



Staff Report to the Planning Commission

Application Number: **181610**

Applicant: Cristina Locke
Owner: Cristina Locke
APN: 041-011-55 (formerly 041-011-34)

Agenda Date: July 22, 2020
Agenda Item #: 13
Time: After 9:30 a.m.

Site Address: 8041 Soquel Dr., Aptos

Project Description: Proposal to rezone the subject property from C-2-L to C-2-L-PRH (Permanent Room Housing ["PRH"] Combining Zone District) and to allow PRH as an additional use.

Location: Property located on the north side of Soquel Drive, approximately 125 feet west of the intersection with Trout Gulch Road.

Permits Required: Rezoning and an amendment to commercial development permit 85-661

Supervisory District: Second District (District Supervisor: Friend)

Staff Recommendation:

- Adopt the attached resolution (Exhibit A) recommending that the Board of Supervisors:
 - Determine that the proposal is exempt from further environmental review under the California Environmental Quality Act, and direct staff to file the Notice of Exemption (Exhibit E) with the Clerk of the Board; and
 - Approve Application 181610, based on the attached zoning plan amendment ordinance (Exhibit B), development permit findings (Exhibit C) and conditions of approval (Exhibit D).

Project Description & Setting:

8041 Soquel Drive is a 0.86-acre parcel developed with the historic Bayview Hotel. This three-story hotel, originally named the Anchor House, was constructed in 1878 in what is now Aptos Village. At the time of its construction, the hotel functioned as a community center, with the area's first post office and general store, along with a restaurant on the first floor and rooms on the two upper floors. In 1990, there was a one-story addition to the rear of the building for an office, storage space, and an accessible bathroom. New handrails and exterior stairs were also added to the upper floors at that time.

In 1992, the building was placed on the State and National Registers of Historic Places, so in reviewing development applications on this property, the local building inspector must allow for

code alternatives provided under State Historical Building Code. The site is also a County historic resource, and any new development or renovation on this property is subject to SCCC 16.42.060 (development procedures for designated historic resources).

The site has a General Plan designation of C-C (Community Commercial) and is zoned C-2-L (commercial, in the “L” Historic Landmark Combining Zone District). Existing use/development permit 85-661 defines the hotel and restaurant use. The property owner has lived on the third floor and has used rooms on the second floor for long-term rentals in recent years, and would like to continue to use some of these second-floor rooms for long-term rental. Residential use is allowed for up to 50% of total square footage in the C-2 district, but the second floor rooms cannot be permitted as standard residential dwelling units because they do not have individual kitchens and some have shared bathrooms. However, the rooms can be permitted as PRH units, subject to the use and development requirements of SCCC 13.10.427.

The proposed project would add this property to the PRH Combining Zone District and would classify six of the eight hotel rooms on the second floor as PRH units as defined in SCCC 13.10.424. These units are each about 170-210 square feet with mini-fridges and hot plates. Each unit has an individual bathroom or shares a bathroom with one other unit.

Per SCCC 13.10.428, a zoning plan amendment is required to change the zoning to C-2-L-PRH, and an amendment to existing permit 85-661 is required to approve and define parameters for the PRH use.

Project Background:

The PRH Combining Zone District was adopted by the Board of Supervisors in January 2020 and certified by the Coastal Commission in May 2020. The purpose of the district is to recognize and preserve housing that is converted from former visitor accommodation and care facilities that have become obsolete for their original intent. These properties can serve an important role in addressing the housing crisis by repurposing rooms and cabins as permanent housing units that are affordable by design due to their small unit size. However, residential use in former motels or care facilities without appropriate zoning is illegal. Without legal property renovations and upgrades over time, these units may become run-down and may pose a safety risk to residents and the surrounding community. The PRH Combining Zone District creates a pathway for permanent housing to be legalized on these properties and upgraded as necessary to meet health and safety criteria. The district is available to any parcel in the County that meets district eligibility criteria.

The subject property application was one of nine property applications to join the PRH Combining Zone District that were considered by the Planning Commission on January 23, 2019, concurrently with the proposed amendments to the General Plan/Local Coastal Program (LCP) and SCCC to create the PRH Combining Zone District. At that time, the Commission continued consideration of applications for specific properties to join the district to a date uncertain, after the General Plan/LCP and SCCC amendments were finalized.

The PRH Combining Zone District went into effect in Santa Cruz County in March 2020 with County Ordinance 5305 after review and approval by the Board of Supervisors and California Coastal Commission. Therefore, it is now appropriate to continue public hearings for individual property applications to join the district subject to the PRH Combining Zone District use and

development standards for this district as provided by SCCC 13.10.427.

Rezoning:

Findings can be made to support a rezoning (per SCCC 13.10.215[D][3]). The proposed rezoning to add the PRH Combining Zone District to this property provides a community-related use (housing that is affordable by design) that was not anticipated when the existing zoning of C-2-L was adopted for this property. The rezoning allows for the existing mixed residential and restaurant use of this property to continue. Also, the proposed PRH density is compatible with the General Plan/LCP and can be accommodated by available utilities and community services. For detailed rezoning findings, please see Exhibit B.

Amendment to Permit 85-661:

Findings can be made to support an amendment to Permit 85-661 (per SCCC 18.10.230) to allow PRH use on the subject property. Specifically, the PRH use would be consistent with all pertinent County ordinances and the purpose of the PRH Combining Zone District; would be consistent with the General Plan, would not be detrimental to the health, safety or welfare of the neighborhood; would not overload utilities or generate more neighborhood traffic, and would be compatible with the surrounding neighborhood, although there has been public comment received from neighbors regarding concern about neighborhood compatibility (see “Public Outreach/Public Comment” below). For detailed development permit findings, please see Exhibit C.

As described in the project application, the six units comply with all PRH use and development standards contained in SCCC 13.10.427, with the exception that the units do not have adequate kitchen facilities. In order to meet PRH requirements, the property owner plans to add a common kitchen sink, counter and cabinet space in an existing hall closet area on the second floor. The addition of these kitchen facilities, along with a building inspection to confirm that all required PRH health and safety measures are met, are conditions of approval for this development permit. Per SCCC 13.10.428(B)(6), as an additional condition of approval, the applicant will also need to supply proof of long-term rental at each PRH unit, such as lease agreements, including indicating the unit number and the rent charged per unit. Personal tenant information should be blacked out. The County will review compliance with the conditions of this permit every five years. For conditions of approval, please see Exhibit D.

Public Outreach/Public Comment:

An initial public meeting was held on September 12, 2018 to inform property owners of PRH opportunity sites about the proposed Combining Zone District and answer questions. Following that initial outreach, the project applicant expressed interest in pursuing a PRH application for the subject property. A community meeting was held on January 14, 2019 in the Board of Supervisors chambers to inform the public about the proposed district and property rezoning applications and address questions and concerns. Following this community meeting, a Planning Commission public hearing was held on January 23, 2019. Per SCCC 18.10.211, notification for both the community meeting and Planning Commission public hearing, as well as this continued public hearing, was sent to all properties within a 300-foot radius of the exterior boundaries of the subject property.

Public comments were received both in writing and orally at the January 23, 2019 Planning Commission hearing regarding this application, mostly from neighbors expressing concern that a remodel of the building as a visitor-serving hotel would be a more appropriate use on this property than residential use. Please see Exhibit I for public comments. The comments appear to stem from a couple of underlying concerns. First, this is a highly visible property in the middle of Aptos Village. With the near completion of the Aptos Village development project, this area will become more of a tourist destination and there is therefore opportunity to renovate the property as a fully functioning hotel and restaurant. Second, there have been instances of code enforcement and police activity on this property in recent years, some of which were related to long-term tenants. The property owner was housing formerly homeless residents through an agreement with the County Housing Authority, and there were instances of disruption related to those tenants. However, the property owner does not intend to house formerly homeless residents in the PRH units, and residential use on the upper floors of the Bayview Hotel is not in itself incompatible with the surrounding neighborhood.

Code Enforcement History:

There are no active code enforcement cases on the subject property. Code enforcement cases in recent years have included the following:

- Code Case #NV24172 (2018): Operation of an event venue without permits.
 - Resolution: Discontinuation of events, revocation of permit for outdoor events for which conditions of approval were not fulfilled.
- Code Case #NV23915 (2017): Non-authorized storage and parking of vehicles in designated parking spaces; unauthorized occupancy of a van and recreational vehicles; uncontained hazardous materials, debris and trash; unpermitted construction of a fence > 6 feet within setbacks; unpermitted operation of a retail business (antiques).
 - Resolution: Removal of items and discontinuance of retail business operation.
- Code Case #NV23695 (2016): Exceeding existing permit conditions of approval for noise and music at night.
 - Resolution: Discontinuation of music and noise beyond existing permit conditions.
- Code Case #CV4942, CC4649 (2010-2018): Unauthorized use of site for weddings and wedding receptions without the required permit.
 - Resolution: Permit obtained for outdoor events (later revoked due to noncompliance with conditions of approval. See Case #NV24172).
- Code Case #AL18877, HR18878 (2005-2006): Uncontained debris and trash; unpermitted junk yard; unauthorized occupancy and storage of recreational vehicles.
 - Resolution: Removal of items.
- Code Case #HR18876 (2004): Planters blocking access to accessway between Trout Gulch Rd and Aptos Creek Rd.
 - Resolution: Private accessway agreement (not public ROW). Issue resolved among neighbors.

Environmental Review:

The proposed rezoning and commercial development permit applications are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 (Existing Facilities) because all proposed PRH units have already been in use as permanent housing; and section 15061(b)(3) because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment. A CEQA Notice of Exemption has been prepared (Exhibit E).

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 the attached exhibits for a complete listing of findings and evidence related to the above discussion.


Staff Recommendation:

Adopt the attached resolution (Exhibit A), sending a recommendation to the Board of Supervisors to approve rezoning and an amended commercial development permit for the subject property.

