



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

May 20, 2008

Agenda Date: May 28, 2008

Item #: 7

Time: After 9 AM

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Application 06-0389
APN: 037-221-35
Applicant: Michael Bethke
Owner: Abbey Road Development, LLC
Site Address: Abbey Road, Aptos

Members of the Commission:

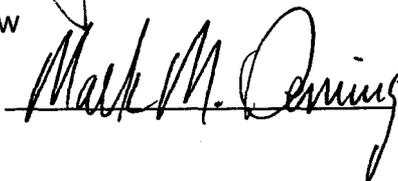
This application came before the Planning Commission on April 23, 2008. The commission directed the applicant to return on May 28, 2008 with additional materials. Staff sent a letter to the applicant on May 7, 2008 (attached) outlining the issues and listing the materials to be resubmitted. Given the amount of items to be accomplished staff wrote a follow-up letter (attached) suggesting that the hearing be continued to June 11, 2008. An email from the applicant (attached) confirmed the acceptance of this new hearing date.

Staff recommends that the Planning Commission take public testimony and continue this item to June 11, 2008.

Sincerely,


Lawrence Kasparowitz
Project Planner
Development Review

Reviewed By:
Mark Deming
Assistant Director



Lawrence Kasparowitz

From: Michael Bethke [michael@slattcon.com]
Sent: Thursday, May 15, 2008 2:15 PM
To: Lawrence Kasparowitz
Subject: RE: Abbey Road

Larry,

THANKS! I'll acknowledge with a response letter, and have all materials to you by May 28th.

Mike

-----Original Message-----

From: Lawrence Kasparowitz [mailto:PLN795@co.santa-cruz.ca.us]
Sent: Thursday, May 15, 2008 1:46 PM
To: michael@slattcon.com
Subject: Abbey Road

<<letter 5.15.08.doc>>

Lawrence Kasparowitz

Urban Designer
County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-2676



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TOM BURNS, PLANNING DIRECTOR

May 15, 2008

Michael Bethke
126 Fern Street
Santa Cruz, CA 95060

Subject: **Continuation**
Application # **06-0389**
Assessor's Parcel #: **037-221-35**
Owner: **Abbey Road Development LLC**

Dear Mr. Bethke:

Staff would like to give you more time to respond to the items in the previous letter regarding the issues raised by the Planning Commission. We will be recommending to the commission that your item be continued to June 11, 2008.

In order to return to hearing on June 11th the revised set of plans must be submitted no later than 5:00 p.m. on May 28, 2008, in order to prepare a letter to the Planning Commission indicating the responses to these issues. If the revisions are not received by that time, the project will be forwarded to the Planning Commission with a recommendation for denial.

A written response letter should accompany your resubmittal to facilitate review.

If you have questions concerning this letter or the issues herein, please contact me regarding a meeting with myself and senior staff.

Sincerely,

Lawrence Kasparowitz
Project Planner
Development Review

Cc: Abbey Road LLC
P.O. Box 471
Brookdale, CA
95007



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TOM BURNS, PLANNING DIRECTOR

May 7, 2008

Michael Bethke
126 Fern Street
Santa Cruz, CA 95060

Subject: **Follow up from Planning Commission Meeting**
Application # **06-0389**
Assessor's Parcel #: **037-221-35**
Owner: **Abbey Road Development LLC**

Dear Mr. Bethke:

Introduction

The following is a list of issues raised at Planning Commission hearing of April 23, 2007. For several of these issues, revisions to your plans or additional details are necessary in order to proceed with the continued public hearing currently scheduled for May 28, 2007

List of Issues

1. Riparian exception:
 - a. Proposed tree removal –

The scenic value of the existing Eucalyptus trees to the neighbors was pointed out at the hearing, as was the interruption in the continuity of the riparian corridor that the removal of the trees will cause. Staff is recommending that the revised plans indicate leaving the Eucalyptus trees in place. Individual trees can be pruned for safety, where necessary.

If you choose not to revise the plan, a Riparian Exception will be required to remove the trees. The initial review of the application did not identify a Riparian Exception as being required, however a close reading of the code indicates that it is indeed necessary and findings in the exception must be made. Re-noticing associated with the Riparian Exception will cause the public hearing to be postponed.

b. Level spreaders:

As shown in the drainage plan, there are level spreaders (which dissipate the storm water) located in the riparian corridor and the buffer zone. We recommend that your civil engineer identify an alternative location for both spreaders outside the riparian area and show the new locations on the plans.

If the spreaders remain in the riparian area, a Riparian Exception will be required. Re-noticing associated with the Riparian Exception will cause the public hearing to be postponed.

2. Need for Initial Study:

*As noted above, a Riparian Exception is required if trees are removed from the riparian area or if drainage spreaders remain in the riparian area. If a Riparian Exception is added to the project for **the tree removal**, an Initial Study will be necessary as a result. This will delay a return to a public hearing until after the review period has been completed for the Negative Declaration.*

3. Sewer easement, maintenance roadway and revision of Lot 3 architectural plans:

The Sanitation District will not be revising the requirement for a twenty feet wide easement, therefore please revise the Tentative Map to show the 20 ft. wide easement and an all-weather 12 ft. wide maintenance roadway. You have indicated that you will provide revised architectural plans for Lot 3 that accommodate the easement. Those are necessary for the Commissions review, thank you for providing them.

4. Axonometric drawing and Shadow plan:

These are typical documents that are required for subdivisions. Staff should have asked for these when you revised the project from 6 to 4 units. Please provide both of these documents for the Commission to consider.

5. Trees (other than the Eucalyptus at the riparian area) to be removed:

Please clarify and/or revise the plans to show all trees to be removed and all trees to remain. Please provide diameter and species of trees. If trees are to be removed, please provide rationale in your written response. It appears that at least two can be preserved.

6. Retaining walls

Please provide a detail showing the materials and construction of each new retaining wall.

7. Road maintenance agreement:

This will be made a Condition of Approval to insure maintenance of Abbey Road.

The applicant will have to join a Road Maintenance Association if one exists, or form an association if one does not exist and submit evidence of either to the Planning Department.

8. Grading volume

Staff has confirmed that grading of 963 cubic yards as presented in your application does not trigger the requirement for an Initial Study. Please be aware however, that if at any time the volume is revised to exceed 1,000 cubic yards, the project will be subject to further environmental review under CEQA and County regulations.

9. Neighborhood meeting(s):

Staff does not have records of the neighborhood meeting(s) that have been held. Please forward a list of the neighbors who were notified and a record of the issues that were brought up at the meeting. The Planning Commission was very clear in asking the applicant to set up another neighborhood meeting before the hearing (as soon as possible). Please include a record of that most recent meeting if it has already occurred.

Conclusion

Most of the items above recommend revisions to your plans. In order to return to hearing on May 28th the revised set of plans must be submitted no later than 5:00 p.m. on May 13, 2008, in order to prepare a letter to the Planning Commission indicating the responses to these issues. If the revisions are not received by then the project will be continued to a later date or forwarded with a revised recommendation, as appropriate.

A written response letter should accompany your resubmittal to facilitate review.

If you have questions concerning this letter or the issues herein, please contact me at: (831) 454-2676 or e-mail: pln795@co.santa-cruz.ca.us

Sincerely,

Lawrence Kasparowitz
Project Planner
Development Review

Cc: Abbey Road LLC
P.O. Box 471
Brookdale, CA
95007