



Staff Report to the Zoning Administrator

Application Number: **131252**

Applicant: Frank Phantom
Owner: Feldner
APN: 033-112-27

Agenda Date: 2/21/14
Agenda Item #: 2
Time: After 9:00 a.m.

Project Description: Proposal to occupy an existing commercial building as a microbrewery with tasting room. Requires a Commercial Development Permit to allow for the sale of alcohol within 200 feet of a Residential Zone District.

Location: 1030 41st Avenue

Supervisory District: 1st District (District Supervisor: Leopold)

Permits Required: Commercial Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131252, based on the attached findings and conditions.

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Comments & Correspondence

Parcel Information

Parcel Size:	10,951 square feet (.25 acres)
Existing Land Use - Parcel:	Commercial
Existing Land Use - Surrounding:	Commercial and Residential
Project Access:	Via 41 st Avenue and Gladys Avenue
Planning Area:	Live Oak
Land Use Designation:	C-C (Community Commercial)
Zone District:	C-2 (Community Commercial)
Coastal Zone:	<u>X</u> Inside ___ Outside
Appealable to Calif. Coastal Comm.	___ Yes <u>X</u> No

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Soils report accepted
Fire Hazard:	Not a mapped constraint
Slopes:	Topography of the parcel is flat
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
Archeology:	Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	<u>X</u> Inside ___ Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz Sanitation District
Fire District:	Central Fire Protection
Drainage District:	Zone 5

History

Master Occupancy Program and Coastal Development Permit 10-0126 authorized the occupancy of this site with uses consistent with that of the C-2 (Community Commercial) zone district. Additionally, a sign variance was approved to allow an increase in the allowed dimensions from 50 square feet to 90 square feet. Construction of the building was completed in November of 2012, since time it has remained vacant.

Project Setting

The subject parcel is approximately 10,951 square feet (.25 acres) and located at the northeast corner of the intersection of 41st Avenue and Gladys Avenue. The parcel is zoned C-2 (Community Commercial) as are the adjacent parcels to the north, west and south. A Betty

Burger Restaurant is located on the adjacent parcel to the south, across Gladys Avenue and a commercial office building is located across 41st Avenue. A single family residential neighborhood is located behind the subject parcel to the east.

Parking

The proposed development requires 12 parking spaces, one of which is required to be ADA accessible. The site is currently in compliance with County Code requirements with respect to the parking demand and no changes are proposed to the existing parking.

Use	Square footage	Required Spaces
Brewery = Manufacturing (1/600 sq ft)	112 sq ft	.18
Tasting (1/100 sq ft)	1030 sq ft	10.3
Office (1/300 sq ft)	408 sq ft	1.36
Storage (not counted)	948 sq ft	0
Total		11.85 Parking spaces

Brewery Operation

The proposed hours of operation for the brewing component of this development are Monday through Friday from 8 am and 3 pm. Public tasting is to occur between the hours of 12 pm and 9 pm daily (Monday through Sunday).

Deliveries associated with the brewery will occur during the morning hours (9 am to 12 pm) to alleviate potential conflicts with parking requirements and eliminating the need for delivery vehicles to park along Gladys Ave or 41st Avenue.

The proposed microbrewery will produce less than 15,000 barrels per year. This proposal is conditioned to ensure that storage and disposal of waste materials will comply with Environmental Health Services and Sanitation District requirements.

Analysis

This is a proposal to occupy an existing commercial building for use as a microbrewery and tasting room. Due to the proposed sale of alcohol within 200 feet of a residential zone district (located to the east), a Commercial Development permit is required.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 11,000 square feet, located in the C-2 (Community Commercial) zone district, a designation which allows commercial uses. The proposed commercial use is a principal permitted use within the zone district and the zoning is consistent with the site's (C-C) Community Commercial General Plan designation.

Local Coastal Program Consistency

The proposed Commercial is in conformance with the County's certified Local Coastal Program, in that the structure was originally approved under Coastal Development permit 10-0126 and no

Application #: 131252
APN: 033-112-27
Owner: Feldner

changes are proposed to the exterior of the building.

Environmental Review

This project qualifies for a Class 1 Categorical Exemption under the California Environmental Quality Act (CEQA) and is exempt from further Environmental Review.

Conclusion

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

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **131252**, based on the attached findings and conditions.

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

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

Report Prepared By: Nathan MacBeth
Santa Cruz County Planning Department
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Santa Cruz CA 95060
Phone Number: (831) 454-3118
E-mail: nathan.macbeth@co.santa-cruz.ca.us

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: 131252
Assessor Parcel Number: 033-112-27
Project Location: 1030 41st Avenue

Project Description: Occupy an existing commercial building as a microbrewery/tasting room.

Person or Agency Proposing Project: Frank Phanton

Contact Phone Number: (831) 475-5841

- 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).
E. ☒ **Categorical Exemption**

Specify type: Class 1 - Existing Facilities

F. Reasons why the project is exempt:

Minor alterations to the interior of an existing commercial building that do not result in an intensification of use.

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

Nathan MacBeth, Project Planner

Date: _____

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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed commercial use 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 these amenities.

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 commercial use 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 (Community Commercial) zone district as the primary use of the property will be one commercial brewery that meets all current site standards for the zone district including parking requirements and has obtained the necessary approval from the state Alcohol Beverage Control and County of Santa Cruz to allow for the sale of alcohol within 200 feet of a residential 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 microbrewery will occupy an existing commercial building and no exterior changes to the building are proposed. The project is consistent with the approved Master Occupancy and Coastal Development Permit 10-0126, therefore, the proposal 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 and is compatible with adjacent uses as specified in Policy 8.5.2 (Commercial Compatibility With Other Uses), in that the site, architectural and landscaping design were found to be compatible through the approval of permit 10-0126.

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

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

This finding can be made, in that the proposed use is to be located and operated on an existing developed lot. The level of traffic generated by the proposed project is not expected to rise above levels that have been previously approved for the site therefore no adverse impacts on existing roads or intersections in the surrounding area are anticipated.

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 project is located in a mixed neighborhood containing a variety of architectural styles and uses. The proposed brewery is consistent with the land use intensity and density of commercial development along 41st Avenue.

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 development project will not change the size or exterior of the building or any of the other features of the project approved under Coastal Development Permit 10-0126 except to include sign lettering consistent with the brewery name.

