



Staff Report to the Zoning Administrator

Application Number: **07-0659**

Applicant: William Ow
Owner: Charles Putris
APN: 026-041-31

Agenda Date: 6/05/09
Agenda Item #: 6
Time: After 10:00 a.m.

Project Description: Proposal to occupy an existing 4,433 square foot two-story building with a motorcycle and motor scooter sales, service, and repair business. The project requires a Commercial Development Permit, Roadway/Roadside Exception to required frontage improvements, Design Review Exception to reduce the minimum 5-foot landscape strip to 2 feet or less and minimum 24-foot internal driveway to 18 to 20 feet, and a Parking Plan.

Location: The property is located on the south side of Soquel Avenue, 150 feet west of 17th Avenue (3600 Soquel Avenue)

Supervisory District: 1st District (District Supervisor: John Leopold)

Permits Required: Commercial Development Permit
Technical Reviews: None

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0659, based on the attached findings and conditions.

Exhibits

- | | |
|--|-------------------------------------|
| A. Project plans | E. Assessor's, Location, Zoning and |
| B. Findings | General Plan Maps |
| C. Conditions | F. Comments & Correspondence |
| D. Categorical Exemption (CEQA
determination) | |

Parcel Information

Parcel Size:	Approximately 12,000 square feet
Existing Land Use - Parcel:	Vacant commercial building-former western wear store
Existing Land Use - Surrounding:	Service Commercial
Project Access:	Soquel Avenue

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

Planning Area: Live Oak
Land Use Designation: C-S (Commercial Service)
Zone District: C-4 (Commercial Service)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: N/A, site is generally flat though site runoff drains to the south east
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Highway 1 scenic corridor
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: XX
Sewage Disposal: Santa Cruz Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5

History

The subject property contains an existing 4,433 square foot vacant commercial building. Assessor records indicate that the building was constructed in 1949 and first assessed in 1950, which predated any code requirement for a building or use permit by the Planning Department. The building has been used for a variety of commercial uses since then. After a period during which all use ceased for more than a year, a western wear store opened in 2001.

Pursuant to County Code Section 18.10.132 (d), if there is cessation of use for more than a year, the property is subject to all current regulations of the ordinance. On July 24, 2001 the subject property was cited by Code Compliance for zoning code violations related to operation of the use without benefit of a use permit, exterior siding modifications, and installation of building signage.

Exterior modifications were determined to be cosmetic only and were not required to obtain a building permit. It was determined that neighborhood retail sales such as the western wear clothing sales uses are not permitted within the C-4 zone district unless they are ancillary to a permitted C-4 use. This retail store was closed by code compliance action on October 3, 2005 and the violation was expunged from the record. The building has remained vacant since then. The current property owner purchased the site in 2006.

Project Setting

The subject property is located on Soquel Avenue, a frontage road located to the south of Highway 1. The property is surrounded by service commercial uses on all other sides including a used car dealership to the east and south and a termite business to the west. The subject property is situated a few feet higher than the car dealership to the east and south.

The property is almost rectangular in shape and approximately 80 feet (average of both sides) by 146 feet in dimension and contains an existing 4,433 square foot two story building located in the central area of the site, surrounded by pavement without formal site improvements, though it contains parking lot striping on the east side of the property. The site imperceptibly slopes to the east. Historically, vehicles have parked perpendicular to Soquel Avenue and backed into Soquel Avenue to exit the site. The parking area to the east side of the site is approximately 40 feet by 76 feet in dimension with parking spaces striped perpendicular to the east property line. The existing building is sided with board and batt siding and finished in a natural dark wood color and includes a mid-line eave extension over the door entry, which is located on the eastern end of the building.

It should be noted that this site is extremely challenging in that uses that are allowed in the C-4 zone district typically require more parking than can fit on the property and more room for proper circulation than is available. Uses have historically operated at this location with back out parking onto Soquel Avenue, which is strongly discouraged by code. Any use proposed for this location must comply with the current standards and cannot have formalized back-up parking. This reduces at least half of the existing parking available to the site and is a significant constraint on reuse of the building.

Detailed Project Description

This applicant is proposing to occupy the existing building with a motorcycle and motor scooter sales, service and repair business. The project requires a Commercial Development Permit, roadway/roadside exception to required frontage improvements, Design Review Exception to reduce the minimum 5 foot landscape strip to 2 feet on the east and zero feet on the west, reduce the minimum 24 foot internal driveway width to 18 to 20 feet, and a Parking Plan to allow an increase from 10 percent to 20 percent compact parking (2 spaces total) and conversion of 1 required parking space to 6 motorcycle parking spaces.

The proposed floor plan provides approximately 2,400 square feet of showroom/repair/sales and service area and the remaining 2,033 square feet of floor area dedicated to storage for the use. Building modifications are limited to alterations required for handicap accessibility and California Building Code Occupancy Classification requirements for the repair portion of the business. No other changes are proposed.

Outdoor display of motorcycles are proposed for the area between the two parallel parking spaces along the property frontage. This area is approximately nine by 25 feet in dimension. The service entry for motorcycles is through the front door of the building.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 4,433 square feet, located in the C-4 (Commercial Service) zone district, a designation which allows commercial service enterprises requiring large showrooms for retail sales, service and repair of automobiles within enclosed buildings. The proposed motorcycle and motor scooter sales, service and repair use falls within this general category because it is similar enough to auto sales and service and is thus considered an allowed use in the C-4 zone district, consistent with the site's (C-S) Commercial Service General Plan designation. Pursuant to the commercial use chart, the proposed use is subject to approval by the Zoning Administrator.

Setbacks

The existing building complies with required setbacks for the C-4 zone district.

	Front	Side	Rear
Required	10'	0'	0'

Parking

County Code Section 13.10.552 requires one parking space per 300 square feet of service area, showroom, and sales area and 1 per 1000 square feet of storage area. 2,400 square feet of floor area is dedicated to the sales and service use and requires 8 parking spaces. The remaining storage area is calculated at the warehouse rate of 1 per 1000 square feet since there is a significant amount of dedicated storage for the proposed use. Thus, the storage area requires two additional spaces. A total of ten vehicular parking spaces are required for this site.

Development of this site to the current standards requires removal of the existing perpendicular parking along the front of the site due to the ordinance standard limiting back out movements into arterial streets. The proposed parking layout now provides two standard parking spaces parallel to the front property line, four standard spaces, two compact spaces, and one handicapped space all located to the east of the building, and one parking space which has been converted to six motorcycle spaces located on the west side of the site.

The proposed parking does not meet the strict application of the zoning code because only nine vehicular parking spaces are provided where ten are required. In addition, the ordinance only allows ten percent or one space of the site parking dedicated to compact space dimensions. The site provides 20 percent of the parking dedicated to compact spaces or 2 spaces.

The two variations to the parking standards require approval of a Parking Plan. County Code section 13.10.553 allows parking to be modified where it can be demonstrated that the parking complies with the purpose of the district or in order to allow a significant public amenity. The purpose of the parking requirement is to ensure that businesses have adequate spaces and do not overflow parking onto streets.

This is an unusual business in that some of their staff at their existing motorcycle business

typically commute via motorcycle. In addition, some motorcycles frequent the site, therefore it is expected that motorcycles will demand more parking and automobiles less than is typical. Conversion of one space to six motorcycle parking spaces will better serve the proposed use and still provide spaces for the traditional vehicle.

Staff is recommending the Zoning Administrator find that these variations to the parking standards meet the purpose of the district since the motorcycles spaces may be converted back to a standard parking space as needed for this use or future uses on the site. In addition, dedication of twenty percent compact spaces is not a huge deviation from standards and will allow better vehicle circulation for the constricted parking area where most of the parking is provided.

Frontage Improvements

Soquel Avenue is identified as an arterial street by the Public Works Department. An adopted Plan Line shows four 11' travel lanes, two 5' bike lanes, and 4' sidewalk on the south side. The proposed project is required to provide a 5' property frontage dedication consistent with the adopted plan line to meet these standards. The Public Works Department originally recommended that the applicant be required to construct frontage improvements consistent with the Plan Line and construct off-site frontage improvements from the eastern edge of the subject property to 17th Avenue.

The Redevelopment Agency is recommending that the applicant not construct frontage improvements at this time because the Agency is currently in the initial stages of the design process for the Soquel Avenue Improvement Project. It is anticipated that final design will change the location of the sidewalk due to a requirement for separated sidewalk instead of contiguous sidewalk. Construction is anticipated in the summer of 2010. Once complete, this improvement project will formalize the road, bicycle/pedestrian improvements, and street trees along this segment of Soquel Avenue from Soquel Drive to 17th Avenue.

