



Staff Report to the Zoning Administrator

Application Number:
04-0267

Applicant: Robert Goldspink
Owner: Lou and Isabel Bartfield
APN: 042-301-01 through -24
042-311-01 through -23

Agenda Date: October 15, 2004
Agenda Item #: 5
Time: after 11:00 a.m. (note time !!)

Project Description: Proposal to remodel and construct minor additions to an existing multi-family residential complex including a new mansard roof, enlargement of existing entrance foyer, enclosure of existing uncovered stairways, covering existing garbage facilities, and improvements in building façade, exterior lighting, signage and landscaping.

Location: 116 Aptos Beach Drive, Aptos

Supervisory District: Second District (District Supervisor: Ellen Pirie)

Permits Required: Commercial Development Permit, Coastal Development Permit and Variances (to reduce the required front yard setback at Venetian Road from 20 feet to approximately 4 feet, to reduce the required street side yard setback at Stephen Road from 10 feet to approximately 1 foot, to reduce the required rear yard setback from 20 feet to approximately 7 feet, and to reduce the required street yard setback from 10 feet to approximately 6 feet).

Staff Recommendation:

- **Approval of Application 04-0267**, based on the attached findings and conditions.
- **Certification that the proposal is exempt from further Environmental Review** under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|------------------|
| A. | Project plans | E. | Location map |
| B. | Findings | F. | General Plan map |
| C. | Conditions | G. | Zoning map |
| D. | Categorical Exemption (CEQA determination) | | |

Environmental Information

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

Services Information

Urban/Rural Services Lme:	<u> X </u> Inside <u> </u> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal	Santa Cruz County Sanitation District
Fire District:	Aptos/La Selva Fire Protection District
Drainage District:	XX

History

This application was received on June 7, 2004 and deemed complete on July 7, 2004.

Project Setting

Tract No 381 subdivided this property in June, 1963 as "Rio Sands Motel - A Condominium Subdivision". The existing two-story motel structure was built in 1964.

The project consists of remodeling of an existing 42-room motel building comprising of exterior improvements and minor additions including:

- a. enlarging existing entrance foyer.
- b. enclosing east and west stairs and adding storage
- c. covering trash dumpster area
- d. constructing mansard roof
- e. construction of storage at east end of building
- f. Remodeling covered walkway colonnade

There will be no increase in the number of habitable rooms, no change in impervious area and no change in the number of parking spaces.

Zoning & General Plan Consistency

The subject property is a 34,100 square foot lot, located in the R-M-3.5 (3,500 sq. ft. min. parcel size) zone district, a designation that allows commercial uses. The existing motel is a principal permitted use within the zone district and the project is consistent with the site's (RUH) Urban High Density Residential General Plan designation.

Local Coastal Program Consistency

The proposed alterations to the existing motel are in conformance with the County's certified Local Coastal Program, in that the modifications to the structure will be sited and designed to be more visually compatible, more in scale with, and more integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings.

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

Design Review

The proposed alterations to the motel comply with the requirements of the County Design Review Ordinance. The analysis by the Urban Designer is attached as an Exhibit.

Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and the project is comprised of alterations to an existing construction and no change of use is proposed.

Variances

This application requires variance for setbacks from the property lines. The property is an unusual shape – long and thin. The property appears to have been combined from individual residential parcels when the motel was created and then subsequently subdivided as a “motel condominium”. The current application warrants a variance due to the shape of the property.

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

- **APPROVAL of Application Number 04-0267**, based on the attached findings and conditions.
- **Certification that the proposal is exempt from further Environmental Review** under the California Environmental Quality Act.

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

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

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owner: Lou end Isabel Bartfield

Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned R-M-3.5 (3,500 sq. ft. min. parcel size), a designation that allows commercial uses. The proposed Motel is a principal permitted use within the zone district, consistent with the site's (RUH) Urban High Density Residential General Plan designation.

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

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

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

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

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

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the alterations to the motel will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, commercial uses are allowed uses in the R-M-3.5 (3,500 sq. ft. min. parcel size) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

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Development Permit Findings

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

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

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

This finding can be made, in that the proposed location of the Motel and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-M-3.5 (3,500 sq. ft. min. parcel size) zone district in that the primary use of the property will be one motel that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted **for** the area.

This finding can be made, in that the proposed commercial use is consistent with the use and density requirements specified for the Urban High Density Residential (RUH) land use designation in the County General Plan.

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

The proposed Motel will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed Motel will comply with the site standards for the

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R-M-3.5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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 alterations to the motel are to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project will not increase.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed alterations to the motel are consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed alterations to the motel will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

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Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location and surrounding existing structures, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made. The long, thin shape of the parcel and it's adjacency on all sides to **streets** creates a unusual circumstancebased on it's size, shape and location.