Conditions of Approval

Exhibit D: 6 Sheets prepared by The Envirotechs dated 12/11/13

- I. This permit authorizes the use of a commercial building as a microbrewery and tasting room. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. Details showing compliance with fire department requirements.
 2. Details showing compliance with Accessibility requirements.
 - B. 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.
 - C. Submit a sign plan for approval. Total square footage of the signs shall not exceed 90 square feet.
 - D. Obtain an Environmental Health Clearance for this project from the County

Department of Environmental Health Services.

- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- F. Provide required off-street parking for 12 cars, one of which shall be ADA accessible. Parking spaces must be located entirely outside vehicular rights-of way and clearly designated on the plot plan.
- G. 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 installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. Annual production shall not exceed 15,000 barrels.
- C. Public tasting hours of operation shall be: Daily Monday through Sunday 12pm – 9pm
- D. Deliveries shall occur between the hours of: 9am - 12pm Monday through Friday.
- E. No outdoor events shall be held in the required parking area.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant 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.

Application #: 131252
APN: 033-112-27
Owner: Feldner

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

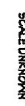
Effective Date: _____

Expiration Date: _____

Wanda Williams
Deputy Zoning Administrator

Nathan MacBeth
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.



ZONE DISTRICT: C-2

ADJUDICANT
COUNCIL
FILE

**TENANT IMPROVEMENTS
EXISTING TWO LEVEL
BUILDINGS.**

**TENANT IMPROVEMENTS
EXISTING TWO LEVEL
BUILDINGS.**

PARKING FACTORS

TASTING	1/100 SQ.FT.	1/400 SQ.FT.
STORAGE	1/1000 SQ.FT.	1/3000 SQ.FT.
MANUF.	1/600 SQ.FT.	1/2000 SQ.FT.
TABLE PREP/ KITCHEN	1/200 SQ.FT.	1/1000 SQ.FT.
OFFICE	1/800 SQ.FT.	1/1000 SQ.FT.

445 SQ. FT. STORAGE
112 SQ. FT. MANUP.

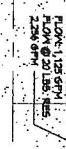
216 SQ.FT. TASTING PREP / KITCHEN	1.1
408 SQ.FT. OFFICE	1.4
TOTAL REQUIRED	<u>11.7</u>
SPACES PROVIDED	12

CPC TBL. A OCCUPANT LOAD FACTORS:
80 FT² = 1 OCC.

AD 61250 = 21
B 405220 = 2
F 3502000 = 1
S 9405000 = 1
TOTAL OCCS. 31, 10M 10P

A1 BITE PLAN, NOTES, VICINITY MAP
A2 LOWER FLOOR PLAN

- A6 FRONT & LEFT ELEVATION
SHOWING SIGNAGE



THIS IS NOT A 6
APN 093-112-27

THIS IS NOT A 6
APN 093-112-27

$$\underline{\underline{1/8" = 1'-0"}}$$

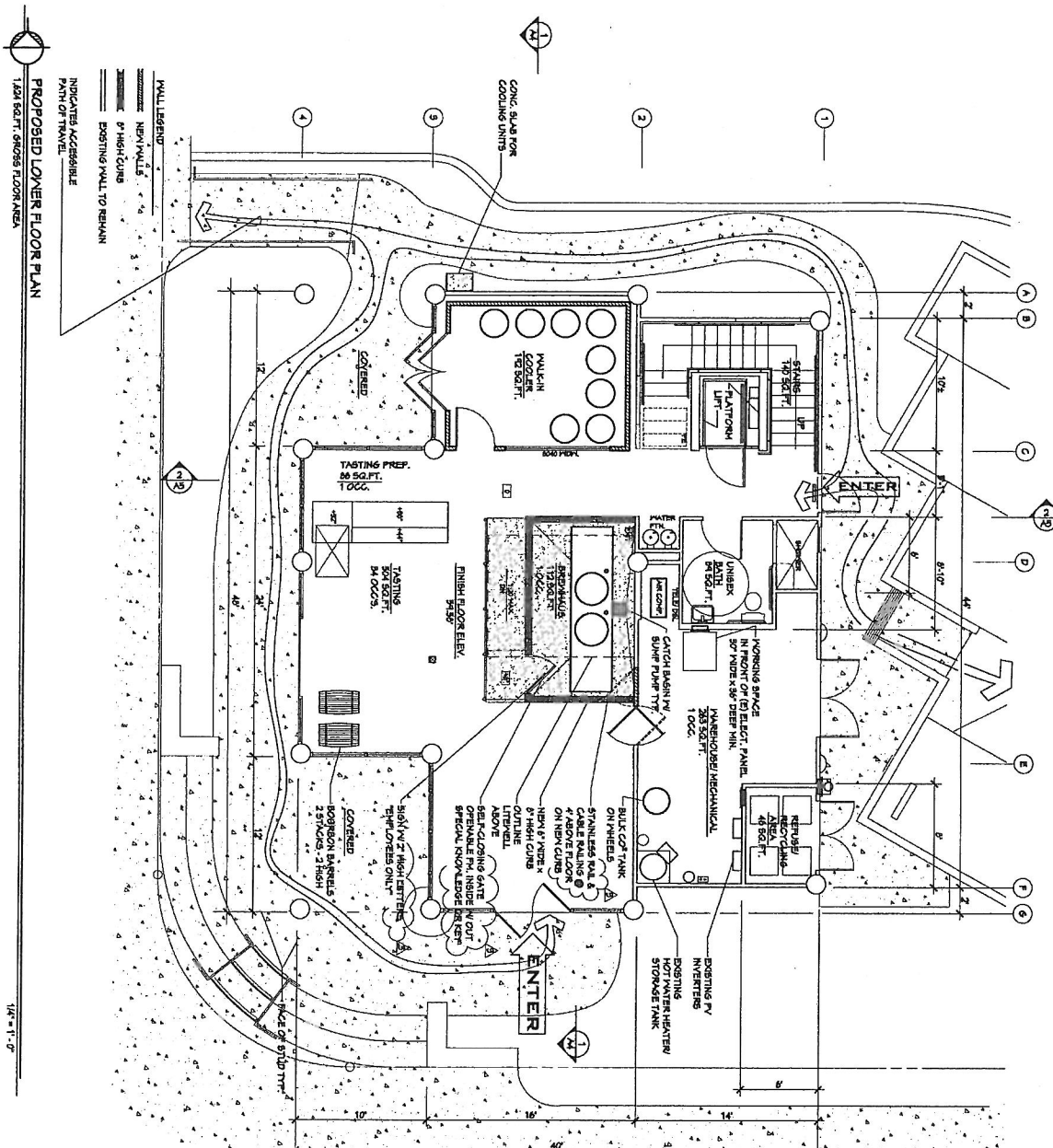
APN 099-112-27

PROPOSED TENANT IMPROVEMENT FOR:
NEW BOHEMIA BREWERY
1030 41st AVE.
SANTA CRUZ, CA 95062

Prepared by:
The Envirotects
Frank Plastino, Architect C 24515
1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirotects.com

