



Staff Report to the Zoning Administrator

Application Number: **05-0126**

Applicant: Herb Ichikawa

Owner: Leung Family Investments, LLC

APN: 033-141-25 and 26

Agenda Date: August 4, 2006

Agenda Item #: **4.**

Time: After 10:00 a.m.

Project Description: Proposal to demolish two commercial buildings and construct an approximately 2,700 sq. ft. restaurant with studio apartment above.

Location: 900 - 41st Avenue, Santa Cruz

Supervisorial District: First District (District Supervisor: Janet K. Beautz)

Permits Required: Commercial Development, Coastal Development Permit and Preliminary Grading Approval

Staff Recommendation:

- Approval of Application 05-0126, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|--|
| A. | Project plans | K. | Sign proposal |
| B. | Findings | L. | Sanitation District correspondence |
| C. | Conditions | M. | Redevelopment comments |
| D. | Categorical Exemption (CEQA determination) | N. | Accessibility comments |
| E. | Location map | O. | Soquel Creek Water District comments |
| F. | General Plan map | P. | Soils report review letter |
| G. | Zoning map | Q. | Pleasure Point Commercial Area Plan excerpts |
| H. | Discretionary Application Comments | | |
| I. | Urban Designer's Memo | | |
| J. | Perspective of proposed building | | |

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

Application #: **05-0126**
APN: **033-141-25 and 26**
Owner: **Leung Family Investments, LLC**

Parcel Information

Parcel Size: 14,250 sq. ft.
Existing Land Use - Parcel: Commercial
Existing Land Use - Surrounding: Commercial
Project Access: 41st Avenue
Planning Area: Live *Oak*
Land Use Designation: C-C (Community Commercial)
Zone District: C-2 (Neighborhood Commercial)
Coastal Zone: *h i d e* Outside
Appealable to Calif. Coastal Commn. Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed **to** be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Traffic: N/A
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped no physical evidence on site

Services Information

Urban/Rural Services Line: Inside Outside
Water Supply: City of Santa Cruz Water Department
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5

History

Application 02-0096 **was** approved in October 2002 and was allowed to lapse. The applicant is re-applying for the same project.

Project **Setting**

The project is located in Pleasure Point, near the corner of 41st Avenue and Portola Drive. This area is within the Pleasure Point Commercial Area Plan.

Zoning & General Plan Consistency

The subject property is comprised of two lots totaling 14,250 square feet. The parcels are located in the C-2 (Neighborhood Commercial) zone district, a designation that allows Commercial uses. The proposed new commercial building (restaurant) is a principal permitted use within the zone district and the project is consistent with the site's (C-C) Community Commercial General Plan designation.

SITE DEVELOPMENT STANDARDS TABLE

	C-2 Standards	Proposed Development
Front yard setback:	10 feet min.	10'-0"
Side yard setbacks:	0 feet min.	5'-0" (north) / 56' ± (south)
Rear yard setback:	30 feet min. (abuts R zoning)	78' ±
Building Height:	35 feet max. (three stories max.)	25'-2" (two stories)

The Pleasure Point Commercial Area Plan was prepared by the Redevelopment Agency and adopted by the Board of Supervisors on August 15, 1999. This parcel is specifically discussed in the plan –

“New buildings on this site should complement the existing buildings and incorporate pedestrian amenities, including storefront windows oriented to the sidewalk. Buildings should be built to the sidewalk, or have activity spaces between the structure and the sidewalk, such as outdoor eating areas, small plazas or building entries. Parking should be located to the rear of the parcels, and should be well marked.”

‘AN new development, on any site in the Pleasure Point commercial area, should be designed to reinforce the scale, size and pedestrian orientation of the district. New or remodeled buildings should be located at or near the sidewalk, or should incorporate public areas, such as outdoor eating areas, at the front of the building. No one style of architecture is common to the area, but design elements should be carefully planned to enhance the overall district, and to improve the general image.’

Staff believes that the area plan does have some standing since the Board of Supervisors adopted it. The current site plan does not include an outdoor eating area, and staff is requiring it as a condition of approval.

Parking

The restaurant portion of the project includes 2,101 square feet of area, which does not include storage areas. The parking requirement, per Section 13.10.552(b) would be one space per 100 square feet of restaurant, 0.3 spaces per employee (4 full-time and 5 part-time employees) and two spaces for the studio apartment for a total 26 parking spaces required. It is unlikely that all eleven employees would be on site at any one time, however.

The applicant is proposing a total of 24 spaces, including two compact spaces and one van accessible space. Per the discussion following, however, the applicant has not proposed to include an outdoor eating area, as recommended in the Pleasure Point Commercial Area Plan. Since the previous application was approved in 2002, a mixed-use commercial project has been completed on the parcel to the south. This project includes restaurant space with outdoor dining areas, as recommended in the plan, as does Taqueria Vallarta located to the northwest on 41st Avenue.

Staff recommends that this restaurant also incorporate an outdoor dining area, for consistency with surrounding development and the Commercial Area Plan. The County's parking ordinance, Section 13.10.553(a) of the County Code, does allow for the approving body to supersede parking standards elsewhere in the ordinance in order to permit or preserve significant public amenities, if a specific finding is made that visitor access and parking will not be preempted. Because there are two different uses (residential and commercial) which share the parking lot, and the outdoor dining area will not be usable in cold or inclement weather, staff recommends that the Zoning Administrator approve the parking plan as submitted, to maintain the public amenity of the outdoor dining area which will add to the vitality of the commercial area. Because the outdoor dining area will be used most during lunch and early evening hours, the use of that area will not correspond to the peak parking demand generated by dinner service. Visitor access and parking is located further south on 41st Avenue, and will not be compromised by any reduction of required parking for the proposed use.

Local Coastal Program Consistency

The proposed new commercial building (restaurant) is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain commercial buildings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed new commercial building (restaurant) complies with the requirements of the County Design Review Ordinance (Chapter 13.11). The Urban Designer reviewed the project and comments are attached as Exhibit I.

Signage

The applicant is proposing two fixed signs with external illumination. The larger sign is shown on the tower element of the building facing the street. This sign is 60 inches wide and 36 inches long. A smaller doorway sign is also proposed to be 32 inches wide and 16 inches long. The code allows a building to have a total of one half square foot per linear foot of street frontage. These two parcels have a total frontage of ninety-five feet, allowing 42.5 sq. ft. maximum

Application #: 05-0126
APN: 033-141-25 and 26
Owner: Leung Family Investments, LLC

signage. The applicant is proposing approximately 18.55 sq. ft.

Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and no change of zoning is proposed. No extenuating circumstances or special site conditions that would require further review under CEQA are evident in the proposed project.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Application# **05-0126**
APN: **033-141-25 and 26**
Owner: **Leung Family Investments, LLC**

Staff Recommendation

- APPROVAL of Application Number **05-0126**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

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

Report Prepared By: Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2676
E-mail: pln795@co.santa-cruz.ca.us

Application #: 05-0126
APN: 033-141-25
owner: Leung Family Investments, LLC

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned C-2 (Neighborhood Commercial), a designation that allows Commercial uses. The proposed new commercial building (restaurant) is a principal permitted use within the zone district, consistent with the site's (C-C) Community Commercial General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the new commercial building (restaurant) will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program. A reduction in the number of parking spaces required will not affect visitor access parking as these amenities are provided further south on 41st Avenue, at the intersection of 41st Avenue and East Cliff Drive.

5. That the proposed development is in conformity with the certified local coastal program.

This finding **can** be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, Commercial uses are allowed uses in the C-2 (Neighborhood Commercial) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed

Application#: 05-0126
APN: 033-141-25
Owner: Leung Family Investments, LLC

parcels in the area contain commercial structures. Size and architectural styles **vary** widely in the area, and the design submitted is not inconsistent with the existing range.

Application #: 05-0126
APN: 033-141-25
Owner: Leung Family Investments, LLC

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for Commercial uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed new commercial building (restaurant) will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the new commercial building (restaurant) and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the C-2 (Neighborhood Commercial) zone district in that the primary use of the property will be one new commercial building (restaurant) that meets all current site standards for the zone district.

