



Staff Report to the Zoning Administrator

Application Number: **161091**

Applicant: Soquel Farmhouse LLC
Owner: Soquel Farmhouse LLC
APN: 030-221-46

Agenda Date: May 4, 2018
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to operate a retail nursery and restaurant with beer and wine service in two phases. **Phase 1** to include the demolition and reconstruction of the existing building with a kitchen facility, retail nursery, and taproom (approximately 1,840 square feet on the ground floor and 1,650 square foot storage on upper floor), the construction of a storage/restroom building (approximately 530 square feet), a 2,500 square foot outdoor seating area, and a 3,400 square foot outdoor gaming area, to modify an existing shed for use as a nursery storage building, to allow an airstream trailer to be located on site and used for storage, and to recognize a fence in excess of six feet in height within the required front yard setback. **Phase 2** to include the remodel of the two-story retail/nursery/restaurant building (with taproom and restrooms on the lower floor) and to convert the second-floor storage area to a two-bedroom residential unit, and to convert the storage portion of the proposed storage/restroom building to a kitchen facility.

Location: Property located on the south side of Main Street, Soquel (2590 Main St.)

Supervisory District: First District (District Supervisor: John Leopold)

Permits Required: Commercial Development Permit

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act per categorical exemption 15303 - Class 3.
- Approval of Application 161091, based on the attached findings and conditions.

Exhibits

- | | |
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| A. Categorical Exemption
(CEQA determination) | Occupancy Information, and
Supplemental Parking Information |
| B. Findings | G. Parking and Traffic Analysis |
| C. Conditions | H. Existing vs. Proposed Relative Size
Comparison, Nursery Area |
| D. Project plans | I. Indentured Parking Information |
| E. Assessor's, Location, Zoning and
General Plan Maps | J. Comments & Correspondence |
| F. Program Statement, Supplemental | |

Parcel Information

Parcel Size: 2.8 acres
Existing Land Use - Parcel: Commercial
Existing Land Use - Surrounding: Commercial to north and west, residential to east
Project Access: Main St.
Planning Area: Soquel
Land Use Designation: C-C (Community Commercial)
Zone District: C-2-GH (Community Commercial, Geologic Hazard
Combining District)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Soquel Creek Floodplain
Soils: Sandy loam in area of development
Fire Hazard: Not a mapped constraint
Slopes: Level in area of development, about 20-30 percent slope on eastern
portion of parcel
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Less than 100 cubic yards
Tree Removal: No trees proposed to be removed
Scenic: Within view of Highway 1
Drainage: Preliminary drainage plan accepted
Archeology: Mapped as having the potential to have cultural resources

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: County of Santa Cruz
Fire District: Central Fire Protection District
Drainage District: Zone 5

Project Setting

The subject parcel is located in Soquel on the south side of Main Street, a roadway connecting the Highway One corridor with Soquel Village and neighborhoods to the north. Main Street is commercially-zoned in the vicinity of the proposed development. On the south side, businesses include Carpos Restaurant located at the corner of Porter and Main, Beer Thirty (which is owned by the applicant), Sunnyside Produce and The Fish Lady. Highway One is located directly to the south of these businesses. On the north side of Main Street, businesses include a gas station, veterinarian, offices, and restaurants, including Michael's on Main and Little Tampico. Northeast of the commercial area, a small County park provides a transition to the residential neighborhoods located further north along Main St.

The subject parcel is almost three acres in size. In the roughly one-acre area where this application proposes the new structures and parking, the parcel is relatively flat. The Soquel Creek floodplain occupies approximately the northern third of this flat area. From the flat area, the parcel slopes up to the east. This sloped area provides an approximately 250-foot wide buffer between the development area and the residential neighborhood located above. Because Highway One is directly adjacent, the ambient traffic noise is significant.

Parking in the area can be constrained at peak usage times. On-street parking is available along both sides of Main Street. Several of the businesses in the vicinity are successful and have overlapping peak hours. For example, on Fridays, Michael's on Main—a restaurant that hosts live music events, weddings, and paint nights—is open from 11 AM to 11 PM; Carpos and Little Tampico are open from 11 AM to 9 PM; the Fish Lady hosts live music and barbeque on Fridays from 6:30 PM to 9:30 PM. Beer Thirty is currently open from noon to 10 PM and has proposed to relocate to the subject parcel and be open until 12 midnight. Given the peak demand of these businesses, parking is an important consideration of this application.

History

The subject parcel was purchased in 2016 by the current property owners who also operate Beer Thirty Bottle Shop and Pour House, a business located on the adjacent parcel to the west. Beer Thirty's business model, which combines a large menu of beers with outdoor games like ping pong and corn hole, has been very successful. According to neighboring businesses, Beer Thirty's success has resulted in several negative impacts to surrounding businesses. In particular, neighbors are concerned that the parking demand of the business far exceeds the nine parking spaces located in front of the existing business location, which results in Beer Thirty patrons parking in other businesses' parking lots. The other significant impact is inadequate bathroom facilities at the current location of Beer Thirty.

In part to address these impacts, the applicant purchased the subject parcel with the intent of moving the business to a parcel sufficiently large enough to accommodate the use. The property was the site of a skate park and retail use in the 1970s and, later, was a nursery site.

Zoning & General Plan Consistency

Commercial developments which are between 5,000 and 20,000 square feet in size require a commercial development permit considered at a public hearing before the Zoning Administrator. The subject property is a parcel of approximately three acres, located in the C-2-GH (Community Commercial, Geologic Hazard Combining District) zone district, a designation which allows commercial uses. The nursery use is a pre-existing use and the proposed taproom and restaurant are an allowed use in the C-2 zone district. Residential uses are allowed in the C-2 zone district as long as they do not occupy more than 50% of the floor area of the development. In this case, the residential use is proposed on the second floor of the tap room structure under phase two and will occupy less than 50% of the development's floor area.

The Geologic Hazard Combining District reflects the flood hazard posed by Soquel Creek. The applicant provided a Letter of Map Amendment (LOMA) from the Federal Emergency Management Agency (FEMA) that amends the flood mapping reflected in the County's geographic information system (GIS) (Exhibit J). Based upon the LOMA, the proposed structures would all be located outside of the flood plain.

Proposed Improvements

Improvements are proposed to be constructed in two phases. In the first phase, the existing building would be demolished, and two buildings would be constructed: a two-story taproom/restaurant building and a small storage building with two bathrooms. An outdoor seating area would be located between the two buildings. A fenced game area, containing large outdoor games such as ping pong and corn hole, would be located next to the outdoor seating. An Airstream trailer, to be used only for storage, would be located along the eastern edge of the gaming area. Adjacent to the game area to the north and west would be an outdoor nursery use separated from the other uses by a fence with a locking gate. In phase two, the second floor of the taproom would be converted from storage to an apartment, and the small storage building would be converted into a kitchen.

A pedestrian path from Main Street will lead through the front gate and outdoor nursery, ending at the taproom. Six bathrooms are proposed to be constructed. This is five more than are currently available at Beer Thirty and is the number required by the building code. A 66-car parking lot is proposed to be constructed as well as improvements such as a sign and landscaping.

Except for the addition of the nursery business and kitchen, the proposed use areas are roughly equivalent to the areas currently in use at Beer Thirty. The project architect provided an exhibit demonstrating the relative sizes of the existing Beer Thirty site and the proposed project for comparison (see Exhibit H).

Program Statement

The applicant has provided a program statement that details the proposed business, including the uses, days and hours of operation, and anticipated number of patrons (Exhibit F). Below is a description of the proposed program followed by staff's analysis. A condition of approval is included requiring a one-year review of the business's compliance with the conditions of approval. The intention of this review is to ensure that the business is operating in substantial conformance with the

conditions and also that the conditions are effective in insuring the project's compatibility with the surrounding neighborhood.

Days/hours of Operation. The applicant requests to operate the business seven days a week. For the nursery, the applicant requests hours of operations of 7 AM to 7 PM, with the restaurant/taproom proposed to operate from 7 AM to 12 midnight, except on New Year's Eve when the restaurant/taproom proposes to stay open until 1 AM. Last call for alcohol is proposed to occur an hour before closing. Beer Thirty currently operates until 10 PM.

Later hours appear to be reasonable given the context where the business is located in a commercially-zoned area adjacent to Highway One which generates traffic noise. However, because of concerns about the business's compatibility with the neighborhood, staff proposes to allow a close time of 11 PM, not the requested 12 midnight. This close time is consistent with Michael's on Main which is a similar late-night type of business. A midnight close time could potentially be considered at the one-year review hearing if the project is found to be in substantial conformance with the conditions of approval and proposes to amend the operating hours.

Music. Both amplified and acoustic music are requested. Given the ambient traffic noise from Highway One and the large size of the parcel, staff supports the request for acoustic music as well as amplified music as long as it complies with the General Plan noise limits. To ensure that the residential neighbors to the east are not negatively impacted, a condition is included requiring that bands set up (including speakers) and play within the taproom (i.e. within the structure to attenuate the noise) and that all music stop at 9 PM. The business owner would like to have occasions when the band may be located outside. A condition of approval is included allowing up to three days when the band may be located outside. Music must be ancillary to the restaurant/taproom use. The proposed business would not be authorized to function as a nightclub or concert venue. Amplified pre-recorded music is proposed to be allowed at a low level in the outdoor areas. The use of amplified music would also be evaluated at the one-year review hearing.

Tap Takeovers. Beer Thirty hosts "Tap Takeovers" and this aspect of the business is proposed to continue. They occur about once a month and are an evening where a new themed beer menu is introduced. Examples of the themes of these events are: "30 Beers from Northern California" or "30 Beers from Local Breweries." According to the applicant, tap takeovers are standard taproom/pour house events. The submitted patron data for Beer Thirty shows that the peak patron counts do not occur on Wednesdays, the day designated for Tap Takeovers (see discussion below). Given this, these events are not anticipated to routinely generate a parking demand in excess of the available parking.

Parking and Traffic

As noted above, Beer Thirty's success has created a parking demand that exceeds the business's currently available on-site parking and has generated conflicts with neighboring businesses. Because of this impact, an important component of processing the current application is the parking analysis, the intent being to avoid parking conflicts resulting from the current proposal.

The applicant submitted a parking study prepared by a registered parking engineer. That study relies upon the square footages of the proposed uses, i.e. taproom, restaurant, gaming area, nursery, and—

in phase two—the proposed residential use. After accounting for areas that do not generate a parking demand such as storage, the traffic engineer then applied the County’s parking requirements to each proposed commercial use, and added the resulting numbers for a total number of required parking spaces (in addition to the residential spaces, required employee parking, and the five indentured spaces that benefit a nearby business—see “Indentured Parking” section below). The parking demand totals 66 spaces. The traffic engineer then calculated the parking reduction resulting from the shared uses (taproom/restaurant and nursery), which is four spaces. Based upon the traffic engineer’s methodology, the total required parking is 62 spaces¹ (including the five indentured parking spaces—see below).

After reviewing the project plans, a member of the public expressed concern about areas that were not included in the taproom area and were not, therefore, counted towards the parking requirement. These areas are the walkways around the outdoor beer garden area. The northern walkway area would be occupied by bicycle parking. The southern walkway is designated as the food truck area and is sufficiently narrow that it is unlikely to invite congregation. The eastern and western walkways, however, do appear likely to be used by patrons. Together, these areas total about 720 square feet which would require seven additional parking spaces. This brings the total parking requirement to 69 spaces. Since the parking lot currently shows 66 spaces, three additional spaces would be required. A condition of approval is included requiring that a total of 69 parking spaces be provided.

The traffic engineer’s methodology relies on the uses remaining physically distinct. For this methodology to work, the taproom/restaurant use cannot be allowed expand to the nursery area since the nursery use is calculated at a lower rate (1:600²) than the taproom/restaurant use (1:100). The options for addressing this potential issue is to either require gated access restricting the use of the nursery area by taproom/restaurant patrons or to calculate the nursery area at the restaurant rate and require the additional increment of parking be provided (i.e., 48 parking spaces).

Staff proposes to initially allow the applicant to address this issue by closing the nursery during peak taproom hours. The peak hours, based upon the data collected by the business owner, are Fridays between 6 PM and 10 PM and Saturdays between 6 PM and 10 PM. If, at the one-year review, the business is found to be using the nursery area as an extension of the taproom, then the property owner would be required to construct additional parking. No tables or seating would be allowed in the nursery area.

A second area of consideration is the game area. Outdoor games are an important part of the Beer Thirty business model and are proposed for the subject development. This area is calculated at 1 parking space for every 600 square feet of game area. The use of the 1:600 parking ratio (Open Uses, commercial uses conducted outside of buildings) is primarily based upon the fact that the use is outside and over half of the area would be occupied by game equipment, e.g., ping pong tables and corn hole. Many more people could occupy the space if the game equipment were removed or

¹ The traffic engineer’s square footage numbers were not consistent with the final plan set (Exhibit D). To clarify the square footages, a summary table using the same methodology as the traffic engineer along with the corrected square footages, has been provided in Exhibit G. The traffic engineer reviewed the table and verified that the correct methodology was used.

² This is a ratio that requires one space be provided for every 600 square feet of nursery use. In the case of the taproom/restaurant use, one space must be provided for every 100 square feet of restaurant use.

reduced in area. Given this, staff proposes a condition of approval that requires a minimum of 50% of the area, i.e., 1,700 square feet, be occupied by game equipment. A condition of approval is also included prohibiting tables used for eating/drinking in the game area.

Concerns about parking prompted the applicant to investigate the feasibility of constructing additional parking uphill of the taproom and game area. The project engineer's preliminary analysis is that it would be feasible to construct additional parking. If, at the one-year review, patron data collected for peak times indicates that the available parking is inadequate for the use and/or if substantiated complaints about the proposed business's parking are received, the applicant may propose to amend the permit and/or the Zoning Administrator may elect to require the construction of additional parking through a permit amendment process.

Number of Patrons. The County zoning ordinance does not place limits on patrons or otherwise control attendance. However, because of concerns about parking, the applicant provided patron count data for Beer Thirty. Except for the proposed addition of the nursery use and kitchen at the new site, the current Beer Thirty operations and the proposed project operations are roughly equivalent in uses and area. Given this, it is possible to use data collected from Beer Thirty to evaluate whether or not the County parking ratios appear likely to result in adequate parking for the business.

The applicant surveyed 900 hours of Beer Thirty's operation. That information was then averaged to establish patron counts for every hour between 1 PM and 10 PM, seven days a week. The summary data show that the peak hour is Friday at 9 PM when, on average, there are 132 patrons. Of the 900 hours reviewed, 44 exceeded 150 patrons (see table, Exhibit F), i.e., less than five percent. The highest number of patrons was experienced at 9 PM on a Saturday when 234 patrons were present.

In order to align patron counts with anticipated parking demand, traffic engineers use a vehicle occupancy ratio. For this use, the project traffic engineer recommends a vehicle occupancy ratio of 2.21 people per vehicle. Using the average peak of 132 patrons on Friday nights, this would require 60 parking spaces.

This data indicates that the County-required parking ratio is anticipated to result in adequate parking for the project the majority of the time, including the average Friday night peak. Based on the data provided, it is anticipated that roughly five percent of the time, parking demand could exceed the available parking. Although the County Code does not address ride-hailing services such as Uber and Lyft, some of the excess demand would be accommodated by these services and bus services such as "Beer Cruz." A condition of approval is included which requires the applicant to document hourly patron counts for peak periods during the first year of operation and submit those counts to the County at the one year review, i.e., Fridays and Saturdays between 6 PM and 9 PM and any time the parking lot is full.

Indentured Parking

The indenture parking requirement has been an aspect of the parking requirement which has been a point of confusion and warrants clarification here. In 1983 a parking indenture (Exhibit I) was recorded benefitting the parcel across the street from the subject parcel which is developed with Michael's on Main and an office building (APN 030-223-08). The parking indenture was for seven parking spaces to be provided on a large parcel located across Main Street. In 1987, the large parcel

was divided into two parcels (85-1145-MLD): the subject parcel and the parcel where the existing Beer Thirty, The Fish Lady and Sunnyside Produce are now located. To ensure the continued provision of the indentured parking spaces, the parking spaces were allocated to each of the new parcels based upon their parcel size. The subject parcel became responsible for five parking spaces with the remaining two spaces provided on the adjacent parcel. These five indentured spaces are included in the overall parking requirement of 69 spaces for the current project.

Design Review

County Code 13.11 (Site, Architectural and Landscape Design Review) requires design review for all commercial projects. Beer Thirty is known for its modern rustic aesthetic which is achieved by using elemental materials such as wood and metal on structures with clean lines. The subject development will have a similar aesthetic.

The two-story tap room building is a simple, pitched roof design. It is proposed to be finished in unpainted, reclaimed wood siding with rural architectural elements such as a large water tank and barn doors. The structure is proposed to be about 30 feet tall, i.e. five feet below the zone district maximum height limit. The narrow ends of the taproom building will face Main St. and Highway 1. The storage building that will be converted into a kitchen and bathrooms in phase two is similarly designed, but is only one story. The rest of the improvements are primarily fencing, a business sign, flatwork, and non-structural elements such as tables, large umbrellas, game equipment and landscaping. In addition, an Airstream trailer is proposed to be located within the game area. The Airstream trailer is consistent with the design of the buildings and other improvements. Together, these various elements will create a harmonious overall design aesthetic consistent with the requirements of the County's design review ordinance (see Findings, Exhibit B).

A landscape plan prepared by a landscape architect was submitted. The intent of landscaping is to soften the impact of the development. Since the proposed structures are relatively modest in size relative to the parcel's three-acre size, the primary intent of the landscaping is to screen the project from Highway 1—a designated scenic road—and to soften the impact of the parking lot. A substantial amount of landscaping is already present on-site. In addition to the wooded hillside, the project area has existing landscaping, including a row of pittosporum along the shared western property line and mature oak and olive trees, which have been incorporated into the site plan. In addition, the project includes the addition of fruit trees, pittosporum to screen the project from the highway, a succulent garden, ornamental perennials and grass, and vines. Together, this landscaping will soften the overall impact of the project.

Over-height Fence

This application proposes to recognize and extend the over-height fence located along the property's frontage. That fence is approximately seven feet tall. For fences over six feet in height within the front yard setback, County Code 13.10.525 requires that the fence be evaluated as a part of a discretionary permit. The fence is constructed of redwood posts and rails framing four-inch square welded wire. The purpose of the fence is to secure the nursery area. The design of the fence is consistent with the design of the rest of the proposed development and does not conflict with the required 10-foot site clearance triangle that is intended to preserve drivers' line of sight. Given this, staff supports the fence as shown in the project plans.

Sign

Signs in the C-2 zone district must be set back five feet from the right-of-way, are limited to 12 feet in height when parked cars are present (as in this case), and may have a maximum of 50 square feet of sign area. The proposed sign is set back the required five feet from the right-of-way, is eight feet in height, and proposes 50 square feet of sign area divided between the two sides of the sign. The sign's design is consistent with the architectural character of the building and has been designed as an integral part of the landscape area.

CEQA

This project is categorically exempt (15303 - Class 3 New Construction or Conversion of Small Structures) from additional review under the California Environmental Quality Act (CEQA) because the proposed structures are less than 10,000 square feet in area and are located in an area where urban services are available. Additionally, the project is essentially a relocation project where an existing use (Beer Thirty) is proposed to be shifted to the adjacent parcel.

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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **161091**, 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

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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: 161091

Assessor Parcel Number: 030-221-46

Project Location: 2590 S. Main St., Soquel

Project Description: Proposal to establish a restaurant / beer garden and nursery business

Person or Agency Proposing Project: Soquel Farmhouse LLC

Contact Phone Number: 831-419-5712

- 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. X **Categorical Exemption**

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

F. Reasons why the project is exempt:

The project proposes less than 10,000 square feet of commercial structures in an area zoned for such uses; the use does not involve a significant amount of hazardous substances; and all necessary public services and facilities are available and the surround area is a commercial area.

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

Annette Olson, Project Planner

Date: _____

EXHIBIT A

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. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources. The applicant submitted a Letter of Map Amendment (LOMA) from FEMA establishing that the proposed structures will be located outside of the Soquel Creek flood plain. Neighbors have complained about public urination by patrons of Beer Thirty due to the inadequacy of the existing number of bathrooms at its existing location. The current proposal for new location includes six bathrooms which meets the building code requirement and is anticipated to be adequate to serve the business's patrons. Parking in conformance with the County Code would be provided on-site. Given these considerations, the project will not be detrimental to health, safety or welfare of persons in the vicinity.

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 business 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-GH (Community Commercial, Geologic Hazard Combining District) zone district. The purpose of the C-2 zone district is to provide concentrated commercial uses accommodating a broad range and mixture of commercial activities, serving the general shopping and service of community-wide service areas. The proposed project is within an established commercial area that serves the broader community. Further, the proposed uses—a restaurant/taproom and retail nursery—meets the purpose of serving general shopping and service needs.

The primary use of the property will be a restaurant/taproom use that meets all current site standards for the zone district. The retail nursery use would continue but is anticipated to be ancillary in terms of impacts (e.g. parking) to the restaurant/taproom use. A two-bedroom residential unit is proposed for the second floor of the taproom buildings. The project is compatible with the surrounding uses in that the commercial district along Main Street supports several restaurants and two other establishments that provide evening entertainment (Michael's on Main and The Fish Lady). The residential neighborhoods located to the east and north of the commercial district are adequately buffered from the commercial uses by both distance and topography. The nearest residential neighborhood to the subject parcel is located upslope of the development area and about 250 feet to the east. The traffic noise from Highway One provides a relatively high ambient noise environment that provides an auditory buffer for the commercial businesses. Given these considerations, the project is anticipated to be compatible with the surrounding uses.

Parking is a significant consideration for this project because the applicant currently operates the nearby and very successful Beer Thirty. Beer Thirty's success has resulted in a parking demand that exceeds the business's currently available parking and, as a result, has generated conflict among nearby business owners who object to Beer Thirty patrons parking in their parking lots.

The project, as conditioned, meets the requirements of the County's parking ordinance. The applicant provided a parking study by a licensed traffic engineer (Exhibit G). That study's methodology first deducts 15% of the structures' floor area to account for areas that do not generate a parking demand (e.g. storage). Then, the traffic engineer uses the County's parking ordinance (13.10.510 *et seq*) to determine the required number of parking spaces for each use (in addition to accounting for employee parking and five indentured parking spaces), and then calculates the parking reduction resulting from the shared uses (i.e. restaurant/taproom and nursery uses). The parking savings from the shared uses is four parking spaces. Given this, and the need to preserve five indentured parking spaces that benefit another business and are not available for the proposed use, the overall parking requirement for the business is 69 spaces. This number includes the parking requirement for the eastern and western walkways adjacent to the outdoor beer garden use that were not previously included in the beer garden area shown on the project plans. The parking lot is currently shown as having 66 cars. A condition of approval is included requiring the provision of three additional parking spaces to meet the parking requirement of 69 spaces.

Because this methodology relies on the different uses as being physically separated, there is a concern that the nursery area could be used for the restaurant/taproom use. If so, this would result in a significant parking deficit since the nursery use requires one parking space for every 600 square feet of nursery use while the restaurant use requires one space for every 100 square feet of restaurant/taproom use. To address this concern, staff has included a condition of approval requiring the nursery area to be closed and inaccessible to taproom patrons during peak use times which are Fridays and Saturdays from 6 PM to 9 PM. As a condition of approval, no tables or seating are allowed in the nursery area. Together, these conditions are anticipated to address the concern that the nursery area would effectively become an extension of the taproom. This issue would be reviewed at the one-year review.

The second area to consider is the outdoor game area which was calculated at one parking space for each 600 square feet of game area. This assumes that the area will be used for games and not for the restaurant/taproom use. Given this, staff included a condition of approval requiring that a minimum of 50% of the game area be occupied by game equipment, e.g. ping pong tables, bocce ball courts, corn hole, etc. This is approximately the area shown occupied by large games in the project plans. In addition, no tables are allowed in this area.

Finally, the C-2 zone district allows a mix of commercial and residential uses as long as the residential use does not occupy more than 50 percent of the project's floor area. One residential unit is proposed on the second floor of the taproom. It is proposed to be 1,650 square feet which is 41% of the total floor area.

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 C-C (Community Commercial) land use designation in the County General Plan. Community Commercial uses are intended to provide well-designed centers of concentrated commercial use accommodating a mix of activities serving the general shopping, service and office needs of community-wide market areas. The subject development would support this goal in that it proposes a mix of commercial uses (taproom, restaurant, and nursery) within a well-designed project that will complement the existing development in the zone district. In addition, the project complies with Policy 2.14.2 (Allowed Uses in the Community Commercial Designation) in that the project proposes retail and restaurant uses while continuing the existing nursery use. Finally, it complies with Policy 2.14.6 (Quality of Commercial Design) which calls for quality commercial development to ensure compliance with requirements for signage, landscaping, circulation, parking, drainage, and site and building design. This project will continue the well-executed design of Beer Thirty which combines rustic materials with modern design. The project, as conditioned, will comply with the sign, parking and drainage requirements that are required as a part of the Commercial Development Permit process.

Acoustic and amplified live and recorded music are requested. To ensure that the music is compatible with the commercial and residential neighborhood, it is required to comply with the County's noise limits as established in the General Plan's Objective 6.9b (Noise Element). For an outdoor use such as this one, the maximum noise allowed before 10 PM is 70 db with an average maximum of 50 db allowed. Conditions of approval are included requiring that amplified live music will be located indoors (except for three times per year) in order to attenuate the noise and cease at 9 PM. In cases where the ambient noise exceeds this limit—as may be the case here, given the adjacency of Highway 1—the maximum is raised to the ambient noise level. If complaints are received about music, the applicant will be required to provide an acoustical study for the one-year review hearing.

The project, as conditioned, will be compatible with adjacent uses as required by General Plan Policy 8.5.2 (Commercial Compatibility With Other Uses) in that there are a number of similar businesses in the vicinity (Carpos, The Fish Lady, Little Tampico, and Michael's on Main). Several of these businesses have overlapping peak operating times, creating a parking demand that can, at times, exceed the area's parking supply. As described in finding two above, the project will provide all of its required parking on-site. Conditions are included that are intended to ensure that the use will be operated in a manner consistent with the parking calculations, i.e. that lower parking requirement areas (nursery) are not used for higher parking requirement uses (restaurant/taproom). Conditions are also included to limit noise from music. Together, the conditions of approval are intended to ensure that the project is compatible with the neighborhood.

A specific plan has been adopted for this portion of the County. The subject parcel is within the Soquel Village Plan area, but the plan contains no policies that are relevant to the proposed development.

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 business is to be constructed on an existing developed lot that has supported a skate park/shop and nursery. The applicant provided a trip generation study by a registered traffic engineer. This study found that no adverse impacts would occur as a result of the project (Exhibit G). The nursery use offsets the trips generated by the proposed business. The proposal essentially consists of relocating an existing business to an adjacent parcel. Many of the trips assigned to the new business are already occurring to/from Beer Thirty, a business owned by the applicant which is located on the adjacent parcel. Since the applicant intends to move Beer Thirty to the subject parcel where it will be operated along with the pre-existing nursery business, the Beer Thirty trips will now be made to/from the subject parcel. In other words, the trips to the subject parcel are already occurring. Due to the proximity of the two locations, the same road network and intersections are affected.

In terms of utilities, the energy demand of the development is anticipated to be relatively modest for a three-acre commercially-zoned parcel in that the proposed buildings are modestly sized. Most of the use is proposed to occur outdoors. The building code does not require outdoor areas to be heated or cooled so the overall utility demand relative to the size of the use will be low. Soquel Creek Water District provides water to the property and a will-serve letter is required for the project to proceed to the building permit stage.

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 commercial area containing a variety of architectural styles, and the design of the proposed business fits within this range (see finding six below for additional analysis on the architectural design).

The project is consistent with the land use intensity and the allowed density of the C-2 zone district. In this case, the most important measure of commercial intensity of use is the parking demand generated by the project. As described above, a traffic engineer calculated the parking demand. Taking his calculations and then adding in areas that were not previously included, the overall project parking requirement is 69 spaces. The project plans currently show 66 parking spaces and, with the addition of the three parking spaces required by condition of approval, the project will provide all of its required parking on-site.

The traffic engineer's analysis is supported by patron counts done at Beer Thirty (Exhibit F). The applicant intends to move Beer Thirty to the subject parcel. As a result, patron counts are useful in analyzing the adequacy of the proposed parking lot size. According to the applicant's data, the peak patron attendance at Beer Thirty occurs on Fridays at 9 PM when, on average, 132 patrons are present. Using a vehicle occupancy of 2.21 people per car (as recommended by the project traffic engineer), this would result in a parking space demand of 60 spaces. Adding the five indentured parking spaces, employee parking, and the residential parking spaces and deducting the four spaces for shared trips ($60+5+2+3-4=66$), results in a total demand of 66 spaces which would be accommodated within the required 69 parking spaces. Neither of these methods—the traffic

engineer's or the patron count approach—account for ride sharing services or the use of chartered buses which would reduce the parking demand.

The project is also consistent with the densities allowed in the zone district. In the C-2 zone district, residential units may occupy up to 50% of the floor area of the entire development. One residential unit is proposed to be located above the taproom and would be approximately 41% of the floor area of the proposed structures (taproom and kitchen buildings) which complies with the 50% limit.

The subject parcel is located in a commercial neighborhood along Main St., which is designated in the General Plan as a collector roadway. Staff supports an initial operation schedule of 7 AM to 11 PM, seven days a week based on establishing similar hours of operation to Michael's on Main located across the street which is a restaurant that hosts live music events, weddings, and paint nights and, on Fridays, is open from 11 AM to 11 PM. Nearby Carpos and Little Tampico are open from 11 AM to 9 PM on Fridays and The Fish Lady hosts live music and barbeque on Fridays from 6:30 PM to 9:30 PM. In addition, residential neighbors are buffered by both distance and topography from the commercial district. Given this context, the proposed hours of operation are expected to be compatible with the neighborhood.

To assess whether or not the proposed project is in substantial conformance with the conditions of approval which are written to ensure that the business is compatible with the neighborhood, the use will be reviewed by the Zoning Administrator one year after opening for business. The applicant had proposed to close the business at 12 AM, i.e., one hour later than the staff recommendation and condition of approval. If the business is operated in substantial conformance with the use permit's conditions of approval, the applicant could propose and the County may in the future extend the hours of operation to 12 AM through the permit amendment process. At the one-year review, the use of amplified music will be reviewed as well. To ensure compatibility with the residential neighborhoods to the east and north, all outdoor music must stop at 9 PM and amplified live music must be conducted within the taproom structure with the exception of three times per year when the music may be held outside.