DINING STUDY
 OCCUPANT LOAD FACTORS CBC 104.1.1
 ASBY W/OUT FIXED SEATS 15 P
 KITCHEN/COOK 200
 PANTRY/STORE 300
 AREA:
 ASBY TASTING ROOM 80 SQ. FT. 5
 ASBY TASTING ROOM 200 SQ. FT. 13
 ASBY TASTING ROOM 200 SQ. FT. 13
 ASBY TASTING ROOM 200 SQ. FT. 13
 TOTAL OCCUPANTS 35
 2 BATHS REQUIRED @ 41 OCC.
 MAINTAIN 2 EXISTING BATHS.
 WASH. ROOM 44.2 - 15' USE 4P
 CBC 1005.1.6.11393.1
 USING 30' WIDTH FOR
 CLO. 11393.1.1
 USING 30' WIDTH FOR
 CLO. 11393.1.1

LOWER FLOOR AREA TABULATION
 113 SQ. FT. BREWING MAINT.
 70 SQ. FT. MAINT. CLO. 1P
 20 SQ. FT. MAINT. CLO. 1P
 50 SQ. FT. STAINLESS & CIRC.
 45 SQ. FT. BATH
 45 SQ. FT. RESTROOM AREA
 50 SQ. FT. TASTING PREP.
 80 SQ. FT. TASTING PREP.
 1,000 SQ. FT. 60000 FLOOR AREA

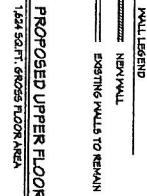


PROPOSED TENANT IMPROVEMENT FOR: NEW BOHEMIA BREWERY 1090 41st AVE. SANTA CRUZ, CA 95062		Prepared by: Envirofects Frank Puentes, Architect C 24515 1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirofects.com	
Date: 12/17/15 Scale: AS NOTED Drawn: dkh/ort Job: BREWERY Sheet: A2	APN 055-112-27	Revision:	By:

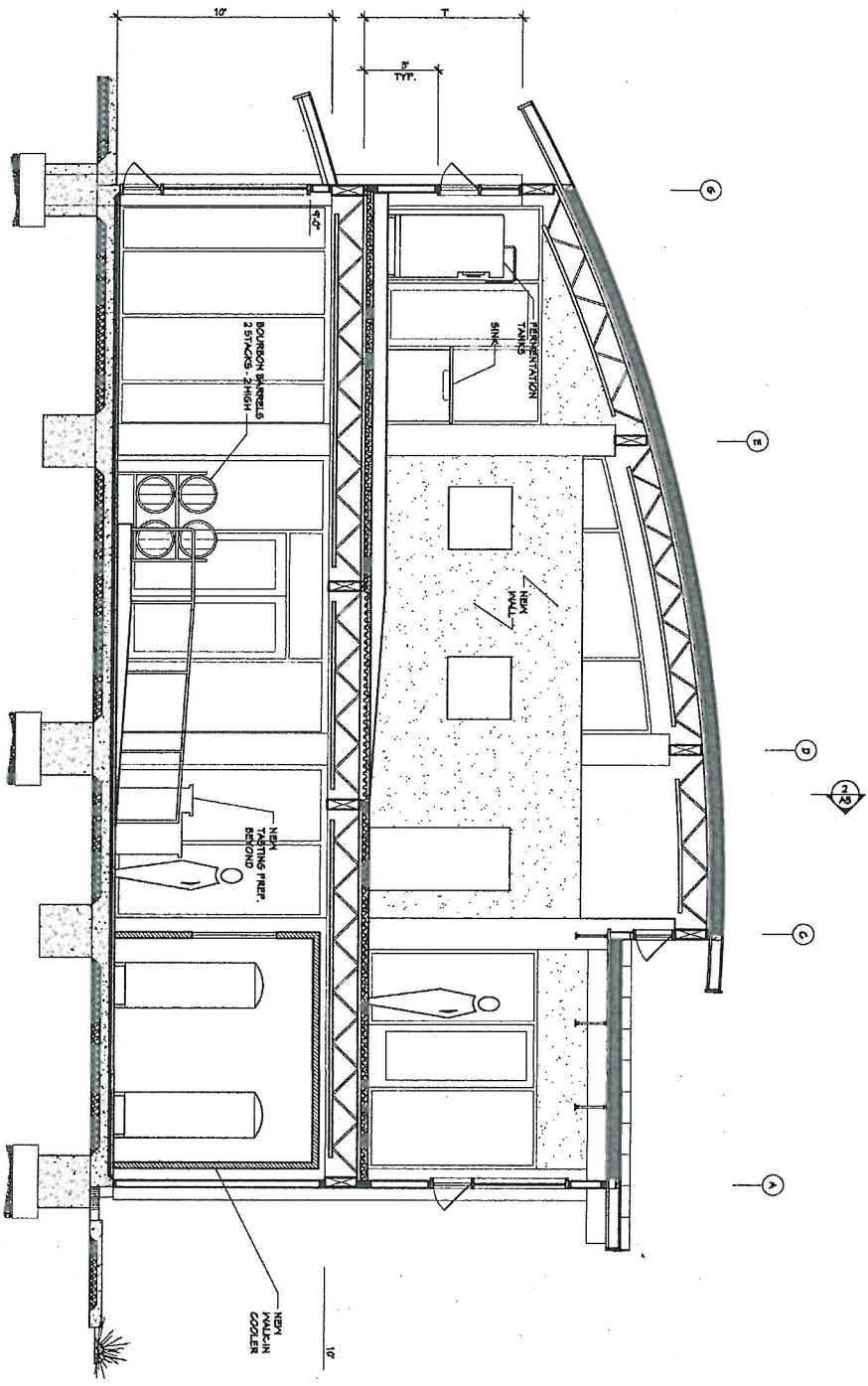
ASST. MOUNTED SEALS	15
BUSINESS OFFICE	100
ACCESSORY STORAGE	300
KITCHEN, COMMERCIAL	200
AREAS:	
ASSEMBLY THEATRS 908 SQ.FT./15	71
OFFICE 400 SQ.FT./100	31
STORAGE 488 SQ.FT./200	2
BREKING/MEETING RMTR. 130 SQ.FT./200	21
TOTAL OCCUPANTS	271

UPPER FLOOR AREA TABULATION

809 SQ. FT. TASTING
408 SQ. FT. OFFICE
130 SQ. FT. TASTING PREP.
449 SQ. FT. STORAGE
46 SQ. FT. CIRC.
140 SQ. FT. STAIRS
109 SQ. FT. LITERARY
84 SQ. FT. BATH
1,634 SQ. FT. GROSS FLOOR AREA
150 SQ. FT. DRCK
1,774 SQ. FT.