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 Commercial use is consistent with the use and density requirements specified for the Community Commercial (C-C) land use designation in the County General Plan.

The proposed new commercial building (restaurant) will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the new commercial building (restaurant) will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed new commercial building (restaurant) will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed new commercial building (restaurant) will comply with the site standards for the C-2 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result

Application # OS-0126
APN: 033-141-25
Owner: Leung Family Investments, LLC

in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County, however the Board of Supervisors adopted the Pleasure Point Commercial Area Plan (*see* discussion above).

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 new commercial building (restaurant) is to be constructed on an existing developed lot.

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 structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed new commercial building (restaurant) is consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed new commercial building (restaurant) will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Application # 05-0126
APN: 033-141-25
owner: Leung Family Investments, LLC

Conditions of Approval

Exhibit A: Architectural plans prepared by Herbert Ichikawa, Architect, dated November 4, 2001 (revised May 5, 2006 - Sheet A1b, revised July 5, 2005).
Landscape plans prepared by Greg Lewis, Landscape Architect, dated January 9, 2001 (revised April 21, 2005).

- I. This permit authorizes the demolition of two commercial buildings and construction of a commercial building (restaurant). Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official, if required.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 2. Grading, drainage, and erosion control plans.

Application #: OS-0126
APN: 033-141-25
Owner: Leung Family Investments, LLC

3. The site plan and landscape plans shall show an outdoor eating area of approximately 200 sq. ft. Final architectural and landscape plans shall be approved by the Urban Designer.
4. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.

Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.

- D. Meet all requirements of and pay Zone **5** drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - E. Obtain an Environmental Health Clearance for this project ~~from~~ the County Department of Environmental Health Services.
 - F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - G. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer, if required.
 - H. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - I. Pay the current fees for Roadside and Transportation improvements for one unit and commercial construction. Currently, these fees are, respectively, \$2,080 and \$2,080 per unit. Commercial construction fees are, respectively, \$208 and \$208 per trip end.
 - J. Provide required off-street parking for **24 cars**. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be

Application #: 050126
APN: 033-141-25
Owner: Leung Family Investments, LLC

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 the approved soils reports.
- D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-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 16.42.100, 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.

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

Application #: 05-0126
APN: 033-141-25
Owner: Leung Family Investments, LLC

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 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 two years from the effective date unless you obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Lawrence Kasparowitz
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

Application Number: 05-0126
Assessor Parcel Number: 033-141-25
Project Location: 900 41st Avenue, Santa Cruz

Project Description: Proposal to demolish two commercial buildings and construct an approximately 2,700 sq. ft. restaurant.

Person Proposing Project: Herb Ichikawa, Architect

Contact Phone Number: (831) 689-9740

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

Specify type:

- E. Categorical Exemption

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

F. Reasons why the project is exempt:

Construction of a small commercial building within an area designated for commercial development.

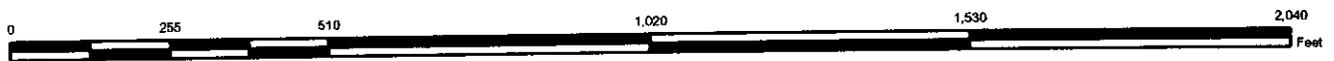
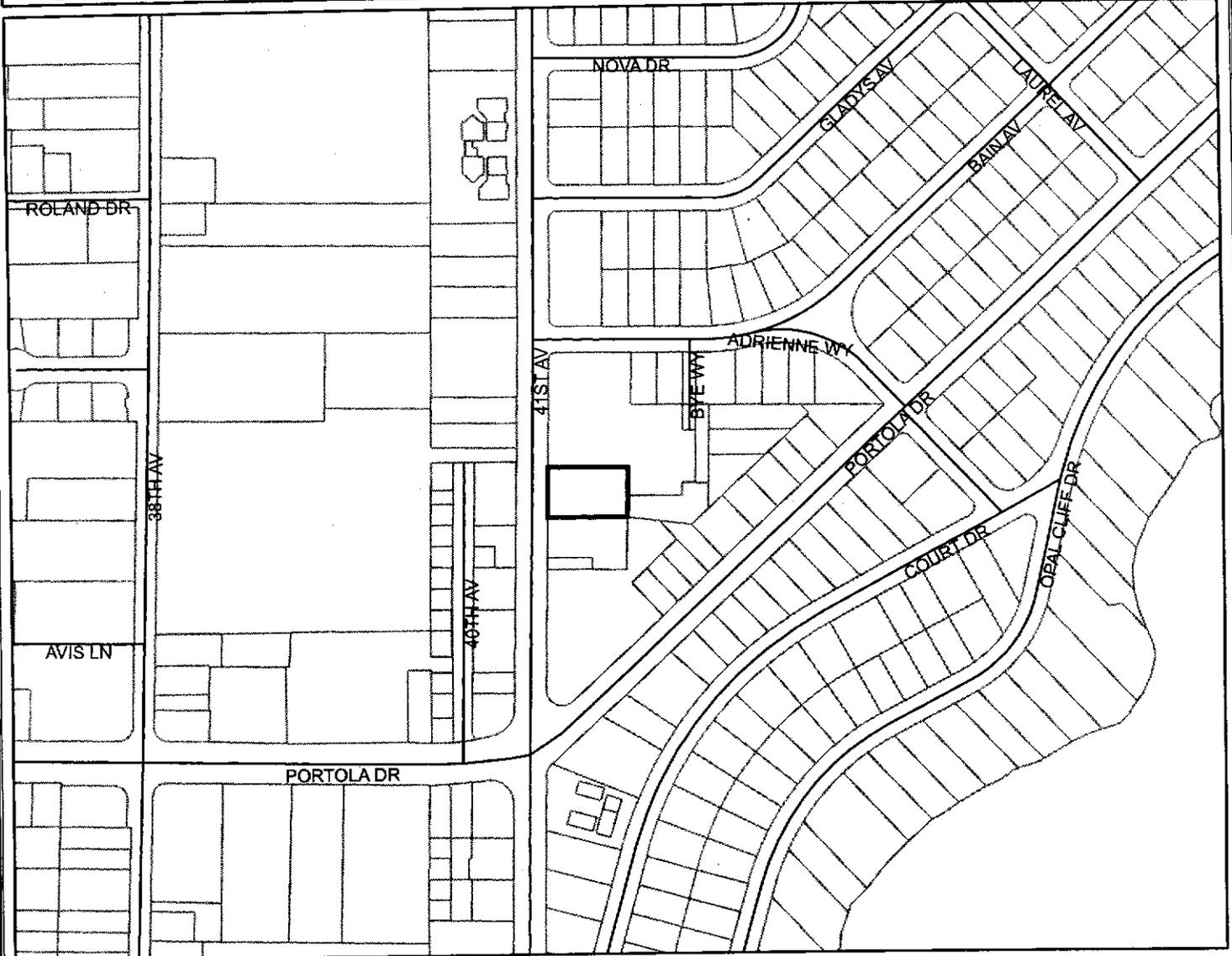
In addition, none of the conditions described in Section 15300.2 apply to this project.

