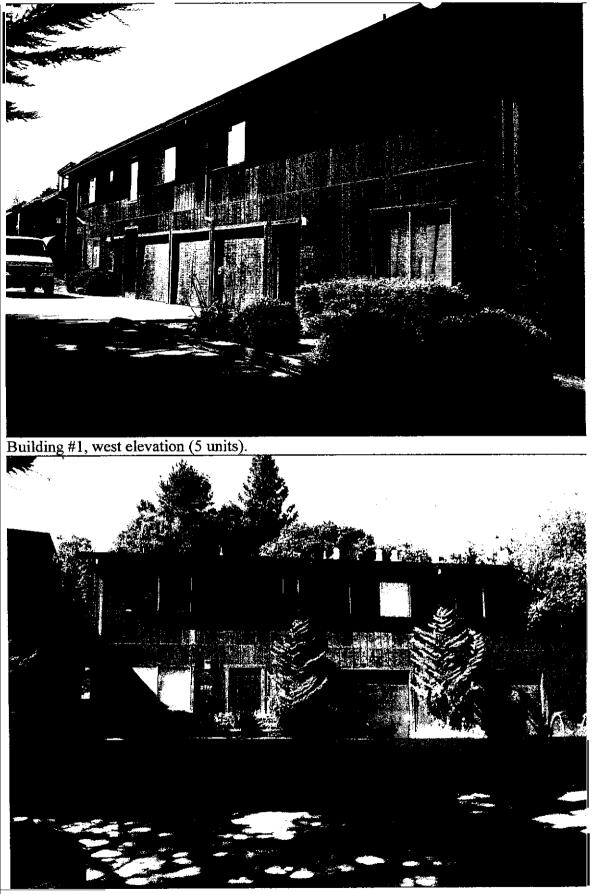








9669 Soquel Drive, 041-233-22



Building #2, west elevation (3 units).

Powers Land Planning, Inc. 1607 Ocean Street, Suite 8 Page 1 of 5

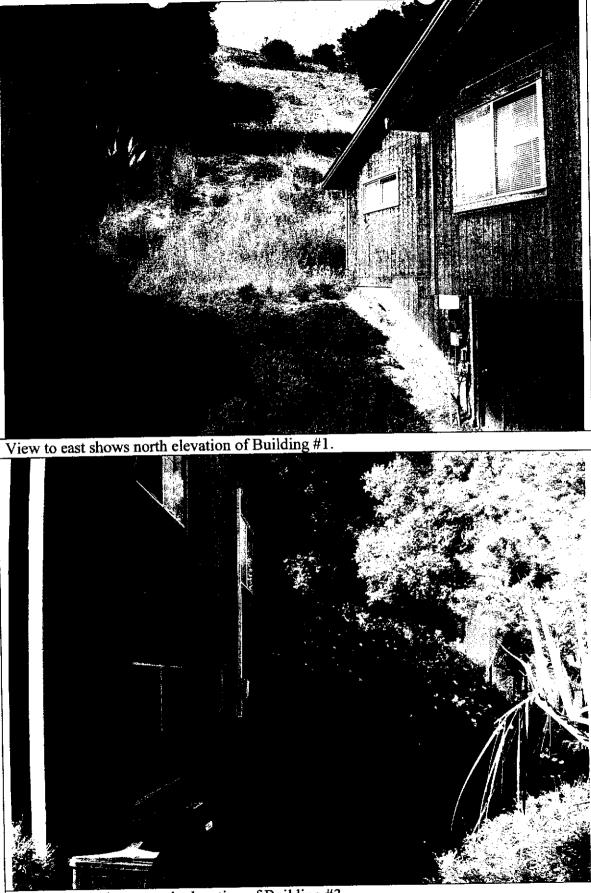
Phone; 831-426-1663 Fox: 831-426-1679 EXHIBIT





Powers Land Planning, Inc. 1607 Ocean Street, Suite 8 Page 2 of 5

Phone: 831-426-1663 Fax: 831-426-1679 EXHIBIT G 9669 Soquel Drive. 041-233-22



View to east, shows south elevation of Building #3.

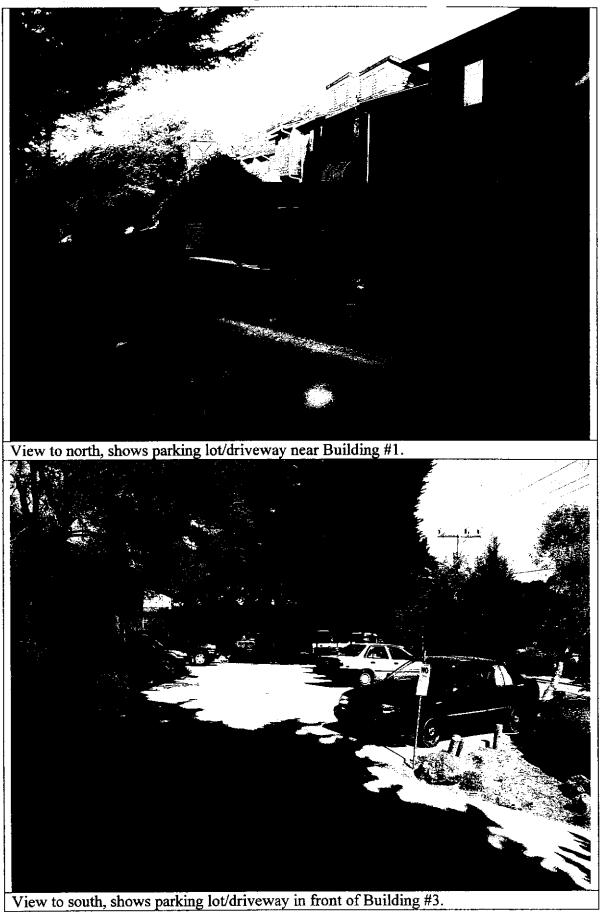
Powers land Planning, inc. 1607 Ocean Street, Suite 8 Poge 3 of 5