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 will be of an appropriate scale and type of design that will enhance the aesthetic of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The site plan for the subject parcel is constrained by the presence of a slopes and mapped flooding from Soquel Creek. Development is therefore concentrated on the flat area outside of the flood plain. The site plan maintains the existing access from Main Street and the new taproom building will be essentially in the same location as the existing structure.

Highway 1 is designated as a scenic road in the County's General Plan (Policy 5.10.10) and the project complies with General Plan Policy 5.10.12 (Development Visible from Urban Scenic Roads) which requires that new discretionary development improve the visual quality through siting, architectural design, landscaping and appropriate signage. The narrow ends of the two new buildings will face Main Street and Highway 1, reducing the apparent mass and bulk of the structures. The

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proposed taproom structure is similar in size, shape and location of the existing structure which is proposed to be demolished. The new taproom will have the most significant impact on the view from Highway 1 since it is a two-story structure. Because the new taproom is similar to the existing building, no significant new visual impact to Highway 1 is anticipated to result from this project. Landscaping is proposed that, once mature, would adequately screen the development. This stretch of Highway 1, from Morrissey to 41st Avenue is an urbanized stretch of the highway where many of the businesses that line the highway are partially or entirely visible. Given this context, no significant visual impact will result from the proposed project.

In terms of architectural design, the buildings will be a modern rustic design, finished in reclaimed wood and accented with agricultural architectural features such as barn doors and a large water tank. The other site improvements include a gaming area, outdoor seating and nursery area. The fencing and landscaping for these areas creates an overall harmonious development. The streetscape will be enhanced with an attractive redwood and wire fence and landscaping. Although the seven-foot tall fence exceeds the County Code's height limit for fences, its style is consistent with the site's aesthetic and will not pose a line of sight issue for drivers exiting the property. As a result, staff supports recognizing the existing fence and its proposed extension.

Conditions of Approval

Exhibit D: Architectural plans, 14 sheets, prepared by William C. Kempf, architect, revised to 10/19/17.
Civil engineering plans, 3 sheets, prepared by Ifland Engineers, dated 6/22/17.
Landscape plans, 3 sheets, prepared by Megan Bishop Landscape Architecture, revised to 10/19/17

- I. This permit authorizes the construction of a taproom/restaurant with outdoor seating and game area and related improvements including a seven-foot high fence within the front yard setback; a nursery; and a residence in two phases as indicated on the approved Exhibit "D" for this permit. 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 Demolition Permit from the Santa Cruz County Building Official.
 - C. 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.
 - 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.
 - F. 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. Modest changes to the site plan are anticipated to accommodate the three additional required parking spaces. 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. A copy of the text of these conditions of approval incorporated into the full-size sheets of the architectural plan set.
2. Submit an Operational Management Plan that details how the site will be operated. The plan should, at a minimum, address: the provision of an on-site disturbance coordinator, on-site and off-site litter; compliance with other local, state and federal laws; including ABC laws; loitering; security; outdoor storage; and outdoor lighting.
3. Submit a final sign plan.
4. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.
5. All portions of the parking lot must be paved in a material that meets the intent of County Code 13.10.554(D). Gravel is not an acceptable material.
6. The nursery area shall not occupy more than 4,800 square feet of area. The submitted plans must clearly demarcate the 4,800 square foot area within the larger area west and north of the game area. The area in excess of 4,800 square must either be permanently landscaped or fenced off.
7. The gate between the taproom/restaurant and nursery must be shown on the plans as having a lock.
8. Provide complete screening from public view all rooftop mechanical and electrical equipment.
9. To the extent feasible, all new electrical power, telephone, and cable television service connections shall be installed underground. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries.
10. All exterior lighting shall comply with the requirements of County Code 13.11. No pole-mounted light fixture shall exceed 15 feet in height. Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures. All lighting shall be directed onto the site and away from adjacent properties. Decorative string lighting is allowed.

11. Submit a final landscape plan detailing the plant material, size and number of plants. The landscape plan must comply with the requirements of the water district.
12. Submit grading, drainage, and erosion control plans.
13. Details showing compliance with accessibility requirements.
 - a. The Building Permit Application will be subject to the 2016 CA Codes.
 - b. Exterior route details shall be provided to include slopes, widths, surface materials, and detectable warnings.
 - c. Accessible parking details to include slopes, striping and signage shall be provided. [CBC 11B-501]
 - d. Any required ramps shall be detailed to include slopes, landings, curbs or guiderail, handrail and handrail extensions. [CBC 11B-405]
 - e. Doors, doorways and gates shall be detailed. Include maneuvering clearances, threshold detail and hardware. [CBC 11B-404]
 - f. Complete and dimensioned details for restrooms shall be provided. Include fixture mounting heights, grab bars, maneuvering clearances, and door signage. [CBC 11B-603]
 - g. The kitchen shall be detailed to comply with clearances. [CBC 11B-206.2.8]
 - h. Sales counters and service counters shall be detailed and dimensioned to be 34" maximum above finished floor for a minimum 36" width. [CBC 11B-227.1, 11B-904.4.1]
 - i. Where food or drink is consumed at counters, there shall have a maximum 34" high by minimum 60" long area with knee and toe clearance. [11B-226.3]
 - j. A minimum 5% of seating spaces and food and drink tables shall be accessible. [CBC 226.1]
 - k. One of the required four electrical vehicle charging station spaces shall be provided and shall be van accessible. [CALGreen 5.106.5.3. CBC 11B-228.3]
 - l. A minimum 6 parking spaces shall be designated clean air/vanpool/ev. [CALGreen 5.106.5.2]

- m. Flood resistive construction requirements in ASCE 24-14 shall be applied, where applicable.
 - 14. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
- B.** Meet all requirements of the Environmental Planning section of the Planning Department, including:
- 1. The submitted Letter of Map Amendment (LOMA) appears to remove a portion of Parcel B from the special flood hazard area. Sheet C1.0 shows 1 cubic yard of fill being placed inside the flood zone, but does not delineate the flood zone on the plans. This is sufficient to determine feasibility for the discretionary phase; please submit an exhibit with the building permit that clearly delineates the revised FEMA Flood Zone AE in this area.
 - 2. Please provide two copies of the geotechnical report for review at the time of the building permit application.
 - 3. Prior to building permit issuance, please submit an original wet-signed and stamped *Soils (Geotechnical) Engineer Plan Review Form* to Environmental Planning. *Please note that the plan review form must reference the final plan set by last revision date.* Any updates to report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of this form may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", "Assistance & Forms", "Soils Engineer Plan Review Form".
 - 4. Plans submitted for the building application shall include a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual. The Manual may be found on our website: www.sccoplanning.com under the "Environmental" tab, "Erosion and Stormwater Pollution Control", then "Construction Site Stormwater BMP Manual". Part 2 of the manual lists Stormwater Pollution Control Plan requirements; please use this as a guide for preparing the plan.
 - 5. Submit an Archaeology Report for review, if required.
- C.** Meet all requirements of the Santa Cruz County Sanitation District, including discretionary comments dated May 2016. Proof of sanitary sewer service availability is required prior to application for a Building Permit.
- D.** Pay Zone 5 drainage fees (which will be assessed on the net increase in impervious area) and meet all requirements of DPW, Stormwater Management, including the following:

1. No change in surfacing or grading for the outside gaming and seating areas has been approved as part of this project. Any future changes in surfacing or grading will require review and approval and permits as necessary by the County.
2. Provide a final stormwater management analysis/report that demonstrates compliance with the County Design Criteria including mitigation requirements, minimization of pollutants of concern, safe overflow provisions, methods for minimizing clogging and maintenance, etc.. The analysis for project threshold for stormwater management mitigation shall include all phases of work (phase 1 and 2). This will result in a "large" project in regards to stormwater management and mitigation design and analysis shall be provided accordingly.
3. Provide final stormwater management improvement plans consistent with the analysis/reports, other project plans, and which are detailed adequately for construction. The final plans should include details on how all proposed impervious and pervious areas will be routed. If the final design includes mitigations that rely of infiltration of stormwater please include additional notes on the grading plan to avoid/minimize disturbance of infiltration areas and/or provide for decompaction/cleaning/testing of infiltration areas after grading is complete. The construction scheduling should be designed so that infiltration areas are not compacted nor clogged during construction. Provide specifications on subgrade compaction/non compaction and fabrics/mats/mesh requirements under infiltration and semi-pervious areas that are consistent with the analysis. Geotextiles shall be non-with with high minimum flow rates (125 gpm/sq ft or higher).
4. The site receives upstream runoff from adjacent properties and the project includes driveway and parking areas that are expected to have more than 6 inches of water depth during a 100 year storm – accordingly, the applicant is required to provide an easement(s) or other recorded document(s) acknowledging that the site does and will continue to receive upstream runoff, that the property owner is responsible for maintenance of the pathway, that flooding is expected to occur in the parking and driveway areas, and that the County and Flood Control District are not responsible for the upstream runoff, for maintenance of the drainage pathway, or for flooding on the project site. See Section G.3 of Part 3 of the CDC. Describe the extent of the upstream drainage area for this site (provide a watershed map showing the extents) and how the project will accommodate upstream runoff.
5. Provide final approval letter from the geotechnical engineer approving of the final drainage plans, the locations of any/all infiltrative BMPs, and supporting the use of the design infiltration rate used in the final sizing. Provide a copy of the August 2016 (or other updated) Geotechnical Investigation.
6. Recorded maintenance agreement (SWM-25B) for stormwater management and mitigation facilities will be required consistent with section C.3.e in the CDC. Include one exhibit detailing management activities, limitations on impervious surfacing, maintenance requirements, schedule for maintenance and reporting, signs of system failure, and responsible party, exhibit with

- mitigation watershed maps, and other required items in the recorded maintenance agreement.
7. Previously approved plans for the site suggest that the inlet in the parking lot was designed as a grease trap to treat runoff from the parking area. Please assess the existing condition of this treatment unit and the piping to be retained, include repairs, maintenance/upgrades as needed so that runoff from the parking area is continued to be treated prior to discharge from the site. The maintenance agreement (see comment No. 4 above) should include maintenance and reporting on this facility.
 8. All inlets shall be marked "No Dumping – Drains to Bay" or equivalent and shall be maintained by the property owner.
 9. Public Works staff will inspect for the installation of the drainage related items. Once all other reviewing agencies have approved of the building permit plans please submit a copy of signed reproducible civil plans with the DPW signature block on the first sheet along with the engineer's estimate for the construction of the drainage items (there is a 2% inspection fee). These plans will be routed through DPW for signature (expect 1- 2 weeks for routing time).
 10. Zone 5 fees will be assessed on the net increase in permitted impervious area due to the project. This project may be eligible for fee credits for existing impervious areas if documentation is presented demonstrating existing impervious areas are permitted or were built prior to 1969. County staff will utilize aerial photos from the 1970s and previous permit/fee assessment to establish credit if no additional information is furnished by the applicant.
- E. Meet all requirements of DPW, Encroachment, including:
1. The existing driveway approach must be removed and replaced with an ADA compliant driveway approach as shown in Figure DW-1 of the County of Santa Cruz Design Criteria (See Part 6 Driveways and Encroachments). Please include Figure DW-1, ST-4a, ST-4b and ST-4c on the plans to facilitate proper construction by the contractor.
- F. Meet all requirements of DPW, Road Engineering.
- G. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services and submit a food facility plan review application for review.
- H. Meet all requirements of the Soquel Creek Water District. Proof of water service availability is required prior to application for a Building Permit.
- I. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- J. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.

- K. Pay the current fees for Parks and Child Care mitigation for two bedroom(s) (currently \$600 per bedroom) and Child Care mitigation for the commercial uses (\$.23 s.f.).
 - L. Pay the current Affordable Housing Impact Fee. The fees are based on the project square footage.
 - M. Provide required off-street parking for 69 cars. Standard Parking spaces must be 8.5 feet wide by 18 feet long. Up to 30% of the required parking may be compact size. Compact parking spaces must be 7.5 feet wide by 16 feet long. All project parking must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - N. A minimum of 18 bicycle parking spaces must be provided.
 - O. 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. The project must comply with all recommendations of the approved soils reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- B. One-year Review:** One year following the commencement of the taproom/restaurant business on the subject parcel, staff shall prepare a follow-up report to the Zoning Administrator to assess the business's compliance with the conditions of approval, to evaluate the effectiveness of the conditions of approval to ensure the project's compatibility with the neighborhood, and to determine if any valid, verifiable nuisance impacts to adjacent commercial and residential uses have been addressed satisfactorily or not. If the project is found to be substantially out of conformance with the conditions of approval or County Code Chapter 8.03 (Alcoholic Beverage Retail Outlet Nuisance Abatement Program); or if the conditions of approval are determined to have been ineffective; or if valid, verifiable nuisance impacts have not been addressed satisfactorily; the Zoning Administrator address the relevant issues and direct staff to initiate a Level 5 (public hearing) amendment, at the applicant's expense, to the conditions of approval as necessary to address relevant issues including, but not limited to, modification of hours of operation, provision of additional parking if the taproom/restaurant use has expanded, modification of the times and locations of the use of music, and/or modification of project lighting. Alternatively, the Zoning Administrator may refer the permit to the Planning Commission for consideration of permit revocation, consistent with County Code 18.10.136 (Permit Revocation).
- C. Other Regulations:** The project must be in compliance with all Federal, State and local regulations, including, but not limited to, the Department of Alcoholic Beverage Control (ABC), Chapter 8.03 of the County Code (Alcoholic Beverage Retail Outlet Nuisance Abatement Program), and any requirements of the County Sheriff.
- D. Log:** During the first year of operation, the taproom/restaurant business owner shall record the number of patrons on Fridays and Saturdays hourly between 6 PM to 9 PM and any time the parking lot is full. The business owner shall submit these counts on a quarterly basis to the County, i.e., every three months.
- E. Hours of Operation.** Hours of operation are as follows:
- i. Nursery 7 AM to 7 PM Sunday through Thursday, 7 AM to 6 PM Friday, Saturday
 - ii. Restaurant 7 AM to 11 PM Sunday through Saturday
 - iii. Taproom, 7 AM to 11 PM
 - iv. Outdoor Game/Seating Areas 9 AM to 11 PM
- The sale of alcohol shall cease at 10:00 P.M in the taproom, restaurant and outdoor use areas.
- F. Operations and Management Plan:** The business shall comply with the Operations and Management Plan. An on-site disturbance coordinator shall be provided on-site during all hours of operation. The contact information for the disturbance coordinator

shall be posted in a prominent location. The disturbance coordinator shall maintain a complaint log detailing the content, date and time of all complaints and how the business responded to each complaint. The log shall be kept current and be available at the business for inspection by County staff.

G. Areas of Use: The areas of use shall be as reflected in Exhibit D

Outdoor Nursery Use: In order to ensure that the nursery use is limited to the 4,800 square feet shown in the project plans, permanent landscaping and/or fencing must be shown on the building plans and planted/constructed in order to create a clear perimeter.

1. The nursery must be closed entirely during peak taproom hours which are Fridays and Saturdays from 6 PM to close.
2. At any hour, the restaurant/taproom use shall not be allowed to occupy the outdoor nursery area unless the additional parking is constructed and this permit is amended. If the upper parking lot (or other) is not constructed, then a locking gate must be installed that restricts access to the nursery area.
3. No patron tables or patron seating are allowed in the nursery area.
4. 50% of the nursery area (1,200 square feet) shall be occupied with nursery plants and related products.

Game Area: 50% of the game area must be occupied by game equipment, e.g. ping pong tables, corn hole, bocce ball courts, etc. No tables and chairs for eating/drinking are allowed in the game area.

Uphill Area: The use of the area located east and uphill of the area of development is allowed without a permit amendment, i.e. no games or other activities may occur in this area unless this permit is modified to allow the use.

- H. Restaurant Meal Service:** Any time that alcohol is available, full meals shall be made available.
- I. Live Music:** Both acoustic and amplified music are allowed as long as the noise generated from both comply with the noise limits of the General Plan. The music shall be ancillary to the restaurant / beer garden use, i.e. the business shall not operate as a night club or concert venue. Except for three days per year, bands (including speakers) must be set up (including speakers) and play within the tap room. In all cases, music must end by 9 PM. If a substantial number of complaints are received, particularly from residential neighbors, the applicant may be required to provide an acoustical study for the one-year review hearing. The applicant will also be required to document the days, if any, that live music is set up and played outside of the taproom.
- J. Pre-Recorded Music.** Pre-recorded amplified music is permitted on the premises, and such music shall not be audible outside the boundaries of the subject property. No nightclub or dance hall entertainment facilities as described by the Santa Cruz County Code shall be permitted unless approved by separate permit.

- K. Food Truck:** If a food truck or trucks provides food service to the business, it shall park in the location designated on the project plans, i.e. it shall not occupy required parking. In no case shall the food truck park overnight on-site.
- L. Air Stream Trailer:** The air stream trailer is allowed to be parked on-site. The only allowed use for the trailer is storage. No other use is authorized. Members of the public are not allowed inside the trailer. The airstream must be maintained in a condition that it can be readily moved, i.e. it must be mobile. If complaints are received and verified by County staff that document that the trailer is connected to utilities and/or is being used for a use other than storage, the trailer shall be removed from the property.
- M. Entry Sign:** The proposed sign shall be: a maximum of 12 feet high, located a minimum of five feet from the right-of-way, and a maximum of 50 square feet in area. The sign may not be indirectly illuminated. The location of the sign must be such that drivers' line of sight is not affected.
- N. Residential Use:** The second-floor residential use may not be used as a part of the business. A gate (or other barrier), sign or both shall be installed at the base of the stairs prohibiting entrance.
- O. Employees Transportation:** Employees shall be encouraged to ride bikes, take public transportation, or carpool to and from work.
- P. Restrooms:** A sufficient number of restroom facilities must be provided to meet the demand of the business's patrons. Should the six restrooms shown in the project plans prove to be inadequate, additional capacity may become required.
- Q. Deliveries:** Deliveries shall be made during off-peak times.
- R. Trash/Recycling:** All trash and recycling areas shall be effectively screened from view and covered and maintained in an orderly state to prevent water from entering into the garbage container. Trash areas shall be maintained in a manner to discourage illegal dumping and to prevent noxious odors, bugs or other pests and regularly picked-up.
- S. Outdoor Storage.** No outdoor storage is allowed or permitted unless designated on the approved plan set.
- T. Anti-Graffiti.** The applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including job sites for projects under construction.
- U. Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of

litter, trash, cigarette butts and garbage.

- 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.

Please note: This permit expires three years from the effective date listed below unless a building permit is obtained for the first phase of the project consisting of one of the primary structures 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

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permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

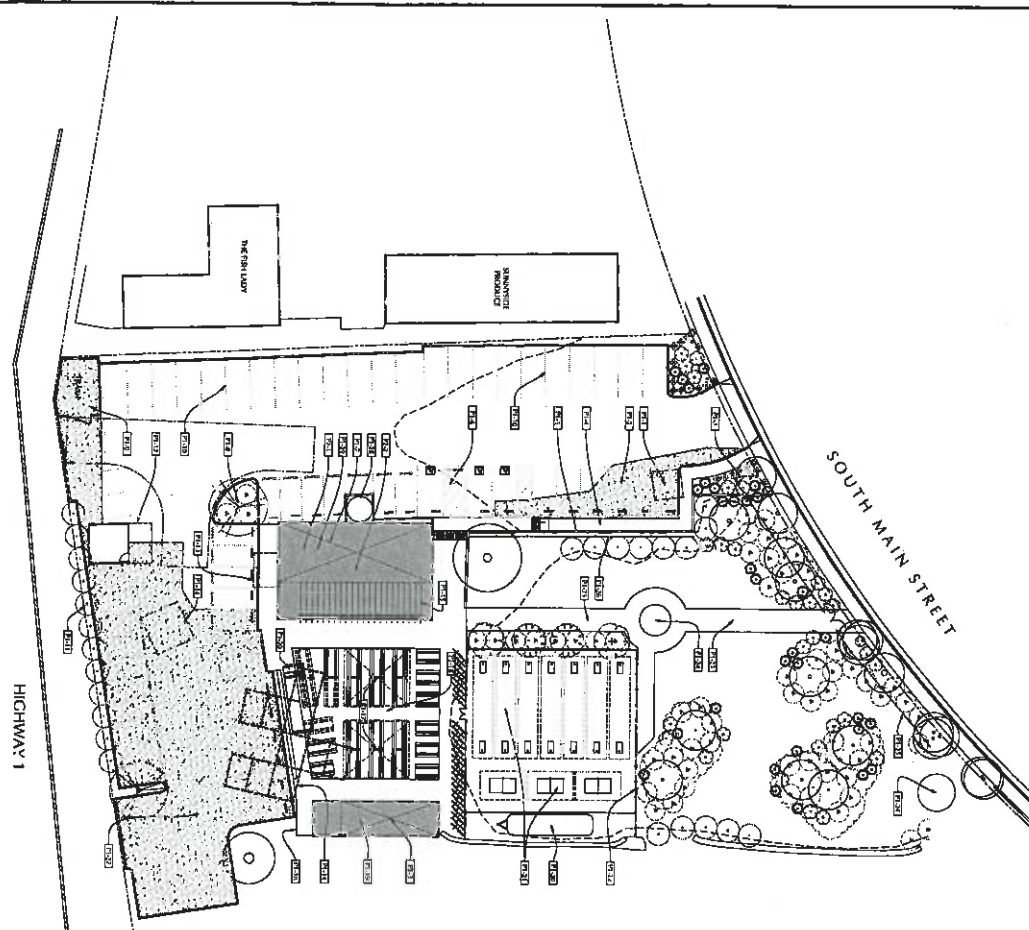
Expiration Date: _____

Deputy Zoning Administrator

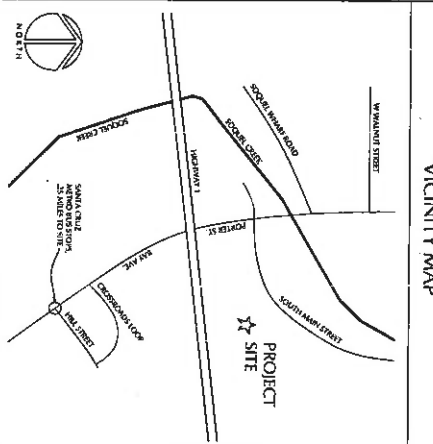
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

NEW COMMERCIAL DEVELOPMENT AT THE NURSERY 2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA

PROJECT OVERVIEW - PHASES 1 & 2



- PROJECT OVERVIEW - PHASE 1**
- P1-1 DEMO EXISTING MOBILE AND PERCOLA STRUCTURE
 - P1-2 BALANCE EXISTING PARKING LOT
 - P1-3 INSTALL NEW WORKING 30 S.F. SIGNAGE
 - P1-4 CONSTRUCT NEW 3' CONCRETE ADA SIDEWALK AND SITE
 - P1-5 CONSTRUCT NEW 2' CONCRETE ADA SIDEWALK AND SITE
 - P1-6 CREATE NEW ADA PARKING & 150'x11' TRUNCATED DOWNS
 - P1-7 DEMO EXISTING TWO STORY BUILDING COMPLETELY
 - P1-8 CONSTRUCT NEW 2' CONCRETE ADA SIDEWALK AND SITE
 - P1-9 RESTORE THROUGHOUT PARKING LOT
 - P1-10 NEW LANDSCAPING AT PARKING PERIMETER
 - P1-11 DEMO EXISTING PERCOLA
 - P1-12 DEMO EXISTING PERCOLA
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 - P1-28 DEMO EXISTING PERCOLA
 - P1-29 DEMO EXISTING PERCOLA
 - P1-30 DEMO EXISTING PERCOLA
- PROJECT OVERVIEW - PHASE 2**
- P2-1 REMOVE KITCHEN FROM EXISTING TANROOM BUILDING
 - P2-2 CONVERT SECOND STORY STORAGE LOFT INTO 2-BED COTTAGE UNIT
 - P2-3 REMOVE EXISTING STORAGE ROOM INTO COMMERCIAL KITCHEN



PROJECT DATA

PROPERTY OWNER:
SOQUEL FARMS, LLC
1800 CANTON STREET
CANTON, CA 95001
TEL: (925) 419-5712

PROJECT SITE:
2590 SOUTH MAIN STREET
SOQUEL, CALIFORNIA

ASSESSORS PARCEL NUMBER:
000-221-146

LOT AREA:
4.124 (993 S.F. 42.27 ACRES)

ZONING:
C-2 CH COMMUNITY COMMERCIAL

OCCUPANCY TYPE:
GROUP 4.2.8.1

CONSTRUCTION TYPE:
TYPE V-B

REFERENCE CODE:
2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA FIRE CODE
2016 CALIFORNIA ENERGY CODE

THE SPARKS:
NEW THROUGHOUT

PROJECT DESCRIPTION:
PHASE 1: DEMO OF EXISTING NURSERY PROPERTY BY UPGRADING & EXPANDING EXISTING BUILDING INTO A TWO-BED COTTAGE UNIT. PHASE 2: DEMO OF EXISTING TANROOM BUILDING, RESTROOM BUILDING, AND STORAGE BUILDING. PHASE 3: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 4: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 5: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 6: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 7: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 8: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 9: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 10: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 11: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 12: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 13: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 14: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. PHASE 15: DEMO OF EXISTING PERCOLA AND RESTROOM BUILDING. 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PROJECT TEAM

ARCHITECT:
WILLIAM C. KEMP, ARCHITECT
9111 CENTER STREET, SUITE F
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DAVID KEMPER: (415) 466-5313

GEOTECHNICAL ENGINEER:
GOMAC ENGINEERING, INC.
P.O. BOX 99001
ARFON, CA 95001
ADRIAN GABRIEL: (415) 473-1411

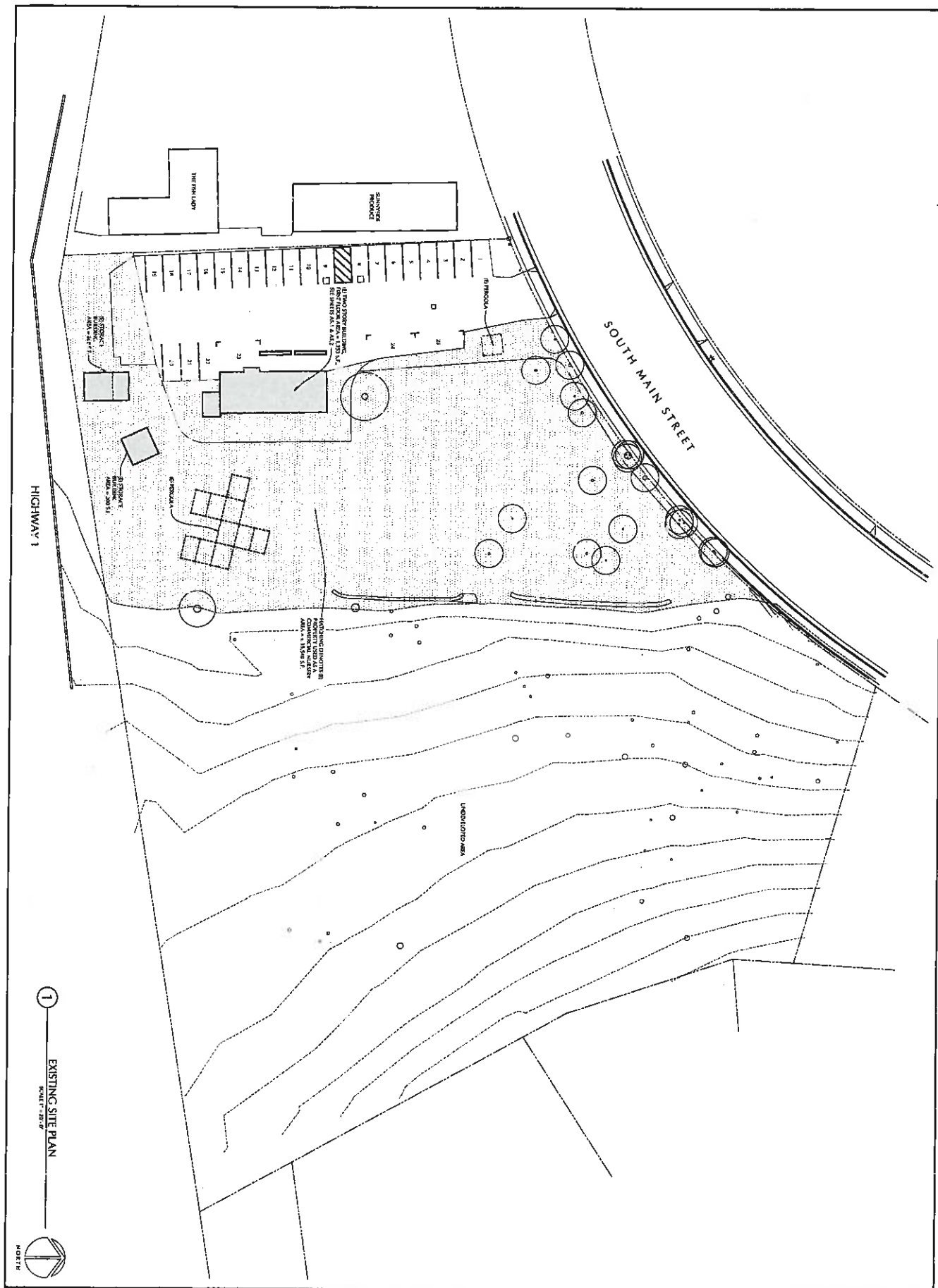
LANDSCAPE ARCHITECT:
MILL LANDSCAPE ARCHITECTURE
P.O. BOX 228
ARFON, CA 95001
MELANIE BISHOP: (415) 418-9222

WILLIAM C. KEMP
ARCHITECT
9111 CENTER STREET, SUITE F
SAN JOSE, CA 95131
BILL KEMP: (415) 466-9581

NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
PROJECT DATA, VICINITY MAP, DEMO PLAN