Lawrence Kasparowitz, Project Planner

Date: _____

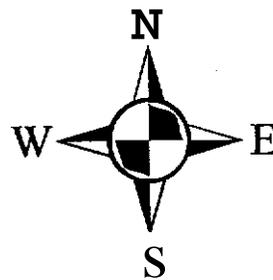


Location Map



Legend

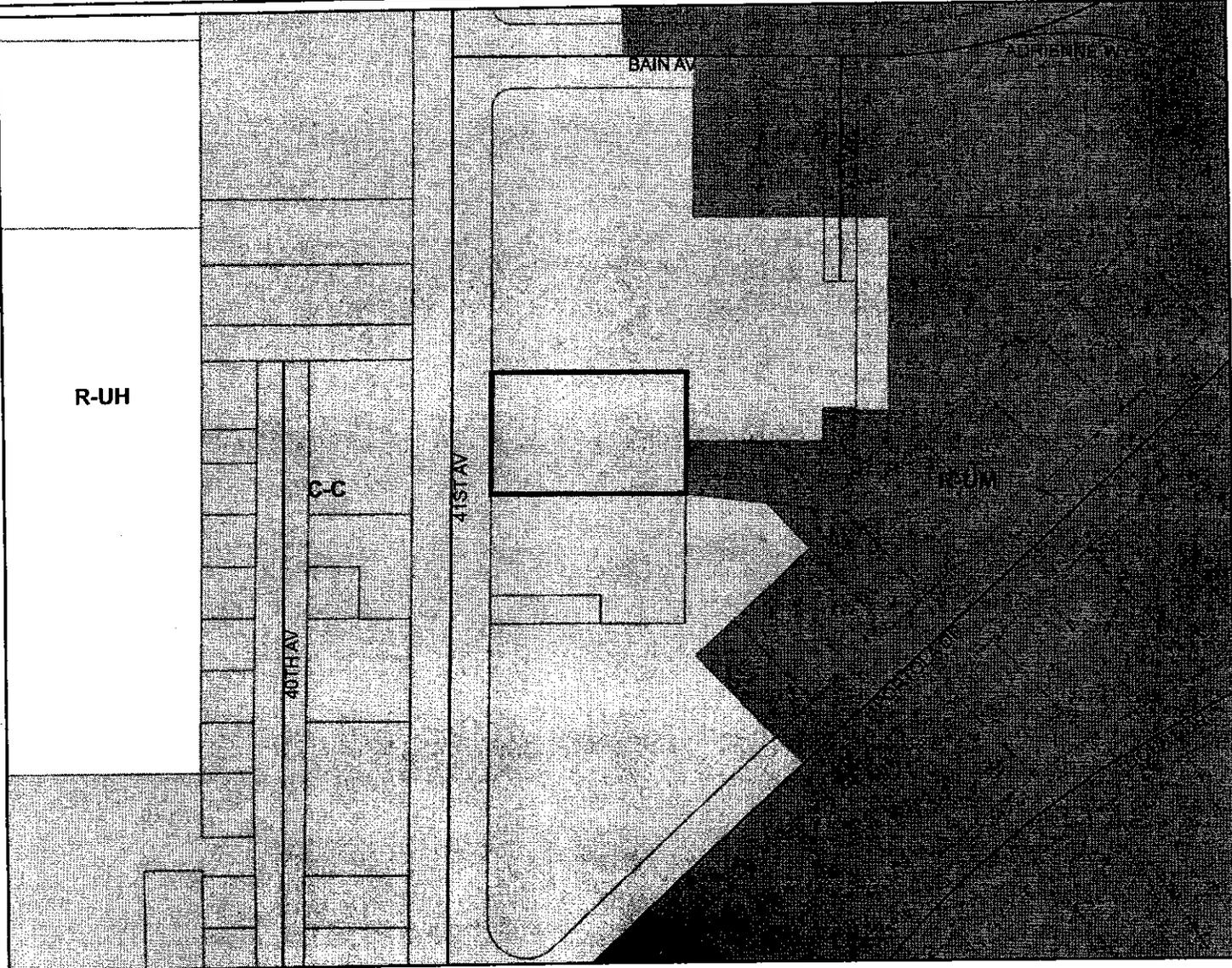
-  APN 033-141-56
-  Streets
-  Assessors Parcels



Map Created by
County of Santa Cruz
Planning Department
June 2006

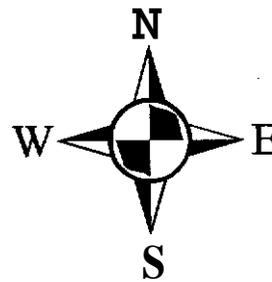


General Plan Designation Map



Legend

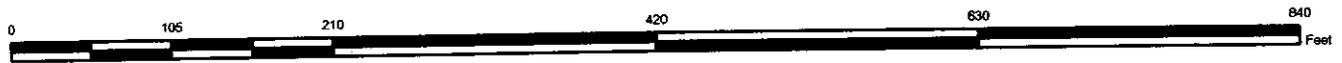
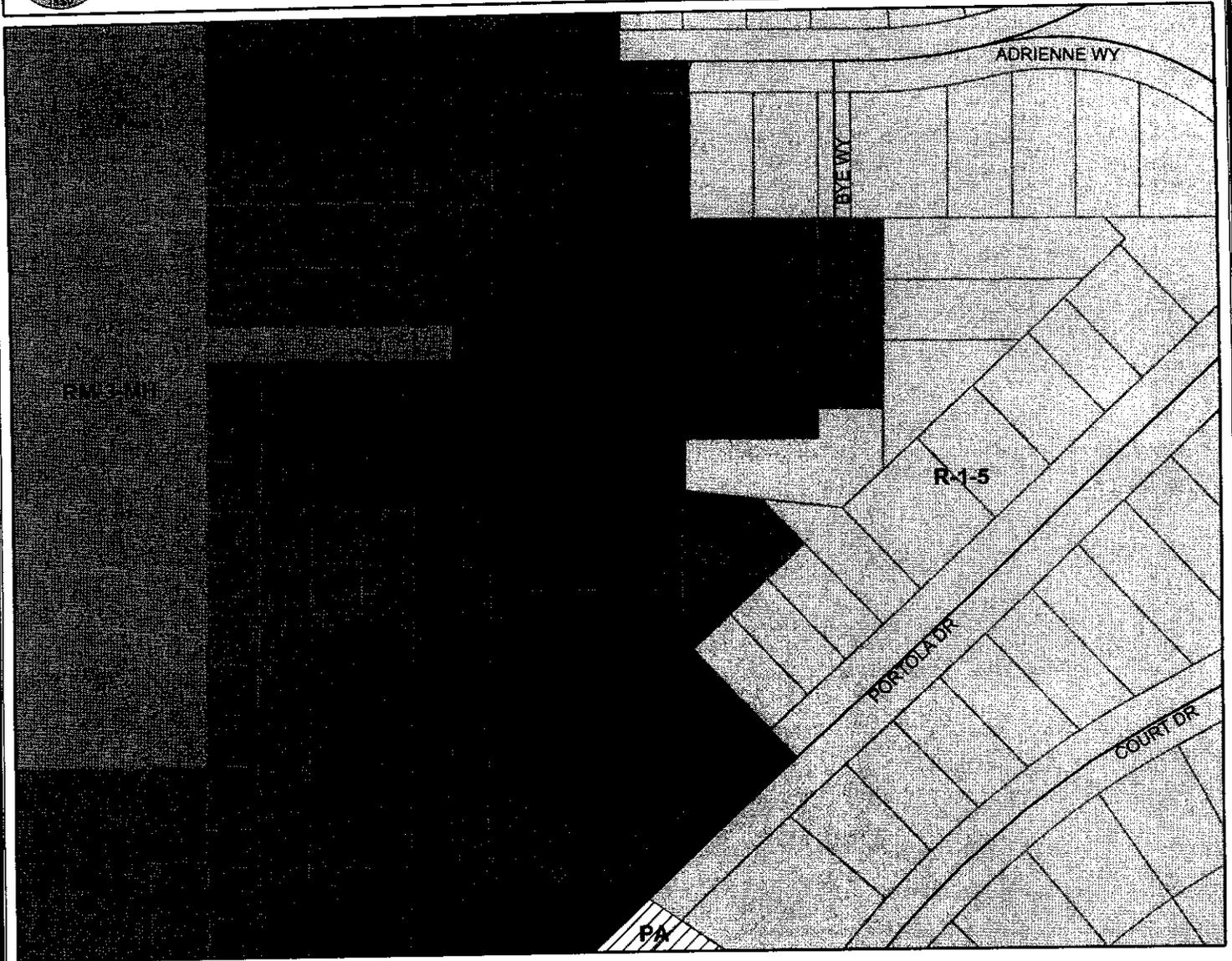
-  APN 033-141-56
-  Assessors Parcels
-  Streets
-  Commercial-Community (C-C)
-  Residential - Urban Medium Density (R-UM)
-  Commercial-Office (C-O)
-  Residential - Urban High Density (R-UH)



