



## Staff Report to the Zoning Administrator

Application Number: **06-0015**

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**Applicant:** Dee Murray  
**Owner:** XSI Properties, Inc  
**APN:** 041-052-20

**Agenda Date:** 6/1/07  
**Agenda Item #:** 1.  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to construct a commercial office building with two residential units above.

**Location:** Property located on the south side of Soquel Drive, approximately **650 feet** east of Aptos Street in Aptos.

**Supervisory District:** 2<sup>nd</sup> District (District Supervisor: Ellen Pirie)

**Permits Required:** Commercial Development Permit, Archaeological Site Review, & Roadside Exception

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0015, based on the attached findings and conditions.

### Exhibits

- |    |  |    |                           |
|----|--|----|---------------------------|
| A. | Project plans                              | E. | Assessor's parcel map     |
| B. | Findings                                   | F. | Zoningmap                 |
| C. | Conditions                                 | G. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) |    |                           |

### Parcel Information

Parcel Size:	9727 square feet
Existing Land Use - Parcel:	Vacant Parcel
Existing Land Use - Surrounding:	Professional Office and Public Facility
Project Access:	<b>Soquel</b> Drive, a public road
Planning Area:	Aptos
Land Use Designation:	C-0 (Professional & Administrative Offices)
Zone District:	PA (Professional and Administrative Office)

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County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

Application #: 06-0015  
APN: 041-052-20  
Owner: XSI Properties, Inc.

Coastal Zone:                            ☐ Inside            ☒ Outside  
Appealable to Calif. Coastal Comm. ☐ Yes            ☒ No

#### Environmental Information

Geologic Hazards:        Not mapped/no physical evidence on site  
Soils:                        Not a mapped constraint  
Fire Hazard:                Not a mapped constraint  
Slopes:                      Slopes located on the east side of the parcel  
Env. Sen. Habitat:        Not mapped/no physical evidence on site  
Grading:                    Approximately 75 cubic yards of earthwork excavation and fill  
**Tree Removal:**            No trees proposed to **be** removed  
Scenic:                      Highway 1 scenic viewshed  
Drainage:                    Preliminary drainage plan approved by DPW Drainage Section.  
Archeology:                An Archaeological Site Review was conducted on 2/24/06; **pre-**  
   historical cultural resources were not evident at the site.

#### Services Information

Urban/Rural Services Line:        ☒ 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

In 1978, parcel 041-052-18 was approved for a minor land division (77-1425 MLD) to split the parcel into two parcels of 9,721 square feet (now 041-052-19 & -20). The land division required a variance **to** the minimum site area of 10,000 square feet for the **zone** district, which was also approved in 1978 (77-1735-V). **An** Initial Study was completed for the land division and a Negative Declaration was issued without any required mitigations.

**A** parking lease was recorded in 2005 (#2005-0088261) that granted the tenant at 9019 Soquel Drive parking rights on the subject property. The terms of the lease did not state a specific termination date; therefore the property owners were required to incorporate these additional required parking spaces into their proposed parking plan. In 2007, **the** property owners and the holder of the parking lease signed a Release of Notice of Lease which states that all parking rights granted upon the subject property will terminate on or before September 30, 2007.

#### Project Setting

The parcel is approximately 9,727 square feet and is a vacant lot. Soquel Drive, a public road with a 60-foot right of way, provides primary access to the parcel and runs along the north property line. There is also a 12-foot wide right of way between parcels 041-052-20 and -19 that was approved as a part of the Minor Land Division (77-1425 MLD) in 1978.

**EXHIBIT B**

The topography of the parcel slopes upwards to the east at about 20-25%. Most of the vegetation on the flat building site has been cleared; however there are two existing pine trees, an *oak* tree and a cypress that shall remain on site and as a condition of approval, shall be protected with regular tree protection measures during construction. There is an existing 56 square foot shed on site that will be removed as a part of the project.

There are professional/commercial uses to the north and west and further to the west is multi-family housing. The Aptos School District owns the land to the north east and there is a single family residence located directly east of the subject parcel, which is nonconforming for PA zoned land. Highway 1 runs along the south property line and is located uphill from the building site.

### Project Scope

The property owners propose to construct an approximately 2864 square foot building with two 716 square foot commercial spaces on the first floor and two 716 square foot one-bedroom residential units above. **The** two residential units will be accessed by an interior staircase located between the two units. The proposed building will be located at the base of the slope on the east part of the parcel; therefore minimal grading (75 cubic yards) will take place at the site. The proposed building will be 31-feet at its highest point and will be designed in a style that is compatible with the rural surroundings.

### Zoning & General Plan Consistency

The subject property is a 9,727 square foot lot, located in the PA (Professional and Administrative Office) zone district, a designation which allows a commercial and residential mixed use building. The proposed office and residential mixed use building is a permitted use within the zone district and the project is consistent with the site's (C-0) Professional & Administrative Offices General Plan designation.

	PA Site Standards	Proposed
Front Yard Setback	10'	44'
Rear Yard Setback	10'	10' – 48'
Side Yard Setback	0' & 10' (street)	8' & 12' - 35'
Maximum Height	3 stories or 35'	2 stories & 31'

### Parking

The proposed mixed use building would require 4.8 parking spaces for the two residential units (including guest parking) and 5.7 parking spaces for the commercial units; however, under Section 13.10.553(b) of the County Code, a reduction in parking may be allowed for multiple uses if it's found that their peak hours do not coincide. **An** analysis of parking demand shows that the peak parking hours for the commercial and residential uses do not coincide; therefore a parking reduction is allowed, which reduces the total number of required spaces by 10%. The proposed building will have a parking lot on the western portion of the parcel which will provide the eight required parking spaces plus one required accessible parking space in accordance with

Sections 13.10.552 and 13.10.553 of the County Code.

### **Highway 1 Scenic Corridor**

The proposed project is located within the Highway 1 scenic viewshed; however, there are natural features that will hide the building from the Highway 1 viewshed. First, there is a natural vegetation buffer between the proposed project and the Highway that will remain as a part of the project. As a condition of approval, the applicant shall submit revised landscaping plans that depict dense vegetation along the south property line of the parcel in order to further buffer the project from view and noise. In addition, the building site is located downslope from the Highway and the only portion of the proposed building that could be visible from Highway 1 is the roofline. The condition of approval stated above, will further ensure that the project is hidden from view to benefit the residents of the proposed apartments and to preserve the natural vista from the Highway 1 scenic corridor.