SECTION 1



Sheet	A4
Job	BREWERY
Client	AS NOTED
Date	12/1/15

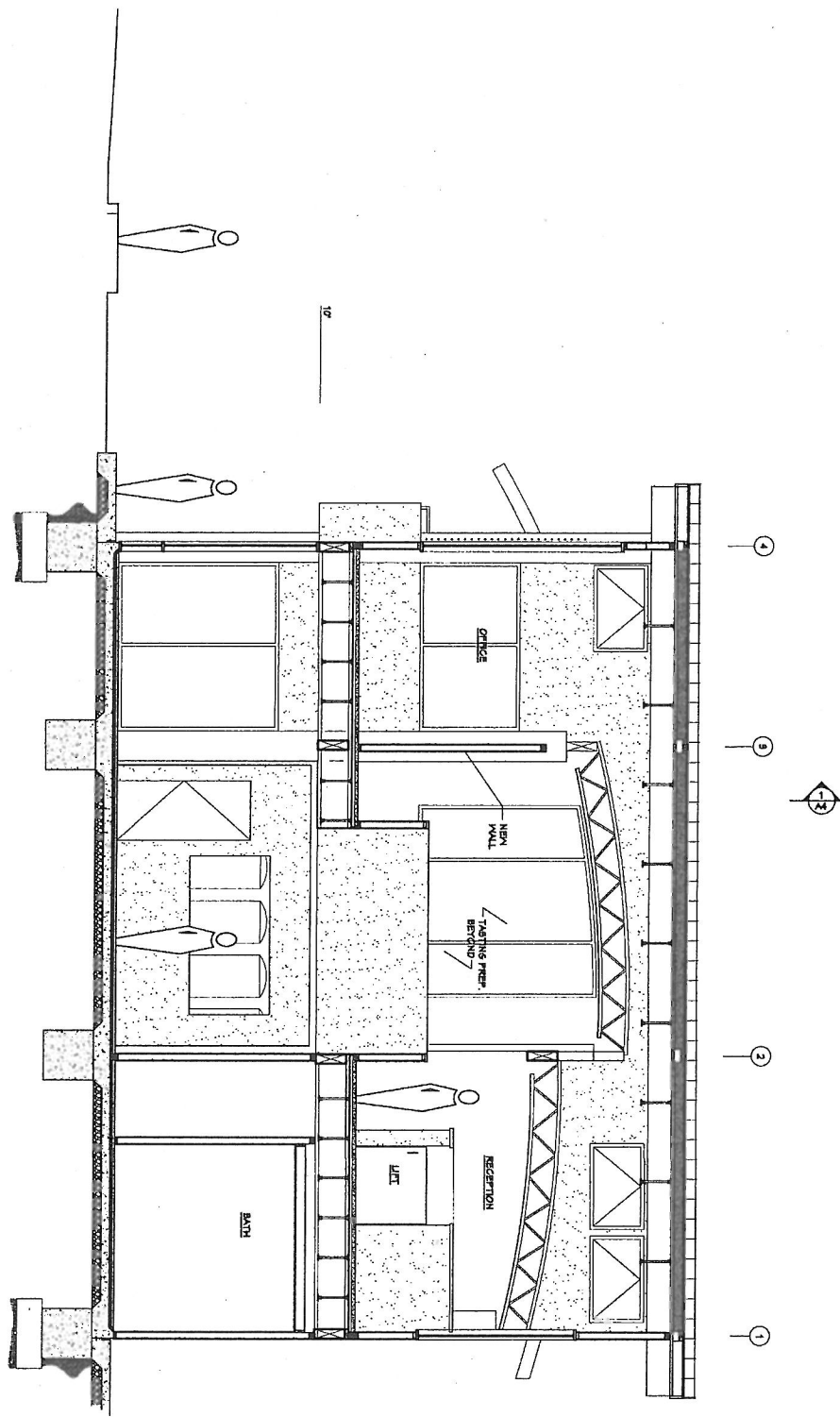
PROPOSED TENANT IMPROVEMENT FOR:
NEW BOHEMIA BREWERY
 1050 41st AVE.
 SANTA CRUZ, CA 95062

APN 095-112-27

Prepared by:
The Envirotechs
 Paul P. Pappas, Architect C24515
 1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirotechs.com

Revisions	
1	
2	
3	
4	
5	
6	

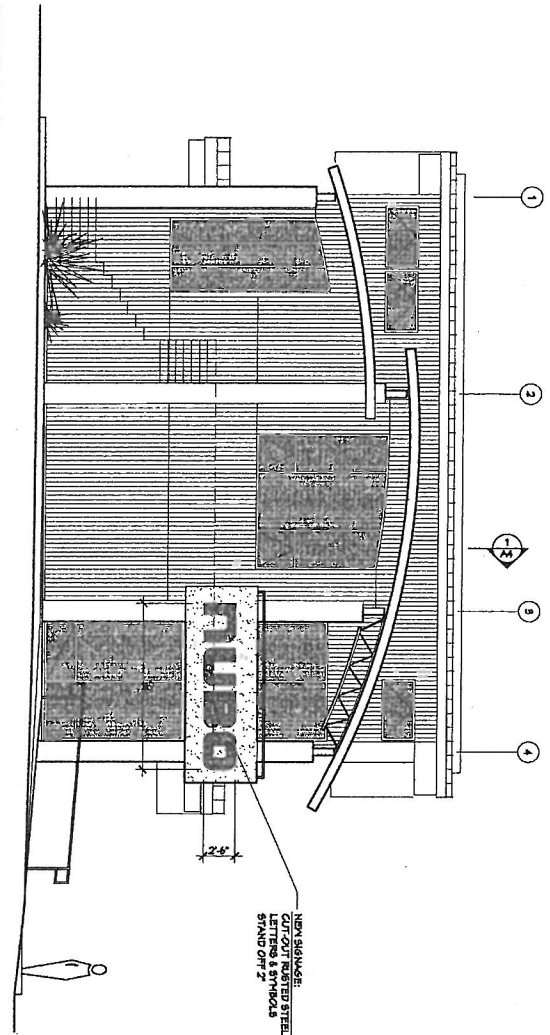
2 SECTION



3/8" = 1'-0"