Map Created by
County of Santa Cruz
Planning Department
June 2006

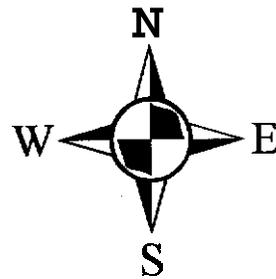


Zoning Map



Legend

-  APN 033-141-56
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  RESIDENTIAL-MULTIFAMILY (RM)
-  COMMERCIAL-COMMUNITY (C-2)
-  COMMERCIAL-PROF OFFICE (PA)



Map Created by
County of Santa Cruz
Planning Department
June 2006

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Larry Kasparowitz
Application No.: 05-0126
APN: 033-141-25

Date: June 19, 2006
Time: 08:04:38
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON MARCH 14, 2005 BY KEVIN D CRAWFORD =====
03/14/05 - Project Description should include Soils Report Review and the ESR fee should also appear in the fees listed. Also both parcels should be included in this application. APN 033-141-26 is also part of the project, and is where the building is proposed. ===== UPDATED ON MARCH 15, 2005 BY JESSICA L DEGRASSI =====
NO COMMENT
===== UPDATED ON MARCH 21, 2005 BY KENT M EDLER ===== 1. The soils report has been accepted.

Environmental Planning Miscellaneous Comments

===== REVIEW ON MARCH 14, 2005 BY KEVIN D CRAWFORD =====
03/14/05 - Project Description should include Soils Report Review and the ESR fee should also appear in the fees listed. Also both parcels should be included in this application. APN 033-141-26 is also part of the project, and is where the building is proposed. ===== UPDATED ON MARCH 15, 2005 BY JESSICA L DEGRASSI =====
Please submit a detailed erosion and sediment control plan with building permit application.

A plan review letter will be required from the soils engineer prior to approval of the building permit application.

===== UPDATED ON MARCH 21, 2005 BY KENT M EDLER ===== The grading quantities should include over excavation / recompaction volumes. Also the grading calculation shown on sheet Alb appear to be incorrect. (The parking lot area is low and the excavation depth should be .92' not .65').

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 21, 2005 BY ALYSON B TOM ===== Application with plans dated 1/7/03 has been received. Please address the following:

- 1) The drainage review fee collected was incorrect. Please submit an additional \$570 to cover the commercial review fee. This fee should be submitted to the Planning Department.
- 2) Please clarify if the existing impervious areas are permitted or not. Credit for fees and impact assessment is only given for permitted impervious areas. Please submit supporting documentation that shows that the existing lot coverage is permitted (or that it was constructed prior to the establishment of zone 5 in 1969). Please note that baserock/gravel is considered semi-impervious and is credited at half the rate,
- 3) This project is required to limit runoff to pre project levels, based on the permitted impervious area determined by comment No. 2. Retention and other infiltrative BMPs should be utilized to meet this requirement. Detention is only allowed if

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
Application No.: 05-0126
APN: 033-141-25

Date: June 19, 2006
Time: 08:04:38
Page: 2

other means of mitigation are not feasible on the site

4) Per the general plan this project must limit proposed impervious areas. The plans submitted did not appear to meet this requirement. Consider utilizing alternative surfacing such as pervious concrete to meet this requirement.

All submittals for this project should be made through the Planning Department. For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

Please see miscellaneous comments for issues to be addressed in the building permit stage.

===== UPDATED ON JULY 25, 2005 BY ALYSON B TOM ===== Application with plans dated 6/20/05 has been received. Previous comments have not been addressed. Please address the following:

1) Previous comment No.1 is still outstanding

2) Previous comment No.2 is still outstanding

3) Previous comment No.3 has not been fully addressed. Please provide an analysis of the proposed drainage facilities demonstrating that the post project runoff rate will be limited to pre project levels. The analysis should take into account the runoff received from off site. Please provide an watershed map describing the extent of the area draining to this site from the two existing downspouts on the adjacent parcel. Instead of hard piping all runoff from the northern parking area, consider grading parking area to sheet flow onto the proposed permeable paving. If this can not be accommodated, and if the offsite area draining to the site is large enough, the detention system should be designed as an off-line system, allowing upstream runoff to bypass.

===== UPDATED ON DECEMBER 28, 2005 BY ALYSON B TOM ===== Re-routing of plans dated 6/20/05 has been received. None of the previous comments have been addressed.

Please address previous comments

===== UPDATED ON MARCH 22, 2006 BY ALYSON B TOM ===== Re-route of site and drainage plan dated 6/20/05 for the third time has been received. None of the previous comments were addressed. Please address previous comments and resubmit.

===== UPDATED ON JUNE 16, 2006 BY ALYSON B TOM ===== Application with sheet Alb dated 5/5/06 has been received and is complete with regards to stormwater management for the discretionary stage. Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON MARCH 21, 2005 BY ALYSON B TOM ===== The following should be addressed prior to building permit issuance:

1) Submit a copy of a recorded maintenance agreement for any proposed structural water quality treatment device.

Discretionary Comments - Continued

Project Planner: Larry Kasparowitr
Application No.: 05-0126
APN: 033-141-25

Date: June 19, 2006
Time: 08:04:38
Page: 3

2) Include a note that calls for signage next to all proposed inlets stating "No Dumping - Drains to Bay" or equivalent. This signage is to be maintained by the property owner.

3) Show the trash enclosure area. describe how it is designed to prevent storm water pollution (water tight covers, covered area, etc.).

4) Zone 5 fees will be assessed on the net increase in impervious area due to the project

Additional site specific details may be required at the building permit stage.

===== UPDATED ON JULY 25, 2005 BY ALYSON B TOM ===== Please address previous comments 1 and 4 in addition to the following prior to building permit issuance:

1) Provide specifications for the proposed permeable paving and sub drain system

2) Locate the proposed silt and grease trap so that all driveway and parking lot runoff is treated prior to discharge from the site

3) Provide an engineer's estimate for the drainage related items, a 2% deposit (\$525 minimum) will be required for inspection. Provide a reproducible set of the civil plans/drainage plan with the Zone 5 signature block on the first sheet for review and signature once all other reviewing agencies have approved the building permit.

Additional comments may be made at the building permit stage.

===== UPDATED ON JUNE 16, 2006 BY ALYSON B TOM ===== Please address the following in addition to previous miscellaneous comments prior to building permit issuance:

1) Please provide details describing how runoff from the proposed concrete swale will be discharged to sheet flow over the proposed permeable paving.

2) Please provide detailed plans and calculations for the proposed detention system

3) Provide a detail for the connection of the proposed 12 HDPE to the existing manhole in 41st Avenue.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON MARCH 30, 2005 BY RUTH L ZADESKY =====
===== UPDATED ON MARCH 30, 2005 BY RUTH L ZADESKY =====

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON MARCH 30, 2005 BY RUTH L ZADESKY =====
Driveway to conform to County Design Criteria Standards.
Encroachment permit required for all off-site work in the County road right-of-way.
Civil engineered plans required for curb, gutter and sidewalk.

Dpw Road Engineering Completeness Comments

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
Application No.: 05-0126
APN: 033-141-25

Date: June 19, 2006
Time: 08:04:38
Page: 4

===== REVIEW ON MARCH 22, 2005 BY GREG J MARTIN =====

Please show both sides of Forty First Avenue and for a 100 feet in each direction. A cross section of Forty First Avenue and profiles are required. The cross section should be extended through the building so the relationship between the street cross section, sidewalk, and finish floor elevation can be seen. Spot elevations on the plan view are recommended as well to show this clearly. Separated sidewalk is required along the frontage unless an exception is requested.

A five foot landscape strip is recommended between parking areas and the property line.

It's unclear how the parking area will be separated from the pedestrian area around the building. Please show this area clearly and identify the surface materials and any changes in grade.

If you have any questions please contact Greg Martin at 831-454-2811. ===== UP-DATED ON AUGUST 4, 2005 BY GREG J MARTIN =====
Previous comments not addressed.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON JANUARY 4, 2006 BY GREG J MARTIN =====
The project application remains incomplete as inadequate information is provided regarding Forty First Avenue.

