



## Staff Report to the Zoning Administrator

Application Number: **05-0240**

---

**Applicant:** Earl Brown  
**Owner:** Douglas Doering  
**APN:** 029-013-53

**Agenda Date:** February 17, 2006  
**Agenda Item #:** 3  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to adjust lot lines, demolish a single family dwelling and construct a two story commercial building of about 2300 sq. ft. for use as a contractor's shop and storage.

**Location:** 2455 Chanticleer Avenue, Santa Cruz

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

**Permits Required:** Commercial Development Permit, Master Occupancy Permit, Variance to: 1) reduce the side yard setback on the south side of APN 029-013-53 to approximately zero feet, and 2) reduce the required five feet wide landscape strip adjacent to parking to 3'-6" on the south side and narrowing from 4'-0" to 1'-0" on the north side, and 3) to establish a non-conforming north side setback of approximately one foot to an existing structure on APN 029-013-52, and a Lot Line Adjustment to equally transfer 119.3 sq. ft. between APN 026-013-53 and 026-013-52.

### Staff Recommendation:

- Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality
- Approval of Application 05-0240, based on the attached findings and conditions.

### Exhibits

- |   |                                       |
|---|---------------------------------------|
| A. Project plans                              | F. General Plan map                   |
| B. Findings                                   | G. Zoningmap                          |
| C. Conditions                                 | H. Discretionary Application Comments |
| D. Categorical Exemption (CEQA determination) | I. Urban Designer's memo              |
| E. Location map                               |                                       |

### Parcel Information

Parcel Size: 7,792 sq. ft.  
Existing Land Use - Parcel: Single family residence, unpermitted contractor's shop  
Existing Land Use - Surrounding: Service Commercial  
Project Access: Chanticleer Avenue  
Planning Area: Live Oak  
Land Use Designation: C-S (Service Commercial)  
Zone District: M-1 (Light Industrial)  
Coastal Zone: — Inside X Outside  
Appealable to Calif. Coastal Comm. — Yes X No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A  
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: X 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: Zone 5

### History

The parcel is developed with a single-family residence built in 1947. In addition, the commercial use building located on the adjacent parcel (029-013-52) encroaches about three feet into the subject parcel on the southwest corner. More recently the house on the subject parcel has been used to operate a contractor's glass shop without the benefit of a Commercial Development Permit.

This project was approved as Application Number 01-0425, but the applicant/owner allowed the permit to lapse. The applicant is reapplying for essentially the same project as was previously approved.

## Project Setting

The parcel is located at the north end of Chanticleer Avenue near the intersection with Soquel Avenue. Highway One is on the north side of Soquel Avenue. The project is located in the Live Oak Planning Area.

## Zoning & General Plan Consistency

The subject property is a 7,792 sq. ft. square foot lot, located in the **M-1** (Light Industrial) zone district, a designation, which allows commercial uses. The proposed new commercial building is a principal permitted use within the zone district and the project is consistent with the site's (C-S) Service Commercial General Plan designation.

## Variance Request

The applicant is asking for a variance for three conditions:

For APN 029-013-52 -

- 1) to establish a non-conforming north side setback of approximately one foot to an existing structure

The request for this variance is based on the existing situation of the building on *this* lot having a wing which is built across the property line on the applicant's lot. The encroachment is approximately three feet across the line at one corner. The applicant and the neighbor have agreed to an equal trade lot line adjustment in order to rectify the situation. The change in property line would change the status of the building on APN 029-013-52 from significantly non-conforming (being built across a property line) to non-conforming (being within the M-1 ten feet side setback). Staff supports a variance to correct this situation with the least impact.

For APN 029-013-53 -

- 2) reduction of the required five feet wide landscape strip adjacent to parking to 3'-6" on the south side and narrowing from 4'-0" to 1'-0" on the north side,
- 3) reduction of the south side yard setback to approximately one foot.

The subject property is 52 feet wide, which is relatively narrow for an industrial/commercial property. The proposed use is a commercial service use with the north side yard, front and rear setbacks conforming to the zone district regulations. **The M-1** zoning requires ten feet side yards. The applicant is requesting a reduction on one side yard setback from ten feet to zero feet. The required ten feet side setbacks make it difficult to construct an adequate size building including parking and maneuvering.

This lot is a substandard width and the length is three times the width, constituting a special circumstance.

### **Lot Line Adjustment**

Currently, the neighboring structure on the south encroaches over the property line of this applicant's lot. The neighbor has signed **an** owner-agent form and has agreed to an equal transfer of land with the applicant. **A** map showing the original and revised property lines is included in Exhibit **A**.

### **Master Occupancy Permit**

The applicant is proposing to operate an automobile glass installation service. The building includes areas for office, shop for installation and display on the first floor and a storage area on the second floor. The design provides the required parking based on the floor area of the uses as shown. Any change of use would require a Level 1 review for consistency with parking requirements.