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Phone; 831-426-1663 Fox: 831-426-1679

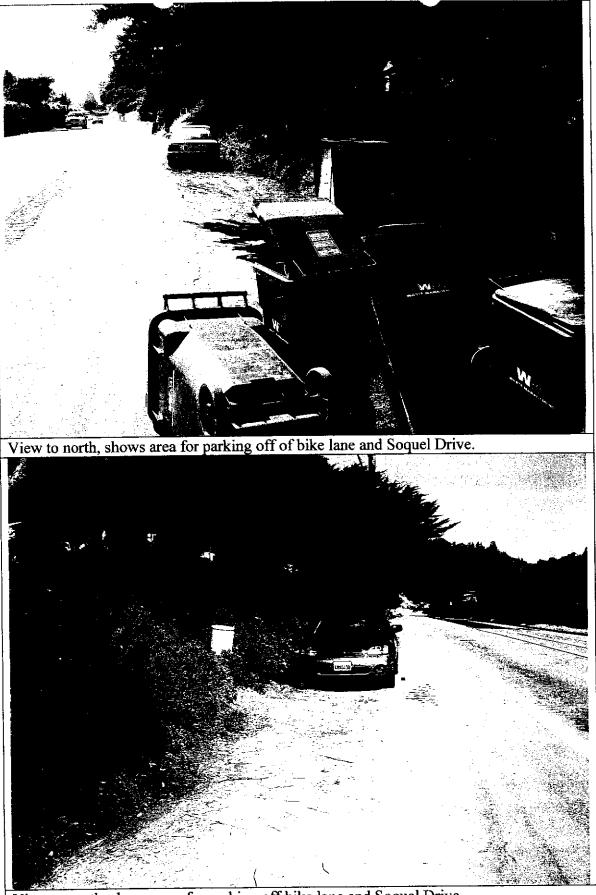


9669 Soquel Drive, 041-233-22



Phone 831-426-1663 Fax: 831-426-1*679*





View to south, shows area for parking off bike lane and Soquel Drive.

Powers Land Planning, Inc. 1607 Ocean Street, Suite 8

Poge 5 of 5

Phone 831-426-1663 Fox: 831-426-1679

EXHIBIT G

Project Planner: Randal1 Adams Application No.: 05-0377 APN: 041-233-22 Date: May 8, 2006 Time: 11:41:24 Page: 1

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EXHIBIT

Environmental Planning Completeness Conments

====== REVIEW ON JULY 8, 2005 BY ANDREA M KOCH ========

7/8/05

No comments

Environmental Planning Miscellaneous Comments

======= REVIEW ON JULY 8, 2005 BY ANDREA M KOCH =======

7/8/05

No comments

Code Compliance Completeness Conments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

======= REVIEW ON JULY 14, 2005 BY GUSTAVO A GONZALEZ — Today. 7/14/05. I reviewed DP Application 05-0377. The application addresses the violation by request ing recognition of the 5 additional units. <GAG>

Code Compliance Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

NO COMMENT

Dpw Driveway/Encroachment Completeness Comments

REVIEW ON JUNE 20. 2005 BY RUTH L ZADESKY

Dpw Driveway/Encroachment Miscellaneous Comments

Driveway to conform to County Design Criteria Standards. Encroachment permit required for all off-site work in the County road right-of-way.

Dpw Road Engineering Completeness Comments

The plans should show both sides of the right-of-way for Soquel Drive. The road standard for an Urban Arterial Street with Bike Lanes and Urban Local Street with Parking requires two 12 foot travel lanes, 12 feet on each side for bike lanes/parking, and separated sidewalks on each side. The right-of-way requirement for this road section is 74 feet. The proposed project should be required to dedi-

Project Planner: Randall Adams Application No.: 05-0377 APN: 041-233-22 Date: May 8, 2006 Time: 11:41:24 Page: 2

cate any required right-of-way based upon the existing centerline of the right-ofway and construct frontage improvements. The existing driveway should be constructed to current standards in the County Design Criteria. Parking spaces 1. 2, and 3 do not have a turnaround area. Public Works does not recommend vehicles backing out as proposed for an apartment building. Parking spaces 7 and 8 are shown as being 12 feet in length which is less than the 16 feet or 18 feet required for compact or standard sized parking. The distance to back out for parking spaces 7 and 8 if they were the proper size is about 7 feet which is substantially less than the 26 feet required. The distance to back out for parking spaces 11 and 12 is about 13 feet which is less than the 26 feet required. Parking spaces 15 and 16 have 17 feet to back out which is less than the 26 feet required. Parking spaces 17 and 18 do not have a turnaround area. The aisle and parking spaces 19 - 25 are 29 feet in width less than the 32 feet required. Diagonal parking with no outlet or turnaround is not recommended. There are no pedestrian improvements within the parking lot and these are recommended.