Improvement plans are recommended to be prepared by a Registered Civil Engineer. Please show both sides of Forty First Avenue and for a 100 feet in each direction in plan view. A cross section of Forty First Avenue and profiles are required. The cross section should be extended through the building so the relationship between the street cross section, sidewalk, and finish floor elevation can be seen. Spot elevations on the plan view are recommended as well to show this clearly. Separated sidewalk is required along the frontage unless an exception is requested. An exception may be requested by showing the standard section crossed out and the proposed section.

The parking aisle and parking as you enter the project is 42 feet wide. The required width for parking in this configuration is 44 feet.

We recommend grade separations (curb) between parking areas and pedestrian areas. At the back of the building it appears that the parking spaces are at the same grade as the pedestrian area around the building. Wheel stops are proposed to prevent cars from entering the pedestrian area. We recommend a standard curb as is typical for this type of configuration.

A five foot landscape strip is recommended between parking areas and the property line. There is less than five feet along the southern property line.

An easement shall be required for the sidewalk which wraps around the driveway. If you have any questions please contact Greg Martin at 831-454-2811.

Dpw Road Engineering Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Larry Kasparowitr
Application No.: 05-0126
APN: 033-141-25

Date: June 19, 2006
Time: 08:04:38
Page: 5

===== REVIEW ON MARCH 22, 2005 BY GREG J MARTIN =====
===== UPDATED ON AUGUST 4, 2005 BY GREG J MARTIN =====
===== UPDATED ON JANUARY 4, 2006 BY GREG J MARTIN =====

Environmental Health Completeness Comments

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

===== REVIEW ON MARCH 22, 2005 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

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

----- REVIEW ON MARCH 22, 2005 BY JIM G SAFRANEK =====

Applicant must obtain approval for an Environmental Health Plan Review prior to submittal of building plans. Applicant must obtain Environmental Health Plan Check approval, a construction inspection final and a Food Establishment Health Permit prior to opening. Contact R. Houston of Environmental Health at 454-2734.

MEMORANDUM

Application No: 05-0126

Date: March 23,2006

To: Lawrence Kasparowitz, Project Planner

From: Urban Designer

Re: Design Review for a new restaurant at 41st Avenue, Santa Cruz

GENERAL PLAN ZONING CODE ISSUES

Design Review Authority

13.11.040 Projects requiring design review.

(e) All commercial remodels or new commercial construction

Design Review Standards

13.11.072 Site design.

Evaluation criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Building siting in terms of its location	3		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship	✓		
Street design and transit facilities			NIA
Relationship to existing structures	✓		
Relate to surrounding topography			NIA
Retention of natural amenities			NIA
Siting and orientation which takes			NIA

advantage of natural amenities			
Ridgeline protection			NIA
Views			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Accessible to the disabled, pedestrians, bicycles and vehicles			NIA
energy system			
Noise			
Reasonable protectionfor adjacent properties	✓		

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks			N/A
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and keatment of entryways	✓		
Finish material, texture and color	✓		
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human Scale and pedestrian	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting.	✓		
Solar Design			

EXHIBIT I

Building design provides solar access that is reasonably protected for adjacent properties.	✓		
Building walls and major window areas are oriented for passive solar and natural lighting.			N/A

13.11.074 Access, circulation and parking.

Minimize the visual impact of pavement and parked vehicles.	✓		
Parking design shall be an integral element of the site design.	✓		
Site buildings toward the front or middle portion of the lot and parking areas to the rear or side of the lot is encouraged where appropriate.	✓		
Lighting			
All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties.			<i>Suggest as Condition of Approval</i>
Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.			<i>Suggest as Condition of Approval</i>
All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed.			<i>Suggest as Condition of Approval</i>
Building and security lighting shall be integrated into the building design.			<i>Suggest as Condition of Approval</i>
Light sources shall not be visible fr adjacent properties.			<i>Suggest as Condition of Approval</i>
Loading areas			
Loading areas shall be designed to not interfere with circulation or parking, and to permit trucks to fully maneuver on the property without backing from or onto a public street.	✓		
Landscape			
A minimum of one tree for each five parking spaces should be planted along each single or double row of parking spaces.	✓		
A minimum of one tree for each five parking spaces shall be planted along rows of parking.	✓		

EXHIBIT (6

Trees shall be dispersed throughout the parking lot to maximize shade and visual relief.	✓		
At least twenty-five percent (25%) of the trees required for parking lot screening shall be 24-inch box size when planted; all other trees shall be 15 gallon size or larger when planted.	✓		
Parking Lot Design			
Driveways between commercial or industrial parcels shall be shared where appropriate.	✓		
Avoid locating walls and fences where they block driver sight lines when entering or exiting the site.	✓		
Minimize the number of curb cuts	✓		
Driveways shall be coordinated with existing or planned median openings.	✓		
Entry drives on commercial or industrial projects greater than 10,000 square feet should include a 5-foot minimum net landscaped median to separate incoming and out going traffic, where appropriate.	✓		
Service Vehicles/Loading Space. Loading space shall be provided as required for commercial and industrial uses .	✓		
Where an interior driveway or parking area parallels the side or rear property line, a minimum 5-foot wide net landscape strip shall be provided between the driveway and the property	✓		
Parking areas shall be screened from public streets using landscaping, berms, fences, walls, buildings, and other means, where appropriate.	✓		
Bicycle parking spaces shall be provided as required in. They shall be appropriately located in relation to the major activity area.	✓		
Reduce the visual impact and Scale of interior driveways, parking and paving.	✓		
Parking Lot Landscaping			
It shall be an objective of landscaping to accent the importance of driveways from the street , frame the major circulation aisles, emphasize pedestrian pathways, and provide shade and screening.	✓		

Parking lot landscaping shall be designed to visually screen parking from public streets and adjacent uses .	✓		
Parking lots shall be landscaped with large canopy trees.	✓		
A landscape strip shall be provided at the end of each parking aisle.	✓		
A minimum 5-foot wide landscape strip (to provide necessary vehicular back-out movements) shall be provided at dead-end aisles.	✓		
Parking areas shall be landscaped with large canopy trees to sufficiently reduce glare and radiant heat from the asphalt and to provide visual relief from large stretches of pavement .	✓		
Variation in pavement width, the use of texture and color variation is paving materials, such as stamped concrete, stone, brick, pavers, exposed aggregate, or colored concrete is encouraged in parking lots to promote pedestrian safety and to minimize the visual impact of large expanses of	✓		
landscaped areas next to parking spaces or driveways shall be protected by a minimum six-inch high curb or wheel stop, such as concrete, masonry, railroad ties, or other durable materials.			
Pedestrian Travel Paths			
On-site pedestrian pathways shall be provided form street, sidewalk and parking areas to the central use area. These areas should be delineated from the parking areas by walkways, landscaping, changes in paving materials, narrowing of roadways, or other design techniques.	✓		
Plans for construction of new public facilities and remodeling of existing facilities shall incorporate both architectural barrier removal and physical building design and parking area features to achieve access for the physically disabled.	✓		
Separations between bicycle and pedestrian circulation routes shall be utilized where appropriate.	✓		

