



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

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

Agenda Date: October **10,2007**
Item #: **9**
Time: After **9 AM**
APN: **042-022-12**
Application: **07-0002**

Subject: **POLICY INTERPRETATION OF THE SEACLIFF VILLAGE PLAN**

INTRODUCTION:

The purpose of this review is to assist Planning Department staff in evaluating a proposed project in relation to the goals of the Seacliff Village Plan (SVP). Some elements of the proposed project accomplish SVP goals and community objectives, such as the provision of visitor accommodations and a commercial presence at this location. Other elements of the project appear to conflict with the policies of the SVP, such as the **three** story height, the extent of the proposed commercial uses, and the architectural style of the structure.

Pursuant to County Code 13.01.050, your Commission has the authority to determine whether a particular project is consistent with the General Plan and village plans. Additionally, your Commission has the ability to recommend amendment of the General Plan or village plan in order to allow a particular project to be found **to** conform. **The** purpose of this item is to request that your Commission evaluate the proposed development and provide direction regarding consistency with the goals of the SVP.

PROJECT DESCRIPTION:

The current application for the Seacliff Beach Hotel (07-0002) includes a proposal to construct a 3 story, **12** room hotel, restaurant, and gymnasium/spa (Exhibit C). The hotel rooms will be located on the second floor, with a small lobby and office on the first floor. Four of the twelve hotel rooms are proposed with kitchens and eight of the hotel rooms are proposed without kitchens. The restaurant is located on the third floor and will be approximately 1,650 square feet in area: including an approximately 1,100 square feet dining area with seating proposed for up to 45 people. An uncovered deck will surround the dining area on the south, east, and west sides. The gymnasium/spa area occupies the majority of the ground floor, with 528 square feet for the exercise room and an additional 2,475 square feet for bathroom facilities and a full size indoor pool. The parking area will be accessed **from** Broadway via a proposed private driveway to the west of the subject property. 25 parking spaces are proposed, including 2 accessible parking spaces.

PROPERTY DESCRIPTION AND PROJECT SETTING:

The subject property is located on the north side of North Avenue in the Seacliff Village. The parcel is approximately 14,000 square feet size and is currently vacant. Single family residential development is located to the east and the railroad right of way is located to the north. Mobile home parks are located to the west and south, with multi-family residential development located to the south east. The roadways leading to the property (Broadway and North Avenue) are not currently maintained. The eastern side of Broadway serves as an informal parking area for the surrounding parcels.

SEACLIFF VILLAGE PLAN:

The Seacliff Village Plan (SVP) was developed and adopted by the County to address the commercial development in this small village area in Aptos. The intent of the SVP was to promote the development of the village area as a combination tourist/local business area. In the SVP, the village area was divided into sub-areas and specific guidelines for the development of these areas were adopted. The project site is designated as Site 4-b in the SVP. The use and design guidelines for the property are described in SVP policy 3.2.3.d.2:

“Due to the adjacent residential use to the east, more intense commercial uses are not appropriate. The **use** of this parcel shall be Type A visitor accommodations, such as an inn or bed and breakfast inn. The structure shall be a maximum of two stories and shall be designed to resemble a residential building.”

The property is zoned Visitor Accommodation (VA). More specifically, the SVP states that the use of the site shall be for “Type A”, hotel/bed and breakfast type accommodations. More intensive commercial uses were specifically excluded to protect the adjacent residential development. The intention was that the use and structure(s) on the parcel would provide a transition between the residential properties to the east (along North Avenue) and the commercial uses to the west and south. Further, the SVP specifies that any structure shall be limited to a maximum of two stories in height and shall be residential in nature.

AREA OF POTENTIAL CONFLICT WITH THE SEACLIFF VILLAGE PLAN:

Although the proposed Seacliff Beach Hotel is a visitor accommodation, in conformance with the allowed uses in the zone district and the SVP, staff believes that other elements of the project conflict with the more specific directions regarding **use** and design that are found in the SVP for Site 4-b. A more detailed discussion of the potential conflicts follows below:

Intensity of the Commercial Use

The SVP limits the extent of the commercial uses on the property. **The** SVP specifies a **use** such as a bed and breakfast facility, that has a residential appearance. The proposed use, a hotel with a restaurant and a gym that are sized such that they may have a significant component of general public use (as opposed to use mainly by the hotel residents) may not be consistent with the SVP. Because of the general public use of these facilities, the restaurant and gym increase the intensity of use on the site beyond that which is typically associated with a bed and breakfast.

Restaurant and gymnasium/spa uses can be allowed as ancillary and incidental uses in the VA zone district when accompanied by an allowed use, such as the proposed hotel. However, it is evident from the seating and parking provided for the restaurant and the amount of square footage occupied by the gym that a significant component of use by people other than hotel guests can be accommodated, and should be expected. Comparison with other area hotels, both large and small, indicates that the size and scale of ancillary facilities is typically dependent on the size of the hotel (Exhibit D). The two larger hotels, Seascape Resort and Seacliff Inn, have restaurant facilities with total seating that is subordinate to their overall room count. The two smaller hotels, Pelican Point Inn and a 10 room hotel under construction on East Cliff Drive (which are more in scale with the proposed hotel) do not have any restaurant facilities. Smaller hotels typically provide coffee either in the room or in a small breakfast area in *or* near the lobby. The same relationship holds for gymnasium facilities; the larger hotels have outdoor pools and other exercise facilities, but the space dedicated to these ancillary uses is quite small compared to the overall size of the hotel complex. The two smaller hotels do not have pools or exercise rooms for their guests.

One critical design issue that is directly related to the type and intensity of the uses is parking. The plan provides 25 parking spaces. The hotel use requires 13 parking spaces. The restaurant and *gym*, if not connected to a hotel, would require up to 24 additional parking spaces (this total reflects a 10% reduction for shared parking). If the restaurant and gym will serve the general public, there is not sufficient parking in the proposal to serve those uses. In addition, as identified in the Seacliff Village Plan, there is currently a deficit of available parking in this area, which would be aggravated by any project that does not provide adequate on-site parking for the uses there.

If, on the other hand, there will be a small component of general public use and the restaurant and gym are scaled back to reflect service to a number of people more in line with the number of hotel guests, fewer parking spaces would be needed. If less of the property is devoted to parking there will be room for positive modifications to the site plan such as increased landscaping, improved circulation, decreased impermeable surface, and improved overall aesthetics. These site plan issues **are** discussed below

Two Story Height Limitation

The SVP limits the height of the structure to a maximum of two stories in order to minimize impacts on the adjacent residences to the east. The current proposal is not consistent with the SVP in that the building will be 3 stories in height. The applicant is requesting an amendment to the SVP to allow a three-story building. A third story is necessary for this particular design because the gym/spa and pool occupy the majority of the first floor, and the restaurant occupies the third floor (See Exhibit C, Floor Plans). With a reduced size of restaurant, gym, and pool facilities, a 12-room hotel could be accommodated on the project site within a two-story building.

Requirement for Residential Type Design

The SVP requires that the structure be designed to resemble a residential building. According to the applicant, the current design has been derived from the style of the commercial building on Center Avenue, Site 3-f (See Exhibit C, Elevations). Although the SVP recommends that other

commercial buildings use the building on Site 3-f as an example for their own facades, the design of the building on the project site is required to be residential in nature. Staff does not believe that the current proposal is consistent with the SVP, in that the proposed architecture is not typical of residential buildings. The building is of a Moorish/art deco style with stucco wall surfaces and arched openings, and lacks the pitched roof planes and varied siding materials that would typically be characteristic of new residential buildings. Although a building of any design can serve as residential structure, it is assumed that the SVP is referring to a design which includes characteristics typically associated with new single and multi-family residential buildings.

ADDITIONAL ISSUES

A number of additional issues still remain regarding the proposed development. If your Commission determines that the proposed development is compatible with the goals of the Seacliff Village Plan and the application is remanded for further processing, the following issues must still be resolved:

Parking - The Seacliff Village Plan area is currently impacted by a lack of parking. **One** goal of the SVP is to not exacerbate these problems. Parking sufficient to meet the entire needs of the development must be accommodated on site.

Site Design & Landscaping – As discussed above, the amount of parking required to support facilities that are used by the general public will cause the majority of the site to be used for the building, parking, and circulation improvements. This is in conflict with regulations that require specific landscape buffers between commercial uses and residential uses, and along public streets.

Building Design - The building design is fairly massive for the site and is an abrupt shift in architectural style and wall/roof planes from adjacent residential development.

Road Improvements - The improvement of Broadway and North Avenue will need to be properly configured to meet County standards.

CEQA Review - Environmental review will need to be completed, pursuant to the California Environmental Quality Act, if this application is to be approved.

SUMMARY:

The Seacliff Beach Hotel, as proposed, includes elements that are beneficial to the Seacliff Village area and a visitor accommodations **use** in this location is consistent with the Seacliff Village Plan (SVP). The proposal also includes three specific elements which may be in conflict with the SVP. The structure, as proposed, is **three** stories tall. A three story building is not consistent with the SVP, which specifies a maximum of two stories for Site 4-b, and an amendment to the SVP is required for a three story building. The two elements of the proposal that require further evaluation in regards to consistency with the SVP are the additional commercial uses (the restaurant and gymnasium, which are of a size and scale that may bring the intensity of the commercial activity on the property above the modest level that was envisioned in the SVP) and the design of the structure (which does not appear to be residential in character).

Staff is seeking direction from your Commission on whether or not these two elements, the additional commercial uses and the non-residential design of the structure, are consistent with the SVP. If these items are determined to be consistent with the requirements for Site 4-b of the SVP, then no further amendment (aside from the three story element) will be required. If these items are determined not to be consistent with the requirements for Site 4-b of the SVP, then additional amendments to address these elements will **be** required.

RECOMMENDATION :

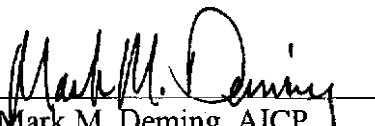
Staff requests that the Commission consider taking one of the following actions:

- 1) Determine that, other than exceeding **the** two story height limit, the remainder of the project is CONSISTENT with the Seacliff Village Plan (SVP) and no additional amendment to the SVP is required and remand to staff for further processing, or
- 2) Determine that, in addition to exceeding the two story height limit, other portions of the project **are** NOT CONSISTENT with the Seacliff Village Plan (SVP), and that the SVP amendment shall include modifications to the extent of allowed commercial uses and/or to the architectural style for Site 4-b. In this case, we request that your Commission remand the application to staff for further processing with specific directions on which portions of the proposed development require additional amendment(s) to the SVP.