Dpw Road Engineering Miscellaneous Comments

======= REVIEW ON JULY 7, 2005 BY GREG J MARTIN ========= UPDATED ON OCTOBER 7. 2005 BY GREG J MARTIN =========

Aptos-La Selva Beach Fire Prot Dist Completeness C

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED All Fire Department building requirements and fees will be addressed in the Building Permit phase. Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

DATE: July 6, 2005

TO: Planning Department, ATTENTION: RANDALL**ADAMS**

FROM: Santa Cruz County Sanitation District

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE FOR THE FOLLOWING PROPOSED DEVELOPMENT:

APN: 041-233-22 APPLICATION NO.: 05-0377

PARCEL ADDRESS: 9669 SOQUEL DRIVE, APTOS CA 95003 PROJECT DESCRIPTION: PROPOSAL TO RECOGNIZE A CONVERSION OF AN EXISTING APARTMENT BUILDING FROM 7 UNITS TO 12 UNITS. PROPERTY LOCATED ON THE NORTH SIDE OF SOQUEL DRIVE APPROXIMATELY ½ MILE WEST OF FREEDOM BOULEVARD.

Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time kame this project has not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

- Other: Upon approval by the Planning Department, sewer connection fees will be collected before a sewer connection permit can be issued.
- Other: No downstream capacity problem or other issue is known at this time. However; downstream sewer requirements will again be studied at time of Planning Permit review, at which time the District reserves the right to add or modify downstream sewer requirements.

ania Beatriz Barranco

Sanitation Engineering

BB:abc/433.wpd

c: Applicant: POWERS LAND PLANNING INC 1607 OCEAN STREET, SUITE & SANTA CRUZ CA 95060

> Property Owner: GLENN Mc CONKEY 9 PINEHURST COURT PARK CITY UT 84060



Aptos/La Selva Fire Protection District 6934 Soquel Drive • Aptos, CA 95003 Phone # 831-685-6690 • Fax # 831-685-6699

July8,2005

Planning Department County of **Santa** Cruz Attention: Randall Adams 701 Ocean Street Santa Cruz, CA 95060

Subject APN: 41-233-22 / Appl #05-0377 9669 Soquel Drive

Dear Mr. Adam:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented.

Any other requirements will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Sincerely,

Jim Dias, Fire Marshal Fire Prevention Division Aptos/La Selva Fire Protection District

- Cc: Glenn McConkey 9 Pine Hurst Court Park City, UT **84060**
- Cc: Powers Land Planning Inc. 1607 Ocean Street Suite 8 Santa Cruz, **CA** 95060

MEMORANDUM

Application No: 05-0377

Date: July 13,2005

- To: Randall Adarns, Project Planner
- From: Lawrence Kasparowitz, Urban Designer
- **Re:** Design Review for the recognition of conversion of an existing building from 7 units to 12 units at 9669 9681 Soquel Drive, Soquel

The new construction must match the approved materials and colors

Landscaping shall have been maintained to the original intent or should be replaced where there are empty areas.

Trash storage areas should be grovided thai will match existing materials and colors



Powers Land Planning, Inc.

April 22,2005

Jeff Gailey Soquel Creek Water District 5180 Soquel Drive **Soquel, CA** 95073

RE: 9669 Soquel Drive, "Will-Serve" letter APN: 041-233-22

Dear Mr. Gailey:

Land Use and **Development Consulting**

4/22/05 Powers Land Planning. Inc. Per Jeff Bailey -No need to take this to SCWD Board to SCWD Board for review. All units for the for

I am representing the property owner, Ms. Glenn McConkey, to assist her legalization of 5 units at the above property. The property was approved for 7 units in 1980 and 5 family rooms/bedrooms were converted to studio units for a total of 12 existing units in 3 separate buildings. Our application will be including a 25% affordable housing component if that makes a difference in the review by the water district.

According to the property manager, there is one water meter that serves the apartments and that water bill is paid for by the owner.

Please let me know if you need more information about the layout or proposal for these apartment units. 4/22/05

Thank you for your consideration.

Sincerely,

Ron Pdwers, AICP

Enclosures: Site Plan

Powers Land Planning, Inc.

