

Staff Report to the Zoning Administrator

Applicant: Jim Weaver for Pacific Rim Planning Group **Owner:** David Lyng Real Estate **APN:** 044-023-06 Agenda Date: June 24,2005

Agenda Item #: **3** Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing single-family dwelling and construct a 2story, 4,190 sq. ft. office building, grade about 425 cubic yards, and construct a parking lot for 18 cars.

Location: Property located at the east comer of Rio Del Mar Blvd. and Club House Dr., at 754 Rio Del Mar Blvd.

Supervisoral District: 2nd District (District Supervisor: Ellen Pine)

Permits Required: Commercial Development Permit and Coastal Development Permit

Staff Recommendation:

- Approval of Application 04-0403, 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
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning and General Plan maps
- G. Letter from Zoning Administrator of 2/21/85 waiving SP regulations for nearby parcel
- **H.** Letter from project Civil Engineer regarding Salamander habitat
- I. Printout of Discretionary Application Comments
- J. Correspondence from Urban Designer, DPW Sanitation, and Aptos/La Selva Fire District
- K. Geotechnical Report acceptance letter, dated 9/8/05.

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Parcel Information

Parcel Size:	15,407 square feet (from survey by applicant)
Existing Land Use - Parcel:	Single-family dwelling
Existing Land Use - Surrounding:	Commercial to north and west, Fire Station to the South,
	Single-family residences to the east.
Project Access:	Bonita Drive
Planning Area:	Aptos
Land Use Designation:	C-0 (Office)
Zone District:	PA-SP (Professional Administrative Office-Salamandar
	Protection District)
Coastal Zone:	X Inside Outside
Appealable to Calif. Coastal Comm.	$\underline{}$ Yes $\underline{}$ No

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Elkhorn Sandy Loam and Elkhom Pfeiffer Complex
Fire Hazard:	Not a mapped constraint
Slopes:	6%-10%
Env. Sen. Habitat:	Mapped Salamander Protection District-no physical evidence on site
Grading:	About 425 cubic yards proposed
Tree Removal:	4 oaks and 3 Acacias proposed to be removed, all less than 20" d.b.a.
Scenic:	Not a mapped resource (near Highway 1 scenic comdor)
Drainage:	Existing and proposed drainage adequate
Traffic:	Increase in traffic
Roads:	Existing roads adequate
Parks:	Existing park facilities adequate
Archeology:	Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	X Inside Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Aptos/La Selva Fire Protection District
Drainage District:	Zone 6

History

The existing single-family dwelling was constructed in 1949 (assessor's records). The property was subsequently re-zoned to the PA (Professional-AdministrativeOffice) zone district to reflect the changing character of the neighborhood, but the single-family dwelling remained.

Project Setting

The project site is located on the east side of the intersection of Rio del Mar Boulevard, Clubhouse Drive, and Bonita Drive, on a site currently occupied by a single-family dwelling. The site is bounded by the Deer Creek shopping center across Rio del Mar Boulevard to the west, a gas station to the north, other PA zoned parcels to the east, and a fire station and single-family residences to the south. The PA zoned properties encompassing the project site provide a buffer between the single-family neighborhood to the east and south of the project site and the commercial areas along Rio del Mar Boulevard.

Zoning & General Plan Consistency

The subject property is zoned PA (Professional and Administrative Office), with a General Plan/Local Coastal Program Land Use Designation of C-0 (Professional Office). The proposal to demolish an existing single-family dwelling and construct a 4,190 square foot office building is consistent with the intent and purposes of these designations. The proposed building will meet all PA zone district site standards, including all required setbacks.

The change in use of the site from one single-familydwelling to a real estate office real result in an intensification of use and will alter the character of the intersection of Clubhouse Drive and Rio del Mar Boulevard. However, the increase in intensity is encouraged by the PA zoning designation and the C-0 General Plan/Local Coastal Program land use designation for the site. The area bounded by Rio del Mar, Clubhouse, and Bonita Drive encompassing the project site is intended for office development along Rio del Mar, an arterial road, and will serve as a buffer between the traffic and commercial uses to the north and the single-family residential neighborhoods to the south.

Salamander Protection District

The property is located within the Salamander Protection District combining district (-SP). The intent of the combining district is to designate lands located in the Santa Cruz Long-Toed Salamander's breeding ponds and terrestrial habitats and to ensure the survival of the SCLTS through protection of its natural habitat. However, if a study demonstrates a property does not drain into a potential Salamanderbreeding pond (in this case Valencia Lagoon), then the restrictive site standards of the –SP combining district do not apply (See Exhibit G regarding a previous determination for parcels near the project site).

A letter from Joel Akers, a Civil Engineer, states that drainage from the site will not drain into any known Salamander breeding ponds (such as Valencia Lagoon) or habitat (Exhibit H). Environmental Planning reviewed the letter and determined that the **-SP** combining district standards do not apply to the subject property as drainage from the site will not impact Salamander habitat and the likelihood of the presence of Salamanders on site is very low (Exhibit I). Furthermore, the project site is located within a developed area with heavy traffic, an area unlikely to sustain Salamander habitat.

Local Coastal Program Consistency

The proposed office building will be consistent with all policies of the Local Coastal Program in that it will not impede access to the coast and will not be visible from the beach. The proposed Mediterranean-stylebuilding is consistent with a style used on many newer residential buildings in the vicinity, and is therefore consistent with the neighborhood.

Design Review

The County's Urban Designer reviewed the proposed office building for conformance with the County's Site, Architectural, and Landscape Design Review Ordinance (Chapter 13.11), and determined that the project meets the criteria in the code (Exhibit J). Specifically, the proposed building's bulk, mass, and scale is compatible with existing development in the vicinity, including the fire station on Bonita Drive and the Deer Creek shopping center across Rio del Mar Boulevard. Landscaping will soften the visual impact of the new office building and will shield views of the parking lot from the street.