Prepared By: _____

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

Reviewed By: _____


Mark M. Deming, AICP
Assistant Director
Santa Cruz County Planning

Exhibits:






- A. Location, Zoning & General Plan Maps
- B. Seacliff Village Plan (Site 4-b)
- C. Project Plans (Site Plan, Floor Plans, Elevations)
- D. Comparison Hotels & Amenities
- E. Comments & Correspondence

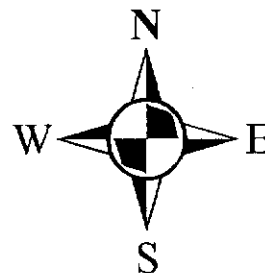


Location Map



Legend

-  APN 042-022-12
-  Assessors Parcels
-  Streets
-  State Highways
-  Railroads

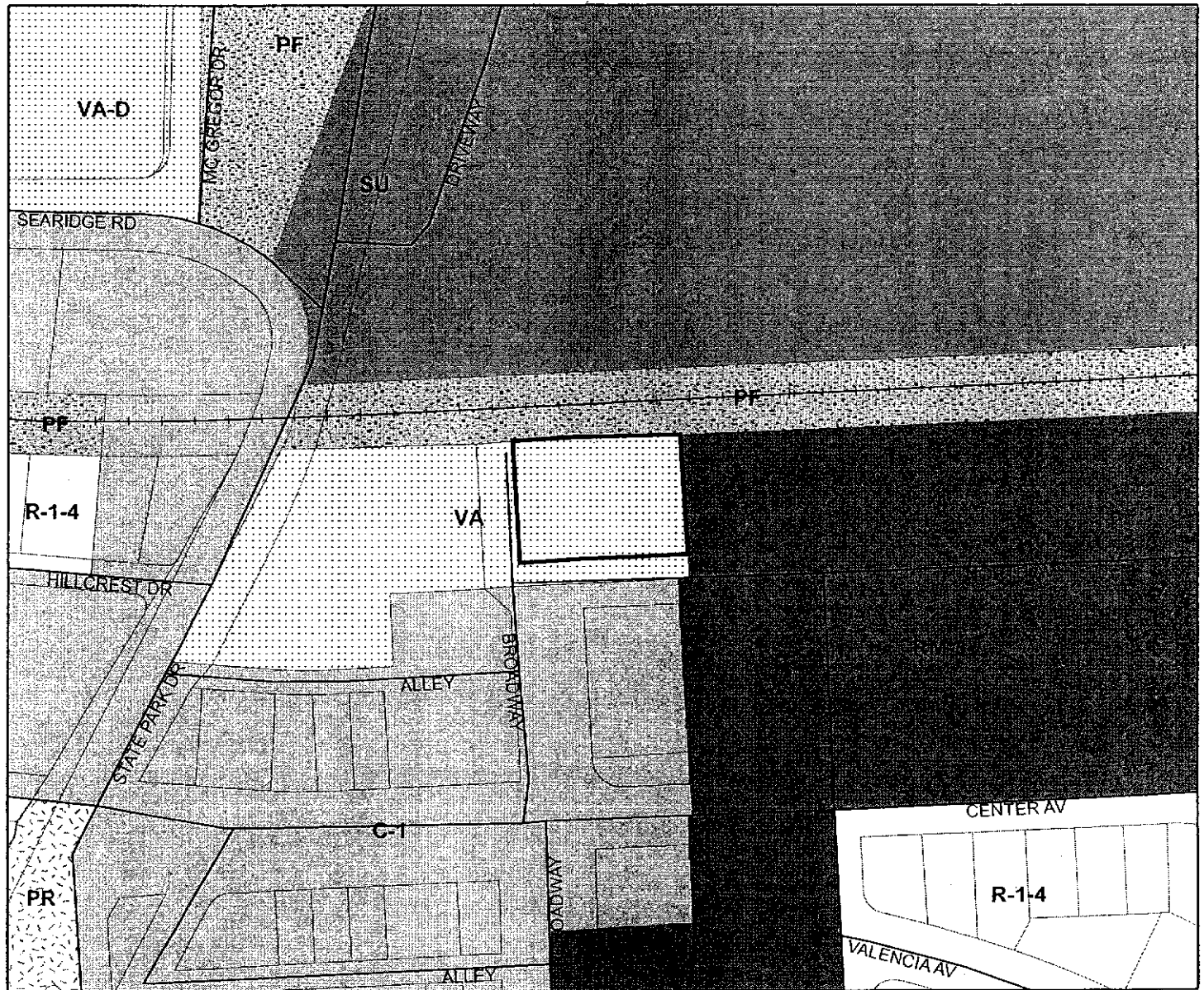


Map Created by
County of Santa Cruz
Planning Department
January 2007

EXHIBIT A

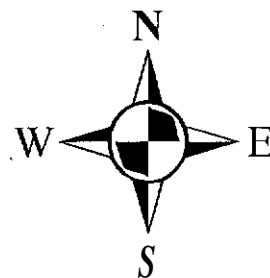


Zoning Map



Legend

- APN 042-022-12
- Assessors Parcels
- Streets
- Railroads
- COMMERCIAL-VISITORACCOM. (VA)
- COMMERCIAL-NEIGHBORHOOD(GI)
- SPECIAL USE (SU)
- RESIDENTIAL-MULTIFAMILY (RM)
- RESIDENTIAL-SINGLE FAMILY (R-1)
- PARK (PR)
- PUBLIC FACILITY (PF)

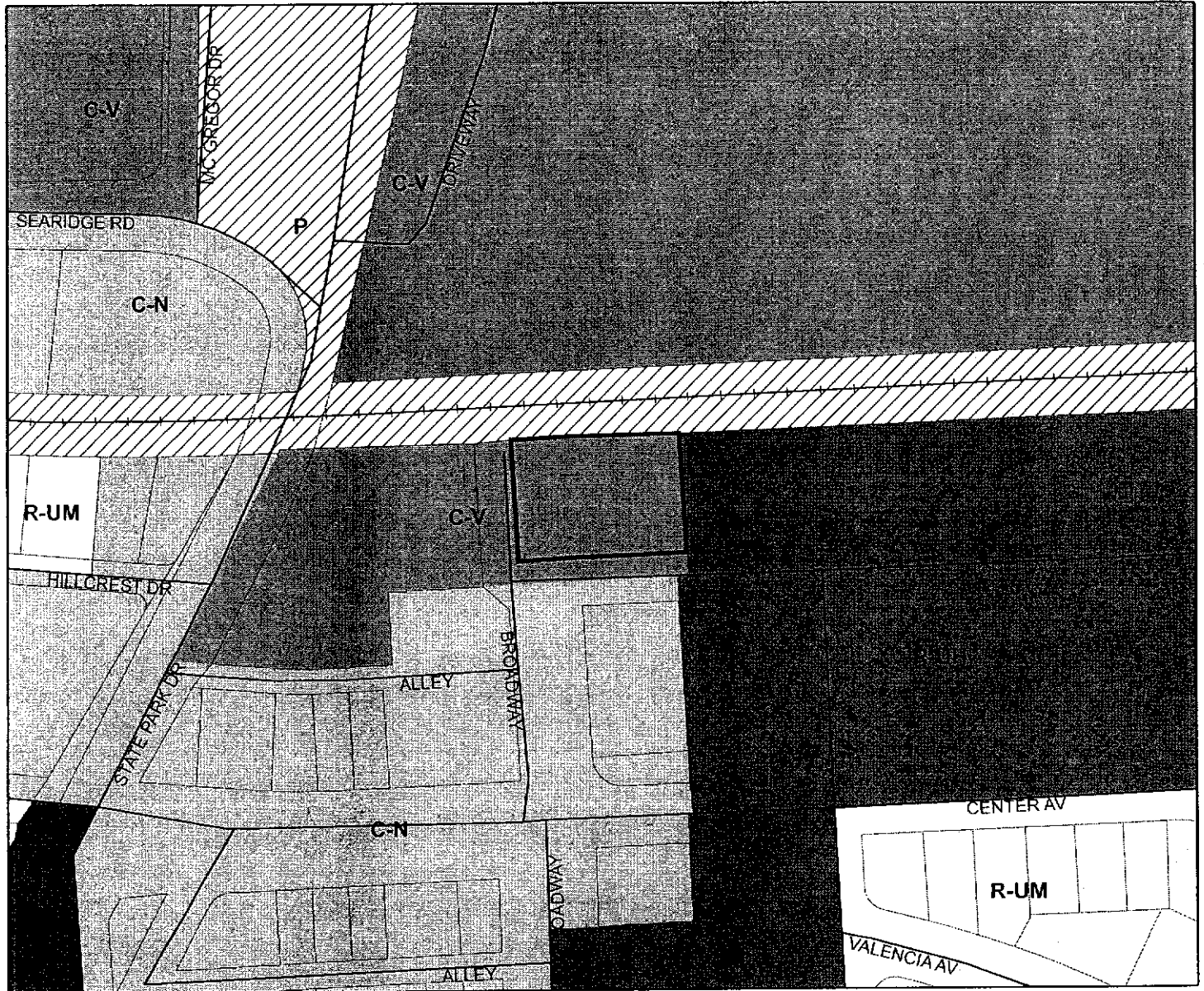


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Planning Department
January 2007

EXHIBIT A

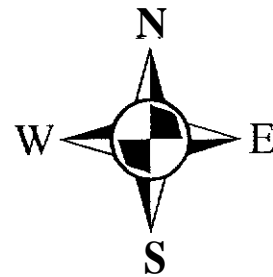


General Plan Designation Map



Legend

- APN 042-022-12
- Assessors Parcels
- Streets
- Railroads
- Commercial-Visitor Accorn. (C-V)
- Commercial-Neighborhood (C-N)
- Residential - Urban High Density (R-UH)
- Parks and Recreation (O-R)
- Public Facilities (P)
- Residential - Urban Medium Density (R-UM)