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/LCP, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

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Exhibits:

- A. Proposed Planning Commission Resolution
- B. Proposed Zoning Plan Amendment Ordinance

Application #: 181610
APN: 041-011-34
Owner: Cristina Locke

- C. Development Permit Findings
- D. Conditions of Approval
- E. Notice of Exemption (CEQA determination)
- F. Property Information
- G. Property Photographs
- H. Project Plans

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner:
Duly seconded by Commissioner:
The following Resolution is adopted:

**PLANNING COMMISSION RESOLUTION RECOMMENDING
APPROVAL OF REZONING AND USE/DEVELOPMENT PERMIT FOR 8041
SOQUEL DRIVE (APN 041-011-55) INTO THE PERMANENT ROOM HOUSING
COMBINING ZONE DISTRICT AND CEQA EXEMPTION**

WHEREAS, the County of Santa Cruz ("County") is experiencing a housing crisis, in which the supply of housing units, especially affordable housing units and smaller rental units housing one or two people, is not meeting demand; and

WHEREAS, some buildings in the County originally constructed for visitor accommodations or assisted living, nursing home, residential care, or other similar uses have become obsolete for their original purposes; and

WHEREAS, there is an opportunity for these types of properties to serve an important role in addressing the housing crisis by converting short-term occupancy rooms and cabins to long-term (more than 30-day occupancy) housing units that are affordable by design due to small unit size; and

WHEREAS, the County is aware of properties where visitor accommodations have already been converted to permanent housing, but this use is non-conforming with zoning and/or General Plan designations on those properties, limiting renovation opportunities and placing housing units at risk; and

WHEREAS, the following eligible property has submitted an application for a rezoning and amendment to commercial development permit 85-661 for inclusion in the Permanent Room Housing ("PRH") Combining Zone District: 8041 Soquel Drive (APN 041-011-55); and

WHEREAS, the Planning Commission has reviewed the proposed rezoning ordinance and finds that:

1. The proposed zone district will allow a density of development and types of uses which are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan, and conforms with, and is adequate to carry out, the coastal resource protection provisions of the certified Land Use Plan; and
2. The proposed zone district is compatible with the level of utilities and community services available to the land; and

3. The proposed rezoning is necessary to provide for a community-related use which was not anticipated when the zoning plan was adopted; and
4. A rezoning from nonresidential to residential use is appropriate in that the site will be rezoned to accommodate a mixed use development that will accommodate both commercial and residential uses, and/or the site will accommodate housing type(s) that are needed to house the local workforce in support of the local economy.

WHEREAS, the Planning Commission has reviewed the proposed amendment to commercial development permit 85-661 and finds:

1. That the proposed location and the condition under which the property 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; and
2. That the proposed location and the conditions under which the property 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; and
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; and
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; and
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.

WHEREAS, the proposed rezoning and commercial development permit applications are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 (Existing Facilities) because all proposed Permanent Room Housing units on parcel 041-011-55 have already been in use as permanent housing; and section 15061(b)(3) because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the proposed property rezoning ordinance as presented on this date be adopted by the Board of Supervisors.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the amendment to commercial development permit 85-661 as presented on this date be approved by the Board of Supervisors.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors determine that the proposal is exempt from further environmental review under CEQA and direct staff to file the Notice of Exemption with the Clerk of the Board.


PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2020 by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Chairperson

ATTEST: _____
Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

cc: County Counsel
Planning Department

ORDINANCE NO. _____

**ORDINANCE AMENDING ZONING PLAN AND MAP PURSUANT TO
CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE BY ADDING
THE PERMANENT ROOM HOUSING COMBINING ZONE DISTRICT
TO PARCEL 041-011-55**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity, and general welfare require the amendment of the County zoning plan and map pursuant to Santa Cruz County Code ("SCCC") section 13.10.215 to implement the policies of the County General Plan regarding the parcel listed below in Section III; finds that the zoning designated herein is consistent with all elements of the County General Plan; and finds and certifies that the proposed action is exempt from further review under the California Environmental Quality Act.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the zoning plan amendment as described in Section III, and adopts their findings in support thereof without modification as set forth below, per SCCC 13.10.215(D):

- 1. The proposed zone district will allow a density of development and types of uses that are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan, and conforms with, and is adequate to carry out, the coastal resource protection provisions of the certified Land Use Plan.**

This parcel has a zone district of C-2-L and a land use designation of C-C (Community Commercial). The proposed zoning plan amendment would add the Permanent Room Housing ("PRH") Combining Zone District to the existing C-2-L zone district. General Plan policy 2.12.4 allows commercial properties within the PRH Combining Zone District to have 100% residential use. Per policy 2.12.3, residential densities on commercial properties are not defined but must allow for good site design.

SCCC 13.10.427(B) allows for additional PRH units to be added to this property in the future, up to the maximum density of 17.4 units per acre, but the property owner would be required to apply for an amendment to the development permit for this property in order to build or designate any additional PRH units. Therefore, the PRH code ensures that increased density on PRH sites is not allowed by right unless it is appropriate for the surrounding neighborhood.

2. **The proposed zone district is compatible with the level of utilities and community services available to the land.**

The existing units were formerly motel rooms that have subsequently been converted to permanent residential use. These units are served by existing utilities and community services. There would be no change in the level of utilities or community services required as a result of the zoning plan amendment. Utilities are indicated on project plans and will be verified during site inspections.

3. **One or more of the following findings can be made:**
 - a. **The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district;**
 - b. **The proposed rezoning is necessary to provide for a community-related use which was not anticipated when the zoning plan was adopted;**
 - c. **The present zoning is the result of an error;**
 - d. **The present zoning is inconsistent with designation on the General Plan;**
 - e. **The proposed rezoning is in the best interests of the public health, safety or welfare;**
 - f. **A rezoning from nonresidential to residential use is appropriate in that the site has low commercial potential as reflected by existing vacancies, or outdated low value improvements, or low employment density, or low market demand for commercial use of the site; or**
 - g. **A rezoning from nonresidential to residential use is appropriate in that the site will be rezoned to accommodate a mixed use development that will accommodate both commercial and residential uses, and/or the site will accommodate housing type(s) that are needed to house the local workforce in support of the local economy.**

The proposed zoning plan amendment meets findings (b) and (g). The property was developed as a hotel over 100 years ago and has since been converted to a mix of short- and long-term residential use over time. Today, Santa Cruz County is experiencing a housing crisis, and this property serves an important role in addressing that crisis by converting some of the former hotel rooms to housing units that are affordable by design based on their small unit size. This was a use that was not anticipated on this property when it was originally built and zoned. Residential use is allowed for up to 50% of total square footage in the C-2 district, but the second floor rooms cannot be permitted as standard residential dwelling units because they do not have individual kitchens and some have shared bathrooms. However, the rooms can be permitted as PRH units, subject to the use and development requirements of SCCC 13.10.427. PRH would be combined with existing restaurant at hotel use on this site.

SECTION III

The County zoning plan and map is hereby amended to add the Permanent Room Housing ("PRH") Combining Zone District to the following property:

Assessor's Parcel Number	Existing Zone District	New Zone District
041-011-55	C-2-L	C-2-L-PRH

SECTION IV

The adoption of this ordinance is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 (Existing Facilities) because all proposed Permanent Room Housing units on parcel 041-011-55 have already been use as permanent housing; and section 15061(b)(3) because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

SECTION V

This ordinance shall take effect on the 31st day after the date of final passage.

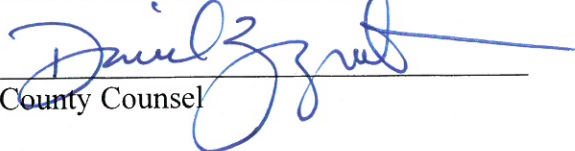
PASSED AND ADOPTED this _____ day of _____, 2020 by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:



County Counsel

Development Permit Findings

[Santa Cruz County Code 18.10.230]

- 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 there would be no new development associated with the commercial development permit for this property, aside from building permits for upgrades that may be required to meet health and safety standards. The existing structure was built as a hotel and some of the rooms have been repurposed as long-term residential rental units in the past, and the property owner would like the option to do this in the future. This property is located along Soquel Drive, a main road in a location where both commercial uses and mixed commercial and residential uses (with commercial on the first floor) are existing and appropriate. Residential use is generally less disruptive to neighborhoods than visitor accommodation, since visitor accommodation involves strangers entering and existing the property every day. There has been concern expressed by neighbors that the most recent long-term residential land use on this property was associated with instances of code enforcement and/or police activity. The property owner was housing formerly homeless residents through an agreement with the County Housing Authority, and some code enforcement or police activity on the property may have been related to those tenants. However, the property owner does not intend to house formerly homeless residents in the PRH units, and residential use on the upper floors of the Bayview Hotel is not in itself incompatible with the surrounding neighborhood. Also, the recent code enforcement cases on the property were related to unpermitted events, RV occupancy, and debris/trash. Therefore, the proposed location of the residential use that would be allowed on this property will not be detrimental to the health, safety, or welfare of the neighborhood or the general public.

Also, SCCC 13.10.428(C) provides for a required County review of the PRH use every five years in order to confirm that all aspects of the property's development permit are being followed. The County has the option of denying (or revoking) a permit due to non-compliance with the PRH use and development standards, as well as other reasons such as police activity and active code enforcement cases. These provisions in the PRH ordinance give the County the opportunity to allow PRH use on a property even with a history of code enforcement or police activity, while retaining the right to disallow that use in the future if these issues arise.

Any construction required at this property will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources.

- 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 this property and the residential use that would be allowed at this property with the proposed commercial development permit would be consistent with SCCC 13.10.424 – 13.10.429 (the PRH Combining Zone District). The purpose of the permit is to recognize and regulate an existing residential use. The underlying “C-2” and “L” Historic Landmark Combining Zone District use and development standards would still apply for this property. The PRH use would not prevent the property owner from pursuing another C-2 allowed use on site with the appropriate permits. Modifications to the building exceeding certain thresholds would still be subject to historic review, per SCCC 16.42.060

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 PRH use is consistent with the use and density requirements specified by General Plan policy 2.12.4, which allows up to 100% residential use on commercially designated properties in the PRH Combining Zone District. The PRH use is also consistent with policy 2.16.9, which allows conversion of former visitor accommodations to residential use with a PRH development permit.