The Redevelopment Agency has recommended that the applicant provide a five-foot frontage dedication, and boxed street trees for future planting by the Agency during roadway construction. The plans provide an asphalt curb along the frontage to correspond to the front of future sidewalk, which are consistent with the Agency recommendations and allow the Agency easy removal of the asphalt when the formal concrete sidewalk improvements are constructed. The temporary asphalt curb will also prevent vehicles from entering the site except via formal driveway entrances. The plans also provide concrete curb at the back of the future sidewalk location, which corresponds to the edge of the required 5-foot dedication, and will provide a physical separation between the sidewalk and parallel parking spaces shown along the frontage. This is necessary to prevent vehicles from parking over the future sidewalk. Lastly, the landscaping plan shows six 24 inch box size Crape Myrtle trees along the project frontage in boxes, which are consistent with the RDA recommended species, size, and location, and will allow the Redevelopment Agency to plant these trees in the ground during roadway construction. The project is also conditioned to require a permanent irrigation system prior to issuance of a building permit for ground plantings and boxed tree irrigation and future ground irrigation when the Agency formally plants the trees.

Roadway/Roadside Exception

Pursuant to County Code Section 15.10, a roadway/roadside exception is *required* if all roadway/roadside improvements are not provided by the project consistent with the adopted plan line.

Standard frontage improvements are *not recommended* at this time for several reasons. Given the very limited physical changes to the property, lack of existing improvements on either side of the site, and considering the *uncertainty* of the plan line and the near term construction by the Redevelopment Agency, the Planning Department supports limiting the required frontage improvements to those discussed in the previous section. In addition, review of the previous records for the used car located adjacent to 17th Avenue revealed that this parcel paid Transportation Improvement fees for future frontage improvements at the time the project was constructed. The Department does not support a requirement for off-site improvements because the fee has already been paid. Furthermore, required frontage improvements must be roughly proportional to the work proposed. Since the building already exists, improvements for occupation of the building by the proposed business are minimal and only include formalizing the site parking and circulation, handicap accessibility and occupancy classification modifications as needed for the service area. A requirement for the applicant to construct 150 feet of off-site frontage improvements is extremely out of proportion to the work proposed by the applicant. The required property dedication and boxed street trees are more commensurate to the work proposed and are recommended as conditions of approval for this project instead.

Signage

The proposed project provides one building sign approximately 45 square feet in size, which complies with the signage ordinance standard of one half of the length of the ninety-foot building frontage. The project is conditioned to prohibit interior sign lighting. Final building permits will require colors and materials to be approved by the Department.

Design Review

The project was subject to design review and is attached as Exhibit F. The project received a positive recommendation with *recommended* conditions of approval addressing standard site lighting requirements. This positive recommendation was made with full acknowledgement that the proposed project requires a design review exception with respect to the interior driveway width and minimum landscape strips.

Design Review Exception

The driveway curb cut is 26 feet and narrows to 18 to 20 feet adjacent to the parking area. The parking and circulation areas provide a maximum of 2 feet of landscaping on the west side and no landscaping strip on the east side. This does not meet the minimum 5-foot landscape strip requirement in the design criteria. A design review exception has been included for project approval.

The location of the building creates a strong challenge for circulation. A number of designs were evaluated for parking and circulation, including one-way circulation behind the building. However, one-way circulation did not provide an adequate turning radius to allow vehicles to pass around the rear of the building and it also restricted available space for parking and landscaping. Various parking arrangements were evaluated for the east parking area as well. The proposed parking and circulation plan was a collaborative effort between staff, the Urban Designer and project applicant. This design best fits the site while also maximizing landscaping and minimizing back-out parking into the street. In addition, the applicant has arranged a shared landscape area on the east property line with the adjacent property owner to the east, which will significantly improve available landscape and provide approximately 6 feet of landscaping on the east side of the site. The project is conditioned to require a recorded easement to ensure that this area is available for landscaping in perpetuity.

The proposed plan may still be challenging for vehicle movements in the east parking lot because the 18 to 20 foot driveway width may not allow some vehicles to exit the site without a number of turning movements. In order to maximize the area for turning movements so that vehicles may exit the site in a forward manner, the conditions of approval limit certain parking spaces to staff parking, require two foot overhang wheel stops to increase driveway width, and require signage that states "no back out movements into the street allowed". An increase in the driveway width would require removal of what limited landscaping is provided and is not recommended.

This layout is a compromise on all the design considerations applicable to the site. Without flexibility with regard to the layout of the parking and circulation, it is not clear that any C-4 use would be allowed on this site. This proposed use is a good fit for this site because it provides a large portion of the use as storage of parts and materials and has fewer parking needs than most uses because of the scooter and motorcycle orientation. Other uses requiring more showroom space would not meet the parking standards of the ordinance. Staff recommends that the Zoning Administrator approve this layout given the existing site constraints, the opportunity to utilize a C-4 site, and conditions of approval that mitigate the difficulties.

Environmental Review

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project was determined to be exempt because it is an existing building. The exemption form is attached as (Exhibit D).

Conclusion

Reuse of this C-4 site requires careful balancing of competing needs for space for landscaping, parking, and internal circulation. As proposed and conditioned, the project is largely consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP and the property has characteristics that support the need for exceptions to the standards it does not meet. 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 **07-0659**, based on the attached findings and conditions.

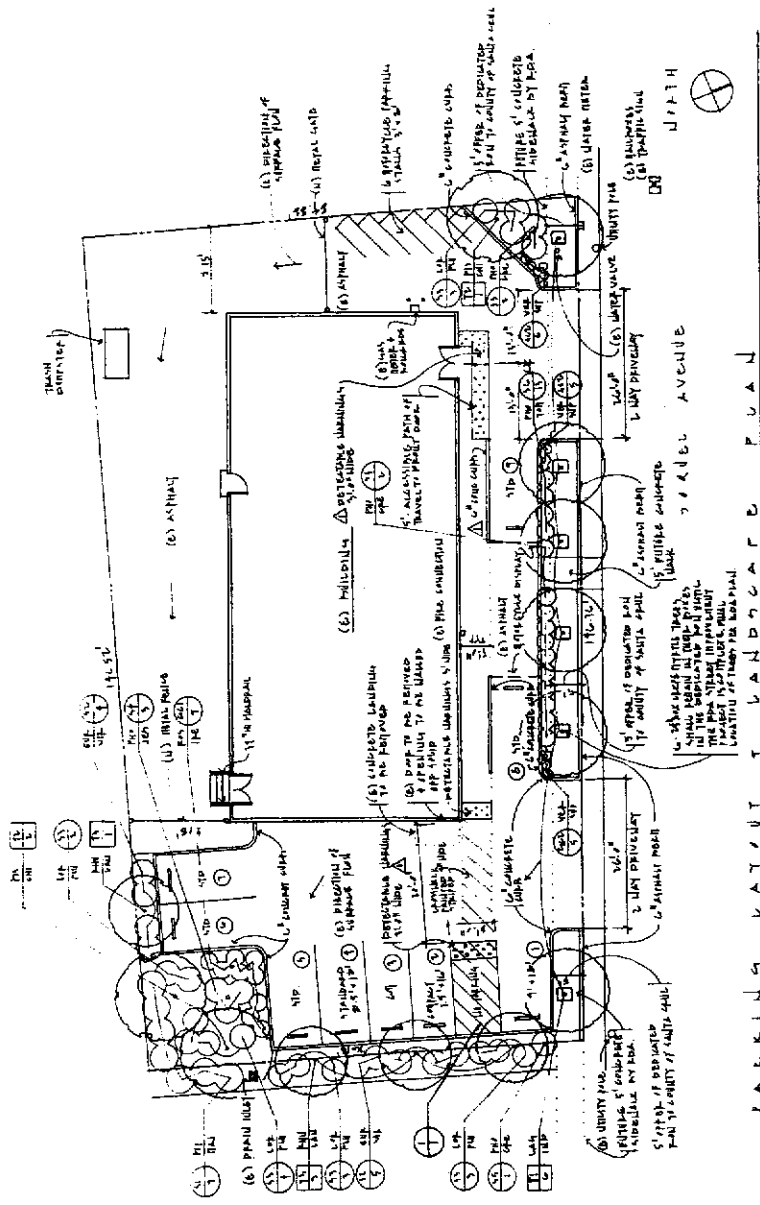
Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