### **Design Review**

The proposed commercial building complies with the requirements **of** the County Design Review Ordinance. The Urban Design has reviewed the design and his comments are included as Exhibit **I**.

### **Environmental Review**

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies **for** an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and the proposed building is less than 10,000 square feet in area.

### **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance (with Variance) and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

### **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act,
- **APPROVAL** of Application Number **05-0240**, based on the attached findings and conditions.

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

Application #: **05-0240**  
APN: **029-013-53**  
Owner: **Douglas Doering**

Page 5

**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)**

Report Prepared By: Lawrence Kasparowitz  
Santa Cruz County Planning Department  
701 Ocean Street, **4th** Floor  
Santa Cruz CA 95060  
Phone **Number:** (831) 454-2676  
E-mail: [pln795@co.santa-cruz.ca.us](mailto:pln795@co.santa-cruz.ca.us)

Application #: **05-0240**  
APN: **029-013-53**  
Owner: Douglas **Doering**

## **Lot Line Adjustment Findings**

1. The Lot Line Adjustment will not result in a greater number of parcels than originally existed.

This finding can be made, in that there are two existing parcels and the **lot** line adjustment will result in two parcels (with minor reconfiguration).

2. The Lot Line Adjustment conforms with the County Zoning Ordinance (including, without limitation, County Code Section 13.10.673) and the County Building Ordinance (including, without limitation, County Code Section 12.01.070).

This finding can be made, in that the purpose **of** the lot line adjustment is to adjust the parcel boundaries such that an existing building that is built across a property line. will be sited fully on one property. A Condition of Approval requires that the existing building conform to the current building code regarding allowed openings and **fire** rating of walls based on distance from property line, occupancy group and construction type.

3. No affected parcel may be reduced or further reduced below the minimum parcel size required by the zoning designation, absent the grant of a variance pursuant to County Code Section 13.10.230.

This finding can be made, in that after the lot line adjustment both parcels will be the **same** area as each currently exists.

Application#: 05-0240  
APN: 029-013-53  
Owner: Douglas Doering

## Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for commercial uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources

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 commercial structure and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the M-1 (Light Industrial) zone district. The proposed location of the structure will not meet all current site standards for the zone district (side setback), however a Variance has been requested with this application.

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

This finding can be made, in that the proposed commercial use is consistent with the use and density requirements specified for the Service Commercial (C-S) land use designation in the County General Plan.

The commercial structure 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 in that the addition to an existing residence will not adversely shade adjacent properties, and will meet current setbacks for the zone district (except the south side setback) that ensure access to light, air, and open space in the neighborhood.

The proposed commercial structure 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 addition to an existing residence will comply with the site standards for the M-1 zone district (including setbacks other than the south side, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

Application #: OS-0240  
APN: 029-013-53  
Owner Douglas Doering

4. That the proposed use will not overload utilities and will not generate more than the acceptable level **of** traffic on the streets in the vicinity.

This finding can be made, in that the proposed commercial structure is to be constructed on an existing developed lot. **The** expected level **of** traffic generated by the proposed project is anticipated to be only 21 trips per day. Such an increase will not adversely impact existing roads and intersections in the surrounding area (per Department of Public **Works** Road Engineering).

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

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

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

This finding can be made, in that the proposed commercial building will be **of** an appropriate scale and type of design that will enhance the aesthetic qualities **of** the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The project has been reviewed by the Urban Designer and found to be in compliance with Chapter **13.11** of the Zoning Ordinance.



Application # 050240  
APN: 029-013-53  
Owner: Douglas Doering

## **Variance Findings for APN: 029-013-53**

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

The applicant is requesting no setback on the south side and a reduction of the required five feet wide landscape strip adjacent to parking and driveway. This finding can be made. The subject property is 52 feet wide, which is relatively narrow for an industrial/commercial property. The proposed use is a commercial service use with the north side yard, front and rear setbacks conforming to the zone district regulations. The M-1 zoning requires ten feet side yards. The applicant is requesting a reduction on one side yard setback from ten feet to zero feet.

The required ten feet side setbacks make it difficult to construct an adequate size building including parking and maneuvering. The requirements for the width of two way drive aisle and the minimum length of parking stall will not allow for the full five feet landscape strip on both sides, given the narrowness of the site.

Staff supports a variance for both the setback of the structure and the reduced width of the landscape strips based on the narrow width of this property.

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

This finding can be made. This structure does not overpower the parcel, as it has been designed to be limited in mass and bulk.

3. That the granting of such variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties

This finding can be made. Allowing the structure to adjacent to the side property line is not a special privilege, in that is consistent with C-4 zoning, which is similar to the proposed use for this property.