2. That the granting of such variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements in the vicinity.

This finding can be made. Nothing within **this** proposal poses any change to the existing operation of the motel.

3. That the granting of such a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made. Other properties in the vicinity are single-familyresidences on primarily rectangular lots. The "motel condominium" is an unusual circumstance, which does not **occur** on other properties in the vicinity.

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Conditions of Approval

Exhibit A: Architectural drawings prepared by Robert Goldspink, Architect dated April 14, 2004

- I. This permit authorizes the alterations to an existing motel. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of **Santa Cruz** (Office of the County Recorder).
 - B. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in **8.5"** x 11" format.
 2. Grading, drainage, and erosion control plans.
 3. Details showing compliance with fire department requirements.
 - C. Meet all requirements of and pay Zone **6** drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - D. Meet all requirements and pay any applicable plan check ~~fee~~ of the Aptos/La Selva Fire Protection District.
 - E. Submit **3** copies of a soils report, if required, prepared and stamped by a licensed Geotechnical Engineer.

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- F. 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 **16.42.100** of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections **16.40.040** and **16.42.100**, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

Minor variations to **this** permit which do not affect the overall concept or density may be approved by the **Planning** Director at the request of the applicant or **staff** in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires two years from the effective date unless you obtain the required permits and commence construction.

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Approval Date: _____
Effective Date: _____
Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Lawrence Kasparowitz
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 04-0267
Assessor Parcel Number: 042-301-01
Project Location: Stephen Road, Rio Del Mar

Project Description: Proposal to remodel and construct minor additions to an existing multi-family residential complex including a new mansard roof, enlargement of existing entrance foyer, enclosure of existing uncovered stairways, covering existing garbage facilities, etc.

Person Proposing Project: Robert Goldspink

Contact Phone Number: (831) 688-8950

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

Specify type:

E. X Categorical Exemption

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

F. Reason why the project is exempt:

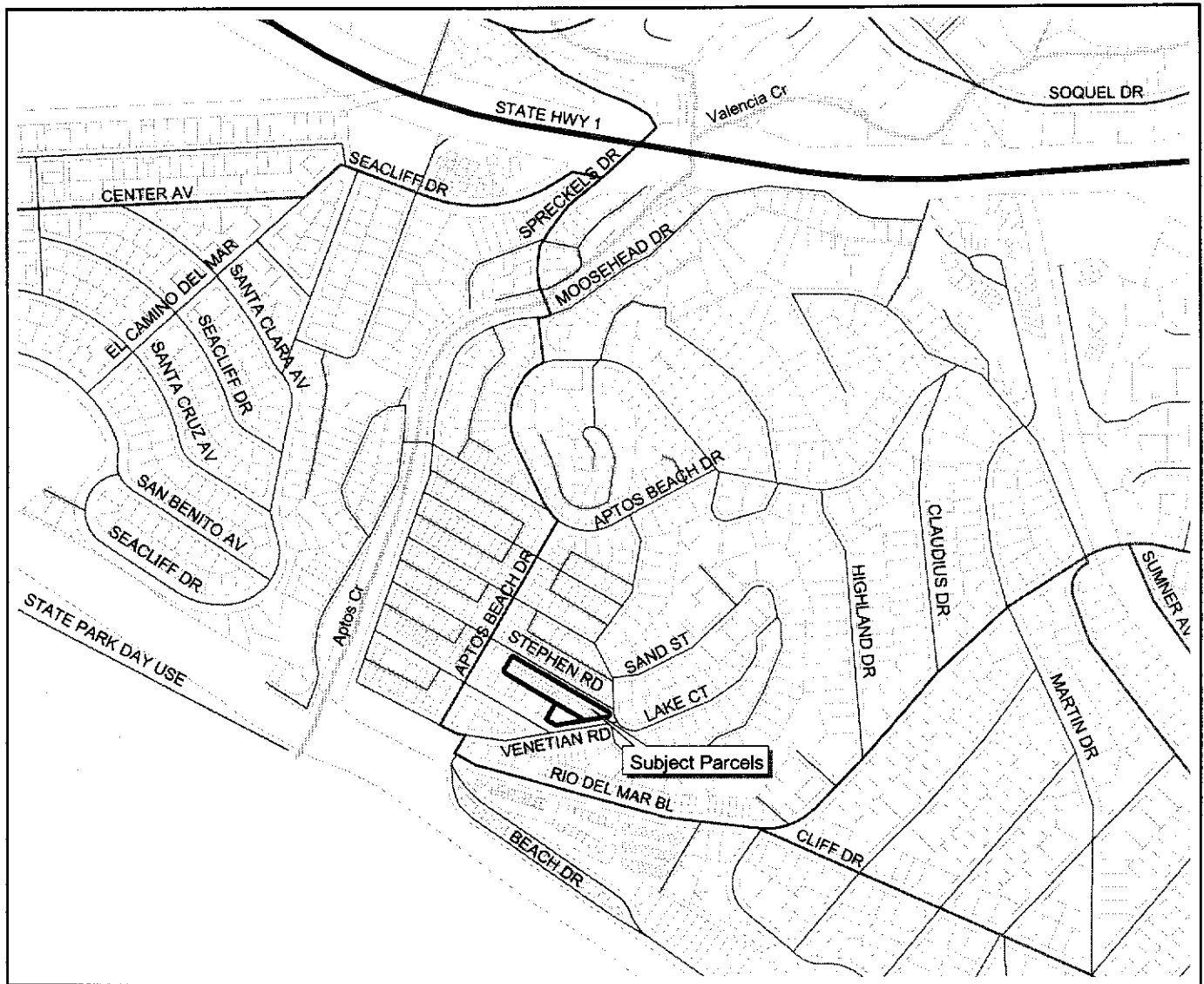
Remodel of existing structure

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

Lawrence Kasparowitz, Project Planner

Date: _____

Location Map



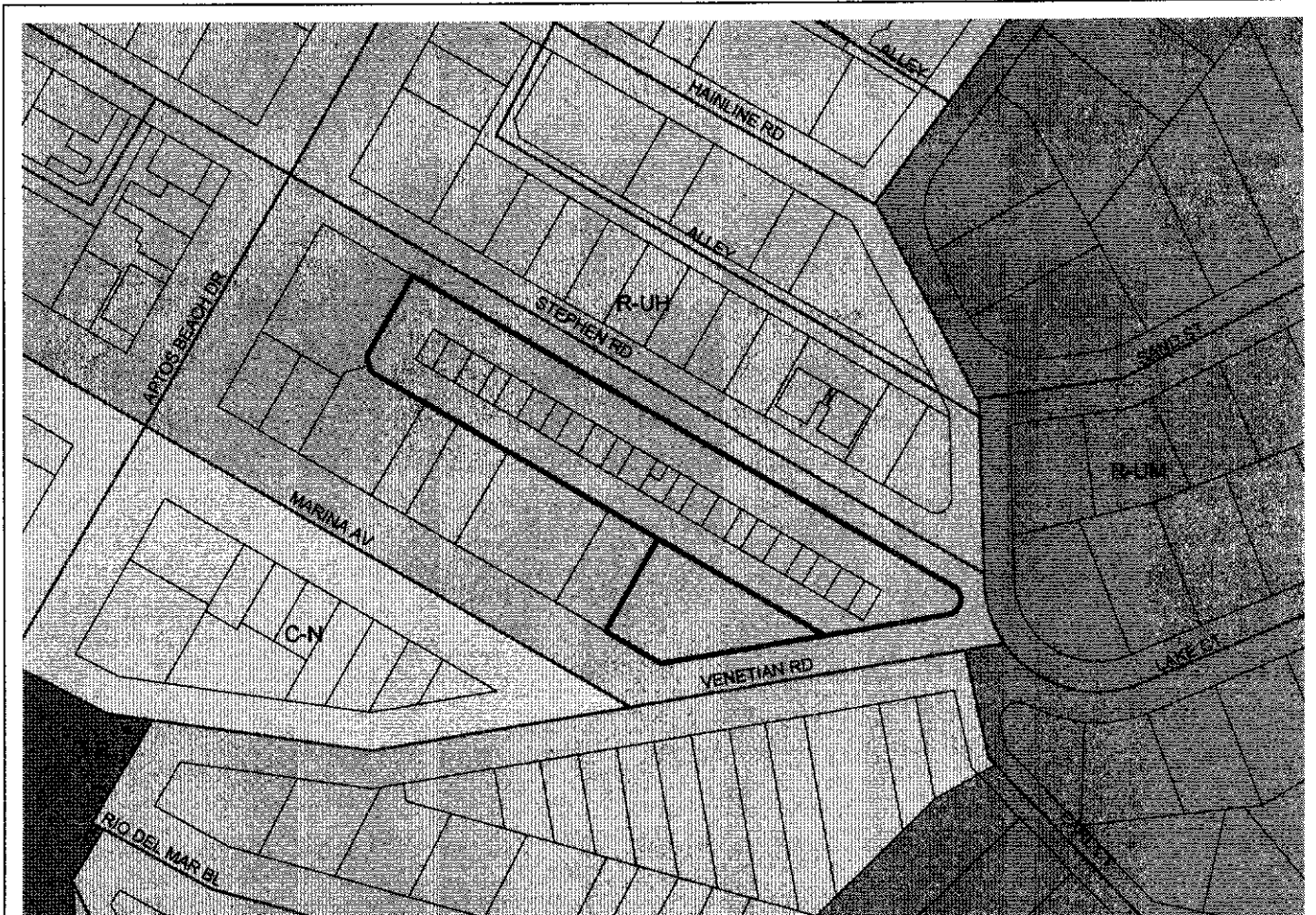
1000 0 1000 2000 Feet

Map created by Santa Cruz County
Planning Department:
June 2004



EXHIBIT E