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

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EXHIBIT A

EXHIBIT A
 1. PARALLEL PARKING SYSTEM
 2. PARALLEL PARKING SYSTEM
 3. PARALLEL PARKING SYSTEM



NOTES

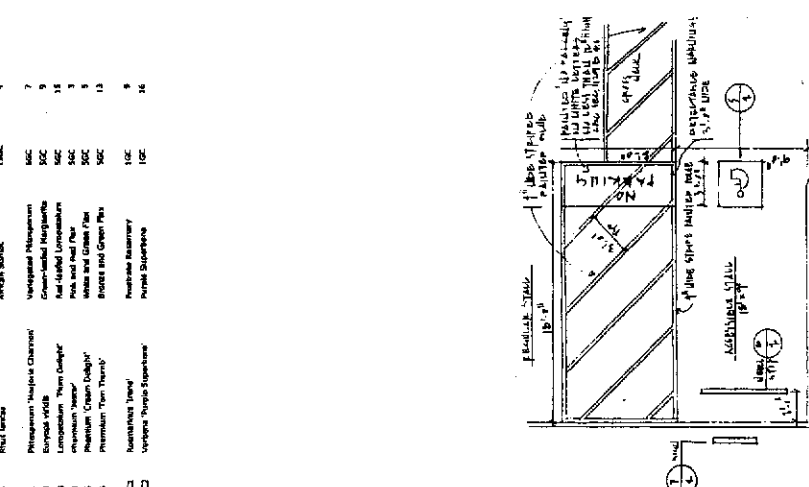
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DRIVE AISLE

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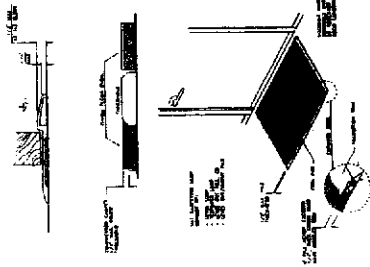


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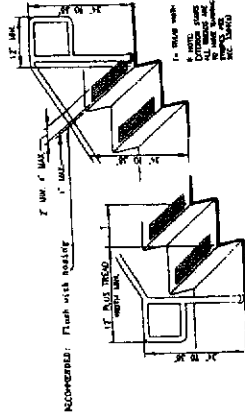
1. PARALLEL PARKING SYSTEM
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 3. PARALLEL PARKING SYSTEM

DRIVE AISLE

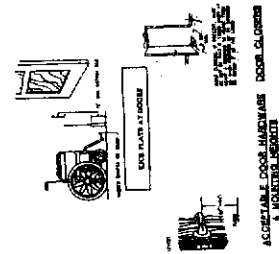
EXHIBIT A



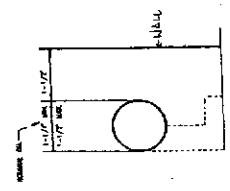
1 ACCESSIBLE DOOR THRESHOLD U.S.



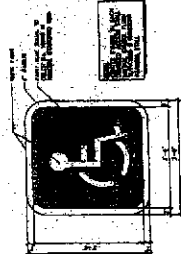
2 ACCESSIBLE STAIR + HANDRAIL U.S.



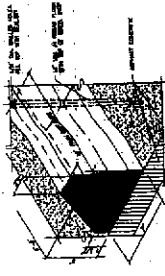
3 ACCESSIBLE DOOR DETAILS U.S.



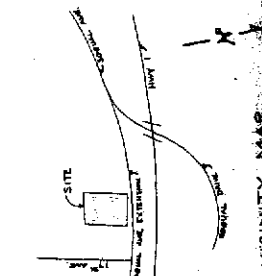
4 ACCESSIBLE HANDRAIL U.S.



5 ACCESSIBLE STALL SYMBOL U.S.



6 PRECAST CONCRETE WHEELSTOP U.S.



VICINITY MAP

GROSS FLOOR AREA

LOWER FLOOR: COMMERCIAL SERVICE ENTERPRISE / REPAIR	1400 SF
STORAGE / RECEIVING / ELECTRICAL	1300 SF
TOTAL LOWER FLOOR AREA	2700 SF
UPPER FLOOR: STORAGE	033 SF
TOTAL FLOOR AREA	2733 SF

LOT AREA: 11,951 SF
 PARKING AREA: 11,951 SF
 PARKING AREA RATIO: 11,951 / 2733 = 4.37

COMMERCIAL SERVICE ENTERPRISE / REPAIR

STANDARD	1400 SF	SPACES = 0
STORAGE	1300 SF	SPACES = 2
TOTAL	2700 SF	SPACES = 10

PARKING PROVIDED

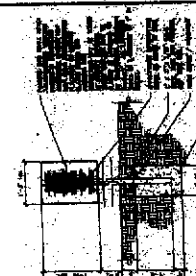
STANDARD	1400 SF	SPACES = 0
STORAGE	1300 SF	SPACES = 2
TOTAL	2700 SF	SPACES = 10

TOTAL (COM + STORAGE) = 10 SPACES

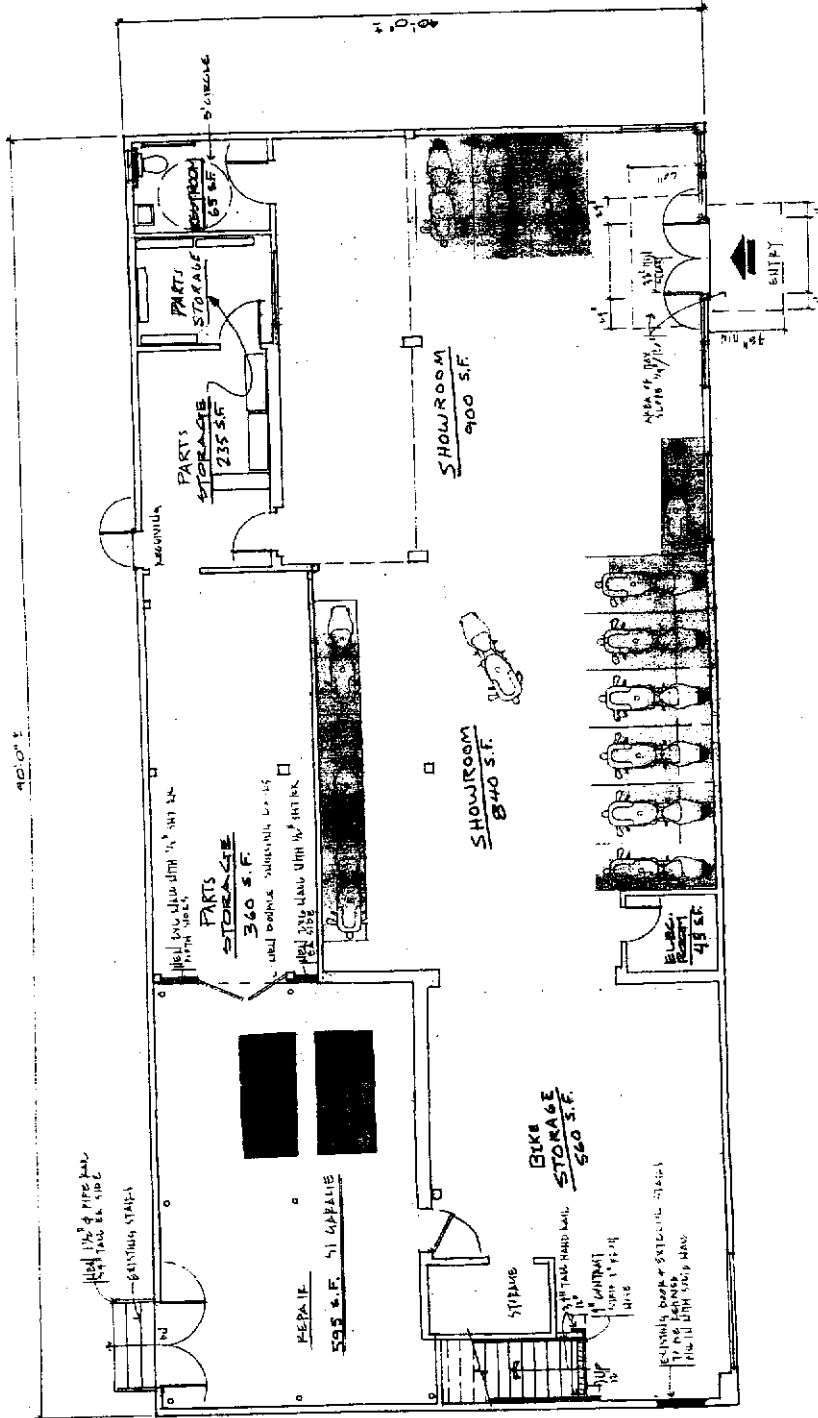
PROPOSAL

NEW PARKING LOT AT EXISTING SITE.
 NO CHANGES TO EXISTING BUILDING.
 NEW USE: COMMERCIAL SERVICE ENTERPRISE / REPAIR.
 BUILDING: 1400 SF. (EXISTING 1400 SF).
 BUILDING: 1300 SF. (EXISTING 1300 SF).