Design Review Authority

13.20.130 The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design Review Standards

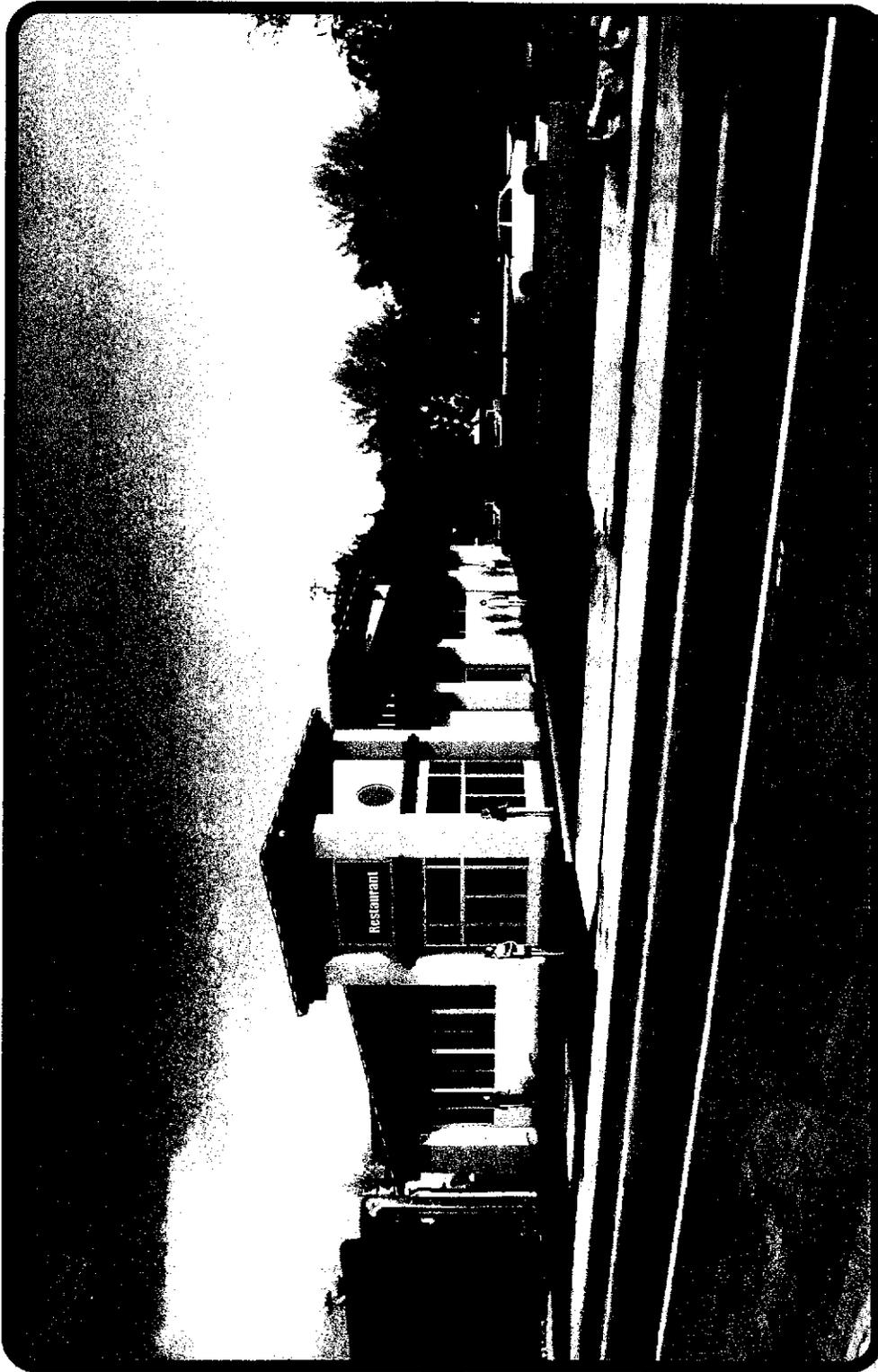
13.20.130 Design criteria for coastal zone developments

Design Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			NIA
Land divisions which would create parcels whose only building site would be exposed on a ridge top shall not be permitted			NIA
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area			NIA

EXHIBIT I

Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			NIA
Development shall not block views of the shoreline from Scenic road turnouts, rest stops or vista points			N/A
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural communities)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			NIA
Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			NIA
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			NIA
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			NIA
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			NIA
Restoration			

Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive			N/A
<hr/>			
Blufftop development and landscaping (e.g., decks, patios, structures, trees , shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive			N/A
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes that harmonize with the character of the area. Natural materials are preferred			N/A



• • • Rendering by: James Leung

Canton Restaurant: View from 41st Avenue

- The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the Uniform Plumbing Code.
- Water use data (actual or projected), and other information as may be required for this project, must be submitted to the District for review and use in fee determination and waste pretreatment requirements before sewer connection permits can be approved.
- The existing sewer lateral must be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure. **An** abandonment permit (no charge) for disconnection must be obtained from the District.



Drew Byrne
Sanitation Engineering

DB:

c: Applicant: Herb Ichikawa
3175 Terrace Drive
Aptos, CA 95003

Owner: Leung Family Investments
P.O. Box 6
Capitola, CA 95010

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: July 26,2005
TO: Larry Kasparowitz, Planning Department, Project Planner & Urban Designer
FROM: Melissa Allen, Planning Liaison to **the Redevelopment Agency**
SUBJECT: Application **05-0126, 2nd Routing**, APN **033-141-25** & 26,900 & 901 41st Ave., LO

The applicant is proposing to demolish two commercial buildings and construct a 2,683 square foot restaurant (see Application No. 02-0096). The project requires a Commercial Development Permit, Coastal Development Permit and Preliminary Grading Approval. The property is located at 900 and 901 41st Avenue, near Portola.

This application was considered at an Engineering Review Group (ERG) meeting on March 17,2005. Please *see* RDA's last comments on this application dated March 30,2005. RDA appreciates **the** applicant providing a front patio area with improved pedestrian access into the building from the street, and widening the landscape strip along the rear and side boundaries. However, other items in the last comments were not addressed. These items address issues such as shared access to adjacent properties, trash enclosure screening, architectural **style**, parcel combining, existing **tree** protection, wheel stops, adequate parking, curb/wall and fence data, signage, etc. The Redevelopment Agency (RDA) is attaching those comments again for reference (**see** attached) and has the following additional comments regarding changes on this routed plan set.

1. A Site Plan and Demolition Plan (Sheets A1 and AI.a in the submittal set) were not provided with this routed set. A revised Site Plan with associated notes, details, parking calculations, etc. should be provided. Additional comments may result after receiving these plans.
2. The previously proposed upper level office and storage area is now shown to be a living unit. This should be included in the project description and the parking calculations adjusted accordingly.
3. RDA encourages that a vehicular, or at minimum, pedestrian and bicycle access be provided and accommodated in the site design to the southeast corner of the site to allow for possible future shared circulation and access through to businesses to the east and ultimately to Portola Drive, as this property is identified with adjacent properties as **an** "opportunity site" in the Pleasure Point Commercial Area Plan. *See* previous comments #s 1 and 2.
4. **One** or two additional 24-inch box frontage trees should be provided in front of the restaurant to replace the proposed tree which was removed from the last plan (in the patio area) and to help soften the building. This could be accomplished by creating tree wells in the front patio area.
5. A sidewalk easement is required along the back of the driveway for a sidewalk transition and to meet ADA requirements.
6. The 41st Avenue information shown on the improvement plans should include all existing improvements including the existing street tree islands located just offsite to the south and directly across the street.
7. The North Elevation of the building has been changed since the last submittal, with all of the windows being removed. RDA recommends that windows or other architectural features be added to this elevation to break up the mass of this blank wall.
8. The wheel stop located in the accessible ramp should be corrected/clarified.

The items and issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA would **like** to see future routings of this project. The Redevelopment Agency appreciates this opportunity to comment. Thank you.

cc: Greg Martin, DPW Road Engineering
Paul Rodrigues, RDA Urban Designer; and Sheryl Bailey, RDA Project Manager

From: James Davies
Sent: Monday, March 28, 2005 5:03 PM
To: Lawrence Kasparowitz
Subject: 05-0126 Leung Family
March 28, 2005

Dear Larry,

We have reviewed the plans submitted for the restaurant/office building to **see** how they meet accessibility standards.

The applicant should review the attached brochure thoroughly and apply that information to the design of this project. These submitted plans show very little, if any, accessible design elements. Maybe the applicant should contact **us** and make an appointment to come in for a meeting to discuss accessibility issues and the project design. The following comments outline some of the main problems:

The B occupancy of this restaurant/office building shows one office to be on the second level. Since this is the only office designed into the building, it will be required **to** be accessible by ramp or elevator to the second floor and provided with an accessible restroom, or the office will need to be relocated to the first floor.