PROPOSED TENANT IMPROVEMENT FOR: NEW BOHEMIA BREWERY 1050 41st AVE. SANTA CRUZ, CA 95062				Prepared by: The Envirotechs <small>Frank Phoenix, Architect C 24515</small> 1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirotechs.com	
Date: 12/11/15 Scale: AS NOTED Drawn: DAH/OK Job: BREWERY	Sheet: A5 of 6	APN 055-112-27	Submittal 1 2 3 4 5 6 7 8 9 10	11 12 13 14 15 16 17 18 19 20	

NORTH ELEVATION



1/4" = 1'-0"

NEW SIGNAGE:
CUT-OUT RUSTED STEEL,
LETTERS & SYMBOLS,
STAND OFF 4" ±

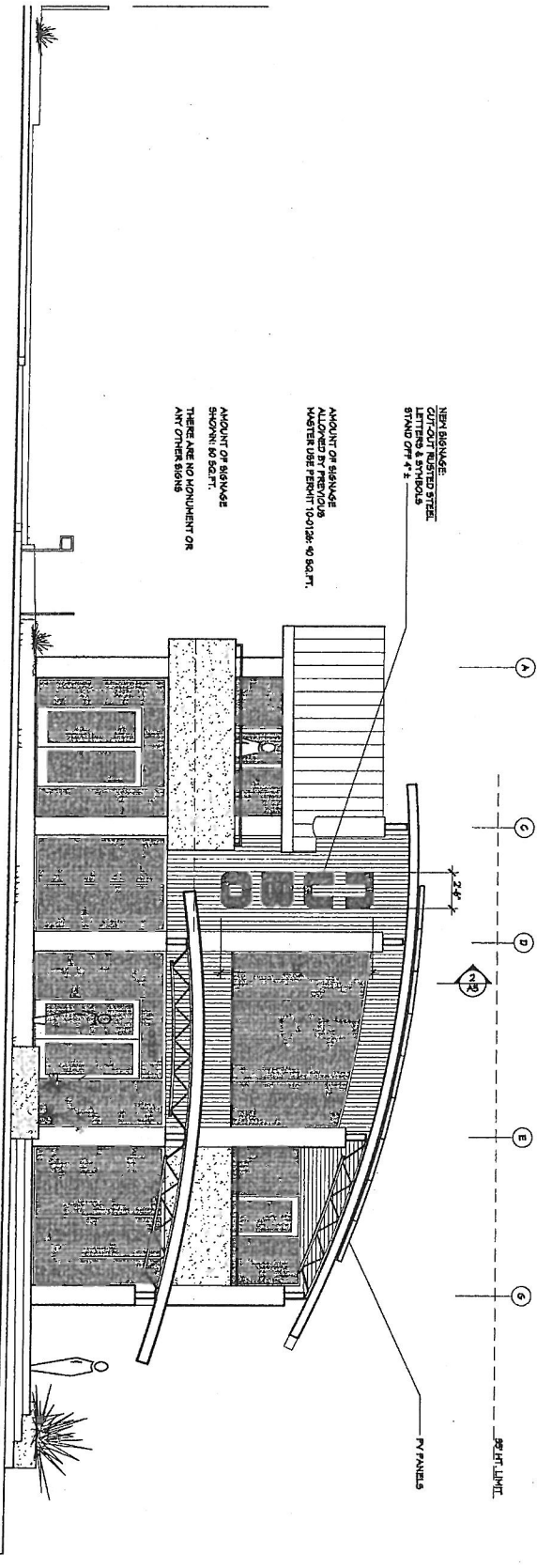
AMOUNT OF SIGNAGE
APPROXIMATELY 10-125-40 SQ. FT.
MAINTAIN PERMIT 10-125-40 SQ. FT.

AMOUNT OF SIGNAGE
SHOWN IS 60 SQ. FT.
THERE ARE NO MONUMENT OR
ANY OTHER SIGNS

PV PANELS

32 FT. LIMIT

WEST ELEVATION
(FM 41st AVE.)



1/4" = 1'-0"

PROPOSED TENANT IMPROVEMENT FOR:
NEW BOHEMIA BREWERY
1050 41st AVE.
SANTA CRUZ, CA 95062

APN 059-112-27

Prepared by:
The Envirofects
Frank Puentes, Architect C.24515
150 Felton St., Ste. G, Santa Cruz, CA 95060 475-5841 Envirofects.com