The office building will be a significant change from the existing situation on site, and will result in a more urban character for the intersection of Clubhouse Drive and Rio del Mar Boulevard as encouraged by the General Plan/Local Coastal Program.

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 **04-0403**, 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

Report Prepared By:David Keyon
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3561
E-mail: david.keyon@co.santa-cruz.ca.us

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 an officebuilding is a permitted use within the PA zone district with approval of an appropriate Commercial Development Permit.

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 no easements are known to encumber the property and the property is located about a mile from the coast, and will therefore not interfere with public access to the beach.

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 proposed office building complies with the design criteria under Section $13.20.130 \,\text{e}$ seq., as the Mediterranean style will be of a similar style to many newer homes in the vicinity, landscaping will be compatible with surrounding vegetation, and the structure will be designed to fit in with the site with minimal amounts of grading proposed. Due to the size and topography of the site, it is impossible to locate the building in a location that will not be visible from surrounding roadways. However, the location of the proposed office building will shield views of the parking lot and new vegetation will soften the visual impact of the new structure.

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, and will therefore not interfere with public access to the beach as the site is about a mile from the beach.

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, Office uses are allowed uses in the PA (Professional Administrative Office) zone district of the area, as well as the General Plan and Local Coastal Program land use designation of C-0 (Office). The surrounding neighborhood contains a wide mix of uses, ranging from shopping



centers to single-familydwellings, and the proposed office building will be consistent with the mix of uses and will serve as a buffer between single-family dwellings to the south and more intensive commercial uses to the north

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 Office 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 Office building 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 location of the proposed real-estate office building and the conditions under which it will be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the PA (Professional Administrative Office) zone district in that the primary use of the property will be an office building. All site and development standards for the PA zone district will be met, including setbacks and parking requirements.

The property is located within the Salamander Protection (SP) combining district, an overlay zone intended to protect the habitat and breeding grounds of the Santa Cruz Long Toed Salamander, a Federally recognized Endangered Species. Under most circumstances, development within the SP combining district requires a maximum impervious surface of 10% and maximum site disturbance of **25%**. However, if the site is proven to not contain any potential Salamander habitat and the site does not drain into a known or suspected Salamander breeding pond, development on the site can be exempted from these strenuous constraints as evidenced by the attached letters from the Zoning Administrator regarding a parcel within the vicinity of the project site (Exhibit G). The applicant submitted a statement from a civil engineer stating that drainage does not impact any known or suspected Salamanderbreeding ponds (Exhibit H), and Environmental Planning has accepted this conclusion and determined that SP combining district standards should not apply to this project (Exhibit I).

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 office is consistent with the use requirements specified for the Professional and Administrative Office (C-O) land use designation in the County General Plan (Objective 2.15).

The proposed office building will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, **as** all current site and development standards for the zone district will be met **as** specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance).

The proposed office building complies with Objective 8.5 of the General Plan (Commercial and Industrial Design) in that the proposed office will be compatible with the mix of uses in the neighborhood and will be designed to be visually compatible with the surrounding area. Furthermore, the proposed use will provide a buffer between the single-family residential area to the south of the project site and the more intensive commercial uses and traffic on Rio del Mar Boulevard to the north. A specific plan has not been adopted for this portion of Aptos.

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 adequate utility service will continue to be available to the site, and the road network in the vicinity will accommodate the increase in traffic from the new office. Access to the site will be off of Bonita Drive, across the street from the fire station, to avoid potential traffic conflicts.

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 office building will harmonize with the existing and proposed land uses in the vicinity as it will provide a buffer between the single-family residential neighborhood to the south and the more intensive community-commercial uses to the north. The proposed Mediterranean architectural style is consistent with the style of many newer homes in the neighborhood, and the intensity of land use is consistent with the PA zoning of the subject property.

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

This finding can be made, in that the proposed office building meets the applicable Design Standards and Guidelines for location, bulk, mass, scale, neighborhood compatibility, and landscaping (Exhibit J).

Conditions of Approval

- Exhibit A: Project plans, eight sheets, sheet 1 drawn by Joe L. Akers and dated 1/17/05, sheets 2-4 drawn by KC and dated 8/15/04, sheets 5-7 drawn by Joe L. Akers and dated 3/5/05, and sheet 8 drawn by Gregory Lewis and dated 8/17/04.
- I. This permit authorizes the demolition of an existing single-family dwelling and the construction of a 4,190 square foot office building. 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 a Grading Permit from the Santa Cruz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all offsite 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. Color boards must be in 8.5" x 11" format.
 - 2. A grading plan.
 - 3. A drainage plan, including a vicinity map.
 - 4. An erosiodsediment control plan that includes the location and construction details for all proposed erosion/ sediment control devices. The plan must include provisions for the construction site entrance/exit to prevent tracking of sediment onto the public roadway.
 - 5. A lighting plan, showing all site, building, security, and landscape lighting,



EXHIBIT C

subject to the following conditions:

- a. Lighting shall be directed onto the site away from adjacent properties.
- b. Area lighting shall utilize high-pressure, sodium vapor, metal halide, fluorescent, or similar energy-efficient fixtures.
- c. All lighted paring and circulation areas shall utilize low-rise light standards of up to 15 feet in height or light fixtures attached to the building.
- d. Building and security lighting shall be integrated into the building design.
- e. Light sources shall not be visible from adjacent properties.
- **6.** Details showing compliance with fire department requirements.
- C. Provide a plan review letter from the project soils engineer, which states that the final building, grading, and drainage plans are in conformance with the recommendations made in the soils report prepared for this project.
- D. Building plans shall incorporate all recommendations made in the Arborist Report prepared for this site and a plan review letter from the project arborist must be submitted, which states that the plans are in conformance with the report recommendations.
- E. The Title Sheet for the building plans shall include the project arborist's name and contact information.
- F. 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.
- *G.* Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- **H.** Pay the current fees for Child Care mitigation for a Category II Commercial Building. Currently, these fees are \$0.23 per square foot.
- I. Pay the current fees for Roadside and Transportation improvements for **75** trip ends. Currently, these fees are \$400 per trip end, resulting in a total of \$30,000 split evenly between Roadside and Transportation improvement fees.
- J. Provide required off-street parking for 18 cars and 4 bicycles. Vehicle parking spaces must be **8.5** feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking and bicycle stands must be clearly designated on the plot plan.