Accessible parking has only been addressed by an " H in a 12 foot space. The access aisle is to be on the passenger side of the vehicle space, not the driver side. There is not an accessible pedestrian way shown in the front by the street, no 4' wide path of travel to the entrance, and the bicycle parking cannot block the path of travel. The occupant load of the building requires two exits to be located more than half the diagonal of the building, and the doors to swing out. The restrooms will require plumbing fixtures that meet CPC Table 4-1 (add a urinal in the men's room), and an accessible hand wash sink in the kitchen. The two floor plans provided don't show the same configuration.

A good review of the accessibility brochure along with a copy **of** the 2001 California Building Code Chapter 11B should provide the architect with enough information to design this building to meet accessibility. Please have them call if they have any questions.

James Davies
Building Plans Examiner
County of Santa Cruz Planning Department
(831) 454-3249



P.O. Box 158
Mail to: 5180 Soquel Drive
Soquel, CA 95073-0158
PHONE (831) 475-8800 PAY (831) 475-4991

**PROJECT
COMMENT
SHEET**

Date of Review: 03/22/05
Reviewed By: carol Carr

Returned: David Keyon
Project: County of Santa Cruz
Comments to: Planning Department
701 Ocean St., Ste. 410
Santa Cruz, CA 95060-4073

Owner: Leung Family Investments
PO Box 6
Capitola, CA 95010

Applicant: Herb Ichikawa
3176 Terrace Dr.
Aptos, CA 96003

Type of Permit: Development Permit
County Application #: 05-0126

Subject APN: 089-141-25
Location: Property located at 900 41st Ave. near Portola Dr.

Project Description: **Proposal to demolish two commercial buildings and construct a 2,683 sq. ft. restaurant.** Requires a Commercial Development Permit, Coastal Development Permit and Preliminary Grading Approval, (see Application No. 02-0098).

Notice

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

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

Requirements

The developer/applicant, without cost to the District, shall:

- 1) Destroy any wells on the property in accordance with State Bulletin No. 74;
- 2) Satisfy all conditions imposed by the District to assure necessary water preeceure. flow and quality;
- 3) Satisfy all conditions for water conservation required by the District at the time of application for service, including the following:
 - a) All applicants for new water service from Soquel Creek Water District shall be required to offset expected water use of their respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area so that any new development has a b r a impact" on the District's groundwater supply. Applicants for new service shall bear those costs associated with the retrofit as deemed appropriate by the District up to a maximum set by the District and pay any associated fees set by the District to reimburse administrative and inspection costs in accordance with District procedures for implementing this program.
 - b) Plans for a water efficient landscape and irrigation system shall be submitted to District Conservation Staff for approval;
 - c) All interior plumbing fixtures shall be low-flow and have the EPA Energy Star label;



P.O. Box 168
Mail to: 5180 Soquel Drive
Soquel, CA 95073-0168
PHONE (831) 475-8500 PAY (831) 475-4281

PROJECT COMMENT SHEET

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

- 4) Complete LAFCO **annexation** requirements, if applicable;
- 5) **ALL** units shall be individually metered with a minimum size of **5/8-inch** by **3/4-inch** standard domestic water meters;

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

Soquel Creek Water District Project Review Comments:

1. SCWD has reviewed plans prepared by Herbert Ichikawa, Architect and has made comments. 1) The applicant will need to **follow** the *Procedures for Processing Water Service Requests for Subdivisions, Multiple Unit Developments, and Commercial Developments*; however, please be advised that additional **conditions** may be imposed as per the above Notice. 2) The applicant is an existing SCWD customer. The applicant will need to submit a fixture count to the SCWD Engineering Department to determine adequate **sizing** of the meter. Should additional meters be required or an upgrade in size of the existing meter, **than** the applicant should be advised that they may need to comply with the Water Demand Offset program to **offset** the increased demand generated by their project. The applicant shall be required to **offset** the expected water use of their **respective development** by a **1.2 to 1 ratio** by **retrofitting existing** developed property within the Soquel Creek Water District service area. Applicants for new service shall bear those **costs** associated with the retrofit. 3) District policy requires that all units to be metered individually. 4) All interior plumbing fixtures shall be low flow and have the EPA Energy Star label. 6) District Conservation Staff will need to review and approve landscape plans. 6) A *Fire Protection Requirements Form* will need to be completed and reviewed by the appropriate Fire District. 7) Water pressure in this area may be high. If so, a *Water Waiver for Pressure &/or Flow* will need to be recorded.

Attachments:

- Soquel Creek Water District Procedures for Processing Minor Land Divisions (MLD) dated November 9, 1992
- Soquel Creek Water District **Procedures for Processing Water Service Requests for Subdivisions and Multiple Unit Developments**
- Resolution 79-7, Resolution of the Board of Directors of the Soquel Creek County Water District Establishing Landscape Design and Irrigation Water Use Policy**
- Water Demand Offset Policy Fact Sheet
- Soquel Creek Water District New Water Service Application Request.
- Soquel Creek Water District Variance Application
- Soquel Creek Water District Water Waiver For Pressure and/or Flow
- Fire Protection Requirements Form



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

March 21, 2005

Herb Ichikawa
3175 Terrace Drive
Aptos, CA, 95003

Subject: Review of Preliminary Soils Engineering Report
by Earth Systems Consultants
Dated November 13, 2002; File No. HO-07828-01
APN: 033-141-25, Application No: 05-0126

Dear Mr. Ichikawa:

The purpose of this letter is to inform you that the Planning Department has accepted the subject report and the following items shall be required:

1. All construction shall comply with the recommendations of the report
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations.
3. Prior to building permit issuance a plan review letter shall be submitted to Environmental Planning. The author of the report shall write the plan review letter. The letter shall state that the project plans conform to the report's recommendations.

After building permit issuance the soils engineer must remain involved with the project during construction. Please review the *Notice to Permits Holders* (attached).

Our acceptance of the report is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.

Please submit two copies of the report at the time of building permit application.

Please call the undersigned at 454-3168 if we can be of any further assistance

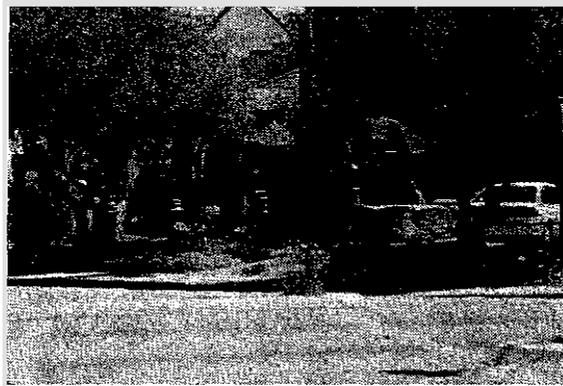
Sincerely,

Kent Edler
Associate Civil Engineer

Cc: Larry Kasparowitz, Project Planner
Jessica Degrassi, Environmental Planning
Leung Family Investments LLC, Owner

**PLEASURE POINT
COMMERCIAL AREA PLAN**

A PLAN FOR REVITALIZATION



PREPARED BY

Santa Cruz County Redevelopment Agency

FOR:

**The Merchants, Property Owners and
Residents of the Pleasure Point Area**

August 15, 1995

PLEASURE POINT COMMERCIAL AREA PLAN

Graffiti reflects poorly on the entire business area and community. It should be painted over or removed on a regular basis. Graffiti experts agree that graffiti that is painted over quickly is less likely to re-occur. Businesses can tap into existing graffiti abatement programs in the county, or establish a program of their own that meets their needs.

Business signs also contribute to the appearance of the area. Too many signs, the erratic placement of signage, and poorly maintained signs can contribute to an impression of clutter, and should be removed or renovated, possibly through a coordinated signage improvement program.

Some buildings are also in poor condition and could use some attention to deferred maintenance and repairs. Even a new coat of paint can vastly improve the character of a building. A coordinated effort of facade improvements could stimulate new investment and bring new customers to the area.