Revisions	Date	By	Check
1	07/12/15	AS NOTED	dlh/act
2		BREWERY	

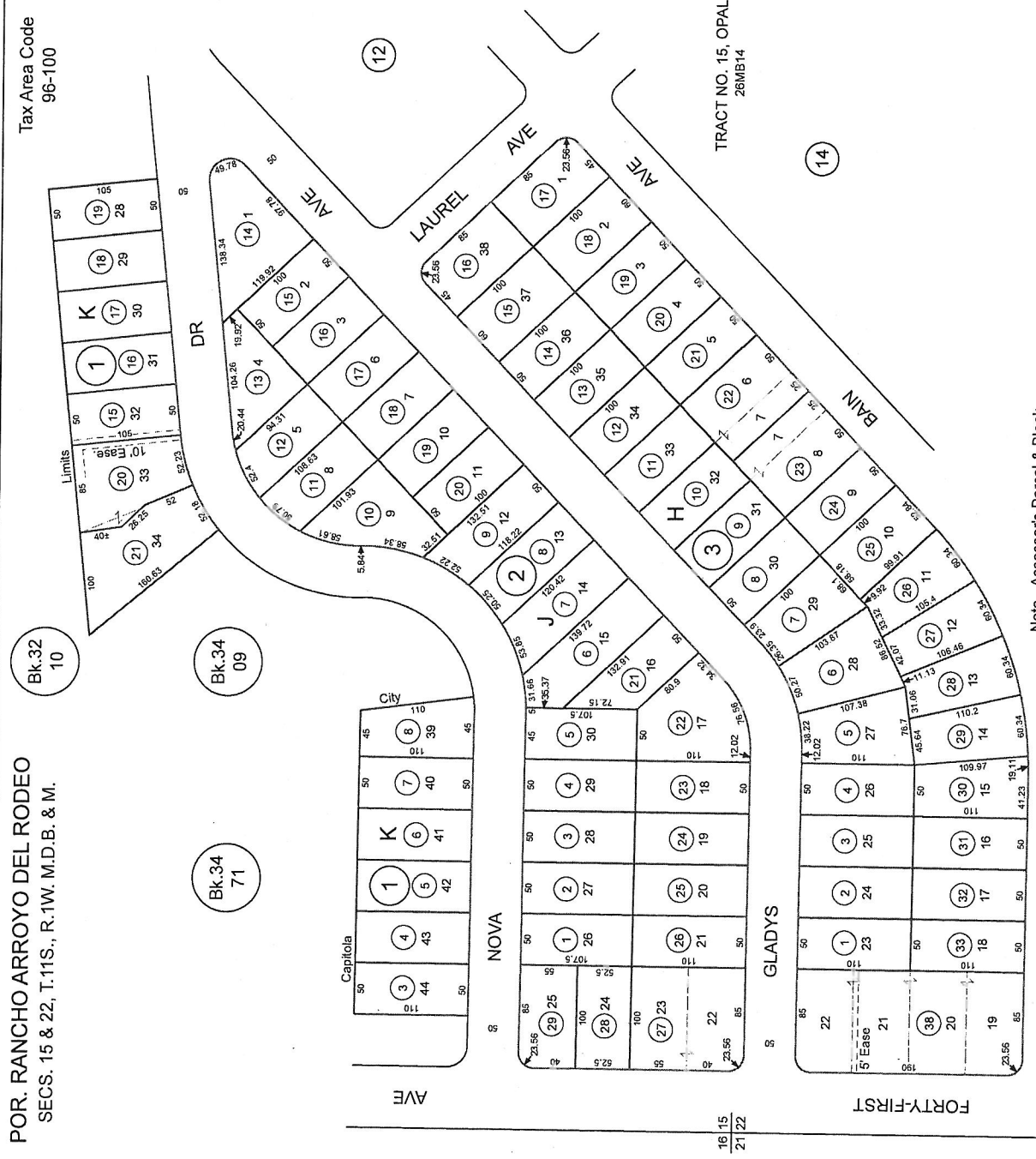
Sheet
A6
of 6 sheets

POR. RANCHO ARROYO DEL RODEO
SECS. 15 & 22, T.11S., R.1W. M.D.B. & M.

Tax Area Code
96-100

33-11

FOR TAX PURPOSES ONLY
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
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TRACT NO. 15, OPAL CLIFFS UNIT NO. 2
26MB14
6/5/1937

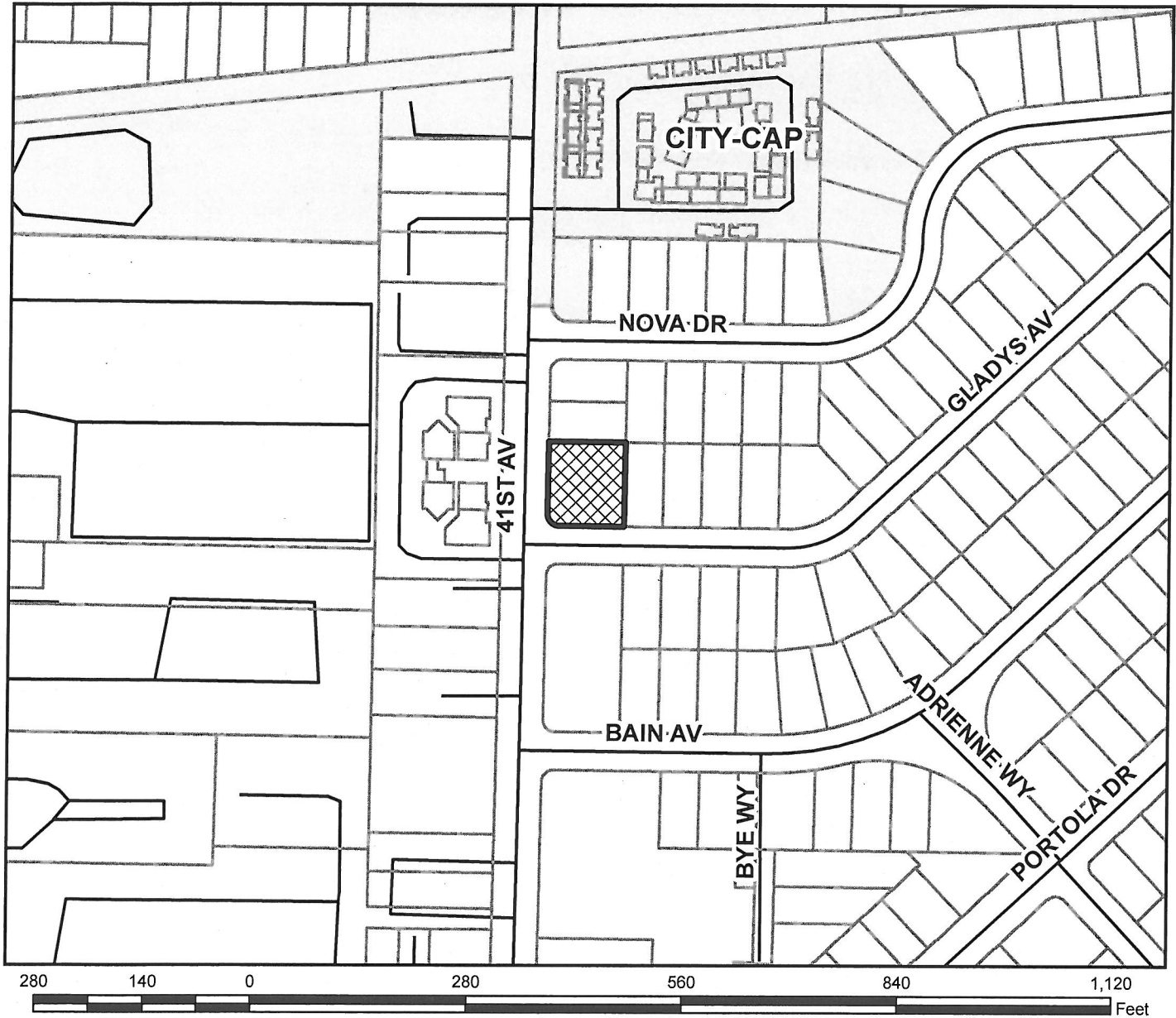
Assessor's Map No. 33-11
County of Santa Cruz, Calif.
June 1995

Note - Assessor's Parcel & Block
Numbers Shown in Circles.