REVISION	DATE	DESCRIPTION
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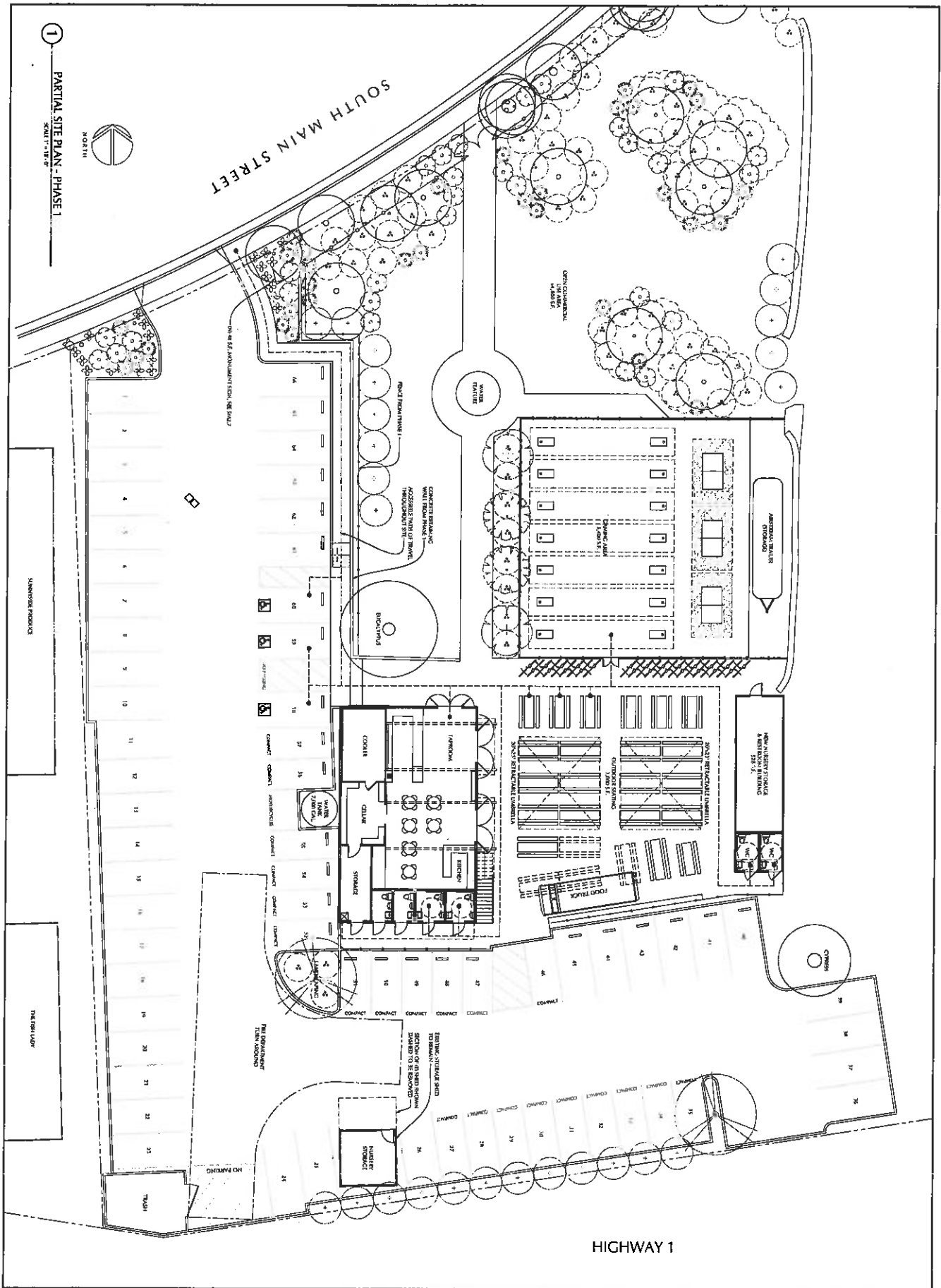


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THE NURSERY PROJECT
2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
EXISTING SITE PLAN
SCALE: 1" = 32.0'

DATE: 03-27-06
DRAWN BY: RJA
CHECKED BY: RJA
APPROVED BY: RJA

REVISIONS		
NO.	DESCRIPTION	DATE
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1 PARTIAL SITE PLAN - PHASE 1
SOUTH - 80°



SUNSHINE PRODUCTS

THE FISH LADY

AMERICAN TRAILER STORAGE

NEW NURSERY BUILDING

EXISTING NURSERY BUILDING

PARKING LOT

TRUCK TRAILER

LANDSCAPE

CONCRETE

NO PARKING

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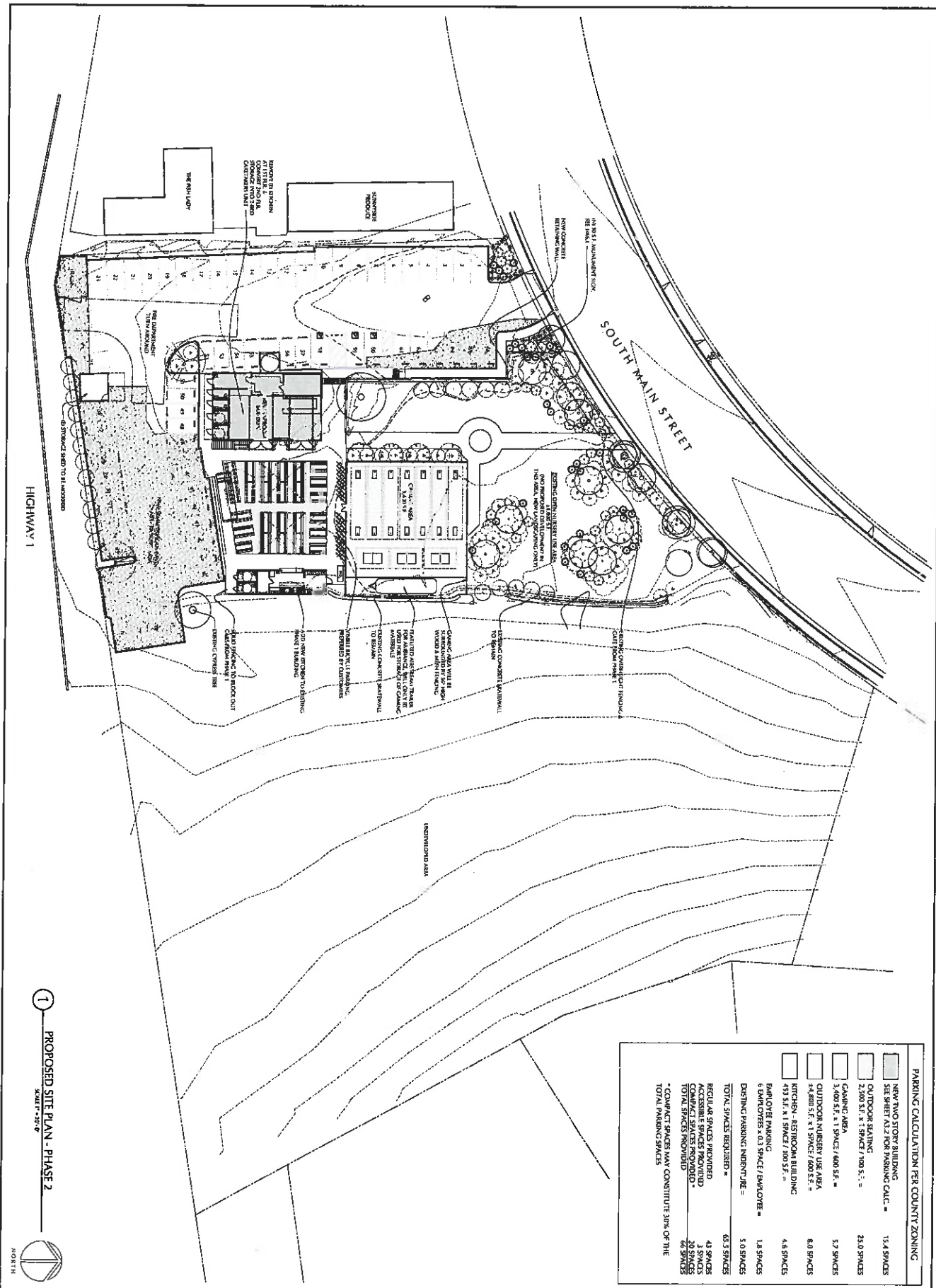
DATE: 10/1/2018
BY: [Signature]
PROJECT: THE NURSERY
SHEET: A2.2

NO.	DESCRIPTION	DATE	BY
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94	REVISION		
95	REVISION		
96	REVISION		
97	REVISION		
98	REVISION		
99	REVISION		
100	REVISION		

DATE: 10/1/2018
BY: [Signature]
PROJECT: THE NURSERY
SHEET: A2.2

NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
PARTIAL SITE PLAN - PHASE 1

WILLIAM C. BENT
ARCHITECT
10000 N. 1ST AVE. SUITE 100
DALLAS, TEXAS 75243
214.440.1234
www.williamcbent.com



PARKING CALCULATION PER COUNTY ZONING			
<input type="checkbox"/> NEW TWO STORY BUILDING	SEE SHEET A2.2 FOR PARKING CALC.	15.4 SPACES	
<input type="checkbox"/> OUTDOOR SEATING	2,200 S.F. x 1 SPACE / 100 S.F. =	22.0 SPACES	
<input type="checkbox"/> CASHING AREA	3,000 S.F. x 1 SPACE / 400 S.F. =	7.5 SPACES	
<input type="checkbox"/> OUTDOOR NURSERY USE AREA	4,400 S.F. x 1 SPACE / 400 S.F. =	11.0 SPACES	
<input type="checkbox"/> KITCHEN - RESTROOM BUILDING	413 S.F. x 1 SPACE / 100 S.F. =	4.1 SPACES	
EMPLOYEE PARKING			
6 EMPLOYEES x 0.3 SPACE / EMPLOYEE =		1.8 SPACES	
EXISTING PARKING			
EXISTING PARKING INTERVENE =		5.0 SPACES	
TOTAL SPACES REQUIRED =		65.3 SPACES	
REGULAR SPACES PROVIDED		43 SPACES	
COMPACT SPACES PROVIDED *		22 SPACES	
TOTAL SPACES PROVIDED		65 SPACES	
* COMPACT SPACES MAY CONSTITUTE 3% OF THE TOTAL PARKING SPACES			

CONTRACTOR:
J. J. JENSEN & SONS, INC.

DATE:
09-23-06

CLIENT NAME:
NYS & SONS DEVELOPMENT

PROJECT NAME:
NEW SOUTH MAIN STREET

NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2560 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
PROPOSED SITE PLAN - PHASE 2

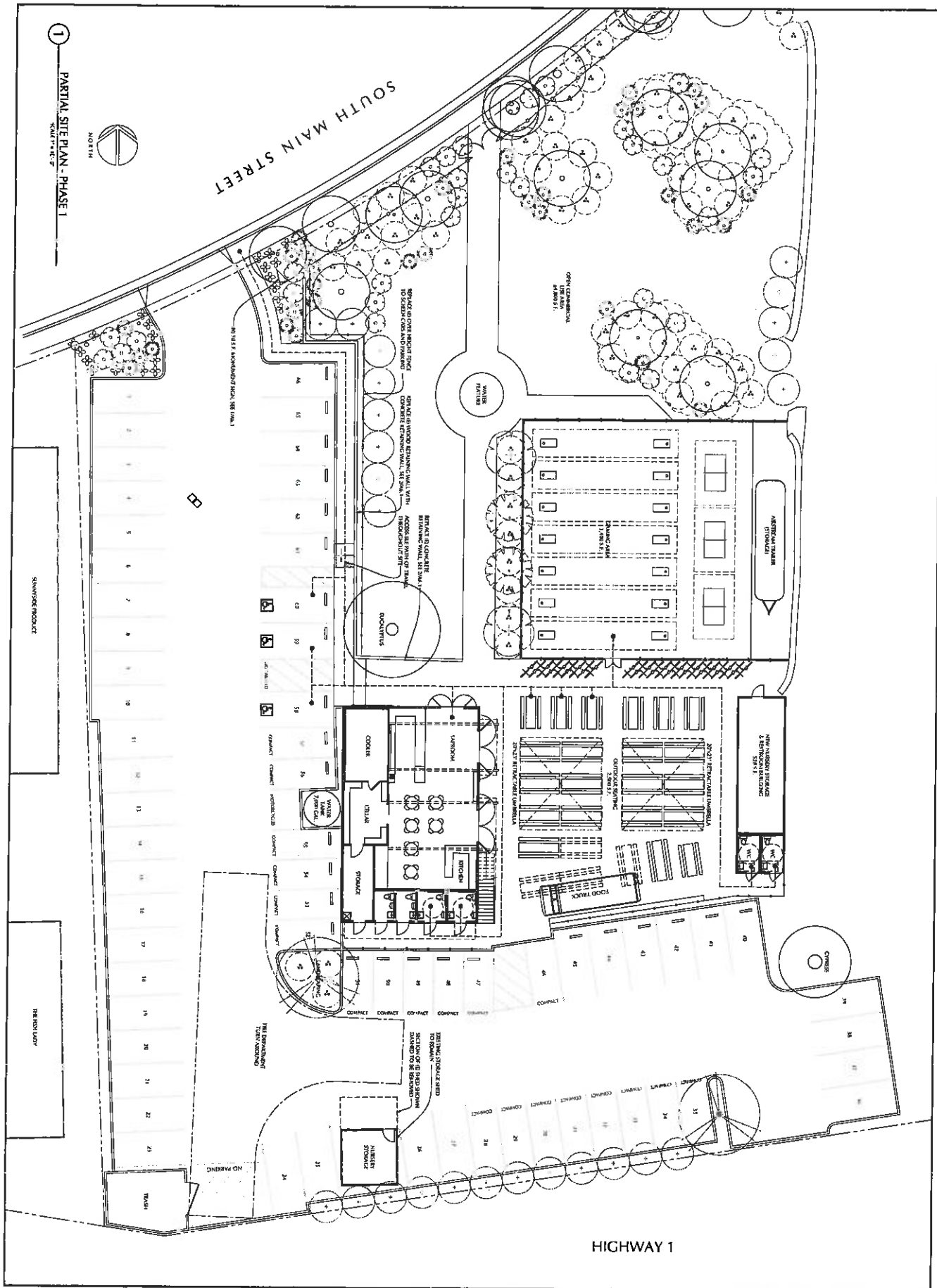
WILLIAM C. KERRY
ARCHITECT
1000 N. MAIN STREET, SUITE 1
SOQUEL, CA 95076
408-685-1111
www.williamckerry.com

REVISIONS

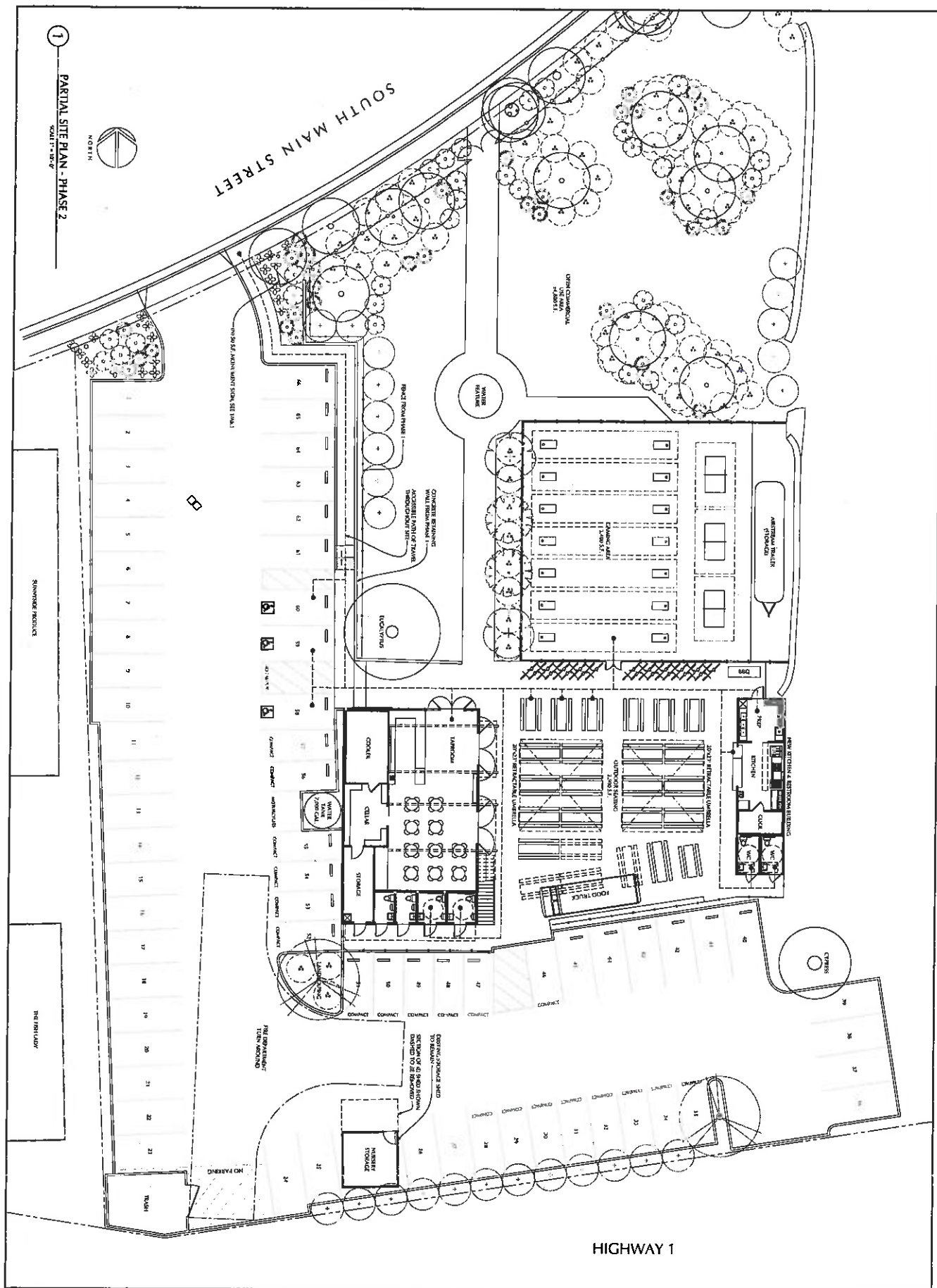
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2	ISSUED FOR PERMIT	09/23/06

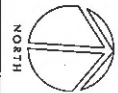
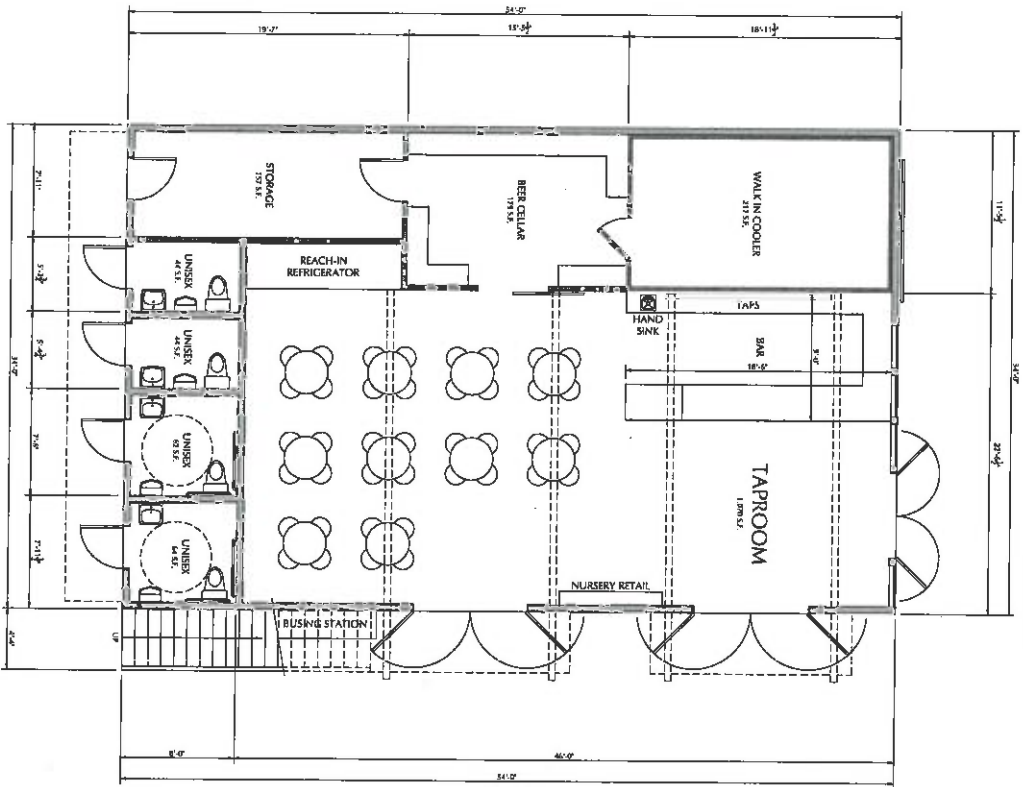
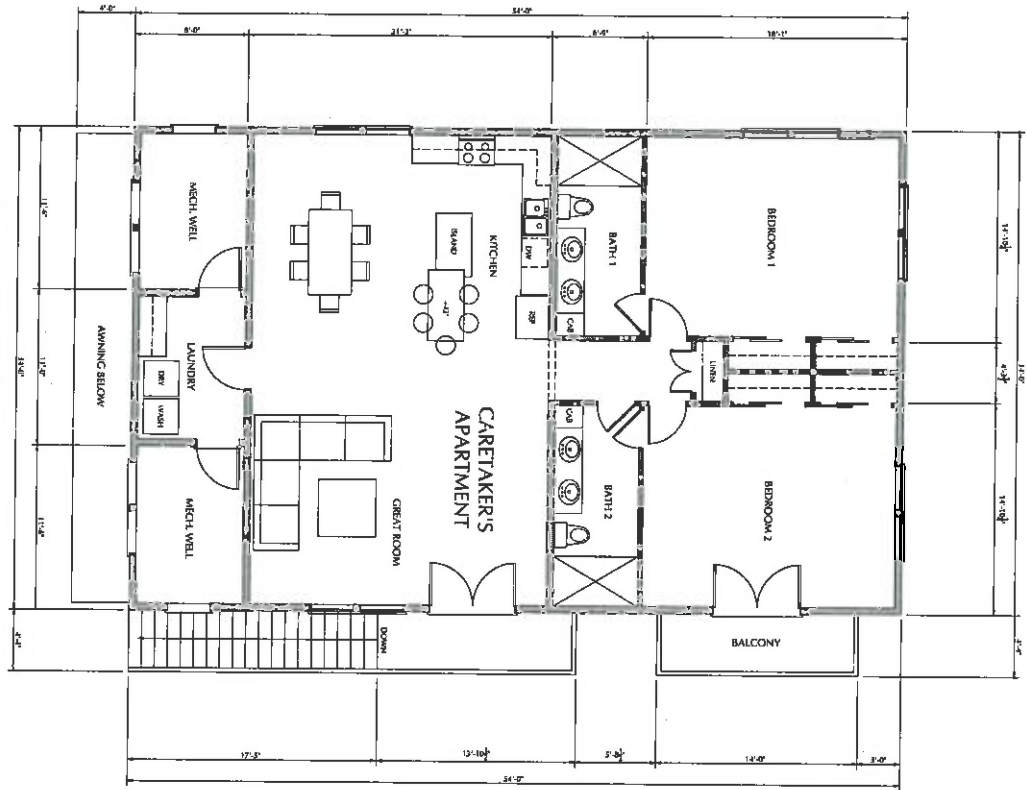
SCALE:
1" = 25'-0"

DATE:
09-23-06



<p>A2.4</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>	<p>DATE</p> <p>DESCRIPTION</p> <p>BY</p> <p>DATE</p>
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MAIN BUILDING PARKING CALCULATION			
TYPE	NO.	AREA	TOTAL
PARKING	100	100.00	100.00
WALK-IN COOLER	1	1.00	1.00
BEER CELLAR	1	1.00	1.00
REACH-IN REFRIGERATOR	1	1.00	1.00
STORAGE	1	1.00	1.00
UNISEX	1	1.00	1.00
TOILET	1	1.00	1.00
RESTROOM	1	1.00	1.00
TOTAL	105	105.00	105.00

PLUMBING CALCULATION			
TYPE	NO.	AREA	TOTAL
PARKING	100	100.00	100.00
WALK-IN COOLER	1	1.00	1.00
BEER CELLAR	1	1.00	1.00
REACH-IN REFRIGERATOR	1	1.00	1.00
STORAGE	1	1.00	1.00
UNISEX	1	1.00	1.00
TOILET	1	1.00	1.00
RESTROOM	1	1.00	1.00
TOTAL	105	105.00	105.00

A3.2

THE NURSERY
2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
PHASE 2 - TAPROOM FLOOR PLANS

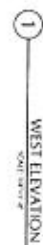
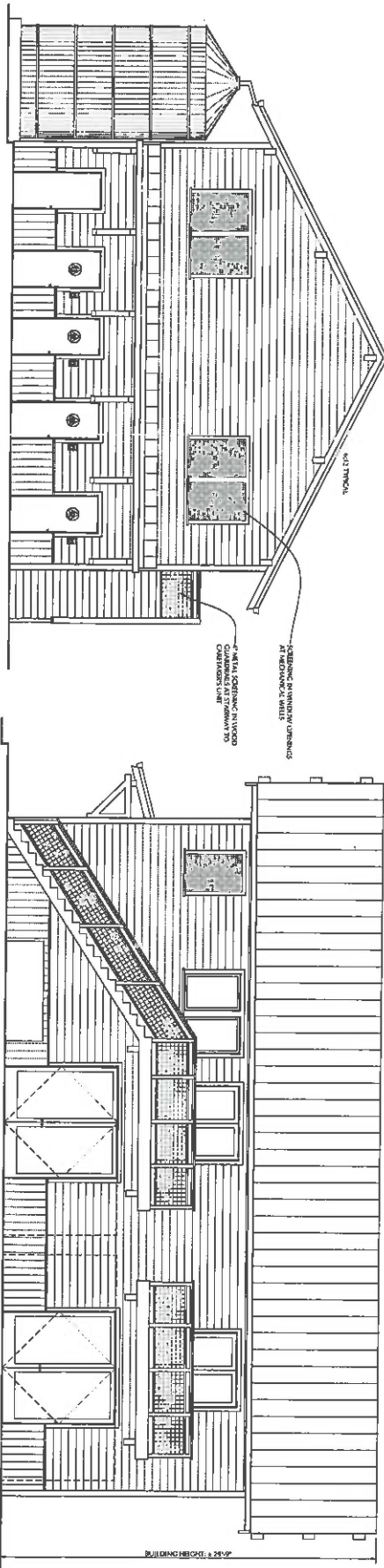
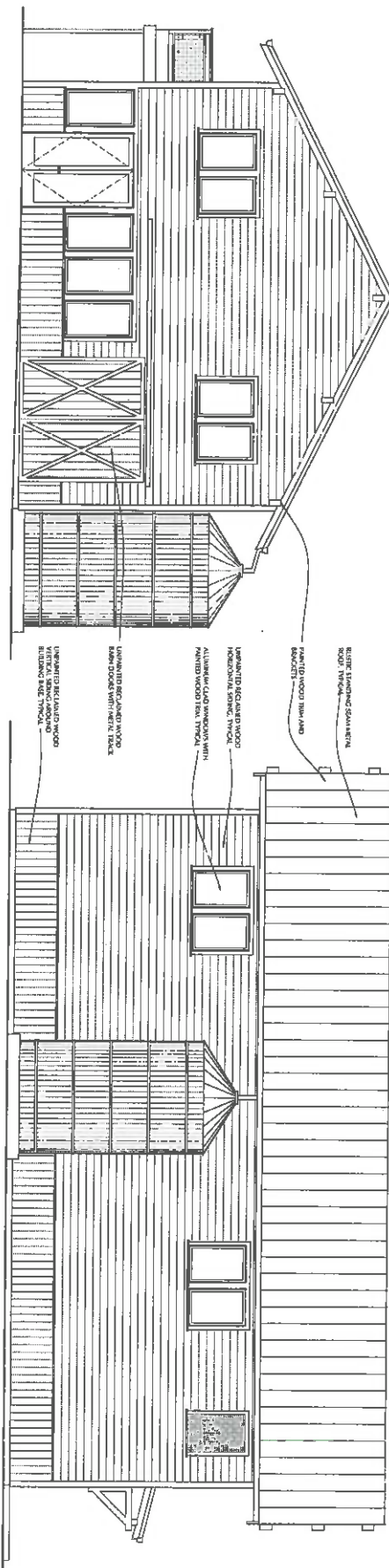
WILLIAM C. DEWITT
ARCHITECT
1111 GARDEN STREET, SUITE 200
SAN JOSE, CALIFORNIA 95128
408.435.1000
www.williamcde Witt.com

DATE: 08/20/14
DRAWING NO: 08/20/14
PROJECT: THE NURSERY
2590 SOUTH MAIN STREET

REVISIONS
DATE
BY
DESCRIPTION

37

EXHIBIT D



WILLIAM C. DENAPE
1111 Central Expressway
Folsom, CA 95630
916.982.2200
info@wcdenape.com