The Aptos Village Plan, most recently revised in 2012, envisions Aptos Village as a revitalized town center. The Bayview Hotel is located within the 15-acre “Village Core.” The properties fronting Soquel Drive are envisioned as remaining commercial, and the new “Aptos Village” mixed-use development that surrounds the Bayview Hotel will provide a transition from this commercial corridor to the low-density residential neighborhood to the north. Although the Bayview Hotel is located along Soquel Drive, conversion of second floor hotel rooms to PRH units is still consistent with the Aptos Village Plan because the first floor of the building would continue to be a restaurant, maintaining a consistent, active commercial street frontage.

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 proposed PRH units are existing residential units and will therefore not generate any new impacts on traffic or utilities.

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 proposed PRH units are existing, and the property is located along a major road with a variety of land uses and land use intensities and densities. The zoning plan amendment and commercial development permit would not allow additional PRH units to be constructed on this property unless additional density is allowed in the underlying zone district, or the additional PRH units are created within the existing structure. Therefore, the proposed project will complement and harmonize with land uses, physical design aspects, land use intensities, and dwelling unit densities of the surrounding neighborhood.

Conditions of Approval

- I. This permit authorizes the use of six rooms on the second floor of 8041 Soquel Drive, as indicated in Exhibit H, as “Permanent Room Housing” (PRH) units, as defined in SCCC 13.10.424. All conditions of permit numbers 85-661, 90-1111 and 93-0329 are incorporated herein. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by 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. Supply proof of long-term rental at each PRH unit, such as lease agreements, including indicating the unit number and the rent charged per unit. Personal tenant information should be blacked out.
 - C. Obtain a Permanent Room Housing Inspection by the Santa Cruz County Building Official verifying that the PRH units meet all use and development standards in SCCC 13.10.427, and submit a signed copy of the inspection report to Planning Staff to add to the project file for Application 181610.
 - D. Obtain the appropriate permits and install a common kitchen sink, food preparation and storage area on the second floor such that each unit has access to the minimum required kitchen facilities per SCCC 13.10.427.
 - E. Obtain a Building Permit from the Santa Cruz County Building Official for any building upgrades that are required as a result of the Permanent Room Housing Inspection.
 - F. For all PRH units that were converted to residential use after 1979 and were not recognized as legal non-conforming units, obtain a permit to establish legal residential use, including a Measure J allotment for each of those units.
 - G. If bathrooms or kitchens will be shared, prepare and obtain approval from Planning Department staff for “House Rules” that define how these facilities will be used.
 - H. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way that is required as a result of the Permanent Room Housing Inspection.
- II. Prior to issuance of a Building Permit for any building upgrades that are required as a result of the Permanent Room Housing Inspection, the applicant/owner shall:
 - A. Submit final plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "H" on file with the Planning Department. Any changes from the approved Exhibit "H" 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.

III. If a Building Permit for work on the units is required as a result of the Permanent Room Housing Inspection, all construction in the area of work 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 inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of an approved soils report, if required.
- D. Pursuant to Sections 16.40.040 and 16.42.080 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-Coroner if 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 16.42.080, shall be observed.

IV. Operational Conditions

- A. 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.
- B. Five-Year Review Requirement. County staff shall conduct a review at least once every five years from the date of permit issuance to confirm that the property is continuing to meet the use and development standards outlined in SCCC 13.10.427, and to verify compliance with other conditions of approval. The five-year review must be complete within 180 days of five-year due date. Property owner request for five-year inspection can begin six months prior to the five-year due date.
- C. Each five-year review shall include the following:
 - 1. Health/safety special inspection by County Building staff. The completed inspection checklist for each five-year special inspection, documenting that the property meets inspection requirements, must be added to this permit file after completion of the special inspection. Inspection of PRH units shall

require tenant permission or a warrant (in the case of an immediate threat to health and safety) as required by applicable law.

2. Any repairs required in order to pass the inspection checklist must be completed within 120 days of the inspection or as determined by the Building Official, and additional special inspection(s) must be conducted to verify that all repairs have been completed. A maximum of three special inspections may be conducted as part of the five-year review.
3. In order to monitor the intended use of PRH units as “affordable by design” to residents and the workforce, at the time of each five-year review, a report regarding rent rates for each PRH unit shall be provided.
4. At each five-year review, County Planning staff shall make the following finding:
 - a. The property remains in compliance with all requirements of this permit and does not meet any of the reasons for denial listed in subsection (D) of this section.

D. This development permit and associated PRH Combining Zone District zoning may be revoked for any of the following reasons, per the process defined in SCCC 13.10.428.:

1. Discovery of false statements intentionally submitted on an application.
2. Failure to comply with any of the use/development standards listed in SCCC [13.10.427](#).
3. Failure to pass a required five-year review to maintain the use/development permit within 180 days of five-year due date.
4. Verified County Code violation cases that are unrelated to permanent housing use on the property.
5. Three or more verified, significant violations of County Code on the property within the last two calendar years. Evidence of significant violation includes, but is not limited to, copies of citations, verified complaints, written warnings and notices of violation, or other documentation filed by Planning Department staff and law enforcement.
6. Record of repeated visits by law enforcement to respond to criminal activity on the property, where the activity is attributable to the property owner, management, tenants or visitors.
7. Failure to pay transient occupancy tax for historical short-term rental use on the property within the past three years.

8. An unacceptable level of adverse neighborhood impacts is being generated by the PRH use, constituting a public nuisance per SCCC [1.12.050](#).
 9. The PRH use is not substantially meeting the purposes of the PRH Combining Zone District.
- E. Process for Revocation. Per SCCC 13.10.428, the Planning Department must send a notice to the permittee specifying the basis for the Planning Director's recommendation, and the permittee shall have 30 days to respond to this notice. If the permittee fails to respond to the notice and does not resolve the problem(s) that form the basis for the recommendation of permit revocation, the Planning Commission shall hold a public hearing to consider the Planning Director's recommendation and at least 30 days' written notice of the hearing shall be provided to the permittee specifying the basis for the Planning Director's recommendation.
- 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, its 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's fees and costs; and
 2. COUNTY defends the action in good faith.
 - C. Settlement. 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. Successors Bound. "Development Approval Holder" shall include the applicant

Application #: 181610
APN: 041-011-34
Owner: Cristina Locke

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 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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.



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
KATHLEEN MOLLOY, PLANNING DIRECTOR
www.sccoplanning.com

NOTICE OF EXEMPTION

To: Clerk of the Board
Attn: Susan Galloway
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Project Name: Application 181610

Project Location: 8041 Soquel Dr, Aptos CA 95003

Assessor Parcel No.: 041-011-34

Project Applicant: Cristina Locke

Project Description: Rezone property from C-2-L to C2-L-PRH (Permanent Room Housing ["PRH"] Combining Zone District) and to allow PRH as an additional use.

Agency

Approving Project: County of Santa Cruz

County Contact: Daisy Allen, Planner IV

Telephone No. 831-454-2801

Date Completed:

This is to advise that the County of Santa Cruz Board of Supervisors has approved the above described project on _____ (date) and found the project to be exempt from CEQA under the following criteria:

Exempt status: (check one)

- ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
☒ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

☒ **Categorical Exemption**

Class 1

Reasons why the project is exempt:

The proposed rezoning and commercial development permit are exempt pursuant to CEQA Guidelines section 15301 (Existing Facilities) because all proposed PRH units have already been in use as permanent housing; and section 15061(b)(3) because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

Signature: _____ Date: _____ Title: Environmental Coordinator

EXHIBIT E

Parcel Information

Services Information

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

Parcel Information

Parcel Size: 0.86 acres
Existing Land Use - Parcel: Restaurant, short- and long-term room rentals
Existing Land Use - Surrounding: Residential, commercial, mixed-use
Project Access: Soquel Drive
Planning Area: Aptos
Land Use Designation: C-C
Zone District: C-2-L
Coastal Zone: Inside X Outside
Appealable to Calif. Coastal Comm.: Yes X No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: No physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped constraint
Archaeology: Mapped archaeological resource area, but no ground disturbance planned

Application #181610: 8041 Soquel Drive (APN 041-011-34)