Map Created by
County of Santa Cruz
Planning Department
January 2007

EXHIBIT A

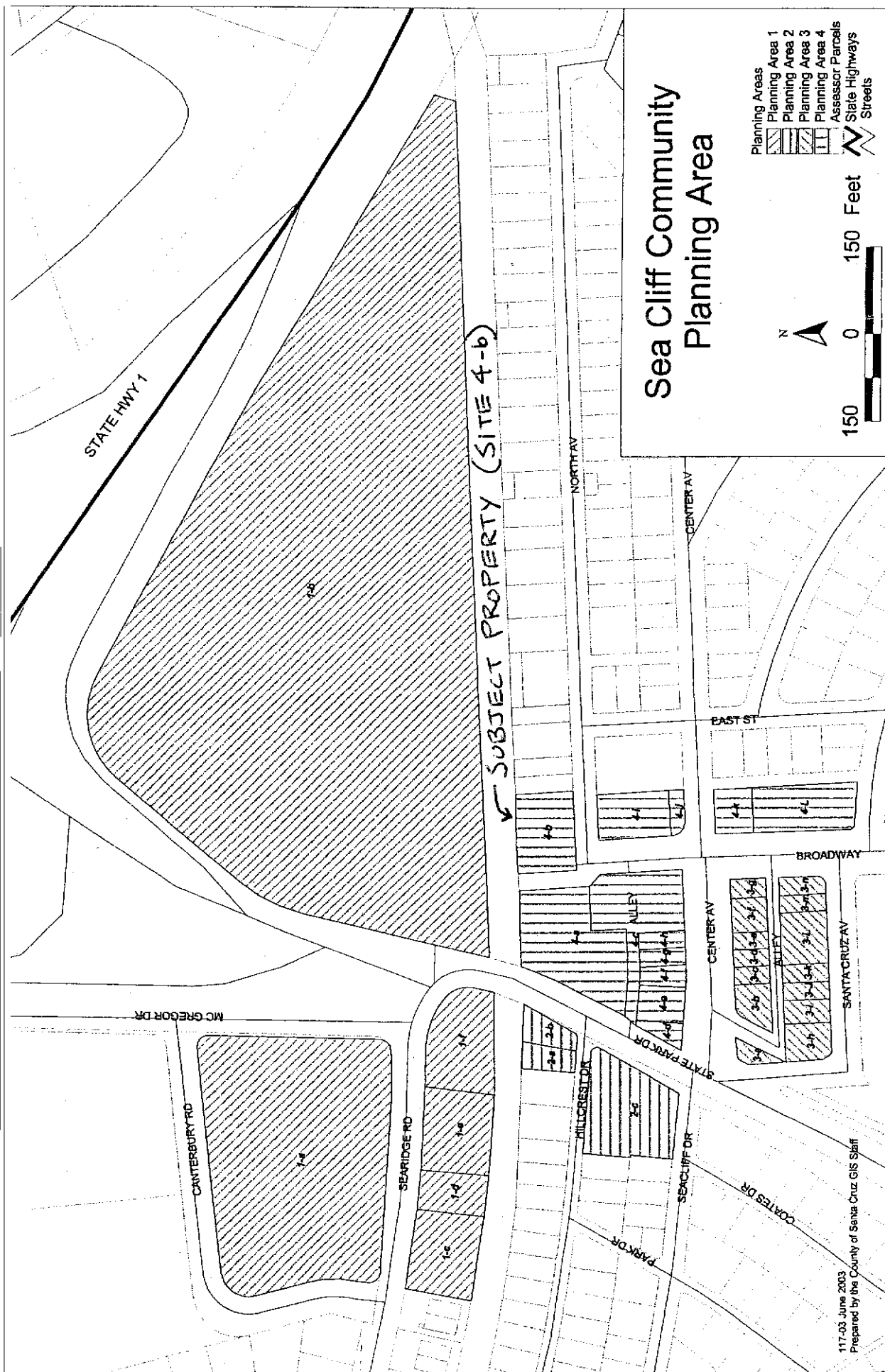


Figure 7 Seacliff Community Planning Areas Page 17 of 77

use permit. Management and maintenance of the property shall avoid conditions that may constitute threats to the health, safety, and welfare of park residents and/or the public or which may constitute a public nuisance.

The Board of Supervisors shall continue the current enforcement policies relative to the occupancy limits contained in the use permits for the site (i.e., not displace the residents), ensure that the owner does not displace any residents involuntarily, require preparation and adoption of a Replacement Housing Plan and a Relocation Plan for residents prior to any County action that would result in the displacement of the residents and require that the Replacement Housing Plan identify new sites and projects within the Seacliff area and/or neighboring communities in the Second Supervisorial District for the development of 31 units that are affordable to very low income households.

As an alternative to transient trailer/RV park use and after resolution of the “permanent occupancy” issue, the parcel may be used for other types of moderate, small-scale transient visitor accommodations, such as small cabins. Parking, as required by County Code Section 13.10.550 et seq., must be provided on-site. Access shall be provided via Broadway. Contribution to roadside and roadway improvements of Broadway shall be a condition of approval for alternative visitor accommodation uses.

The parcel has been rezoned to the VA (Visitor Accommodations) zone district; the General Plan/LCP designation has been changed to Visitor Accommodations.

Parking Requirements:

Parking for alternative visitor accommodations, as required by Section 13.10.550 et seq. shall be provided on-site.

3.2.3.d.2 *Site 4-b*

(APN 42-022-12, no name/situs)

This 7,200 square foot vacant parcel is located at the northeast corner of Broadway and North Avenue; Broadway Avenue, in this area, is undeveloped and overgrown. The parcel is bounded to the north by an undeveloped alley and the railroad right-of-way and to the east by the residential development along North Avenue.

Due to the adjacent residential use to the east, more intense commercial uses are not appropriate.



Figure 15: Vacant Parcel at Broadway and North

The undeveloped alley to the north and a portion of the Broadway right-of-way to the west of the parcel should be combined with this parcel to provide additional area for parking. However, sufficient land shall be left for vehicular access for site 4-a and pedestrian access connecting the railroad right-of-way to Broadway to allow for a potential public trail along the railroad tracks and/or public access to a potential rail transit station/platform. Future proposed development shall not preclude the provision of vehicular and pedestrian access as described.

As a condition of approval for development of this parcel, the owner shall contribute to roadway and roadside improvements of Broadway and improve North Avenue along its frontage.

This parcel has been rezoned to the VA (Visitor Accommodations) zone district and the General Plan/LCP designation changed to Visitor Accommodations.

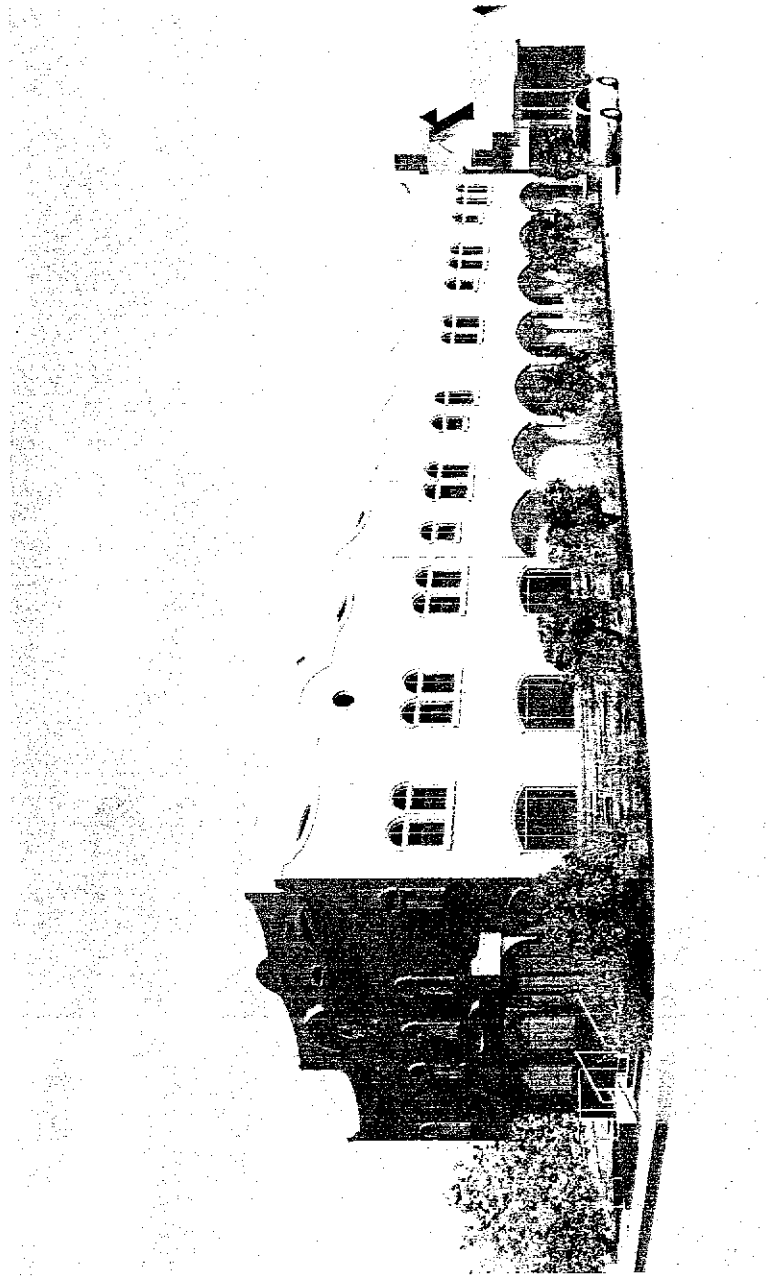
Parking Requirements:

Parking, as required by County Code Section 13.10.550 et seq., shall be provided on site.

3.2.3.d.3 Site 4-c

(APN 42-021-13, no name/situs)

An alley on this site provides access for parking on site 4-h (256 Center Avenue)



① centerBrdwy3
1:1

Seaclyff Beach Hotel

See Page one for colors

Geotechnical Engineer
 Hertz, Gaudin & Associates, Inc.
 1000 California Ave., Suite 200
 San Francisco, CA 94109
 Tel: 415.774.1000
 Fax: 415.774.1001
 email: dorandesign@comcast.net

Designer
 J.J. Design, John A. Johnson
 P.E. 831-436-7790
 email: jake@jakejohnson.net

Architect
 Michael E. Holden Architect
 P.E. 831-425-1122
 email: mholden@comcast.net

Structural Engineer
 Hertz, Gaudin & Associates, Inc.
 1000 California Ave., Suite 200
 San Francisco, CA 94109
 email: hga@hga.com

PROJECT DESCRIPTION:
 CONSTRUCT A NEW THREE STORY
 MIXED USE BUILDING
 MAXIMUM BUILDING HEIGHT 36'-7" ALLOWABLE
 (OVERALL HT. @ ELEVATOR TOWER 34'-0")