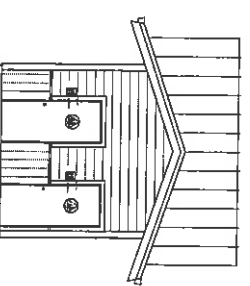
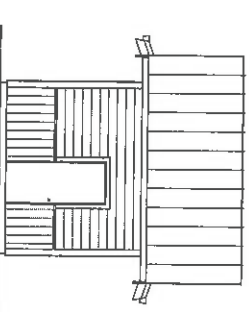
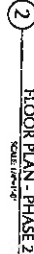
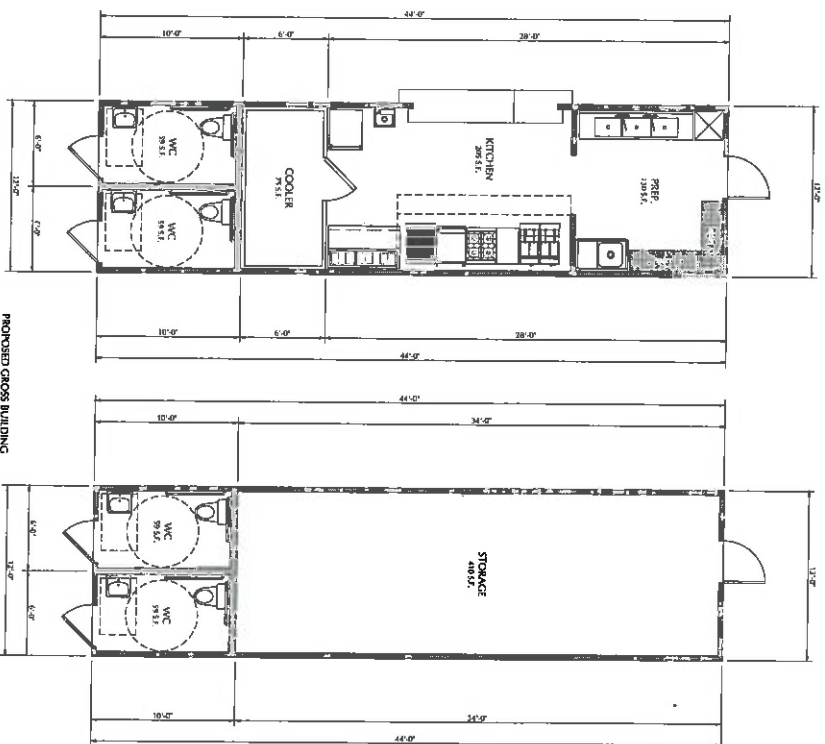
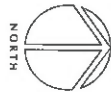
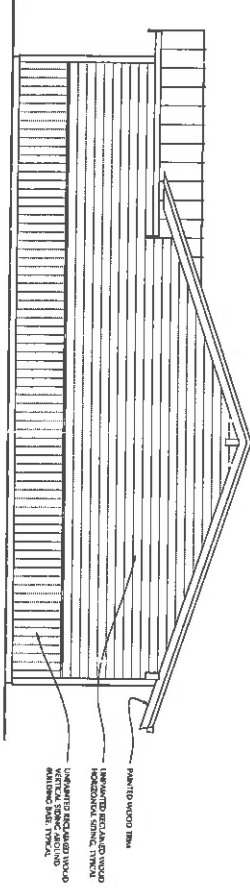
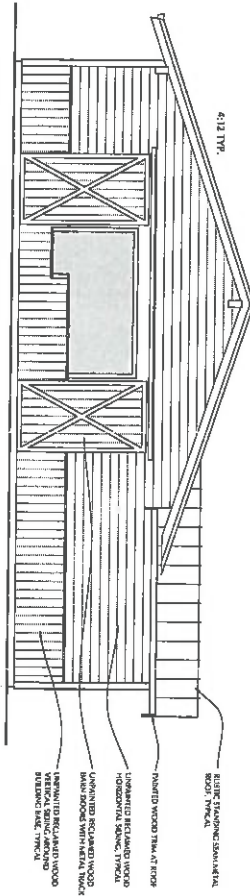
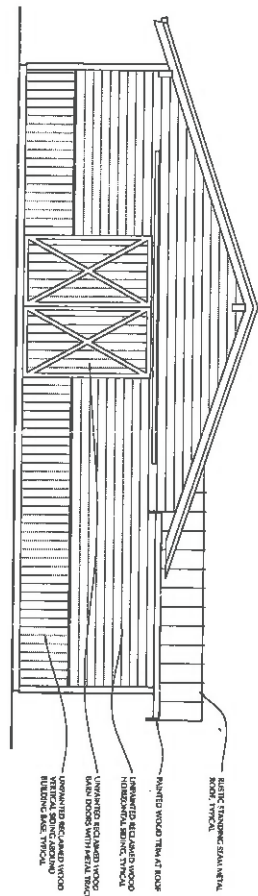
NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2390 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
PHASE 1 & 2 - NEW TAPROOM ELEVATIONS

DATE: 11/11/11
PROJECT: NEW TAPROOM ELEVATIONS
CLIENT: THE NURSERY
LOCATION: 2390 SOUTH MAIN STREET, SOQUEL, CA 95077

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	100% MATERIAL				
2	100% LABOR				
3	100% TRAVEL				
4	100% TRAVEL				
5	100% TRAVEL				
6	100% TRAVEL				
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98	100% TRAVEL				
99	100% TRAVEL				
100	100% TRAVEL				

DATE: 11/11/11
PROJECT: NEW TAPROOM ELEVATIONS
CLIENT: THE NURSERY
LOCATION: 2390 SOUTH MAIN STREET, SOQUEL, CA 95077

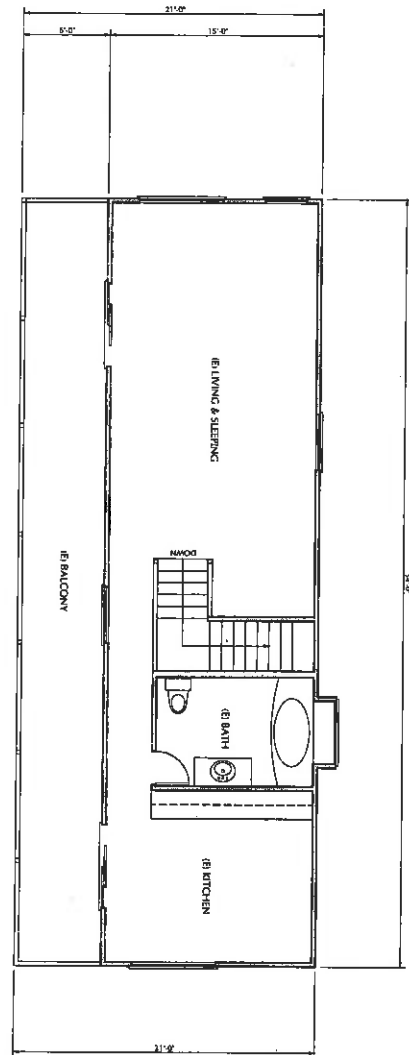
A3.3

[illegible]

DRAWING DATE:	NOVEMBER 21, 2017
A.P.N.:	030-221-46
CLIENT NAME:	RYAN & SHAWND DREWITT
PROJECT NAME:	3790 SOUTH MAIN STREET

NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
PHASE 1 - NEW NURSERY STORAGE BUILDING

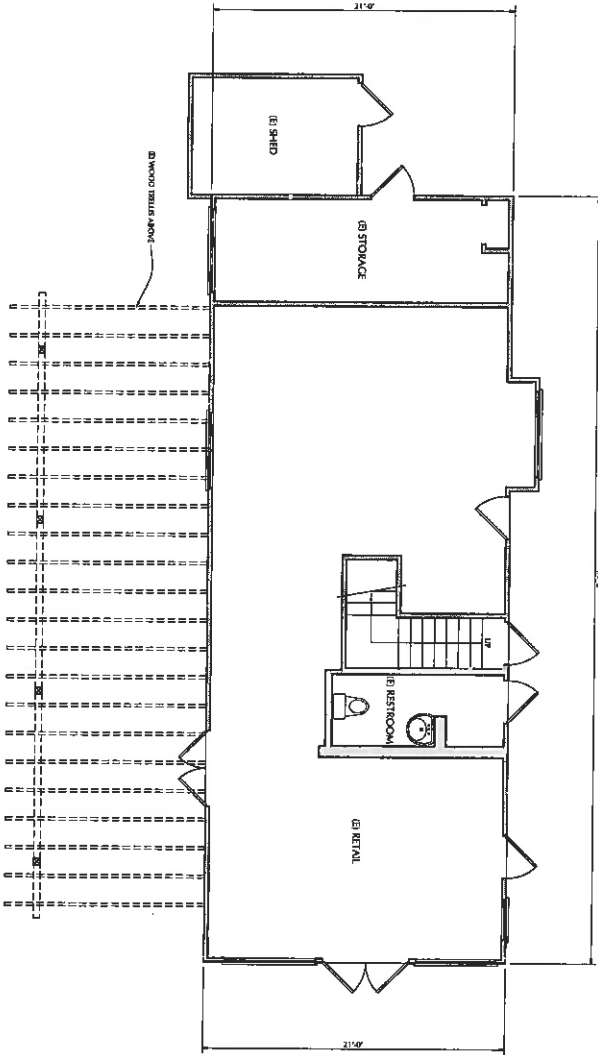
WILLIAM C. KEMP
ARCHITECT
913 Eastern Street, Suite F
Santa Clara, CA 95050
(408) 292-1441
WCK@earthlink.com



2 EXISTING UPPER FLOOR PLAN

PLAN IS FOR REFERENCE ONLY; BUILDING IS TO BE DEMOLISHED

EXISTING SECOND FLOOR
AREA: 910 S.F.



1 EXISTING LOWER FLOOR PLAN

PLAN IS FOR REFERENCE ONLY; BUILDING IS TO BE DEMOLISHED

EXISTING FIRST FLOOR
AREA: 1,253 S.F.



WILLIAM C. KISER
ARCHITECT
1000 N. 1ST STREET
SUITE 100, COVINGTON, LA 70002
504.835.1111
www.wckarchitect.com

NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
EXISTING BUILDING PLANS

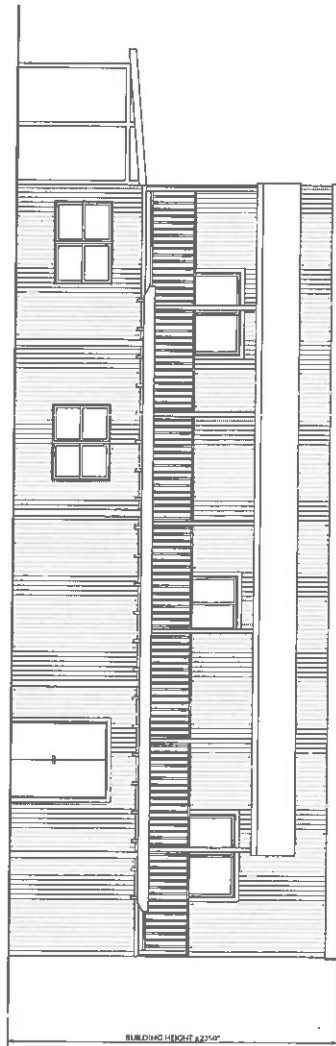
DEVELOPER:	NOVEMBER 21, 2009
DATE:	03/21/06
CLIENT NAME:	THE NURSERY
PROJECT NAME:	2590 SOUTH MAIN STREET

NO.	DESCRIPTION	DATE
1	REVISION	03/21/06
2	REVISION	03/21/06
3	REVISION	03/21/06
4	REVISION	03/21/06
5	REVISION	03/21/06
6	REVISION	03/21/06
7	REVISION	03/21/06
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9	REVISION	03/21/06
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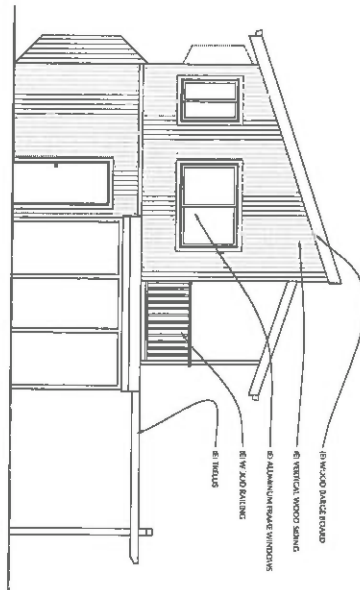
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1	REVISION	03/21/06
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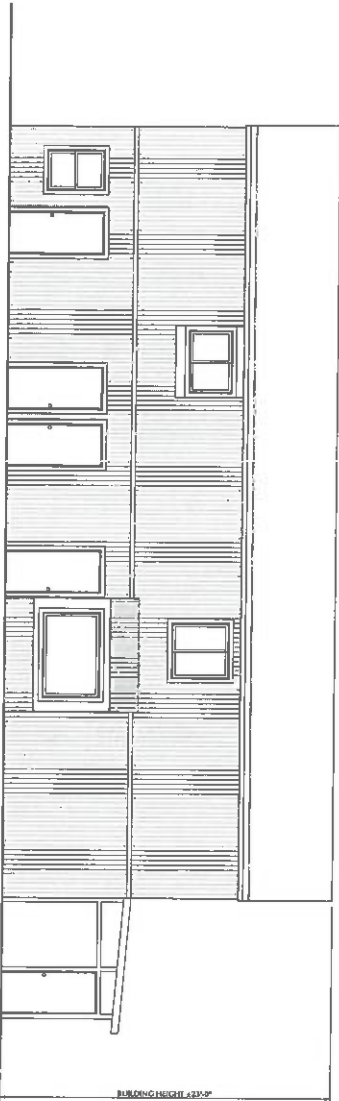
A5.1



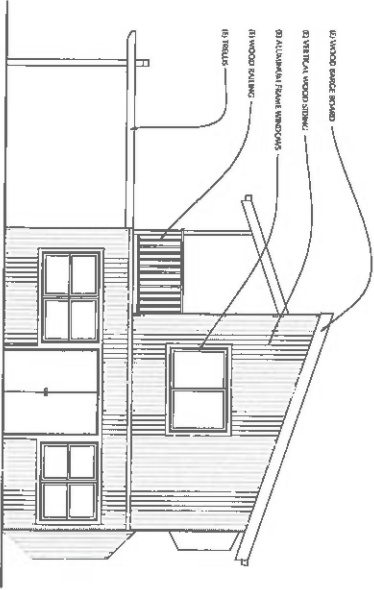
2 EXISTING EAST ELEVATION
SCALE 1/8"=1'-0"



1 EXISTING SOUTH ELEVATION
SCALE 1/8"=1'-0"



4 EXISTING WEST ELEVATION
SCALE 1/8"=1'-0"



3 EXISTING NORTH ELEVATION
SCALE 1/8"=1'-0"



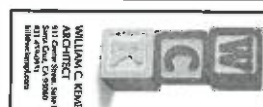
WILLIAM C. KEMP
ARCHITECT
1111 G Street, Suite 100
San Francisco, CA 94102
415.441.1111
www.williamckemp.com

NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2390 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
EXISTING BUILDING ELEVATIONS

DRAWING DATE:
NOVEMBER 21, 2017
A.P.N.: 32-321-148
OWNER:
THE NURSERY
2390 SOUTH MAIN STREET
SOQUEL, CA 95077

NO.	DESCRIPTION	DATE
1	PRELIMINARY	10/20/17
2	REVISION	11/20/17
3	REVISION	11/20/17
4	REVISION	11/20/17
5	REVISION	11/20/17
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7	REVISION	11/20/17
8	REVISION	11/20/17
9	REVISION	11/20/17
10	REVISION	11/20/17

DATE: 11/20/17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1/8"=1'-0"
A5.2



NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
 259D SOUTH MAIN STREET, SOQUEL, CALIFORNIA
 MISC. ARCHITECTURAL SITE DETAILS



NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
 259D SOUTH MAIN STREET, SOQUEL, CALIFORNIA
 MISC. ARCHITECTURAL SITE DETAILS

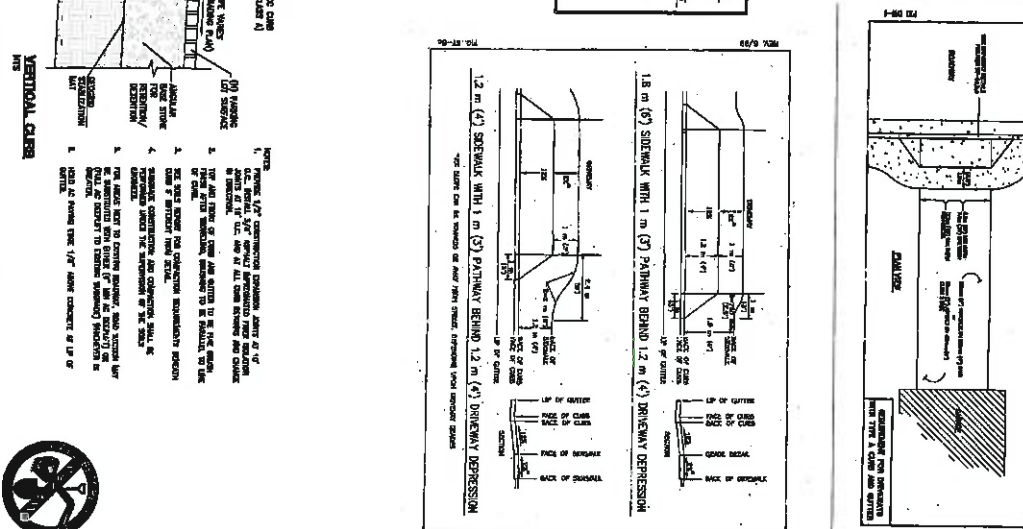
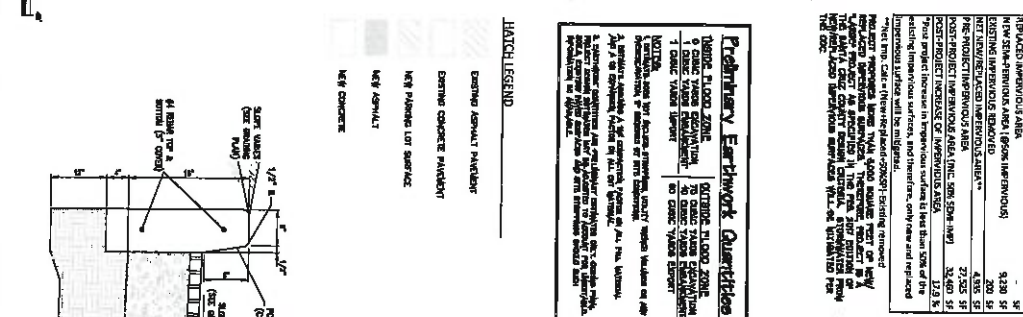
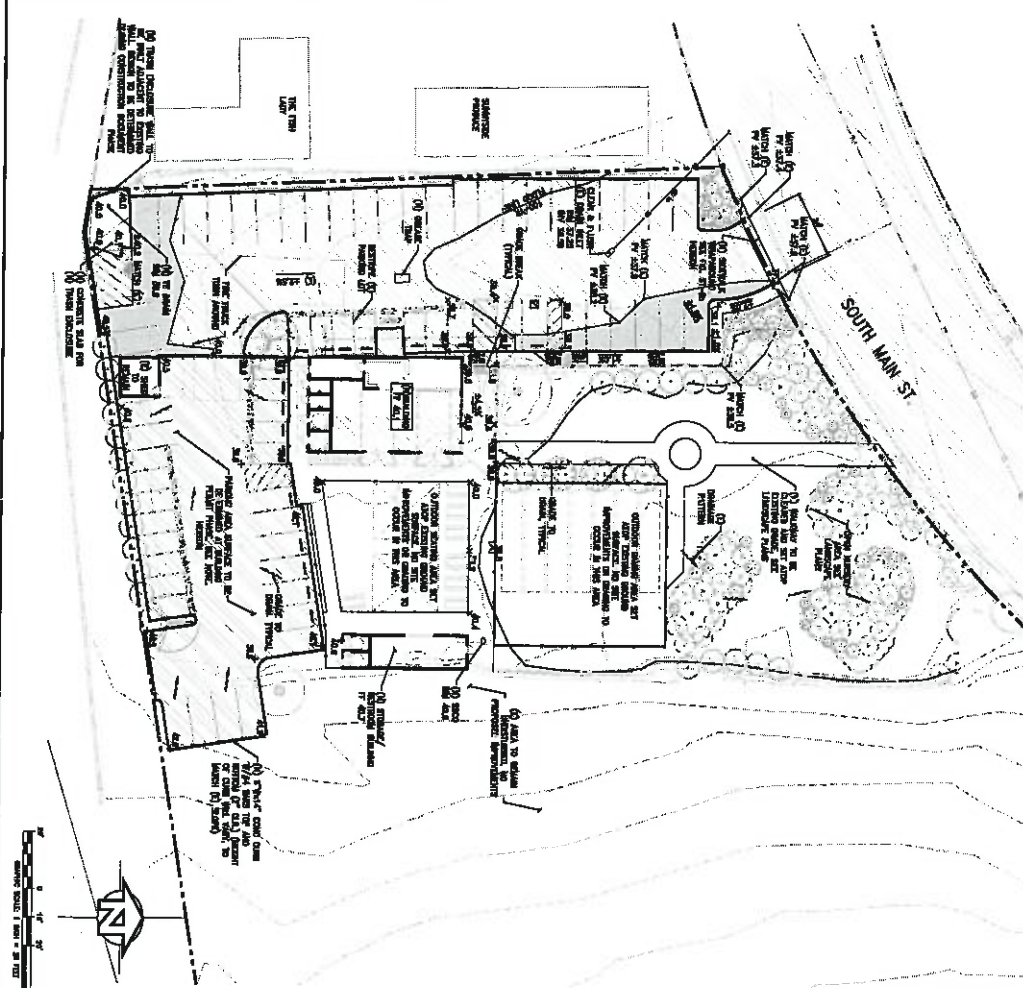


NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
 259D SOUTH MAIN STREET, SOQUEL, CALIFORNIA
 MISC. ARCHITECTURAL SITE DETAILS

[illegible][illegible]

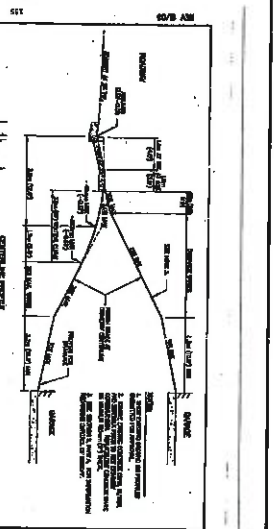
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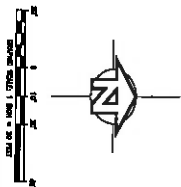
- NOTES:**
1. ALL GRADING, CONSTRUCTION AND OTHER CONDITIONS SHOWN SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 2. ALL EXISTING UTILITIES SHALL BE PROTECTED AND NOT REMOVED UNLESS OTHERWISE NOTED.
 3. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 4. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 5. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 6. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 7. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 8. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 9. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).
 10. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS PREPARED BY CALIFORNIA HIGHWAY PAVING, INC. (CHPI).



PROPOSED IMPROVEMENTS SUMMARY TABLE

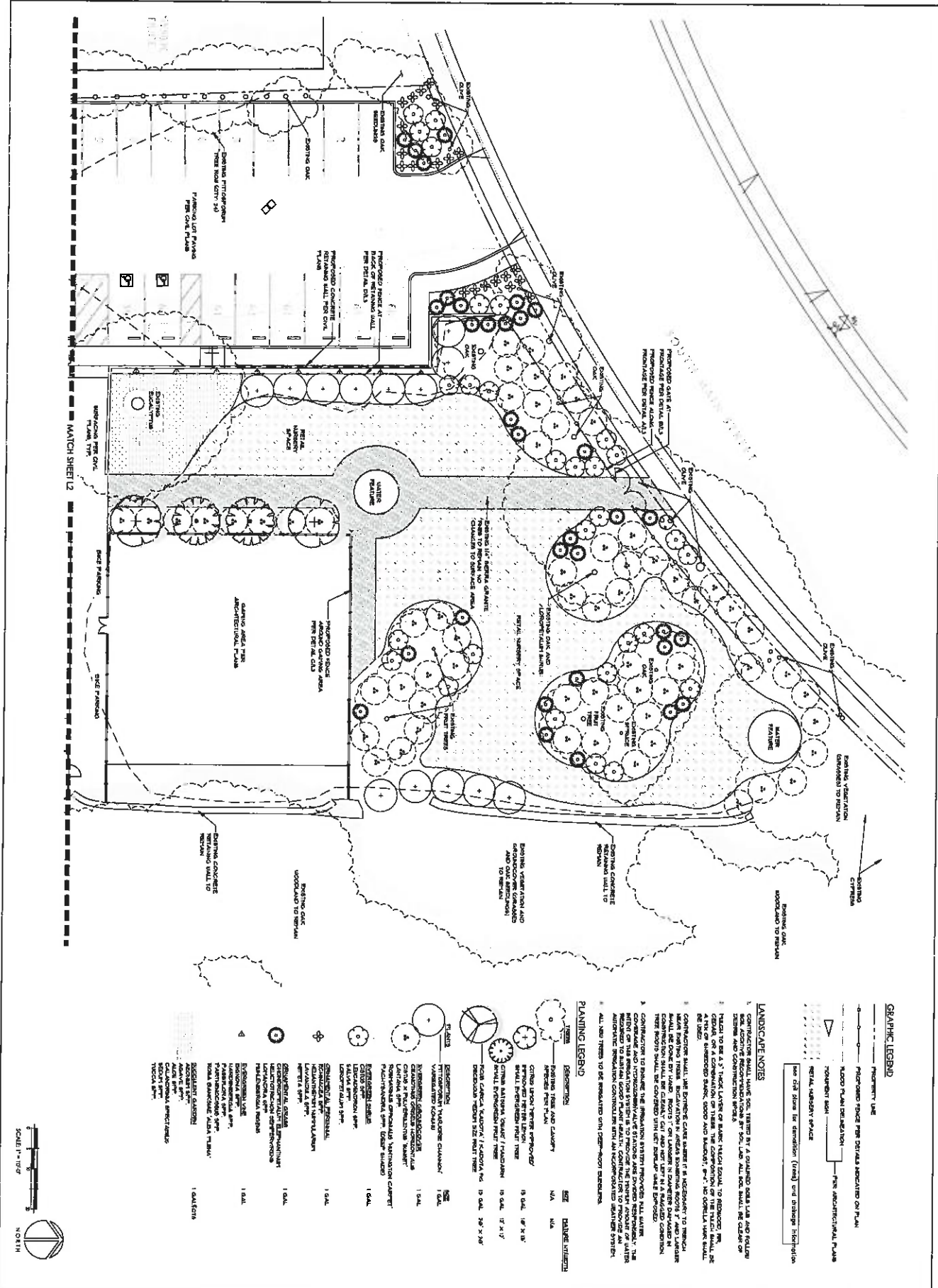
ITEM	QUANTITY	UNIT	ESTIMATED COST
1. GRADING AND DRAINAGE	10,000	SQ. YD.	\$100,000
2. PAVING	5,000	SQ. YD.	\$50,000
3. CURBS AND GUTTERS	1,000	LINEAL FT.	\$10,000
4. UTILITIES	1,000	LINEAL FT.	\$10,000
5. LANDSCAPING	1,000	SQ. YD.	\$10,000
6. FURNITURE	1,000	LINEAL FT.	\$10,000
7. SIGNAGE	1,000	SQ. YD.	\$10,000
8. TOTAL			\$190,000





imperious surface, and therefore, only new and replaced imperious surface will be mitigated.

FOR PLAN CHECK ONLY



GRAPHIC LEGEND

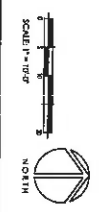
- PROPERTY LINE
- PROPOSED DRIVE PER DETAILS INDICATED ON PLAN
- MAJOR PLAN DETAILATION
- PROPERTY BOUNDARY
- PER ARCHITECTURAL PLANS
- PER SITE PLAN FOR DETAILATION (TYP) AND STRIPES INDICATION

LANDSCAPE NOTES

1. CONSTRUCTION SHALL BE DONE BY A QUALIFIED LANDSCAPE ARCHITECT AND SHALL BE ACCORDING TO THE RECOMMENDATIONS OF THE ARCHITECT AND LANDSCAPE ARCHITECT.
2. TREES TO BE A 5" THICK LAYER OF SLACK TIECH TIECH TO REMOVED, 10% OF THE TOTAL AREA OF THE SITE SHALL BE COVERED BY TREES. THE TREES SHALL BE 4" IN OR SMALLER SHOWN, 100% AND 100% OF THE TOTAL AREA SHALL BE COVERED.
3. CONSTRUCTION SHALL BE DONE BY A QUALIFIED LANDSCAPE ARCHITECT AND SHALL BE ACCORDING TO THE RECOMMENDATIONS OF THE ARCHITECT AND LANDSCAPE ARCHITECT.
4. CONSTRUCTION SHALL BE DONE BY A QUALIFIED LANDSCAPE ARCHITECT AND SHALL BE ACCORDING TO THE RECOMMENDATIONS OF THE ARCHITECT AND LANDSCAPE ARCHITECT.
5. CONSTRUCTION SHALL BE DONE BY A QUALIFIED LANDSCAPE ARCHITECT AND SHALL BE ACCORDING TO THE RECOMMENDATIONS OF THE ARCHITECT AND LANDSCAPE ARCHITECT.

PLANNING LEGEND

ITEM	DESCRIPTION	SIZE	DATE
1	RECOMMENDED DRIVE AND DRIVEWAY	N/A	N/A
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DISCLAIMER

THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE CLIENT ASSUMES ALL RISK FOR ANY SUCH ERRORS OR OMISSIONS.

NEW COMMERCIAL DEVELOPMENT AT

THE NURSERY

2590 SOUTH MAIN STREET, SOQUEL, CALIFORNIA

PROPOSED SITE PLAN - PHASE 1

WILLIAM C. KEMP

ARCHITECT

2590 SOUTH MAIN STREET

SOQUEL, CALIFORNIA 95076

408-864-1111

MLA

MECHANICAL, ELECTRICAL, PLUMBING, AND AIR-CONDITIONING ENGINEERS

2590 SOUTH MAIN STREET

SOQUEL, CALIFORNIA 95076

408-864-1111

REVISIONS

NO.	DESCRIPTION	DATE
1	REVISION	08/21/04
2	REVISION	08/21/04
3	REVISION	08/21/04
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APPROVED

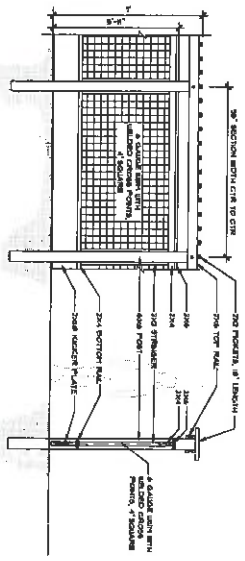
WILLIAM C. KEMP

ARCHITECT

APPROVED

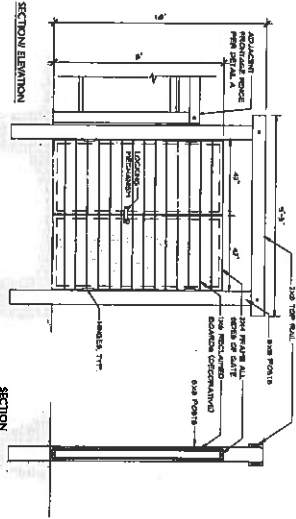
MLA

MECHANICAL, ELECTRICAL, PLUMBING, AND AIR-CONDITIONING ENGINEERS



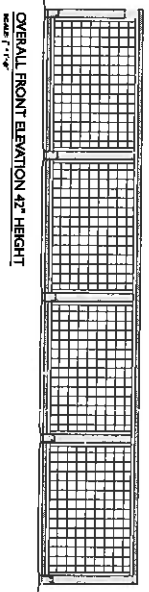
FRONTAGE FENCE SECTION ELEVATION

- 1. ALL JOINTS TO BE REINFORCED WITH 2" X 4" POSTS AND 2" X 4" RAILS.
- 2. ALL JOINTS TO BE REINFORCED WITH 2" X 4" POSTS AND 2" X 4" RAILS.