- K. 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. Prior to commencement of construction, a pre-construction meeting with the contractor, project arborist, and Environmental Planning Staff must be held prior to site disturbance to verify tree protection measures.
 - **B**. All site improvements shown on the final approved Building Permit plans shall be installed.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of the approved soils reports.
 - E. 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. No winter grading is allowed on this site (October 15 to April 15).
- B. 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.

Approval Date:	

EffectiveDate:

Expiration Date:

Don Bussey Deputy Zoning Administrator David Keyon 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: 04-0403 Assessor Parcel Number: 044-023-06 Project Location: 754 Rio del Mar Blvd.

Project Description: Demolish existing single-family dwelling and Distruct a 4,190 square foot office building

Person or Agency Proposing Project: Jim Weaver for Pacific Rim Planning Group

Contact Phone Number: (831) 457-2033

- 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.** <u>Ministerial Project</u> involving only the use of fixed standards or objective measurements without personal judgment.
- **D.** <u>Statutory Exemption</u> other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. <u>X</u> <u>Categorical Exemption</u>

Specify type: 15303(a): New Construction of an office within a commercial zone district

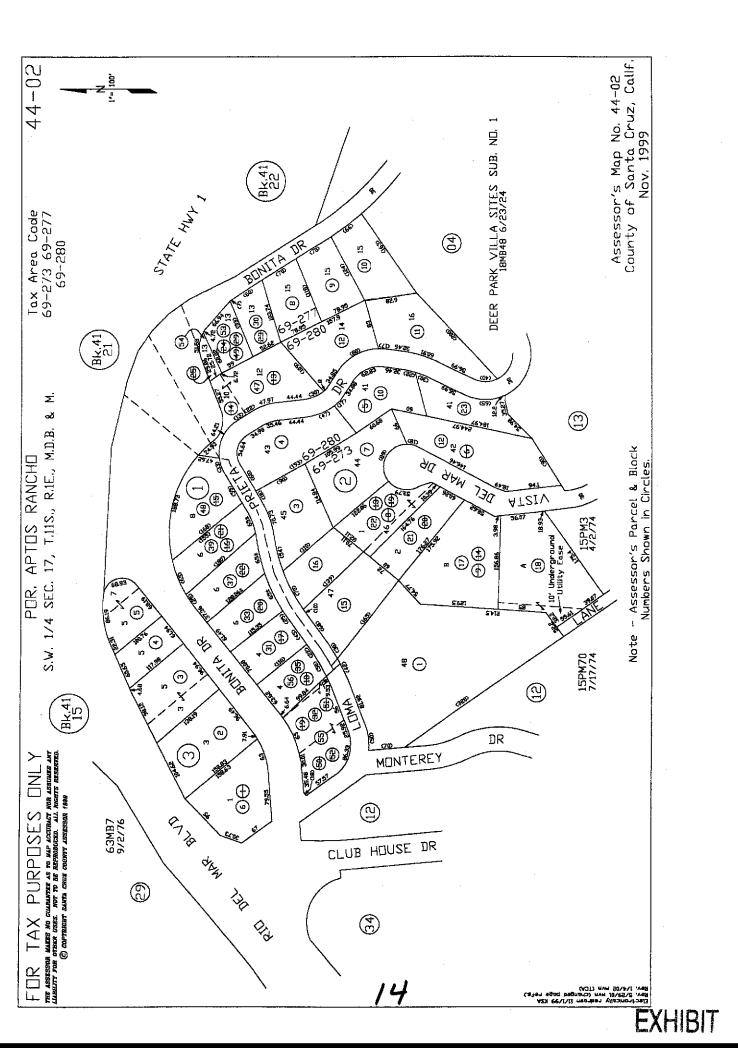
F. Reasons why the project is exempt:

Construction of an office building of less than 10,000 square feet in floor area on a commercially zoned parcel within **an** urbanized area