Application# 05-0240  
APN: 029-013-53  
Owner: Douglas Doering

## Variance Findings for APN: 029-013-52

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

There are special circumstances in that the existing structure was built predating building and zoning requirements. Through a recent survey it was determined that the structure on APN 029-013-52 was built over the property line on APN 029-013-53. A lot line adjustment is included which corrects these structural encroachments, while meeting all of the requirements for lot line adjustments specifically, not creating building sites or reducing parcels below the zone district size minimum (See Lot Line Adjustment Findings).

Furthermore, it is not possible to relocate this structure, due in part to its age (>60 years) and condition. The strict application of the zoning ordinance will deprive the property of maintaining a legal structure. Thus, the granting of the variance to reduce the north side yard from 10 feet to 1 foot for the reconfigured parcel is compatible with the development pattern of the neighborhood and is consistent with the privileges enjoyed by other properties in the vicinity within the M-1 zone district under similar circumstances.

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

The variance to reduce the 10 foot side yard setback to 1 foot will not be materially detrimental to public health, safety or welfare or injurious to **property** or improvements in the vicinity in that the structure will be conditioned to meet the current building codes for fire separation and will aid in correcting a significant structural encroachment.

3. That the granting of such variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties.

The granting of this site area variance would not constitute a special privilege. The parcels in this neighborhood are zoned M-1, but these two adjacent parcels are substantially smaller than the surrounding M-1 zoned properties. This structure was built before building permits were required. . Furthermore, a number of the existing structures have been built within these setbacks or, similar to the subject parcel, outside of the parcel boundaries. The granting of the variance is compatible with the development pattern of the neighborhood and is consistent with the privileges enjoyed by other properties in the vicinity within the M-1 zone district under similar circumstances as discussed in Variance Finding #1.

Application #: 05-0240  
APN: 029-013-53  
Owner: Douglas Doering

## Conditions of Approval

Exhibit A: architectural and landscape plans by John Craycroft and Associates,  
revised June 23, 2005.

- I. This permit authorizes a lot line adjustment, the demolition of an existing single family dwelling and construction of a commercial building with parking, landscaping and a master occupancy permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official.
  - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
  - E. The Lot Line Adjustment shall be accomplished by a grant deed that shall be recorded. No record of survey shall be required for the Lot Line Adjustment unless required by Section 8762 of the Business and Professions Code.
  - F. The existing building on AFN 029-013-52 shall conform to the current building code regarding allowed openings and fire rating of walls based on distance from property line, occupancy group and construction type.
- 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. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.

**EXHIBIT C**

Application# 05-0240  
APN: 029-013-53  
Owner: Douglas Doering

2. Grading, drainage, and erosion control plans.
  3. Details showing compliance with fire department requirements.
  - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
  - D. 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.
  - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
  - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer, if required.
  - G. Provide required off-street parking for five 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.
  - H. 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.
  - I. Exterior lighting:
    1. All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties.
    2. Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.
    3. 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.
    4. Building and security lighting shall be integrated into the building design.
    5. Light sources shall not be visible from adjacent properties.
111. 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

Application # 05-0240  
APN 029-013-53  
Owner: Douglas Doering

satisfaction of the County Building Official.

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

#### IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. Any change of use or replacement/remodel of the building shall require a Level 1 review for consistency with parking requirements

#### V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
  - 1. COUNTY bears its own attorney's fees and costs; and

Application #: 05-0240  
APN: 029-013-53  
Owner: Douglas Doering

2. COUNTY defends the action in good faith.

C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

---

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

**Please note: This permit expires 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

---

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: 05-0240  
Assessor Parcel Number: 029-013-53  
Project Location: 2455 Chanticleer Avenue, Santa Cruz

Project Description: Proposal to adjust the lot lines, demolish a single family dwelling and construct a two story commercial building of about 2300 sq. ft. for use as a contractor's shop and storage.

Person Proposing Project: Earl Brown

Contact Phone Number: (831) 345-6145

- 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:

Construction of a small commercial building within an area designated for commercial development.

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

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

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

**EXHIBIT D**

12:07:57 Tue Jan 24, 2006

01/24/06 DS5

COUNTY OF SANTA CRUZ - ALUS 3.0

I-ALPDR211

12:05:38

DISPLAY DISCRETIONARY PROJECT DESCRIPTION

ALSDR211

APPLICATION NO.: 05-0240 :

-----  
Proposal to demolish a single family dwelling and construct a two story commercial building of about 2300 sq. ft. for use as a contractors shop and storage. Original permit 01-0425 has expired. Requires a Commercial Development Permit, A Master Occupancy Permit, a Variance to 1) reduce the side yard setback on the south side of APN 029-013-53 to zero feet, 2) reduce the required five feet landscape strip adjacent to parking to 3'-6" on the south side and narrowing from 4'-0" to 1'-0" on the north side of APN 029-013-53, and (3) to establish a non-conforming north side setback of approximately 1 foot to an existing structure on APN 029-013-52, and a Lot Line Adjustment to equally transfer 119.3 sq. ft. between APN 029-013-53 and 029-013-52.