Per Eleaner, Pullik Norks Sanitation -Extg unites are being served - it is a "unite of engineering time" to Write a letter - 0

1607 Ocean Sheet, Suite 8 Santo CNZ, CA 95060

Phone: 831-426-1663 Fax: 831-426-1679 Email: ron@powersplanning.com

Glenn McConkey 9 Pine Hurst Court, Park City UT 94060 435-615-1041

May 14, 2005

Mr. Ron Powers 1607 Ocean St., Suite 8 Santa Cruz, CA 96060

Dear Ron:

When you have your meeting with the planner at the County, perhaps you could tell him that I have rented to HUD tenants since the early 1980's. I have found that they are usually good tenants, often single Mom's with kids. I have about 50 apartments in Santa Cruz Co. Two are designated as HUD units. One of those is 9671 Soquel Dr. I usually have four or five HUD tenants renting from us at any given time. This particular government program gives these folks the opportunity to live in a complex that does not identify them as different from anyone else. No one except their manager knows that they are on HUD. Often they stay for a number of years, go to night school, and when leaving, their reason is to accept a job in another area.

Enclosed is 2004's 1099 from HUD for the rent paid for the tenants that are currently renting from me.

Sincerely, Glenn McConkey

and a second second



property, let me know & S.C. Property Management will figure it out HUD tomate on il propertion. All this income is included in my packets, so this is Not EXTRA I guess it has to the down particulated to the return somehow. If you need it broken down par Walter - This represents the rental in come paid to me by for our CORRECTED (if checked)

H



Land Use and Development Consulting



June 15,2005

County of Santa Cruz Planning Department 701 Ocean Street, **4''** Floor Santa Cruz, **CA** 95060

RE: 9669 Soquel Drive Residential Development Permit Application *to* Recognize **5** Units for a Total of 12 Units APN: 041-233-22

Dear Planners/Reviewing Agencies:

This application is for a Residential Development Permit approval for 12 existing units at 9669 Soquel Drive in Aptos.

Permit/Unit History

Use Permit 79-1486U granted approval to construct a dwelling group with (7) 2-bedroom units. The site was required to have 11 parking spaces and included 1 handicapped space and 2 compact spaces. Seven (7) garage spaces were approved with four **(4)** exterior spaces.

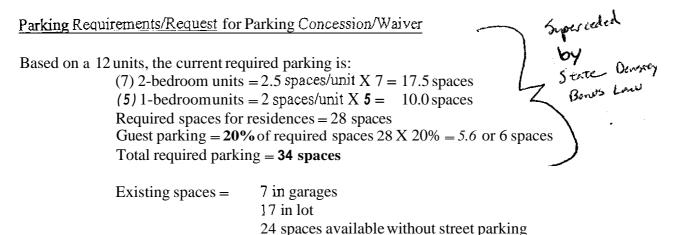
A zoning code violation was recorded in 1999 for 13 units as opposed to the 7 allowed units per the 1979 Use Permit. This application proposes to legalize a total of 12 units.

Density/Density Bonus

Based on current net developable land and the RM-4 zoning, the site can support 10 units, (See calculations on the attached site plan.) This project proposes to provide 25% of the units (3 units) as deed restricted affordable housing.

County Planning Department Residential Development Permit 9669 Soquel Drive APN: 041-233-22 6/15/05 Page 2 of 3

The state and Santa Cruz County (13.10.390) density bonus provisions allow for a 25% increase in density when at least 20% of the units are reserved for affordable housing to lower income residents. The density bonus will allow 12 units as requested, with 3 of the units reserved for affordable housing.



When street frontage is included in the available parking, the site can accommodate 33 cars.

The site has shown through practical use over the past several years to have adequate parking available to accommodate tenants and guests. It is unusual to have **the** opportunity to view **the** actual parking situation BEFORE a Use Permit is granted, but in this situation, the existing converted units have been shown to not create a health or safety hazard or impact to a neighborhood that can be caused by too many vehicles for a property. Allowing a parking exception is allowed per Zoning Code Section 13.10.393or 13.10.394, Additional Concessions or Incentives (for density bonus projects); or Waiver or Modification of Standards.

Open Space Concession/Waiver

The existing layout provides for private backyards for 7 of the 12 **units.** This project proposes no change to the existing layout, which functions well. According to section 13.10.393 and 13.10.394, the County can allow this modification to the private open space requirements.

Powers Land Plonning, Inc. 1607 Ocean Street, Suite 8 Santa Cruz, CA 95060 Phone: 831-426-1663 Fax: 831-426-1*679* Email: ron@powersplanning.cOm



County Planning Department Residential Development Permit 9669 Soquel Drive APN: 041-233-22 6/15/05 Page 3 of 3

Drainage and Road Engineering Issues

The project is not proposing any changes to existing impervious surfaces. The approved 1981 engineered grading plan and 1983 drainage plan have not been modified with the present configuration.

If this property were vacant and proposing a new multi-unit residential project, the standard requirement would be new curb, gutter and sidewalk. However, the existing street frontage parking is appropriate for this site to accommodate any overflow guest parking that may be needed and full street frontage improvements do not seem appropriate for this existing complex. Section **13.10.393** and 13.10.394 allow the County to waive any frontage improvement requirements **given** the **unique** situation of the project.

Summary

This project represents an opportunity for the County to add 2 more affordablehousing **units** (or 40% of the proposed 5 not previously permitted units) to the housing stock without impacting any neighborhood. The site has appropriate zoning for the 12 units and has been functioning well for several years.