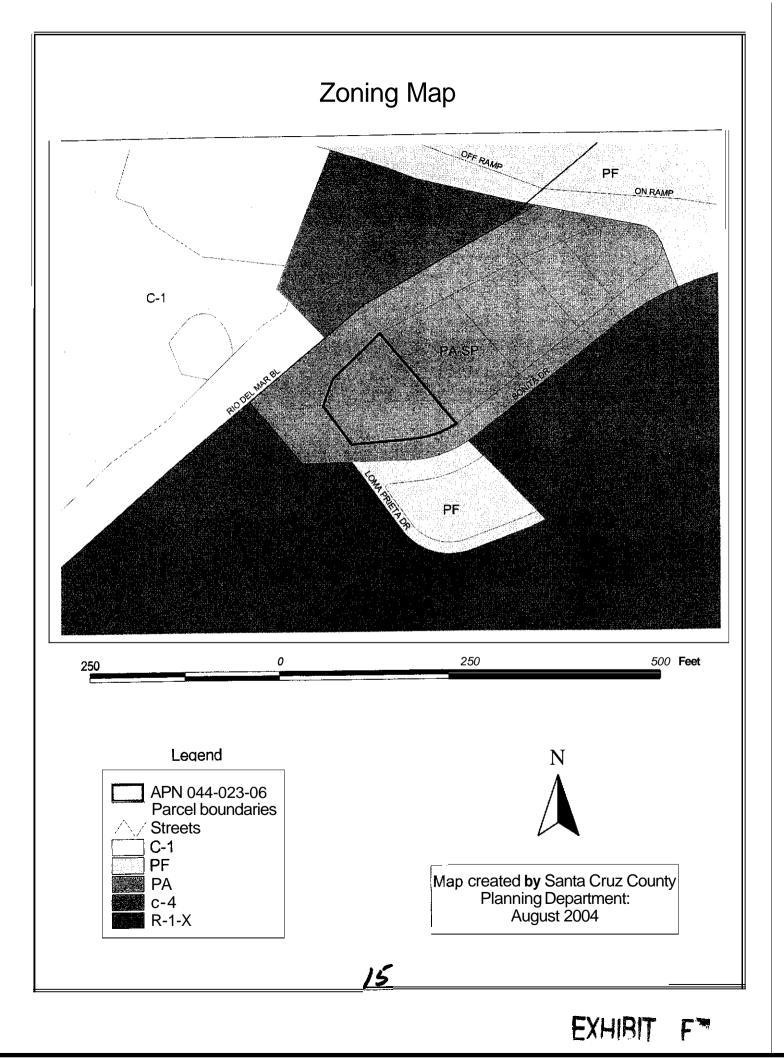
In addition, none of the conditions described in Section 15300.2 apply to this project.

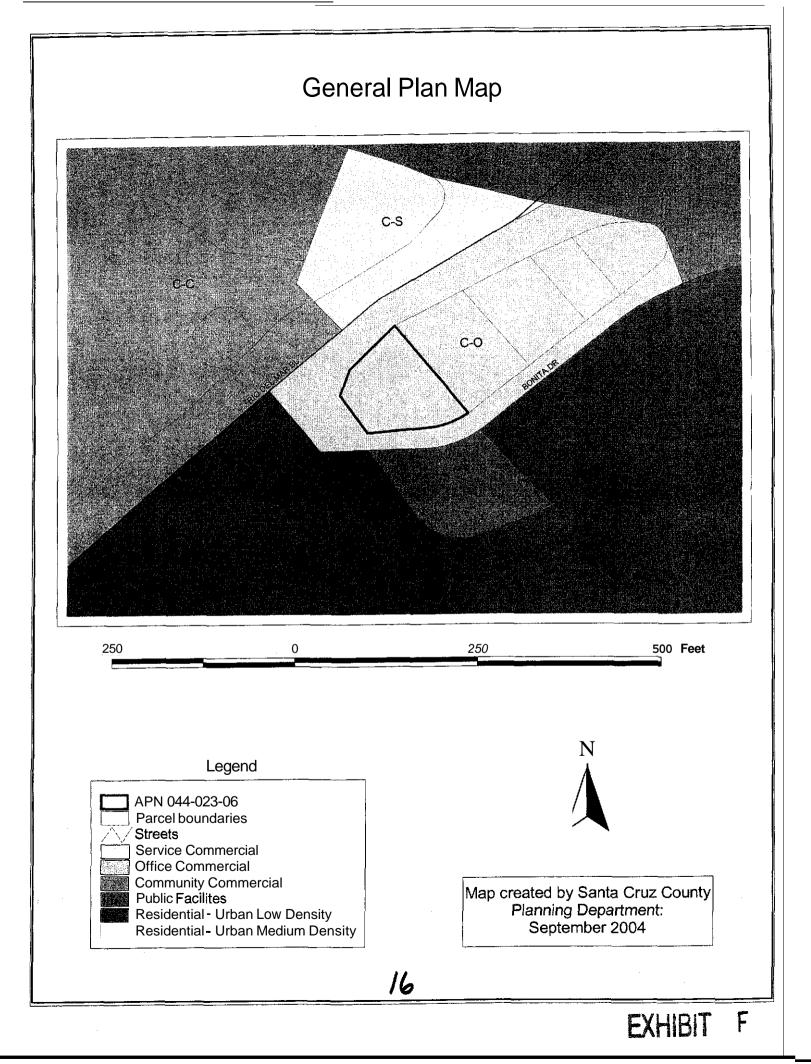
Date:

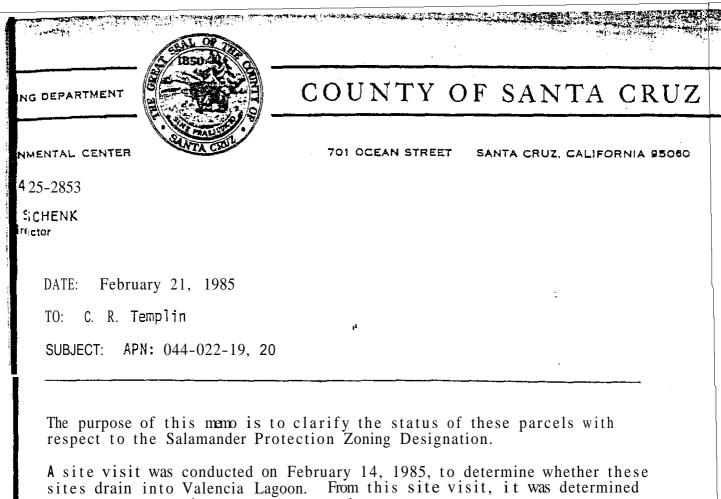
David Keyon, Project Planner



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sites drain into Valencia Lagoon. From this site visit, it was determined that the drainage is to the west and does not drain into Valencia Lagoon. Because of this, the 10%lot coverage requirement does not apply. I have attached a copy of the ordinance for your information.