Electronically drafted 6-2-95 KSA
Rev 4/19/95 G3 (CA consolidation)
Rev 4/19/95 (changed page refs)
Rev 8/11/95 mc (spatial adjustment)

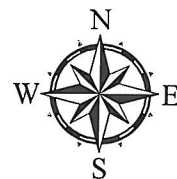


Location Map



LEGEND

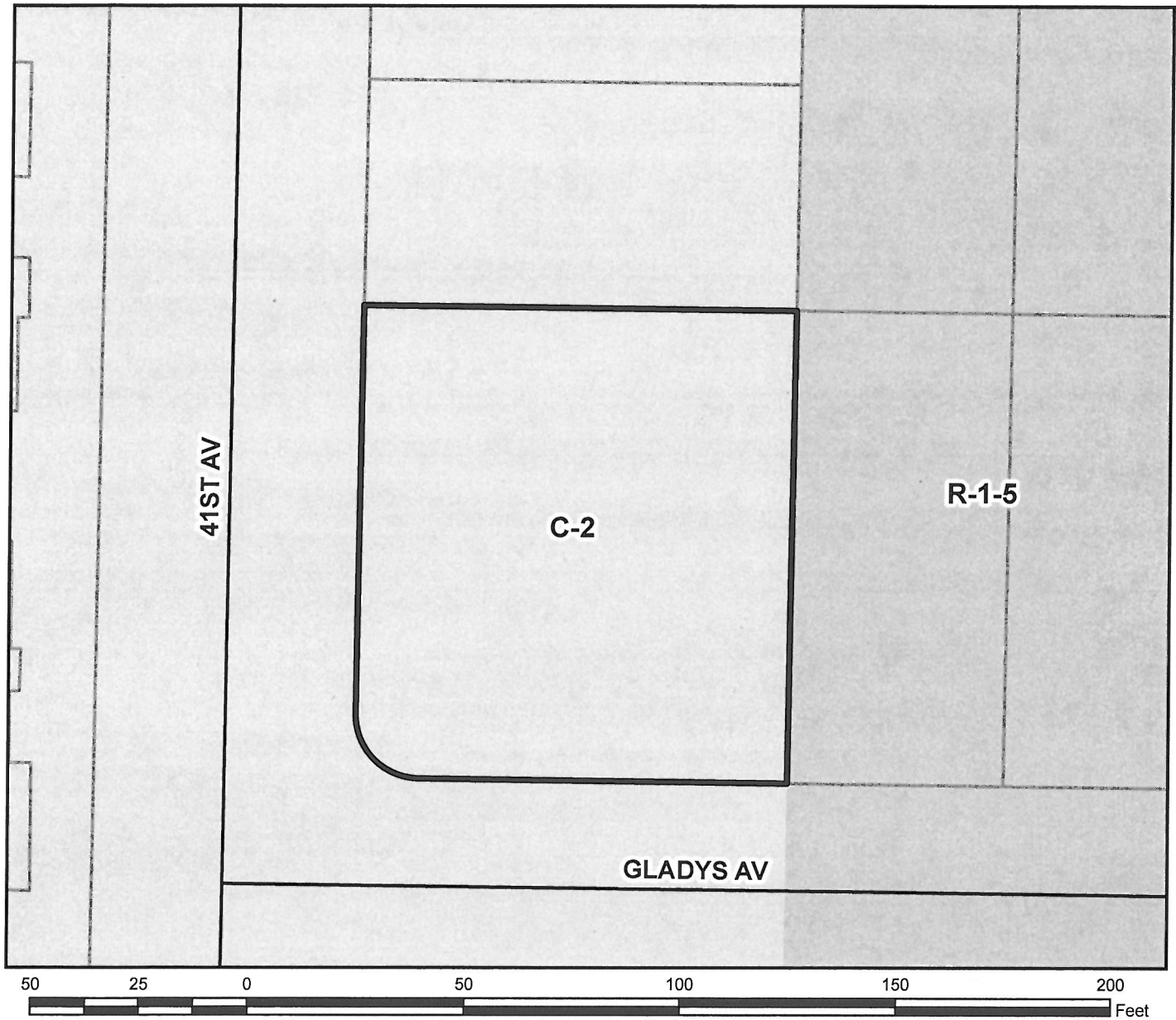
-  APN: 033-112-27
-  Assessors Parcels
-  Streets
-  CAPITOLA