### **Roadside Exception**

The proposed project requires a Roadside Exception in that the minimum requirements for an Urban Arterial Street in the Department of Public Works Design Criteria are not appropriate due to the lack of such improvements along Soquel Drive in the vicinity of the subject parcel.

### **Signage**

There will be one name sign located a minimum of 5-feet from the edge of the Soquel Drive right of way at the front of the parcel. The proposed sign will measure 7-feet tall at its tallest point and will be about 4.5-feet wide, which is in accordance with Section 13.10.581 of the County Code and as a condition of approval, the height of the sign shall be measured from the existing grade at the edge of the road. In addition, the design of the sign is consistent with the architectural character of the building and with the proposed street side landscaping.

### **Design Review**

The proposed commercial and residential mixed use building complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as pitched roofs, horizontal siding, and natural colors to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

### **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.

Application # **06-0015**  
APN: **041-052-20**  
Owner: XSI Properties, Inc.

#### Staff Recommendation

- Certification that **the** proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **06-0015**, 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.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)

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Santa Cruz County Planning Department  
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Santa Cruz CA 95060  
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Application #: **06-0015**  
APN: 041-052-20  
Owner: XSI Properties, Inc.

## **Roadside Exception Findings**

1. The improvements are not appropriate due to **the** character of development in the area and the lack of such improvements on surrounding developed property.

This finding can be made in that there are no roadside improvements along **Soquel** Drive in the vicinity of the subject parcel and the lack of such improvements deems Department of Public Works Design Criteria for an Urban Arterial Street inappropriate at this time.

## 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/residential mixed uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation **of** energy and resources. The proposed commercial and residential mixed use 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 proposed location of the mixed use building and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the PA (Professional and Administrative Office) zone district in that the primary use of the property will be one structure that meets all current site standards for the zone district.

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

This finding can be made, in that the proposed mixed use building is consistent with the use and density requirements specified for the Professional & Administrative Offices (C-0) land use designation in the County General Plan.

The proposed commercial mixed use building will not adversely impact adjacent uses and meets all current site and development standards for the zone district as specified in Policy 8.5 (Commercial and Industrial Design) in that the project meets all requirements for landscaping, signing, access, site and building design, visual impacts, drainage, parking, on site circulation, traffic patterns, availability of water, sewer system capacity, fencing and mitigation of potential nuisance factors.

The proposed commercial mixed use building 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 mixed use building will comply with the site standards for the PA zone district (including setbacks, height, and number of stones) 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.

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 office and residential mixed use building is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is not anticipated to adversely impact existing roads and intersections in the surrounding area.

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 mixed use building 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 mixed use 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.



## Conditions of Approval

Exhibit A: Project plans, 9 pages, prepared by Thacher & Thompson dated August 29, 2006, Ifland Engineers, Inc. dated July 13, 2006, and Ellen Cooper, LA dated May 18, 2005.

- I. This permit authorizes the construction of a mixed use building with two commercial spaces on the first floor and two residential units on the second floor. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official
  - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (**Office of** the County Recorder).
  - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. 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.
    2. Drainage plans. Drainage plans shall show all drainage devices
    3. Grading plans. Grading plans shall include: grading calculations; grading cross sections showing existing and proposed grades; and pad elevations (Environmental Planning).
    4. Erosion control plans that address erosion and sediment control during and after construction (Environmental Planning).

5. **Tree** protection fencing for all retained trees (Environmental Planning),
  6. Landscaping Plans that depict the planting of native vegetation along the south property line to create a dense buffer between the project and Highway I.
  7. Lighting Plan. Lighting shall comply with the following requirements: (Urban Designer)
    - a. **All** site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties.
    - b. Area lighting shall **be** high-pressure sodium vapor, metal halide, fluorescent or equivalent energy efficient fixtures.
    - c. 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.
    - d. Building and security lighting shall be integrated into the building design.
    - e. Light sources shall not be visible from adjacent properties.
  8. For any structure proposed to be within 2 feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.
  9. **The** height of the freestanding sign shall not exceed 7-feet and shall be measured from the existing grade of Soquel Drive.
  10. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
- 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 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- E. Obtain final clearance for this project from the County of Santa Cruz County Sanitation District.

- F. Obtain final clearance for this project from the Soquel Creek Water District.
  - G. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
  - H. Comply with all requirements for accessibility. Any improvements necessary to accommodate access for the physically disabled which affect the appearance or footprint of the proposed building may require an amendment to the approved discretionary permit 06-0015.
  - I. Submit 2 copies of a noise study prepared by an acoustical engineer to ensure compliance with General Plan requirements for maximum allowed interior and exterior decibel level.
  - J. Pay the current fees for Parks and Child Care mitigation for 2 bedroom(s). Currently, these fees are, respectively, \$1000 and \$109 per bedroom.
  - K. Pay the current Aptos Transportation Improvement (TIA) fees for two residential units and 1,432 square feet of commercial office space. The fee for the two residential units is \$6160 based upon \$3080/unit. The fee for the commercial space, calculated by trip generation, is \$11,308. The total TIA fee of \$17,468 shall be split evenly between transportation improvement fees and roadside improvement fees (Department of Public Works).
  - L. Provide required off-street parking for 9 cars, including 1 accessible parking space. Standard parking spaces must be 8.5 feet wide by 18 feet long and accessible parking spaces must be 17 feet wide and provide a 9 foot parking area and an 8 foot loading and unloading access aisle. All parking spaces must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
  - M. 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. 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. 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. Each initial commercial occupancy and all future commercial occupancy changes of use will require a Level 1 Change of Use permit from the County of Santa Cruz Planning Department prior to occupancy.
- C. The proposed parking spaces shall be shared between the residential and commercial uses on-site and shall be reserved for tenants, customers, and employees of the proposed building only. Future occupancy of the commercial spaces shall be businesses that operate during normal business hours of 8:00 a.m. to 5:00 p.m.

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 hears its own attorney's fees and costs; and

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.

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

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

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

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

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

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

\_\_\_\_\_  
Samantha Haschert  
Project Planner

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Appeals: **Any** properly 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: 06-0015

Assessor Parcel Number: 041-052-20

Project Location: No Situs

**Project Description: Proposal to construct a commercial office building with two residential units above**

**Person or Agency Proposing Project: Dee Murray**

**Contact Phone Number: (831) 475-5334**

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

Specify type:

E. ☒ **Categorical Exemption**

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

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

Proposal to construct a mixed use building with office space and residential units at an existing vacant lot in an area designated for office uses.