THIS EXISTING BUILDING HAS BEEN DETERMINED TO BE AN EXISTING BUILDING. NEW PARKING LOT HAS BEEN DETERMINED TO BE A NEW PARKING LOT. BUILDING: 1400 SF. (EXISTING 1400 SF). BUILDING: 1300 SF. (EXISTING 1300 SF).



7 ACCESS ENTRY SIGNAGE U.S.

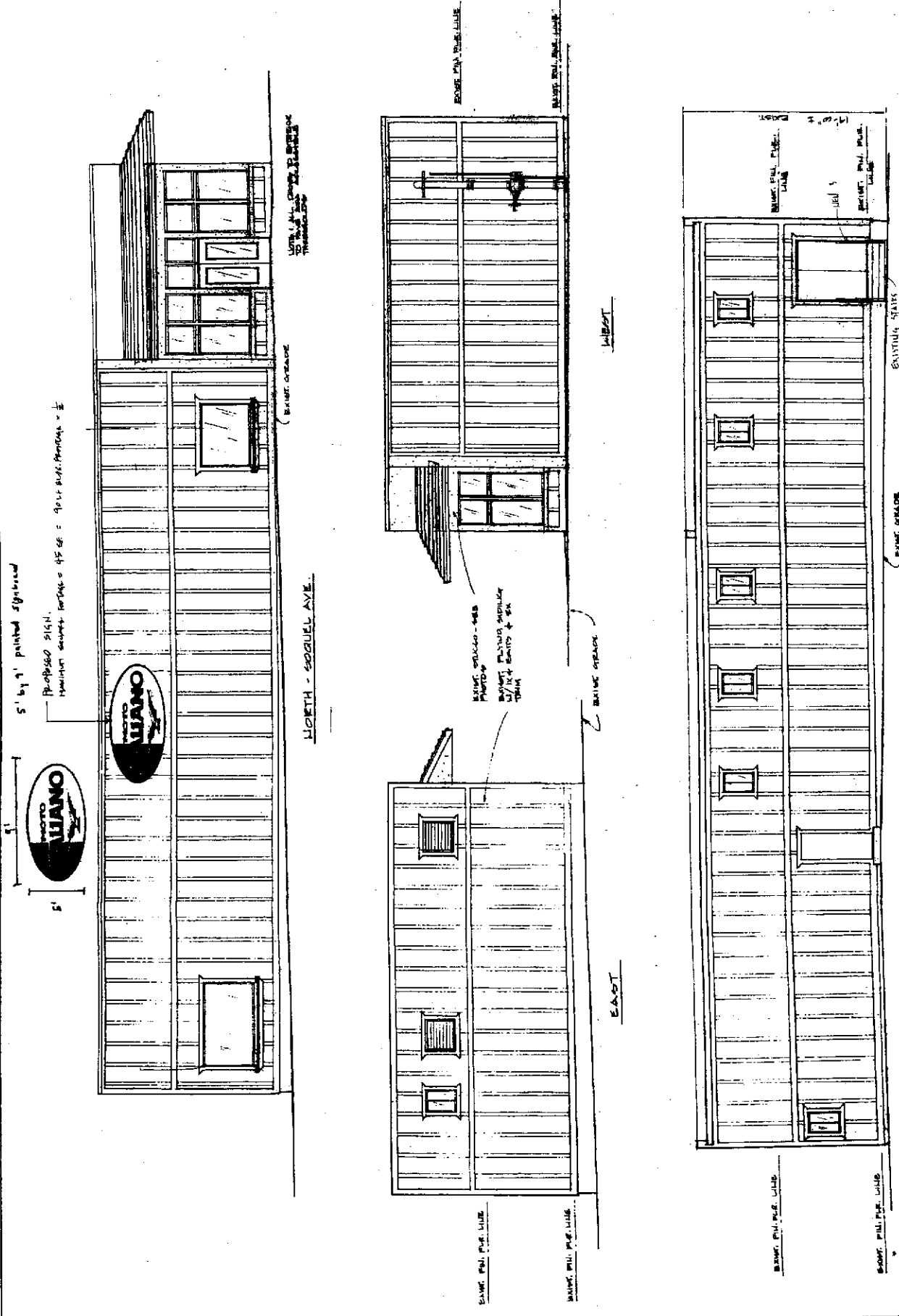


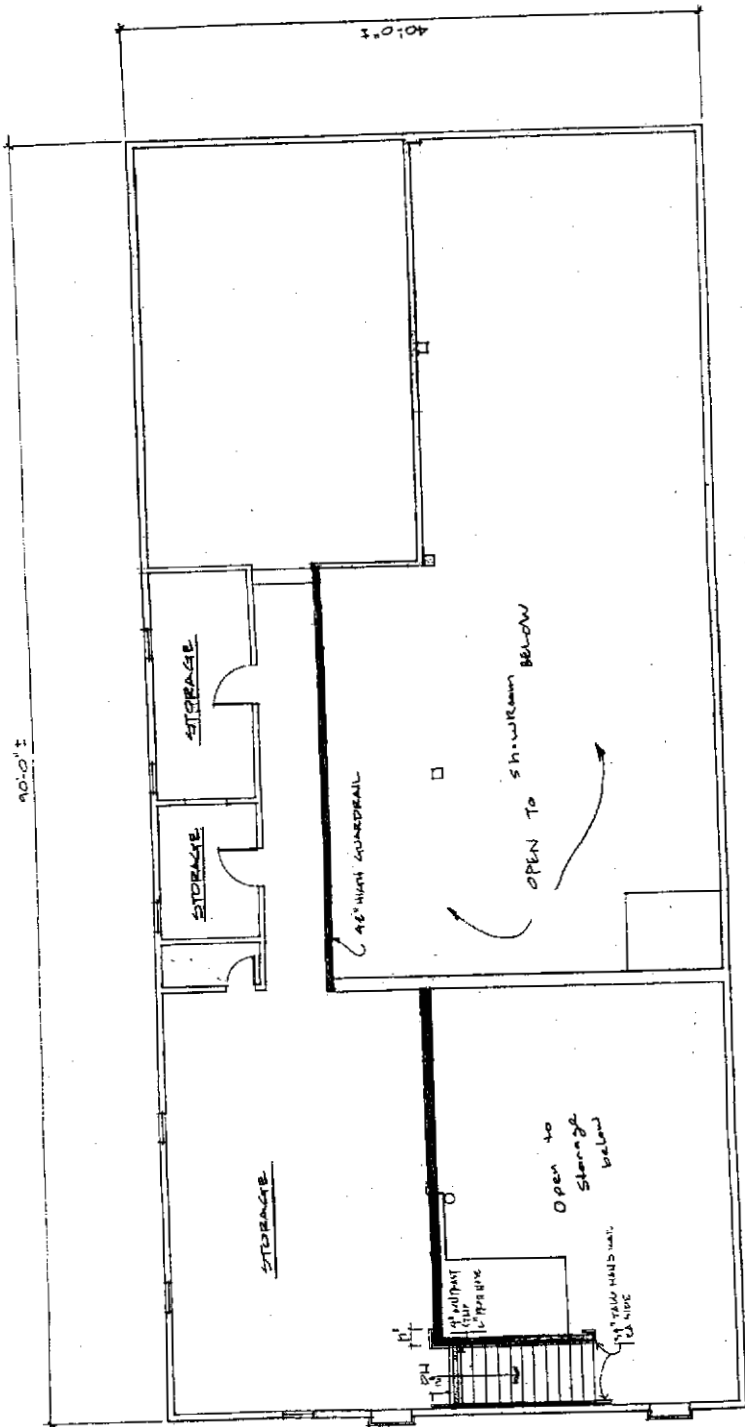
EXISTING LOWER FLOOR PLAN

NOTES: NO PART OF STRUCTURE CHANGES.