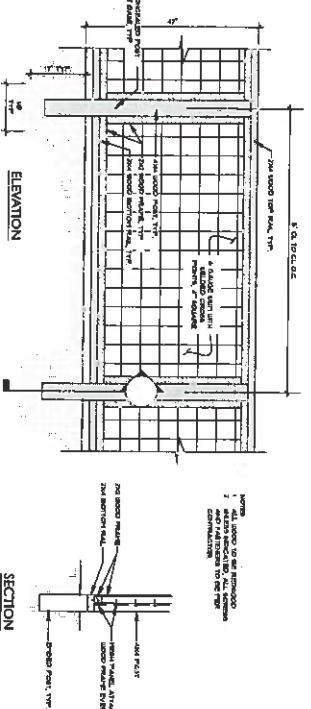


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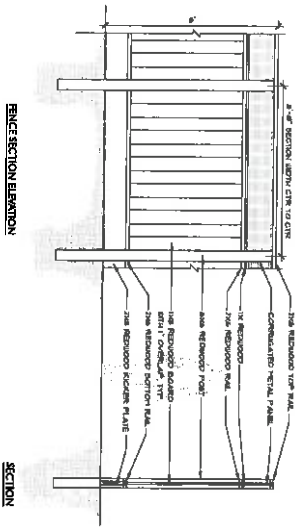
OVERALL FRONT ELEVATION 42" HEIGHT



FENCE SECTION ELEVATION

C FENCE AT GAMING AREA

SCALE 1" = 1'-0"



WOOD PANEL FENCE SECTION ELEVATION

D WOOD PANEL FENCE

SCALE 3/8" = 1'-0"

mbLA
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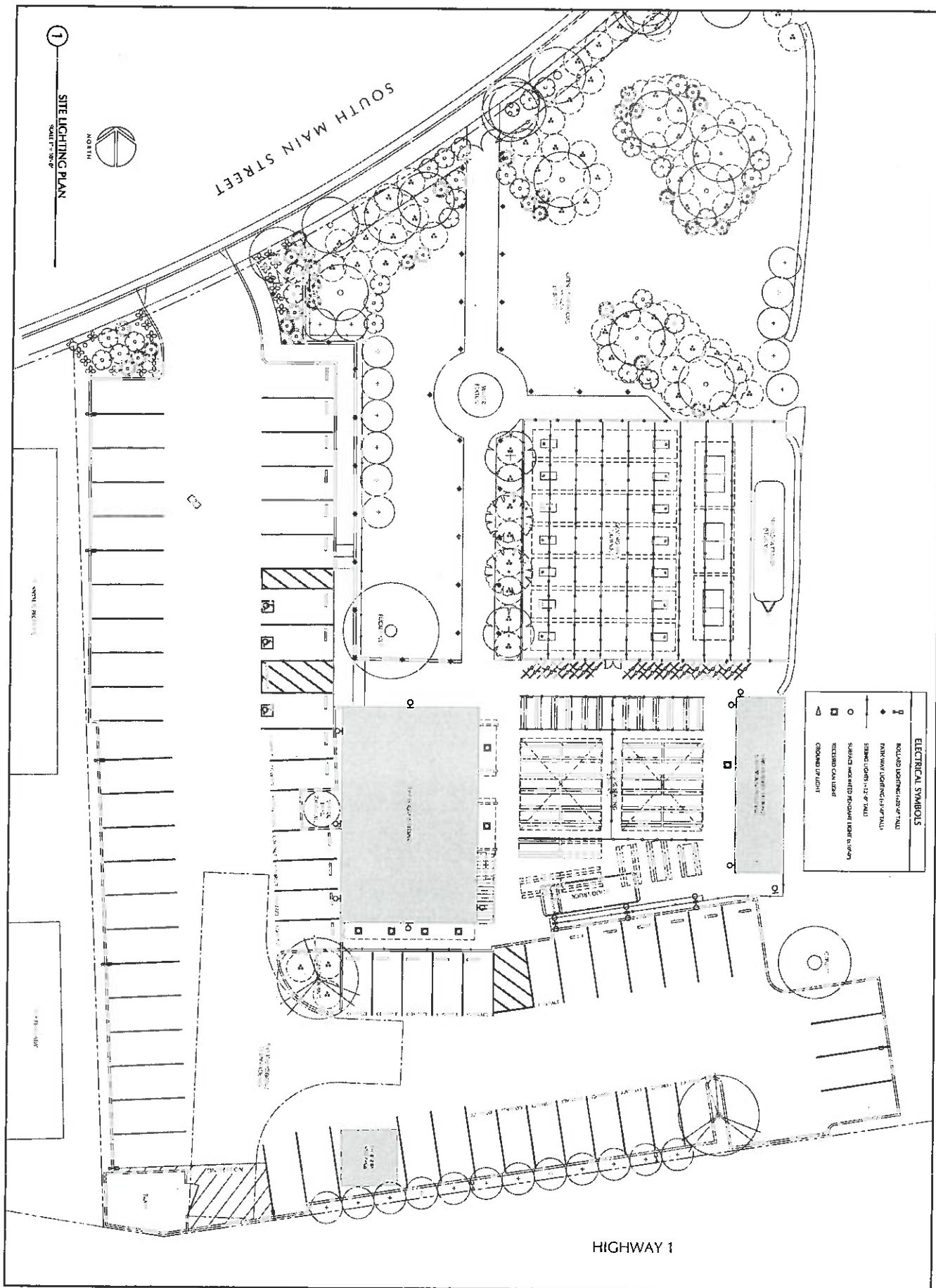
NEW COMMERCIAL DEVELOPMENT AT
THE NURSERY
2550 SOUTH MAIN STREET, SOQUEL, CALIFORNIA
PROPOSED SITE PLAN - PHASE 1

DRAWING DATE: DECEMBER 12, 2015
DATE: 09/23/2016
CLIENT NAME: TVAL & SHAW DESIGN
PROJECT NAME: 2550 SOUTH MAIN STREET

NO.	DESCRIPTION	DATE
1	PRELIMINARY	09/23/16
2	REVISION	10/10/16
3	REVISION	10/10/16
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8	REVISION	10/10/16
9	REVISION	10/10/16
10	REVISION	10/10/16

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L3
L3 ENGINEERING
2550 SOUTH MAIN STREET, SUITE 200
SANTA CLAY, CA 95060
408.298.8888
www.l3engineering.com



ELECTRICAL SYMBOLS	
□	RECESSED DOWNWARD FLOOD LIGHT
◆	DOWNWARD FLOOD LIGHT
○	STANDARD LIGHTING FIXTURE
○	STANDARD LIGHTING FIXTURE 1-12' TALL
○	SERVICE HOOD WITH RECESSED LIGHT FIXTURE
○	RECESSED CAN LIGHT
○	CROWNED UP LIGHT

E1.1

DISCLAIMER

THESE PLANS ARE PREPARED BY THE ARCHITECT FOR THE PROJECT AND ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THESE PLANS.

DATE: 11/11/11

BY: [Signature]

PROJECT NAME: THE NURSERY

PROJECT ADDRESS: 2590 SOUTH MAIN STREET, SOQUEL, CA 95076

ARCHITECT: WILLIAM C. KEMP

ARCHITECT FIRM: WILLIAM C. KEMP ARCHITECTS, INC.

ARCHITECT ADDRESS: 1011 AVENUE 180, SOQUEL, CA 95076

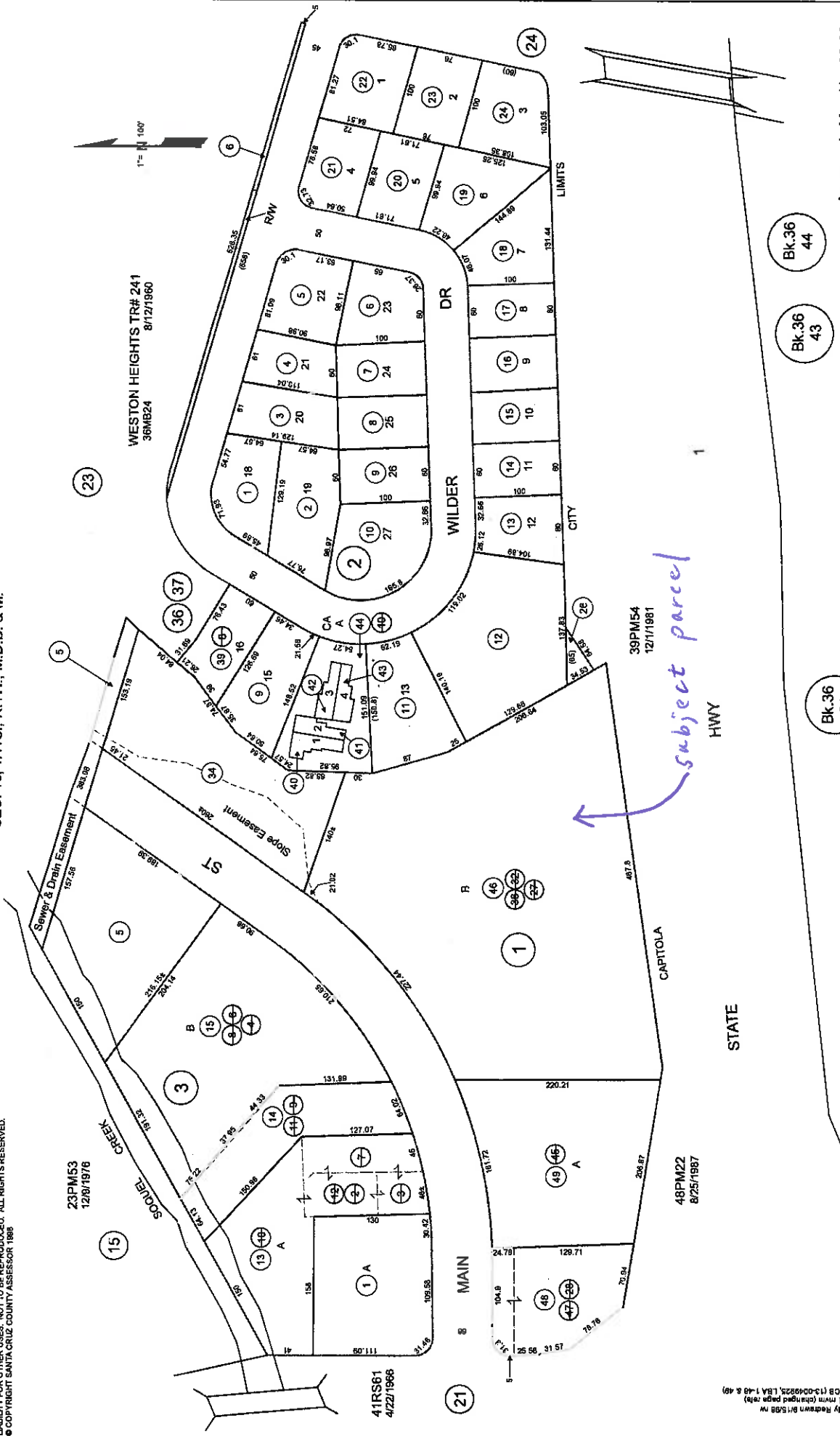
FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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POR. SOQUEL RANCHO
SEC. 10, T.11S., R.1W., M.D.B. & M.

Tax Area Code
96-101

30-22



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

Assessor's Map No. 30-22
County of Santa Cruz, Calif.
Sept. 1998

Bk. 36
01

Bk. 36
43

Bk. 36
44

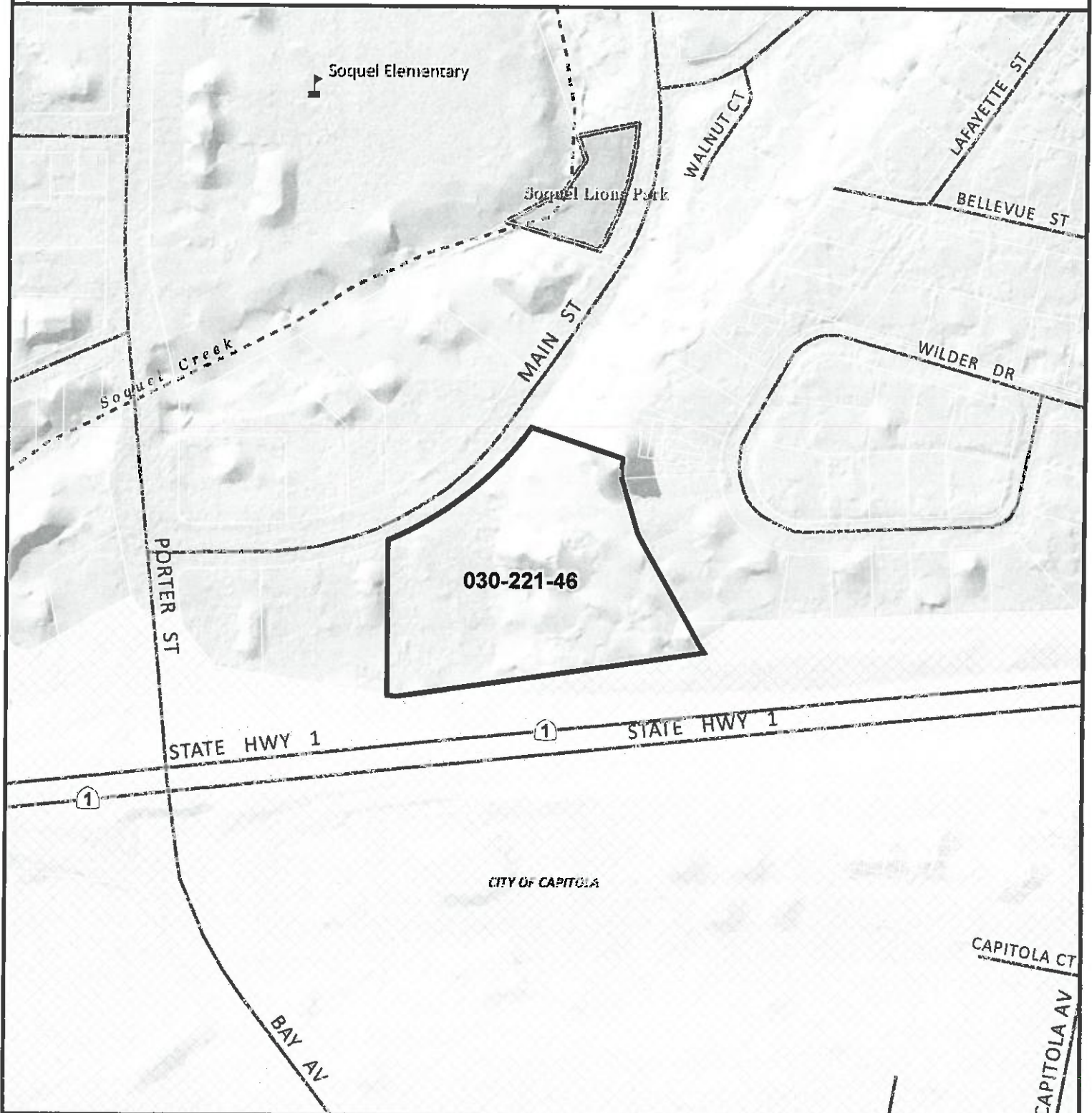
EXHIBIT E



Parcel Location Map

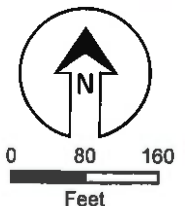
Santa Cruz County Planning Department

Parcel Number
030-221-46
Apr. 27, 2018



Symbol Key

- | | |
|------------------|-------------------|
| School | Park |
| Street | City Jurisdiction |
| Perennial Stream | |

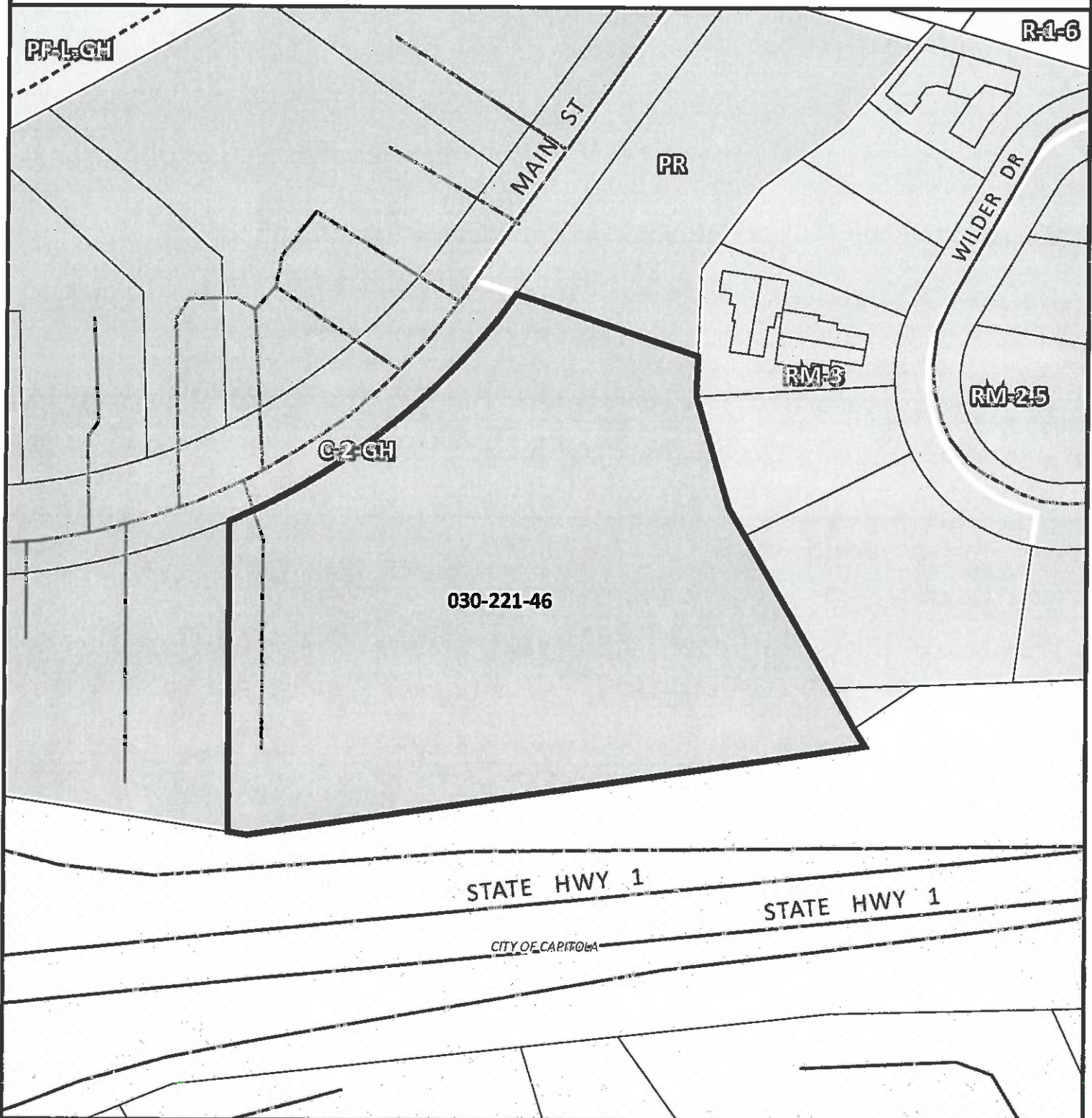




Parcel Zoning Map

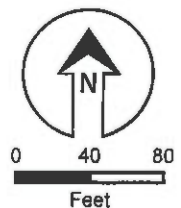
Santa Cruz County Planning Department

Parcel Number
030-221-46
Apr. 27, 2018



Zoning

- (C-2) Commercial Community
- (PF) Public & Community Facilities
- (PR) Parks, Recreation, and Open Space
- (R-1) Single-Family Residential
- (RM) Residential Multi-Family





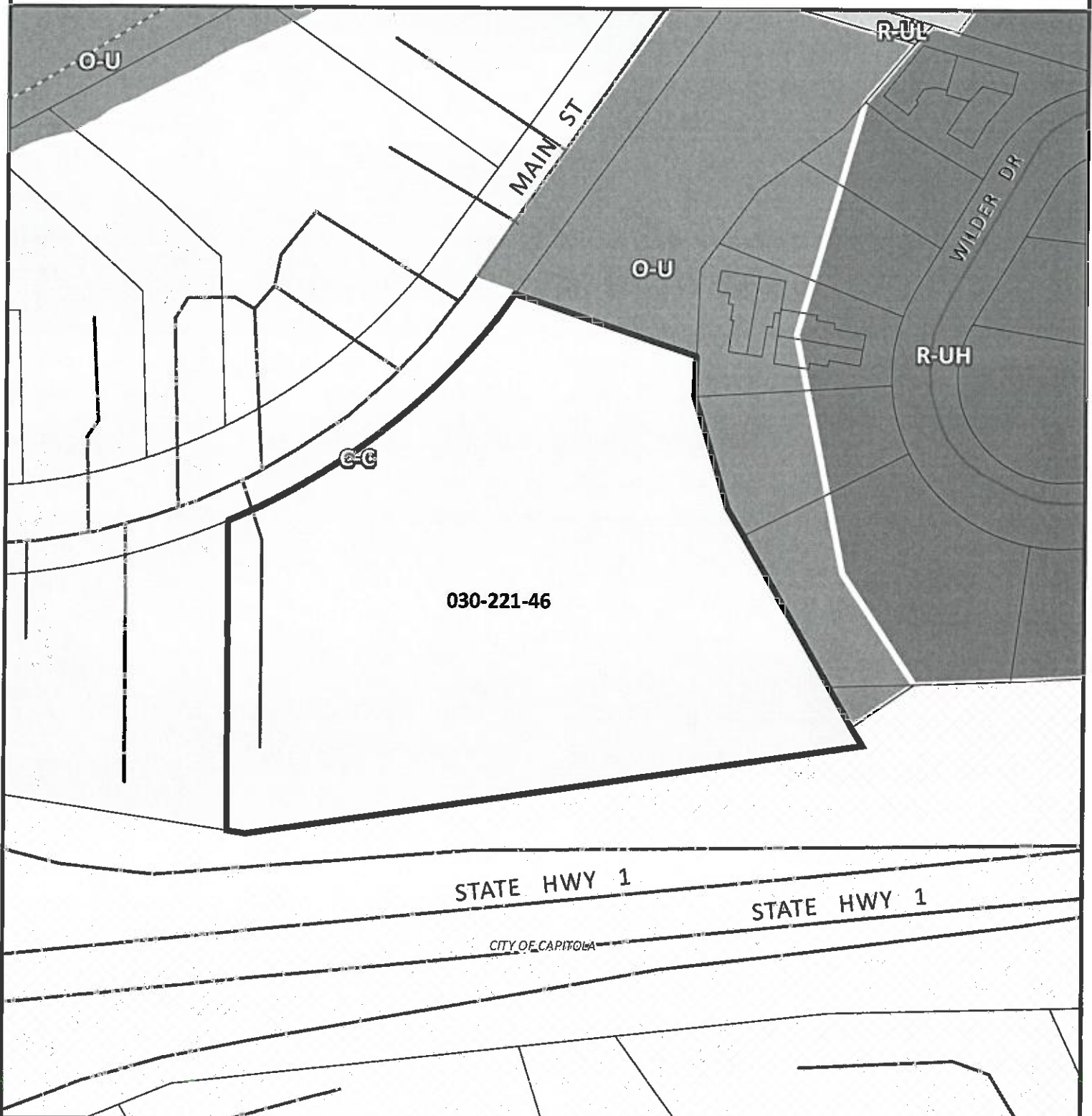
Parcel General Plan Map

Santa Cruz County Planning Department

Parcel Number

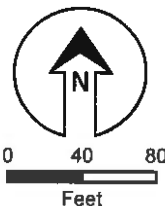
030-221-46

Apr. 27, 2018



General Plan

- C-C - Commercial-Community
- R-UL - Residential - Urban Low Density
- R-UH - Residential - Urban High Density
- O-U - Urban Open Space



Project Statement

Commercial Development Permit Application

Applicant: Soquel Farmhouse LLC
Application: 161091
APN: 030-221-46
Address: 2590 S Main Street, Soquel
Acreage: 2.9 acres

Background

In 2013 Holiday Corners LLC, which owns many of the properties that surround this parcel, leased property to Beer Thirty Bottle Shop & Pour House LLC, which opened in March 2014 to immediate and resounding success. Parking conflicts arose between the neighboring businesses, and as a result, Holiday Corners has subjected Beer Thirty to a hostile landlord/tenant relationship and has continually threatened Beer Thirty with eviction.

In 2016, Holiday Corners suggested that Beer Thirty rent the Soquel Farmhouse property to resolve the parking conflict. Beer Thirty complied, however this did not satisfy the landlord or the neighboring businesses and Beer Thirty continues to be subjected to a hostile tenancy.

Holiday Corners has made it clear that it intends to continue attempts to evict Beer Thirty and does not have plans to renew its lease at the end of its term. As a result, Soquel Farmhouse is attempting to develop this parcel so that Beer Thirty can move from its existing location to this new location.

This parcel has been in use as a retail nursery, home, garden and gift shop with a residential unit on the second floor of the existing structure for more than 20 years. This application seeks to continue those uses and add the taproom, restaurant, outdoor cooking, seating and entertainment uses to allow for Beer Thirty's relocation in a two phased approach.

Project Description

Phase 1: Proposal to demolish an existing two-story commercial building and construct a new two-story mixed use building with a taproom, walk-up counter service restaurant with low risk alcohol service, ABC license type 41¹, retail bottle shop and retail merchandise, with storage on the second floor, outdoor seating and entertainment areas², and a separate single story nursery storage and restroom building, establish a master occupancy permit for a mixed use development consisting of

¹ ON SALE BEER & WINE – EATING PLACE - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

² This business model can be closely compared to Beer Thirty Bottle Shop & Pour House, adding a restaurant use, per the request of Supervisor Leopold.

continued from page 1...

the existing retail nursery, home, garden and gift shop³ and the new restaurant, outdoor seating and entertainment use.

Phase 2: Proposal to remove the kitchen from the taproom, convert the separate storage building to a kitchen and convert the second-floor storage to a two-bedroom apartment.

Proposed Uses

Phase 1:

- Retail Sales Neighborhood / Retail Sales Community: Nursery, Home, Garden & Gift Shop
- Restaurants; Bars, food service: Walk-up counter service restaurant with low risk alcohol service (Beer & Wine ABC License type 41)

Phase 2:

- Continued uses from Phase 1
- Residential

Hours of Operation (both phases)

The types of uses proposed on this parcel are community, service related businesses and will typically operate seven days per week, including most holidays.

Retail Nursery	7am – 7pm	Daily
Restaurant	7am – 12am*	Daily
	7am – 1am*	New Year's Eve
* last call for alcohol service shall be 1 hour before closing		

Music (both phases)

We would like to provide acoustic and amplified background music both indoors and out in accordance with all sound restrictions of the county code. We would like planning staff to include these requirements as conditions of approval.

Number of Employees (both phases)

Retail Nursery	2
Taproom	4
Restaurant	2

Anticipated Number of Patrons (both phases)

We have been asked by planning staff to estimate the number of patrons for the proposed uses.

As we have never owned or operated a retail nursery, home, garden and gift shop, and we are only able to provide a "best guess" based on our observation of other local businesses with similar models. Aptos Hidden Gardens and Wisteria Antiques are the closest and most similar businesses. We frequent these stores regularly and we have never seen more than 8 patrons on the premises during our visits. Therefore, we estimate the normal retail nursery and gift uses on the property will service 1-8 patrons at a time.

The restaurant use is being established for an existing business, Beer Thirty. Therefore, we anticipate the number of patrons for this use will mirror Beer Thirty. In order to provide an accurate estimate for planning staff, we compiled *three months* of patron count data and have

³ This business model can be closely compared to DIG Gardens, Aptos Hidden Gardens and Wisteria Antiques.

continued from page 2...

prepared a detailed analysis in a separate report. Based on that analysis, we have identified peak days and hours of occupancy as well as average patron counts. Based on the data collected, we anticipate peak occupancy will range between 44-132 patrons with average peak occupancy expected to be 132 patrons on Friday at 9pm.

Beer Thirty Peak Occupancy Hours

<u>Day</u>	<u>Count</u>	<u>Hour</u>
Sunday	102	4pm
Monday	44	5pm
Tuesday	60	8pm
Wednesday	79	8pm
Thursday	81	8pm
Friday	132	9pm
Saturday	120	5pm

Beer Thirty Average Patron Count

<u>Day</u>	<u>Average Patron Count</u>									
	<u>1 PM</u>	<u>2 PM</u>	<u>3 PM</u>	<u>4 PM</u>	<u>5 PM</u>	<u>6 PM</u>	<u>7 PM</u>	<u>8 PM</u>	<u>9 PM</u>	<u>10 PM</u>
Sunday	32	57	88	102	98	78	65	41	23	
Monday	8	24	27	32	44	39	42	37	25	2
Tuesday	12	13	18	24	29	43	59	60	50	15
Wednesday	9	11	16	28	45	49	74	79	59	18
Thursday	8	11	21	27	44	57	69	81	74	47
Friday	14	26	35	49	74	103	131	118	132	117
Saturday	44	76	93	108	120	119	118	118	118	71

Traffic & Parking

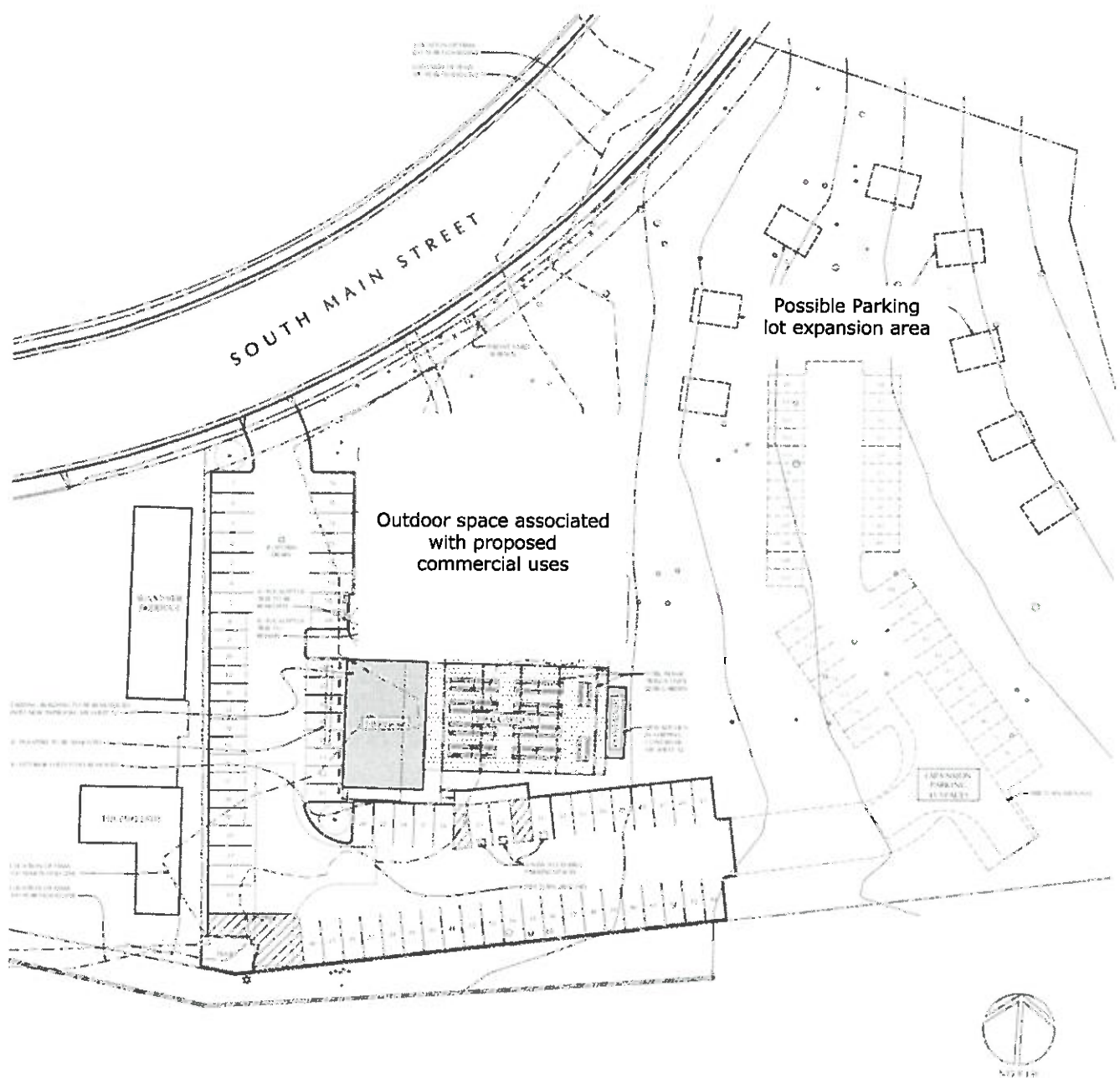
The primary goal of this project is to relocate an existing business (Beer Thirty) from the adjacent parcel to this parcel. As this business is already in operation, we do not expect this development will increase traffic or parking demand.