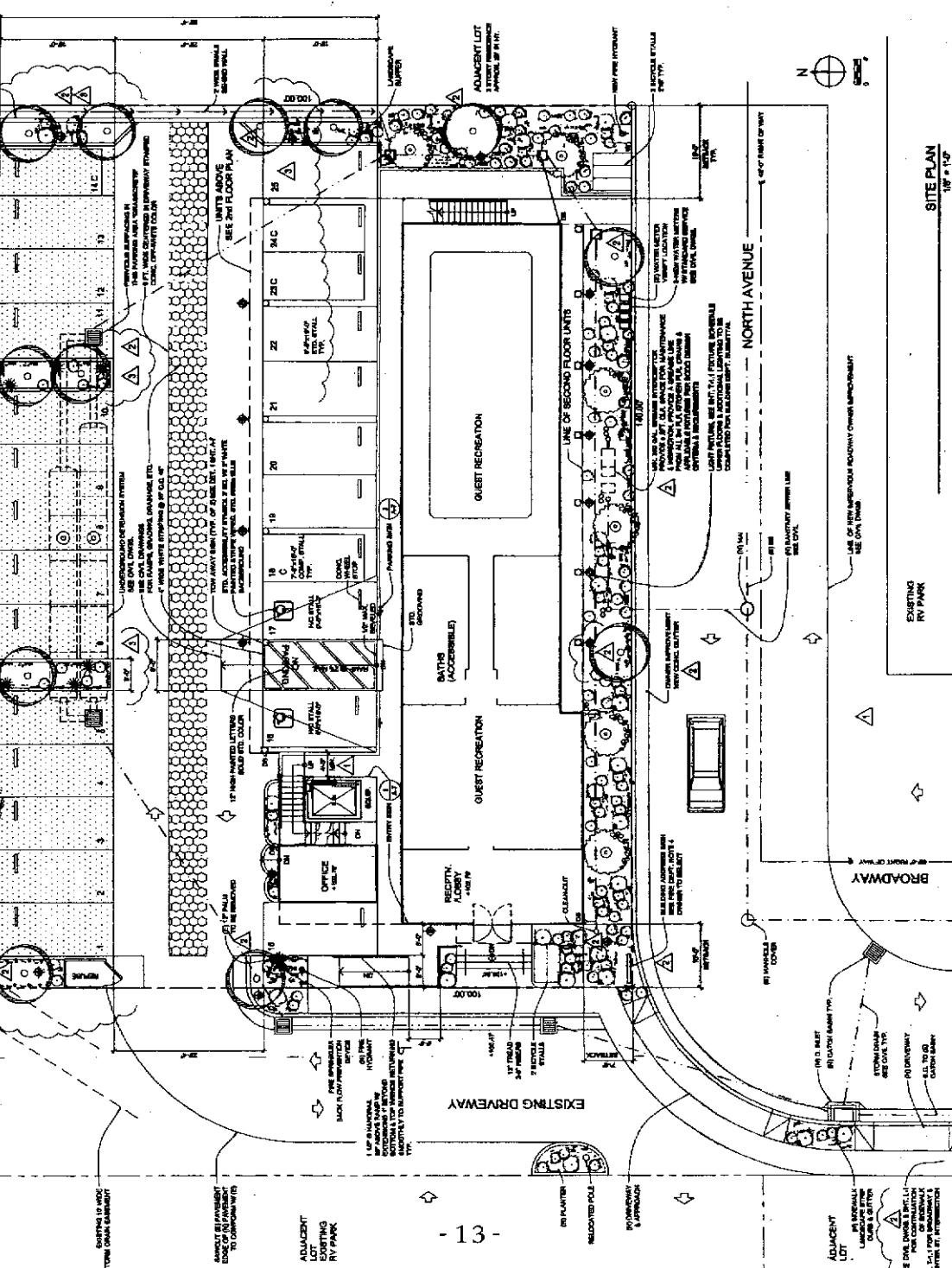
PROJECT DATA:
 A.P.N.: 042-025-12
 ZONE: V-1
 OCCUPANCY: B-1A/B
 BUILDING TYPE: TYPE V-1-HR
 SPRINKLER: SPRINKLER
 LOT SIZE: 270 NORTH AVE, APTON, CA
 OWNER: DORAN FISHER

PARKING TABULATION:
 SPACE FOR EMPLOYEES (240) =
 SECOND FLOOR UNITS =
 11.1 SPACES FOR 12 UNITS =
 11.1 SPACES FOR 12 UNITS =
 TOTAL NET PARKING REQUIRED =
 UNCOVERED PARKING = 24.0 SPACES
 (GROSS E.L. PARKING & DRIVEWAY)
 (1,400 S.F. PARKING)
 (1,400 S.F. PARKING)
 6 PROVIDED
 7,200 S.F. TOTAL PARKING AREA =

BUILDING AREA CALCULATIONS:
 SITE PLAN BUILDING AREA: FOOTPRINT =
 ALL STRUCTURES OVER 17' IN HEIGHT
 ELEVATOR & CORE STAIRS COUNTED
 ON ALL 3 LEVELS
 BASEMENT MECH. ROOM =
 540 S.F.
 FIRST FLOOR =
 3,207 S.F.
 SECOND FLOOR =
 3,754 S.F.
 THIRD FLOOR W. MECH. ROOM =
 2,346 S.F.
 TOTAL =
 11,747 S.F.

UTILITIES:
 WATER: SOURCE: CREEK WATER DISTRICT
 SEWER: SANTA CRUZ COUNTY SANITATION DISTRICT

TOPOGRAPHICAL SURVEY
 C-1
 CIVIL SITE PLAN & NOTES
 C-2
 GRADING & DRAINAGE PLAN
 C-3
 ROAD & DRAINAGE IMPROVEMENT PLAN
 C-4
 SECTION C-1 DETAIL
 C-5
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SITE PLAN
 1/8" = 1'-0"

EXHIBIT



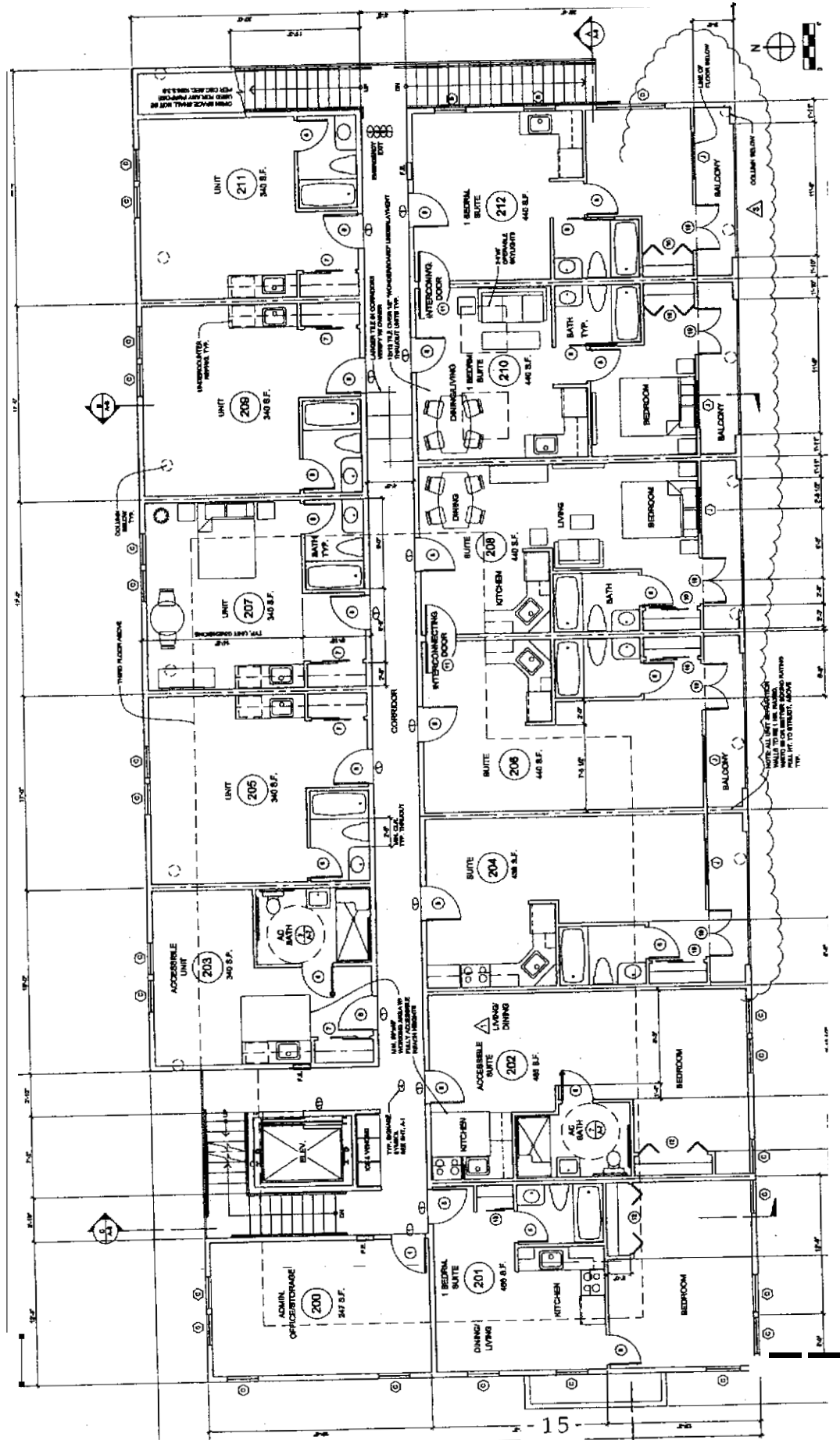
LAND USE
DEVELOPMENT
CONSULTANT
DORON
FISHEN
(818) 252-2798

Max. 18' 0"
WOOD Flooring
Reg. VI
60000 Planning

DISCRETIONARY PERMIT PROPOSAL
NOT FOR CONSTRUCTION

SEACLIFF BEACH HOTEL
& VACATION RENTALS
270 NORTH AVE. APTOS. CA 95083
APN: 042-022-12

A-2



FLOOR 2

EXHIBIT 1

EXHIBIT C



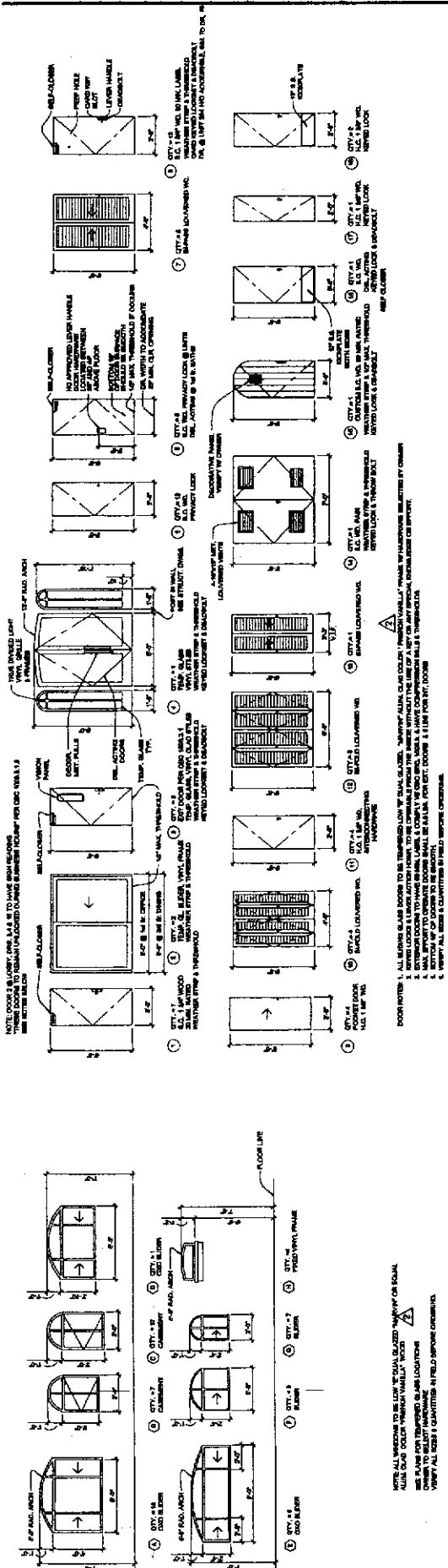
LAND USE
DEVELOPMENT
CORRELATION
FOR
DORON
FISHBON
(813) 321-7778

Min. 18 W
WOOD Planning
New W
WOOD Planning
Aug. W
WOOD Planning

DISCRETIONARY PERMIT PROJECT
NOT FOR CONSTRUCTION

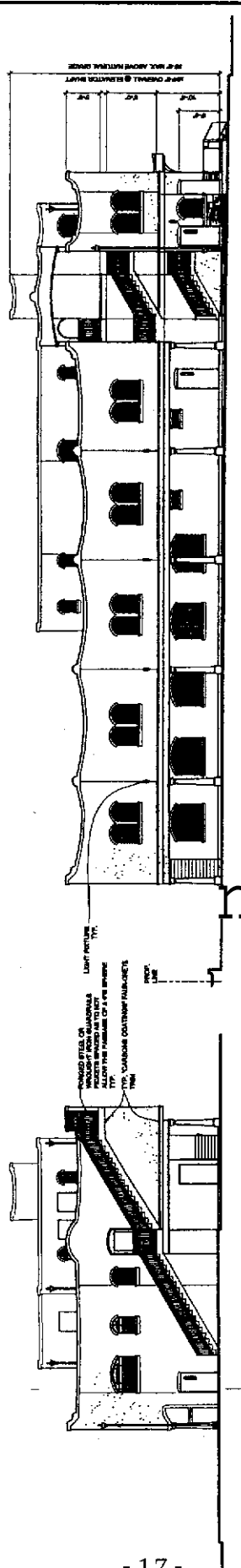
SEACLIFF BEACH HOTEL
& VACATION RESORTS
370 NORTH AVE. APTOS, CA 95062
APN: 042-022-12