Property located on the west side of Chanticleer Avenue (2425 Chanticleer)

-----  
ALL DATA HAS BEEN DISPLAYED

PF8-DESC FORWARD

KEY NEW NUMBER

PF19-PREV SCREEN

PF20-NEXT SCREEN

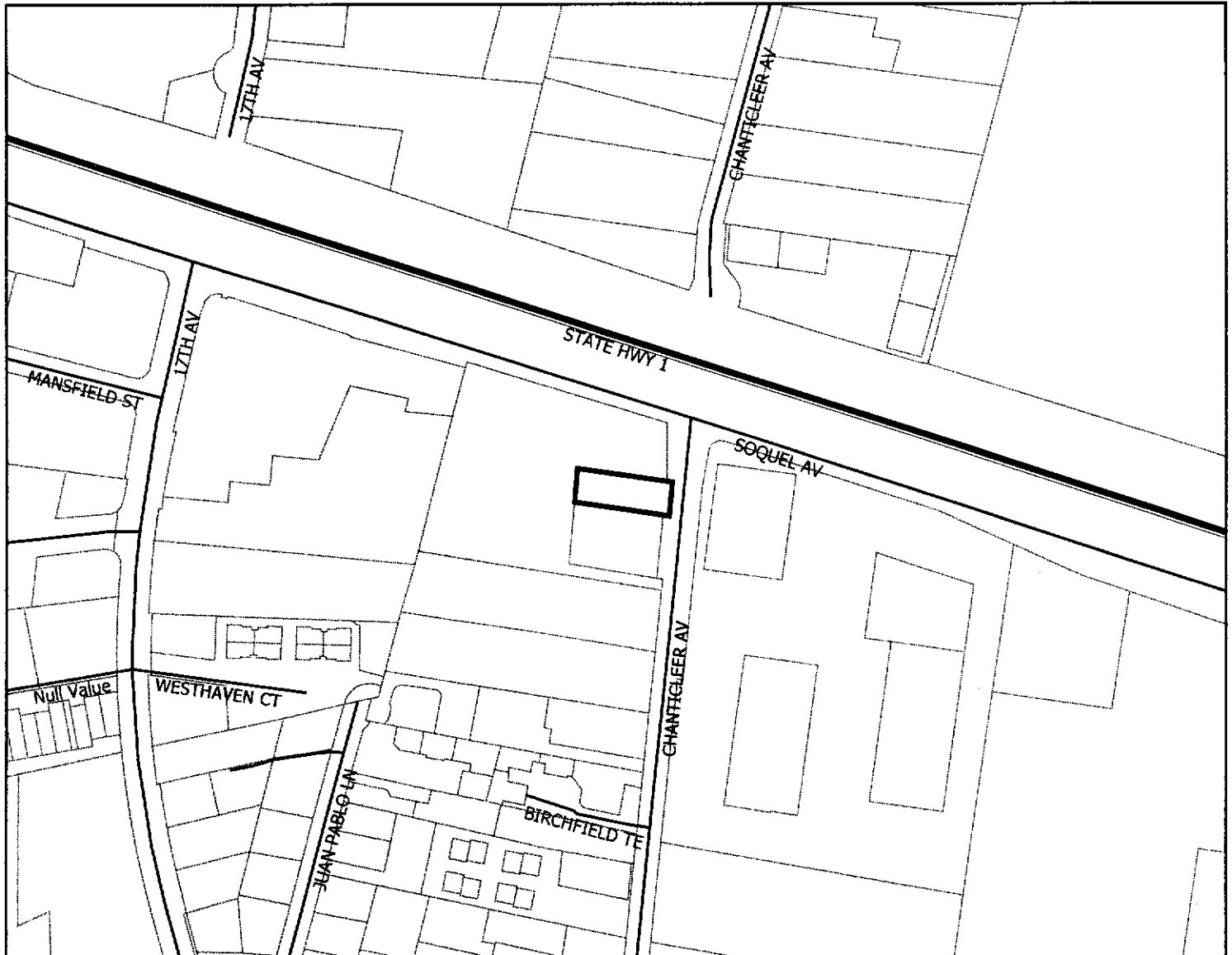
PF12-BEG OF APPL

PA2-EXIT







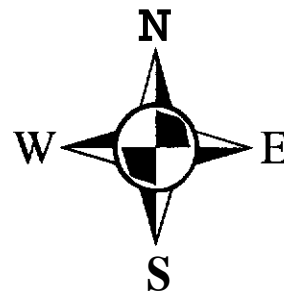


# Location Map



## Legend

-  APN 029-013-53
-  State Highways
-  Streets
-  Assessors Parcels

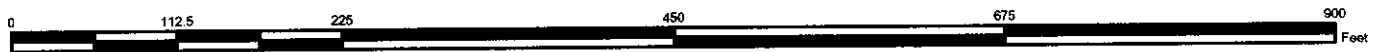