I have reviewed this analysis and concur with the determination.



COUNTY OF SANTA CRUZ

MENTAL CENTER

NG DEPARTMENT

701 OCEAN STREET

SANTA CRUZ. CALIFORNIA 95060

17/6)

P.E.I

G

EXHIBIT

SCHENK rector

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March 13, 1985

Randy Templin P.O. Box 216 Aptos, CA 95001

RE: APN 044-022-19,20

Dear Mr. Templin:

I have reviewed the specific site characteristics of the parcels referenced above and concur with Don Bussey that these two parcels are not subject to the restrictions of the Salamander Preserve District. The usual site development standards would apply (see attached).

It also appears that a Coastal Exclusion would be required instead of a Coastal Zone Permit. A final determination of this will be made upon submission for residential building permits.

If you have any questions, please telephone me at 425-2725.

Sincerely, Mark M ung

Mark M. Deming Supervising Planner

MMD:6k

Attachment

Joe L. Akers Akers & Associates, Inc. Civil Engineering 830 Bay Avenue, Suite E Capitola, CA 95010

October 25,2004

County of Santa Cruz Planning Department 701 Ocean St. Santa Cruz, CA 95060

Attn: Ken Hart Environmental Coordinator

Re: 754 Rio Del Mar Boulevard APN 044-023-06

Dear Mr. Hart:

A survey crew from my office checked the existing drainage system that will serve this project. I have attached a plat showing the existing inlets and manholes. Storm runoff flows into these inlets and travels from the inlet at Bonita Drive-Clubhouse Drive inlet towards Rio Del Mar Boulevard; then Northeast along Rio Del Mar Boulevard; Northwesterly along the off ramp and then Northerly across Highway One to Valencia Creek. We could not verify the location of the outlet after it crosses the highway.

Based on our field check of the existing drainage system, none of the storm runoff from the site will flow Northeast into the salamander area.

If you have any questions please call at 831/475-6557.

Sincerely,

Joeと. Akers Civil Engineer

EXHIBIT

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COUNTY OF SANTA CRUZ DISCRETIONARY APPLICATION COMMENTS

Project Planner: David Keyon Application No.: 04-0403 APN: 044-023-06 Date: May 16, 2005 Time: 10:55:35 Page: 1

EXHIBIT

Environmental Planning Conpleteness Comments

---- REVIEW ON SEPTEMBER 16, 2004 BY ROBIN M BOLSTER -----

The subject site is located within the Salamander Protection (SP) Zone, which restricts site disturbance to 15% of the lot. In cases where there has been historic development that exceeds this 15% limitation. new construction can be allowed up to the amount of existing disturbance, but no greater.

The present proposal far exceeds the existing site disturbance and is not allowed in the SP Zone. Please re-design this projectto conform to SP site standards. The plans must quantify existing and proposed site disturbance as well as existing and proposed impervious surface area.

The SP zone permit conditions also state that landscaping plans shall consist of native shrubs and/or trees. Similarly, disturbed areas shall be revegetated promptly with native or approved species.

All curbs and gutters in the SP zone shall be rounded.

We have received the letter from the applicant's engineer stating that this parcel does not drain into the Valencia lagoon. Based on this information it is apparent that the likelihood of protected species on site is very low and that the SP zoning designation is not appropriate for the use of the property. Environmental Planning will waive the restrictions normally associated with the SP designation.

Environmental Planning Miscellaneous Comments

EVIEW ON SEPTEMBER 16, 2004 BY ROBIN M BOLSTER

Prior to building permit approval, please address the following items:

1) Provide a plan review letter from the project soils engineer, which states that the final building, grading and drainage plans are in conformance with the recommendations made in the report prepared for this project.

2) Provide a detailed erosion/sediment control plan that includes location and provides construction details for all proposed erosionlsediment control devices. Plan must include provisions for construction entrance/ exit to prevent tracking of sediment onto public roadways.

3) Building plans shall incorporate all recommendations made in the Arborist Report prepared for this site and a plan letter from the project arborist must be sub-

Discretionary Comments - Continued

Project Planner: David Keyon Application No.: 04-0403 APN: 044-023-06 Date: May 16, 2005 Time: 10:55:35 Page: 2

EXHIBIT

mitted. which states that the plans are in conformance with the report recommendations.

4) Title sheet must include project arborist's name and contact information

5) A Preconstruction meeting that includes the contractor, project arborist, and Environmental Planning staff, must be held prior to site disturbance to verify tree protection measures.

6) No winter grading is allowed on this site

Prior to building permit final, a Declaration of Restriction Regarding Development in the Salamander Protection Zone must be executed, recorded, and a copy submitted to Environmental Planning staff.

----- UPDATED ON FEBRUARY 25, 2005 BY ROBIN M BOLSTER ------ NO COMMENT

Dpw Drainage Completeness Comments

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

General Plan policies: 7.23.1 New Development 7.23.2 Minimizing Impervious Surfaces 7.23.4 Downstream Impact Assessments 7.23.5 Control Surface Runoff

An engineered drainage plan was submitted with the application. and was reviewed for completeness of discretionary development and compliance with County policies 1isted above. The plan was found to need the following additional information prior to approving discretionary stage Storm Water Management review

1) Policy 7.23.1 requires that runoff levels be held to pre- development rates. There is no apparent mitigation on the plan to address this for the substantial increase in impervious cover. The policy also requires that alternate forms of mitigation be used before the use of traditional structural detention, consistent with the discretion stated in the County design criteria to restrict use of traditional structural detention, and require other means of performing mitigation. Please investigate the feasibility of measures other than structural detention and indicate how this requirement is addressed.