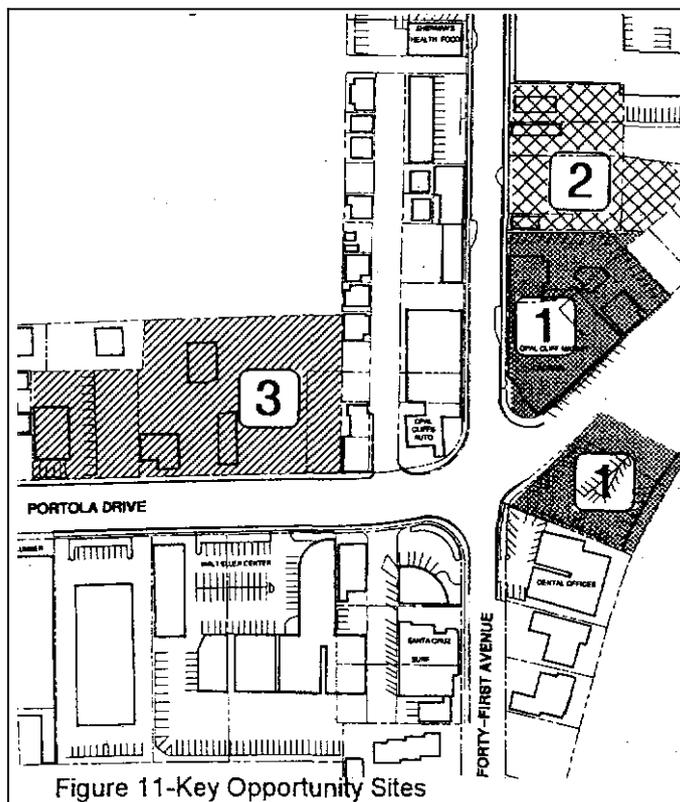
Landscaping can be effectively used to beautify and screen unsightly service areas and parking, and to buffer residential areas from businesses. Landscaping should be included in all renovation and new construction projects.

As shopping habits change, most retail purchases are increasingly being made in the

early evening. Yet the level of night lighting on private property throughout the district does not encourage evening use. Storefronts, walkways and parking areas must be lit for the safety and convenience of customers and employees.

Key Opportunity Sites & New Commercial Construction

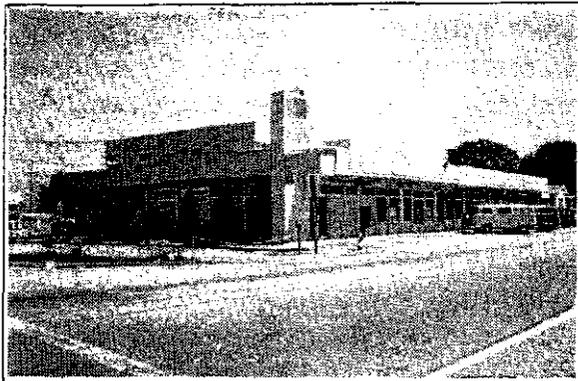
There are several large properties in the area that are vacant or are not developed to their maximum potential. Some of these properties are now for sale, and owners of other parcels may be interested in either selling or redeveloping their property. Future development on these parcels may depend on an improved economic climate, but



IV - 12

PLEASURE POINT COMMERCIAL AREA PLAN

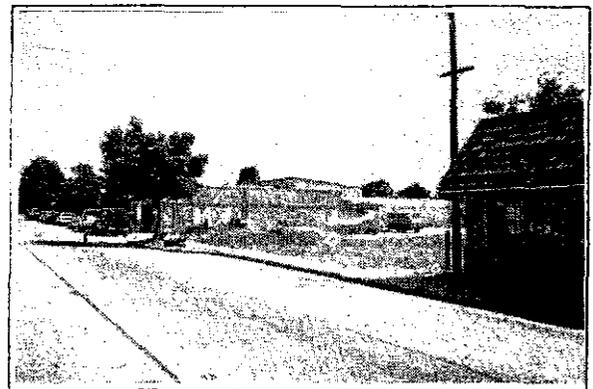
overall standards should be established now to assure that new development reinforces the new directions for the district. Three groups of properties, shown on Figure 9, have been identified as "opportunity sites" with the greatest potential to enhance the district. Each of these sites has potential to develop further, or to change use.



The Opal Cliffs Market site is in a prominent location in the commercial core.

The Opal Cliffs Market site, at 4125 Portola Drive (APN 033-141-20, 49, 52, 53) is a large site that has traditionally served as a focal point for the area. The market, now closed, served local residents and provided much needed neighborhood service. The market's location at this key, visible corner contributes to the image of the commercial area, and this image can be either good or unfavorable. To enhance the area, it is important that this site be renovated, updated and occupied. Because of the long street frontage, on both 41st Avenue and Portola Drive, this site offers an excellent location for pedestrian oriented shops or other neighborhood services.

Next to the Opal Cliffs market are four parcels surrounding 900 41st Avenue (APN 033-141-25, 26, 30, 45), two of which are completely vacant, and two with buildings and parking that cover a small portion of the parcel. These parcels create a gap between existing uses and separate the building that houses Montbell and the Bike Shop from the rest of the commercial core. These sites offer two opportunities to the area. First is the opportunity for new infill buildings on the vacant portion of these parcels, adjacent to 41st Avenue. Infill would help to connect the existing retail businesses and restaurants on the east side of Forty-first Avenue, strengthening the commercial core and providing new business opportunities. Secondly, there is an opportunity to develop shared parking by combining access and parking of all uses on the east side of the street between Bain and Portola Drive. New buildings on this site should complement the existing buildings and incorporate pedestrian amenities, including storefront windows oriented to the sidewalk. Buildings should be built to the

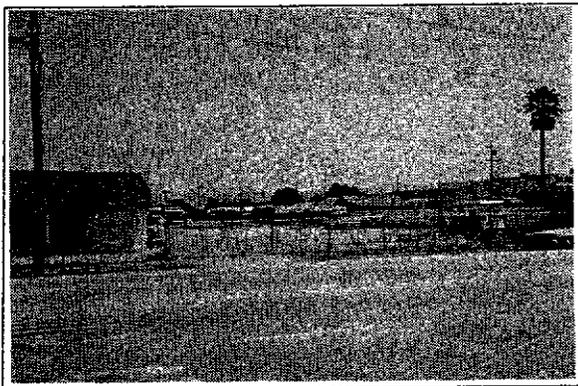


Development of the Forty-first opportunity site should complete the pedestrian oriented street frontage begun on either side.

PLEASURE POINT COMMERCIAL AREA PLAN

sidewalk, or have activity spaces between the structure and the sidewalk such as outdoor eating areas, small plazas or building entries. Parking should be located to the rear of the parcels, and should be well marked

A key combination of sites on Portola Drive consists of two underutilized parcels and one vacant parcel at 3811 and 3911 Portola Drive (APN 032-051-22, 31, 32), near the intersection with 41st Avenue. These sites are important to linking Portola Drive between Thirty-eight and Forty-first Avenue to the commercial core. These parcels offer



The Portola Drive site is key to linking Portola Drive to the commercial core on Forty-first Avenue.

many of the same advantages as the site discussed previously. There is a gap between businesses in this area, providing an opportunity to unify the existing retail businesses and benefit the entire district. This is the largest combination of underdeveloped parcels in the area, and is large enough to accommodate an anchor use. The size also allows for some flexibility of building and parking placement, although

new buildings should complement the scale and mass of surrounding development and should have visible storefronts or outdoor use area located at or near the sidewalk. Shared parking should also be part of any new development.

All new development, on any site in the Pleasure Point commercial area, should be designed to reinforce the scale, size, and pedestrian orientation of the district. New or remodeled buildings should be located at or near the sidewalk, or should incorporate public areas, such as outdoor eating areas, at the front of the building. No one style of architecture is common to the area, but design elements should be carefully planned to enhance the overall district, and to improve the general image.

Business Cooperation

Considering the, changing economies of small business and the location of Pleasure Point near other commercial areas in Capitola and Santa Cruz, the Pleasure Point area must find a commercial niche that will position the area for the future. Businesses most appropriate for this commercial area include independently owned, specialty-oriented businesses and services that will serve the immediate neighborhoods and benefit the community as a whole.

In order for small businesses to prosper in this area, however, some type of business or economic plan will be needed. Several approaches can be considered, including a business association, a financial assistance program,