COMMERCIAL SERVICE / REPAIR 2400 S.F.
STORAGE 1200 S.F.
STORAGE 3600 S.F.

NOTE: ALL PAGES & WITNESSES AS SHOWN AND SIGNATURES





EXISTING UPPER FLOOR PLAN
1/4\"/>

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 subject property located in the C-4 (Commercial Service) zone district, a designation, which allows commercial service enterprises requiring large showrooms such as retail sales, service, and repair of automobiles within enclosed buildings. The proposed motorcycle and motor scooter sales, service and repair use falls within this general category because it is similar enough to auto sales and service and is considered an allowed use in the C-4 zone district, consistent with the site's (C-S) Commercial Service General Plan designation. Pursuant to the commercial use chart, the proposed use is subject to approval by the Zoning Administrator.

The property is not encumbered by physical constraints to development. Building modifications required for occupancy will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed commercial use 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 commercial use and the conditions under which it would be operated or maintained is consistent with the purpose of the C-4 (Commercial Service) zone district. Several design exceptions and a Parking Plan are required; however, if approved, the project will meet all county ordinances. The exceptions are necessary to support a C-4 use on the site and therefore they further the purpose of the zone district. The exceptions are a Roadway/Roadside Exception to required frontage improvements, a Design Review Exception to reduce the minimum 5 foot landscape strip to 2 feet or less and to reduce the minimum 24 foot internal driveway to 18 to 20 feet, and a Parking Plan to allow one less space overall and one additional compact space.

Roadway/Roadside Exception

Frontage improvements are not recommended at this time due to the lack of existing improvements on either side of the site. Moreover, the location of the improvements may change within the roadway prism because the Redevelopment Agency is in the process of revising the 17th Avenue turn lane and sidewalk location as part of the design of the street improvement project plans. Approval of a roadside roadway exception is necessary to allow the Redevelopment Agency the opportunity to revise the location of improvements. The project is required to provide a 5 foot frontage dedication meeting the plan line and to provide boxed street

trees as an interim measure until the Redevelopment Agency constructs the road construction projected, which is expected in the Summer of 2010.

Parking Plan

The Parking Plan approval will allow conversion of one standard parking space to six motorcycle parking spaces and allow 20 percent (2) compact parking spaces. County Code section 13.10.553 allows parking to be modified where it can be demonstrated that the parking complies with the purpose of the district or in order to allow a significant public amenity.

Conversion of one space to six motorcycle parking spaces will better serve the proposed motorcycle use and still provide spaces for the traditional vehicle. The variations to the parking standards meet the purpose of the district since the motorcycles spaces may be converted back to a standard parking space as needed for this use or future uses on the site. In addition, dedication of twenty percent compact spaces is not a huge deviation from standards and will allow better vehicle circulation due to the constricted parking area.

In addition, while one additional compact space is provided, the site is significantly challenged by the location of the existing structure, which limits the width for parking improvements. The proposed site improvements balance the parking, circulation, and landscaping and improve the overall site function and aesthetic qualities of this site from its current condition. The site currently lacks any formal improvements with exception of the existing building and surrounding asphalt paving and parking lot striping. The proposed site improvements will result in a vast improvement to the existing informal parking and circulation plan and bring the site more in conformance with all the development standards. And, without flexibility with regard to the layout of the parking and circulation, it is not clear that any use would be suitable for this site. This proposed use is a good fit for this site because it provides a large portion of the use as storage of parts and materials. Other uses requiring more showroom space would exceed the parking standards of the ordinance.

Design Review Exceptions

A Design Review Exception to reduce the minimum 5-foot landscape strip to 2 feet or less and minimum 24-foot internal driveway to 18 to 20 feet is necessary for the proposed project. The site has limited area between the existing building and property line to fit all the required improvements. The proposed design best fits the site while also maximizing landscaping and eliminating back-out parking into the street, which is much safer for the public overall. In addition, the applicant has arranged a shared landscape area with the adjacent property owner to the east, which will significantly improve available landscaping and provide approximately 6 feet of landscaping. The project is conditioned to require a recorded agreement to ensure that this area is available for landscaping in perpetuity. In addition, the proposed project is conditioned to provide 2 foot overhang parking spaces on the east side of the parking lot to maximize the internal circulation driveway width and to require the two parking spaces on the south side of the site perpendicular to Soquel Avenue to be signed and striped as employee spaces only. This will prevent patrons from parking in spaces most likely to back out into the street from backing out into Soquel Avenue and will allow employees parking in these spaces turnaround area using the other spaces, which will be more likely to be empty before and after business hours when most

employees arrive and depart.

The proposed improvement plan may still be challenging for vehicle movements in the east parking lot because the 18 to 20 foot driveway width may not allow some vehicles to exit the site without a number of turning movements. However, the provided layout is a compromise on all the design requirements applicable to the site given the existing site constraints. An increase in the driveway width is not recommended because it would require removal of what limited landscaping is provided. The narrowed width does not create a safety hazard, and if an exception is granted, does meet the County Ordinance.

Parking Plan

The Parking Plan approval will allow conversion of one standard parking space to six motorcycle parking spaces and allow 20 percent (2) compact parking spaces. County Code section 13.10.553 allows parking to be modified where it can be demonstrated that the parking complies with the purpose of the district or in order to allow a significant public amenity.

Conversion of one space to six motorcycle parking spaces will better serve the proposed motorcycle use and still provide spaces for the traditional vehicle. The variations to the parking standards meet the purpose of the district since the motorcycles spaces may be converted back to a standard parking space as needed for this use or future uses on the site. In addition, dedication of twenty percent compact spaces is not a huge deviation from standards and will allow better vehicle circulation due to the constricted parking area.

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 Commercial Service (C-S) land use designation in the County General Plan.

The proposed commercial use will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and the existing building meets all current site and development standards for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed commercial use 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 commercial use will comply with the site standards for the C-4 zone district and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity. Design review exceptions and a parking plan have been included in this project for consistency.

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 commercial building is already existing and the proposed use will occupy this building. The expected level of traffic generated by the proposed project is anticipated to be only 106 trip ends per day. Such an increase is not anticipated to adversely impact existing roads and intersections in the surrounding area. To ensure that the proposed project does not impact Soquel Avenue due to limited turnaround space in the proposed parking lot, the project is conditioned to provide 2 foot overhang parking spaces on the east side of the parking lot to maximize the internal circulation driveway width and to require the two parking spaces on the south side of the site perpendicular to Soquel Avenue to be signed and striped as employee spaces only. This will prevent patrons from parking in spaces most likely to back out into the street from backing out into Soquel Avenue and will allow employees parking in these spaces turnaround area using the other spaces, which will most likely to be empty before and after business hours when employees usually arrive and depart.

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 commercial service area containing a variety of commercial service uses including used car sales to the east. The proposed motorcycle use 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 use will result in improvements to the site that will significantly improve the overall function and aesthetic qualities of the site. The project received a positive recommendation with recommended conditions of approval addressing standard site lighting requirements. A design review exception has been included for purposes of project approval. This addresses the driveway curb cut, which is 26 feet at the entry and narrows to 18 to 20 feet adjacent to parking. The parking and circulation areas also reduce the landscape strips from 5 feet to 2 feet in the east parking lot and the staggered motorcycle spaces touch the property at points and do not allow landscaping on the west.

A design exception is warranted on this site because the site is extremely challenged with respect to uses that are allowed in the C-4 zone district that also meet the required parking and site development standards. Uses have historically operated at this location with back out parking onto Soquel Avenue, which is prohibited by code. Any use proposed for this location requires compliance with the current standards and requires removal of this parking. This reduces at least half of the existing parking for this site and has significantly limited viable tenants for this building. The proposed design best fits the site while also maximizing landscaping and minimizing back-out parking into Soquel Avenue, which is much safer overall. The applicant has arranged a shared landscape area on the east property line with the adjacent property to the east, which will significantly improve available landscape as well. The project is also

Application #: 07-0659

APN: 026-041-31

Owner: Charles Putris

conditioned to require a recorded agreement to ensure that this area is available in perpetuity.