A-5



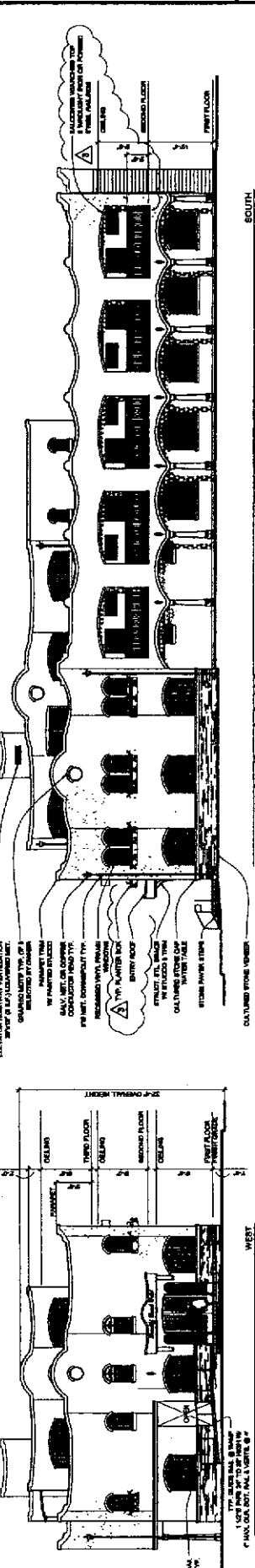
WINDOWS
1/4" = 1'-0"

DOORS
1/4" = 1'-0"



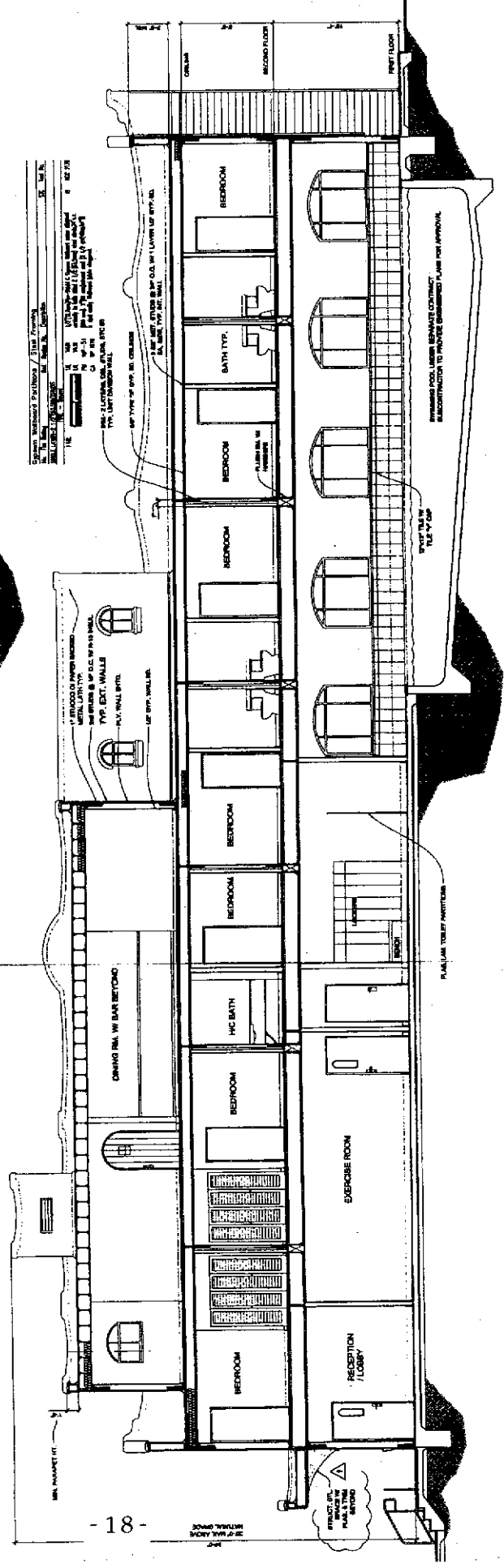
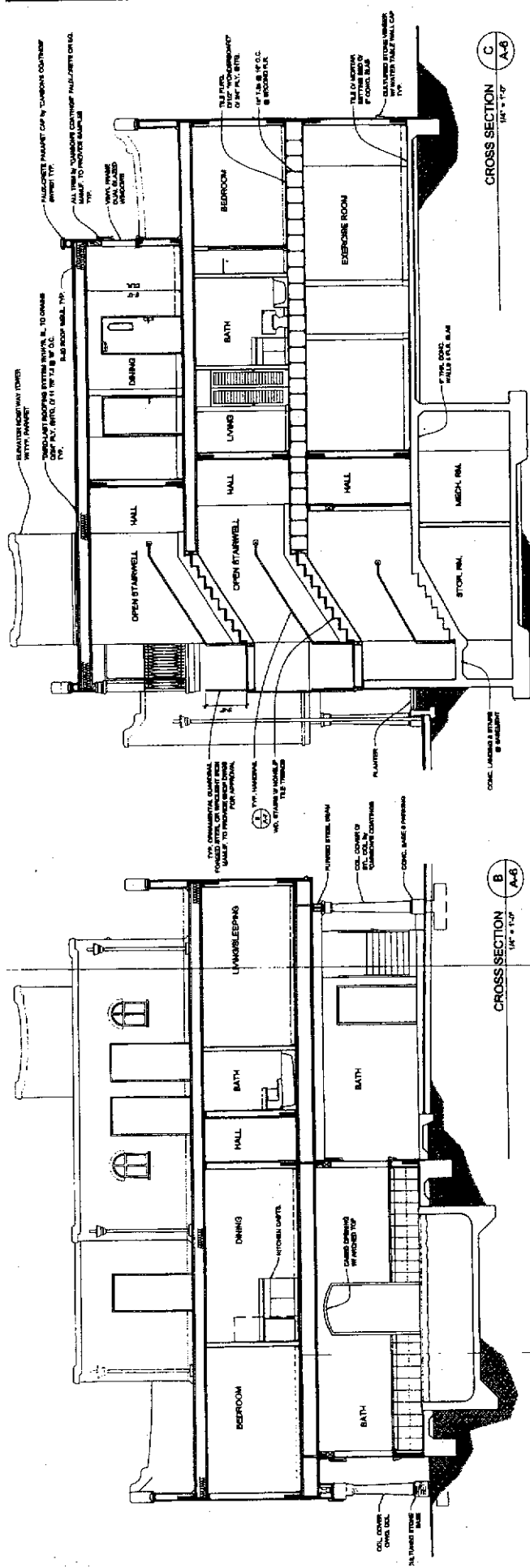
EXTERIOR ELEVATIONS
1/8" = 1'-0"

EXTERIOR ELEVATIONS
1/8" = 1'-0"



INTERIOR ELEVATIONS
1/8" = 1'-0"

INTERIOR ELEVATIONS
1/8" = 1'-0"





Comparison of Local Area Hotels (with amenities relative to size of facility)

Larae Hotels

Seascape Resort

Rooms: 285 rooms (with kitchen, kitchenette, or wet bar)

Restaurant/Dining: Sanderlings - full service restaurant with seating for up to 140 people

Exercise area/Gymnasium/Pool: Two outdoor pools, exercise facilities, in-suite spa treatments

Parking: 500+ spaces

Approximate total site area: 40 acres (20 acres improved and 20 acres natural)

(20 additional acres were improved and dedicated to Santa Cruz County Parks)

Seacliff Inn

Rooms: 149 rooms (10 rooms with kitchens)

Restaurant/Dining: Severino's - full service restaurant with seating for up to 96 people

Exercise area/Gymnasium/Pool/Spa: Exercise room (434 square feet), outdoor pool

Parking: 244 spaces

Approximate total site area: 5.5 acres.

Small Hotels

Seacliff Beach Hotel (07-0002 - Current Proposal)

Rooms: 12 rooms (3 rooms with kitchens)

Restaurant/Dining: Full service restaurant with seating for up to 45 people

Exercise area/Gymnasium/Pool/Spa: Exercise room (664.5 sq. ft.), indoor pool (1,325 sq. ft.)

Parking: 25 spaces

Approximate site area: 14,000 square feet

East Cliff Inn (00-0030 - Approved 8/27/02)

Rooms: 10 rooms (no kitchens)

Restaurant/Dining: One coffee table in the lobby (approx. 2' x 5')

Exercise area/Gymnasium/Pool/Spa: None

Parking: 12 spaces

Approximate total site area: 11,320 square feet

Pelican Point Inn

Rooms: 10 rooms with kitchens (one used by manager and 9 rentals)

Restaurant/Dining: In-room Coffee & Tea

Exercise area/Gymnasium/Pool/Spa: None

Parking: 11 spaces

Approximate total site area: 11,142 square feet

3/21/07

SANTA CRUZ COUNTY
PLANNING DEPARTMENT

Doron Fishbin
Application # 07-0002
APN # 042-022-12

REQUEST TO AMEND THE GENERAL PLANS FOR SEACLIFF VILLAGE

The general plans for the Seacliff Village limit this property to be a two story building. In our proposed development we designed a two story building with a roof top restaurant that technically creates a third story. The roof top restaurant is 2,100 sq ft out of 5,376 sq ft total roof coverage. The restaurant was designed as a penthouse which sets back from the face of the building and is located on the far west side of the building. This design reduces the impact of a three story building. The total height of the building is 31 feet which is only 3 feet above the 28 foot allowance for a two story building.

Even if the restaurant will not be as a roof top, this building must have roof top structures that include an elevator room pitch and mechanical room and other roof top equipment that creates the additional roof top structure.

This restaurant/diner is a vital to the success of this project. It will create an attractive and desirable place for the guests of the hotel to sit and enjoy the panoramic ocean, bay, city and mountain views.