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

\_\_\_\_\_  
Samantha Haschert, Project Planner

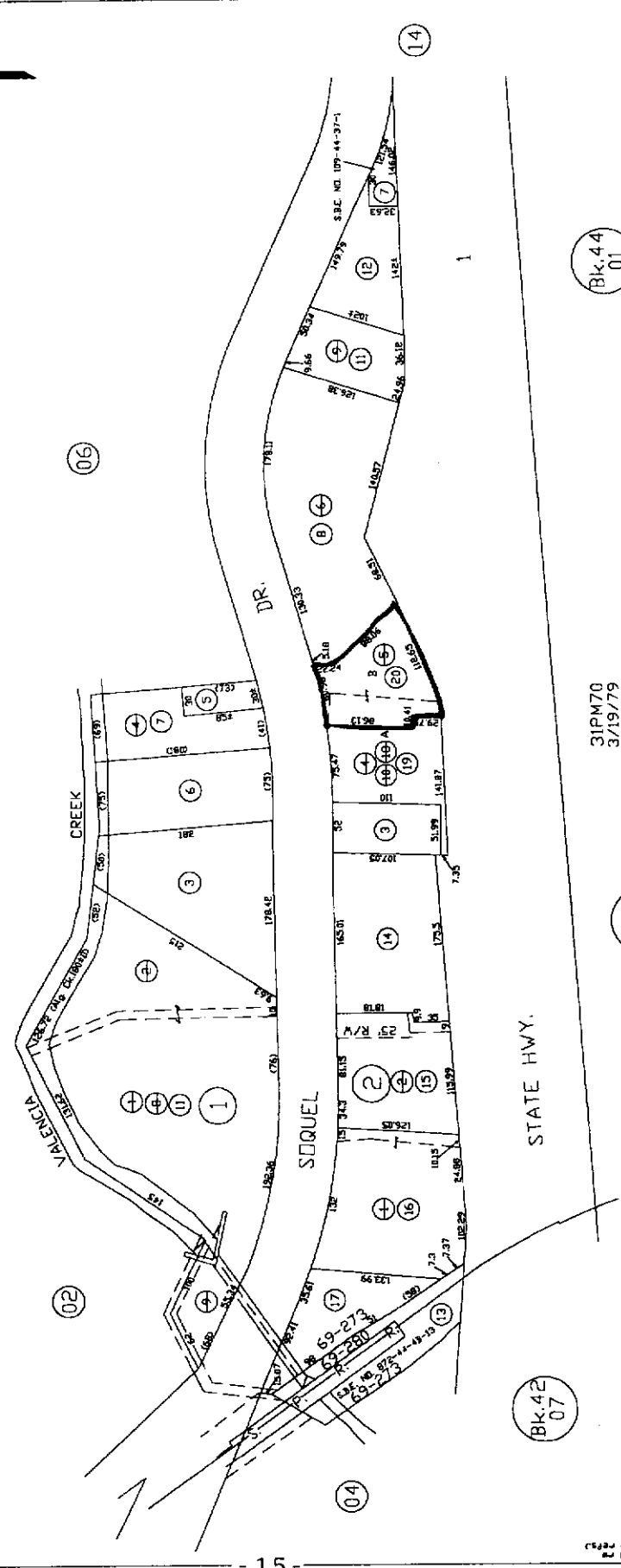
Date: \_\_\_\_\_

41-05

Tax Area Code  
69-273 69-280

POR. APTOS RANCHO  
SEC. 18, T.11S., R.1E., M.D.B. & M.

FOR TAX PURPOSES ONLY  
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1988



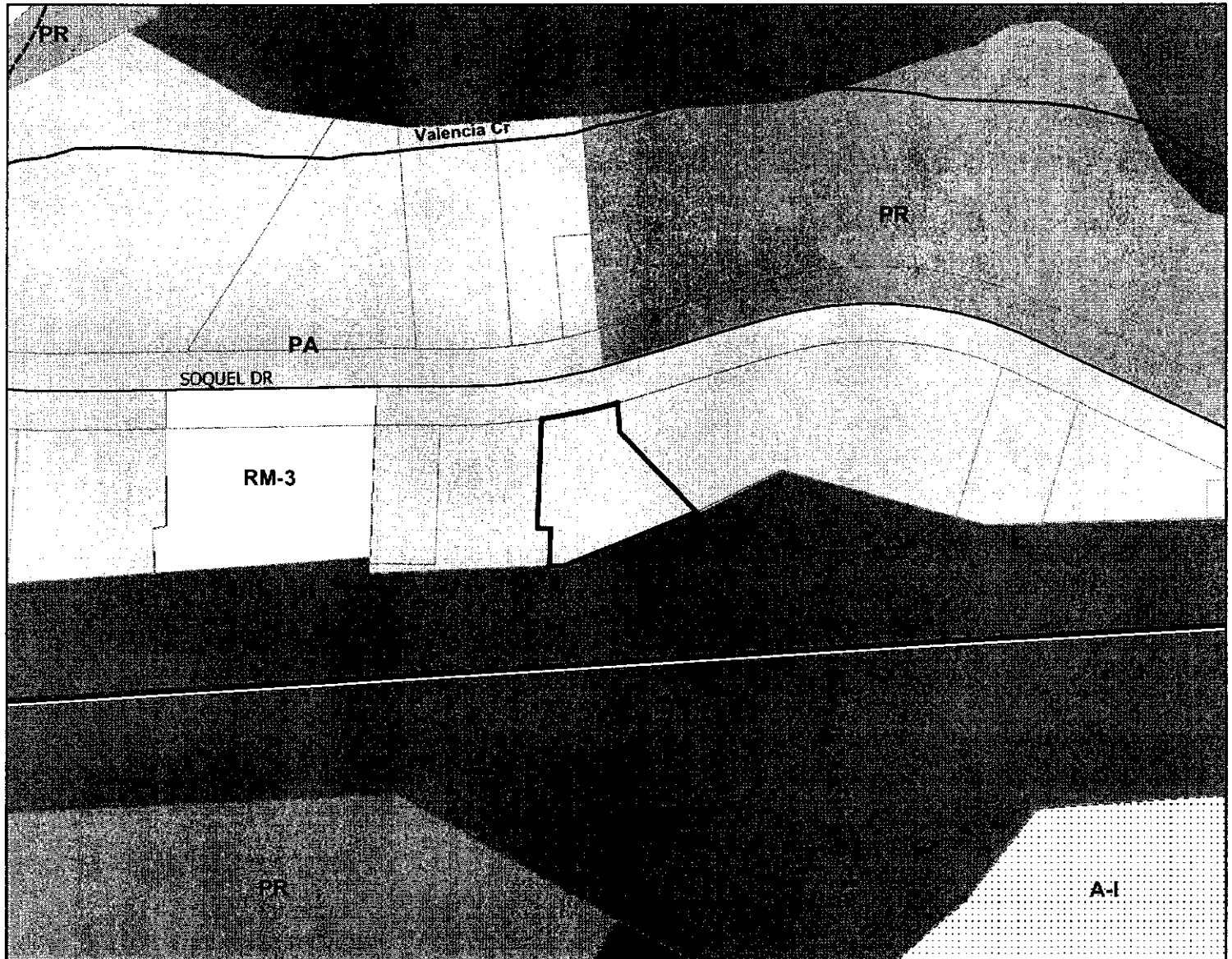
Assessor's Map No. 41-05  
County of Santa Cruz, Calif.  
December, 1998

