



Staff Report to the Zoning Administrator

Application Number: **04-0228**

Applicant: Ron Powers
Owner: Ledyard Properties
APN: 026-311-60, 63, 64

Agenda Date: December 3, 2004
Agenda Item #: 2
Time: After 10:00 a.m.

Project Description: Proposal to Amend Permits 85-0482 and 00-0198 for an existing food wholesale business (Ledyard Company) to recognize the construction of a one-story, 2,845-square foot addition to an existing warehouse, to combine Parcel 026-311-60 and 026-311-63, to include an existing two-story, 3,510-square foot office storage building as part of the use permit, and to rescind a parking agreement established between Parcel 026-311-63 and 026-311-64.

Location: Located on the west side of 17th Ave, just north of the Union Pacific right of way.

Supervisory District: 1st District (District Supervisor: Jan Beautz)

Permits Required: Amendment to Commercial Development Permits 85-0482 and 00-0198

Staff Recommendation:

- Approval of Application 04-0228, 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 | F. Zoning map |
| B. Findings | G. Comments & Correspondence |
| C. Conditions | H. Photo of new structure |
| D. Categorical Exemption (CEQA determination) | I. Letter from RDA |
| E. Assessor's parcel map | |

Parcel Information

Parcel Size:	026-311-60: 23,958 sf, 63: 2.03 acres, 64: 2.53 acres
Existing Land Use - Parcel:	Commercial Industrial
Existing Land Use - Surrounding:	Commercial Industrial
Project Access:	17 th Ave

Planning Area: Live Oak
Land Use Designation: C-S (Service Commercial/Light Industrial)
Zone District: C-4 and M-1 (Commercial Service and Light Industrial)
Coastal Zone: — Inside X Outside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: 0 to 3 percent
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, no changes proposed

Services Information

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

History

In 1985 a Commercial Development Permit (85-0482) was issued to allow a cold storage operation at this location. The current application would expand the area of this cold storage use and the area of the existing building.

Permit 00-0198 was approved by the Zoning Administrator on 5/18/01 and recognized an as-built loading dock on the east side of the subject cold storage building.

The expansion of the Ledyard industrial area has proceeded without the benefit of a Master Occupancy Permit since the 1985 permit. During that time changes have occurred where the County has issued as-built permits for specific improvements, but no comprehensive review of Ledyard's multiple property operation has been possible. Therefore, in the interest of adequately reviewing the cumulative impacts of the site, this permit, if approved, will condition the owner to submit an application for a Master Occupancy Permit for the entire Ledyard operation at the northwest corner of the intersection of 17th Ave and the Union Pacific railroad right way.

Zoning & General Plan Consistency

All structures on the subject property are part of a service commercial/light industrial campus that contains several separate businesses. The entire area of the campus is in the C-4 and M-1 (Commercial Service and Light Industrial) zone district; a designation that allows commercial

uses. The proposed commercial expansion and the related land uses area a principal permitted use within the zone district and the project is consistent with the site's (C-S) Service Commercial/Light Industrial General Plan designation.

Parcel 60 (formerly 026-311-47), has been zoned C-4 since it was created in 1980 under Permit 79-1397-MLD. While the permit history for the existing structure is confusing, it appears that it was permitted under Permit 78-1687-PD as a contractor's storage facility and yard. Parcel 60 has access across Parcel 59 to Brommer Street and over the 40-foot right of way that runs through the Ledyard Company area to 17th Avenue. Both will remain following the combination of Parcels 60 and 63, but the main access for the Ledyard Company will continue to be at 17th Ave. The structure is to be used as an operations center for the Ledyard distribution operation.

Parking

Formerly, Permit 00-0198 had recognized the additional off-site parking area on Parcel 64 to provide two additional spaces and to provide for peak periods of activity. With the addition of parcel 60 however, all the required parking for the cold storage building can be accommodated on the parcel that will result from the combination of Parcel 60 and 63. The parking agreement that was a condition of Permit 00-0198 is therefore not needed, and this permit has been conditioned to require that the recorded documents regarding the agreement be rescinded.

