



## Staff Report to the Zoning Administrator

Application Number: **02-0359**

Applicant: Eugene and Daymel Shklar  
Owner: Eugene and Daymel Shklar  
APN: 027-231-25

Agenda Date: ~~February 18, 2005~~  
Agenda Item #:   
Time: ~~after 10:00 a.m.~~

3/18/05  
#2  
8:30 J h

Project Description: Proposal to remove an existing two-story single-family dwelling, detached garage and guest house; to construct one-story 4,669 sq. ft. single family dwelling with an attached 3 car garage, and to modify the right of way established by MLD 76-514.

Location: 1151 Scholl Lane, Santa Cruz

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

Permits Required Coastal Development Permit and Residential Development Permit

### Staff Recommendation:

- Approval of Application 02-0359, 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                              | G. Zoning map                         |
| B. Findings                                   | H. Aerial photo of site               |
| C. Conditions                                 | I. Discretionary Application Comments |
| D. Categorical Exemption (CEQA determination) | J. Quitclaim Deeds                    |
| E. Location map                               | K. Photomontages                      |
| F. General plan map                           | L. Color board (ZA only)              |

### Parcel Information

Parcel Size:	34,893 sq. ft. (after lot line adjustment)
	31,929 sq. ft. (before lot line adjustment)
Existing Land Use - Parcel:	Single family dwelling
Existing Land Use - Surrounding:	Single family dwellings, state park, condominiums
Project Access:	Scholl Lane
Planning Area:	Live Oak / East Cliff Village Special Community
Land Use Designation:	R-UH (Residential Urban High Density)
Zone District:	R-1-4 (4,000 sq. ft. min. site area)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	177 / 178
Fire Hazard	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate
Traffic:	N/A
Roads:	Existing roads adequate
Parks:	Existing park facilities adequate
Archeology:	Not mapped/no physical evidence on site

## Services Information

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

## History

This application was submitted on July 12, 2002 and deemed complete on August 20, 2002.

The Planning Department received a Historical Survey and Evaluation for the existing structures at 1151 Scholl Lane by Anthony Kirk, Ph.D., dated February 28, 2003. That report concluded that the existing house did not appear to meet any of the criteria for listing in the California Register of Historical Resources.

The Santa Cruz County Historic Resources Commission also reviewed and evaluated Dr. Kirk's report. The Commission requested and received a peer-review report, which supported Dr. Kirk's conclusions. The Commission heard public testimony at two public hearings in October and November 2003 and declined to nominate the house for addition to the Santa Cruz County's inventory of historic resources under any classification level.

## Project Setting

The subject property is a 31,929 sq. ft. (before lot line adjustment) lot, located at the end of Scholl Lane (a privately maintained road). The parcel contains a five-bedroom farmhouse, a water tower/garage/apartment and associated landscaping. All structures and a portion of the trees **are to** be removed.

### Zoning & General Plan Consistency

The lot is located in the R-1-4 (4,000 sq. ft. min. site area) zone district, a designation that allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district and the project is a replacement in kind with no proposed change of density.

The site is contained within the East Cliff Village Tourist Area. The nature of this district as described in the General Plan is focused on "commercially designated properties along East Cliff Drive" (Objective 8.8 – Villages, Towns and Special Communities), and consequently does not contain policies applicable to this parcel.

**SITE DEVELOPMENT STANDARDS TABLE**

	<b>R-1-4 Standards</b>	<b>Proposed Residence</b>
<b>Front yard setback:</b>	20 feet	26'-0"
<b>Side yard setback:</b>	5 feet / 8 feet	11 feet / 26 feet
<b>Rear yard setback:</b>	15 feet	77 feet
<b>Lot Coverage:</b>	40 % maximum	18.8 %
<b>Building Height:</b>	28 feet maximum	20' ±
<b>Floor Area Ratio (F.A.R.):</b>	0.5:1 maximum	.18
<b>Parking</b>	6 bedrooms – 5 (18' x 8.5')	three in garage three uncovered

### Local Coastal Program Consistency

Developed parcels in the area contain single-family dwellings, and condominiums. The parcel is relatively isolated (see Exhibit H); having condominiums on the south side a Eucalyptus screen on the lake side (west), State Park property on the north side, and smaller houses lining Scholl Lane (east). Only a glimpse of the property ~~can~~ be seen looking down Scholl Lane from 14<sup>th</sup> Avenue, and the property is well screened by a Eucalyptus grove from Schwann Lake.

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.

### **Amendment to the Minor Land Division (MLD)**

MLD 76-514 was recorded on July 19, 1977 (see Exhibit A). This Minor Land Division created four lots from one large lot at the end of Scholl Lane. The map shows a cul-de-sac at the end of the lane and shows Scholl Lane as a 40 feet wide road and utility easement. At the end of the lane is Parcel 'A', which is the subject property for this application. Parcel 'B' has the southwest corner rounded from the bulb.