We strongly believe that the success of this hotel depends on this roof top restaurant. Currently, the neighboring properties across the street and on the side are trailer parks with unattractive curb appeal that negatively affect the area. This roof top restaurant will create an enjoyable retreat that is not impacted by these surrounding properties.

The property backs up to the railroad tracks, followed by open space and Hwy 1. Therefore this proposed building will not block the view of any neighboring property.

The site was designed with this attractive Mediterranean/Spanish style building that fronts the corner of North and Broadway with the parking area in the back along the railroad tracks. This design reduces the impact of the large parking lot of a commercial building and compliments the residential neighborhood along North Avenue.

Attached is a support letter from the Seacliff Improvement Association.

Sincerely,



Doron Fishbin

Seacliff Park Incorporated, An Improvement Association

P O Box 533, Aptos, CA 95001-0533

February 28, 2007

Mr Tom Burns
Santa Cruz County Planning Department
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Re: Doron Fishbin's Proposed Building Design for 270 North Ave., Seacliff, Aptos, CA

Dear Mr. Burns:

On February 15, 2007, the first Seacliff Improvement Association General Meeting of the year, Doron Fishbin gave a presentation of his proposed building plans to the assembled group of over 30 individuals. After the presentation and a period of questions and answers, Doron Fishbin asked for a vote of approval for the plans. A vote was taken and the unanimous opinion of the group was an enthusiastic thumbs up on the plan.

The vote reflects an approval of the following:

1. The use of the building as boutique hotel on the 2nd floor, an ocean-view rooftop restaurant on the 3rd floor, and a spa/gym on the 1st floor which may include an indoor pool.
2. This boutique hotel/restaurant/spa complements the other uses in downtown Seacliff and will provide a potential meeting place at the restaurant and spa for the residents of Seacliff.
3. That the plan presented provides more parking than is required by the County.
4. The design appearance is attractive, and blends with the look of Seacliff Village and the design recommendations included in the Seacliff Village Plan
5. The shape of the building is graceful with a set-back on the 3rd floor that mitigates the bulk of a three story building.

This vote is merely one of taste and reflects the desire of the Seacliff residents to upgrade the appearance and use of downtown Seacliff. We feel Doron Fishbin's plan is a step in this direction and encourage the Santa Cruz County Planning Department to approve the design and use of the proposed building. See attached plan copy as presented.

Please keep the Seacliff Community informed about the design review for this property. The Seacliff Community would like to see that quality materials are used throughout the building and the high standards set by this attractive design are maintained

Yours sincerely,

Terry-Lynn Winston (copy)

Terry-Lynn Winston
President, Seacliff Improvement Association

cc: Dolon Fishbin



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

August 3, 2007

Doron & Melanie Fishbin
PO Box 1102
Aptos, Ca 95001

Subject: Application #: **07-0002**; Assessor's Parcel #: **042-022-12**
Owner: **Doron & Melanie Fishbin, trustees**

Dear Mr. & Ms. Fishbin:

This letter is to notify you that we have decided not to request any further information to continue processing your application. As of this time, the Planning Department has determined that your proposal is not consistent with portions of the County Code and General Plan (Seacliff Village Plan). The specific inconsistencies are as follows:

1. County Code section 13.10.332 (Commercial Uses): As discussed in your project consultation and throughout the review process, your proposal includes a restaurant and gymnasium/spa facility that exceed the scale that would be ancillary or incidental to a 12 unit hotel. Restaurant and gymnasium/spa uses are allowed within the Visitor Accommodations (VA) zone district only if ancillary to a principal permitted use, such as the proposed hotel. However, the proposed restaurant and gymnasium/spa facility are out of scale with a 12 unit hotel and result in an intensified commercial use of the project site. In order to be an ancillary or appurtenant use, a use must be clearly subordinate or secondary to the primary permitted use. The size and scale of the proposed restaurant and gymnasium/spa facilities are not clearly secondary or subordinate to the proposed 12 unit hotel and, as a result, are not allowed ancillary uses in the VA zone district.
2. Seacliff Village Plan 3.2.3.d.2 (Specific Land Use - Site 4-b): The Seacliff Village Plan (SW) limits the structure(s) to be constructed on this site to a maximum height of two stories and states that more intense commercial uses are not appropriate, due to the presence of adjacent residential uses. The use specified by the SVP is Type A visitor accommodations (such as a bed and breakfast or an inn) which shall be designed to resemble a residential building. The proposed project includes a structure three stories in height which includes three different commercial uses (a hotel, a restaurant, and a gymnasium/spa). The proposed development is not consistent with the requirements of the SVP and is not compatible with the adjacent residential uses.
3. County Code sections 13.10.552 (Parking): The proposed parking area exceeds the parking required for a 12 unit hotel. The parking requirement for the proposed 12 unit hotel (1.1 spaces per habitable room or 1 space per bedroom) is 13.2 parking spaces. If

the restaurant and gymnasiumispa facility uses are intended for hotel guests only, then the proposed 26 space parking area ~~far~~ exceeds the required parking for the hotel use. This results in the majority of the project site being used for structure and parking improvements, limits the available area for landscaping, and exceeds the maximum amount of parking allowed (the maximum allowed is an additional 10% beyond the required parking total, per County Code section 13.10.552(d)).

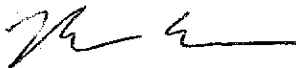
4. County Code sections 13.11.072 (Site Design), 13.11.073 (Building Design), 13.11.074 (Access, Circulation & Parking) & 13.11.075 (Landscape Design): The proposed three story structure is too large for the project site and is not compatible with adjacent residential development. The project design uses the majority of the project site for building, parking, and circulation areas. As a result, an insufficient amount of landscape area has been provided around the structure and parking area. Additionally, the parking area does not include the required 5 feet wide landscape strips, or tree wells/landscape islands. The proposed design exceeds the appropriate scale for the project site and is not consistent with the requirements of the Design Review ordinance.

Next Steps

In regards to the above listed issues, it is recommended that you withdraw your application and resubmit a proposal that is consistent with the County Code and General Plan/SVP. A proposal for a two-story 12 unit hotel (with limited recreation and dining facilities) would be appropriate on the project site. We will wait 30 days from the date of this letter to provide you an opportunity to withdraw the current application. If the application is not withdrawn, our next step will be to schedule your project for a public hearing before the Planning Commission with a recommendation for denial based on the compliance issues listed above.

Should you have further questions concerning this application or the content of this letter, please contact me at: (831) 454-3218, or e-mail: randall.adams@co.santa-cruz.ca.us

Sincerely,



Randall Adams
Project Planner
Development Review

August 17, 2007

Santa Cruz Planning Department
Project Planner Randall Adams
Application # 07-0102

Dear **Mr.** Adams,

Attached are three (3) revised parking lot plans with additional **two** (2) tree isles. The number of the parking spaces is reduced to twenty-five. Also the calculation for parking area was corrected to covered parking area and open parking area.

Please note that all of the parking area along the rail road tracks (2160 **sq.** ft.) is grasscrete which is pervious.

Also attached are three (3) 3D revised renderings with additional built in planters and balconies and different colors on the exterior of the building.

These changes make the building look more residential

Ordinance 13.10.552 has a provision that states: "the approving body may determine additional space to be necessary due to the special circumstances **of** the use intent."

The definition of Ancillary is: a) subordinate (often with to). b) ~~that~~ serves as an aid; auxiliary.

Please note these changes in your staff report.

Sincerely,

Doron Fishbin

SEACLIFF BEACH HOTEL

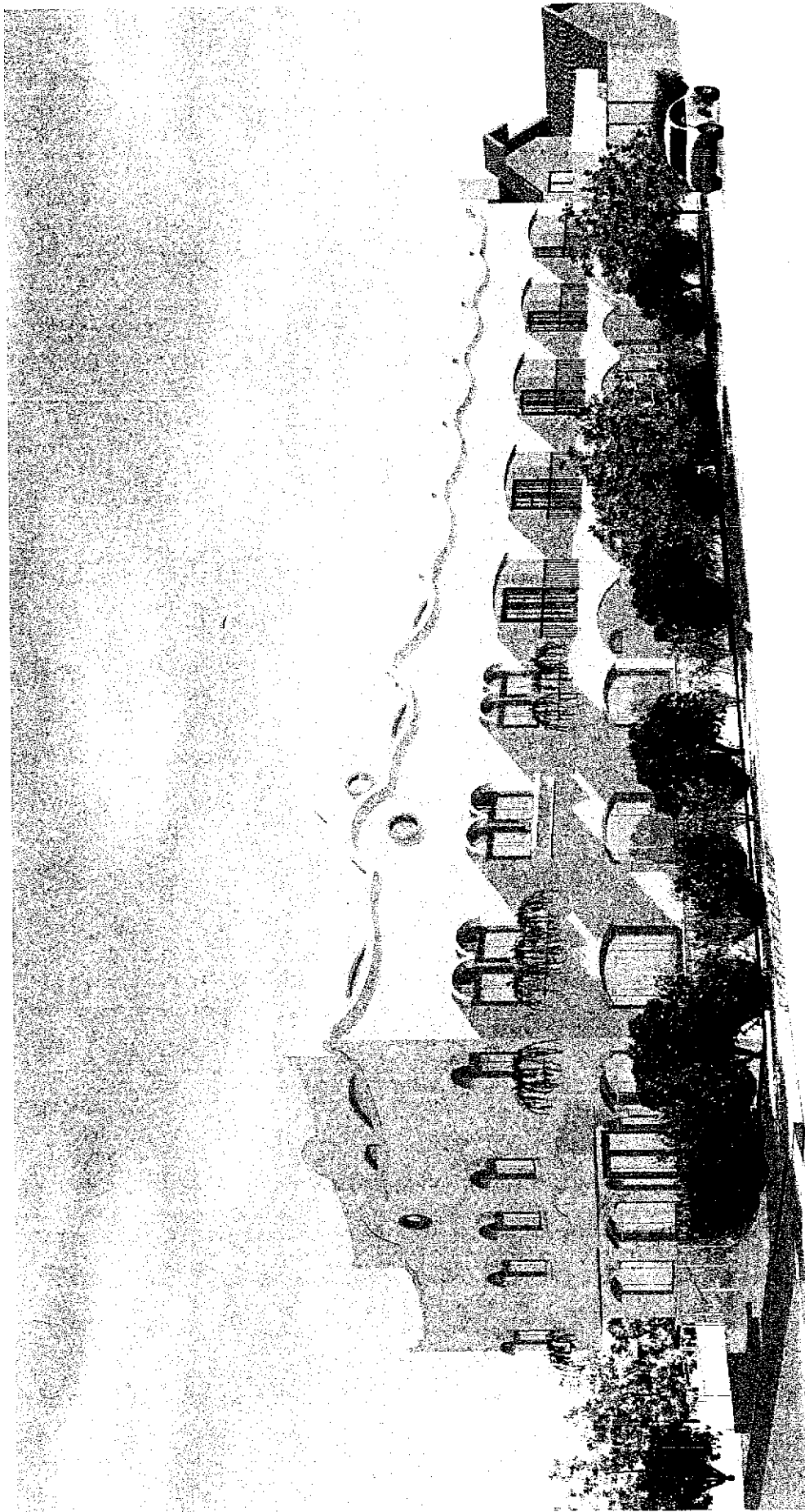


EXHIBIT E

14,000 SQ. FT. LOT BUILDING FOOT PRINT + COVERED PARKING 5800 SQ. FT. = 41.8%
 DRIVEWAY + IMPERVIOUS AREA 3,280 SQ. FT. = 25% PERVIOUS PARKING 2,160 SQ. FT. = 15%
 LANDSCAPE 2,024 SQ. FT. = 14.5%

SEACLIFF VILLAGE PLAN

use permit. Management and maintenance of the property shall avoid conditions that may constitute threats to the health, safety, and welfare of park residents and/or the public or which may constitute a public nuisance.