The resultant parcel will require 56 parking spaces and 93 have been shown on the submitted plan. This number of spaces exceeds that allowed by County Code 13.10.552(d), which establishes a maximum parking standard of not more than 10 percent above that which is required. This section also however provides that additional spaces may be approved provided that the approving body (Zoning Administrator) determines that more spaces are needed due to special circumstances. The nature of this facility is unusual in that parking spaces unavoidably share space that is also needed, at times, for truck maneuvering and parking. Since the total number of spaces may at times be significantly less than 93, it is recommended that the extra spaces be approved with this permit.

Landscaping that was required on Parcel 64 (Falcon Trading Company) by Permit 00-0198 (14 *tristania conferta* along the west and south property lines) will continue to be regulated by this series of permits, but become the responsibility of the owner and subsequent owners of Parcel 64 rather than 63. To insure this landscaping is in good condition prior to the transfer of responsibility, a condition has been added that requires the applicant to have a comprehensive review of the trees and to replace any trees that may be in poor health. A letter addressing the review shall be required prior to the issuance of a building permit for the new loading dock.

Design Review

The proposed commercial business complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features needed to incorporate the new project into the existing commercial campus that surrounds the subject site. Similar materials, forms, and colors have been used to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Specifically, the Ledyard Company maintains several buildings in this industrial area, all having common architectural elements. The buildings are stucco with a painted metal accent strip at the top. The exterior walls are segmented into about 20 foot sections. The overhead doors are covered with painted metal awnings. The building to which the addition is to be added has overhead and pedestrian doors on the south side. The addition will have overhead doors facing east. The addition will not significantly impact public view sheds outside of this industrial area. The new signage for the operations building and loading dock will be conditioned to match the features of the existing signs on the property.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA) and the County Environmental Review Guidelines, the project was determined to be categorically exempt from the provisions of CEQA, per Section 15303 of the California Code of Regulations. A Notice of Exemption was prepared for the proposed project (See Exhibit D).

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 **04-0228**, 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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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 commercial business 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 commercial 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-4 and M-1 (Commercial Service and Light Industrial) zone district in that the primary use of the property will continue to be commercial business that meets all current site standards for the zone district.

The resultant parcel following the combination of Parcels 60 and 63 will require 56 parking spaces and 93 have been shown on the submitted plan. This number of spaces exceeds that allowed by County Code 13.10.552(d), which establishes a maximum parking standard of not more than 10 percent above that which is required. This section also however provides that additional spaces may be approved provided that the approving body (Zoning Administrator) determines that more spaces are needed due to special circumstances. The nature of this facility is unusual in that parking spaces unavoidably share space that is also needed, at times, for truck maneuvering and parking. Since the total number of spaces may at times be significantly less than 93, extra parking is allowed.

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 Service Commercial/Light Industrial (C-S) land use designation in the County General Plan. Also, the proposed commercial business will comply with the site standards for the C-4 and M-1 zone district (including setbacks, height, and number of stories) and 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 commercial business is to be constructed on an existing developed lot that has been in commercial use for many years. No expansion of the building, other than the construction of the loading dock is proposed; therefore no increase in the number of truck trips is anticipated.

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

This finding can be made, in that the proposed structure is located in an existing commercial area and will be of similar size, bulk and mass as other structures in the area. Further, the proposed commercial business is consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed commercial business complies with the requirements of the County Design Review Ordinance and that the proposed project will incorporate site and architectural design features needed to incorporate the new project into the existing commercial campus that surrounds the subject site. Similar materials, forms, and colors have been used to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Specifically, the Ledyard Company maintains several buildings in this industrial area, all having common architectural elements. The buildings are stucco with a painted metal accent strip at the top. The exterior walls are segmented into about 20 foot sections. The overhead doors are covered with painted metal awnings. The building to which the addition is to be added has overhead and pedestrian doors on the south side. The addition will have overhead doors facing east. The addition will not significantly impact public view sheds outside of this industrial area. The new signage for the operations building and loading dock will be conditioned to match the features of the existing signs on the property.