This amendment to the MLD would:

- a. create a "hammer head" turn around at the end of Scholl Lane, (consistent with the turnaround requirements),
- b. transfer a portion of the "bulb" to Parcel B to create a rectangular parcel,
- c. transfer the remaining portion of the "bulb" to Parcel A.

See Exhibit A for original Parcel Map dated 1977, and proposed amended map prepared by Ward Surveying (prepared June 24, 2003).

There will be no change to the function of the right of way proposed with this application (the right of way will remain open to public use and will not have gates or other restrictions).

A Condition of Approval requires the applicant to submit an amended Parcel Map to the Department of Public works for review and approval and record the Map with the Records Office.

### **Fire Department Requirements**

Pursuant to discussions with the Fire Chief and other Fire Department personnel in May 2003 regarding road requirements for the project, the Fire Department in a letter dated 6 June 2003 agreed to four conditions for the project.

These include repairing Scholl Lane, and constructing the new turnaround, to achieve minimum 6-inch compacted base-rock, with a road with a minimum road width of 20 feet from 14th Avenue up to the parcel at 1225 Scholl Lane (APN 027-231-26) and a minimum 14-footwidth thereafter; posting "No Parking" signs on the north side of Scholl Lane and in the turnaround, limbing trees to a minimum height of 14 feet; and installing a new fire hydrant on the south side of Scholl Lane near the southern extension of the property line between the properties at 1225 and 1235 Scholl Lane. The preceding have been made Conditions of Approval for this application.

### **Reduction of the Utility Easement Width**

Parcel A (the applicant's property) had a forty feet wide utility easement across the southern boundary. The applicant has contacted both PG&E and the Santa Cruz County Sanitation District to reduce the width of the easement to twenty feet. Both agencies have agreed and the attached Correspondence (Exhibit J) includes a quitclaim deed from PG&E and a quitclaim deed from the Santa Cruz County Sanitation District.

## Tree Removal

The 36 trees on the property (in various stages of health) comprise 5 Live Oaks, 2 Palms, 1 Eucalyptus, 1 Redbud, 1 Maple, 1 Pittosporum, 3 Camellias, and 22 fruit trees that include apple, plum, cherry, citrus, peach, and persimmon.

The project specifies the removal of 18 of the 22 fruit trees, 1 *Oak*, 1 Pittosporum, and 1 Redbud from the footprints of the new house, patio, and driveway areas. In addition, one of the Palm trees in the footprint of the house will be relocated southeastward of its current location.

The landscaping plan also includes the planting of 14 new trees and 35 new shrubs along the eastern edges of the property and near the driveway turnaround so as to increase the visual screening of the house from Scholl Lane and from the parcel on the east.

## 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 02-0359, 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](http://www.co.santa-cruz.ca.us)**

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Santa Cruz CA 95060  
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## 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-1-4 (4,000sq. ft. min. site area)**, a designation that allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UH) Residential Urban High Density 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 adjacent to 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 although the project site is located between the shoreline and the first public road, the single family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water (State park land is between the property and Schwann Lake). Further, the project site is not identified as a priority acquisition site in *the* County Local Coastal Program.

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

Residential uses are allowed uses in the **R-1-4 (4,000sq. ft. min. site area)** 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.

## 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 residential 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 single family dwelling 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 single family dwelling 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-1-4 (4,000 sq. ft. min. site area) zone district in that the primary use of the property will be one single family dwelling 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 residential use is consistent with the use and density requirements specified for the Residential Urban High Density (R-UH) land use designation in the County General Plan.

The proposed single family dwelling 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 single family dwelling 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 single family dwelling 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 single family dwelling will comply with the site standards for the R-1-4 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.

Application # 02-0359  
APN: 027-231-25  
Owner: Eugene and Daymel Shklar

The site is contained within the East Cliff Village Tourist Area. The nature of this district as described in the General Plan is focused on “commercially designated properties along East Cliff Drive” (Objective 8.8 – Villages, Towns and Special Communities), and consequently does not contain policies applicable to this parcel.

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 single family dwelling is to be constructed on an existing developed lot.

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

This finding **can** be made, in that the proposed structure is located in a mixed neighborhood containing a variety of uses and sizes of structures, and the proposed single family dwelling is consistent with the land use intensity and density of the neighborhood.



## Conditions of Approval

Exhibit A: Architectural drawings prepared by William Gaynor Design, dated October 26, 2004.  
Lot Line Adjustment drawing prepared by Ward Surveying, dated June 24, 2003.  
Parcel Map for MLD76-514, prepared by Ralph Rappattoni, Jr., dated April 1977 and recorded July 19, 1977.