2) Policy 7.23.2 requires that impervious surfacing be minimized. There is no apparent mitigation on the plan to address this. Given the limited perimeter open space proposed to remain on the parcel, it appears that the parking area could serve as an area to apply effective mitigation measures. Site soils are mapped as reasonably permeable. If so, this would allow for use of mitigation measures such as permeable concrete that is capable of addressing both items # 1 and #2 simultaneously. If not, a porous pavement with an under-drain design would still be feasible. Please indicate how this policy requirement is addressed.

3) Indicate on the plans the manner in which building downspouts will be discharged.

Discretionary Comments - Continued

Project Planner: David Keyon Application No.: 04-0403 APN: 044-023-06

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FXHIRIT

4) The AC berm along Bonita Drive is not shown to be continuous. and now a cut slope will be made on the project site directly below this discontinuity, near the fire hydrant. Will this have a potential to cause erosion?

5) A silt and grease trap will be required for this development. Please show this on the plan. A maintenance agreement will be required at the time of the building application.

6) A downstream impact assessment is not anticipated at this time. However, the development appears to ultimately drain to Aptos Creek. If structural detention does become the only feasible mitigation measure, the allowable release rate shall be restricted to the pre- development 5-year storm event. due to flood problems near the outlet of Aptos Creek. Storage requirements will remain at the County standard post-development IO-year storm.

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.85 per square foot, and are assessed upon permit issuance.

Because this application is incomplete in addressing County development policies, resulting revisions and additions will necessitate further reviewcomment and possibly different or additional requirements. The applicant is subject to meeting all future review requirements as they pertain to the applicant's changes to the proposed plans.

All resubmittals of plans, calculations, reports, faxes, extra copies, etc... shall be made through the Planning Department. Materials left with Public Works may be returned by mail, with resulting delays.

Application is complete. The designer/applicant did an excellent and clear job of addressing stormwater policy requirements for this development.

Prior Item 1: Complete. Designer/applicant addressed policy requirements with downspouts discharged to permeable surfaces, use of porous pavements underlain with a sub-drained runoff storage gravel bed, grassed swales, and a combination detention/retention structure.

Prior Item 2: Complete. Designer/applicant addressed policy requirements with use of permeable paver joint spacing for the patio area, and porous concrete for portions of the parking area.

Prior Items 3, 4, 5: Complete.

Prior Item 6: Complete. Structural detention/retention was provided after the use of other runoff control measures. The design properly used a reduced allowable release rate equal to the 5 yr event.

Discretionary Comments - Continued

Project Planner: David Keyon Application No.: 04-0403 APN: 044-023-06 Date: May 16. 2005 Time: 10:55:35 Page: 4

See Miscellaneous Comments for items to be addressed in the building application

Dpw Drainage Miscellaneous Comments

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

From Calculations

1) P60 used was 1.5. P60 mapped is 1.4. The allowable release rate is affected and should be slightly smaller.

2) Specify a schedule/class pipe size (or other) for the primary outlet control structure and perform calculations using the actual inside pipe diameter rather than nominal pipe size.

3) Provide a delineated boundary for the drainage area actually routing to the detention facility and use this area in the outlet control sizing. The drainage area appears to vary from the parcel area previously assumed.

From Plans

4) A vicinity map is needed

5) It appears that 90% compaction is allowed under the patio pavers, while 95% compaction is required under all (or some?) of the parking pavement. The differing detail notations need a little more clarity regarding the compaction boundaries referenced.

6) Is the 24" top width of the grass swale to be consistent in both details C and D? At present they are dimensioned differently.

7) The detention outlet control box is shown with a deepened bottom and will need a drain down method similar to the S&G trap.

8) Please provide a note on the plans that previously paved and compacted areas (i.e. both driveways) to be permanently removed will be loosened/decompacted a minimum of 18" depth.

9) Will curb and gutter lines at previous drive entrances need reconstruction?

Dpw Driveway/Encroachment Completeness Comments

----- REVIEW ON SEPTEMBER 8, 2004 BY RUTH L ZADESKY ========

Dpw Driveway/Encroachment Miscellaneous Comments

EXHIBIT

Project Planner: David Keyon Application No.: 04-0403 APN: 044-023-06

Date: May 16, 2005 Time: 10:55:35 Page: 5

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

DEPARTMENT NAME: Aptos/La Selva Fire Dept APPROVED

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

NO COMMENT REVIEW ON SEPTEMBER 22. 2004 BY ERIN K STOW

COUNTY OF SANTA CRUZ

INTEROFFICE MEMO

Application No: 04-0403

- Date: August 26,2004
- To: David Keyon, Project Planner
- From: Larry Kasparowitz, Urban Designer
- Re: Design Review for a new office building at 754 Rio Del Mar Boulevard, Rio Del Mar

GENERAL PLAN/ZONING CODE ISSUES

Desian Review Authority

13.11.040 Projects requiring design review.

(e) All commercial remodels or new commercial construction.