The Board of Supervisors shall continue the current enforcement policies relative to the occupancy limits contained in the use permits for the site (i.e., not displace the residents), **ensure** that the owner does not displace any residents involuntarily, require preparation and adoption of a Replacement Housing Plan and a Relocation Plan for residents prior to any County action that would result in the displacement of **the** residents and require that the Replacement Housing Plan identify new sites and projects within the Seacliff area and/or neighboring communities in **the** Second Supervisorial District for the development of 31 units that are affordable to very low income households.

As an alternative to transient trailer/RV park use and after resolution of the "permanent occupancy" issue, the parcel may be used for other types of moderate, small-scale transient visitor accommodations, such as small cabins. Parking, as required by County Code Section 13.10.550 et seq., must be provided on-site. Access shall be provided via Broadway. Contribution to roadside and roadway improvements of Broadway shall be a condition of approval for alternative visitor accommodation uses.

The parcel has been rezoned to the VA (Visitor Accommodations) **zone** district; the General Plan/LCP designation has been changed to Visitor Accommodations.

Parking Requirements:

Parking for alternative visitor accommodations, as required by Section 13.10.550 et seq. shall be provided on-site.

3.2.3.d.2 Site 4-b

(APN 42-022-12, no name/situs)

This 7,200 square foot vacant parcel is located at the northeast corner of Broadway and North Avenue; Broadway Avenue, in this area, is undeveloped and overgrown. The parcel is bounded to the north by an undeveloped alley and the railroad right-of-way and to the east by the residential development along North Avenue.

Due to **the** adjacent residential **use** to the east, more intense commercial uses are not appropriate. **The use of this parcel shall be Type A visitor accommodations, such as an inn or bed and breakfast inn.** The structure shall be a maximum of two stories and shall be designed to resemble a residential building.

CURRENTLY 14,000 SQ. FT. LOT

RESTRICTIONS + SPECIAL CONDITIONS WERE MADE

BASED ON 7,200 SQ. FT. LOT, NOT 14,000 SQ. FT. LOT

SEACLIFF VILLAGE PLAN

aspects of Carmel-By-The-Sea and/or other coastal/seaside villages. These themes have been identified as examples that should be considered when developing the Design guidelines for the Seacliff Village Plan Area.

MY DESIGN IS INFLUENCED BY THIS REQUIREMENT.

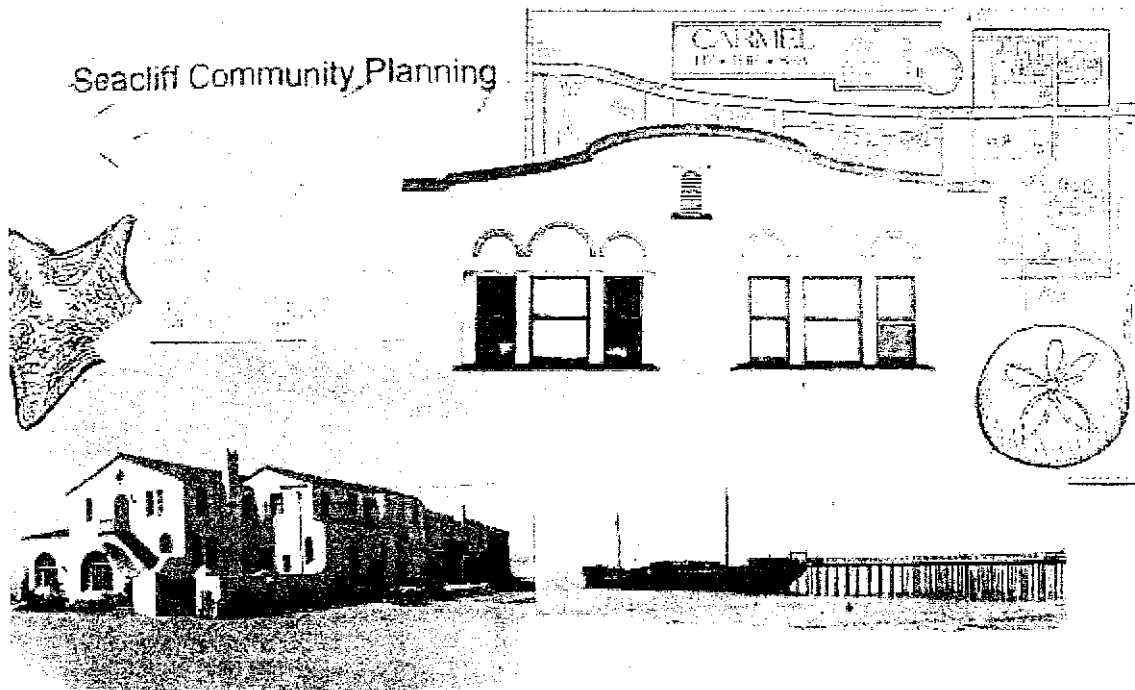


Figure 30: Throughout the planning process, several design themes emerged.

5.1 PURPOSE

The purpose of the Seacliff Village Plan Design section is to provide guidance for the planning and development of future improvements within the Seacliff Beach Special Community, as identified in the County's General Plan/LCP. The intent of the Design section is to:

- a. *Develop design recommendations that are unique and which will promote the public health, safety and welfare of the Seacliff community* - Design proposals shall be creative and work to establish a **safe**, pedestrian-oriented village area, with sensitive transitions between the village area and adjacent neighborhoods;
- b. *Implement a design theme that will preserve and enhance the Seacliff Village character* - Design themes associated with the Sanctuary (coastal research, maritime and nautical), the Art Deco Period of the 1920's and charming design aspects of Carmel-By-The-Sea and/or other seaside/coastal villages will serve as examples;
MY BUILDING DESIGN WILL ENHANCE THE SEACLIFF VILLAGE
- c. *Develop guidelines and policies that will help to preserve and enhance the viewsheds in the area* - Thoughtful site design, undergrounding of over-head

SEACLIFF VILLAGE PLAN

character and style of this building shall serve as an example for other building designs within the village area (also refer to Architecture). The building, however, has existing signage that does not meet current design standards and/or the architectural character of the area. Specific language has been developed to address signage design within the village area (refer to Signage).

I USED THIS EXAMPLE FOR MY DESIGN.



Figure 39: Unique Building Design

- E SS Palo Alto, Pier, and entry sign at Seacliff State Beach - These landmarks are located outside the Village Plan Boundary Area at Seacliff State Beach, and are under the jurisdiction of the State of California, Parks and Recreation Department, Santa Cruz District. The Pier and SS Palo Alto are identified in the Seacliff State Beach General Plan, and have specific language for their enhancements and preservation. The Park's General Plan calls for the pier to remain. The SS Palo Alto has had several studies completed, which have determined that the ship has unfortunately deteriorated beyond a condition to be repaired. Regardless, the SS Palo Alto is a local landmark. The hope is that the ship will remain as long as possible, in spite of the constant bashing from the sea, and at this pint, will be allowed to gracefully disintegrate into Monferey Bay.

5.4.4 LIGHTING PROGRAM

The Seacliff Community should work with their District Supervisor, the County Department of Planning, Public Works and PG&E to implement the undergrounding of overhead utilities. Where feasible, the lighting system shall be installed underground and all remaining above ground items such as the associated transformer boxes and other lighting equipment shall be located outside scenic view areas and appropriately screened.

SEACLIFF VILLAGE PLAN

5.4.8.4 Design Area 4, Center Street

This area includes Center Street and Broadway Avenue from the top near the railroad tracks down to Santa Cruz Avenue. These streets shall receive asphalt overlay improvements, pedestrian walkways, curb and gutter, landscaping and overhead streetlights. The existing street front parking will be retained in this area, and there will be streetscape improvements for both sides of Center Avenue. Additionally, a landscaped center median from State Park Drive to Broadway should be considered. A median with plantings of street trees and other plants could provide an alternative to planting of street trees in the relatively narrow sidewalks and would provide a location for trees that has more sunlight than along the southern side of the street, adjacent to the buildings. Both ends of Center Avenue, from State Park Drive to Broadway Avenue will feature community gateways (refer to recommendations for Community Gateways above).

MY SITE IS IN THIS DESIGN AREA.

Streetscape

Street Lighting – Undergrounding of overhead utilities and the addition of historic, ornate street lights, pole with a pale green, patina finish, and concrete base (same as the street lights for State Park Drive).

Pedestrian Pathway – The existing sidewalk will be redesigned to a wider pedestrian pathway, shall incorporate planters for street trees and: where possible; sitting areas. It shall have a design and finished surface consisting of exposed aggregate.

Sitting Areas – A sitting area shall be developed at the intersection of State Park Drive and Center Street at the proposed mini-plaza at the southwest corner of this intersection. Additional sitting areas, where possible, will also be incorporated into the streetscape design along Center Avenue.

Landscaping – The streetscape design will include plantings and street trees either into the pedestrian pathway design or in a street center divider. Streetscape plantings within this area shall be designed to be a unifying element and, unless located in a street center divider, shall be suitable for planting in the sidewalk planters, with plantings that do not have invasive root systems or messy droppings. The streetscape plantings shall be trimmed and trained (limbed up) to provide head-clearance under branches, and where appropriate, understory plantings shall also be used such as shrubs and ground covers, to complement the street trees. A center divider could also be installed with appropriate landscaping.

Building Design

sign for this area shall be thematic of the Art Deco Period of the 1920's. The character and style of the Appenrodt building (Site 3-f) shall serve as an example for other building designs within the village area. The intent is to create a more historic appearing area through building design.

MY BUILDING DESIGN IS ART DECO.

Landscaping

The landscaping along Center Avenue is similar to that of State Park Drive. There are the ornamental planting areas added by the property owners at their expense, the plantings of cypress

6.3 SEACLIFF VISIONS COMMENTS FROM COMMUNITY WORKSHOP #3

NOVEMBER 18, 1999

All streets in the area should be asphalt concrete.

Drainage, sidewalks, etc. for adjoining residential areas should be included in the Plan

Broadway should be one-way.

Bond issue?

Need slides of Carmel.

Skateboard park?

Need to identify timing and scope of undergrounding project.

The Center Street building style should be reflected throughout the Village.

Use driftwood (like Lou Darrigo's) in area. *I HAVE COMPLIED WITH THIS REQUEST.*

The welcome sign leading into the Village should be shaped like the SS Palo Alto.

New street lights in the residential areas (owners have to agree).