It is understood that all new developments must provide adequate on-site parking for the proposed uses. The proposed parking plan is for 66 vehicle spaces and 36 bicycle parking spaces. This exceeds the number of spaces required by county code for both phases of the project.

We have prepared a supplemental report detailing current parking conditions in the immediate vicinity of the proposed development. Beer Thirty currently has access to 54 *shared* parking spaces. These parking spaces are shared with *all* of the surrounding businesses. These 54 shared spaces adequately service the existing business. The proposed development increases the number of parking spaces from 54 shared to 61 dedicated. Therefore, this development can reasonably be expected to reduce the parking impact on the neighborhood.

We have also included a parking analysis, prepared by a licensed traffic engineer, outlining that the number of parking spaces exceeds the maximum hourly parking demand for the proposed uses on the site.

As a final step, our civil engineer has identified another area on the property that is suitable for a *future* parking lot expansion, should the need arise, for a total of 117 spaces. Layout attached.



Supplemental Occupancy Analysis

We are seeking approval for a mixed use development and planning staff has requested that we include occupancy estimates for the different proposed uses on the parcel.

The initial estimate that we provided was a “best guess”. For the retail nursery, home, garden and gift shop, our estimate was based on our observation of similar local small businesses. We have never owned or operated this type of business, therefore our estimate remains a “best guess”. For the restaurant/taproom use, the estimate that we provided was based on historical sales information from Beer Thirty’s point of sale system, rather than actual customer counts taken at their existing site.

In order to provide a more accurate estimate for planning staff, we have compiled *three months* of patron count data at Beer Thirty’s existing location. The data collected included the month of September, which contained the Labor Day holiday, two midweek fundraisers, and exceptionally beautiful weather. This skewed results out of their favor. Counts were recorded hourly and broken down by inside seating, outside seating and gaming area uses.

The analysis revealed that Beer Thirty’s peak occupancy hours fall later in the evening than originally estimated and after many of the neighboring businesses have closed. We found that the *average* customer count never exceeded 150 patrons and the peak average occupancy is 132 patrons occurring on Fridays at 9pm.

Beer Thirty Peak Hours (based on peak average patron counts)

<u>Day</u>	<u>Count</u>	<u>Hour</u>
Sunday	102	4pm
Monday	44	5pm
Tuesday	60	8pm
Wednesday	79	8pm
Thursday	81	8pm
Friday	132	9pm
Saturday	120	5pm

Beer Thirty Average Patron Count

	Average Patron Counts									
	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM
Sunday	32	57	88	102	98	78	65	41	23	
Monday	8	24	27	32	44	39	42	37	25	2
Tuesday	12	13	18	24	29	43	59	60	50	15
Wednesday	9	11	16	28	45	49	74	79	59	18
Thursday	8	11	21	27	44	57	69	81	74	47
Friday	14	26	35	49	74	103	131	118	132	117
Saturday	44	76	93	108	120	119	118	118	118	71

There are instances where patron counts exceed 150, however this is uncommon. Out of 900 hours surveyed, there were only 44 hours, which is less than 5%, where customer counts exceeded 150 patrons. These higher counts typically occurred on Friday and Saturday when other neighboring businesses are closed. There were only 16 hours where customer counts exceeded 150 patrons during the neighboring businesses peak hours (6pm & 7pm).

Beer Thirty Customer Counts > 150 patrons

<u>Day</u>	<u>Count</u>	<u>Hour</u>	<u>Comment</u>
Sunday	184/175	3pm/4pm	Labor Day Weekend
Monday	Never		
Tuesday	205/188	8pm/9pm	American Rivers Fundraiser
Wednesday	218/230	7pm/8pm	Alzheimer's Fundraiser
Thursday	154	9pm	Unknown cause
Friday	>150	6pm/7pm	9 occurrences (152-184 patrons)
	>150	8pm/9pm	8 occurrences (151-209 patrons)
Saturday	>150	3pm-7pm	11 occurrences (155-220 patrons)
	>150	8pm-9pm	9 occurrences (152-234 patrons)

Beer Thirty Max Patron Count*

	Max Patron Counts									
	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM
Sunday	82	101	184	171	146	147	144	111	48	
Monday	18	146	150	137	125	98	95	76	34	2
Tuesday	18	19	35	42	43	54	115	205	188	31
Wednesday	20	21	27	65	115	93	218	230	108	31
Thursday	13	27	43	49	73	89	96	117	154	91
Friday	35	87	119	80	129	167	203	189	209	117
Saturday	82	113	160	164	206	205	220	191	234	134

* Red cells denote >150 patrons

Overall, we feel we have been able to provide an extensive amount of data and analysis that gives a more accurate picture of peak occupancy for the proposed development. These peak hours are in contrast to the peak hours of several of the neighboring businesses and therefore will not have a detrimental impact on those businesses operations.

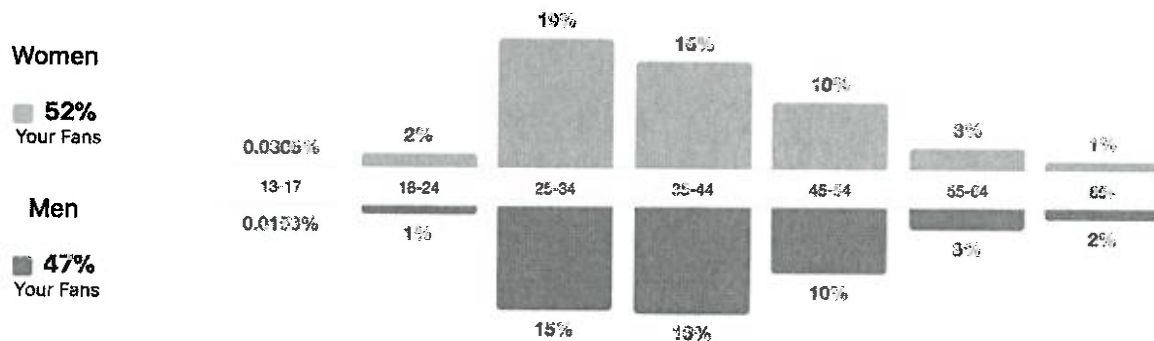
We hope this information enables planning staff to support Beer Thirty's relocation to the new site and recommend approval of this project.

Supplemental Parking Demand Information

While occupancy correlates to parking demand, the type of business, customer demographics and the rapidly growing utilization of ride sharing technology such as Uber and Lyft have been shown to have a dramatic impact on parking demand. The following is a link to a ride-hailing impact analysis performed by respected and reputable parking consultants, Walker Consultants: <http://walkerconsultants.com/wp-content/uploads/2017/12/TNC-Impacts.pdf>.

Recent studies show that restaurant customers, where alcohol is consumed, prefer to utilize these types of services and are decreasing parking demand. In fact, counties that rely on parking revenue are seeing revenue reductions and budget shortfalls as a result in the increased use of these services. Millennials are also shown to be utilizing these services at an exponentially higher rate.

For reference, Beer Thirty's demographic is as follows:

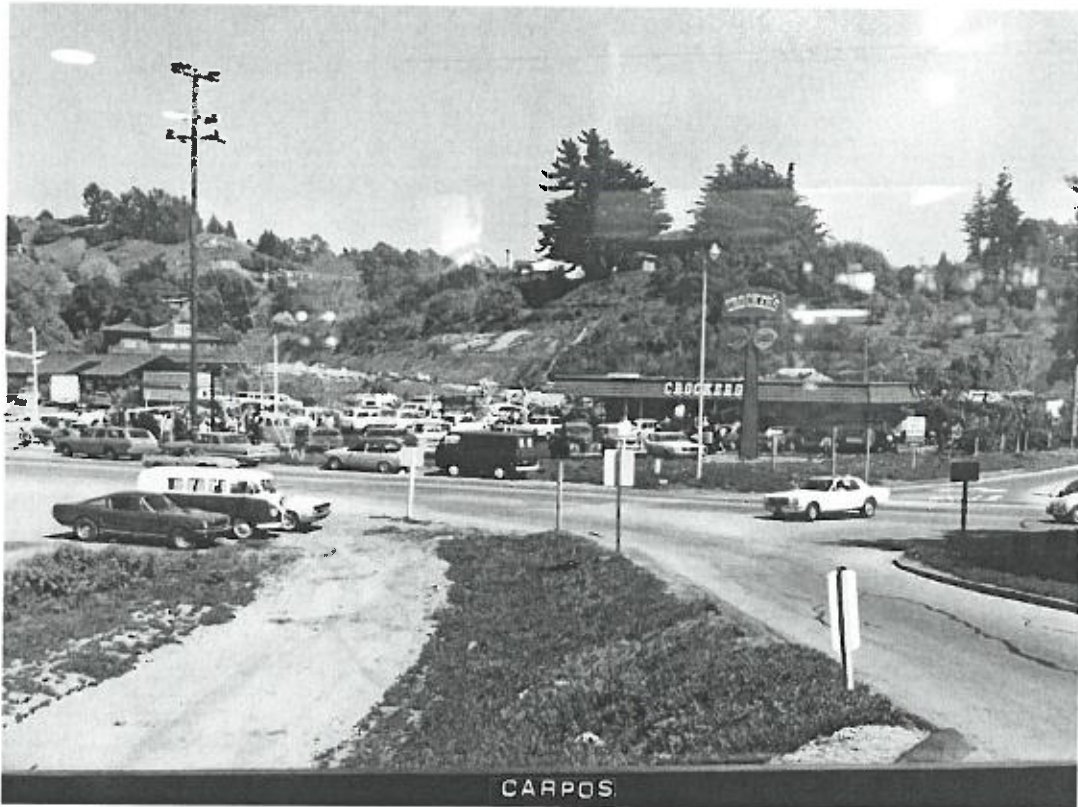


Other factors that reduce parking demand for Beer Thirty's business model:

- The proposed business is located in a concentrated area of commercial services where it can be expected that a single stop will be made for multiple land uses.
- The outdoor nature of the proposed development and our community encourages walking and bike riding.
- A considerable number of spaces are included in the parking requirements for the interior of the building, however due to the outdoor nature of the proposed development, the interior seating is often empty and is intended to serve the business on rainy days.
- Businesses like Brew Cruz, Shuttle, Limo and Santa Cruz excursion tour services bring 15 patrons in a single vehicle
- Beer Thirty encourages its customers to bring food from neighboring businesses, Carpo's, Tampico, Michael's on Main, Sunnyside Produce and the Fish Lady, resulting in a single stop for several uses.
- Many of our employees bike to work because traffic on highway 1
- Many of our customers carpool 3+ per vehicle and have a designated driver

Current Parking Conditions

We have been customers of the businesses on South Main Street for 30 years. For as long as we can remember, it has been difficult to find parking in this area. Even early pictures posted in Carpo's Restaurant from the 70's show that parking has always been a challenge.



Beer Thirty currently has access to 54 *shared* parking spaces; 9 parking spaces in front of their building and 45 (50 minus 5 indentured) parking spaces on the adjacent parcel. These parking spaces are currently shared by *all* of the surrounding businesses and are adequately meeting the needs of Beer Thirty's existing business. The proposed development includes a parking lot expansion which will increase the number of parking spaces for Beer Thirty from 45 shared to 61 (66 minus 5 indentured) dedicated spaces. Therefore, this development can reasonably be expected to meet the parking needs of Beer Thirty's existing business.

We regularly observe the parking patterns in the 5 neighboring parking lots during our neighbor's peak business hours. We have found that Fish Lady, Sunnyside Produce, the Veterinarian's office, and the Realtor's offices always have parking spaces available for their patrons during their regular business hours. Several businesses have installed restrictive parking signage, which has deterred non-customers from using their parking lots and it is common to see these parking lots completely vacant after hours.

We have conducted two parking lot counts of the 5 neighboring parking lots, on Saturday between Noon and 6pm when the veterinarian's office and the two real estate offices are closed. These studies occurred on Beer Thirty's 2nd and 3rd busiest days in their history of being open. The results showed that customers of all of all the neighboring businesses are utilizing each others' parking lots. Sunnyside Produce, Fish Lady and Michael's on Main had parking available for their patrons at all times.

Thank you,

Kym DeWitt
Soquel Farmhouse, LLC

Response to request for more information on Tap Takeovers

A Tap Takeover is merely putting a specific beer menu on for a day and telling people which beers you have on your menu. For example: 30 Beers from Northern California Breweries or 30 Beers from Sierra Nevada Brewery, or our favorite... 30 Beers from all the local breweries! These are standard and necessary business practices of every craft beer bar and restaurant. All of the local bars and restaurants have these on a regular basis, some weekly, and it is imperative that we be able to continue to do so just to compete. If we do not, we will not be relevant or be taken seriously in the craft beer community. If we are not able to promote and feature specific craft breweries and cultivate those relationships our business will fail.

If you go to any of the local craft beer centric businesses and look at their facebook, you will see that they are all doing these. Some of those businesses are:

Pour Taproom

99 Bottles of Beer on the Wall

Lupulo Craft Beer House

Sante Adairius Santa Cruz Portal

Burger Santa Cruz

Burger Aptos

Mission Street BBQ

Aptos Street BBQ

We typically have one 30 Tap Takeover a month, sometimes we skip it, if we can't get something worthwhile together. Out of respect for our neighbors, we've limited these to only one per month and we do them on Wednesday's, which are typically a bit slower day in the neighborhood. It would be better for our business if we could host as many as we want, but we've really done everything we can to be good neighbors. Most people stop by on their way home from work and get out of the traffic on highway 1. They typically generate a \$1500 - \$3000 bump in sales for the day. Typical attendance probably ranges from 80-150 people, coming and going through out the day.

We also have Tap Invasions, where we feature 3-10 beers vs. a whole tap takeover. We have these whenever we are approached by a new brewery or to promote an existing brewery that we work with.

Annette Olson

From: Kym DeWitt <kym@kymdewitt.com>
Sent: Friday, March 30, 2018 3:20 PM
To: Annette Olson
Cc: Bill Kempf
Subject: Re: Beer Thirty Project Update

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Annette ~

I am just now getting to yesterday's emails. I'm so sorry I missed this one.

2 Labor Day (3pm/4pm)
2 Fundraiser (8pm/9pm)
2 Fundraiser (7pm/8pm)
1 Unknown (Thursday @ 9pm 154 people — just barely over the 150)
9 Fridays 6pm/7pm
8 Fridays 8pm/9pm
11 Saturdays 3pm-7pm
9 Saturdays 8pm-9pm

—
44 occurrences

Hope this makes it to you in time.

Best,
Kym

On Mar 29, 2018, at 11:40 AM, Annette Olson <Annette.Olson@santacruzcounty.us> wrote:

Hi Kym.

I'm hustling to get my report done with your additional information. Could you clarify one thing, you cite that there were 44 hours where the patron count exceeded 150. When I look at the table that you provided, I count 41. Here's my abbreviated summary of your table in case I'm not understanding it correctly.

1 Labor day
1 Fundraiser
1 Fundraiser
1 Unknown
9
8
11
9

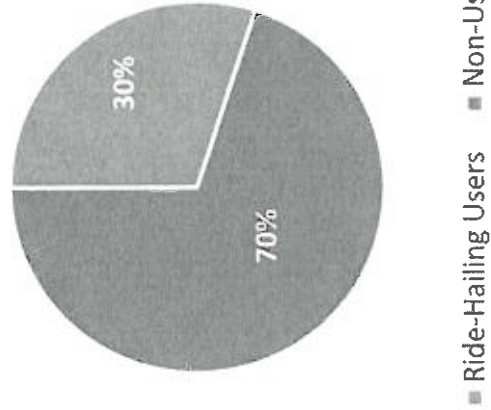
Thanks,
Annette

From: Kym DeWitt [<mailto:kym@kymdewitt.com>]
Sent: Friday, March 16, 2018 12:24 PM

MARKET PENETRATION AND USER GROUP

U.C. Davis studied 4,000 users in various cities and suburban areas between 2014 – 2016. The authors found that, “In major metropolitan areas, we find that 21 percent of adults have personally used ride-hailing services (i.e. they have installed and used ride-hailing apps), and an additional 9 percent of adults have used ride-hailing with friends.”¹ That is, approximately 30 percent of American adults in these areas have used a ride-hailing service.

Ride-Hailing Usage Among American Adults



Source: <http://www.ucdavis.edu/news/transportation/2016/03/21/ride-hailing-usage/>



RIDE-HAILING IMPACTS ON PARKING

An overview created by Walker Consultants

INTRODUCTION

Transportation network companies (TNCs), ride-hailing companies like Uber and Lyft, are changing transportation habits and having a material impact on parking demand across communities throughout the country.

The largest impacts of TNCs to parking are occurring at hotels, restaurants, events centers, and airports where demand for TNCs is greatest. Although it is the policy of TNCs to withhold information, data has been extrapolated through survey, direct observation, and other secondary research reports.

PROBABLE IMPACTS ON PARKING

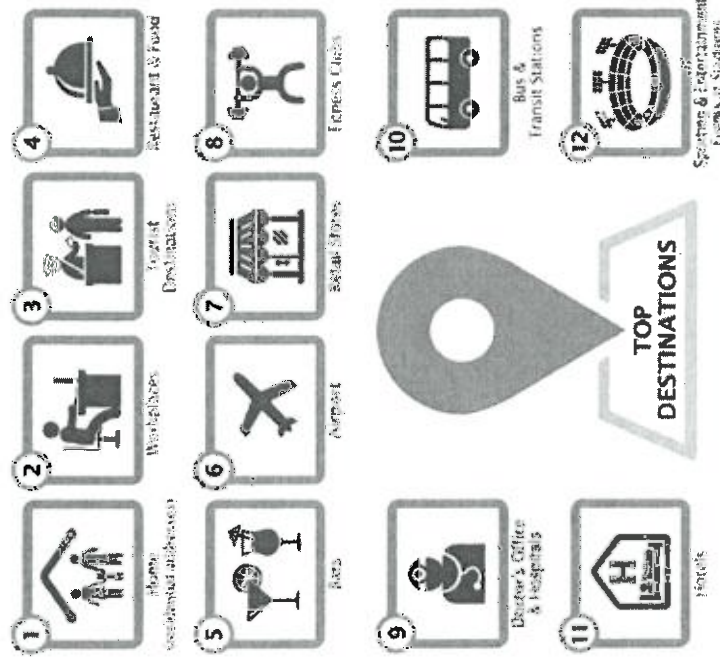
Ride-hailing services have been able to take advantage of the pent-up demand consumers have placed on access to urban centers. A strong correlation exists between high parking rates in urban metros and TNC market penetration.² Strong markets for ride-hailing services are found in dense urban centers with a bigger pool of potential customers (app-users) and in places where parking costs become prohibitive. Parking costs remain a driver in consumer choice behavior regarding transportation. However, impacts to parking will potential vary based upon geographic size and location, density or lack thereof, transit ridership, car ownership rates and costs, ride-share access and costs, demographics and other variables.

CURRENT IMPACTS BY LAND USE TYPE

TNC impacts are occurring at hotels, event facilities, restaurants, entertainment districts and corridors, airports and other in-demand destination places. While profound disruptions to daily commuting behaviors i.e. work commuting, have not yet been observed outside of a few select cities such as Los Angeles, New York, and San Francisco, a 'ride-hailing effect' has been observed across entertainment, leisure, and travel categories. For business travelers, TNCs are becoming a preferred ground transportation option to taxis and rental cars. Furthermore, car rental companies such as Hertz and Avis have seen a decline in their revenues over the last two years.³

ENTERTAINMENT VENUES AND FACILITIES

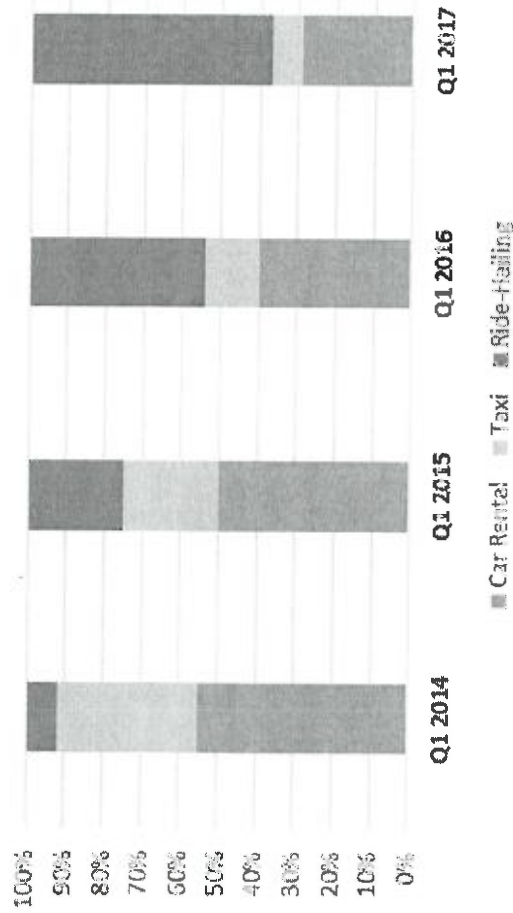
Sports stadiums and event venues have recently begun planning their ground operations for TNC access and control. Live Nation, the largest live entertainment company in the country, has partnered with Uber to provide transportation for events. At all Live Nation amphitheaters across the country, Uber drop-off and pick-up locations have been created. Furthermore, Live Nation has developed an app integration feature between the Live Nation and Uber apps making it easier for concert-goers to hail rides.



Source: Map: <http://pewresearch.com/data/uber-ride-sharing>

In addition to the concert industry, Uber and Lyft have formed exclusive agreements with professional sports franchises. At Levi's Stadium, home of the San Francisco 49ers, an exclusive Uber Zone was created to enhance the fan experience for the 2016 season. Other agreements include official partnerships with MetLife Stadium (Meadowlands, NJ), Gillette Stadium (Foxborough, MA), Hard Rock Stadium (Miami, FL) as well as many other professional sports and entertainment partnerships across the country. In 2014, Lyft became the "official ride of Major League Baseball."

Car Rental vs. Taxi vs. Ride-Hailing



HOTELS

Hotel parking demand seems to have decreased in many places due to TNC use by travelers; travelers are choosing to use TNCs instead of rental cars, to get to and from the hotel.

Travel and expense management service provider Certify found that 59% of individuals using transit for work-related purposes opted to use TNC services instead of taxi or car rentals as the majority share of ground transportation in first quarter of 2017, up 3 percent from the end of 2016.⁴

Hotels are taking advantage of market trends and are accommodating ride-hailing services both in terms of their operations and guests' services. For example, the Bellagio Hotel in Las Vegas has a designated area for TNC pick-ups and drop-offs.

RESTAURANT DISTRICTS AND CORRIDORS

Ride-hailing apps are most popular with younger, urban dwellers. According to a Pew Research Center finding, the median age of adult ride-hailing users in the US is 33.¹ Additionally, in multiple surveys, DUI avoidance (drinking and going out) comes up as a reason for users' local trips.⁵ The food and beverage industry, albeit in certain environments more than others, is benefiting from having ride-hailing access.

AIRPORTS

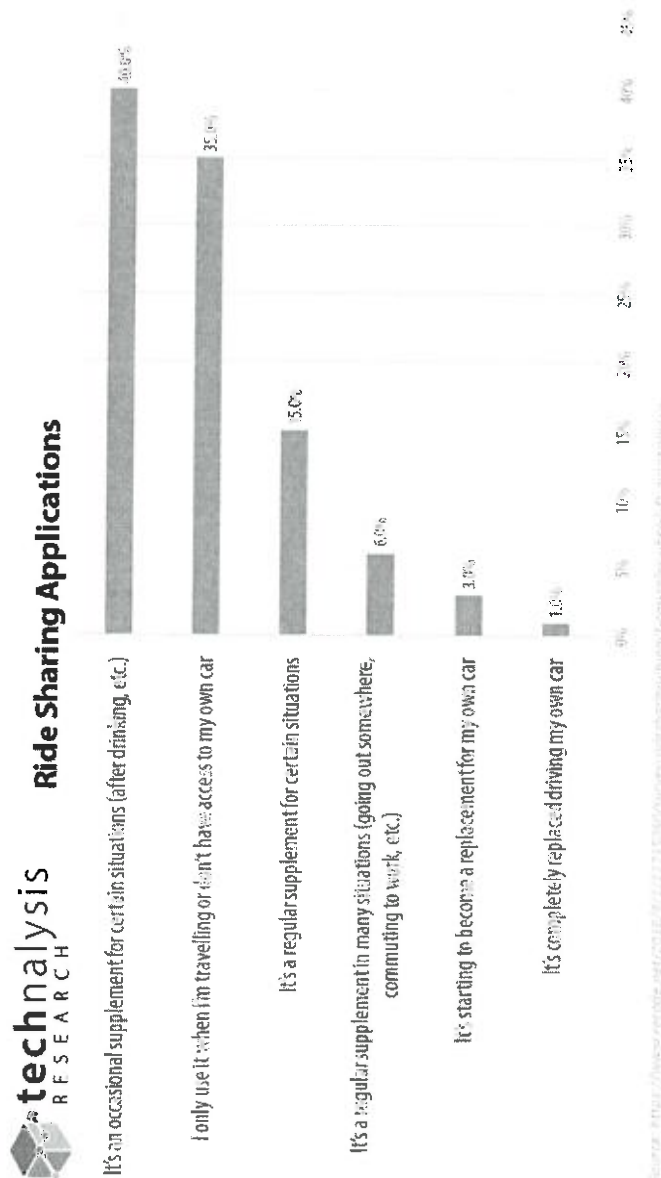
There is some evidence that TNC rides to and from airports are affecting parking demand at airports. However, the potential effects of TNCs on airport parking might be more complicated than simply a uniform decrease in parking demand across the airport parking system.

To offset parking revenue losses due to ride-hailing services, most airports have started to charge ride-hailing fees to the TNC company and passengers within the last two years. Given the degree of growth TNC rides have continued to experience to and from airports, these fees may continue to increase.

CONCLUSION

One industry forecaster predicts that Uber and Lyft could continue to see double-digit growth upwards of 10 percent in 2018, before settling down into single-digit growth for 2019, with potential threats coming from costly regulation and government bans.⁶ TNCs could continue to be a significant part of the mobility landscape and will continue to influence consumer behavior impacting transportation planning, real estate development, and existing commercial operations.

The effects of TNCs will likely vary by multiple factors not least of which includes geographic area, size, location, density, land use intensification, car ownership, transit ridership, income, rideshare access, transportation costs, demographics, and a number of other factors. At this point in time, it is most prudent to treat any given parking scenario on a case-by-case basis, examining local dynamics in order to arrive at solutions that are informed and reasonably placed.



REFERENCES

1. L. Bliss, "The Ride-Hailing Effect: More Cars, More Trips, More Miles," CityLab, 12 October 2017. [Online]. Available: <https://www.citylab.com/transportation/2017/10/the-ride-hailing-effect-more-cars-more-trips-more-miles/542592/>
2. J. Corright, "Cities and the Price of Parking," City Commentary, 19 October 2016. [Online]. Available: http://cityobservatory.org/cities_and_the_price_of_parking/. [Accessed 2017].
3. P. LeBeau, "Uber and Lyft Grab More Business From Taxis and Rental Cars," CNBC, 27 July 2017. [Online]. Available: <https://www.cnbc.com/2017/07/26/uber-and-lyft-grab-more-business-from-taxi-and-rental-cars.html>.
4. "Business Travel Ground Transportation Report for Q1 2017," Certify, 2017. [Online]. Available: http://skift.com/wp-content/uploads/2017/04/SideStoryReport_Q1_2017.pdf. [Accessed 2017].
5. P. Lienert, "Uber and Lyft Won't Grimp U.S. Car Sales in Near Term: Survey," Reuters, 10 March 2016. [Online]. Available: <http://www.reuters.com/article/us-autos-sharing-future-idUSKCN0W/C1VW>. [Accessed 2017].
6. "Strength in Global Economy Means Higher Travel Pricing in 2018," Hospitality Trends, 18 July 2017. [Online]. Available: <http://www.htrends.com/trends-detail-std-95468.html>. [Accessed 2017].

ABOUT THE AUTHOR

Walker Consultants is the global leader in providing parking consulting and parking design services. Founded in 1965, we pioneered the field of parking consulting. Today the firm has over 300 employees delivering a wide range of parking planning, design, engineering, and restoration services.

The firm is based in the U.S. with 17 domestic offices and 1 in the United Arab Emirates, is ranked #240 in Engineering News Record's Top 500 Design Firms and #13 in Building Design + Construction's Giants 300 Engineering/Architecture Firms.

We serve a broad spectrum of markets including healthcare, education, government, aviation, residential, retail and commercial development, entertainment, hospitality and athletic venues. This diversity allows our staff the luxury of collaborating with a large cross section of client types and developing best practices for their specific development needs, helping them unlock the potential of their projects.

Staff's Parking Analysis.