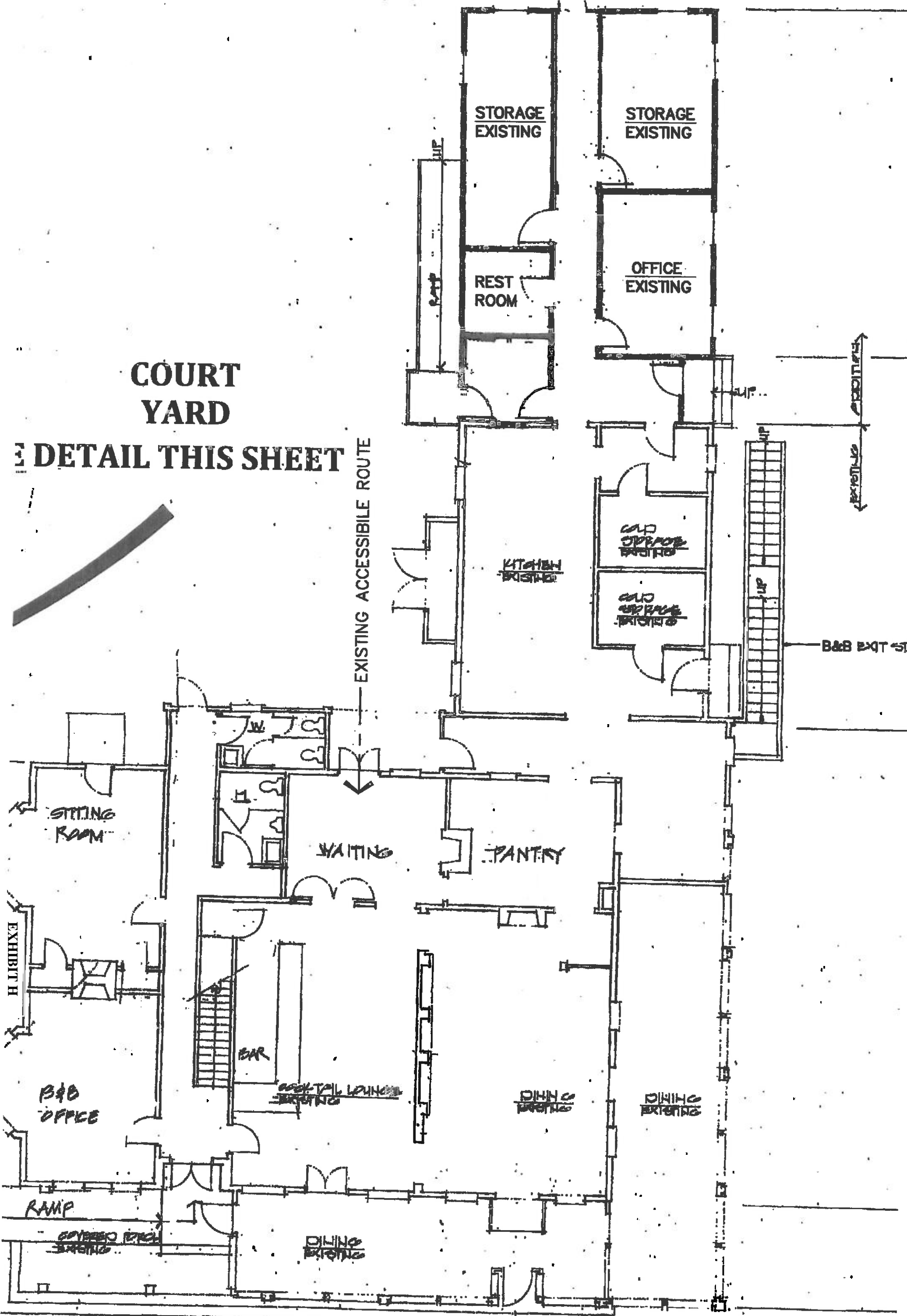
8041 Soquel Drive Figure 1: Bayview Hotel (PRH units proposed for second floor).



8041 Soquel Drive Figure 2: Rear of Bayview Hotel property (proposed tenant parking).

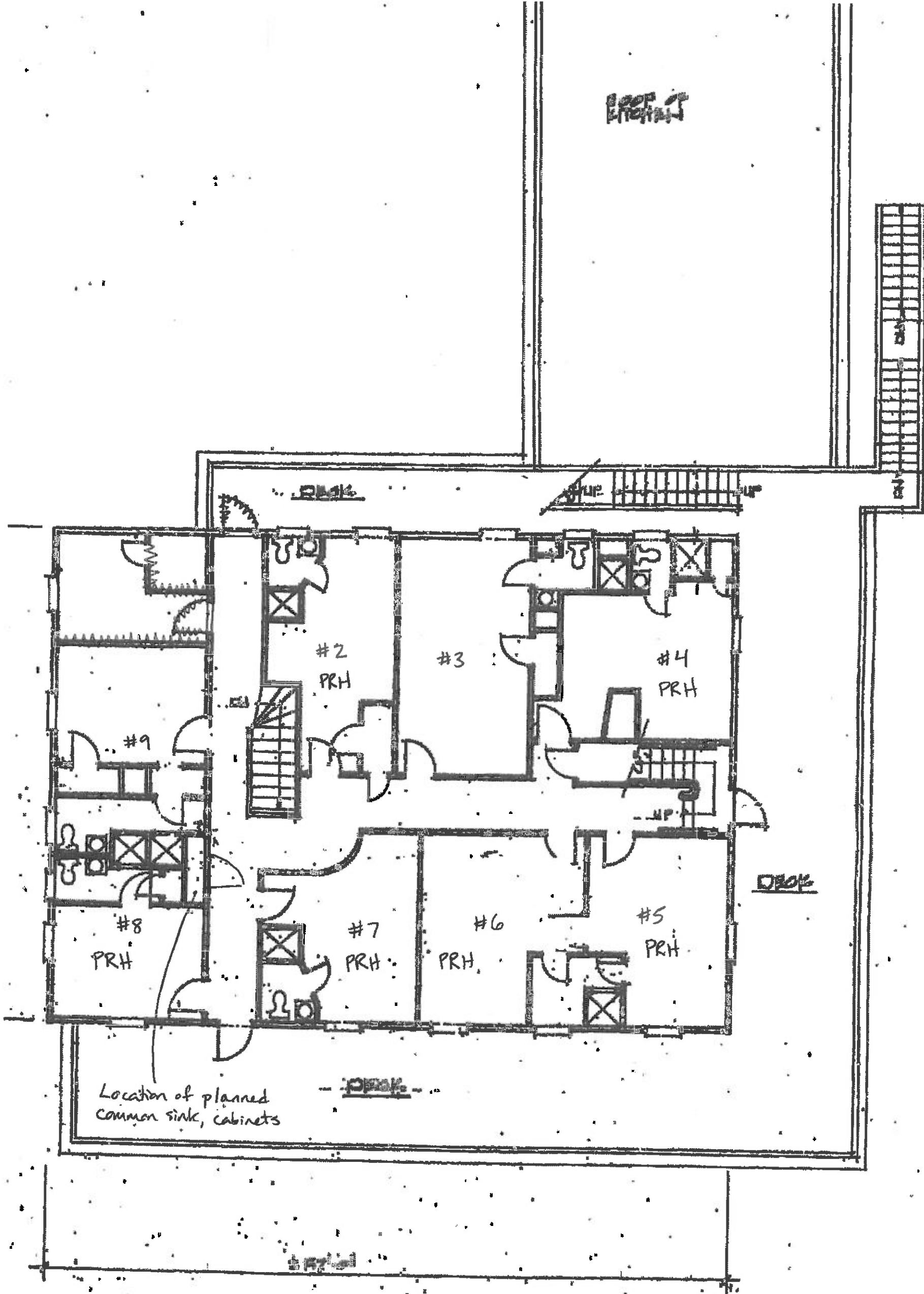
COURT YARD

DETAIL THIS SHEET



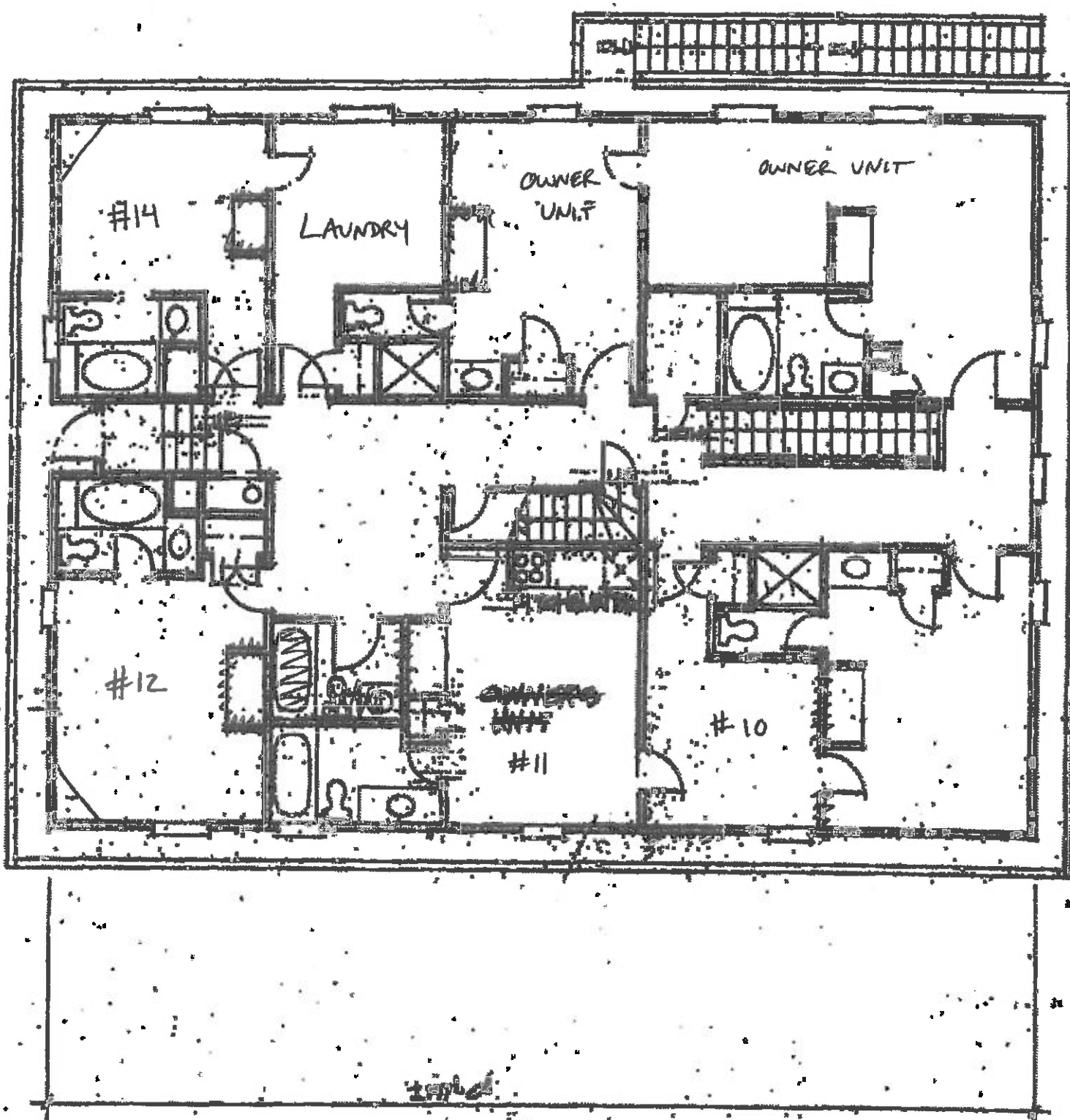
EXISTING ACCESSIBLE ROUTE

FIRST FLOOR PLAN - EXISTING



SECOND FLOOR PLAN - EXISTING 22' 0" x 32' 0"
 1/2" = 1' 0"
 1/4" = 1' 0"