- I. This permit authorizes the removal of an existing two-story single family dwelling, detached garage and guest house and construction of a 6 bedroom, one-story single family dwelling and the modification of the right-of-way established by MLD 76-514.

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. Grading, drainage, and erosion control plans.
  - 2. Details showing compliance with fire department requirements.
- 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. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District, including the following:

- a. Construct the new turnaround, to achieve minimum 6-inch compacted base-rock,
    - b. Repair Scholl Lane with a road with a minimum road width of **20** feet from 14th Avenue up to the parcel at **1225** Scholl Lane (APN **027-231-26**) and a minimum 14-foot width thereafter,
    - c. Posting of "No Parking" signs on the north side of Scholl Lane and in the turnaround,
    - d. Limbing trees to a minimum height of 14 feet;
    - e. and installing a new fire hydrant on the south side of Scholl Lane near the southern extension of the property line between the properties at **1225** and **1235** Scholl Lane.
  - E. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
  - F. Pay the current fees for Parks and Child Care mitigation for one bedroom(s).
  - G. Pay the current fees for Roadside and Transportation improvements for one bedroom(s).
  - H.** Provide required off-street parking for five (**5**) 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 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.
  - J. The applicant shall be required to submit an amended Parcel Map to the Department of Public works for review and approval and record the Map with the Records Office.
- 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, if required.

- 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.

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

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

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
Lawrence Kasparowitz  
Project Planner

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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: 02-0359  
Assessor Parcel Number: 027-231-25  
Project Location: 1151 Scholl, Santa Cruz

Project Description: Proposal to remove ~~an~~ existing two-story single-family dwelling, detached garage and guest house; to construct one-story 4,669 sq. ft. single family dwelling with an attached 3 car garage single, and to modify the right of way established by MLD 76-5 14.