Conditions of Approval

Exhibit A: Project plans by William Bagnall Architects, dated 8/04; and, Ifland Engineers, dated 8/9/04

- I. This permit authorizes an Amendment to Permits 85-0482 and 00-0198 for an existing food wholesale business (Ledyard Company) to include the recognition and construction of a one-story, 2,845-square foot addition to and exiting warehouse, and the inclusion of an existing two-story, 3,510-square foot office storage building as part of the use permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - D. Sign and record an Affidavit to retain Parcels 026-311-60 and 026-311-63 as one parcel.
 - E. Sign and record a document to rescind the parking agreement between parcel 026-311-63 and 026-311-64 as formerly required under County Permit 00-0198.
 - F. Apply for a Master Occupancy Permit for the Ledyard Company campus located on the west side of 17th Ave and north of the Union Pacific right of way within 6 months of the approval date of this permit. The application shall include but is not limited to Parcels **026-311-60, 63** (or the parcel number assigned following their combination), 49, 58, the Kinsley Street right of way west of 17th Avenue, and any other property involved in the operation of the Ledyard Company in the area bounded by Brommer Street, 17th Ave, El Dorado, and the Union Pacific right of way. The application will require complete, detailed plans of the area including specific descriptions of all uses on the properties, rights of way, circulation and operations.
- 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 of any new fences or gates. The plan must indicate how the right of way across Parcel 026-311-59 from Parcel 60 is to be used.
 4. Details showing compliance with fire department requirements.
 5. Details of any sign to be installed on the property. All signs shall match the architectural detail of other signs on the property.
- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services, if required.
- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- G. Pay the current Category I fees for Child Care mitigation for 2,845 square feet of new construction. Currently, these fees are \$0.12 per square feet.
- H. Provide required off-street parking for 56 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- I. Submit a letter confirming that a landscape maintenance review has been conducted for the planning areas on the south and west sides of Parcel 026-311-64. The review should indicate that all of the trees required under County Permit 00-0198 are in good condition or have been replaced.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the 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.
- B. **Commercial traffic prohibited on Kinsley Street east of 17th Avenue.** No truck traffic shall be permitted on Kinsley Street east of 17th Avenue. The owner shall take steps to insure drivers are instructed not to use Kinsley Street or other similar local streets.

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

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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

John Schlagheck
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: 04-0228

Assessor Parcel Number: 026-311-60, 63, 64

Project Location: 1053 17th Ave

Project Description: 2,800 square foot addition to an existing commercial building

Person or Agency Proposing Project: Ron Powers

Contact Phone Number: (831) 425-5999

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

Specify type:

E. ☒ **Categorical Exemption**

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

F. **Reasons why the project is exempt:**

Commercial construction less than 10,000 square feet

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

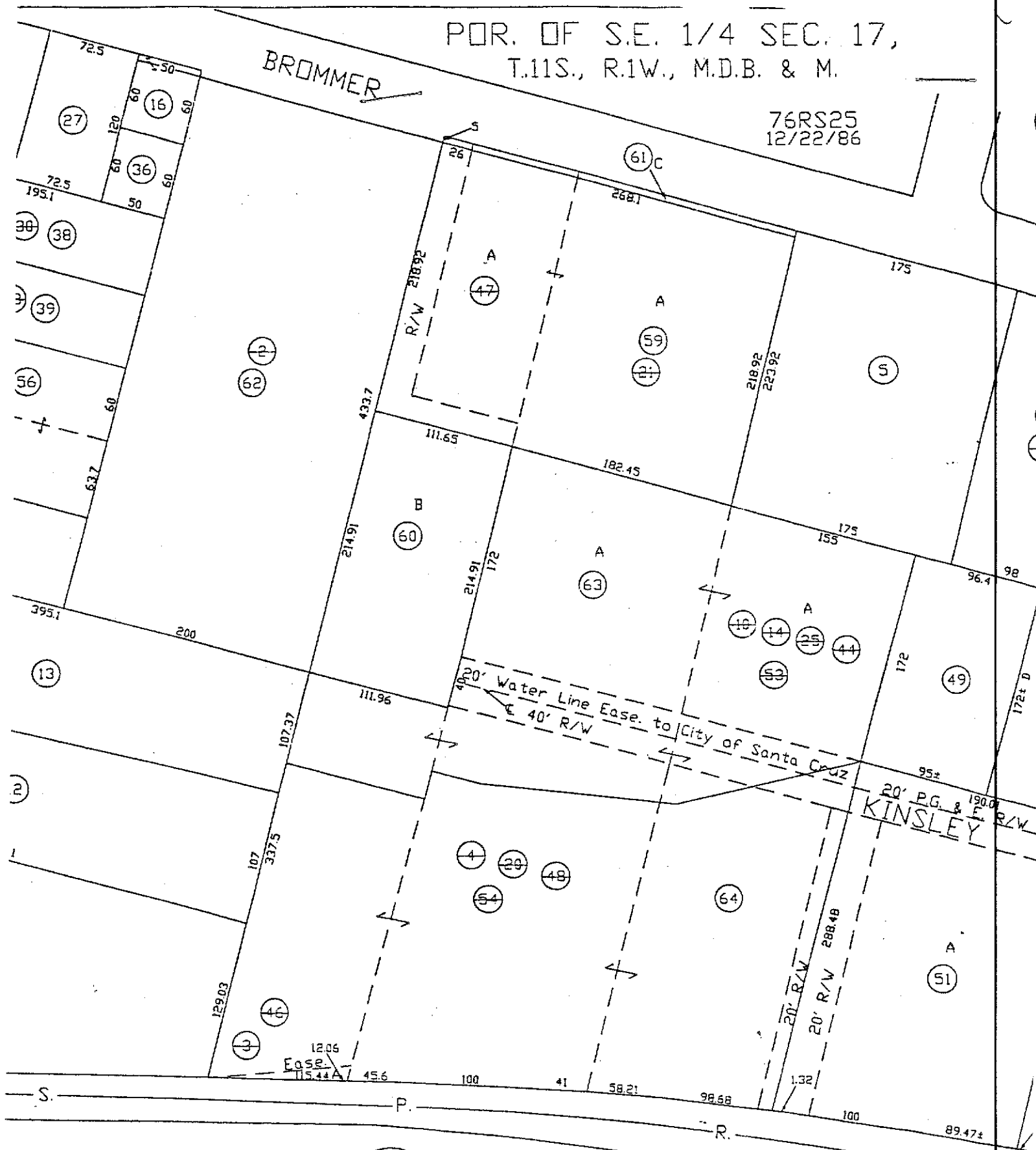
John Schlagheck, Project Planner

Date: _____

POR. OF S.E. 1/4 SEC. 17,
T.11S., R.1W., M.D.B. & M.