Use	Notes	Square footage	.85 multiplier	County Req'd	Required
Taproom	1836 s.f. -339 s.f. (retail)	1497	1272.45	1 per 100 s.f.	12.73
Retail	Nursery (in taproom)	150	127.5	1 per 300 s.f.	0.425
Retail	Beer (in taproom)	179	152.12	1 per 300 s.f.	0.507
Kitchen	Phase 2	453	384.2	1 per 100 s.f.	3.842
Beer Garden		2500	n/a	1 per 100 s.f.	25
Game Area		3400	n/a	1 per 600 s.f.	5.66
Residence	three bedroom	n/a	n/a		3
Nursery	See landscape plan for area	4800	n/a	1 per 600 s.f.	8
Employee				.3 x 6	1.8
Indenture		n/a	n/a	n/a	5
Subtotal					65.964
Shared uses					-4
Total					61.964

Previously Uncounted Areas

Walkways	West & east of beer garden	720	n/a	1 per 100	7.2
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Grand Total	Total above + walkway area				69.164
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Annette Olson

From: RON MARQUEZ <rn.mrqz@yahoo.com>
Sent: Monday, April 16, 2018 11:37 AM
To: Annette Olson
Cc: Kym DeWitt; Bill Kempf
Subject: Re: Beer 30

Hi Annette, I have reviewed the e-mail you sent me with the latest square footages for the Beer 30 Application. The table you provided does reflect the same methodology that I used in calculating the shared parking reduction for the project.

Let me know if you other questions.

On Friday, April 13, 2018, 1:29:26 PM PDT, Annette Olson <Annette.Olson@santacruzcounty.us> wrote:

Hi Ron.

I tried your telephone number, but it doesn't seem to work anymore (unless I wrote down the wrong number....). I hope you don't mind that I'm contacting you by email. In finalizing my staff report, I took a closer look at your numbers. I have a feeling that your numbers were done for an earlier iteration of the project as they don't reflect the current numbers.

I was wondering if you would take a look at my work-up with the current areas, and let me know if you agree with the analysis? I used your methodology (with the architect's most recent areas) which, besides the shared parking analysis, seems to differ from the method in the Code by using the .85 multiplier to account for areas that don't generate a parking demand (e.g. storage) rather than just deducting storage as allowed by code. If you are available to review this, here are my numbers:


Use	Notes	Square footage	.85 multiplier	County Req'd	Required
Taproom	1836 s.f. - 339 s.f. (retail)	1497	1272.45	1 per 100 s.f.	12.73
Retail	Nursery (in taproom)	150	127.5	1 per 300 s.f.	0.425
Retail	Beer (in taproom)	179	152.12	1 per 300 s.f.	0.507
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Beer Garden		2500	n/a	1 per 100 s.f.	25
Game Area		3400	n/a	1 per 600 s.f.	5.66
Residence	three bedroom	n/a	n/a		3
Nursery	See landscape plan for area	4800	n/a	1 per 600 s.f.	8
Indenture		n/a	n/a	n/a	5
Subtotal					64.164
Shared uses					-4
Grand Total					60.164

Thanks very much,

Annette

Memorandum

Marquez Transportation Engineering

To: Kym DeWitt, Bill Kempf
From: Ron Marquez, Traffic Engineer 
Date: March 2, 2018
Re: The Nursery Parking Analysis Update

The purpose of this memorandum is to provide further information on my earlier memorandum to you of October 1017. The following points serve as clarification and respond to comments received regarding the earlier document.

- It should be noted that the figures provided in the October document estimating the parking demand always used 85th percentile values as opposed to average values which are lower. The 85th percentile value is exceeded only 15% of the time.
- I was asked about typical vehicle occupancies for uses such as the Beer garden. A National highway Transportation Study in 2009 identified social and recreational trips to exhibit some of the highest vehicle occupancy ratios at 2.21 persons per vehicle.
- There is evidence that parking demand rates are reducing as ride hailing services such as Uber continue to increase in usage. A University of California at Davis Study indicated that one of the major reasons that people use these services is to avoid driving after drinking. Fully 33% of those users expressed that opinion.
- My understanding is that a number of companies are now providing tour services to uses such as is proposed. This also will increase the overall vehicle occupancy to the site and reduce the parking demand.
- The shared parking analysis prepared for you last year was limited to the proposed site. Were the study expanded to a broader area it is evident that the peak parking demand estimate reduces in a macro scale analysis. Simply said a number of the businesses in the area close during the peak parking demand of the proposed project.
- Title 13.10.553 Section B paragraph 5 of the County Code addresses alternate parking requirements and suggests they may be considered when: *"Valid statistical parking data from the site, neighborhood or applicable larger area indicate an appropriate level for shared parking."* Although the project does not require an alternate parking requirement this section of the code provides a threshold for shared parking beyond the boundaries of the subject property.

Each of the above notes suggest the peak parking demand estimates provided to you in October 2017 are conservatively high.

Memorandum

Marquez Transportation Engineering

To: Kym DeWitt, Bill Kempf
From: Ron Marquez, Traffic Engineer *RJM*
Date: October 18, 2017
Re: The Nursery Parking Analysis

The purpose of this memorandum is to document the findings of a shared parking analysis for two phase of a proposed Nursery and Beer Garden at 2590 South main Street in the unincorporated area of the County of Santa Cruz. The objective of this analysis is to provide a realistic estimate of the peak parking demand associated with the mix of uses. Because the uses result in parking demand peaks at different times it behooves the developer and the responsible agency to calculate the opportunities for shared parking so as to minimize the amount of pavement necessary for parking.

Methodology

This parking analysis uses three major references for its work, "Shared Parking" prepared by Urban Land Institute in 1983, "Shared Parking" Second Edition prepared by the Urban Land Institute in 2005, and "Parking Generation Third Edition" prepared by the Institute of Transportation Engineers in 2004. The Urban Land Institute has done considerable research on the effect shared parking has on parking demand over the last 30 years. The Urban Land Institute Documents quantify the premise that mixed land uses when combined require less parking than the same land uses when separately developed. These documents describe a methodology to estimate the parking demand for a variety of mixed uses. The County parking requirements were used to estimate the demand. The proposed use does not fall into typical use categories but can best described similar to a restaurant use as it relates to parking demand. For this study all components related to the beer garden building, temporary storage unit and seating area are included in the parking demand calculation as restaurant. I understand that the County has accepted that the area set aside for gaming would be required parking on the basis of 1 space per 600 square feet. This reflects the incidental use by customers already seated in the beer garden area.

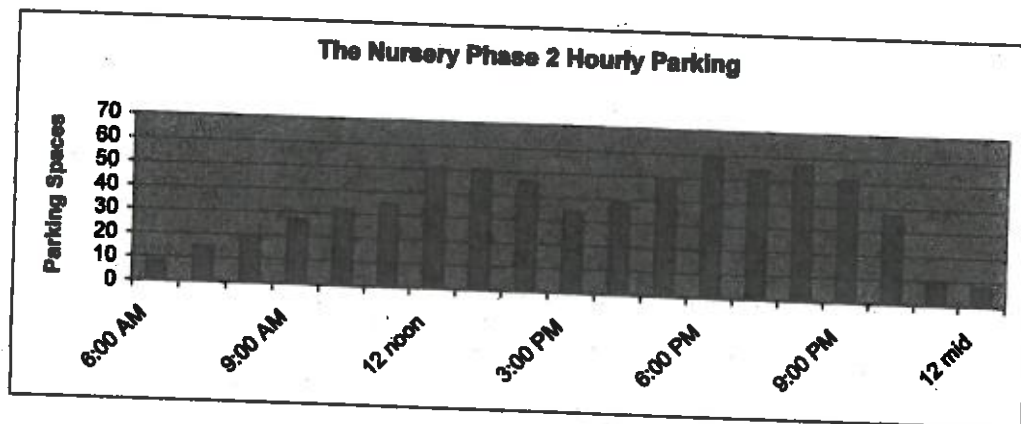
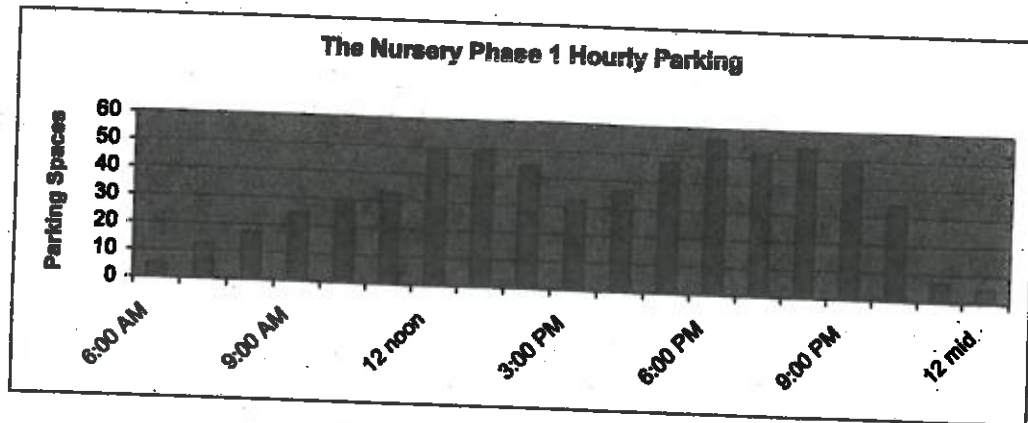
This memorandum documents the assessment of two phases both of which include the beer garden, the nursery and the gaming area. Phase two includes a remodeled main building as well as a two bedroom apartment. A parking indenture of five spaces has been recorded on the site. To account for this, five spaces are added to the analysis all day long. The proposed project includes the development of 66 parking spaces for both phases.

The following tables describe the uses analyzed and the maximum hourly parking demand for each phase. The gross square footage for the non-residential uses is adjusted by a factor of 85% to account for non usable square footage typical in commercial buildings. This adjustment factor is intended to account for stairways, elevators, storage and loading

areas which may or not be leasable or are not considered a portion of the building attracting a parking demand.

For both phases the maximum parking requirement is estimated to happen at 6:00 pm. This is because the peak parking demand associated with beer garden use is high and the nursery is still in operation.

In summary, the 66 spaces proposed to be made available for both phases will accommodate the peak parking requirements as adjusted by hour. The phase 1 maximum requirement identified is 56 spaces and the phase 2 requirement is 59 spaces.



These following sheets are the worksheets that present the hourly peak parking demand calculations for the two phases proposed for The Nursery.

The Nursery Proposal Phase 2					
Oct-17					
County					
1 Beer Garden*	4,034	Sq Ft	100	40	
2 Nursery	4,880	Sq Ft	600	8	
3 Gaming Area	3,000	Sq Ft	600	8	
4 Employees	6	Number	0.3	2	
5 Indentured Parking					
6 Apartment	2	Bedrooms	3		
Total				62	

*Beer Garden calculation includes all buildings devoted to use multiplied by 85% to exclude storage and unusable space.

Hourly Distribution by Use						
	1	2	3	4	5	6 Total
Hour of the Day	Beer Garden	Nursery	Gaming Area	Beer Garden Employees	Indenture	Apartment
6:00 AM	0	0	0	0	5	3
	4	1	1	2	5	3
	8	1	1	2	5	2
9:00 AM	12	4	2	2	5	2
	14	7	2	2	5	2
	16	8	2	2	5	2
12 noon	30	8	4	2	5	2
	30	8	4	2	5	2
	26	8	3	2	5	2
3:00 PM	16	7	3	2	5	2
	20	7	3	2	5	2
	30	6	4	2	5	2
6:00 PM	38	6	5	2	5	3
	38	2	5	2	5	3
	40	2	5	2	5	3
9:00 PM	36	1	6	2	5	3
	24	0	3	2	5	3
	0	0	0	2	5	3
12 mid	0	0	0	0	5	3

Adjusted Peak Parking Demand Ratios.

Hour of the Day	Beer Garden weekday	Nursery Retail	Residential	Beer Garden Employees
6:00 AM	0%	0%	100%	50%
	10%	9%	87%	50%
	20%	18%	79%	50%
9:00 AM	30%	50%	73%	50%
	35%	88%	68%	50%
	40%	98%	59%	50%
12 noon	75%	100%	50%	50%
	75%	97%	59%	50%
	65%	88%	50%	88%
3:00 PM	40%	91%	61%	88%
	50%	86%	68%	100%
	75%	78%	77%	100%
6:00 PM	95%	78%	85%	100%
	95%	20%	94%	100%
	100%	20%	86%	100%
9:00 PM	90%	10%	98%	100%
	80%	0%	98%	68%
	0%	0%	100%	33%
12 mid	0%	0%	100%	0%

6:00 AM	8
7	15
8	20
9:00 AM	27
10	32
11	35
12 noon	51
1	51
2	48
3:00 PM	34
4	39
5	50
6:00 PM	59
7	54
8	57
9:00 PM	52
10	37
11	10
12 mid	8

Memorandum

Marquez Transportation Engineering

To: Kym DeWitt, Bill Kempf
From: Ron Marquez, Traffic Engineer *RJM*
Date: October 16, 2017
Re: The Nursery Trip Generation Analysis

The purpose of this memorandum is to document the findings of a trip generation analysis for two phases of a proposed Nursery and Beer Garden at 2590 South main Street in the unincorporated area of the County of Santa Cruz. The objective of this analysis is to provide an estimate of the new trip generation associated with the mix of uses.

Methodology

This trip generation analysis uses the Institute of Transportation Engineers (ITE) "Trip Generation 9th Edition" as its major reference.

This memorandum documents the assessment of two phases both of which include the beer garden, the nursery and the gaming area. Phase two includes a remodeled main building as well as a two bedroom apartment. The trip generation for the existing nursery is based on the figures you provided me. The existing nursery square footage is based on one fourth of the open area (35,400 sq ft) and the retail sales building (1,253 sq ft). This I estimate provides a conservative estimate of trip generation for the nursery. The trip generation for the beer garden element most closely fits the pattern for a high turnover sit down restaurant (Land Use 932). Phase 1 square footage includes all first floor square footage and the outdoor beer garden area minus the restroom square footage. Phase 2 adds the apartment on the second floor. Pass-by trips are expected to be drawn to the beer garden. Pass-by rates for this type of use range from 26% to 62%. A pass-by rate of 20% is assumed to be a conservative value.

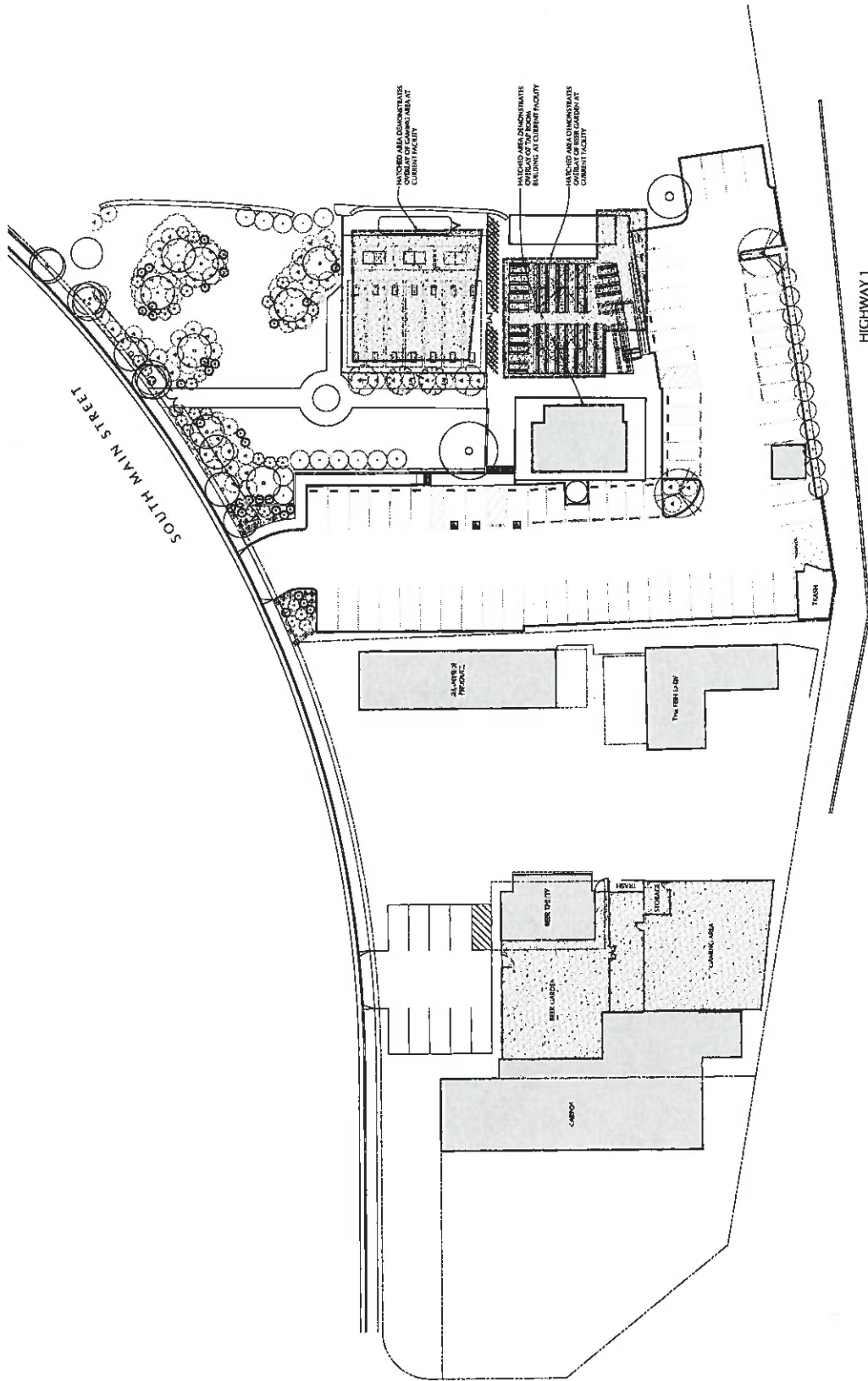
The following tables present the trip generation identified for the existing operation, phase 1, and phase 2.

Although the tables present new trips at the proposed site, it should be noted that the proposed use already is in operation a couple of parcels away. The proposal may be slightly larger than the neighboring site use however the majority of the trips estimated for the Nursery are already in the traffic stream.

Table 1 The Nursery Trip Generation Existing									
Land Use	Area Sq. Ft.	Rate	Trips	Trips Rate	Trips Rate	Trips Rate	Trips Rate	Trips Rate	Trips Rate
Garden Nursery LU 817	10,103	Nursery	66.1	kg. ft.	2.43	6.94	6.94	25	70
Nursery estimate based on existing building and 25% of outside area.									

Table 2 Nursery Trip Generation Proposed Phase 1									
Land Use	Area Sq. Ft.	Rate	Trips	Trips Rate	Trips Rate	Trips Rate	Trips Rate	Trips Rate	Trips Rate
Nursery LU 817	4,800	66.1	kg. ft.	2.43	6.94	0%	0%	327	12
Restaurant Beer Garden LU 931	4,746	66.95	sq. ft.	0.81	7.49	0%	-20%	427	4
Adjustments								-85	-1
Total								242	11
Trip Rates from ITE. Pass-by trips assumed to be 20% for beer garden.									

Table 3 Nursery Trip Generation Proposed Phase 2									
Land Use	Area Sq. Ft.	Rate	Trips	Trips Rate	Trips Rate	Trips Rate	Trips Rate	Trips Rate	Trips Rate
Nursery LU 817	4,800	66.1	kg. ft.	2.43	6.94	0%	0%	327	12
Restaurant Beer Garden LU 932	4,746	66.95	sq. ft.	0.81	7.49	0%	-20%	427	4
Apartment	1	6.50	Unit	0.50	0.56	0%	0%	7	1
Adjustments								-85	-1
Total								242	11
Trip Rates from ITE. Pass-by trips assumed to be 20% for beer garden.									

[illegible]

Annette Olson

From: Bill Kempf <bill@wckempf.com>
Sent: Friday, March 23, 2018 4:26 PM
To: Annette Olson
Subject: RE: Beer 30 Old tap room size
Attachments: 2 - Civil revised.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Annette.

I do have everything drawn to scale and am using actual surveys for accuracy. The proposed taproom is quite a bit bigger while the existing building is actually only 1,025 s.f. I don't know if that helps or not.

I'm also including the revised Civil plans with the trees changed as you requested for Dettle. See you on Wednesday.

Bill Kempf, Principal
WILLIAM C. KEMPF, ARCHITECT
911 Center Street, Suite F, Santa Cruz, CA 95060
T: 831 459-0951 C: 831 239-5804
www.wckempf.com

From: Annette Olson <Annette.Olson@santacruzcounty.us>
Sent: Friday, March 23, 2018 2:08 PM
To: Bill Kempf <bill@wckempf.com>
Subject: Beer 30 Old tap room size

Hi Bill.

You made a nice exhibit showing the old Beer 30 buildings/areas superimposed over the proposed.

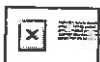
A neighboring property owner came in yesterday. He wondered if the old tap room's relative size was correct. If I do a polygon of the old taproom's roof on the county's GIS, I get ~1345 (which doesn't account for eaves). Is that about your estimate? Do you think your exhibit accurately reflects the size? The new tap room is about 1800 s.f.,

Could you double check that the exhibit reflects the old tap room's size accurately. I assume you traced it from an aerial, so the only place an error could occur would be if there's an issue with the new site plan's scale. Right?

Let me know your thoughts.

-Annette

Annette Olson
Development Review Planner
County of Santa Cruz
(831) 454-3134
Work Schedule: 8:30 - 12:00 M & Th; 8-2:30 W & F



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WILLIAM C. CONNER
ARCHITECT
5111 Center Street, Suite F
Berkeley, CA 94704
916.834.4141
www.williamcconner.com

PROPOSED SITE PLAN - PHASE 1
2550 SOUTH MAIN STREET, SQUILL, CALIFORNIA
THE NURSERY
NEW COMMERCIAL DEVELOPMENT AT

DRAWING DATE: NOVEMBER 17, 2016
ALTA: 03-031-45
CLIENT NAME: BELL & HOWARD TRUST
PROJECT NAME: 2550 SOUTH MAIN STREET
SQUILL, CALIFORNIA

NO.	DESCRIPTION	DATE
1	PLANNING	02/17
2	PLANNING	10/17/17



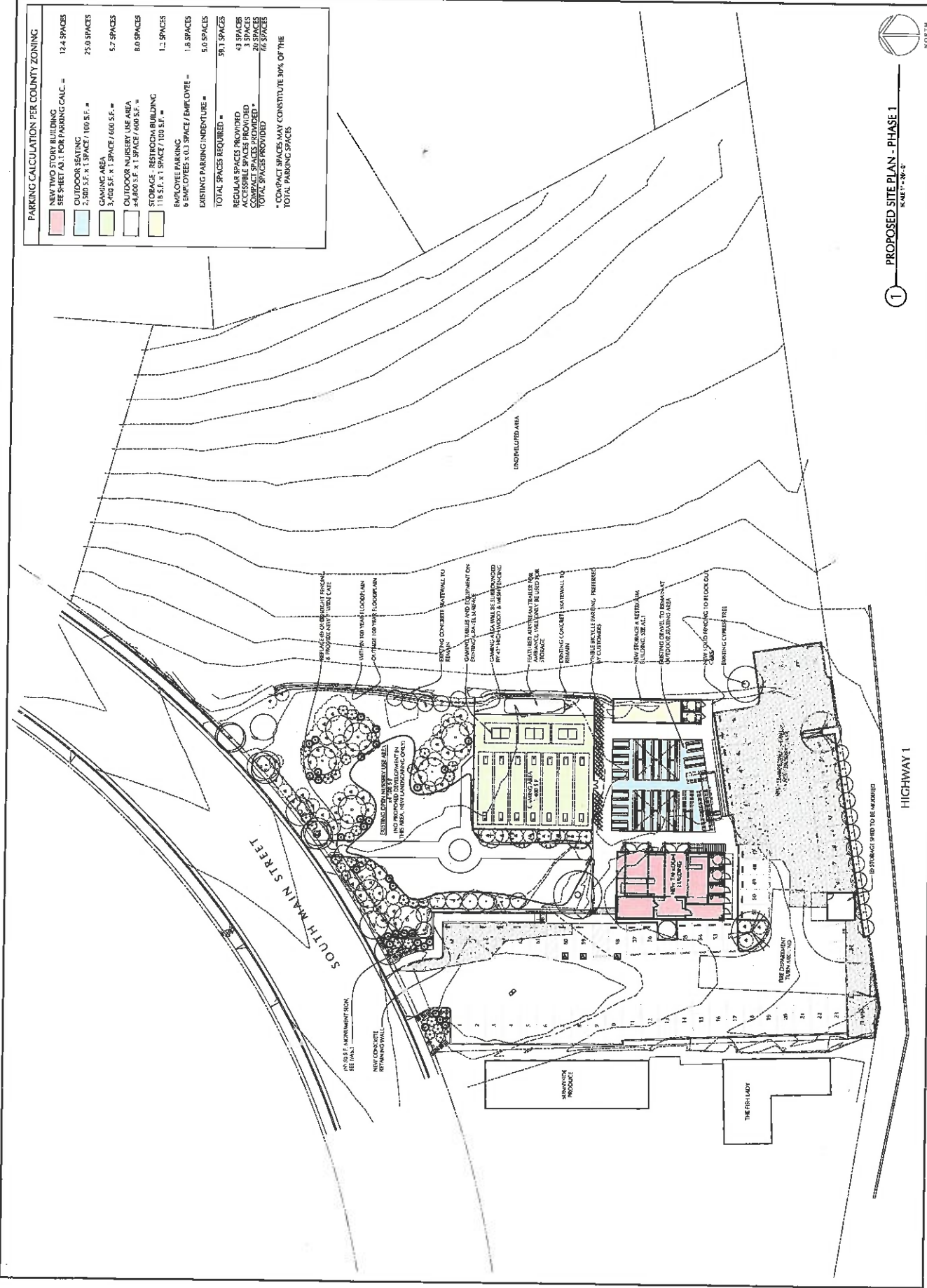
DATE: 11/17/17
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

A2.2

PARKING CALCULATION PER COUNTY ZONING

NEW TWO STORY BUILDING SEE SHEET A2.1 FOR PARKING CALC. =	124 SPACES
OUTDOOR SEATING 2,500 S.F. x 1 SPACE / 100 S.F. =	25.0 SPACES
GAMING AREA 3,400 S.F. x 1 SPACE / 100 S.F. =	34.0 SPACES
OUTDOOR NURSERY USE AREA 44,800 S.F. x 1 SPACE / 100 S.F. =	448.0 SPACES
STORAGE - RESTROOM BUILDING 110 S.F. x 1 SPACE / 100 S.F. =	1.1 SPACES
EMPLOYEE PARKING 6 EMPLOYEES x 0.3 SPACE / EMPLOYEE =	1.8 SPACES
EXISTING PARKING INDENTURE =	5.0 SPACES
TOTAL SPACES REQUIRED =	59.1 SPACES
REGULAR SPACES PROVIDED	43 SPACES
ACCESSIBLE SPACES PROVIDED	3 SPACES
COMPACT SPACES PROVIDED *	20 SPACES
TOTAL SPACES PROVIDED	66 SPACES

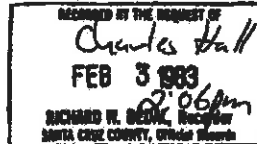
* COMPACT SPACES MAY CONSTITUTE 30% OF THE TOTAL PARKING SPACES



1 PROPOSED SITE PLAN - PHASE 1
SCALE: 1" = 50'-0"

Same as prev.

BOOK 3531 PAGE 198



PARKING INDENTURE AGREEMENT

As an inducement to the County of Santa Cruz to give a building permit for a 4,000 sq. ft. commercial building to be located on APN 30-223-08, the owners of APN 30-223-08 and 30-221-32 do hereby agree to the following parking conditions:

1. As APN 30-223-08 already contains the building known as the "Courtyard Restaurant" with forty two (42) County required parking spaces and;
2. Whereas the new 4,000 sq. ft. building on APN 30-223-08 is required to have nineteen (19) parking spaces;
3. Whereas only fifty four (54) parking spaces are available on APN 30-223-08 and sixty one (61) are required for these two buildings;

The owners agree that they will reserve and hold for the sole use of these two buildings, seven (7) parking spaces on that parcel of land across the street (owned by the same owners) described as APN 30-221-32.

5061

RE	5
MI	1
SM	
OP	

Robert R. Rittenhouse
Edward P. Frindle

Charles F. Hall
Charles F. Hall

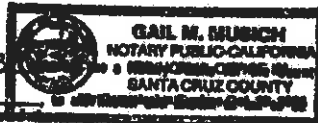
State of California

County of Santa Cruz

On this 31st day of January, 1983

personally appeared *Robert R. Rittenhouse*

(SEAL)



of Santa Cruz

an individual described in and who executed

Gail M. Murkin
Signature of Notary Public

STATE OF CALIFORNIA,

County of Santa Cruz

On this 31st day of January

one thousand nine hundred and eighty-three

Robert R. Rittenhouse

State of California, duly commissioned and sworn, personally appeared

LeBaron Bliss, Edward P. Frindle, Charles F. Hall

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of Santa Cruz, California, this 31st day of January, 1983.

Gail M. Murkin
Notary Public, State of California, My Commission Expires April 1, 1984

County's Form No. 34--(Acknowledgment--General)
(C. C. Sec. 1109) (FEB. 83)

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EXHIBIT I

40. (E) PING PONG TABLE
41. (E) 6 FT REDWOOD FENCE

REGULATORY DATA

ASSESSORS PARCEL NUMBER:

30-221-45

ZONE DISTRICT:

C-2

USE:

EXISTING

PROPOSED

PRODUCE MARKET/BAR
SEAFOOD MARKET/MASTER OCCUPANCY PROGRAM

PROJECT DATA:

LOT AREA

BUILDING COVERAGE (EXISTING)

BUILDING COVERAGE (NEW)

TOTAL FLOOR AREA (EXISTING)

TOTAL FLOOR AREA (FUTURE)

36,711 SF

4,577 SF/12.4%

4,717 SF/12.8%

4,577 SF

4,717 SF

REQUIRED PARKING:

PRODUCE MKT (RETAIL)

1,475/200

AUTO

7.38

BICYCLE

1,475/1,000

1.47

BAR (RESTAURANT)

1,300*/100

13.00

1,300/400

3.25

FISH MKT (RETAIL)

1,170/200

5.85

1,170/1000

1.17

FISH MKT (RESTAURANT)

416/100

4.16

416/400

1.04

SUB TOTAL

30.39

6.93

SHARED PARKING REDUCTION

10%

-3.04

0

PARKING INDENTURE**

7 X .23

1.61

0

(APN 30-223-08)

TOTAL 29

7

*600 SF OF OPEN TRELLIS STRUCTURE DESIGNATED AS OUTDOOR DINING/ DRINKING AREA.