Person Proposing Project: Eugene and Daymel Shklar

Contact Phone Number: (831) 476-6700

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

F. Reasons why the project is exempt: New single family dwelling in a developed area.

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

\_\_\_\_\_  
Lawrence Kasparowitz, Project Planner

Date: \_\_\_\_\_

**EXHIBIT D**







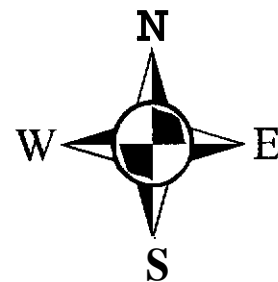
# Location Map



0 225 450 900 1,350 1,800 Feet

## Legend

-  APN 027-231-25
-  Assessors Parcels
-  Streets
-  Lakes

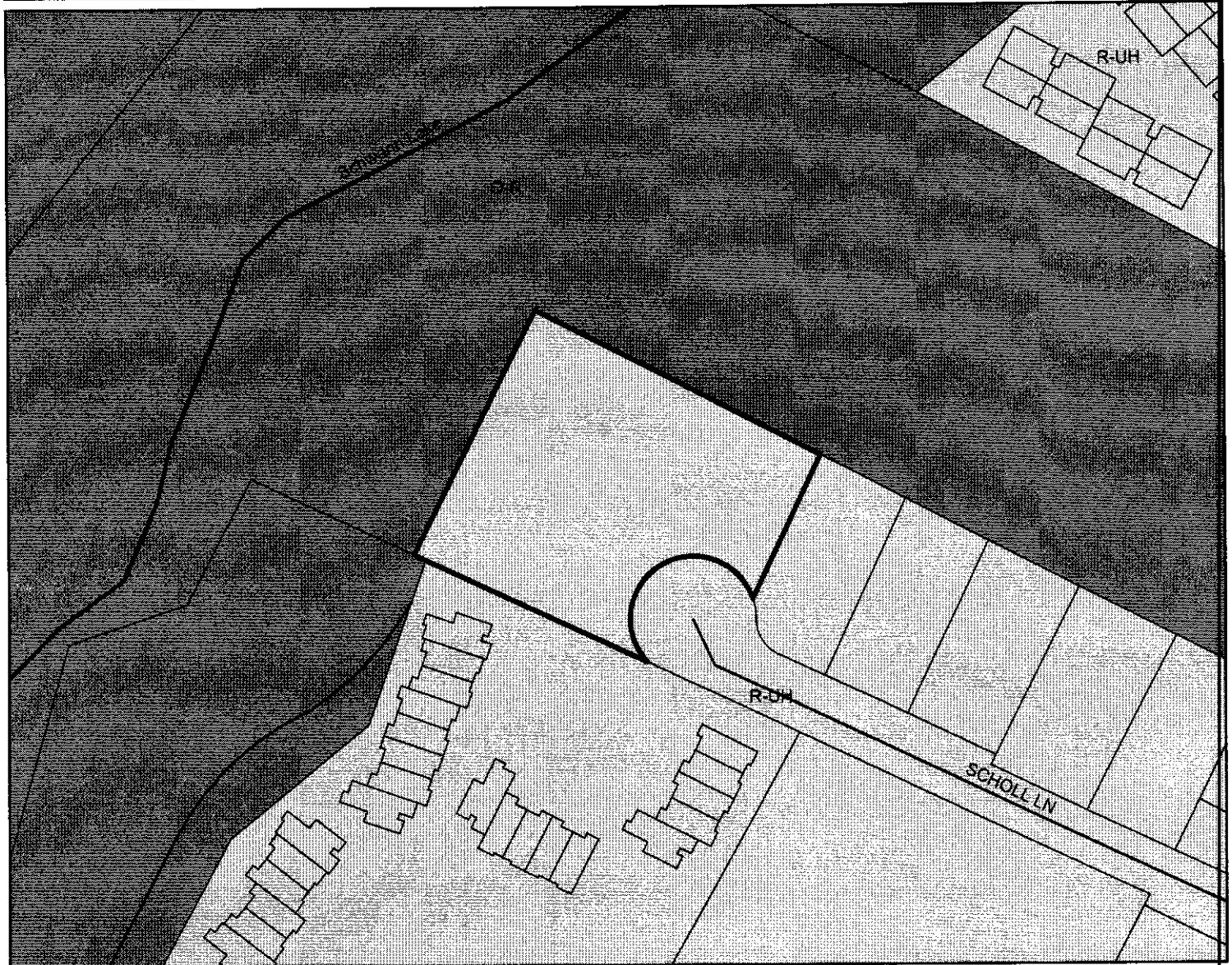


Map Created by  
County of Santa Cruz  
Planning Department  
January 2005

EXHIBIT E





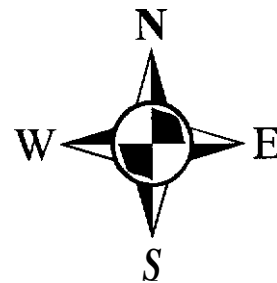
# General Plan Designation Map



0 75 150 300 450 600 Feet

## Legend

-  APN 027-231-25
-  Assessors Parcels
-  Streets
-  Lakes
-  Parks and Recreation ( -R)
-  Residential - Urban High Density (R-UH)



Map Created by  
County of Santa Cruz  
Planning Department  
January 2005

EXHIBIT F





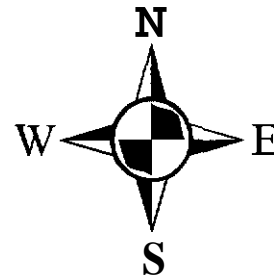
# Zoning Designation Map



0 80 160 320 480 Ret

## Legend

-  APN 027-231-25
-  Assessors Parcels
-  **Lakes**
-  PARK (PR)
-  RESIDENTIAL-MULTIFAMILY (RM)
-  RESIDENTIAL-SINGLE FAMILY (R-1)



Map Created by  
County of Santa Cruz  
Planning Department  
January 2005

EXHIBIT G



EXHIBIT H



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

**Project Planner:** Larry Kasparowitz  
**Application No.:** 02-0359  
**APN:** 027-231-25

**Date:** January 31, 2005  
**Time:** 13:31:57  
**Page:** 1

**Environmental Planning Completeness Comments**

===== REVIEW ON AUGUST 6, 2002 BY ROBERT S LOVELAND =====  
NO COMMENT

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON AUGUST 6, 2002 BY ROBERT S LOVELAND =====

**Conditions of Approval :**

1. Submit a soils report (3 copies) completed by a California licensed geotechnical engineer for review. Please submit the copies to the Building Counter of the Planning Department.
2. Please revise the landscape plan to include the use of some (3 or more) coast live oak trees.
3. Please provide a detailed erosion control plan for review. Identify what type of erosion control practice will be utilized, where it will be placed and provide construction details for each practice selected.
4. Please provide an estimated amount of earthwork for this project. NOTE: Include excavation and recompaction work in the estimate. Please provide earthwork estimate in cubic yards. A grading permit may be required.

**Dpw Drainage Completeness Comments**

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

===== REVIEW ON AUGUST 14, 2002 BY ALYSON B TOM ===== Application with plans dated 7/11/02 is not complete with regards to drainage. All potential off-site impacts and mitigations must be identified prior to discretionary approval.

- 1) The concept of utilizing retention facilities to mitigate for added impervious area and associated runoff is acceptable, though not required. The statement that all surface runoff will be retained on-site seems unlikely especially without any site specific soils information or investigation by the geotechnical engineer. Please provide a letter from the geotechnical engineer stating that the proposed retention plan is feasible, at least in concept.
- 2) The drainage plan shown is incomplete. What is the general plan for routing runoff from all proposed impervious surfaces (including roof, pavement, and patio areas)? Please describe the off-site runoff path along the South property boundary. Demonstrate that the potential overflow from the retention trench will not adversely impact adjacent and downstream properties.
- 3) How is the proposed driveway anticipated to drain? The topographic information provided suggests that the driveway will drain towards Schol Lane, a privately maintained road. What facilities are available to handle the added runoff?