We hope this information is helpful to your evaluation of the project. Please call me if you have any questions.

Sincerely.

Ron Powers, AICP

Enclosures included with the Planning Department Application: Owner Agent Form Plans with reduced copies Assessor Parcel Map Letter with notes regarding Water and Sanitation District Comments Owner letter re HUD background Site Photographs

cc: Glenn McConkey

Powers Land Planning, Inc. 1607 Ocean Street, Suite 8 Santa Cruz, CA 95060 Phone 831-426-1663 Fax: 831-426-1679 Email: ron@powersplanning.com



Date of Review:

Reviewed By:

SOQUEL CREEK WATER

831 475 4291 P.01/05



P.O. Box 168 Mail to: 6180 Sequel Drive Sequel, CA 95073-0158 PHONE (831) 475-8500 FAY (831) 475-4291



ReturnedRandall AdamsProjectcounty of Santa CruzCommente to:Planning Department701 Ocean St., Ste. 400Santa Cruz, CA 95060-4073

Owner: McConkey Glenn Trustee 9 Pine Hurst Ct. Park City, UT 84060

7/6/06

Carol Carr

Applicant: Powers Land Planning, Inc. 1607 Ocean St., Ste. 8 Santa Cruz, CA 95060

Type of Permit: Development Permit County Application #: 05-0377

Subject APN: 041-285-22

Location: Property located on the north side of Soquel Drive approximately ½ mile west of Freedom Boulevard. (9669-9684 Soquel Dr.)

Project Description: Proposal to amend 79-1486-U to recognize a conversion of an existing apartment building from 7 units to 12 units. with a density bonus (30% affordable units) to allow an increase in the allowed density from 10 units to 12 units, and a parking concession to vary from the required parking standards.

<u>Notice</u>

Notice is hereby given that the Board of Directors of the Sequel Creek Water District is considering adopting policies to mitigate the impact of development on the local groundwater basins. The proposed project would be subject to these and any other conditions of service that the District may adopt prior to granting water service.

It should not be taken a8 a guarantee that service will be available to the project in the future or that additional conditions will not be imposed by the District prior to granting water service.

Requirements

The developerlapplicant, without **cost** to the **District**, shall:

- 1) Destroy any wells on the property in accordance with State Bulletin No. 74;
- 2) Satisfy all conditions imposed by the **District** to **assure** necessary water pressure, flow and **quality**;
- 3) Satisfy all conditions for water conservation required by the District at the time of application for service. including the following:
 - a) All applicants for new water service from Soquel Creek Water District shall be required to offset expected water use of their respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area so that any new developmenthas a "zero impact" on the District's groundwater supply. Applicants for new service shall bear those costs associated with the retrofit as deemed appropriate by the District up to a maximum set by the District and pay any associated fees set by the District to reimburse administrative and inspection costs in accordance with District procedures for implementing this program.



G:\04_Office_Data\County_Proposed\Applicati - 42 -0377.doc

Page 1 of 2



P.O.Box 158 Mail to: 5180 Soquel Drive Sequel, CA 95073-0158 PHONE (831) 475-8500 FAX (831) 475-4291



- b) Plane far a water officient landscape and irrigation system shall be submitted to District Conservation Staff far approval;
- c) All interior plumbing fixtures shall be low-flow and have the EPA Energy Star label;

District Staff shall inspect the completed project for compliance with all conservation requirements prior to commencing water service;

- 4) Complete LAFCO annexation requirements, # applicable;
- 5) All units shall be individually metered with a minimum size of 5/8-inch by %-inchatsndard domestic water meters;

A memorandum of the terms of this letter shall be recorded with the County Recorder of the County of Sants Cruz to insure that any future property owners are notified of the conditions set forth herein.

Soquel Creek Water District Project Review Comments:

1. 1) The District requires that all unite shall be metered separately. The applicant will need to install 12 separate meters (one for each unit). The cost of the existing 1-inch meter can be credited towards the cost of the new meters. 2) The applicant shall be required to offset the expected water use of their respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Sequel Creek Water District service area. Applicants far new service shall bear those costs associated with the retrofit. The applicant shall be required to offset the demand of the 5 "illegal" units. 3) A Fire Protection Requirements Form will need to be completed and reviewed by the appropriate Fire District.

Attachments:

- Soquel Creek Water District Procedures for Processing Minor Land Divisions (MLD) dated November 9.1992
- **Soquel** Creek Water District Procedures for **Processing** Water Service Requests for Subdivisions and Multiple Unit Developments
- The Soquel Creek Water District Water Use Efficiency Requirement 8 tot Single-Family Lots
- Water Demand Offset Policy Fact Sheet
- New Applicant Water Demand Offset Form
- Sequel Creek Water District New Water Service Application Request.
- Soquel Creek Wawr District Variance Application
- Soquel Creek Water District Water Water For Pressure and/or Flow
- Fire Protection Requirements Form





Powers Land Planning, Inc.

Land Use and Development Consulting



August 9,2005

Jeff Gailey, Engineering Manager/Chief Engineer Soquel Creek Water District 5180 Soquel Drive Soquel, CA 95073

RE: 9669 Soquel Drive, County Planning Application 05-0377 APN: 041-233-22

Dear Mr. Gailey:

I received a copy of the Carol Can comments relating to this application.