Pier restoration? (State Park jurisdiction).

Cement ship "lines" in Village?

Cement ship era style for Village?

- Sandstone walls,
- Tiering of land forms,
- Driftwood,
- Colored sidewalks (sand appearance).

Height, intensity, and direction of lights to not obliterate Ocean views.

Avoid tall signs and trees ~~that~~ block views. Specify trees that do not grow tall.

Street lights to echo 1929 style (photo sample shown).

Wall should be installed near the railroad tracks to shield houses and for safety reasons.

6.5 SEACLIFF VISIONS COMMENTS FROM COMMUNITY WORKSHOPS #5 AND #6 JANUARY 13 AND 14, 2000

Benches, lights, bollards, ~~trash~~ receptacles, paving, material for public amenities:
keep these simple;
pedestrian scale;
color, style, design;
not too delicate or fancy.

Consider a variety of roof lines. There are some unique styles that could be preserved or improved.

Parks/play areas should have artistic, sculptural land forms. Fake fog mist?

Minimize impacts of construction to merchants and property owners.

Allow a three story building at the Longacre site (APN 42-022-08). MY SITE OLD APN @-
PLEASE CONSIDER THIS REQUEST AS I ASKED TO AMEND THE SVP
Undergrounding:

make sure that undergrounding includes side areas/streets off of the main streets);
the undergrounding project should coordinate with all other infrastructure projects, especially the
retaining wall along Hillcrest.

There should be a plaza at the corner of Center Street and Broadway
Marine museum at State Park.

Do not widen State Park Drive to four lanes for roadway use.

SEACLIFF VILLAGE PLAN

Are there **any** other specific issues or **opportunities for future** improvements you **would** like to comment **on** or see addressed **that were** not mentioned in **this** survey?

Other Comments: Preserve all ocean views; clean up Aptos Creek; eliminate street lights and remove sidewalks (keep rural character); promote the art work of our local artists with a Galleria at the trailer park location; promote tourism with more shops, restaurants, a small hotel, gardens, events; also tours of beach areas, Nisene Marks, Aptos Village history; restore the "Sun Tan Special", train stop at Seacliff; underground parking, a couple of stories high, maybe where mobile park is; provide incentives for private property owners to upgrade their properties; have more controls for signs and enforcement of sign violations; if adding lighting, use fewer historic lights as opposed to many, which would lead to a cluttered look; landscaping along east side of State Park Dr.; I've lived in Aptos for 22 years and the Seacliff area is the "pits" as is - great potential; land use - slow down - even PUD's have green spaces; allow more parks; provide something for the residents. not just for tourists; **we like** one-way streets, sidewalks and **street** lights; there should definitely be a park - somewhere - we should incorporate this into the plans, otherwise we will never *see* one; a museum would be wonderful; can't we do something with the (utility) yard, housing vans and other equipment on prime ocean front property ?/!; your workshop meetings **are** well organized and productive - keep up the good work!

MY HOTEL IS SMALL.

PLEASE ALLOW THE ROOF TOP RESTAURANT WITH
PANORAMIC OCEAN, BAY AND MOUNTAIN VIEWS.

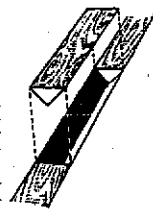
I DO PROVIDE SOMETHING FOR THE RESIDENTS.

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- 34 -

in-laid (in'lād', in lād') *adj.* 1. set in pieces into a surface of another material so as to form a smooth surface (a pine table with an inlaid walnut design) 2. decorated with a surface made in this way (an inlaid floor)

in-land (in'land; *for n. & adv., usually -land')* *adj.* [IN- + LAND] 1. of, located in, or confined to the interior of a country or region; away from the coast or border 2. [Brit.] carried on or operating within a country; domestic — *n.* [ME. < OE. *in-lande*] the interior of a country or region; inland areas — *adv.* into or toward the interior; away from the coast or border



INLAID WOOD

in-land-er (in'lan dər) *n.* a person living inland

Inland Passage *same as* INSIDE PASSAGE

Inland Sea arm of the Pacific surrounded by the Japanese islands of Honshu, Shikoku, & Kyushu

in-law (in'lō') *n.* [*<* (MOTHER-)IN-LAW, etc.] [Colloq.] a relative by marriage

in-lay (in'lā'; *for v., also in lā')* *v.* -laid', -lay'ing [IN- + LAY'] 1. *a.* to set (pieces of wood, metal, etc.) into a surface to make a design that is usually level with the surface *b.* to decorate with such pieces 2. to fit or insert (an illustration) into a mat 3. to add extra silver to (silver-plated objects) — *n., pl. -lays'* 1. inlaid decoration or material 2. a filling for a tooth made from a mold of the cavity and then cemented in — *in-lay'er n.*

in-let (in let'; *for n. in'let, -lit*) *vt. -let', -let'ting* [ME. *inlelan*; see IN- + LET'] to inlay or insert — *n.* [ME. *inlate* < the *v.*] 1. *a.* a narrow strip of water extending into a body of land from a river, lake, ocean, etc.; small bay or creek *b.* a narrow strip of water between islands 2. the act of letting something in 3. an entrance, opening, or passage, as to a culvert 4. something inlaid or inserted

in-li-er (in'li'ər) *n.* [*<* IN- + LIE + -ER] an outcrop area of older rocks entirely surrounded by younger rocks

in loco *cit.* [L. *in loco citato*] in the place cited

in loco pa-ren-tis (in lō'kō pə ren'tis) [L.] in the place of a parent, or of a parent's authority

in-ly (in'lē) *adv.* [ME. *inliche* < OE. *inlice*; see IN- + -LY'] [Poet.] 1. inwardly 2. intimately

in-mate (in'māt') *n.* [IN- + MATE'] a person living with others in the same building, now esp. one confined with others in a prison or institution

in me-di-as res (in mā'dē ās rās') [L., lit., into the midst of things] in the middle of the action rather than at the beginning, as in commencing an epic

in me-mo-ri-am (in mə mōr'ē əm) [L.] in memory (of): put on tombstones, in obituary notices, etc.

in-mesh (in mesh') *vt. same as* ENMESH

in-mi-grant (in'mi'grānt) *adj.* coming in from another region of the same country (*in-migrant workers*) — *n.* an in-migrant person or animal — *in'-mi'grate* (-grāt) *vi. -grat-ed, -grat-ing* — *in'-mi-gra'tion n.*

in-most (in'mōst') *adj.* [ME. *innemest* < OE.; see IN- + -MOST] 1. located farthest within 2. most intimate or secret; innermost (*inmost thoughts*)

Inn (in) river flowing from E Switzerland, across W Austria & SE Bavaria, into the Danube: c. 320 mi.

inn (in) *n.* [ME. *yn* < OE. *inn* (akin to ON. *inni*) < *inn, inne, adv.*, within: cf. IN] 1. orig., any dwelling or lodging 2. *a.* an establishment or building providing food, drink, bedrooms, etc. for travelers; hotel; esp. one in the country or along a highway *b.* a restaurant or tavern Now usually only in the names of such places 3. [Brit.] formerly, any of various houses in London providing lodging for students: see INN OF COURT — *vt., vi.* [Archaic] to lodge at an inn

in-nards (in'ərdz) *n.pl.* [altered < INWARDS] [Dial. or Colloq.] 1. the internal organs of the body; viscera; entrails 2. the inner parts of anything

in-nate (i nāt', in'āt) *adj.* [L. *innatus*, pp. of *innasci*, to be born in, originate in < *in-*, in + *nasci*, to be born: see NATIVE] 1. *a.* existing naturally rather than acquired; that seems to have been in one from birth (*innate talent*) *b.* existing as an inherent attribute (the *innate* humor of a situation) 2. *Bot.* borne at the apex of the support, as an anther — *in-nate'ly adv.* — *in-nate'ness n.*

SYN.—*innate* and *inborn* are often interchangeable, but *innate* has more extensive connotations, describing that which belongs to something as part of its nature or constitution, and *inborn*, the simpler term, more specifically suggesting qualities so much a part of one's nature as to seem to have been born in or with one (*inborn modesty*); *inbred* refers to qualities that are deeply ingrained by breeding (an *inbred* love of learning); *congenital* implies existence at or from one's birth, specifically as a result of prenatal environment (*congenital blindness*); *hereditary* implies acquirement of characteristics by transmission genetically from parents or ancestors (*hereditary blindness*)

in-ner (in'ər) *adj.* [ME. < OE. *innarra*, compar. of *inne*, within, IN] 1. located farther within; interior; internal (*inner organs*) 2. of the mind or spirit (*inner peace*) 3. more intimate, central, or secret (*inner emotions*)

inner circle a small, exclusive group of people who control or influence customs, thought, etc.

inner city the sections of a large city in or near its center, esp. when crowded or blighted

in-ner-di-rect-ed concerned with goals than by others; no

Inner Hebrides

sulting from the p

inner man 1. one

morously, one's st

Inner Mongolia

of the Mongolian

the Inner Mongo

mi.; pop. 9,200,000

in-ner-most (in'ə

1. located farthest

in-ner-sole (-sōl')

winner space any

outer space; speci

b. the sea or dept

in-ner-spring ma

built-in coil spring

Inner Temple see

inner tube a rub

TUBE (sense 2)

in-ner-vate (i nar

[< IN- + NERVE +

body) with nerve

to movement or a

in-ner-ve (i narv')

INNERVATE 2. to

in-ness (in'is), Ge

in-ning (in'in) *n.*

innion, to get in,

reclaiming, as of w

the sea 2. *Baseba*

in which a team

by three outs *b.*

teams have a turn

sists of nine innin

nity for action, ex

election gave him

inn-keep-er (in'k

an inn

in-no-cence (in'ə

1. the quality of

freedom from sin

guilt *c.* freedom f

of sophistication;

2. an innocent pe

in-no-cen-cy (-sə

(senses 1 & 2) 2.

In-no-cent (in'ə

Innocent I, Saint

July 28 2. **Innoc**

Pope (1130-43)

de Segni, 1161?-

(born *Sinibaldo* a

Innocent XI (bo

(1676-89)

in-no-cent (-sant

not + *nocens*, pri

see NECRO-] 1. fre

or thinking nothi

of a specific crime

effect or cause;

d. not malignant;

ing no evil *b.* *w*

c. naive *d.* ignor

of adornment/—

as a child 2. *a*

in-no-cent-ly adv

in-noc-u-ous (i n

+ *nocuus*, harmf

1. that does not

insect/ 2. not con

and uninspiring

adv. — **in-noc'u-o**

Inn of Court (cf.

societies having

practice at the b

(*Inner Temple*, *I*

Inn) belonging to

in-nom-i-nate (i

IN- + NOMINATE

no specific name

innominate *bon*

that, together wi

pelvis: it is forme

pubis, which beco

in-no-vate (in'ə

pp. of *innovare*, to

< *novus*, NEW] 1

— *vt.* to bring in

— *in'no-va'tor n.*

in-no-va-tion (in

or process of inn

new method, cus

doing things — *n*

in-nox-i-ous (i n

harmless; innocu