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No. : 02-0359  
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Date: January 31, 2005  
Time: 13:31:57  
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Demonstrate that the added driveway runoff will not adversely impact adjacent or downstream properties or facilities, including the road.

Please see miscellaneous comments for issues that can be addressed in the building application stage.

===== UPDATED ON AUGUST 27, 2003 BY ALYSON B TOM ===== Application with plans revised 7/31/03 have been received.

1) Previous comment No. 1 must be addressed at this time. A letter from the geotechnical/civil engineer speaking to the feasibility of the proposed drainage concept for retention is required.

Per conversation with Mr. Goldspink, the project architect, all off-site drainage patterns will remain unchanged by this project. A complete and detailed drainage plan will be included in the building permit application. This will include retention sizing calculations from the project engineer as well as overflow considerations. The plan will describe how all proposed impervious surfaces will drain (including paved, patio, roof, etc) and will demonstrate how the runoff will be routes so as not to impact adjacent properties.

===== UPDATED ON SEPTEMBER 5, 2003 BY ALYSON B TOM ===== Application with plans revised on 8/28/03 and letter from Haro Kasunich and Associated dated 8/27/03 has been received. The application is complete for the discretionary stage. Please address all previous miscellaneous comments in the building permit stage.

===== UPDATED ON SEPTEMBER 15, 2004 BY CARISA REGALADO =====

A revised site plan for this parcel and a letter from the applicant dated August 4, 2004 has been received. Per this letter, it appears that all runoff from the development will be retained on-site; however, the plans on sheet 2 state, in addition to this, "No surface water to leave site except eastward via approved drainage system on Scholl Lane." To be approved by this division at the discretionary application stage, all potential off-site impacts and mitigations must be determined.

Please address the following concerns:

- 1) Is the drainage system on Scholl Lane existing or proposed by this development?
- 2) Scholl Lane is an unpaved and private road. Any drainage system to be made use of in this area must be shown on the plans and if existing, a description is needed on the system condition and adequacy to accept an increase in runoff from this project. How on-site runoff will be directed into the Scholl Lane system must be clear on the plans and connections shown.
- 3) What happens to the drainage system as it leaves Scholl Lane?
- 4) Will runoff leaving this site flow towards adjacent parcels and structures?
- 5) Per the Haro, Kasunich and Associates, Inc. letter dated August 27, 2003, flow of runoff to the east from the driveway is not recommended. Please clarify if the proposal for runoff leaving the site eastward to the road is in conflict with this recommendation,
- 6) Please reference the Haro. Kasunich and Associates, Inc. letter dated August 27.

## Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No. : 02-0359  
APN: 027-231-25

Date: January 31, 2005  
Time: 13:31:57  
Page: 3

2003 in the drainage notes on sheet 2

7) It is recommended that alignment of the proposed storm water trenches be placed parallel as much as possible to the contours of the site. Perpendicular contours may not allow much spreading of the runoff in the trench possibly creating concentrated overflow resulting in erosion to the surrounding soil.

If needed, further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

Please call or visit the Dept. of Public Works, Stormwater Management Division. from 8:00 am to 12:00 pm if you have any questions. ===== UPDATED ON NOVEMBER 29, 2004 BY CARISA REGALADO =====

Revised drawing sheets and a letter from the applicant dated October 26, 2004 have been received. Previous Completeness Comments have been addressed: therefore, this application is complete for the Discretionary stage.

(Please refer to Miscellaneous Comments for additional notes.)

### Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON AUGUST 14, 2002 BY ALYSON B TOM ===== The following items can be addressed in the building permit application stage:

1) Provide a complete drainage plan and associated details and calculations. The plan should show how runoff from all proposed impervious areas (roof, pavement, patio, etc.) will be handled. Calculations for retention facilities should take site specific soils information into account. Sufficient details should be provided so that the drainage facilities can be constructed from the information on the plans..

2) All driveway and parking area runoff must be treated with a county standard silt and grease trap or other water quality device prior to being directed to any retention facility. A notarized and recorded maintenance agreement is required for any treatment device,

3) Zone 5 impact fees will be assessed on the net increase in impervious surface coverage due to this project. Credit will be given for all existing, permitted impervious surfaces. Please label impervious surfaces as being either permitted or non-permitted on the existing site plan.

4) Geotechnical approval of the final drainage plan is required in writing prior to permit issuance.

5) For questions regarding this review Public Works drainage staff is available from 8-12 Monday through-Friday.