Map Created by
County of Santa Cruz
Planning Department
September 2013

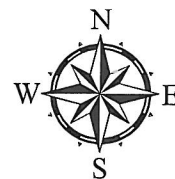


Zoning Map



LEGEND

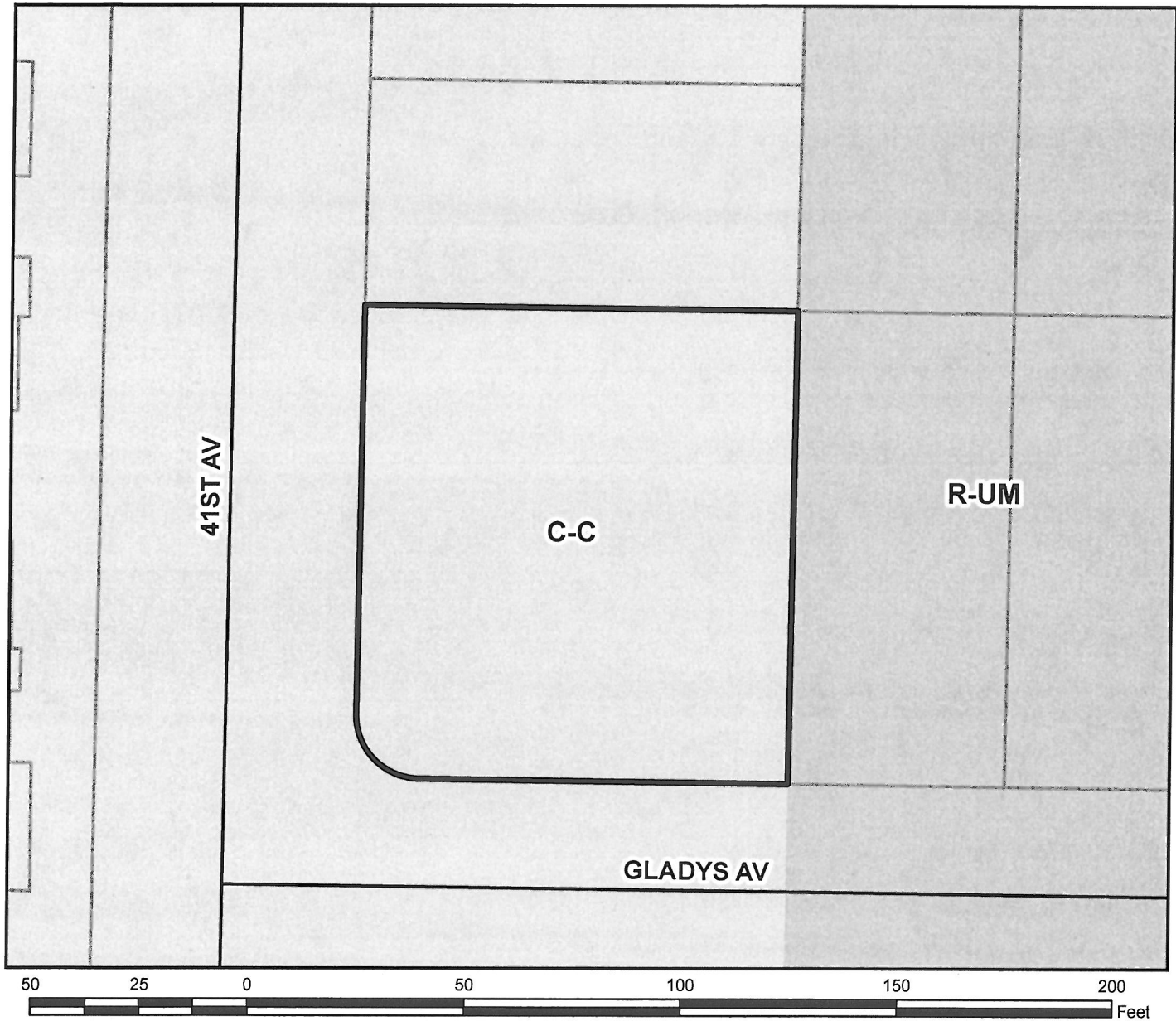
-  APN: 033-112-27
-  Assessors Parcels
- Streets
-  COMMERCIAL-COMMUNITY
-  RESIDENTIAL-SINGLE FAMILY








Map Created by
County of Santa Cruz
Planning Department
September 2013

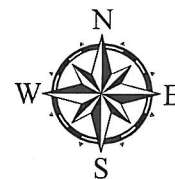


General Plan Designation Map



LEGEND

-  APN: 033-112-27
-  Assessors Parcels
-  Streets
-  Commercial-Community
-  Residential - Urban Medium Density



Map Created by
County of Santa Cruz
Planning Department
September 2013

Hi Nathan,

Thanks for taking my call today, 2/5/14. I have been a homeowner for over 10 years on Gladys Avenue and live within 200 yards of Betty Burgers. I have to say that I am less than pleased to hear that a micro brewery will be occupying the new building at 1030 41st Ave. I share this sentiment with many other neighbors as well. From the day Betty's Burgers opened, we have experienced a multitude of issues that no agency seems to have the ability to address.

The following issues are a short list of some of the more glaring problems that we have experienced:

- Traffic has increased by over 50%, and those who do not live in the neighborhood have no regard for speed laws.
- Overflow parking for Betty Burger's on weekends, holidays and every day during the summer seems to find it's way to Gladys Avenue.
- On several occasions Betty Burger's employees occupy the spaces in front of our homes for their entire shifts so that we cannot even park in front of our own homes.
- On any given weekend, holiday or any day during the summer, our driveways are being used for u-turns so that customers can park closer to the restaurant. One Sunday last summer I counted over 25 cars that used our driveways for this.
- Customers and employees consistently park in front of our mailboxes. Many times the postal carrier will not deliver if the mailbox is blocked.
- Trash from the restaurant is abundant along the curbside and occasionally in our yards.
- The smell and smoke from cooking has been a real struggle, especially during the warmer times of the year when we have our windows open.

With the approval of another commercial/retail food/drink type business now at 1030 41st Ave. one can only assume that all of the aforementioned issues will be multiplied many times over. Additionally, the element of a drinking establishment this close to a neighborhood is very discouraging.

Nathan, feel free to contact me if I can shed any light on the situation.

Thanks,
Scott Agnelli

Nathan MacBeth

From: Johanna Bowen [jobowen@cabrillo.edu]
Sent: Sunday, February 09, 2014 8:13 PM
To: John Leopold; Nathan MacBeth; Bain Neighbor Karen Katz
Subject: Item # 2 131252 MICROBREWERY proposal

To: Santa Cruz Zoning Administrator
From: Johanna Bowen, resident and homeowner on Gladys Avenue
Re: Friday February 21, 2014 Agenda Item #2, Proposal to allow a Microbrewery at 1030 41st Ave.

I strongly oppose the proposal to allow a microbrewery with tasting room at 1030 41st Ave, Santa Cruz. I am well aware that 41st Ave. is zoned for commercial use. I believe it is wrong for a brewery to be directly next to a residential neighborhood. The building in question has inadequate parking facilities, in fact fewer than when the property was a Bead Shop or a Garden shop. The existing parking was approved by your Zoning Administrator as adequate for the planned Professional Office use of the new building.

Has the Board considered the problem of smells caused by the odor of the brew kettle and fermentation of gassing? Depending on the wind etc. Betty's Burgers grease smell ALREADY permeates the neighborhood. The Brewery smell will join the Burger smell in the same exact wind/lack of wind conditions to create an intolerable stink.

Further Questions:

1. Will the conditions of the special use permit include the mandatory INSTALLATION of SPECIAL SCRUBBERS ON THE EXHAUST
2. Will they be required to install a vapor condenser on the boil kettle that would chill the steam to prevent it from escaping into the air?
3. How many hours a week will malt hops be boiled at the facility
4. Parking: How many customer cars can park in their lot (I think the number is 12) BUT: Where will employees/managers park?
5. What is the capacity of their planned "tasting" events? Will there be a limit based on inadequate parking?

ARTICLES of Interest:

NY City: <http://www.nytimes.com/1995/11/12/nyregion/neighborhood-report-upper-east-side-central-harlem-microbrewing-macrosmelly.html>

Sacramento law suit based on smell/pollution:

<http://archive.news10.net/news/local/article/248136/2/Sacramento-neighbors-sue-city-over-brewery-odor-->

Seattle: <http://community.seattletimes.nwsourc.com/archive/?date=19960722&slug=2340486>

Johanna Bowen, Gladys Ave. Resident/Home Owner
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