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

EXHIBIT E

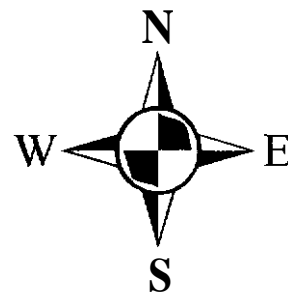


# Zoning Map



## Legend

- APN 041-052-20
- State Highways
- Assessors Parcels
- INTERMITTENT STREAM
- PERENNIAL STREAM
- COMMERCIAL-PROF OFFICE (PA)
- PARK (PR)
- PUBLIC FACILITY (PF)
- RESIDENTIAL-MULTIFAMILY (RM)
- AGRICULTURE (A)
- RESIDENTIAL-SINGLE FAMILY (R-1)



Map Created by  
County of Santa Cruz  
Planning Department  
February 2006

**EXHIBIT F**



RECORDING REQUESTED BY  
David Manning

MAIL TAX STATEMENTS TO  
AND WHEN RECORDED MAIL TO:

David Manning  
9018 Soquel Drive  
Aptos, CA 95003

Space above ~~this~~ line for Recorder's use.

## RELEASE OF NOTICE OF LEASE

**Recitals:** The within Release of Notice of Lease pertains to that certain Notice of Lease that was recorded on December 20, 2005 as Instrument No. 2005-0088261. That earlier document had declared that Shelley Purdy had certain lease rights affecting Assessor's Parcel No. 041-052-20 and that those lease rights might, by virtue of the extension of option periods, might extend as far into the future as April 30, 2010. The purpose of the within Release is to clarify that all of Shelley Purdy's parking rights upon the property described in Exhibit A under the said the February 24, 2005 lease between the Elaine Gill Trust as Landlord and Shelley Purdy as Tenant will terminate on or before September 30, 2007.

**Release:** Shelley Purdy hereby confirms that the land described in Exhibit A attached hereto will, on or before September 30, 2007, be completely released from any parking or other occupancy rights created by the above-referenced February 24, 2005 lease or any other parking or occupancy rights in favor of Shelley Purdy.

Date

4/9/07

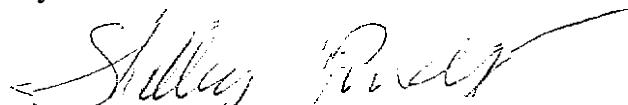
  
Shelley Purdy

EXHIBIT G

## EXHIBIT A

Parcel B as shown and designated on that certain Parcel Map filed for record March 19, 1979, in Book **31**, Page 70 of Parcel Maps, Santa **Cruz** County Records.

Assessor's Parcel No. 041-052-20

■

STATE OF CALIFORNIA

COUNTY OF Santa Cruz } ss

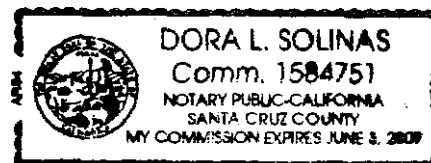
On April 9, 2007 before me, Dora L. Solinas, Notary Public

personally appeared Shelley Dirdy, personally known to me

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

WITNESS my hand and official seal.

Signature Dora L. Solinas



(This area for official notarial seal)

Title of Document Release of notice of lease  
Date of Document April 9, 2007 No. of Pages 2  
Other signatures not acknowledged \_\_\_\_\_



9019 Soquel Drive • Suite 175 • Aptos • CA • 95003

06-0015

April 12, 2007

RE: 9019 Soquel Drive, Aptos, CA 95003

Samantha.

I **just** wanted to **keep** you informed **as** to an update of the Dave **Manning** Development parking issue. Future Families, one of the tenants at 9019 Soquel Drive, that had parking rights **across** the street on the property purchased by Dave **Manning**, **has** terminated their lease effective April 1, 2007. With this tenant terminating their lease, **this** leaves Shelley's Fitness as the only tenant at 9019 **Soquel** Drive with parking rights **across** the street on Dave **Manning's** property.

I have included a copy of the letter showing the termination of the lease **as** well as a copy of the lease page showing Future Families **rights** to overflow **parking**.

Please **feel** free to call me if you need any other information.

Sincerely

Robert Sleeper  
Beverly Fabrics. Inc.  
9019 **Soquel** Dnve  
Aptos, CA 95003  
831-684-4220-333

EXHIBIT G

**C O U N T Y   O F   S A N T A   C R U Z**  
**DISCRETIONARY APPLICATION COMMENTS**

**Project Planner:** Samantha Haschert  
**Application No.:** 06-0015  
**APN:** 041-052-20

**Date:** April 30, 2007  
**Time:** 15:07:26  
**Page:** 1

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**Environmental Planning Completeness Comments**

===== REVIEW ON JANUARY 23, 2006 BY ANDREA M KOCH =====

1) This project requires an archaeological site assessment, which is currently in process. The project will be complete from Environmental Planning's standpoint if no evidence of archaeological resources is found during the site assessment.

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON JANUARY 23, 2006 BY ANDREA M KOCH =====

1) Make sure to show all trees proposed for removal.

2) Show on the plans tree protection fencing for retained trees, such as the existing 34" diameter pine tree.

3) Provide an erosion control plan addressing sediment and erosion control during and after construction.

4) Submit a drainage plan showing all drainage devices. ===== UPDATED ON JANUARY 23, 2006 BY ANDREA M KOCH =====

5) From the grading plans, it appears that there is more fill than cut involved in grading for this project. However, the stated grading quantities indicate the opposite (more cut than fill). To clarify, please a) submit grading calculations; b) submit grading cross-sections showing existing and proposed grades; and c) indicate the pad elevations. ===== UPDATED ON JANUARY 23, 2006 BY ANDREA M KOCH =====

**Dpw Drainage Completeness Comments**

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

===== REVIEW ON JANUARY 31, 2006 BY DAVID W SIMS =====

1st Review:

General Plan policies: <http://www.sccoplanning.com/pdf/generalplan/toc.pdf> 7.23.1 New Development 7.23.2 Minimizing Impervious Surfaces 7.23.4 Downstream Impact Assessments 7.23.5 Control Surface Runoff

The submitted drainage plan was reviewed for completeness and compliance with stormwater management controls provided by County policies listed above. The plan needs the following additional information and revisions prior to approving discretionary stage Stormwater Management review.