Conditions of Approval

Exhibit A: Parking Layout, dated December 1, 2008 with revisions dated 2/14/09, prepared by Ellen Lewis, Landscape Architect;
Sheet L, dated 2/25/08, prepared by CES Engineering; and
Sheet 3-5, dated 8/23/07, with no preparer shown on plan

- I. This permit authorizes the occupation of an existing 4,433 square foot building to be used for storage, sales, and service of motorcycles and motorscooters with parking, circulation and landscape improvements. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this 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 Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain an Encroachment Permit from the Department of Public Works for any off-site work performed in the County road right-of-way.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
 - E. The property owner shall complete a 5-foot right-of-way dedication to the County of Santa Cruz along the entire property frontage. This shall be coordinated with the real property division of the Public Works Department.
- 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. Details showing compliance with Central Fire Protection District requirements.
2. Details showing compliance with Accessibility requirements dated March 3, 2009 and attached as Exhibit F of the Zoning Administrator Staff Report.
3. Plans shall be revised to comply with the recommendations of the Urban Designer as follows:
 - 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.
4. Plans shall include a final landscape and irrigation plan to be reviewed and approved by Planning staff. The plans shall include the following:
 - a. The landscape plan shall provide 6 (six) 24" box Crape Myrtle trees to be retained in their boxes as shown on the plan.
 - b. The landscape plan shall provide a permanent irrigation plan for all site landscaping including boxed street trees.
 - c. The landscape plan shall be revised to provide additional ground cover and trees in the southwest corner of the east parking lot between parking space seven and the metal fence.
 - d. The landscape plan shall be revised to provide a low growing ground cover adjacent to parking spaces 1 through 5 to accommodate a 2-foot vehicle parking overhang.
 - e. The landscape plan shall be revised to relocate the 3 proposed trees on the eastern edge of the site so that the trees are located between spaces 3 and 4, 2 and 3, and the center of space 1 (between the parking space and the no parking zone), respectively. This will reduce the likelihood that vehicles will hit the tree.

5. Final site plans shall be revised to address the following:
 - a. Plans shall relocate the proposed fence shown on the west side of the site toward the south of the site so that 4 required bicycle parking spaces may be provided. Bicycle parking spaces shall be no less than six feet long and two feet wide.
 - b. Plans shall be revised to provide a gated entry along the proposed fence located on west side of the site. This shall allow access to the rear of the site for trash, etc.
 - c. As necessary to accommodate the required 5-foot frontage dedication, all concrete curbs shown along the front of the site shall be located behind the five-foot dedication as shown on the plans. All other curb shown along the property frontage located within the required 5-foot frontage dedication shall be asphalt material so that the Redevelopment Agency may it more easily during project construction.
 - d. Plans shall provide signage to be posted on the eastern wall of the building to read, "No backing into Soquel Avenue permitted". Sign plans shall be reviewed and approved.
 - e. Plans shall provide signage to be posted in front of parking spaces 6 and 7 to read "Employee Parking Only". These spaces shall also be stamped employee parking only. This is necessary to prevent vehicles from backing out into Soquel Avenue given the limited space for vehicle turnaround in this parking lot.
 - f. Plans shall be revised to eliminate wheel stops in spaces 1 through 5 to allow vehicles to overhang the landscape area by 2 feet. This will increase the internal driveway width by two feet and improve backing out movements so that vehicles exit the site in a forward manner.
 6. Final sign plans shall be included in the project plans. Plans shall include colors and materials to be reviewed and approved by Planning staff. Interior sign lighting shall be prohibited.
- B. 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.
 - C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Storm water Management. Drainage fees will be assessed on the net increase in impervious area.

- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services. This could include the use of hazardous materials and/or site remediation.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Pay the current fees for Child Care mitigation at \$.23 per square foot of floor area. Currently, these fees are \$1,019.60, but are subject to change.
 - G. Pay the current fees for the Live Oak Transportation Improvement Area (TIA) fees at a rate of \$508 per daily trip-end (\$254.00 per daily trip-end for roadside improvement fees and \$254.00 per daily trip-end for transportation improvement fees). Trip generation is based on 24 trip-ends per 1,000 gross floor area square feet. Therefore, the total trip ends equals 106 trip ends. The fee is calculated as 106 trip ends multiplied by \$508 per trip end. The total TIA fee is \$53,848.00 (\$26,924.00 for roadside improvement fees and \$26,924.00 for transportation improvement fees).
 - H. Provide required off-street parking for 9 cars and 6 motorcycles with 6 standard, 2 compact, and 1-handicapped parking spaces provided, and 4 bicycle spaces. Standard 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. Compact parking spaces must be a minimum of 7.5 feet by 16 feet long. 4 bicycle spaces shall be provided and be no less than six feet long by 2 feet wide. Bicycle spaces shall be provided on the west side of the building as noted in Condition 5.a.
 - I. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
 - J. Submit an irrevocable shared landscape agreement between the subject property and the adjoining property owner to the east (APN 026-041-92) for landscaping and landscaping maintenance within APN 026-041-92. Landscaping shall be maintained by the subject property. This agreement shall be reviewed and approved by Planning Staff. Upon approval, the landscape agreement shall be recorded on the property deed.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.

- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of the approved soils reports.
- 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. No parking shall be allowed on Soquel Avenue.
- B. Vehicles (automobiles, motorcycles, and motorscooters) shall enter and exit the site in a forward manner. Vehicles are prohibited from backing out into the street.
- C. All proposed landscaping and permanent hardscape shall be located entirely on the subject property and not be allowed in the public right-of-way.
- D. The property owner shall be responsible for maintenance of site landscaping within the County right-of-way, including street trees and irrigation.
- E. As shown on the plans, trash shall be located to the rear of the building. A gated fenced entry shall be provided on the west side of the site to allow the trash container to be wheeled out to the curb for weekly trash pickup. Trash cans may be provided to the rear of the site in place of the trash dumpster shown on the plans.
- F. Motorcycles, etc. dropped off for service shall enter the building from the front door of the building only. Motorcycles, etc. are prohibited from entering the building from the east parking lot due to formalized site improvements (landscaping and curb) in this location.
- G. Outdoor storage of materials shall be prohibited.
- H. All motorcycle and motorscooter service maintenance activities shall be conducted entirely indoors.
- I. The hours of operation shall be between 8 am and 8 p.m.
- J. 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.

- 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
 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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the

Application #: 07-0659

APN: 026-041-31

Owner: Charles Putris

construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Sheila McDaniel
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: 07-0659

Assessor Parcel Number: 026-041-31

Project Location: 3600 Soquel Avenue, Santa Cruz, CA 95062

Project Description: Proposal to occupy an existing 4433 square foot building to be used for storage, sales, and service of motorcycles and motor scooters. The project requires a Commercial Development Permit and includes a Master Occupancy Program

Person or Agency Proposing Project: William Ow

Contact Phone Number: (831) 247-5550

- 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 1 - Existing Facilities (Section 15301)