BROMMER

76RS25
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51MB7
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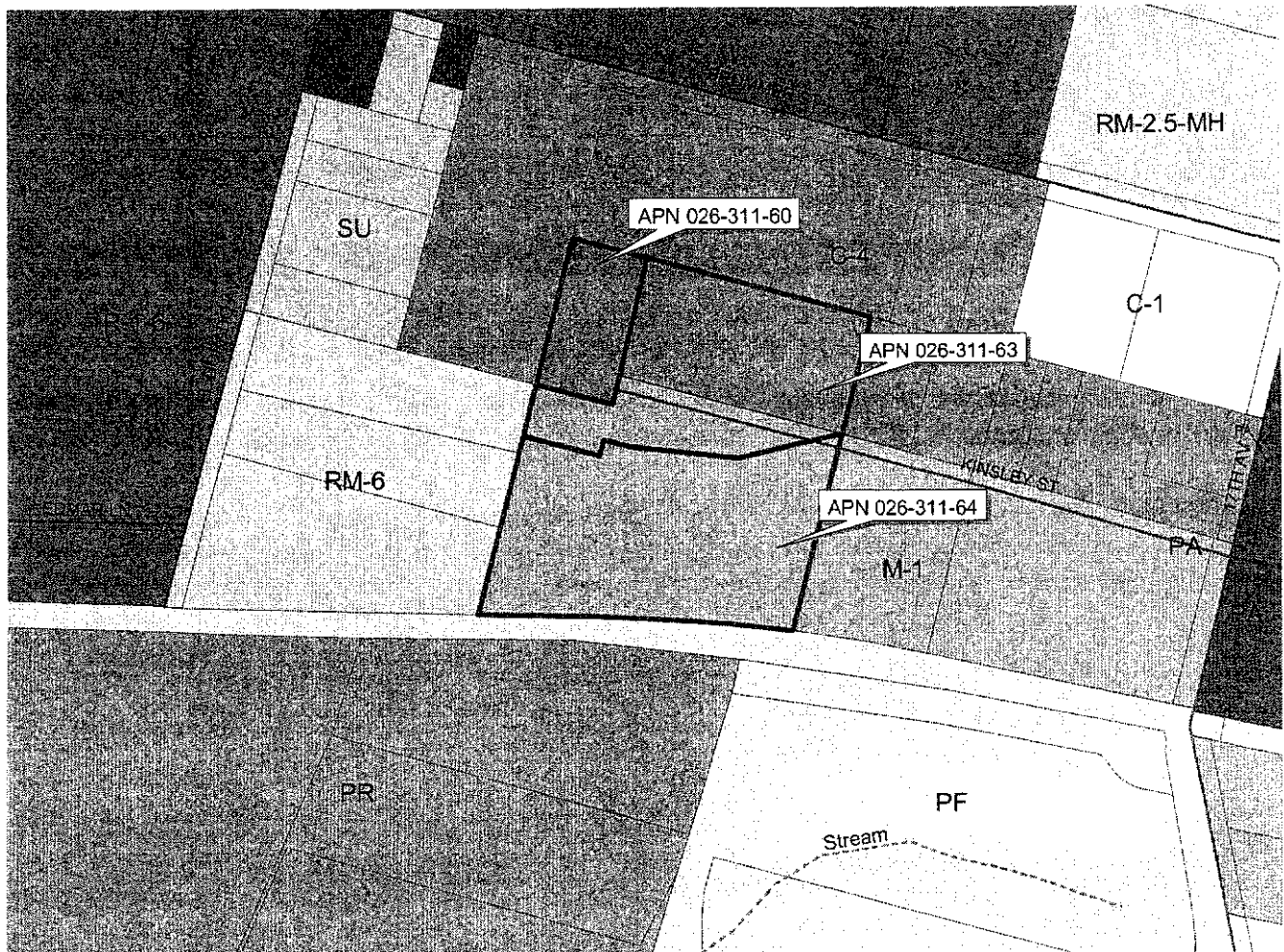
11PM52
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EXHIBIT E

20PM29
2/5/76

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

Zoning Map



500 0 500 1000 Feet

Legend

	026-311-60,63,64
	Streets
	Intermittent Stream
	R-1-X
	RM
	C-1
	PA
	c-4
	PF
	SU
	M-1
	PR



Map created by Santa Cruz County
Planning Department:
May 2004

EXHIBIT F

C O U N T Y O F S A N T A R U Z
Discretionary Application Comments

Project Planner: John Schlagheck
Application No.: 04-0228
APN: 026-311-60

Date: November 12, 2004
Time: 10:59:26
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Environmental Planning Completeness Comments

===== REVIEW ON JUNE 9, 2004 BY ROBIN M BOLSTER =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON JUNE 9, 2004 BY ROBIN M BOLSTER =====
NO COMMENT

Dpw Drainage Completeness Comments

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

===== REVIEW ON JUNE 10, 2004 BY RACHEL J FATOOHI ===== Please clarify if the construction being recognized for this application is replacing existing impervious area or replacing pervious/vegetated area. If there is no new impervious areas associated with this project, then there will be no further comments. If not, please show how you're handling the additional runoff, show existing drainage facilities downstream of the project and submit drainage calculations for these facilities. Zone 5 impact fee shall be applied for all the additional impervious area. Additional review comments may arise based on the response to first comment.