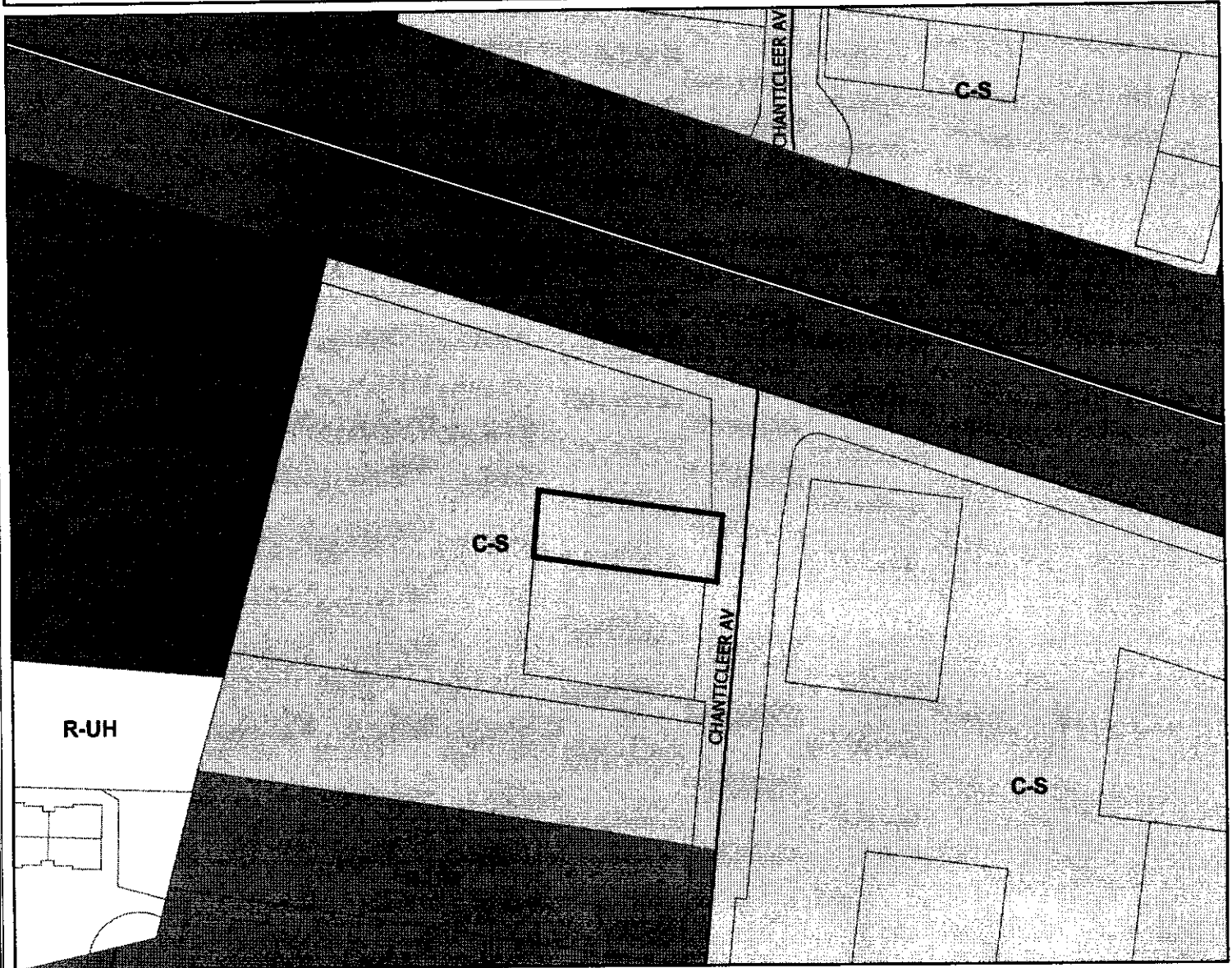


Map Created by  
County of Santa Cruz  
Planning Department  
April 2005










EXHIBIT E

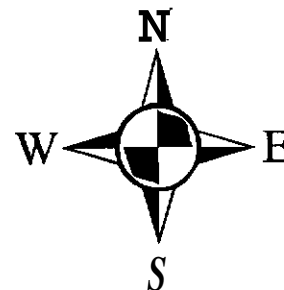


# General Plan Designation Map



## Legend

-  APN 029-013-53
-  State Highways
-  Assessors Parcels
-  Streets
-  Commercial-Community (C-C)
-  Commercial-Service (C-S)
-  Public Facilities (P)
-  Residential - Urban Medium Density (R-UM)
-  Residential - Urban High Density (R-UH)