Evaluation	Meets criteria	Does not meet	Urban Designer's Evaluation
Criteria	In code(🗸)	criteria (🖌)	Cvaruation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	~		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	~		
Landscaping	>		
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationshipto existing structures	×		
Retention of natural amenities	· ·		
Siting and orientation which takes advantage of natural amenities	¥		



Ridgeiine protection		NIA
/iews		
Protection of public viewshed	3	
Minimize impact on private views	✓	
Safe and Functional Circulation	······································	
Accessible to the disabled, pedestrians, bicycles and vehicles		N/A
Solar Design and Access		
Reasonable protection for adjacent properties	· · · ·	
Reasonable protection for currently occupied buildings using a solar energy system	~	
Noise		
Reasonable protection for adjacent properties	¥	

Evaluation	Meets criteria	Does not meet	Urban Designer's Evaluation
Criteria	In code (🖌)	criteria (🗹)	Lydiudion
Compatible Building Design			
Massing of building form	✓		
Building silhouette	¥		
Spacing between buildings	✓		
Street face setbacks			N/A
Character of architecture	✓		
Building scale	~		
Proportion and composition of projections and recesses, doors and windows, and other features	¥		
Location and freatment of entryways	✓		
Finish material, texture and color	×		
Scale			
Scale is addressed on appropriate levels	V		
Design elements create a sense of human scale and pedestrian	¥		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting.	✓		
Solar Design	,,, _,, _		

Page 2

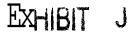
EXHIBIT J

Building design provides solar access that is reasonably protected for adjacent properties,	~	
Building walls and major window areas are oriented for passive solar and natural lighting.	>	

13.11.074 Access, circulation and parking.

Parking		
Minimize the visual impact of pavement and parked vehicles.	✓	
Parking design shall be an integral element of the site design.	•	
Site buildings toward the front or middle portion of the lot and parking areas to the rear or side of the lot is encouraged where appropriate.	~	
Lighting		
All site, building, security and landscape lightingshall be directed onto the site and away from adjacent properties.		Suggest as Condition of Approval
Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy- efficient fixtures.		Suggest as Condition ÆApproval
All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed.		Suggest as Condition of Approval
Building and security lighting shall be integrated into the building design.		Suggest as Condition of Approval
Light sources shall not be visible form		Suggestas Condition of Approval
Loading areas shall be designed to not interfere with circulation or parking, and to permit trucks to fully maneuver on the property without backing from or onto a public street.		N/A
Landscape		
A minimum of one tree for each five parking spaces should be planted along each singie or double row of parking spaces.	~	
A minimum of one tree for each five parking spaces shall be planted along	✓	

Page 3



rows of parking.			
Trees shall be dispersed throughout the parking lot to maximize shade and visual relief.	V		
At least twenty-five percent (25%) of the trees required for parking lot screening shall be 24-inch box size when planted; all other trees shall be 15 gallon size or larger when planted.	~		
Parking Lot Design			
Driveways between commercial or industrial parcels shall be shared where appropriate.			N/A
Avoid locating walls and fences where they block driver sight lines when entering or exiting the site.	v		
Minimize the number of curb cuts	¥		
Driveways shall be coordinated with existing or planned median openings.			N/A
Entry drives on commercial or industrial projects greater than 10,000 square feet should include a 5-foot minimum net landscaped median to separate incoming and out going traffic, where appropriate.			N/A
Service Vehicles/Loading Space. Loading space shall be provided as required for commercial and industrial uses.	<u> </u>		N/A
Where an interior driveway or parking area parallels the side or rear property line, a minimum 5-foot wide net landscape strip shall be provided between the driveway and the property line.	v		
Parking areas shall be screened form public streets using landscaping, berms, fences, walls, buildings, and other means, where appropriate.	~		
Bicycle parking spaces shall be provided as required. They shall be appropriately located in relation to the major activity area.		~	Suggestas Condition of Approval.
Reduce the visual impact and scale of interior driveways, parking and paving.	¥		
Parking Lot Landscaping			
It shall be an objective of landscaping to accent the importance of driveways from the street, frame the major circulation aisles, emphasize	~		
pedestrian pathways, and provide shade and screening.	-		

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EXHIBIT J

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

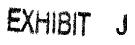
DATE:	February 28,	, 2005	
TO:	Planning Department, ATTENTION: DAVID KEYON		
FROM:	Santa Cruz Co	ounty Sanitation District	
SUBJECT:		ILABLIITY AND DISTRICT'S CONDITIONS OF SERVICE LLOWING PROPOSED DEVELOPMENT	
AF'N: 044-02	3-06	APPLICATION NO.: 04-0403	
PARCEL AD	DRESS:	754 RIO DEL MAR BOULEVARD, AF'TOS	
PROJECT DE	SCRIPTION:	DEMOLISH SINGLE FAMLY DWELLING CONSTRUCT 4,190 SF OFFICE BUILDING	

Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time frame this project has not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

Department of Public Works and District approval shall be obtained for an engineered sewer improvement plan showing sewers needed to provide service to the development proposed. This plan shall be approved by the District and the County of Santa Cruz Public Works prior to the issuance of any building permits. This plan shall conform to the County of Santa Cruz Design Criteria.

The following comments shall be included in the permit conditions as a requirement of District approval for the Master Occupancy Permit being sought the existing building:

- 1. All future change of use in tenants shall require a review by the Sanitation District for additional connection permit fees and pretreatment device requirements.
- 2. All applicants shall provide estimated water use and additional information to assist staff in developing permit fees and pretreatment. A review of all changes in tenancy shall be required and no "over the counter" approvals shall be granted.
- 3. The District shall review all future building permits for tenant improvements.
- 4. All changes to plumbing fixtures shall be reviewed by the District. All changes shall be accompanied by a plumbing plan and list of plumbing fixtures per the UPC as stated in table 7-3.
- 5. Pretreatment may be required if food preparation or medical/dental offices are proposed.



DAVID KEYON PAGE - 2 -

Following completion of the above mentioned engineered sewer plan, the following conditions shall be met during the building permit process:

- 1. Proposed location of on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer must be shown on the plot plan of the building permit application.
- 2. 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.