As you may know, this apartment complex has been in existence since 1980. The complex was constructed as 7 apartment units with (1) 1" water meter/service for the building. Water connection fees of \$15,600 were paid in 1979 at the time of permit issuance.

I am requesting that staff and the SCWD Board consider modifying 2 requirements relating to the district comments for this project:

- 1) Eliminate the need for 12 separate meters on this property, and
- 2) Give consideration to the **size** of the proposed units and consider providing a credit for the previously existing ¹/₂ bath for each studio unit when calculating the offset requirements for the 5 new units. Recognize that these 400 sq. ft. studios should not be required to offset the same amount as a new full-sized single-family dwelling.

METER REQUIREMENT

The SCWD indicates that the standard requirement is to require all apartment units to be served by individual water meters. This complex was not constructed to allow the units *to* be subdivided in the future and the existing apartment complex has always functioned with 1 meter. The property owner will continue to pay the water bill for all units and this has worked well for property management of the complex. To require 12 individual

Gailey Soquel Creek Water District 05-0377, 9669-9684 Soquel Drive 08/09/05 Page 2 of 2

meters will be a hardship for the owner and could make this affordable housing conversion infeasible; with no additional water use data collected for the district resulting from this requirement.

This project is considered an affordable housing project which reserves 25% of the total units (or 30% of the allowed zoned density of 10 units on the site as calculated per Chapter 17.10 of the County Housing Code). I understand that the SCWD Board has previously waived separate meter requirements for another affordable housing project in the Aptos area.

Based on the size of the units, the management history of the existing apartment complex and the affordable housing component of the project, I am requesting that the district consider waiving the requirement for individual unit water meters.

WATER CONSERVATION OFFSET REQUIREMENT

The project proposes to legalize 5 existing units in the building. Each of these 5 new units is a 400 sq. ft. studio unit converted from a previous bedroom. Each previous bedroom included a % bath. Therefore, the conversion of these 5 units amounts to adding a kitchen for each studio and converting the $\frac{1}{2}$ bath to a full bath.

Based on the existing water usage that was **part** of the original apartment layout, please consider modifying the offset requirements to account for the existing water usage and the small size of the converted units.

SUMMARY

Please schedule this project for additional SCWD Board review for a September meeting if possible. Please call me if you need any additional information.

Thank you for your consideration

Sincerely,

Ron Powers, AICP

cc: Randall Adams, County Planning Glenn McConkey

Powers land Planning, Inc. 1607 Ocean Street, Suite 8 Sonta Cruz, CA *95060* Phone: 831-426-1663 Fox: 831-426-1679 Email: ron@powersplanning.com





Powers Land Planning, Inc

Land Use and Development Consulting

9

September 7,2005

County of Santa Cruz Planning Department Attn: Randall Adams 701 Ocean Street, 4th Floor Santa Cruz, CA 95060

9/1/05 Hi Randall -MI Fundation Jeff Gailey a call at Soquer Creek Water Dist. (x123). He says that the sure comments are not applicable since the operations are already serviced. (Northering required !) Gud news but you should probably call him anyoning for burger and

RE: 9669 Soauel Drive

Residential Development Permit Application to Recognize 5 Units for a Total of 12 Units APN: 041-233-22

Dear Randall:

Attached are eight sets of revised plans (plus 1 reduced set) intended to address comments outlined in your July 13, 2005 incomplete letter.

Also attached are 3 copies of a parking study **as** requested.

Please let me know if you have any other questions. Thank you.

Sincerely,

Ron Powers, AICP

Enclosures included with the Planning Department Application: Revised Project Plans Parking Study

cc: Glenn McConkey

1607 Ocean Street, Suite 8 Santa Cruz, CÅ 95060

Phone: 831-426-1663 Fox: 831-426-1679 Email: ron@powerrplanning.com



PARKING STUDY 9669 Soquel Drive, 041-233-22 05-0377 August 1,2005

	15 UNCOVERED SPACES AVAILABLE
7/27/05	11 inuse
	2 cars using Soquel Drive frontage for parking
Wednesday 7:15 am	4 vacant
	9 in use
7/27/05	
Wednesday	2 cars using Soquel Drive frontage for parking
12:30 pm	6 vacant
7/27/05	10 in use
Wednesday	2 cars using Soquel Drive frontage for parking
7:15 pm	5 vacant
7/29/05	8 in use
Friday	2 cars using Soquel Drive frontage for parking
7:15 am	7 vacant
7/ <u>2</u> 9/05	6 in use
Friday	1 car using Soquel Drive frontage for parking
12:30 pm	9 vacant
7129105	8 in use
Friday	1 car using Soquel Drive frontage for parking
8:00 pm	7 vacant
7/30/05	11 inuse
Saturday	1 car using Soquel Drive frontage for parking
6:30 am	4 vacant
7/30/05	10 in use
Saturday	1 car using Soquel Drive frontage for parking
11:00 am	5 vacant
7/30/05	7 in use
Saturday	1 car using Soquel Drive frontage for parking
3:00 pm	8 vacant
1 2.00 Pm	U valani

The covered garage spaces were not surveyed.