1) No stormwater control measures to hold runoff levels to predevelopment rates were found on the proposal. Such measures are required by policy 7.23.1. Additionally, the level of mitigation applied shall hold peak runoff rates to the 5-year predevelopment rate due to downstream flood problems along lower Aptos Creek. Detention will be allowed only to the extent that predevelopment runoff rates cannot be maintained through other applied measures, and where drainage problems are not

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**EXHIBIT G**

Project Planner: Samantha Haschert  
Application No.: 06-0015  
APN: 041-052-20

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

2) The project is required to minimize impervious surfaces per policy 7.23.2. The exclusive use of extensive amounts of impervious materials does not meet this requirement. Site soils are mapped as moderately pervious and may work adequately in conjunction with porous pavement materials, also helping meet policy 7.23.1

3) Please provide downstream assessment, describing and showing in detail on the plans the entire off-site drainage path from the site to a County maintained inlet or a natural channel. Indicate any and all drainage problems found along the length of this flow path, and propose any needed correction.

4) Site grading does not appear to adequately control runoff. A significant portion of the proposed parking lot is shown to sheet flow onto the neighboring property and subsequently towards the foundation of the existing neighboring buildings, per spot elevations and site contours, which are in conflict with flow arrows placed on the plan. Upper slope runoff routed by a perimeter ditch into a single Christy V64 catch basin appears to discharge concentrated runoff in front of the neighbor's existing garage, which appears lower in elevation than the discharge point and finished lot grades per spot elevations. Will these grades and the newly concentrated discharge create problems in front of the neighbor's garage and/or the neighboring main building? Site grading modifications and relocating the V64 catch basin and discharge point is recommended.

5) No water quality filtration measures were provided, as is required for all commercial sites.

6) Storm drainage calculations provided on sheet C-2 contain significant errors in the post development impervious area and the storm intensities used.

7) County policy requires topography be shown a minimum of 50 feet beyond the project work limits. Provide these extents with a more legible (dark) and denser grid of spot elevations.

8) Please note on the plans provision for permanent bold markings at each inlet that read: "NO DUMPING - DRAINS TO BAY". ===== UPDATED ON JUNE 23, 2006 BY DAVID W SIMS =====

2nd Review:

Prior item 1) Incomplete. While runoff mitigations are now proposed there is no indication that they are capable and intended to be effective to the level required. The treatment level of mitigations applied shall hold peak runoff rates to the 5-year predevelopment rate while controlling the County standard 10-year storm. Please note this on the plans. It appears that the addition of landscape drains connected to the rock filled retention bed will introduce significant levels of debris that will clog perforated pipes and cause rapid plugging and uncontrolled overflow of the facility. The provided cleanouts are not adequate: prevention of debris entry is needed. Please make improvements to avoid this problem. Two of the incoming pipes to the retention bed are located very close to the discharge pipe. More separation is recommended to assure proper dispersal and delay within the rock fill.

EXHIBIT G

Project Planner: Samantha Haschert  
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Prior item 2) Incomplete. This requirement is to be met. There is plenty of space away from the building foundations to apply properly designed porous pavements and still accomodate any reasonable concern for protecting building foundations.

Prior item 3) Incomplete. This requirement is to be met. The applicant has been asked to provide offsite information and assessment required by policy and standard submittal procedures. The engineer's claims of "unreasonableness" of potentially required improvements cannot be judged until this information is provided.

Prior item 4) Complete

Prior item 5) Incomplete. The water quality filtration of parking lot runoff (chemicals, oils) in the retention bed is an accepted treatment method. The retention bed is not to serve as a silt or debris trap for landscape areas and must avoid or be protected from these contaminants. Additionally, approximately 20% of the parking lot is not captured and this omission needs to be corrected. Further grading changes or extensions and adjustments of the slot drain could correct the problem. The applicant is responsible for treating all of the pavement area within the property boundaries, even if some of this surface is not proposed to be repaved. Make revisions as necessary to accomplish this.

Prior item 6) Complete

Prior item 7) Complete as currently submitted. Note: potential offsite improvements could require further extents

Prior item 8) Incomplete. All inlets within parking lots and adjacent to public access areas are to be shown as marked. ===== UPDATED ON AUGUST 9, 2006 BY DAVID W SIMS =====

3rd Review:

Prior item 1) Complete.

Prior item 2) Incomplete. This requirement is to be met. There is no justification for not complying with the policy to minimize impervious surfacing. It is feasible to meet this requirement for this site.

Prior item 3) Complete. Based on the submitted engineer's assessment, no offsite improvements have been indicated as needed.

Prior item 4) Complete

Prior item 5) Complete

Prior item 6) Complete.

Prior item 7) Complete

Prior item 8) Complete

New item 9) An easement will be needed to construct the proposed detention outfall

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**EXHIBIT G**

Discretionary Comments - Continued

Project Planner: Samantha Haschert  
Application No.: 06-0015  
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pipe on neighboring property. Show the needed easement on the plans.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON JANUARY 31, 2006 BY DAVID W SIMS =====

A recorded maintenance agreement may be required for certain stormwater facilities

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.90 per square foot, and are assessed upon permit issuance. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

Because this application is incomplete in addressing County requirements, resulting revisions and additions will necessitate further review comment and possibly different or additional requirements

All resubmittals shall be made through the Planning Department. Materials left with Public Works may be returned by mail, with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON JUNE 23, 2006 BY DAVID W SIMS =====

NO COMMENT

===== UPDATED ON AUGUST 9, 2006 BY DAVID W SIMS =====

Miscellaneous: (To be provided with the building plans.)