Drew Byme

Sanitation Engineering

DB:

- c: Applicant: JIM WEAVER FOR PACIFIC RIM PLANNING GROUP 206 MORRISSEY BOULEVARD SANTA CRUZ, CA 95062
 - Owner: DAVID LYNG REAL ESTATE 2170 41ST AVENUE CAPITOLA CA 95010

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Aptos/La Selva Fire Protection District

6934 Soquel Drive = Aptos, CA 95003 Phone # 831-685-6690. Fax # 831-685-6699

September 21,2004

Planning Department County of Santa Cruz Attention: David Keyon 701 Ocean Street Santa Cruz, CA 95060

Subject: APN: 44-023-06 / 3pl #0 0403 754 Rio Del Mar Blvd.

Dear Mr. Keyon:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented; however, the following are CONDITIONS OF APPROVAL:

- Address is required to be changed to a Bonita Drive address as supplied by the County of Santa Cruz Building Department.
- A minimum fire flow of 1,750 G.P.M. is required from one hydrant located within 250 feet of the site.
- The building shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13 Light Hazard and adopted standards of the Aptos/La Selva Fire Protection District.
- Building numbers shall be provided. Numbers shall be a minimum of six(6) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street.
- Any other requirements will be addressed in the Building Permit phase
- Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

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In order to obtain building application approval, recommend you have the DESIGNER add appropriate NOTES and DETAILS showing the following information on the plans that are submitted for <u>BUILDING PERMIT</u>.

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2001) and District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE / FIRE RATING , and SPRINKLERED or NON-SPRINKLERED as determined by building official and outlined in Part IV of the California Building Code.

(e.g. R-3, Type V-N, Sprinklered)

SHOW on the plans a public fire hydrant within 250 feet of any portion of the building meeting the minimum required fire flow for the building. This information can be obtained from the water company.

FIRE FLOW requirements for the subject property are 1,750 gallons. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

NOTE on the plans that the building shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13 LIGHT HAZARD and adopted standards of the Aptos/La Selva Fire Protection District.

NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Commercial Automatic Fire Sprinkler System to this agency for approval. Installation shall follow our guide sheet.

NOTE if applicable, on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT.

NOTE on the plans, building numbers shall be provided. Numbers shall be a minimum of six(6) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street.

NOTE on the plans that the roof covering shall be no less than Class "B" rated roof.



APN: 044-023-06 APPL. # 04-0403 PAGE 3 of 3

NOTE on the plans the job copies of the building and fire systems plans and permits must be on-site during inspections.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency.

Sincerely

Jim Dias, Fire Marshal Fire Prevention Division Aptos/La Selva Fire Protection District

- Cc: David Lyng Real Estate 2170 41st Avenue Capitola, CA 95010
- Cc: Pacific Rim Planning Group Attn: Jim Weaver 206 Morrissey Blvd. Santa Cruz, CA 95062



County of Santa Cruz

PLANNING DEPARTMENT 701 OCEAN STREET,4TH FLOOR, SANTA CRUZ, CA 95060-4000 (831) 454-2580 FAX: (831) 454-2131 TOD: (831) 454-2123 TOM BURNS, DIRECTOR

September 8,2004

Jim Weaver for Pacific Rim Planning Group 206 Morrissey Blvd. Santa Cruz, CA, 95062

SUBJECT Review of Geotechnical Investigation by Bauldry Engineering: Dated: February 2,2004, Project No. 0338-SZ974-A71; APN: 044-023-06; Application No.: 04-0403; Owner: David Lyng Real Estate

Dear Mr. Weaver:

Thank you for submitting the soil report for the parcel referenced above. The report was reviewed for conformance with County Guidelines for Soils/Geotechnical Reports and also for completeness regarding site-specific hazards and accompanying technical reports (e.g. geologic, hydrologic, etc.). The purpose of this letter is to inform you that the Planning Department *has* accepted the report and the following recommendations become permit conditions:

- 1. All report recommendations must be followed
- 2. An engineered foundation plan is required. This plan must incorporate the design recommendations of the soils engineering report.
- 3. Final plans shall show the drainage system as detailed in the soils engineering report.
- 4. Final plans shall reference the approved soils engineering report and state that all development shall conform to the report recommendations.
- 5. Prior to building permit issuance, the soil engineer must submit a brief building, grading and drainage plan review letter to Environmental Planning stating that the plans and foundation design are in general compliance with the report recommendations. If, upon plan review, the engineer requires revisions or additions, the applicant shall submit to Environmental Planning two copies of revised plans and a final plan review letter stating that the plans, as revised, conform to the report recommendations.
- 6. The soil engineer must inspect all foundation excavations and a letter of inspection must be submitted to Environmental Planning and your building inspector prior to placement of concrete.
- 7. For all projects, the soil engineer must submit a final letter report to Environmental Planning and to your building inspector regarding compliance with all technical recommendations of the soil report prior *to* final inspection. For ail projects with engineered fills, the soil engineer **must** submit a final grading report (reference August 1997 County Guidelines for Soils/Geotechnical Reports) *to* Environmental Planning and



Geotechnical Report Revie September 8,2004 Page 2 of 2

> your building inspector regarding the compliance with all technical recommendations of the soil report prior to final inspection.

The soil report acceptance is only limited to, the technical adequacy of the report. Other issues, like planning, building, septic or sewer approval, etc., may still require resolution.

The Planning Department will check final development plans to verify project consistency with report recommendations and permit conditions prior to building permit issuance. If not already done, please submit two copies of the approved soil report at the time of building permit application for attachment to your building plans.

Please call 454-3168 if we can be of any assistance.

Sincerely,

The Caifod

Kevin Crawford Senior Civil Engineer

Cc: David Keyon, Project Planner Robin Bolster, Resource Planner David Lyng Real Estate, Owner **Bauldry Engineering**