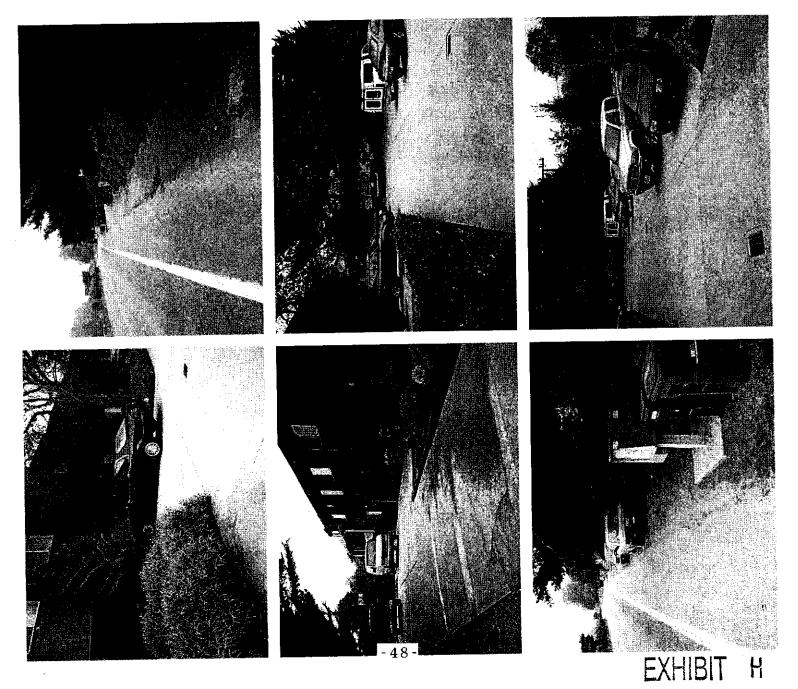
This parking study illustrates that during these 2 weekdays and 1 weekend day, the parking lot was never completely full with **9** different survey times.

There was one car consistently parked along the property frontage of Soquel Drive. It is not known if this car or any other cars parking in this area are owned by tenant(s) of this apartment complex. Even if **these** cars are owned by tenants, the survey shows that the parking could be accommodated on site.

Phone **831-426-1663** Fox; **831-426-1***679* Email: ron@powersplanning.com



15 uncovered spaces 11 in Use 2 mile Soque ID. Using frontage 7/27/05 WED. 7:15aM