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

Permitting of commercial use within existing commercial building

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

Sheila McDaniel, Project Planner

Date: _____

26-04

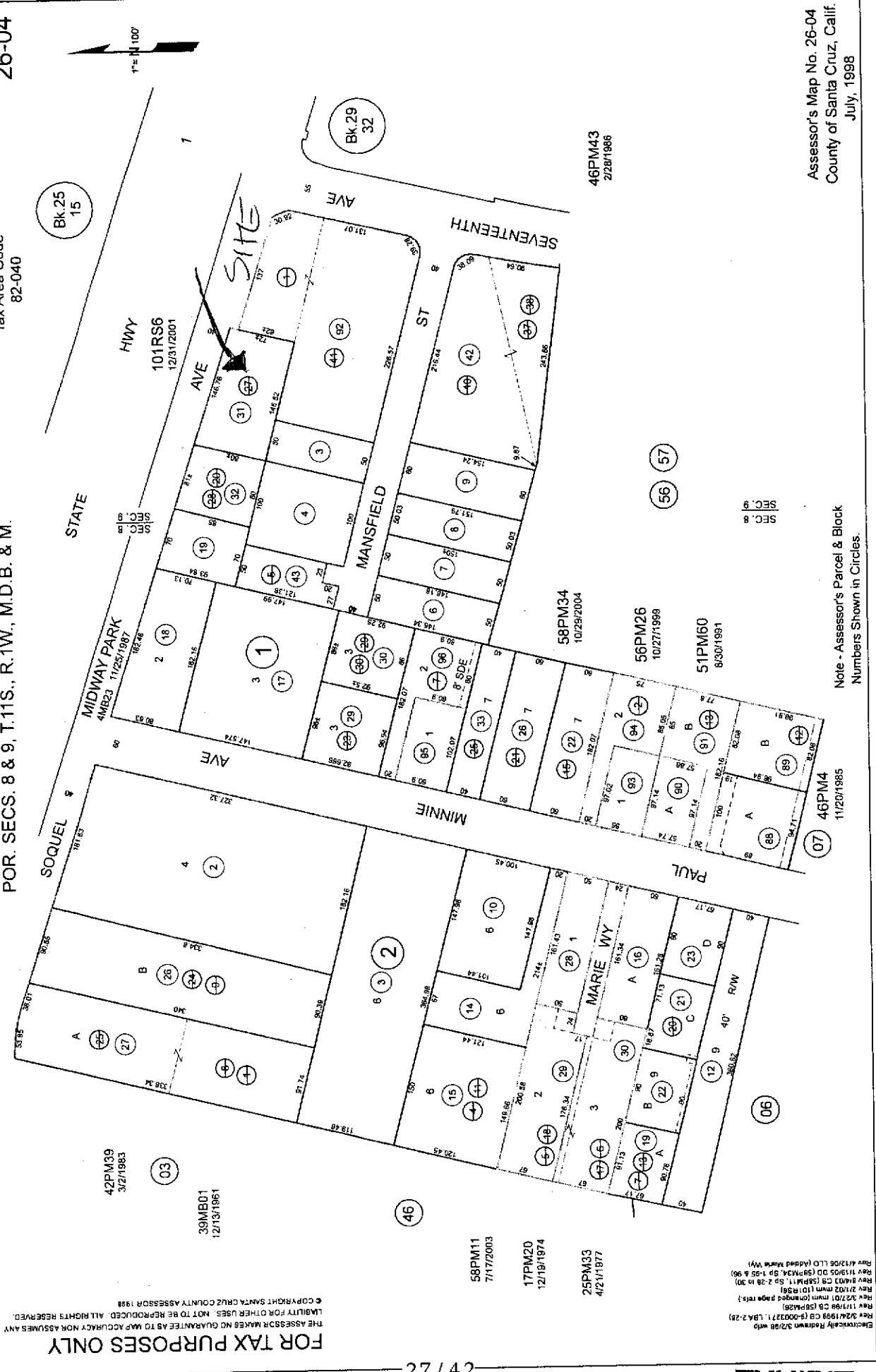
Tax Area Code
82-040

POR. SECS. 8 & 9, T.11S., R.1W., M.D.B. & M.

FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
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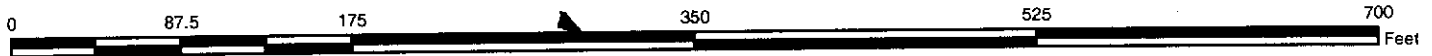
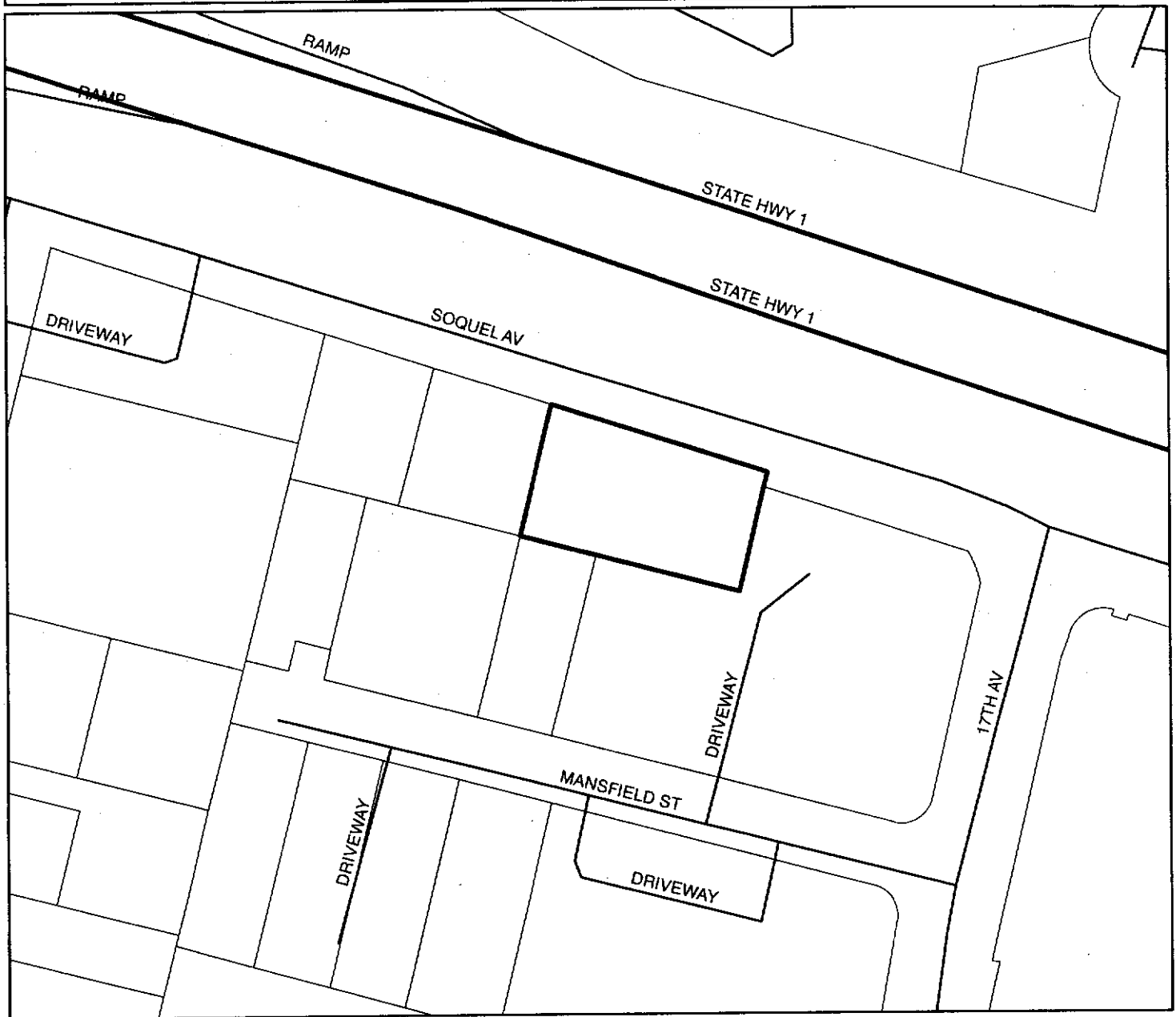
Assessor's Map No. 26-04
County of Santa Cruz, Calif.
July, 1998