(included in the 13 spaces)

**ORIGINAL APN 30-221-32 HAS A 7 (SEVEN) SPACE PARKING INDENTURE FROM APN 30-223-08. PARCEL SUBSEQUENTLY DIVIDED INTO 30-221-45 (23% OF LAND AREA) AND 30-221-46 (77%). 23% PRO RATA SHARE USED FOR CALCULATION.

PARKING PROVIDED:

STANDARD SPACES

AUTO

37

BICYCLE

7

HANDICAPPED

VAN

STANDARD

OFFSTREET LOADING

1

TOTAL 40

All shared

HOLIDAY CORNERS
Tenant Improvement

EXHIBIT 1

Annette Olson

From: Jan Kampa <happykampas@cruzio.com>
Sent: Saturday, February 17, 2018 7:20 AM
To: Annette Olson
Subject: Beer-Thirty Project

Hi Annette,

My wife April and I had a great time at the Soquel Neighborhood Meet & Greet last Sunday. The owner's new development is wonderful news, and Kym, Shawd, Olive, and Craig couldn't be better and nicer folks.

Can you add me to your mailing list for updates and any support you'd appreciate getting from the community on this project? Thanks so much!

Best,
Jan & April Kampa
3120 Hardin Way
Soquel, CA 95073
831-535-2739

Annette Olson

From: MrToddodd <mrcarpo@gmail.com>
Sent: Friday, April 13, 2018 3:47 PM
To: Annette Olson
Subject: Re: Beer Thirty

Hi Annette, Yes, my concern is all the mixed use areas outside, nursery and gaming will be used for the tap room customers. They are trying to do the same thing they did in their present location by calling it a retail bottle shop, when in fact it has always been a beer garden. If all the area outside was classified as restaurant/beer garden, they would have to provide upwards of 125-150 spaces, which is exactly what they need for a project of that size. Right now, on any given night they are filling both lots plus encroaching on adjacent lots. This has caused many parking issues for the entire business community on the street, and can only get much worse if they are allowed to proceed with only 66 parking spaces on their new project. All you have to do is look at all the no parking signs that have surfaced in the last couple of years, a direct result in Beer 30's total lack of parking. Thanks Todd

On Fri, Apr 13, 2018 at 12:45 PM, Annette Olson <Annette.Olson@santacruzcounty.us> wrote:

Hi Todd Todd.

I understand from Wanda Williams that you have some concerns about the Beer Thirty application. When we met, I recall that your main concern is parking and, in particular, your concern that the nursery area will be used as an extension of the taproom. If you have any other concerns, please let me know and I will do what I can to address them.

Thanks,
Annette

Annette Olson
Development Review Planner
County of Santa Cruz
(831) 454-3134
Work Schedule: 8:30 - 12:00 M & Th; 8-2:30 W & F

Annette Olson

From: Wanda Williams
Sent: Tuesday, March 27, 2018 9:58 AM
To: Annette Olson
Subject: FW: beer 30

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: Wanda Williams
Sent: Tuesday, March 27, 2018 9:58 AM
To: 'todd todd' <mrcarpo@gmail.com>
Subject: RE: beer 30

Todd, in my capacity as a Deputy Zoning Administrator I am unable to advise you regarding this application. However, I am going to pass your concerns along to the project planner in hopes that her staff report on this matter addresses the mix of uses. Thanks.

From: todd todd [<mailto:mrcarpo@gmail.com>]
Sent: Tuesday, March 27, 2018 8:01 AM
To: Wanda Williams <Wanda.Williams@santacruzcounty.us>
Subject: beer 30

Hi Wanda, What would be the most effective way to voice my opposition to the Beer 30 plan proposal? By classifying 75% of the project as retail/gaming instead of a Beer Garden/Restaurant, they have circumvented parking requirements they need. This is exactly what they did in the present location. They really need 150 spaces and anything less will negatively impact the street even more than the present situation. All you have to do is look at every business on the street with their no parking signs on every spot to realize the problems we constantly face. Please let me know Thanks Todd Todd 831-818-6515

Annette Olson

From: Todd and Jill Prindle <prindletroon@yahoo.com>
Sent: Thursday, March 29, 2018 8:02 AM
To: Annette Olson
Subject: please talk with Randall Adams & Lezanne Jeffs

Annette, I met with Randall Adams once. He seemed to have a real handle on the situation. Would you talk to him about figuring the parking/bathrooms within the County guidelines & Lezanne.

You had mentioned using common sense on this project. The Taproom, Patio & future Kitchen Shed should all be looked at as usable area. At one time, the County Planning considered outside area being used as Retail to meet the code. It was for Homescapes outdoor fountains. Supervisor Jan Beautz was nice enough to look at this in a different light, as there use was low impact. Is this rule still in effect?

The 9 outside parking spaces were way more than Homescapes needed. Beer 30 needed the 9 plus the 50 at 2590 Main St., plus the street & neighboring tenants properties.

Beer 30 didn't like Lezanne's Preliminary Parking Analysis. They have come back later with a new version, with all customer walkways/storage being literally on the "outside" of their parking requirements.

It is impossible for the Taproom to be at 12 package spaces @ 1,840 sq. ft. Any Beer sales are consumed on property, this is not a retail store, again it is a very large Bar.

From: Todd and Jill Prindle [mailto:prindletroon@yahoo.com]
Sent: Tuesday, March 27, 2018 9:36 AM
To: Annette Olson <Annette.Olson@santacruzcounty.us>
Subject: Fw: 2590 Main St., Beer 30

Annette, I have been looking at the "Incomplete Application" letter from your Dept. on May 13, 2016. It really looks like they have just shrunk the old plan down to save money or reintroduced the same plan with out the same square footage shown. Gaming Area went from 9,900 sq. ft to, I think, 3,600. The missing 6,000 is now the Nursery area ? It would be good to see it. They had 62 parking spaces then and 66 now. The County was at 85 then. Can you dig up the site plan from this ? Lezanne Jeffs wrote it...Tp

On Monday, March 26, 2018 12:46 PM, Todd and Jill Prindle <prindletroon@yahoo.com> wrote:

Great ! C U then...sent by my i todd

On Monday, March 26, 2018 12:10 PM, Annette Olson <Annette.Olson@santacruzcounty.us> wrote:

How about Wednesday at 1:30?

From: Todd and Jill Prindle [mailto:prindletroon@yahoo.com]
Sent: Monday, March 26, 2018 10:14 AM
To: Annette Olson <Annette.Olson@santacruzcounty.us>
Subject: Re: 2590 Main St., Beer 30

Sorry just saw this.
know & thanks Tp

I have, Tuesday before 10 am, Wednesday before 9 am or after 1 pm. Friday all day ok...let me

On Monday, March 26, 2018 9:59 AM, Annette Olson <Annette.Olson@santacruzcounty.us> wrote:

Hi Todd.

I have to cover for someone on the counter at 10 AM. If you still want to come, I can make the plans available to you in the records room, but may not be available to discuss them with you. I'm very interested in whatever ideas you may have. Thanks,
Annette

From: Todd and Jill Prindle [mailto:prindletroon@yahoo.com]
Sent: Sunday, March 25, 2018 1:47 PM
To: Annette Olson <Annette.Olson@santacruzcounty.us>
Subject: 2590 Main St., Beer 30

Annette, really great talking to you the other day. I had a fun time ! The only problem was, I really didn't look at the plans. I looked at the plot of the site plan & that might have been enough, but I like to look at all the sheets. I do need to look at the site plan, again. Sorry about that.

I did find a map showing the Beer 30 existing site at 928+/- square feet and Jeff Newhouse found a newer one at 1,030+/- . So i was way off on 600 to 700 square feet, so let's call it approx. 1,000 sq. ft. It still looks a lot smaller. Now the diagram you showed me of this, seemed to cover the 1,836+/- sq. ft. of the new site, so it is still only 54%.

Almost twice as much, so that diagram isn't right. The recreation area and the picnic area may be much, much closer. I believe we are 2,000 on the current picnic and 3,600 on the recreation, but with just looking at my map it is tough to be accurate. The current area includes all walkways, dog area, etc. Currently, but I haven't seen it, they have a port potties out front in the parking, besides the one on site. It would be good to know if this is enough during events.

I have some times this week & you could just leave the plans in the map area. I could look at them in front of the guy that was there when we met. Unless you have time again.

I just want there to be enough parking & restrooms to take care of their needs. I would hope with proper planning we can get to the correct numbers. It may take a review of site in the future, as you mention. As mentioned on a cold Saturday at 3:30 all 9 spaces and the 50+/- were all taken. What happens on promotion nights. The events they run have only been limited by Mr Newhouse. He pointed out that Monterey and San Jose use linear feet to measure sitting areas and standing. It is all our belief, that under the new plan they will max out the entire area. this would include the Nursery area and Code Compliance is really tricky. The site also includes 1.5 acres on the hill, that I can not see them leaving alone.

I have some ideas for you to work by the book and am happy to tell you them, after looking at the plans.
thank you...Tp

Annette Olson

From: Todd and Jill Prindle <prindletroon@yahoo.com>
Sent: Wednesday, March 28, 2018 6:46 PM
To: Annette Olson
Subject: Re: 2590 Main St., Beer 30

Annette, thank you for today & the "conditions" for 800 Soquel Ave., just great.

Before I forget please she me the "traffic Report and the "Patron Study". Thank You !

As it was diving into those sheets close to 3:30, I finally discovered that the Arch. William Kempf put dimensions on one of the last pages. It would have saved me time, as I believe they may be quite accurate. There are 58,000 square feet in the lower section(not on the slope), so it is quite large. I know this from having made quite a few plans of the area. With my rough dimensions, i came up with 10,500+/- sq. ft. for the Nursery Area. This includes interior walkways and trees, everything inside the fences. This would make it 17.5 parking spaces, not 8. The Taproom Restaurant is 1,840+/- sq. ft at 1/100 it should be 18.4, plus 2 for upstairs = 20.4, not 12.4. It does show as 15.4 during phase 2, but the new Kitchen/Restroom(former storage) comes up at 4.6 and should be 513 sq. ft. for 5.3 parking spaces. The gaming area need to be under "service enterprise" for 1/300 sq. ft. It is quite silly to think there will only be 14.25 people playing games here(2.5 x 5.7) This area need to be at 12 not 5.7. I did come up with 4,200, but this is without using that one page and without the Air Stream(which is a strange one for storage use).

The truth is this is a huge bar, just like you see in any college town. While 2.5/car seems real, if you look on any highway, you see 1 person in 70% of the cars. This is why the 2 person lanes aren't used much. There will be great deal of cars here.

It is also apparent that the walkways are not being calculated in the square footage. They are being calculated for their current space to describe the similarities between the two sites, but not on this plan.

There are two ways to look at it. One is to look at the picnic tables and how many they hold(25 tables max and 21 with food truck @ 8 to 6 people per). #2, take the entire area and apply 1/100 to it. I am just saying the storage area will be change to a Kitchen, the walkways are part of the restaurant area(just like any one in town) and the picnic area can be added to this. the area is 7,150+/- (w/o page) sq. ft. = 71.5 parking spaces. if you had someone come to the county and wanted to put in a large Bar the #'s you would use 1/100 per code.

#2

17.5 Nursery Area per Code 1/600 Open Uses

12 Gaming Area per Code 1/300 Service Enterprise

71.5 Restaurant/Bar Area per Code 1/100

2 Upstairs apt.

7 existing parking Indenture

110 required spaces

I remember the 7 spaces are deeded on the Beer 30 property, not on the other. This was something we did, because the other properties as you know didn't have enough parking(Carpo's Sunnyside, Jessie's & Fish lady). Three time this property with the indenture have been sold with the new buyer accepting this indenture.

I am not sure, but I think this would hold up in court.

Please consider the use and reality this 71.5 parking spaces makes sense & is "code".

Thank you again for listening to me and helping me to help all parties concerned with this matter.

Tp

On Wednesday, March 28, 2018 8:59 AM, Annette Olson <Annette.Olson@santacruzcounty.us> wrote:

Hi Todd.

I don't think the original plan set was in the file I received, but I'm happy to ask Lezanne and Randall about it. Let's talk about it when you get here at 1:30.

-Annette

Annette Olson

From: Todd and Jill Prindle <prindletroon@yahoo.com>
Sent: Sunday, March 25, 2018 1:47 PM
To: Annette Olson
Subject: 2590 Main St., Beer 30

Annette, really great talking to you the other day. I had a fun time ! The only problem was, I really didn't look at the plans. I looked at the plot of the site plan & that might have been enough, but I like to look at all the sheets. I do need to look at the site plan, again. Sorry about that.

I did find a map showing the Beer 30 existing site at 928+/- square feet and Jeff Newhouse found a newer one at 1,030+/- . So i was way off on 600 to 700 square feet, so let's call it approx. 1,000 sq. ft. It still looks a lot smaller. Now the diagram you showed me of this, seemed to cover the 1,836+/- sq. ft. of the new site, so it is still only 54%.

Almost twice as much, so that diagram isn't right. The recreation area and the picnic area may be much, much closer. I believe we are 2,000 on the current picnic and 3,600 on the recreation, but with just looking at my map it is tough to be accurate. The current area includes all walkways, dog area, etc. Currently, but I haven't seen it, they have a port potties out front in the parking, besides the one on site. It would be good to know if this is enough during events.

I have some times this week & you could just leave the plans in the map area. I could look at them in front of the guy that was there when we met. Unless you have time again.

I just want there to be enough parking & restrooms to take care of their needs. I would hope with proper planning we can get to the correct numbers. It may take a review of site in the future, as you mention. As mentioned on a cold Saturday at 3:30 all 9 spaces and the 50+/- were all taken. What happens on promotion nights. The events they run have only been limited by Mr Newhouse. He pointed out that Monterey and San Jose use linear feet to measure sitting areas and standing. It is all our belief, that under the new plan they will max out the entire area. this would include the Nursery area and Code Compliance is really tricky. The site also includes 1.5 acres on the hill, that I can not see them leaving alone. I have some ideas for you to work by the book and am happy to tell you them, after looking at the plans. thank you...Tp

The only real problem with Beer 30 is parking.

Their operation, design elements and management style make for a wonderful experience. The new plan for 2590 is wonderful and will be great success. They are also really great at marketing their business. The problem is in their efforts to increase sales, they have continually increased auto traffic.

Over the last 4 to 5 years, since they moved in, Main Street has gotten increasing hostile. We now have the Board of Realtors building putting up tow away signs on each parking place. Tenants have been putting up fences, chains and security to protect their own parking lots.

The County Planning Dept. allowed Beer 30 to go into a 1,000+/- square foot building with 9 spaces, as a beer tasting room and retail store. The outside slowly added more picnic tables & Beer 30 became a Beer Garden. It reminds me of a College Beer Bar that gets packed outside ever big game or any party night. There is nothing wrong with this, except the impact this has on the surrounding Main street tenants.

They now use up all 9 spaces in front plus the 50 on 2590 Main (with a large sign saying "Beer 30 parking"), plus the street and at times any lot around with open spaces. I was out there once on a 50 degree Saturday in Feb. at 3:30 and every one of the 59 was being used. Beer 30 was busy and there was parking in other's lots. It is a war by every tenant on Main to protect their parking. This idea that this are all shared now seems farce.

The site plan for the new Beer 30 at 2590 Main has 66 spaces. 7 of these are indentured, so really 59. The same that they have now, except they had to put portable toilets on some.

The hours of operation is adding 7 more hours (7 am to midnight). The new building's square footage & the land size are 3 times bigger. Ron Marquez's takes an 85% reduction of parking for the "non usable square footage". There are no office(s), break room, nursery retail store shown on the site plan. While a Air Stream & care taker's unit are used for storage (0 parking).

In a normal restaurant use walkways to restroom, tables, bar, game area are included in the usable square footage. For some reason as a Beer Garden, they are not.

The game area of 3,400 square at $1/600 \times 2.5/\text{car} = 14$ people playing darts, ping pong corn hole etc. Common sense would say $1/300 \times 2.5/\text{car} = 28$ people. People can come to play and not eat or drink or go to the nursery. Everybody is welcome. Which is really wonderful, but the game area will not all be "pass-by trips" in Marquez's memorandum.

Beer 30 gets people to Uber, bike, etc and the parking still over flows. There will be robot cars whom can be sent down the street to park, but we are years away and we must still work with these parking problems.

In the Project Statement on page 4 there is a plan showing plenty of much needed extra parking. As an example of common sense, if the 25 picnic tables have an average of 6 per table, that's 150 people or 60 autos. This is just the dining area, people will be drinking even in the Nursery. The Taproom/dining/restrooms/walkways are all the restaurant area. Which would make sense at 1/100, not just the picnic tables. The Nursery Area and it's retail sales much like DIG Gardens, Aptos Hidden Gardens is retail at 1/300. The gaming area at 1/300 "service enterprise" or retail.

Annette Olson's (Staff Planner) came up with a great idea on a Conditional Review after one year. This would help, but having close to the right amount of parking & restrooms from the start is most important. There has been 100 to 175 spaces proposed by neighboring tenants and they do know what goes on, I do not. However, using the County parking codes as mentioned above would make common sense, provide the parking really needed by Beer 30 and possibly bring harmony to Main Street, once again.

Thank you for your attention in this matter.

Todd Fiedler

Annette Olson

From: Wanda Williams
Sent: Wednesday, April 18, 2018 9:36 AM
To: Annette Olson
Subject: FW: 2590 Main St. Soquel & Beer 30

FYI

From: Todd and Jill Prindle [mailto:prindletroon@yahoo.com]
Sent: Wednesday, April 18, 2018 9:18 AM
To: Wanda Williams <Wanda.Williams@santacruzcounty.us>
Subject: 2590 Main St. Soquel & Beer 30

Wanda, I got your name from a friend Todd owner of Carpo's. He tells me you live in the area and sometimes buy food there. I have been reviewing Beer 30's plans for the move from their current location. I am one of the owners of the current location and as I seem to have a different opinion from my partners, I was hoping you might read my solution to the problem.

It has always been a parking problem. Beer 30 is like an Amusement area. They have great games, entertainment & offer people a good time. I think they are like really like a college bar. While not always over crowded on game days and party nights they pack the outside grounds drinking, screaming and enjoying themselves. This is great on campus, where they can stumble home and find a place to urinate, but not so good in Soquel.

This is still the age of the driving yourself in a car and their current parking area of 59 spaces gets used up pretty quick. I am dropping off a one page letter today of how the County could use the current code to improve the situation our other tenants. They have plenty of excess land on site, as it is 2.5 acres +/-.

If you would drop a copy to the Zoning Administrator who will be hearing this important matter on May 4th, we would be most appreciative.

Thank you

Todd Prindle
(831)334-3309
prindletroon@yahoo.com

JOHNSON & JAMES, LLP

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April 18, 2018

Kathleen Molloy, Planning Director
Annette Olson, Planner
Planning Department
County of Santa Cruz
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Kathy.Molloy@santacruzcounty.us
Annette.Olson@santacruzcounty.us

RE: Soquel Farmhouse, LLC's Discretionary Permit Application No. 161091
APN: 030-221-46

Dear Ms. Molloy:

This letter is written regarding the above referenced application for a discretionary permit. I am the attorney for Holiday Corners, which owns property adjacent to the property upon which Soquel Farmhouse proposes to construct its new beer garden.

Soquel Farmhouse intends to develop a beer garden similar to the beer garden operated by Beer Thirty Bottle Shop at a neighboring location. It is my understanding that Soquel Farmhouse and Beer Thirty Bottle Shop have common ownership. The new beer garden will expand Beer Thirty's operation, including the number of customers, hours of operation, and the amount of open-air seating.

The neighborhood surrounding the proposed beer garden is both residential and small business. The site is also located near churches, schools and playgrounds. Soquel Farmhouse's new facility, if permitted, will install outside seating on benches. Hundreds of individuals will be permitted and encouraged to sit outside, and drink alcoholic beverages. The beer garden will be open both during the day, and into the night, using bright flood lights at night. Day and night, the customers will be drinking in an open-air facility, without noise restraint. The noise levels created by hundreds of inebriate customers will be amplified by the playing of loud music. The mass consumption of alcohol and accompanying noise levels, will be continuous and ongoing seven days a week, including Sundays, from 7:00 a.m. until midnight.

As I am sure the County is already aware, the noise generated by hundreds of inebriated, outdoor customers, accompanied by loud music will be deafening, and greatly disturb all of the residents, schools, churches, and small businesses located within the vicinity of the proposed beer garden. In addition to excessive noise, a myriad of other problems will occur from the mass consumption of alcohol, including the operation of vehicles by persons under the influence of alcohol in the vicinity of schools and churches.

EXHIBIT J

As the County is already aware, inebriated customers from Beer Thirty have urinated in public on adjoining properties. Public urination and other alcohol related problems will only increase if the discretionary permit is issued.

Additionally, there is grossly inadequate parking to support an operation of this size. Beer Thirty attracts hundreds of customers for its special events and parties. Beer Thirty's customers illegally park at surrounding businesses and in residential neighborhoods. Soquel Farmhouse's substantially increased number of customers will only exacerbate the illegal parking, and escalate what is already an unbearable situation.

The issuance of the proposed permit will violate numerous Santa Cruz County Code sections, including the following provisions of the Code:

"13.10.321 Purposes of residential districts.

(A) General Purposes. In addition to the general objectives of this chapter (SCCC 13.10.120) the residential districts are included in the zoning ordinance in order to achieve the following purposes:....(7) To provide adequate space for off-street parking of automobiles. (8) To provide areas of residential use consistent with the capacity of public services, the urban services line and rural services line and the reserve capacity policy of the Local Coastal Program Land Use Plan for tourist services. To minimize traffic congestion and avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them. (9) **To protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion, and hazards such as fire, explosion, or noxious fumes.**"

8.03.010 Purposes.

(A) This chapter shall be known as the alcoholic beverage retail outlet nuisance abatement program. This chapter (1) creates the alcoholic beverage retail outlet nuisance abatement program; (2) requires local certification for all alcoholic beverage retail outlets based on adherence to performance standards set forth in this chapter; (3) establishes performance standards and an enforcement process to review violations of those standards in order to protect the general health, safety, and welfare of the residents of the County and **to prevent public nuisances associated with alcoholic beverage retail outlets...**

(B) The County has adopted the regulations described in this chapter for the following purposes: (1) **To protect residential, commercial, industrial, civic and institutional areas and minimize the adverse impacts of public nuisances associated with alcoholic beverage retail outlets;** (2) **To provide mechanisms to address problems often associated with the public consumption of alcoholic beverages such as litter, loitering, graffiti, unruly behavior, violence and escalated noise levels, and ensure that alcoholic beverage retail outlets are not the source of public nuisances in the community;** (3) To provide for

properly maintained alcoholic beverage retail outlets so that the negative impacts generated by them are not harmful to the surrounding environment in any way...

8.03.050 Prohibited activities.

It is unlawful, and shall constitute a public nuisance, for an alcoholic beverage retail outlet to operate without the local certification of responsibility required by this chapter. **It is also unlawful, and shall constitute a public nuisance, for an alcoholic beverage retail outlet to violate any of the performance standards set forth in this chapter....**

The provisions of this chapter are intended to regulate public nuisances associated with alcohol sales. This chapter is not intended to replace or usurp any powers vested in the California Department of Alcoholic Beverage Control or the State of California, or regulate in any area where the County is preempted from doing so. [Ord. 5261 § 1, 2017]. ..

8.03.070 Creation of program—Operation and inspection.

(E) Performance Standards. **The purpose of these performance standards is to control dangerous or objectionable environmental effects of alcoholic beverage retail outlet activities. The following performance standards shall apply to all outlets that hold a local certification of responsibility, and an outlet will only maintain its certification as long as it conforms to these performance standards.**

(1) **An outlet must not engage in activity that jeopardizes, endangers, or results in adverse effects to the health, peace, or safety of persons residing or working in the surrounding area.**

(2) **An outlet must not engage in activity that results in public nuisances within the outlet or in close proximity to the outlet, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, sale of alcohol to minors, drinking in public, open containers of alcohol on or close to the outlet premises stemming from off-sale activity, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises (especially in the late night or early morning hours), traffic violations, curfew violations, lewd conduct, or police detentions and arrests.**

8.03.070 Creation of program—Operation and inspection.

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8.03.110 Local certification of responsibility for new outlets.

(C) Action on Certification Application.

- (1) **The ACO shall approve issuance of a certification of responsibility to allow a new outlet to open for business upon making the following findings:** (a) **A finding that the new outlet's activity will not aggravate existing problems in the neighborhood created by the sale of alcohol such as loitering, public drunkenness, alcoholic beverage sales to minors, noise and littering;**
(b) **A finding that the proposed new outlet will not detrimentally affect nearby neighborhoods considering the distance of the new outlet to residential buildings, schools, parks, playgrounds or recreational areas, nonprofit youth facilities, places of worship, hospitals, alcohol or other drug abuse recovery or treatment facilities, county social service offices, or other outlets;**

8.30.010 Offensive noise.

- (A) **No person shall make, cause, suffer, or permit to be made any offensive noise.**
- (B) **"Offensive noise" means any noise which is loud, boisterous, irritating, penetrating, or unusual, or that is unreasonably distracting in any other manner such that it is likely to disturb people of ordinary sensitivities in the vicinity of such noise, and includes, but is not limited to, noise made by an individual alone or by a group of people engaged in any business, activity, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, tool, structure, construction, vehicle, ride, machine, implement, or instrument.**
- (C) The following factors shall be considered when determining whether a violation of the provisions of this section exists: (1) Loudness (Intensity) of the Sound. (a) Day and Evening Hours. **For purposes of this factor, a noise shall be automatically considered offensive if it occurs between the hours of 8:00 a.m. and 10:00 p.m. and it is: (I) Clearly discernible at a distance of 150 feet from the property line of the property from**

which it is broadcast; or (ii) In excess of 75 decibels at the edge of the property line of the property from which the sound is broadcast, as registered on a sound measuring instrument meeting the American National Standard Institute's Standard S1.4-1971 (or more recent revision thereof) for Type 1 or Type 2 sound level meters, or an instrument which provides equivalent data.

A noise not reaching this intensity of volume may still be found to be offensive depending on consideration of the other factors outlined below.

(b) Night Hours. For purposes of this factor, a noise shall be automatically considered offensive if it occurs between the hours of 10:00 p.m. and 8:00 a.m. and it is: (i) Made within 100 feet of any building or place regularly used for sleeping purposes; or (ii) Clearly discernible at a distance of 100 feet from the property line of the property from which it is broadcast; or (iii) In excess of 60 decibels at the edge of the property line of the property from which the sound is broadcast, as registered on a sound measuring instrument meeting the American National Standard Institute's Standard S1.4-1971 (or more recent revision thereof) for Type 1 or Type 2 sound level meters, or an instrument which provides equivalent data.

A noise not reaching this intensity of volume may still be found to be offensive depending on consideration of the other factors outlined below. (2) Pitch (frequency) of the sound, e.g., very low bass or high screech; (3) Duration of the sound; (4) Time of day or night; (5) Necessity of the noise, e.g., garbage collecting, street repair, permitted construction activities; (6) The level of customary background noise, e.g., residential neighborhood, commercial zoning district, etc.; and (7) The proximity to any building regularly used for sleeping purposes."

For unknown reasons, Soquel Farmhouse's application appears to have been expedited through the permit process without consideration of the above referenced code sections, or addressing the concerns of surrounding neighbors and businesses. The undersigned is unaware of the County permitting the operation of any comparably-sized open-air drinking establishment located near residences, churches, schools, and small businesses. The County is apparently unconcerned with the noise levels to be generated by Soquel Farmhouse, or the overall effect the Soquel Farmhouse operation will have on surrounding homes and businesses.

Soquel Farmhouse's application is to operate a nursery and restaurant, rather than a beer garden. Even though the County knows the intended use is actually that of a beer garden rather than a restaurant, the County is applying the noise, safety, parking and related requirements for a restaurant rather than an open-air beer garden. In doing so, the County ignores the true nature of the proposed use, and fails to acknowledge that the issuance of the discretionary permit will (1) create numerous neighborhood nuisances, (2) sanction elevated noise levels in a residential neighborhood, (3) permit public urination, (4) exacerbate the already rampant illegal parking in the neighborhood, (5) put many people, including school children, at risk from

Kathleen Molloy, Planning Director
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drunk drivers, and (6) detrimentally affect not only nearby neighborhoods, but schools, playgrounds, places of worship, and small businesses, all in direct violation of the Santa Cruz County Code.

My client has no objection to a permit being issued for a nursery and traditional restaurant. It is only the beer garden to which we object. A large, open-air, stadium-like beer garden serving alcohol to hundreds of patrons, many or most of whom will become intoxicated, adjacent to residences, schools, churches, and small businesses, without adequate parking, violates not only the County Code, but destroys the entire character of the neighborhood. It is also simply a poor planning decision. We urge that the discretionary permit be denied.

Thank you for your consideration of this matter.

Very truly yours,

[Signature on original]

Robert K. Johnson

cc: Client
County Counsel

EXHIBIT J

Annette Olson

From: Karen Streeter <karen@streetergroup.com>
Sent: Tuesday, April 24, 2018 10:08 AM
To: Annette Olson
Subject: RE: Soquel Farmhouse LLC

Annette,

Thank you, I may not be able to attend this meeting, but for the record, I have been a tenant across the street from this project at 2571 Main St ste C, Soquel for 10 years, and I am in *support of approval* for the project. I think it would be an appropriate use for the site, and neighborhood.

Karen Streeter

From: Annette Olson [mailto:Annette.Olson@santacruzcounty.us]
Sent: Tuesday, April 24, 2018 8:19 AM
To: Karen Streeter <karen@streetergroup.com>
Subject: RE: Soquel Farmhouse LLC

Hi Karen.

The staff report (with a plan set) will be available on Friday online here: <http://sccounty01.co.santa-cruz.ca.us/planning/plnmeetings/ASP/Display/ASPX/DisplayAgenda.aspx?MeetingDate=5/4/2018&MeetingType=2>

Let me know if you have questions.

-Annette

Annette Olson
Development Review Planner
County of Santa Cruz
(831) 454-3134
Work Schedule: 8:30 - 12:00 M & Th; 8-2:30 W & F

From: Karen Streeter <karen@streetergroup.com>
Sent: Monday, April 23, 2018 10:04 AM
To: Annette Olson <Annette.Olson@santacruzcounty.us>
Subject: Soquel Farmhouse LLC

I would like to review the application for this project, and confirm the date for the next upcoming commission review. Can you please assist with an online access.

Thanks so much,

Karen Streeter
Principal Architect



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