mm = wall does not exist

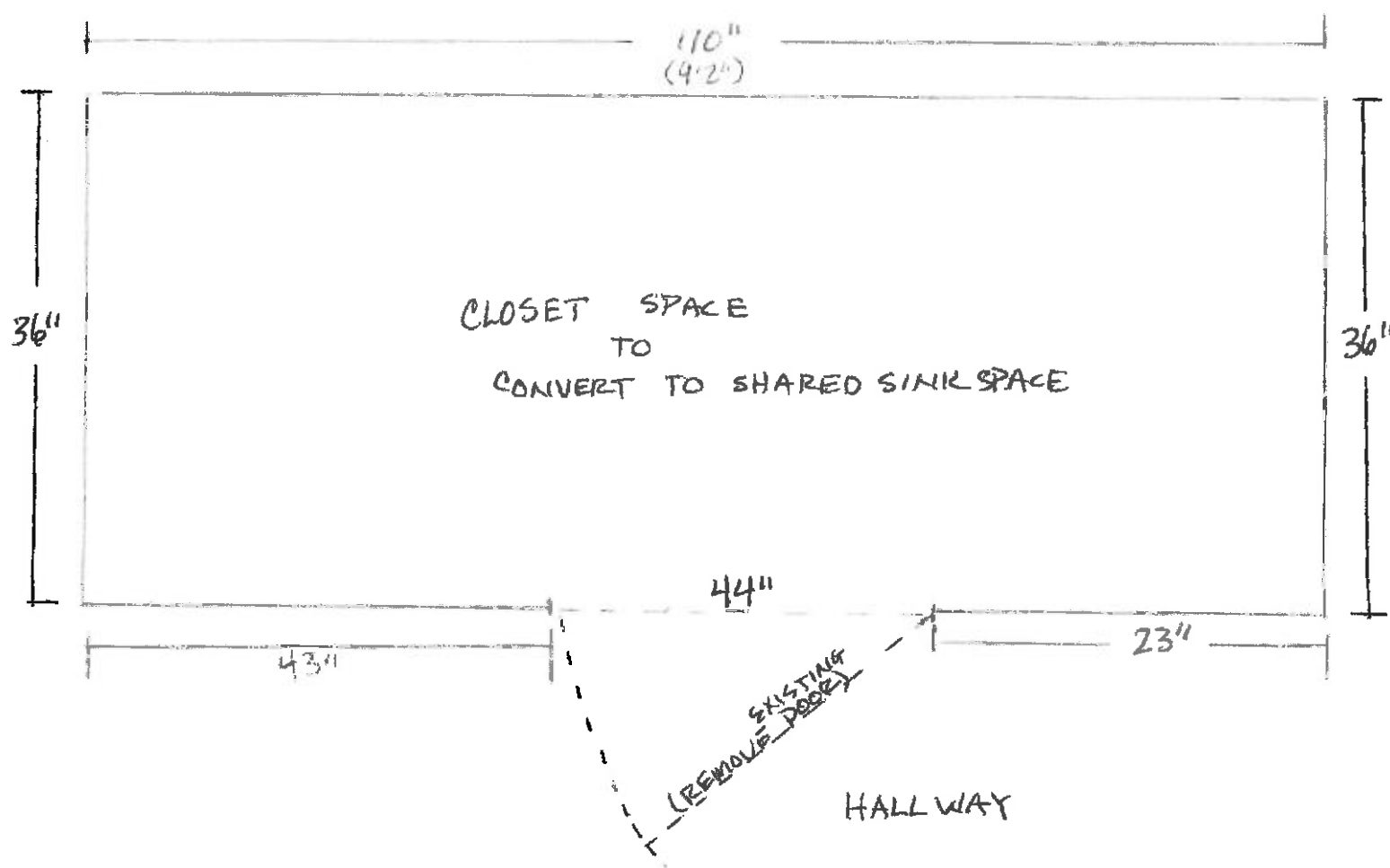


mm = wall does not exist



THIRD FLOOR PLAN EXISTING

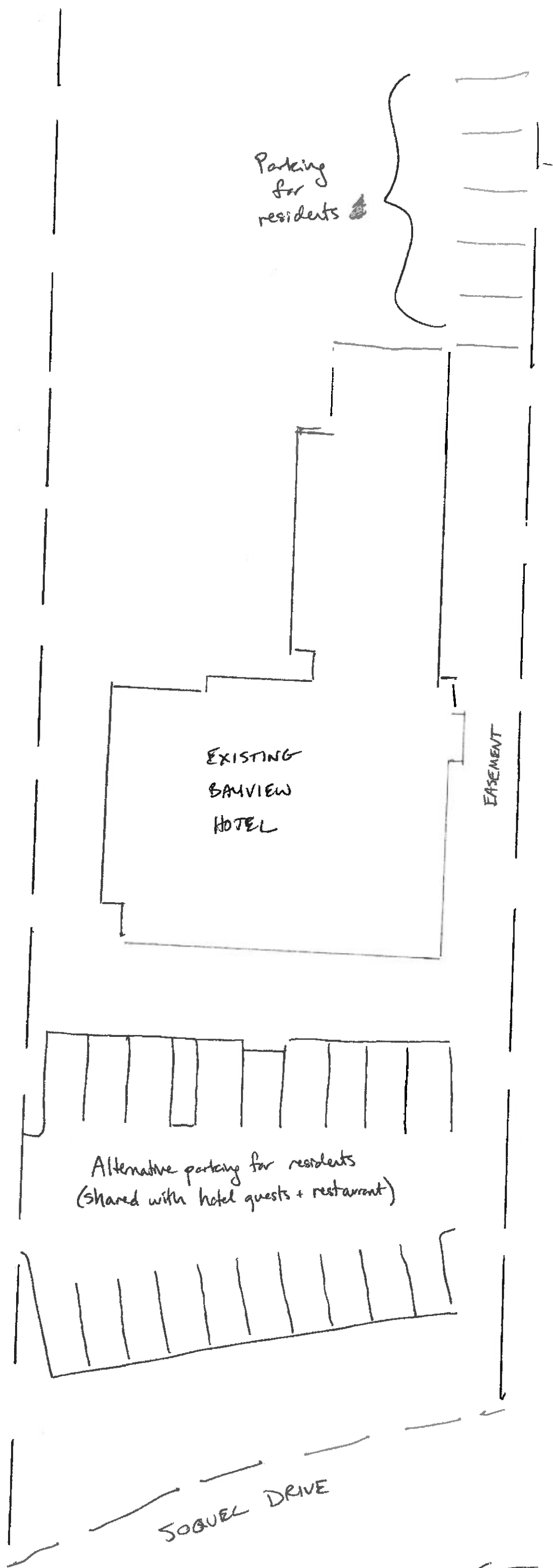
1100 S. R. PT.



BAYVIEW HOTEL

NOT TO SCALE

1/10/19



3441 Redwood Dr.
Aptos, CA 95003
Feb. 21, 2019

Daisy Allen
Planning Dept.
701 Ocean St., Santa Cruz

Hand-Delivered
to 2/15/19 Aptos Times

2/15/19

Hi, Daisy,
Attached is a copy of the Aptos Times, highlighting the PRH overlay and focusing attention on the Bayview Hotel. Please note my highlighted sections on page 4 of the article that "it will" most likely (be available) to median income and Section 8 tenants," followed by cautionary statements by Supervisor Zach Friend.

You can expect a barrage of negative correspondence regarding the Bayview Hotel, and the PRH program in Aptos. I wonder what you might suggest Cristina Lodge do? She, along with other PRH potential property owners stepped forward to work with the County to, in good faith, address affordable housing issues. The County Counsel has, in Cristina's case, responded with ex parte legal action for a Restraining Order to make it impossible for her to operate her business. She must respond by tomorrow (2/22/19), and is stressed beyond healthy levels. (this legal action is what compelled my PRA request).

I just want to let you know what is happening, and to prepare you for what you can expect at the Board of Supervisor meeting when the PRH issue is discussed.

It is a pleasure to work with you. Thank you.

Sincerely,

Becky Sternbruner
685-2915 EXHIBIT I

Re: 041-011-34 (may have been
changed to -55)
28

Daisy Allen

From: Kathy Molloy
Sent: Tuesday, March 5, 2019 5:51 PM
To: Daisy Allen
Subject: FW: Repurposed property

Follow Up Flag: Follow up
Flag Status: Flagged

This public comment came to my inbox when I was out of town. Here you go.

From: Maria Bogdanos <mariabogdanos3@gmail.com>
Sent: Thursday, February 28, 2019 11:14 AM
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: Repurposed property

<http://www.tpgonlinedaily.com/landmark-targeted-for-housing/>

Hi Kathy -

I'm an Aptos resident and mother of 2 college students. I would really like to see some of these properties being available for the students in our area. My kids have friends who are homeless or live in vans because there isn't enough housing.

Thank you!
Maria

Stephanie Hansen

From: Pete Testoff <pete@testorffconstruction.com>
Sent: Tuesday, January 22, 2019 11:35 AM
To: Daisy Allen; Zach Friend
Cc: Patrick Mulhearn
Subject: 8041 Soquel Dr Zoning change

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,
I've owned the property next to the Bayview hotel for 13 years, and for a period of time the property was used as the storage yard for my construction company. In that time I have witnessed shenanigans that would give pause to even the most jaded of us:

Raves.

Gangbangers hanging out until all hours of the night after said raves.

Prostitutes.

Hells Angels and other biker club gatherings lasting well into the night.

