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Date: 2/13/07

To: Don Bussey - Zoning Administrator

From: Randall Adams - Project Planner

Re: 06-0633 - Minor Variation

Agenda Date: **312107**

Agenda Item: **1**

Time: After 1:00 p.m.

This item is to be heard at a noticed public hearing before the Zoning Administrator per Assistant Director, Mark Deming.



Staff Report & Development Permit Level 3 – Minor Variation

Application No. 06-0633

Application Number: 06-0633
Applicant: **Brett Brenkwitz**
Site Address: **140 Rancho Del Mar**

APN: **039-221-12**
Owner: **Barrett Ltd.**

Z. A. Agenda Date: 3/2/07
Agenda Item: 1
Time: After 10:00 a.m.

Project Summary

Proposal to change the scope of approved Planned Development Permit 77-1945-PD and Commercial Development Permit 02-0265 (Rancho Del Mar shopping center) to add three accessible parking spaces and remove existing landscape improvements. Requires a Minor Variation to approved Planned Development Permit 77-1945-PD.

History

Planned Development Permit 77-1945-PD and Commercial Development Permit 02-0265 authorized changes to the existing Rancho Del Mar shopping center.

The applicant **seeks** to obtain a Minor Variation to Planned Development Permit 77-1945-PD and Commercial Development Permit 02-0265 to reflect the proposed changes.

Analysis and Discussion

The applicant proposes to install three accessible parking spaces to serve the existing shopping center. The spaces will be more accessible to the existing supermarket and adjacent shops. In order to install the accessible spaces, an existing paved area with landscape boxes and bench seating will need to be removed. The existing landscape boxes are not attractive or well planted, however some seating area in front of the existing supermarket is desirable. Staff recommends installation of new benches under the covered walkway in front of the proposed parking spaces to make up for the lost seating area.

All findings remain valid **as** approved for Planned Development Permit 77-1945-PD and Commercial Development Permit 02-0265. Based on the findings for permit numbers 77-1945-PD and 02-0265, which are hereby incorporated by reference, Planning Department staff recommends approval of the requested Minor Variation including the conditions contained in this permit

If you have any questions about this project, please contact Randall Adams at:
(831) 454-3218 or randall.adams@co.santa-cruz.ca.us

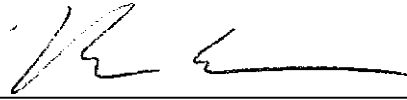
Application # 06-0633

APN: 039-221-12

Owner: Barrett Ltd.

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Minor Variation Prepared By:



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

Minor Variation Reviewed By:

Don Bussey
Zoning Administrator
Santa Cruz County Planning Department

Mail to:

Brett Brenkwitz
PO Box 597
Aptos, Ca 95001

Note: This decision is **final** unless it is appealed.

See permit conditions for information regarding appeals. You may exercise your permit after signing below and meeting any conditions which are required to be met prior to exercising the permit. If you file an appeal of this decision, permit issuance will be **stayed** and the permit cannot be exercised until **the** appeal is decided.

Please note: This permit will expire unless exercised prior **to** the expiration date.
(See the Conditions of Approval below for the expiration date of this permit.)

Conditions of Approval

Exhibit A. Project plans, 6 sheets, prepared by Brett Brenkwitz, dated 9/12/06.

- I. This permit authorizes the installation of three accessible parking spaces at an existing shopping center. 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. All conditions of permit numbers 77-1945-PD and 02-0265 are incorporated herein by reference and are also conditions of this approval.
 - B. Obtain Building Permit(s) from the Santa Cruz County Building Official, to allow **for** accessibility review.
- II. Prior to issuance of a Building Permit the applicant'owner shall:
 - A. 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. Detailed site improvement plans showing all proposed improvements and accessibility features.
 2. Two benches shall be installed along the wall under the covered walkway in front of the proposed accessible parking spaces.
 - B. Meet all accessibility requirements of the Santa Cruz County Building Official.
 - C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - D. 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.
- III. All ~~construction~~ shall be performed according to the approved plans for the building permit. **Prior** to final building inspection, the applicant'owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. All work within a County road right-of-way shall require an encroachment permit.
- 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.

In accordance with Chapter 18.10 of the County Code, 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.

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

Approval Date: _____

Effective Date: _____

Expiration date: _____

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: 06-0633
Assessor Parcel Number: 039-221-12
Project Location: 140 Rancho Del Mar

Project Description: Minor change to existing site improvements.

Person or Agency Proposing Project: Brett Brenkwitz

Contact Phone Number: (831) 662-8800

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

Specify type:

E. **Categorical Exemption**

Specify type: Class 4 - Minor Alterations to Land (Section 15304)

F. Reasons why the project is exempt:

Minor change to the site improvements at an existing shopping center.

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

Randall Adams, Project Planner

Date: _____

MEMORANDUM

Date: 2/13/07

To: Don Bussey - Zoning Administrator

From: Randall Adams - Project Planner

Re: 06-0633 - Minor Variation

Agenda Date: 3/2/07

Agenda Item: 1

Time: After 10:00 a.m.

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Staff Report & Development Permit Level 3 – Minor Variation

Application No. 06-0633

Application Number: 06-0633
Applicant: **Brett Brenkwitz**
Site Address: **140 Rancho Del Mar**

APN: **039-221-12**
Owner: **Barrett Ltd.**

Z. A. Agenda Date: 312107
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Time: After 10:00 a.m.

Project Summary

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History

Planned Development Permit 77-1945-PD and Commercial Development Permit 02-0265 authorized changes to **the** existing Rancho Del Mar shopping center.

The applicant **seeks** to obtain a Minor Variation to Planned Development Permit 77-1945-PD and Commercial Development Permit 02-0265 to reflect the proposed changes.

Analysis and Discussion

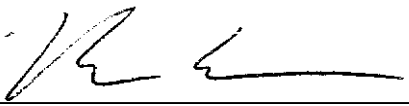
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If you have **any** questions about this project, please contact Randall Adams at:
(831) 454-3218 or randall.adams@co.santa-cruz.ca.us

Application#: 06-0633
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Minor Variation Prepared By:



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

Minor Variation Reviewed By:

Don Bussey
Zoning Administrator
Santa Cruz County Planning Department

Mail to:

Brett Brenkwitz
PO **Box** 597
Aptos, Ca 95001

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Conditions of Approval

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Specify type:

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

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

Randall Adams, Project Planner

Date: _____