===== UPDATED ON SEPTEMBER 24, 2004 BY RACHEL J FATOOHI =====
No further comments. No new impervious areas or changes to the drainage pattern.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON JUNE 10, 2004 BY RACHEL J FATOOHI =====
NO COMMENT

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON MAY 20, 2004 BY DEBBIE F LOCATELLI =====
No comment, proposed work is not within a county right-of-way.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON MAY 20, 2004 BY DEBBIE F LOCATELLI =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON JUNE 8, 2004 BY GREG J MARTIN =====
The existing commercial site generates truck traffic that utilizes Kinsley Street east of 17th Avenue. We recommend that as a condition of approval commercial traffic be restricted on Kinsley Street east of 17th Avenue as this is a residential area. We recommend pedestrian, bicycle, and vehicular traffic circulation be reviewed under a permit for a Master Occupancy Plan amendment. If you have any questions

Project Planner: John Schlagheck
Application No.: 04-0228
APN: 026-311-60

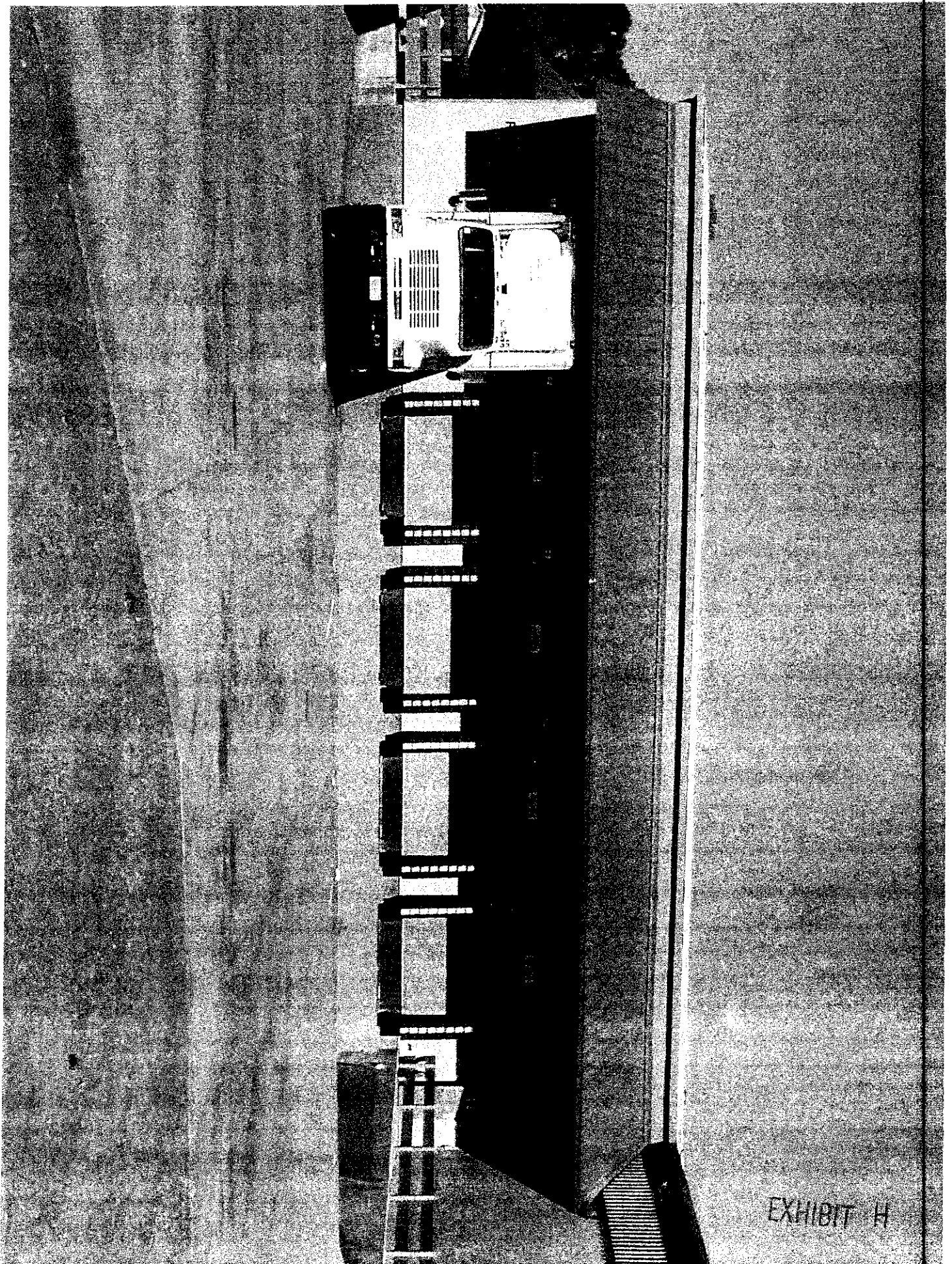
Date: November 12, 2004
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Page: 2