Parolees shackled up in the hotel and the subsequent servicers of said.

For years I've cleaned up the daily trash from said "hotel" left on my property - alcohol bottles and cans, condoms, needles. I even had a resident of the Bayview call me to inform me that she was doing housekeeping for room-and-board trade with Christina Locke, and Christina instructed her to throw bags of Bayview trash over the fence and onto my property.

I've watched Christina Locke attempt, time and again, to extort her wishes from myself, the County, Barry Swenson Builder, and whomever else has the misfortune of coming into her purview.

My yard was continually broken into, and during village construction our jobsites were robbed and vandalized on a regular basis - the entering vandals and thieves would access the site from the Bayview property as evidenced from holes or gaps left in our construction fencing.

Did I mention Christina allowing people to live in cars and RV's at the back of her property for years, of whom would regularly overflow to park on adjacent properties.

Stolen goods were/are regularly found by the sheriffs department at said property.

Christina Locke is a menace in our community.

The Bayview has been and is still a blight within the Aptos Village.

Allowing this zoning change would be tantamount to allowing a flophouse/brothel in the middle of our brand new village.

I, as well as every other land owner that I know of in the village oppose this zoning change.

Thank you.

Pete Testorff
(831) 239-4453



Testorff Construction, Inc.

335 Spreckels Dr. Ste D.
Aptos, CA 95003
831.684.2117 **Office**
831.684.2119 **Fax**
testorffconstruction.com
CA License # 698917



Stephanie Hansen

From: Jean Anderson <jeanaws@aol.com>
Sent: Sunday, May 5, 2019 9:54 PM
To: Daisy Allen
Subject: Aptos Resident against Bay View as a rooming house

Good Morning

I am an Aptos Resident against Bay View as a rooming house. We just fixed up our village. The Bay View should be fixed as a viable hotel or torn down.

Jean Anderson

 Aptos Seascapes, California 



February 6, 2019

County of Santa Cruz Planning Commission
Planning Department,
701 Ocean Street, Suite 400,
Santa Cruz, CA 95060

Re: Item 7. Proposed General Plan/LCP and County Code amendments for creation of a Permanent Room Housing (PRH) Combining Zone District

The Aptos Chamber of Commerce Board of Directors requests that the Bay View Hotel not be included in the proposed Permanent Room Housing (PRH) District. Inclusion in this proposed district would not be of benefit to the community.

This proposal would allow and recognize the conversion of obsolete visitor accommodations to residential use that would not otherwise be allowed. The proposed district is not intended to convert active visitor accommodations to housing, because these property uses are vitally important in our community. The Bay View Hotel does not fall into the category of obsolete visitor accommodations. (Application 181610, 8041 Soquel Drive, APN 041-011-34).

The Bay View Hotel is the centerpiece of historic Aptos Village which is currently being redeveloped according to the approved Aptos Village Plan. Built in 1878, the Bay View is the oldest continually operating hotel in the county, is a California State Historic Monument and is listed on the National Register of Historic Places.

The business model of an historic hotel with eleven guest rooms, a bar and a restaurant is completely viable with a professional operator, especially with a new and revitalized village surrounding it. This model exists in many communities.

The property has been cited for innumerable violations including unpermitted activities and non-conforming uses. The proposed rezoning will be detrimental to the health, safety and welfare of the neighborhood and will materially injure properties and improvements in the vicinity.

The Bay View Hotel is zoned for visitor accommodations and should be paying transient occupancy tax to the county. Converting six of the eight second floor rooms to Permanent Room Housing will guarantee that the Bay View will never again operate as a visitor serving hotel.

Sincerely,

A handwritten signature in black ink that reads "John Hibble". The signature is written in a cursive, flowing style.

John Hibble
Co Executive Director



7605-A Old Dominion Court, Aptos CA 95003
PH: 831.688.1467 FAX: 831.688.6961
www.aptoschamber.com - info@aptoschamber.com

Stephanie Hansen

From: Marian Sticht <stichtbrennan@yahoo.com>
Sent: Monday, May 6, 2019 4:28 PM
To: Stephanie Hansen

Ms. Hansen: As a property owner on Trout Gulch Rd. in Aptos, I wish to register my opposition to the pending proposal to allow Permanent Housing at the Bayview Hotel. I am not opposed to the idea in principle, but feel that the current owner, based on her objectionable history of managing the hotel, is not capable of administering such a program.

Thank you for your consideration.

Peter Brennan
810 Trout Gulch Rd Aptos, Ca. 95003.

Sent from my iPad

Stephanie Hansen

From: Marilyn Brenner <marilyn.brenner@gmail.com>
Sent: Tuesday, May 7, 2019 2:16 PM
To: Stephanie Hansen
Subject: Bayview Hotel

Hello,

We have lived in Aptos for 41 years & cannot stress enough what a wonderful asset the Bayview Hotel CAN be if run by respectable business people, as it was in past decades. We need an alternative to the Seacliff inn & Seascape Resort for visiting family & friends. PLEASE do not turn the Bayview into housing of any sort. Visitor use is what is appropriate. Thank you.

Sincerely, Marilyn & Marvin Brenner

Stephanie Hansen

From: Joyce Burnett <joycewburnett@gmail.com>
Sent: Tuesday, May 7, 2019 3:14 PM
To: Stephanie Hansen
Subject: Bay View Hotel

Please don't allow the Bay View Hotel to become a Permanent Room Housing Project. It is an important piece of "downtown" Aptos that should be made into something in which the whole community can take pride.

Sent from my iPhone

Stephanie Hansen

From: Jeana De La Torre <jeanadlt@baymoon.com>
Sent: Monday, May 6, 2019 7:09 PM
To: Stephanie Hansen
Cc: Zach Friend; Patrick Mulhearn; Clay Kempf
Subject: Bayview Hotel application

As a resident of Aptos since 1969, I would strongly oppose allowing the current owner to become a part of the subsidized housing program. Her administrative skills are poor, and she has allowed the property to sink into degradation, as the health inspectors have previously determined. I have spoken with Supervisor Friend regarding this situation and he agrees. That property, which is on the Historic Register, deserves better management in order to restore it and preserve its originally lovely (as well as healthy and safe) features.
Jean Hanley De la Torre, Aptos Knoll Mobilehome Park

jeanadlt@baymoon.com



Stephanie Hansen

From: Robert DeVincenzi <rdevincenzi@csumb.edu>
Sent: Monday, May 6, 2019 5:32 PM
To: Stephanie Hansen
Subject: Bay view hotel

As a 20 year resident of Aptos, I have watched the Bayview Hotel's steady decline in the hands of the existing owners. I object strongly to the property being converted to subsidized housing under the operation and ownership of the current owner. I am all in favor of more affordable housing in our community. However, I fear The existing structure is so dilapidated and in poor repair that is likely to remain a blight on the community until substantial investment can be made in the facility.

Bob DeVincenzi
Sent from my mobile
Please excuse errors

Stephanie Hansen

From: Leslie Dye <lesleidy@gmail.com>
Sent: Wednesday, May 8, 2019 12:47 AM
To: Stephanie Hansen
Cc: Richard Dye
Subject: Aptos Beach Hotel

Stephanie,

My husband Richard and I have lived in Aptos for more than 25 years. We always enjoyed visiting the Aptos Beach Hotel (ABH) for a drink or dinner and, at first, we recommended it to family member s who came to visit. Since then the restaurant portion has changed hands at least four times.

Now, at this point, ABH needs a “make-over”. It is the PERFECT location for tourists, but who would want to stay there?

Making it a “long term” lodging will only allow it to deteriorate further.

Sprucing it up (at probably an elevated price) would allow the owners to raise the room prices, allowing greater tourist taxation, and increased revenue for the County.

Our suggestion: exactly that - - SOMEONE should renovate so that this historic gem can once again hold its head high with New Leaf Market, Betty’s Burgers, Aptos Street Barbecue, Starbucks, Cantine, The Sparrow Cafe and other places of business.

Other than that will only restrict County revenues and detract from the new “shining image” of Aptos Village.

Thank you.

Leslie Dye
(619) 944-7504

Richard Dye
(619) 339-8634

Stephanie Hansen

From: Sebastian Frey <broker@realtyvirtuoso.com>
Sent: Monday, May 6, 2019 3:58 PM
To: Stephanie Hansen; Daisy Allen
Cc: Zach Friend
Subject: Bayview Hotel Permanent Room Housing

Follow Up Flag: Follow up
Flag Status: Flagged

Stephanie, Daisy -

Hi! I just wanted to write in and lend my voice to those opposed to seeing the historic Bayview Hotel converted into Permanent Room Housing. Next to the SS Palo Alto, the Bayview is the most iconic structure in Aptos. It is a treasure. It deserves to be shared with visitors to Aptos, and if it were wisely redeveloped and managed it would be an incredible anchor for the Aptos Village and a steady source of TOT revenue for the county and jobs for people in the hospitality and entertainment industry.

While I understand the logic of converting older, poorly performing visitor accommodations into single-occupancy housing units, the Bayview is a heritage property that should not be allowed to be further run into the ground as it is milked for cash until its dying breath.

Will the plan for the Bayview be discussed at an upcoming BOD meeting? How can I be notified?

Thanks,

-Seb

--

Sebastian "Seb" Frey - Broker/Owner, Realtor, GRI, SRS, CRS, SRES
Realty World Virtuoso / BRE #01369847
2019 President, Santa Cruz County Association of REALTORS
(800) 489-8299
Visit me on the web at <https://SebFrey.com>

Stephanie Hansen

From: Eric Friis <eric_friis@hotmail.com>
Sent: Monday, May 6, 2019 11:14 AM
To: Stephanie Hansen; Daisy Allen
Cc: meesteresther@gmail.com; Zach Friend
Subject: Bayview Hotel - neighborhood opinion

Follow Up Flag: Follow up
Flag Status: Flagged

Stephanie,

It came to our attention this morning that there may be a meeting this Wednesday to hear an application for zoning changes to the existing Bayview hotel.