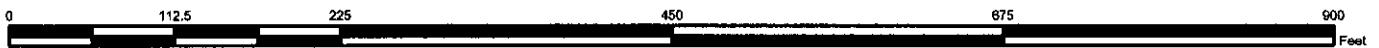
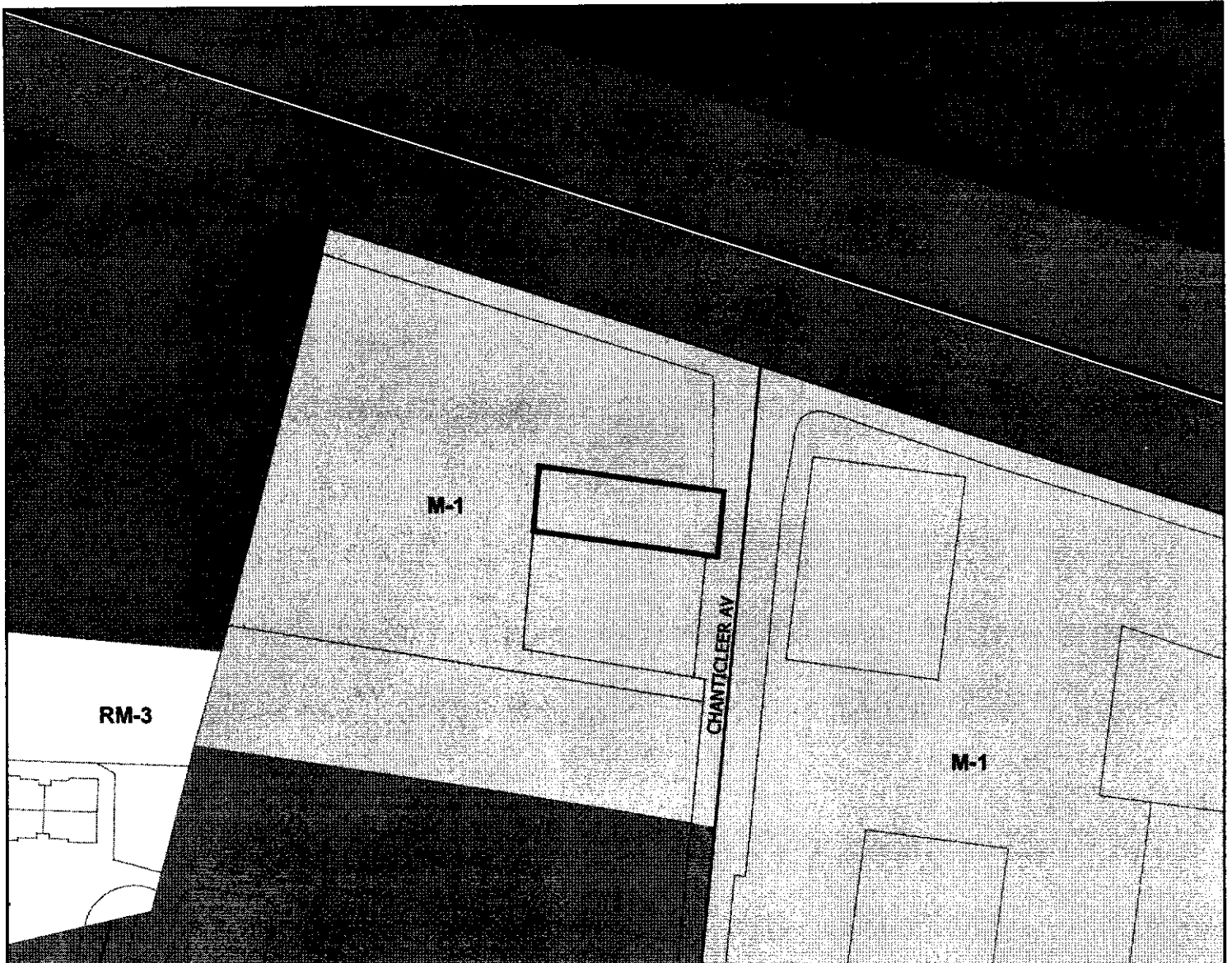