===== UPDATED ON AUGUST 27, 2003 BY ALYSON B TOM ===== Applicant is to address all miscellaneous comments and completeness comments No. 2 and 3 from August 14, 2002 prior to building permit issuance.

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No.: 02-0359  
APN: 027-231-25

Date: January 31, 2005  
Time: 13:31:57  
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===== UPDATED ON SEPTEMBER 15, 2004 BY CARISA REGALADO =====  
No comment. ===== UPDATED ON NOVEMBER 29, 2004 BY CARISA REGALADO =====  
Please address all Miscellaneous Comments given in previous reviews

As previously informed, a drainage fee will be assessed for the net increase in impervious area. The fees are currently \$0.85 per square foot. (See 2004/05 Santa Cruz County Department of Public Works Service & Capital Improvement Fees.) To receive credit on existing impervious area, suitable documentation must be submitted establishing these areas.

Please call or visit the Dept. of Public Works, Stormwater Management Division, from 8:00 am to 12:00 pm if you have any questions.

Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 8, 2002 BY ERIC B LAURIE =====  
NO COMMENT

===== UPDATED ON JUNE 18, 2003 BY RODOLFO N RIVAS =====  
Access as described on the drawings prepared for the fire department is acceptable to Road Engineering with the condition that the proposed gate is installed at a location where it won't restrict the public from using the proposed street turnaround. ===== UPDATED ON AUGUST 26, 2003 BY RODOLFO N RIVAS =====  
NO COMMENT

===== UPDATED ON SEPTEMBER 7, 2004 BY GREG J MARTIN =====  
The architectural drawings, Sheets 1-11, are inconsistent with the lot line adjustment drawn by Ward Surveying. The property line according to the lot line adjustment goes around the new fire turnaround. The architectural drawings should show the property boundaries correctly.

The architectural site plan on Sheet 2 inadequately shows road and driveway improvements. Existing roads should be clearly shown in plan view and the construction material identified. Proposed road, turnaround, and parking improvements should also be shown. Scholl Lane should be shown for 100 feet from the property boundary. The number of required parking spaces should be shown on the plans and each proposed parking space should be identified.

If you have any questions please contact Greg Martin at 831-454-2811. ===== UP-  
DATED ON NOVEMBER 19, 2004 BY GREG J MARTIN =====  
The proposed plan does not show any clear delineation between the fire turnaround and the property line of the parcel. Typically access to a private road is through a driveway. In the case of a fire turnaround, access to the property should be via a driveway at one or both of the stubs. Although the exact layout of parking and circulation is unclear, sufficient space is available on-site for parking to be constructed to County Standards. The proposed project is recommended to be conditioned to provide a driveway at one or both of the stubs subject to Public Works review at the time of the Building Permit.

If you have any questions please contact Greg Martin at 831-454-2811. ===== UP-  
DATED ON NOVEMBER 19, 2004 BY GREG J MARTIN =====

Dpw Road Engineering Miscellaneous Comments

EXHIBIT I

Discretionary Coments - Continued

Project Planner: Larry Kasparowitz  
Application No. : 02-0359  
APN: 027-231-25

Date: January 31, 2005  
Time: 13:31:57  
Page: 5

===== REVIEW ON AUGUST 8, 2002 BY ERIC B LAURIE =====

1. Please join or create a road maintenance association with regards to Scholl Lane.

===== UPDATED ON JUNE 18, 2003 BY RODOLFO N RIVAS =====

NO COMMENT

===== UPDATED ON AUGUST 26, 2003 BY RODOLFO N RIVAS =====

NO COMMENT

===== UPDATED ON SEPTEMBER 7, 2004 BY GREG J MARTIN =====

===== UPDATED ON NOVEMBER 19, 2004 BY GREG J MARTIN =====

===== UPDATED ON NOVEMBER 19, 2004 BY GREG J MARTIN =====

EXHIBIT I



**CENTRAL  
FIRE PROTECTION DISTRICT**  
of Santa Cruz County  
Fire Prevention Division

930 17<sup>th</sup> Avenue, Santa Cruz, CA 95062  
phone (831) 479-8843 fax (831) 479-8847

**RECEIVED**

June 9, 2003

**JUN 09 2003**

ROBERT J. GOLDSPIK, ARCHITECT  
ATTN: Robert Goldspink  
8042 Soquel Drive  
Aptos, CA 95008

**ROBERT J. GOLDSPIK**  
**Architect**

Subj: 1151 Scholl Lane/APN 027-231-25, Discretionary Application #: 02-0359

Encl (1): Parcel Map, APN 027-231-25

Dear Mr. Goldspink;

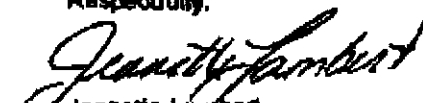
In reference to your correspondence dated May 26, 2003 and the items discussed in the meeting with Fire Chief Bruce Clark and Tom Wiley on April 29 and May 27 2003, this District has agreed to the following road conditions for your project located at 1151 Scholl Lane, Santa Cruz, California:

1. Scholl Lane, in its entirety, shall be upgraded to an all-weather surface as defined in the Santa Cruz County General Plan, as referenced in Objective 8.5, Access Standards Section 8.5.1, paragraphs (c) and (d) and shall be maintained to a minimum of 20 feet in width up to Parcel B referenced on Enclosure (1). The remaining portion of the road shall be a minimum of 14 feet in width. The proposed turnaround, also noted on Enclosure (1) is acceptable and shall also be all-weather surfaced.
2. "No Parking" signs shall be posted on the north side of Scholl Lane and in the turnaround.
3. Trees shall be limbed up to a minimum height of 14 feet.
4. A new hydrant shall also be installed as shown on Enclosure (1).

This letter addresses access and water requirements for this project specifically. All other requirements of this District shall also apply.

If you should have any questions please do not hesitate to call me at (831) 479-8843.

Respectfully,

  
Jeanette Lambert  
Division Chief/Fire Marshal

*Serving the communities of Capitola, Live Oak, and Soquel*

EXHIBIT 1

**SANTA CRUZ COUNTY SANITATION DISTRICT**  
INTER-OFFICE CORRESPONDENCE

DATE: DECEMBER 14,2004  
TO: PLANNING DEPARTMENT: JOHN SCHLACHECK  
FROM: SANTA CRUZ COUNTY SANITATION DISTRICT  
SUBJECT: CONDITIONS OF SERVICE FOR THE FOLLOWING  
PROPOSED DEVELOPMENT  
APN: 027-231-25 APPLICATION NO.: 02-0359  
PARCEL ADDRESS: 1151 SCHOLL LANE  
PROJECT DESCRIPTION: REMOVE EXIST SFD, GARAGE AND GUEST HOUSE  
AND CONSTRUCT REPLACEMENT SFD AND GARAGE

---

The applicant has satisfied all requirements of the Sanitation District for the proposed project. However, if other changes are made to the proposal that affect the existing and remaining portion of the sewer easement or the District's ability to maintain access to its sewer main, manhole and easement, the District will need to review the changes.

The following shall be shown on the building permit application plans:

1. Existing 20 feet wide sewer easement.
2. No permanent improvement shall be constructed within the sewer easement.
3. The existing sewer lateral must be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of all sewer structures. *An* abandonment permit (no charge) for disconnection must be obtained from the District.
4. The proposed sewer lateral, cleanouts, and connection to existing public main for the new structure shall be shown on the plans.
5. The swimming pool shall be noted as being connected to the sewer or having a closed backwash system. No uncovered outside shower or sink drains shall be allowed to be connected to the sewer.
6. The existing sewer main and manhole shall not be enclosed behind a locked gate without provisions for entry by Sanitation District staff.
7. A new lateral shall be installed if existing lateral is not ductile iron, in poor condition as inspected and determined by the District Inspector and/or is too shallow. If a new lateral is installed, existing lateral shall be abandoned at the manhole and a new connection shall be made downstream of the manhole.

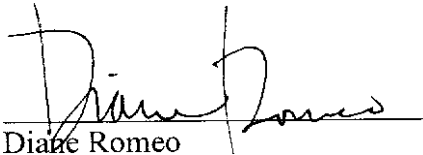
EXHIBIT 1

JOHN SCHLACHECK

Page -2-

8. The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the Uniform Plumbing Code.

A backflow prevention device may be required on the sewer lateral.



Diane Romeo  
Sanitation Engineering

c:     Property Owner/Applicant:  
          Eugene and Daymel G. Shklar  
          70 Geoffroy Drive  
          Santa Cruz. CA 95062



Recording Requested By:

**When Recorded, Return To:**

Charlene B. Attack, Esq.

Bosso Williams et al

**PO Box 1822**

Santa Cruz CA 95061-1822

\*  
\*  
\*  
\*  
\*  
\*  
\*

[illegible]

## Mail Tax Statements To:

**THE UNDERSIGNED HEREBY DECLARES:**

Eugene and Daymel Shklar, Trustees

**70** Geoffroy Drive

Santa Cruz CA 95062

Documentary Transfer SO VALUE LESS THAN \$100

—Computed on full value of property conveyed, or

**\_\_Computed on full value less liens & encumbrances**

**Remaining thereon at lime of sale**[illegible]

# QUITCLAIM DEED

Santa Cruz County Sanitation District, a political corporation as successor in interest to the East Cliff Sanitation District (“Grantor”), hereby quitclaims to Eugene Shklar and Daymel G. Shklar, Trustees of the 1993 ~~Shklar~~ Revocable Trust dated June 1, 1993 (collectively, “Grantee”), all its right, title and interest in the northerly twenty feet (20’) of that certain forty foot (40’) wide easement granted to the East Cliff Sanitation District in that certain Grant of Easement recorded in Volume 1256, page 130, Official Records of Santa Cruz County. Grantor hereby reserves all its right, title and interest in the remaining southerly twenty foot (20’) portion of said easement pursuant to the original Grant of Easement, excepting all that land shown as Scholl Lane in Volume 26 of Parcel Maps at Page 32 recorded July 19, 1977 in Official Records of the County of Santa Cruz.