I am unable to attend, but wanted to share views of the neighborhood closest to the hotel.

As I am sure you are well aware the hotel has fallen into deep neglect over the past 5 years and today serves as more of an aggregation spot for homeless and drug activities. The sheriff is at that location almost daily to deal with people illegally camping in the back parking lot, or transacting a variety of theft or drug related activities in/and around the property.

The building is truly a piece of Aptos history, it is unfortunate that its state of disrepair no longer aligns to the surrounding neighborhood.

That all said, in speaking with the neighbors on our street it is absolutely clear that nobody in the closest neighborhood wants the hotel converted to be "permanent room" housing.

Aptos has a transient issue, not as drastic as Santa Cruz, but certainly equally needing attention. Currently a large portion of that issue congregates around the hotel and spills into the surrounding neighborhood. We have experienced thefts, vandalism (including a burned down house), trespassing, drug deals, and more abandoned shopping carts than we can count.

A "permanent room" conversion of the hotel will only enlarge the current problem, and would be at odds with the newly developed surrounding commercial and residential projects.

Aptos has lots of existing and planned low income housing, including new units yet to be built within 100 yards of the hotel. The hotel could be converted to align with the master village plan.

A design to consider: the building could be converted into live/work space, like the rest of the new village. Locals have always been very supportive of the various restaurants that have been in the hotel, but the owner has driven most of them out either through deferred maintenance of the building or through other means. If converted to such a space, the residential units could be similar in size and cost as the to be built units in the same village. Thus creating a resurrection of this historic treasure and an extension of the community development plan.

If you would like at any time to come visit with the neighbors who live closest, our little church on Valencia Street is always happy to host.

Thank you in advance, for giving this your full attention,

Eric Friis
408-840-9450

Stephanie Hansen

From: Delia Gilligan <dgilligan53@gmail.com>
Sent: Tuesday, May 7, 2019 4:29 PM
To: Stephanie Hansen
Cc: Zach Friend
Subject: Bayview "Eyesore" Hotel

Good Afternoon,

I have just read that the Bayview is submitting an application to the county requesting there be a change from its current status to one of a rooming house. You have got to be kidding me.

The current owners do not contribute anything positive to Aptos or the county for that matter, Just look back at all the restaurants that have come and gone due to poor management. There is also the number of incidents of "Raves" happening, who knows what went on during those.

In an ideal world, someone with integrity, foresight and management skills would buy that "historic" run down ugly building and paint it first of all and then renovate it. I wish there could be a change in ownership.

And what in the world was happening a month or so ago that they could fill the lot with trucks. Isn't there a county code that disallows such a rental of parking lots?

I strongly object to a boarding house status for the Bayview Hotel.

It is an embarrassing eye sore to say the least. Maybe they will be forced to sell if you do not grant them the request. They are probably already renting out rooms long term. I can't imagine their aren't codes in place that restrict such rentals.

Just my two cents.

Cordially,
Delia Gilligan

Stephanie Hansen

From: Ingrid Glazebrook <ingridgca@me.com>
Sent: Sunday, May 5, 2019 10:01 PM
To: Stephanie Hansen
Subject: Bayview Hotel application

As a local Aptos resident who has both experienced and observed the Bayview Hotel over the last ten years, I urge you to reject their application to convert this historic landmark to subsidized rooming. This property is central to Aptos Village and it is a blight on the community. It has gone unmaintained and the owners appear to have made no effort to attract or retain visitors or businesses within this special property that deserves to be restored. If you allow this application to be approved, I fear it will become a complete slum, attracting low-life individuals and the crime & filth they bring with them. Please do not allow our community to be further brought down by these irresponsible owners.

Thank you,
Ingrid Glazebrook

Sent from my iPad

Stephanie Hansen

From: Steven Graff <stevengraff@me.com>
Sent: Monday, May 6, 2019 5:15 PM
To: Stephanie Hansen; Daisy Allen
Subject: Bay View Hotel Application

Dear Ms. Hansen & Ms. Allen,

I am writing to voice my concern and opinion regarding the Bay View Hotel owner's application to convert the current facility in to a Permanent Room Housing project. This facility is in such disrepair, and the owner's track record of care and financial management of the institution is such that I feel strongly that any attempt to have the same owners manage it as some sort of permanent shelter for homeless or low-income individuals will only result in further degradation of the building and the immediately surrounding area as well as mis-use of public funds.

For this reason I strongly oppose reclassification of this once historic building.

Respectfully,
Steven Graff
7139 Danko Drive
Aptos, CA 95003

Stephanie Hansen

From: John Harte <hartejm@gmail.com>
Sent: Monday, May 6, 2019 5:37 PM
To: Stephanie Hansen
Cc: Barbara Black; Jeff; Michael W. Maher; Paul Lessard
Subject: Bayview Hotel

I am writing as a house owner close to this building to state I have very major concerns at the proposal to change the purpose of this erstwhile hotel to become subsidized housing. My objection is based not on the principle of providing inexpensive for those less fortunate, but rather that the owner of this building has demonstrated a consistent inability to keep any reasonable standards in terms of cleanliness, maintenance or any of the other behavioral expectations that a good neighbor should exhibit. (Derelict cars, reported drug usage by residents etc.) This is clearly unacceptable and I would like to know what specific requirements the county would place on the owner/operator and how they would monitor and enforce them.

Thank you for your attention to this matter.

John Harte

--

John Harte

Stephanie Hansen

From: ed heffner <edwheff@yahoo.com>
Sent: Monday, May 6, 2019 4:46 PM
To: Stephanie Hansen
Subject: Stop the Bay View Hotel Conversion

Dear Ms. Hansen,

It would create a risk to public safety to allow the Bay View Hotel to be converted into a rooming house. The hotel has a reputation for trouble within the community under the current ownership seeking to convert it. Any representation by the current owner cannot be trusted.

The hotel is in immediate proximity to a grocery store, New Leaf, as well as a new family housing complex. A rooming house attracting a criminal element will jeopardize the residents, particularly children.

For the sake of safety of our community, please reject the application to convert the hotel.

Stephanie Hansen

From: joanne katzen <jokat9@hotmail.com>
Sent: Tuesday, January 22, 2019 4:10 PM
To: Daisy Allen
Subject: Bayview Hotel

Dear Ms Allen,

It has come to our attention that the future use of the rooms in the Bayview Hotel will be reviewed before the Planning Commission, tomorrow. We are longtime Aptos residents and would like it to go on record as supporting Cristina Locke in her request to have long-term room rentals in the Permanent Room Housing zoning overlay. We are aware that there is an acute housing shortage in this county, as elsewhere. We have always felt that the Bayview Hotel provides an historic and attractive testimony to Aptos' past. We are convinced that Ms Locke is doing all that she can to maintain this historic building so that it will hold a place in the hearts of future generations as well.

Sincerely,

Joanne and Doris Katzen
106 Siesta Ct., Aptos 95003
(831) 688-3724

Stephanie Hansen

From: Lois Ketterlin <4loisek@comcast.net>
Sent: Tuesday, May 7, 2019 8:24 AM
To: Stephanie Hansen
Cc: Zach Friend
Subject: Permanent Room Housing Zone

Dear Stephanie Hansen:

As an Aptos resident I respectfully request that you NOT consider the area at Trout Gulch Road and Soquel Drive in Aptos appropriate for Permanent Housing Zone. (specifically Bay View Hotel at this time) It is a severely congested area with an overload of traffic issues already (secondary to poorly planned development).

Please have consideration for the people who already live in this very congested area and for Aptos in general. It is becoming too densely populated and the infrastructure does not support the traffic flow or accommodation of people already living here.

I have been unsuccessful in even getting extremely rutted torn apart main roads fixed - we simply can't support more traffic.

Water issues are another thing.

We don't have enough water.....already our water bills are going up. (And in addition Aptos residents will soon be drinking treated sewage water.) We have too many people for this area already.

We don't have the resources! There apparently isn't even enough money to fix what we already have.

More housing only adds to these issues so please do not add another permanent housing zone.

Sincerely,
Lois Ketterlin
9927 Monroe Ave.,
Aptos CA 95003

Sent from my iPad

Stephanie Hansen

From: Christine Kiebert-Boss <christine.kiebert.boss@gmail.com>
Sent: Wednesday, May 8, 2019 6:10 PM
To: Stephanie Hansen; Daisy Allen
Subject: Bayview Hotel Aptos

Follow Up Flag: Follow up
Flag Status: Flagged

I am very concerned that the historic Bayview Hotel has been so neglected and mishandled by the property owners. It's an outrage that they can now become a rooming house and collect subsidized rent. As a central icon of Aptos, I can only imagine how it will be taken care of going forward. I don't expect much considering how they have already misused the place. As a State and Nation registered Historic Landmark it is a terrible shame!

Christine Kiebert-Boss
456 Seaview Drive
Aptos since 1971

Stephanie Hansen

From: CAROLYN CAROLYN <clewis48@sbcglobal.net>
Sent: Monday, May 6, 2019 5:25 PM
To: Stephanie Hansen
Subject: Bayview Hotel

I object to changing the Bayview Hotel to permanent housing. The current owner has mismanaged the hotel. It is a neighborhood menace. There are many code violations that the county should enforce.

The County should enforce its regulations and it should not allow a rogue owner to downgrade the area. The new Aptos Village has enhanced the community and something needs to be done, like a new owner and renovation of this historic hotel.