- A) Clarify on the Retention Bed Section where the dimensions shown in plan view occur.
- B) Detention drawdown elevation is apparently limited by the grate elevation of 99.00 shown at the bubble-up basin and would not be controlled at 98.76 as indicated on the section detail. It is not clear how detention depth can vary from 0.6 to 1.6 feet. Please revise for clarity.
- C) The trench drain is not shown at the property line on the Section 2 detail. Will existing pavement grades need to be reworked to accommodate moving the trench drain to the property line?
- D) The catch basins with sediment sumps need to meet the 3 foot minimum sump depth rather than 2 feet. A silt trap is required at the junction box connecting the trench drain to the retention bed.
- E) A recorded maintenance agreement will be required.
- F) Engineered calculations will be required, meeting all requirements

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON JANUARY 17, 2006 BY RUTH L ZADESKY =====

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**EXHIBIT G**



Project Planner: Samantha Haschert  
Application No.: 06-0015  
APN: 041-052-20

Date: April 30, 2007  
Time: 15:07:26  
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Show driveway plan view and centerline profile.

===== UPDATED ON MARCH 15, 2006 BY RUTH L ZADESKY =====

**Dpw Driveway/Encroachment Miscellaneous Comments**

===== REVIEW ON JANUARY 17, 2006 BY RUTH L ZADESKY =====

Driveway to conform to County Design Criteria Standards.

Encroachment permit required for all off-site work in the County road right-of-way.

===== UPDATED ON MARCH 15, 2006 BY RUTH L ZADESKY =====

No comment.

**Dpw Road Engineering Completeness Comments**

===== REVIEW ON FEBRUARY 2, 2006 BY GREG J MARTIN =====

Please show the edge of pavement for Soquel Drive and any improvements in the right-of-way

The edge of pavement on the adjoining parcel that will share access should be shown as well. An easement for access shall be required to be shown or provided.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON FEBRUARY 3, 2006 BY GREG J MARTIN =====

A typical section should be shown for Soquel Drive as well. Soquel Drive is an Urban Arterial with Bike Lanes and No Parking at this location. The additional information provided will show that there are no adjacent road improvements. Therefore we have no objection to an exception. The required right-of-way for Soquel Drive is 60 feet which exists so no additional right-of-way is required. The exception should show the required section crossed out and the proposed section below.

The driveway should be clearly shown and have 15 foot radii on either side. =====

UPDATED ON JUNE 13, 2006 BY GREG J MARTIN =====

The project plans are not complete.

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-----  
----- The standard road section for Soquel Drive at this location is an Urban Arterial with Bike Lanes and No Parking. The required right-of-way this standard is 60 feet which exists so additional right-of-way is not required. The proposed development does not propose frontage improvements consistent with the aforementioned standard. However, because of the shared driveway with the adjacent property and lack of adjacent frontage improvements we have no objection to an exception. The plans should show the required road section crossed out and the existing and proposed section below before the plans can be considered complete.

-----  
-----  
----- Additional details and revisions shall be required as part of the building permit for the commercial building and shall include but not be limited to the following: The structural section of the parking lot and driveway shall be shown on the plans. The return for the commercial driveway is recommended to be a minimum of ten feet and in accordance with details shown in the County Design Criteria.

Discretionary Comments - Continued

Project Planner: Samantha Haschert  
Application No.: 06-0015  
APN: 041-052-20

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-----  
----- The  
development is subject to Aptos Transportation Improvement (TIA) fees. The project plans show two residential units and 1,432 square feet of commercial office space. The fee for the two residential units is \$5824 based upon \$2912/unit. The estimated trip generation for the commercial office space for fee purposes is 18 trip-ends per 1,000 gross square feet (ksf). Therefore the total trips may be calculated as 1.432 ksf of commercial office space multiplied by 18 trip ends/ksf equals 25.7 trip ends being generated by the project. The fee is calculated as 25.7 trip ends multiplied by \$416 per trip end equals \$10,691. The total TIA fee of \$16,515 is to be split evenly between transportation improvement fees and roadside improvement fees  
===== UPDATED ON AUGUST 8, 2006 BY GREG J MARTIN =====  
Previous comments have been addressed. The application is complete. The plans appear satisfactory and Public Works has no objections to the proposed exception

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON FEBRUARY 2, 2006 BY GREG J MARTIN =====  
===== UPDATED ON FEBRUARY 3, 2006 BY GREG J MARTIN =====  
===== UPDATED ON JUNE 13, 2006 BY GREG J MARTIN =====  
===== UPDATED ON AUGUST 8, 2006 BY GREG J MARTIN =====

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON FEBRUARY 22, 2006 BY ERIN K STOW =====  
DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED  
Entire structure shall be sprinklered.  
Fire alarm system required.  
All Fire Department building requirements and fees 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.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

===== REVIEW ON FEBRUARY 22, 2006 BY ERIN K STOW =====  
NO COMMENT

# SANTA CRUZ COUNTY SANITATION DISTRICT

## INTER-OFFICE CORRESPONDENCE

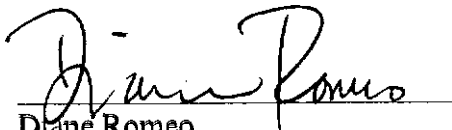
DATE: JUNE 12,2006(2<sup>ND</sup> ROUTING)  
TO: PLANNING DEPARTMENT: RANDALL ADAMS  
FROM: SANTA CRUZ COUNTY SANITATION DISTRICT  
SUBJECT: CONDITIONS OF SERVICE FOR THE FOLLOWING  
PROPOSED DEVELOPMENT  
APN: 041-052-20 APPLICATION NO.: 06-00! 5  
PARCEL ADDRESS: NOT AVAILABLE (VACANT) SOUTH SIDE OF SOQUEL  
DRIVE SOUTH OF APTOS VILLAGE

PROJECT DESCRIPTION: CONSTRUCT A COMMERCIAL OFFICE BUILDING  
WITH TWO RESIDENTIAL

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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 availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

The sewer improvement plan submitted for the subject project is approved by the District. Any future changes to these plans shall be routed to the District for review to determine if additional conditions by the District are required by the plan change. All changes shall be highlighted as plan revisions and changes may cause additional requirements to meet District standards.