Dated: December 9, 2004.

**Santa Cruz County Sanitation District, a political corporation as successor in interest to the East Cliff Sanitation District**

MAIL TAX STATEMENTS AS DIRECTED ABOVE.

EXHIBIT J

By: Stephanie Harlan

Title: Chairperson

STATE OF CALIFORNIA       )  
                                      ) ss.  
COUNTY OF SANTA CRUZ    )

On \_\_\_\_\_, 2004, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public, State of California

J:\wpdata\BECKY\Deeds\shklar-qodeed

STATE OF CALIFORNIA

COUNTY OF SANTA CRUZ

On December 9, 2004 before me Scott Loichinger

Deputy Clerk of said County of Santa Cruz, State of California, personally appeared

Stephanie HARLAN

personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(~~s~~) whose name(~~s~~) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(~~s~~) on the instrument the person(s) or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal at my office in said County and State

GAIL PELLERIN, County Clerk

SIGNATURE Scott Loichinger, Deputy

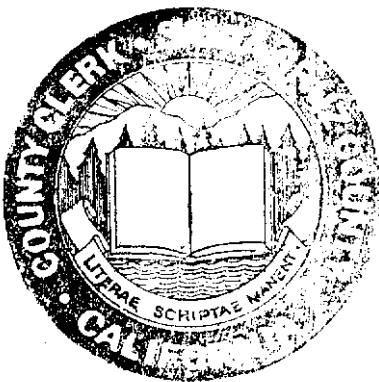


EXHIBIT J

AFTER RECORDING, RETURN TO

**PACIFIC GAS AND ELECTRIC COMPANY**  
**Land Department**  
**356 East Alisal Street**  
**Salinas, California 93901**

Location: City/County Salinas  
 Recording Fee \$ 1.00  
 Document Transfer Tax \$ NONE  
☐ Computed on Full Value of Property Conveyed, or  
☐ Computed on Full Value Less Liens & Encumbrances  
 Remaining at Time of Sale Returned for PG&E  
 Signature of declarant or Agent determining tax \_\_\_\_\_

2005-0000609

Recorded I REC FEE 16.00  
 Official Records  
 County Of  
 SANTA CRUZ  
 GARY E. HAZELTON  
 Recorder  
 CAROL D. SUTHERLAND  
 Assistant I LAH  
 01:27PM 04-Jan-2005 I Page 1 of 4

(SPACE ABOVE FOR RECORDER'S USE ONLY)

**LD 2311-01-****QUITCLAIM DEED**

PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called PG&E, hereby quitclaims to Eugene Shklar and Daymel G. Shklar, Trustees of The 1993 Shklar Revocable Trust Dated June 1, 1993, or their respective successors in interest, in severalty and upon the same tenure as their respective interests appear of record, the real property, situate in the County of Santa Cruz, State of California, described as follows:

APN 027-231-25

The rights described in the deed from Louis C. Scholl and Adeline L. Scholl to Coast Counties Gas and Electric Company dated May 6, 1949, and recorded in Volume 721 of the Official Records of Santa Cruz County, at page 104, insofar as said rights affect the parcel of land described in the deed from Ted Carl and Joan M. Carl, husband and wife to Eugene Shklar and Daymel G. Shklar, Trustees of The 1993 ~~Shklar~~ Revocable Trust Dated June 1, 1993, dated May 22, 2002, the quitclaimed portion being shown as the crosshatched area on the Exhibit "A" map attached and made a part hereof.

The real property hereby quitclaimed is no longer necessary or useful to PG&E in the performance by it of its duties to the public

Dated January 4, 2005.

PACIFIC GAS AND ELECTRIC COMPANY

By Jegindar Gill

JEGINDAR GILL

Land Services Offices Supervisor

Areas 1&amp;3

Corporate Real Estate

EXHIBIT J

SCHWAN

LAKE

3675-E06

Portion of Parcel One to be  
quitclaimed

APN#027-231-15

Eugene & Daymel Shklar  
as Trustees  
APN#027-231-25  
Par. A- PM 26-32

R/W to be retained  $\frac{3}{4}$ "

721 O.R. 104  
Parcel One

R/W to be retained  $\frac{3}{4}$ "

Scholl Ln. (Private)

R/W to be retained  
G