Carolyn Lewis
1100 Trout Gulch Road, Aptos

Sent from my iPhone

Stephanie Hansen

From: Dolores Manning <dmanning806@gmail.com>
Sent: Tuesday, May 7, 2019 10:20 AM
To: Stephanie Hansen
Subject: Bayview Hotel

I have been an Aptos resident for 49 years and have watched many changes happen in my community over the years. I have not spoken up before, but news of the Bayview Hotel being converted to permanent rooms is motivating me now. I was an active advocate for truly affordable housing for disadvantaged persons starting many many years before it became a cause and I don't come from a NIMBY perspective. For a few years I worked full time for the County on developing specific special housing projects and I learned something about the basics of choosing the right buildings in the right places for everyone's sake. The Bayview is a beloved and very visible community icon in a community which has lost almost all of the old buildings, to see them replaced with the meaningless and charmless. The hotel over the beach is gone, replaced by view blocking ugly condo buildings, the barn at the Deer Park shopping Center was "replaced" with a sort of gazebo, Piggy's Market is still missed and the antique barn, ramshackle as it was, is now a most ordinary market in an ugly, traffic nightmare causing housing development. Those are just a few examples. The Bayview needs to be better treated than for permanent single room housing. This crowded spot is also the wrong location for more housing. I want to urge the County to not permit this use of the Bayview. Every community needs some well cared for and understood symbols of it's identity. Those without them don't function well.

Stephanie Hansen

From: Dawn and Gary <dawnandgary@comcast.net>
Sent: Tuesday, May 7, 2019 10:03 PM
To: Stephanie Hansen
Subject: Bayview Hotel

We are resident/owners in Aptos living at 305 Cliff Dr. We understand that affordable housing in all of Santa Cruz County is a problem, but it would seem the biggest issue is for families not individuals. Why does it make sense to pay anyone to provide housing for individuals when Aptos is a family community? Spend our tax dollars where they can do the most good and provide family housing. Gary Martin

Gary's iPhone

Stephanie Hansen

From: Meredith Ramona Mat <mer327@aol.com>
Sent: Monday, May 6, 2019 10:35 AM
To: Stephanie Hansen
Subject: Bayview

Dear Stephanie, As a long term resident, 35 years, we would love to see this beautiful hotel returned to its former glory. There is interest in purchase of the hotel. Let's see how to help these investors.

Regards,
Bob and Meredith Mata, Aptos
3/6/2019

Sent from Meredith

Stephanie Hansen

From: Laurie Merrill <merrill.laurie@gmail.com>
Sent: Monday, May 6, 2019 8:58 PM
To: Stephanie Hansen
Subject: Please do not allow changes made to Bayview Hotel

Dear Commission,

As an Aptos resident I am imploring you to not allow the Bayview to deteriorate any further. The current owner is no friend of the community and has let it go into disrepair. Hosting raves and marijuana events not not the community center the town has been building towards the past years with the new development of the Aptos Village. With all the tech and venture money in Silicon Valley if purchase and renovated it could be the crown jewel of Aptos instead of the current eyesore it has become. Do we really want our town center to be a flop house ? The owner has a responsibility to the community and trying to sell it is what he should be focusing on. We should be pressuring him to make the changes and repairs or sell it. Not give him card Blanche to let it turn into a profit making endeavor off the poor who can't afford decent housing and the hard work tax payers who live in Aptos. We pay taxes and vote and will remember who and what was decided at this meeting I urge your to vote NO on approval of any changes to the current codes for the Bayview Hotel.

Sincerely,
Laurie Merrill.

Sent from my iPhone

Stephanie Hansen

From: Aaron Meyer <aaronmeyerpainting@gmail.com>
Sent: Tuesday, January 22, 2019 12:59 PM
To: Daisy Allen
Subject: Bayview Hotel

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I have been a resident of Aptos Village since 2002 on Granite Way. Soon after moving in the neighborhood was under siege by the owners of the Bayview Hotel with parties and weddings going well past midnight. The sound emanating from the hotel was so loud that we could hear the best man giving his speech along with the pictures on our walls vibrating. We would call the hotel and ask for them to turn it down and the response from the owner was FU and then they would hang up. We did everything to try to work something out through our county supervisor at the time, but the owners would not comply. As it turned out the hotel did not have a permit for outside amplified music, but continued even when faced with fines. This was a long hard battle for us and the hotel could care less about their neighbors and even verbally attacked the neighbors over a pa system at night calling her nasty names. We have also had to deal with the hotel allowing sketchy people live in box trucks and cars and dealing drugs on the back side of their property. This was all visible from our house from across the field which is now the village. We have also had to deal with rave parties and Hells Angel parties. During one of the parties our neighbor was attacked by party goers after complaining in person. The hotel has a long sour history with its neighbors and the county and the idea of allowing them to rent out rooms long term is outrageous. There is a reason why they cannot operate as a hotel and need to look at long term renting. In short allowing this to go through will be a serious black eye for the village and its neighbors. Please look at the history of this property during its current owners time and you will see countless violations made by the owners of the Bayview Hotel.

Sincerely, Aaron Meyer
(831)359-5217

Stephanie Hansen

From: Cheri Nilsson <cheri88@me.com>
Sent: Tuesday, May 7, 2019 7:41 AM
To: Stephanie Hansen
Subject: Bayview hotel and application for housing

I am responding to the notice about the Bayview hotel. I am concern with this project and its condition for housing. History has shown the owner has not kept it up and if not brought up to code for housing will be a fire trap for residents as well as surrounding business. If housing is done IT MUST BE BROUGHT UP TO CODE AND INSPECTED. We do not want another fire trap with the condition of the building. Also I know housing is expensive but why to housing for our teachers or local employee .

Stephanie Hansen

From: suemsimp <suemsimp@aol.com>
Sent: Monday, May 6, 2019 7:08 PM
To: Stephanie Hansen
Subject: Bayview Hotel/Aptos

Hello

I wanted to voice my objection to the possibility of the owners of the Bayview Hotel turning their property into housing. The place looks terrible and is obviously very run down. We have lived here since 1979. During that time all the restaurants that were in the building were driven away due to the demands and mismanagement of the owners. I would advise that you check with the Sheriffs Dept to find out how many times they have been called to the Bayview and for what reasons. With the reputation that the owners have of being very difficult and eventually driving away the restaurants and if you go to Yelp and check on the reviews from people staying there you will see that the owners have NOT kept the hotel in good condition. Instead they have let it go and run down and have not bothered to upkeep it. Has the hotel building itself been inspected? Is it safe? Who is going to pay for repairs? I think the owners of the Bayview have shown that they are lousy landlords. Please do NOT let these people do what they are requesting! They do not care about much of anything besides lining their pockets. Thank you.

Sue Simpson
Aptos

Sent from my iPhone

Stephanie Hansen

From: Anne Marie Sorcenelli <annemarie@serenogroup.com>
Sent: Tuesday, May 7, 2019 1:06 PM
To: Stephanie Hansen
Cc: Zach Friend
Subject: Re: Bayview Hotel

Hi Stephanie,

In my haste, I neglected to clarify my definition of 'permanent housing'. I do realize that the housing supply issue is ongoing in the county. However, permanent housing only means that the owners could now convert their usage from a hotel or short term rental to longer term housing. That signifies to me that the county would probably end up subsidizing the new use of the property and it would become more of what was called in the old days - a glorified boarding house. The owners would be able to rent the rooms and would most likely continue their neglect of the conditions of the property. The eyesore would continue just as the Seabreeze has continued to be problematic.

Thank you,

Anne Marie Sorcenelli
REALTOR®, SRES, SCCPRO, Certified Negotiation Expert

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831.227.4567
annemarie@serenogroup.com
15 Parade Street, Suite A, Aptos, CA 95003
DRE # 01408660



On Tue, May 7, 2019 at 12:37 PM Anne Marie Sorcenelli <annemarie@serenogroup.com> wrote:
Hi Stephanie,

I am a concerned Aptos resident and Realtor. I've read varying opinions and articles re possibly converting the Bayview to 'permanent room housing' which I believe translates to a boarding house. I am very concerned since the present owners haven't maintained that historic building very well and have allowed lots of unsavory activity on the premises. The updated Aptos Village will be beautiful but allowing this misuse of that historic property is a travesty. It will diminish the care and effort put into the new Aptos center and will become more of an eyesore than it is presently. I do hope you consider we, the Aptosians opinions on this possible change. I would appreciate advance warning of a planning meeting about this issue.

Thank you,

Anne Marie Sorcenelli

REALTOR®, SRES, SCCPRO, Certified Negotiation Expert

Sereno Group Real Estate

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831.227.4567

annemarie@serenogroup.com

15 Parade Street, Suite A, Aptos, CA 95003

DRE # 01408660



Stephanie Hansen

From: Pete Testoff <pete@testorffconstruction.com>
Sent: Tuesday, January 22, 2019 11:35 AM
To: Daisy Allen; Zach Friend
Cc: Patrick Mulhearn
Subject: 8041 Soquel Dr Zoning change

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,
I've owned the property next to the Bayview hotel for 13 years, and for a period of time the property was used as the storage yard for my construction company. In that time I have witnessed shenanigans that would give pause to even the most jaded of us:

Raves.

Gangbangers hanging out until all hours of the night after said raves.

Prostitutes.

Hells Angels and other biker club gatherings lasting well into the night.

Parolees shackled up in the hotel and the subsequent servicers of said.

For years I've cleaned up the daily trash from said "hotel" left on my property - alcohol bottles and cans, condoms, needles. I even had a resident of the Bayview call me to inform me that she was doing housekeeping for room-and-board trade with Christina Locke, and Christina instructed her to throw bags of Bayview trash over the fence and onto my property.

I've watched Christina Locke attempt, time and again, to extort her wishes from myself, the County, Barry Swenson Builder, and whomever else has the misfortune of coming into her purview.

My yard was continually broken into, and during village construction our jobsites were robbed and vandalized on a regular basis - the entering vandals and thieves would access the site from the Bayview property as evidenced from holes or gaps left in our construction fencing.

Did I mention Christina allowing people to live in cars and RV's at the back of her property for years, of whom would regularly overflow to park on adjacent properties.

Stolen goods were/are regularly found by the sheriffs department at said property.

Christina Locke is a menace in our community.

The Bayview has been and is still a blight within the Aptos Village.

Allowing this zoning change would be tantamount to allowing a flophouse/brothel in the middle of our brand new village.

I, as well as every other land owner that I know of in the village oppose this zoning change.

Thank you.

Pete Testorff
(831) 239-4453



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