  
Diane Romeo  
Sanitation Engineering

DR/dr

c: Amy Gross, District Environmental Compliance

Applicant:  
Dee Murray  
2272 Kingsley Street  
Santa Cruz, CA 95062

Property Owner:  
Elaine Gill, Trustee  
219 California Street  
Santa Cruz, CA 95060

Engineer:  
Ifland Engineers  
1100 Water Street, Suite 2  
Santa Cruz, CA 95062

**EXHIBIT G**

**MEMORANDUM**

Application No: 06-0015 (second routing)

Date: June 7, 2006

To: Randall Adams, Project Planner

From: Lawrence Kasparowitz, Urban Designer

Re: Design Review for a new commercial/ residential building at Soquel Drive, Aptos

**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			N/A
Street design and transit facilities			N/A
Relationship to existing structures	✓		
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		

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	✓		
<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
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale is addressed on appropriate levels	✓		

EXHIBIT G

Building design provides solar access that is reasonably protected for adjacent properties...	✓		
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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.	✓		
<b>Lighting</b>			
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>
<b>Loading areas</b>			
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
<b>Landscape</b>			
A minimum of one tree for each five parking spaces should be planted along each single or double row of	✓		
A minimum of one tree for each five parking spaces shall be planted along	✓		
Trees shall be dispersed throughout the parking lot to maximize shade and visual relief.	✓		

EXHIBIT G

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
Entrv 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.			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.	✓		
Parking areas shall be screened from 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.	✓		
Reduce the visual impact and scale of interior driveways, parking and paving.	✓		

EXHIBIT G

Page 4

<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 streets and adjacent uses.	3		
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			N/A
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			
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 physically disabled.	✓		
Separations between bicycle and pedestrian circulation routes shall be utilized where appropriate.			NIA

**EXHIBIT G**

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# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

**TOM BURNS, PLANNING DIRECTOR**

March 6, 2006

Dee Murray  
2272 Kinsley Street  
Santa Cruz, CA 95060

**SUBJECT: Archaeological Reconnaissance Survey for APN 041-052-20**

To Whom It May Concern,

The County's archaeological survey team has completed the Phase 1 archaeological reconnaissance for the parcels referenced above. The research has concluded that pre-historical cultural resources were not evident at the site. A copy of the review documentation is attached for your records. No further archaeological review will be required for the proposed development.

Please contact me at 831-454-3372 if you have any questions regarding this review.

Sincerely,

Elizabeth Hayward  
Planning Technician

Enclosure

## Santa Cruz County Survey Project

### Exhibit B

Santa Cruz Archaeological Society  
1305 East Cliff Drive, Santa Cruz, California 95062

### Preliminary Cultural Resources Reconnaissance Report

Parcel APN. 041 - 052-20

SCAS Project number: SE-06-1048

Development Permit Application No 06-0015 Parcel Size 9,722 sq ft

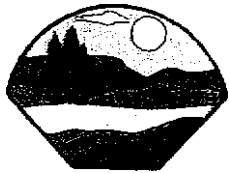
Applicant: Dee Murray

Nearest Recorded Cultural Resource: < 1/4 west; 1/2 mile north

On 2-24-06 (date) 2 (#) members of the Santa Cruz Archaeological Society spent a total of 0.5 hours on the above described parcel for the purpose of ascertaining the presence or absence of cultural resources on the surface. Though the parcel was traversed on foot at regular intervals and diligently examined, the Society cannot guarantee the surface absence of cultural resources where soil was obscured by grass, underbrush, or other obstacles. No core samples, test pits or any subsurface analysis was made. A standard field form indicating survey methods, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence ~~was~~ completed and filed with this report at the Santa Cruz County Planning Department.

The preliminary field reconnaissance did not reveal any evidence of cultural resources on the parcel. The proposed project would therefore, have no direct impact on cultural resources. If subsurface evidence of such resources should be uncovered during construction the County Planning Department should be notified.

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Rob Edwards, Director, Cabrillo College Archaeological Technology Program, 6500 Soquel Drive, Aptos, CA 95003, (831) 479-6294, or email [redwards@cabrillo.edu](mailto:redwards@cabrillo.edu).



## Aptos/La Selva Fire Protection District

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

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February 21, 2006

Planning Department  
County of Santa Cruz  
Attention: Randall Adams  
701 Ocean Street  
Santa Cruz, CA 95060

Subject: APN: 41-052-20 / Appl #06-0015  
Soquel Drive

Dear Mr. Adams:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented.

- Entire structure shall be sprinklered.
- Fire alarm system required.
- 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.

\*\*\*\*\*

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 **BUILDING PERMIT**.

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.

**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 1,500 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-LightHazard throughout with QR in the residential units 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** 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**. Underground plan submittal and permit, will be issued to a Class B, Class C-16, Class C-36 or owner/builder. No exceptions.

Provide, install & maintain an approved fire alarm system in accordance with the Uniform Fire Code Section 1007 and NFPA Pamphlet 72. Plans shall be submitted to the Aptos/La Selva Fire District and approval obtained prior to installation.

**SHOW** on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement.

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc.)
- One detector in each sleeping room.
- One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
- There must be at least one smoke detector on each floor level regardless of area usage.
- There must be a minimum of one smoke detector in every basement area.

**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.

**NOTE** on the plans that a 30 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line whichever is a shorter distance.

**EXCEPTION:** Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure.

**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: Elaine Gill  
219 California Street  
Santa Cruz, CA 95060

Cc: Dee Murray  
2272 Kinsley Street  
Santa Cruz, CA 95062

EXHIBIT G



P.O. Box 158  
 Mail to: 5180 Soquel Drive  
 Soquel, CA 95073-0158  
 PHONE (831) 475-8500 FAX (831) 475-4291

## PROJECT COMMENT SHEET

Date of Review: **02/01/06**  
 Reviewed By: Carol Carr

Returned	<b>Randall Adams</b>
Project	County of Santa Cruz
Comments to:	Planning Department
	701 Ocean St., Ste. 410
	<b>Santa Cruz, CA 95060-4073</b>

Owner: Elaine Gill  
 219 California St.  
 Santa Cruz, CA 96060

Applicant: **Dee Murray**  
 2272 Kinsley St.  
 Santa Cruz, CA 96062

Type of Permit Development Permit  
 County Application# **06-0015**

Subject APN. 041-052-20

Location: Property located on the south side of Soquel Drive, approximately 660 feet east of Aptos Street in Aptos.

Project Description: Proposal to construct a commercial office building with a two residential units above.

~~Requires a Coastal Development Permit, Archaeological Site Review.~~

### Notice

Notice is hereby given that the Board of Directors of the Soquel Creek Water District is considering adopting policies to mitigate the impact of development on the local groundwater basins. The proposed project would be subject to these and any other conditions of service that the District may adopt prior to granting water service.

It should not be taken as a guarantee that service will be available to the project in the future or that additional conditions will not be imposed by the District prior to granting water service.