H



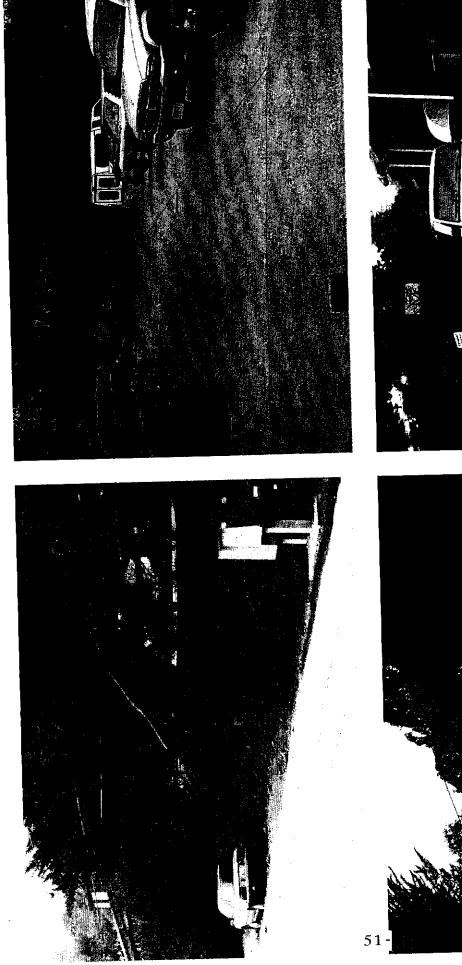


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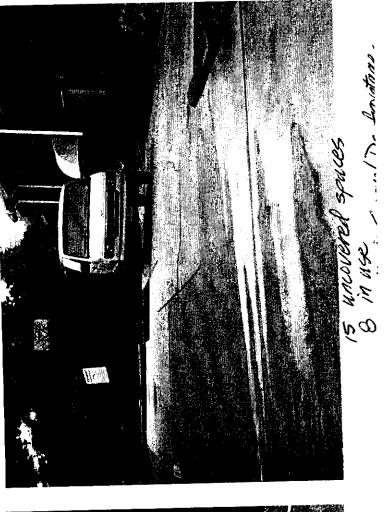
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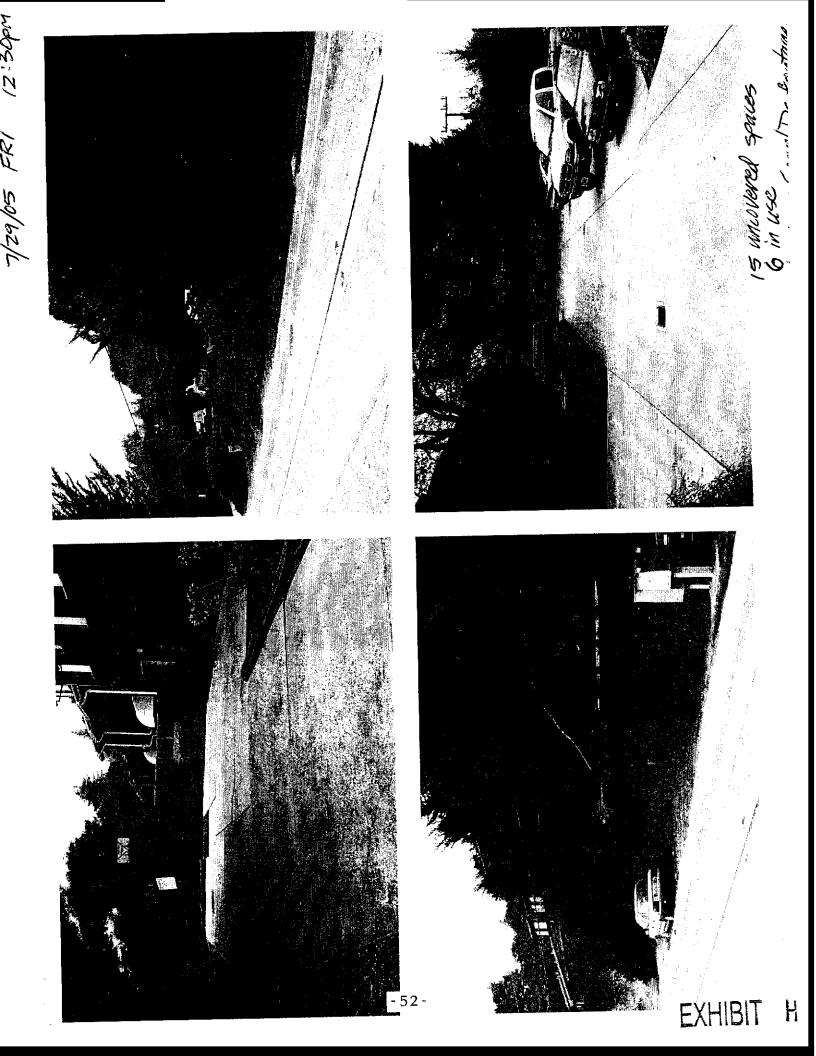
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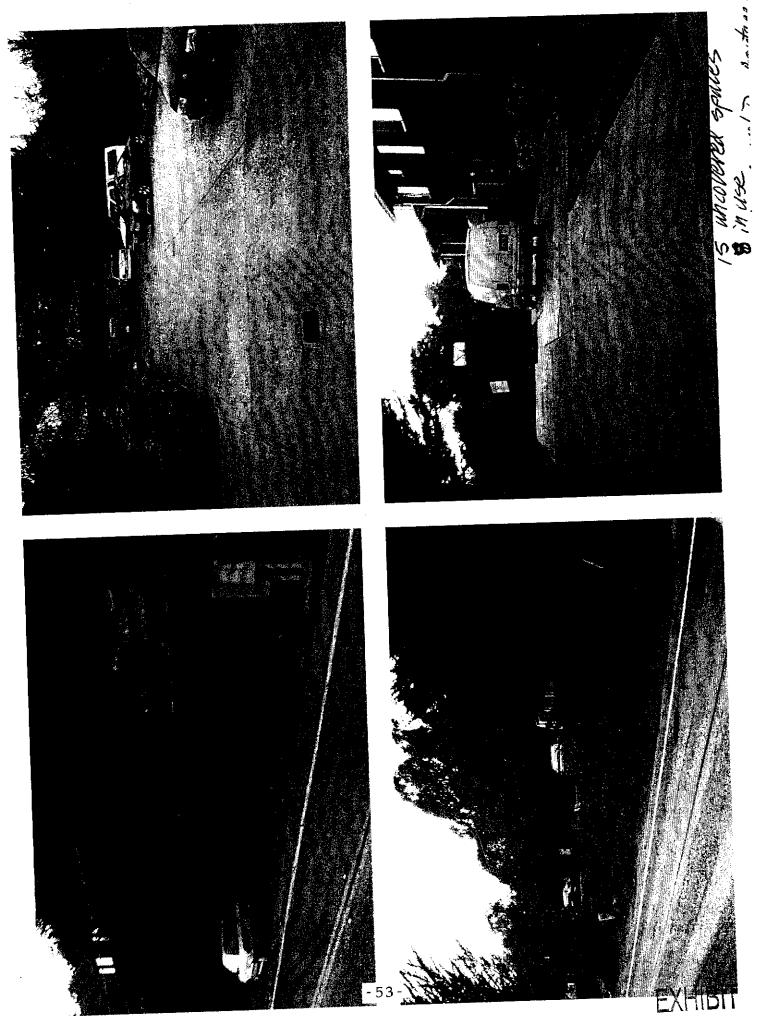


1/29/05 MM.









7/29/05 FR1 8:00PM