Map Created by  
County of Santa Cruz  
Planning Department  
April 2005

**EXHIBIT F**

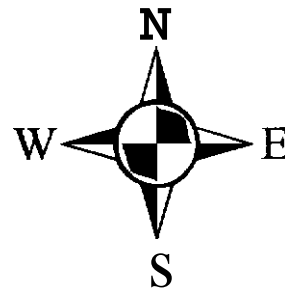


# Zoning Map



## Legend

- APN 029-013-53
- State Highways
- Assessors Parcels
- Streets
- COMMERCIAL-COMMUNITY (C-2)
- COMMERCIAL SERVICE (C4)
- LIGHT INDUSTRIAL (M-1)
- PUBLIC FACILITY (PF)
- RESIDENTIAL-MULTI FAMILY (RM)
- RESIDENTIAL-SINGLE FAMILY (R-1)



Map Created by  
County of Santa Cruz  
Planning Department  
April 2005

EXHIBIT G

**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. : 05-0240  
APN: 029-013-53

Date: September 14, 2005  
Time: 15:47:06  
Page: 1

---

**Environmental Planning Completeness Comments**

===== REVIEW ON MAY 4, 2005 BY JESSICA L DEGRASSI =====  
NO COMMENT

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON MAY 4, 2005 BY JESSICA L DEGRASSI =====  
Please provide soils report at time of building permit application.

Please provide grading plans at time of building permit application.

Please provide an erosion and sediment control plan at building permit application.

**Code Compliance Completeness Comments**

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

===== REVIEW ON MAY 12, 2005 BY KEVIN M FITZPATRICK =====  
NO COMMENT

There is an illegal addition on the rear of the structure on Chanticleer that must be corrected before Code Compliance will approve this application. Code Compliance will post a Notice of Violation on the illegal addition and proceed with enforcement action. (KMF) ===== UPDATED ON JUNE 15, 2005 BY KEVIN M FITZPATRICK =====

NO COMMENT  
Illegal addition on rear of structure to be demolished within 60 days of approval date of this development permit (KMF) ===== UPDATED ON AUGUST 8, 2005 BY KEVIN M FITZPATRICK =====

NO COMMENT Illegal addition to be demolished within sixty days of approval of this development permit. (KMF)

**Code Compliance Miscellaneous Comments**

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

===== REVIEW ON MAY 12, 2005 BY KEVIN M FITZPATRICK =====  
===== UPDATED ON AUGUST 8, 2005 BY KEVIN M FITZPATRICK =====

**Dpw Drainage Completeness Comments**

===== REVIEW ON MAY 10, 2005 BY CARISA REGALADO =====

This project has been under review by this division since April 2004 as building application 0051434L. Please refer to this application for comments.

Discretionary stage application review is complete for this division. (Additional note in Miscellaneous Comments.)

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.

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No.: 05-0240  
APN: 029-013-53

Date: September 14, 2005  
Time: 15:47:06  
Page: 2

---

Dpw Drainage Miscellaneous Comments

===== REVIEW ON MAY 10, 2005 BY CARISA REGALADO =====

For the building application, submit a notarized and recorded maintenance agreement for the silt and grease trap.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON MAY 2, 2005 BY DEBBIE F LOCATELLI =====

Revised plans reviewed on 5/2/05. Accepted.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON MAY 2, 2005 BY DEBBIE F LOCATELLI =====

No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON MAY 11, 2005 BY GREG J MARTIN =====

A right-of-way dedication will be required behind the sidewalk including the accessible sidewalk behind the driveway ramp.

Please provide information on the trucks that will use the site and show with truck turn templates how they will ingress/egress from Chanticleer Avenue and maneuver on site.

Five foot landscaping is recommended between the property line and any parking areas or driveways.

Driveways are required to be 24 feet minimum. Parking aisles are required to be 26 feet minimum. Please number and dimension parking spaces. Please identify on the plan view the composition of the driveway and give depths for each material used. I.e. 2 inches of asphalt concrete over 6 inches of aggregate base. We do not recommend the vehicle parking space near the northwest as it requires backing into the turnaround in order to egress on Chanticleer Avenue in a forward direction.

The development is subject to Live Oak Transportation Improvement (TIA)

fees at a rate of \$400 per daily trip-end generated by the proposed use. The project plans show an additional 1,440 square feet of commercial sales, service & repairs space and 814 square feet of storage. The estimated trip generation for fee purposes for commercial sales, service, & repairs is 15 trip-ends per 1,000 gross square feet (ksf). Therefore the trips may be calculated as 1.44 ksf of commercial sales, service & repairs space multiplied by 15 trip ends/ksf equals 21 trip ends. The estimated trip generation for fee purposes for storage is 5 trip-ends per 1,000 gross square feet (ksf). Therefore the trips may be calculated as 0.814 ksf of storage space multiplied by 5 trip ends/ksf equals 4 trip ends. A total of 25 trip ends are generated by the project. The fee is calculated as 25 trip ends multiplied by \$400 per trip end equals \$10,000. The total TIA fee of \$10,000 is to be split evenly bet-

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No. : 05-0240  
APN: 029-013-53

Date: September 14, 2005  
Time: 15:47:06  
Page: 3

ween transportation improvement fees and roadside improvement fees.