General Plan Map



200 0 200 400 Feet

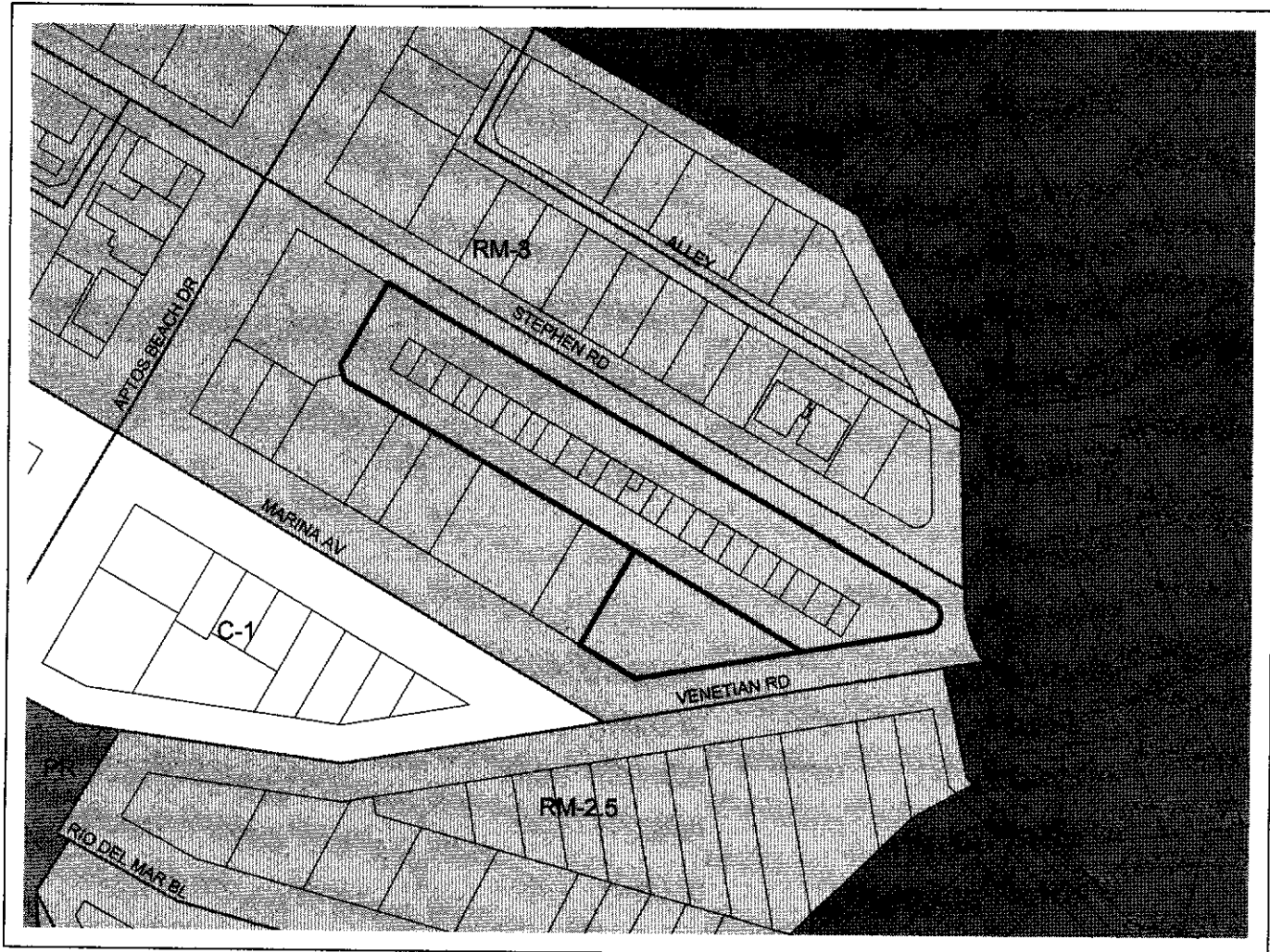
Legend

	Subject parcels
	Streets
	Neighborhood Commercial
	Residential - Urban Medium Density
	Residential - Urban High Density
	Parks and Recreation



Map created by Santa Cruz County
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Zoning Map



200 0 200 400 Feet

Legend

	Subject Parcels
	R-1-X
	RM
	C-1
	PR



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