### Reauirements

The developer/applicant, without cost to the District, shall:

- 1) Destroy any wells on the property in accordance with State Bulletin No. 74;
- 2) Satisfy all conditions imposed by the District to assure necessary water pressure, flow and quality;
- 3) Satisfy all conditions for water conservation required by the Diatrict at the time of application for service, including the following:
  - a) All applicants for new water service from Soquel Creek Water District shall be required to offset expected water use of their respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area so that any new development has a "zero impact" on the District's groundwater supply. Applicants for new service shall bear those costs associated with the retrofit as deemed appropriate by the District up to a maximum set by the District and pay any associated fees set by the District to reimburse administrative and inspection costs in accordance with District procedures for implementing this program.
  - b) Plans for a water efficient landscape and irrigation system shall be submitted to District Conservation Staff for approval;



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c) All interior plumbing fixtures shall be low-flow and have the **EPA** Energy Star label;

District Staff shall inspect the completed project for compliance with all conservation requirements prior to commencing water service;

4) Complete LAFCO annexation requirements, if applicable;

5) All units shall be individually metered with a minimum size of 5/8-inch by 1/2-inch standard domestic water meters;

A memorandum of the terms of this letter shall be recorded with the County Recorder of the County of Santa Cruz to insure that any future property owners are notified of the conditions set forth herein.

### Soquel Creek Water District Project Review Comments:

1. SCWD has reviewed plans prepared by Thacher & Thompson Architects and has made comments. 1) The applicant will need to follow the Procedures for *Processing Water Service Requests for Subdivisions, Multiple Unit Developments, and Commercial Developments*; however, please be advised that additional conditions may be imposed as per the above Notice. 2) A New Water Service Application Request will need to be completed and submitted to the SCWD Board of Directors. Note: a Will Serve Letter, which is the first step in the application process, has been issued for this project. The applicant shall be required to offset the expected water use of their respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area. Applicants for new service shall bear those costs associated with the retrofit. Calculations for the expected water demand of this project were generated upon request for a Will Service Letter. Final calculations are pending finalization of the project plans. 3) District policy requires that all units to be metered individually. 4) All interior plumbing fixtures shall be low flow and have the EPA Energy Star label. 5) Landscape and Irrigation plans have been reviewed and approved. 6) A Fire Protection Requirements Form will need to be completed and reviewed by the appropriate Fire District. 7) Water pressure in this area may be high. If so, a Water Waiver for Pressure &/or Flow will need to be recorded.

### Attachments:

- ☐ Soquel Creek Water District Procedures for Processing Minor Land Divisions (MLD) dated November 9, 1992
- ☐ Soquel Creek Water District Procedures for Processing Water Service Requests for Subdivisions and Multiple Unit Developments
- ☐ The Soquel Creek Water District Water Use Efficiency Requirements for Single-Family Lots
- ☒ The Soquel Creek Water District Water Use Efficiency Requirements for Development other than Single-Family Lots
- ☒ Water Demand Offset Policy Fact Sheet
- ☐ Soquel Creek Water District Variance Application
- ☒ Soquel Creek Water District Water Waiver For Pressure and/or Flow
- ☒ Fire Protection Requirements Form





# COPY

**Board of Directors**

Bruce Daniels, *President*  
 Dr. Thomas R. LaHue, *Vice President*  
 John W. Beebe  
 Dr. Bruce Jaffe  
 Daniel F. Kriege

1. LAFCO Annexation required		X
2. Water Main Extension required off-site		X
3.		
4. N to ra : tank i ire		X
5. Booster Pump Station required		X
6. Adequate pressure	X	
7. Adequate flow	X	
8. Frontage on a water main	X	
9. Other requirements that may be added as a result of policy changes.	X	

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- 1) Destroys **any** wells on the property **in** accordance with State Bulletin No. 74;
- 2) Satisfies all conditions imposed by the **District** to assure necessary water pressure, flow and quality;
- 3) Satisfies all conditions of Resolution No. 03-31 Establishing a Water Demand Offset Policy for New Development, which states that **all** applicants for new water service **shall** be required to offset expected water use of **their** respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area so that any new development has a "zero impact" on the District's groundwater supply. Applicants for new service **shall** bear those costs associated with the retrofit as deemed appropriate by the **District** up to a maximum set by the **District** and pay any associated fees set by the **District** to reimburse administrative and inspection costs in accordance with **District** procedures for implementing this program;
- 4) Satisfies all conditions for water conservation required by the District at the time of application for service, including the following.
  - a) Plans for a water efficient landscape and irrigation system **shall** be submitted to **District** Conservation Staff for approval. Current Water Use Efficiency Requirements **are** enclosed with this letter, and are subject to change;
  - b) All interior plumbing fixtures **shall** be low-flow and all Applicant-installed water-using appliances (e.g. dishwashers, clothes washers, etc.) shall have the EPA Energy Star label plus new clothes washers **also** shall have a water use factor of 7.5 or less;
  - c) **District** Staff **shall** inspect the completed project for compliance with all conservation requirements prior to commencing domestic water service;
- 5) Completes LAFCO annexation requirements, if applicable;
- 6) All Units **shall** be individually metered with a minimum size of 5/8-inch by %-inch standard domestic water meters;
- 7) A memorandum of the terms of this letter **shall** be recorded with the County Recorder of the County of Santa Cruz to insure that any future property owners are notified of the conditions set forth herein.

Future conditions which negatively affect the **District's** ability to serve the proposed development include, but **are** not limited to, a determination by the District that existing and anticipated water supplies **are** insufficient to continue adequate and reliable service to existing customers while extending new service to your development. In that case, service may be denied.

You are hereby put on notice that the Board of Directors of the Soquel Creek Water District is considering adopting additional policies to mitigate the impact of new

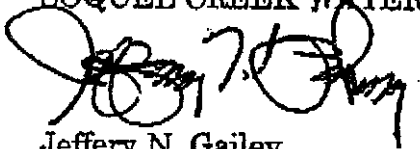
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development on the local groundwater basins, which are currently the District's only source of supply. Such actions are being considered because of concerns about existing conditions that threaten the groundwater basins and the lack of a supplemental supply source that would restore and maintain healthy aquifers. The Board may adopt additional mandatory mitigation measures to further address the impact of development on existing water supplies, such as the impact of impervious construction on groundwater recharge. Possible new conditions of service that may be considered include designing and installing facilities or fixtures on-site or at a specified location as prescribed and approved by the District which would restore groundwater recharge potential as determined by the District. The proposed project would be subject to this and any other conditions of service that the District may adopt prior to granting water service. As policies are developed, the information will be made available at the District Office.

Sincerely,

SOQUEL CREEK WATER DISTRICT



Jeffery N. Gailey

Engineering Manager/Chief Engineer

Cc: Elaine Gill  
219 California St.  
Santa Cruz, CA 95060

*Enclosure- Water Use Efficiency Requirements & Sample  
Unconditional Water Service Application*