If you have any questions please contact Greg Martin at 831-454-2811. ===== UP-  
DATED ON JUNE 29, 2005 BY GREG J MARTIN =====

Evidence of an existing easement for right-of-way has been provided so a right-of-  
way dedication is no longer required. ===== UPDATED ON AUGUST 4, 2005 BY GREG J  
MARTIN =====

Previous comments addressed satisfactorily. The TIA fees should be a condition of  
approval.

If you have any questions please call Greg Martin at 831-454-2811.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON MAY 11, 2005 BY GREG J MARTIN =====

===== UPDATED ON JUNE 29, 2005 BY GREG J MARTIN =====

===== UPDATED ON AUGUST 4, 2005 BY GREG J MARTIN =====

**MEMORANDUM**

**Application No: 05-0240**

Date: May 16, 2005

To: Lawrence Kasparowitz, Project Planner

From: Urban Designer

Re: Design Review for a new commercial building at 2455 Chanticleer Avenue, Santa Cruz

**GENERAL PLAN ZONING CODE ISSUES**

**Design Review Authority**

**13.11.040** Projects requiring design review.

(e) All commercial remodels or new commercial construction.

**Design Review Standards**

**13.11.072** Site design.

Evaluation Criteria	Meets criteria in code( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Compatible Site Design</b>			
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			<b>NIA</b>
Street design and transit facilities			<b>N/A</b>
Relationship to existing structures	✓		
Relate to surrounding topography	✓		
Retention of natural amenities	✓		

Siting and orientation which takes	✓		
Ridgeline protection			N/A
<b>Views</b>			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
<b>Safe and Functional Circulation</b>			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A
<b>Solar Design and Access</b>			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
<b>Noise</b>			
Reasonable protection for adjacent properties	✓		

## 13.11.073 Building design.

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



Solar Design			
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 building 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 lighting shall be directed onto the site and away from adjacent properties.			<i>Suggest as Condition of Approval</i>
Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.			<i>Suggest as Condition of Approval</i>
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.			<i>Suggest as Condition of Approval</i>
Building and security lighting shall be integrated into the building design.			<i>Suggest as Condition of Approval</i>
Light sources shall not be visible from adjacent properties.			<i>Suggest as Condition of Approval</i>
Loading areas			
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.	✓		
Landscape			
A minimum of one tree for each five parking spaces should be planted along each single or double row of parking spaces.	✓		

A minimum of one tree for each five parking spaces shall be planted along rows of parking.	✓		
Trees shall be dispersed throughout the parking lot to maximize shade and visual relief.	✓		
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.	✓		
<b>Parking Lot Design</b>			
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.	✓		
Minimize the number of curb cuts			N/A
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.	✓		
Where an interior driveway or parking line, a minimum 5-foot wide net landscape strip shall be provided between the driveway and the property line.		✓	
Parking areas shall be screened from public streets using landscaping, berms, fences, walls, buildings, and	✓		
major activity area.			
Reduce the visual impact and Scale of interior driveways, parking and paving.	✓		

<b>Parking Lot Landscaping</b>			
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	✓		
Parking lot landscaping shall be designed to visually screen parking from public street and adjacent uses.	✓		
Parking lots shall be landscaped with large canopy trees.	✓		
A landscape strip shall be provided at the end of each parking aisle.	✓		
A minimum 5-foot wide landscape strip (to provide necessary vehicular back-out movements) shall be provided at dead-end aisles.			N/A
Parking areas shall be landscaped with large canopy trees to sufficiently reduce glare and radiant heat from the asphalt and to provide visual relief from large stretches of pavement.	✓		
Variation in pavement width, the use of texture and color variation in paving materials, such as stamped concrete, stone, brick, pavers, exposed aggregate, or colored concrete is encouraged in parking lots to promote pedestrian safety and to minimize the visual impact of large expanses of pavement.			N/A
As appropriate to the site use, required landscaped areas next to parking spaces or driveways shall be protected by a minimum six-inch high curb or wheel stop, such as concrete, masonry, railroad ties, or other durable materials.	✓		
<b>Pedestrian Travel Paths</b>			
On-site pedestrian pathways shall be provided from street, sidewalk and parking areas to the central use area. These areas should be delineated from the parking areas by walkways, landscaping, changes in paving materials, narrowing of roadways, or other design techniques.			N/A
Plans for construction of new public facilities and remodeling of existing facilities shall incorporate both architectural barrier removal and	✓		

physical building design and parking area features to achieve access for the			
Separations between bicycle and Pedestrian circulation routes shall be utilized where appropriate.			N/A