please contact Greg Martin at 831-454-2811.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JUNE 8, 2004 BY GREG J MARTIN =====

1053 17th Avenue Freezer/Refrigeration/Cold Storage - 2,845 sq. ft. As-Built Refrigerated Staging/Truck Loading Addition
East Elevation (APN: 026-311-53 and 026-311-60)



COUNTY OF SANTA CRUZ

INTER-OFFICE CORRESPONDENCE

DATE: October 4, 2004
TO: John Schlagheck, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application **04-0228, 2nd Routing**, APN 026-331-60, -63, & -64, 1332 Brommer St., 1053 & 1055 17th Avenue, Live Oak

The applicant is proposing to amend Permit 85-0482 for an existing food wholesale business, to recognize the construction of a 2,845 square foot addition to an existing warehouse, to combine parcels 026-311-60 and 026-311-63, to include an existing 3,510 square foot office storage building as **part** of the use **permit**, and to rescind a parking agreement that was established under Permit 00-0198. The project requires an amendment to Permits 85-0482 and 00-0198. The property is located on 17th Avenue about 200 feet north of the Union Pacific rail line at 1053 17th Avenue.

This application was considered at an Engineering Review Group (ERG) meeting on June 2, 2004 and again on September 15, 2004. The Redevelopment Agency (RDA) has the following comments regarding the proposed project. RDA's primary concern for this project is that new changes to the facility don't continue to be added piecemeal, without overall analysis of the potential impacts and preferable solutions to comprehensive site issues.

1. RDA understands that the Planner anticipates adding a project condition that addresses the following concern stated previously: "A Master Use Permit should be processed for this property **either** with this application or in the relatively near future in order to address the associated impacts of the use and design of this large commercial business and to respond to the many independent minor changes that have occurred over time. That permit would evaluate the entire use and commercial development as a whole (including all the previous individual minor development permits) and any near-future anticipated changes, then mitigate impacts created onsite and to the surrounding properties and adjacent neighborhood. That permit should address items such as: drainage, landscaping and tree planting, fencing and screening, architectural design and materials, traffic, access (including pedestrian and bicycle) and circulation, lot mergers, parking, adjacent land uses, signage, fencing, etc."
2. The applicant/Planner should confirm that the proposed project is not in conflict with any existing easements per RDA's previous comment, "Additional information should be provided to clearly distinguish where the existing 40 ft right-of-way (R/W) (and centerline) is located onsite, along the Kinsley Street extension, and to ensure it is accurately plotted. **As** well, the 20 ft. City water line easement, and the 20 ft. PG&E R/W (and the adjacent 26 ft R/W to the north to Brommer) should be clearly identified. The project plans show a different configuration than the plotting of the R/W on the Assessor's mapping. It appears that the freezer addition, which is part of this application, may have been built within the access right-of-way."
3. This application should be conditioned so that trucks serving the commercial use are **limited** to only using arterial streets to access the property (trucks should not be using local streets).

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

Cc: Greg Martin, DPW Road Engineering
Paul Rodrigues, RDA Urban Designer

EXHIBIT 1