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





EXHIBIT E

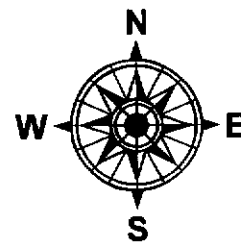


Location Map



LEGEND

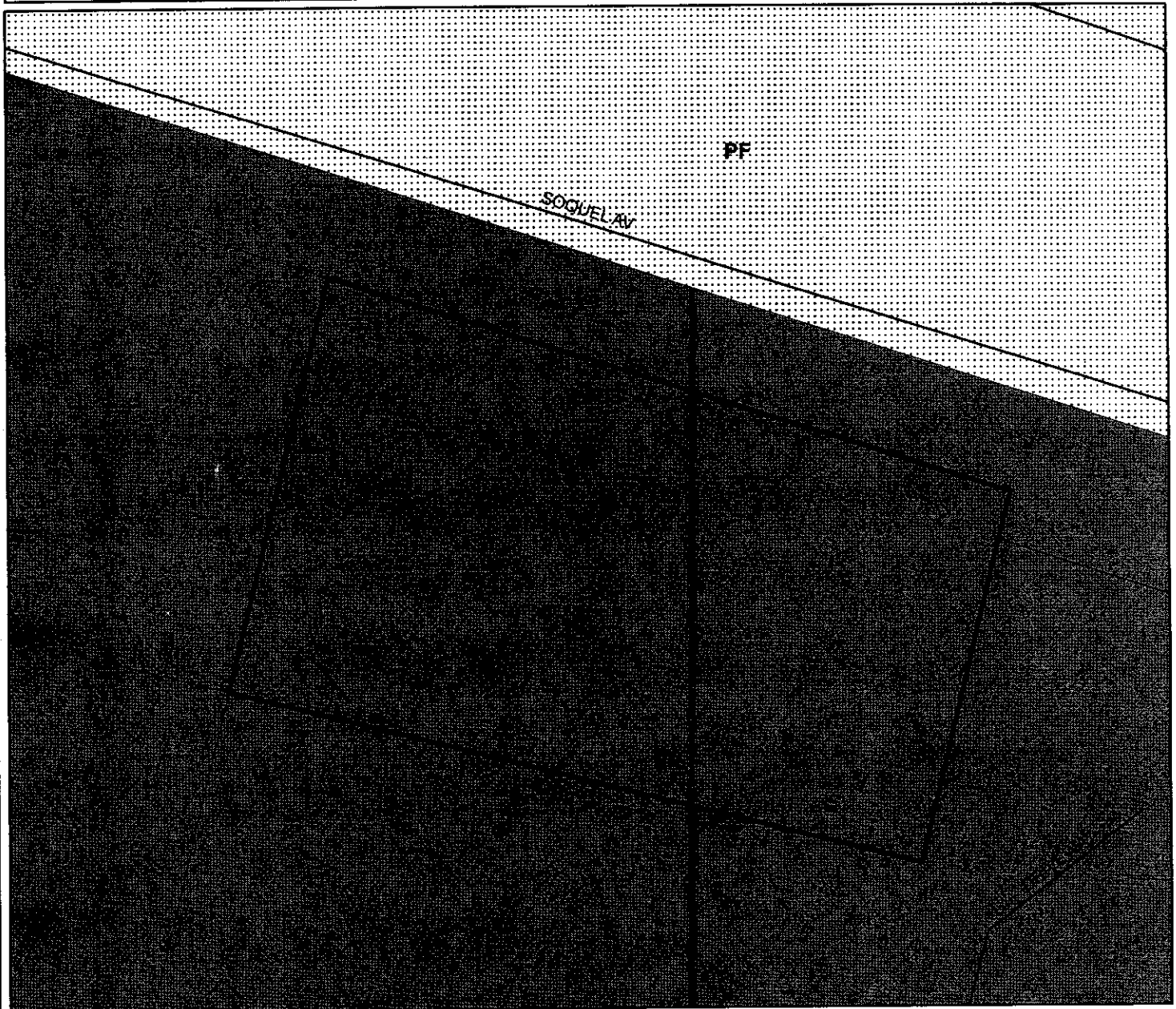
-  APN: 026-041-31
-  Assessors Parcels
-  Streets
-  State Highways



Map created by
County of Santa Cruz
Planning Department
August 2007



Zoning Map



LEGEND



APN: 026-041-31



Assessors Parcels



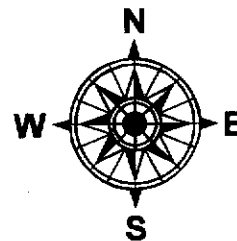
Streets



PUBLIC FACILITY



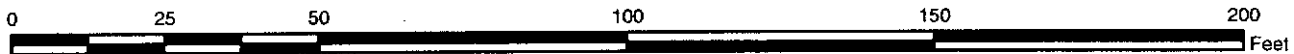
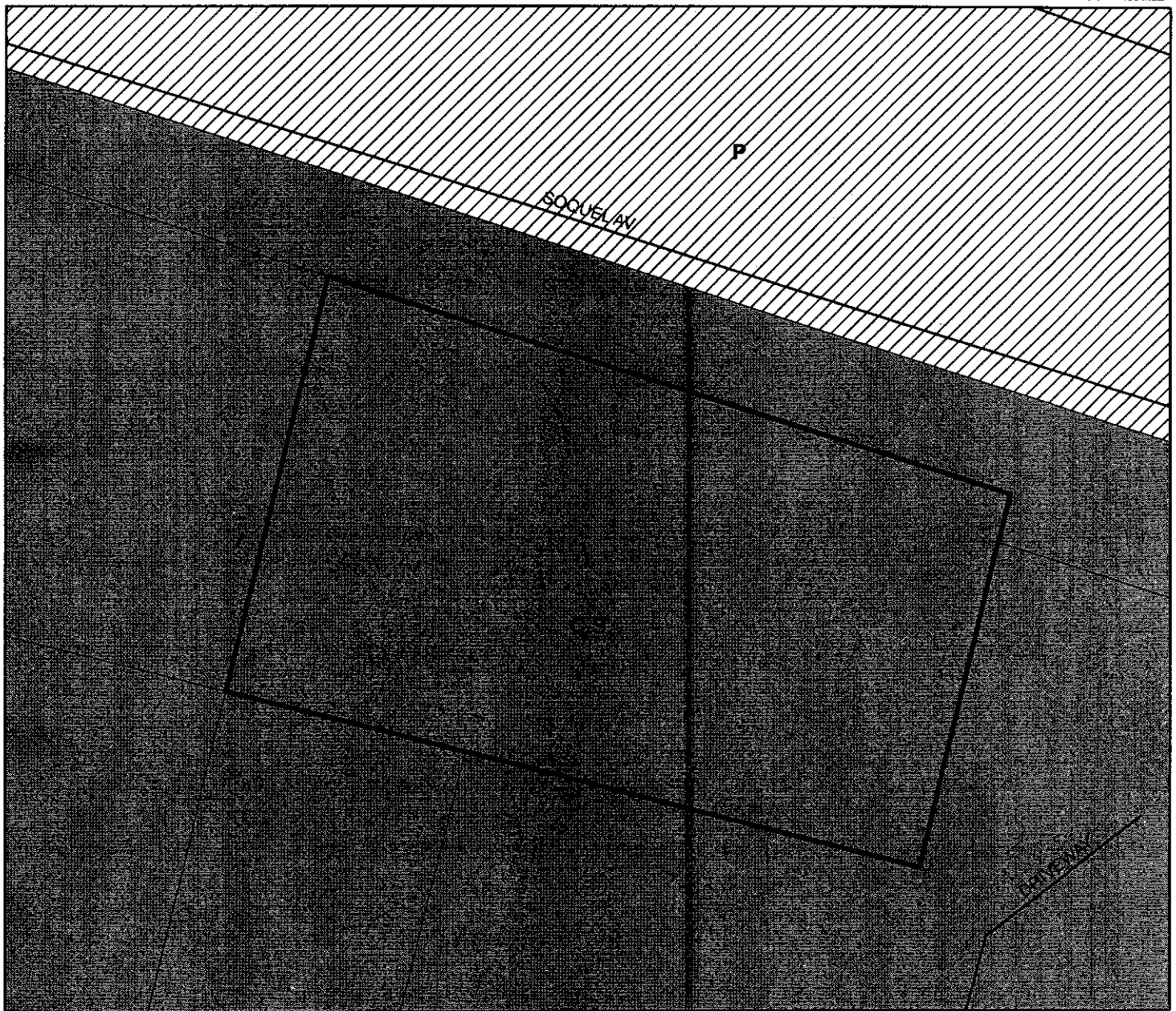
COMMERCIAL-SERVICE






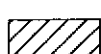
Map created by
County of Santa Cruz
Planning Department
August 2007

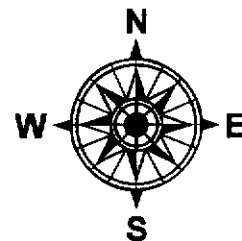


General Plan Designation Map



LEGEND

-  APN: 026-041-31
-  Assessors Parcels
-  Streets
-  Commercial-Service
-  Public Facilites



Map created by
County of Santa Cruz
Planning Department
August 2007

**Accessibility: Project Comments for Development Review
County of Santa Cruz Planning Department**

Date: Not specified:
Planner: Sheila McDaniel

Revised 3/3/09

Application Number: 07-0659
APN : 026-041-31

Project: Change of Occupancy from M occupancy to Mixed use, M/S-1, Moto Italiano

Dear Mr. Ow,

A preliminary review of the above project plans was conducted to determine accessibility issues. The following comments are to be applied to the project design.

Note: Santa Cruz County did adopt new California Building Codes, with the effective date January 1, 2008. Building Permit Applications made on or after January 1, 2008 will be subject to the new codes.

The 2007 California Building, Mechanical, Electrical and Plumbing codes became effective on 1/1/08.

Please refer to the attached brochure entitled Accessibility Requirements - Building Plan Check which can also be found at the County of Santa Cruz Planning Department website:

http://www.sccoplanning.com/brochures/access_plancheck.htm

This document is an information source for the designer when preparing drawings for building plan check and is based on the current code, the 2001 California Building Code.

Project description: Convert retail store M occupancy w/ storage to motorcycle sales and repair facility w/ storage (Retail use = M; Storage= S-2; Motorcycle Repair + S-1). Add accessible parking and path of travel to accessible entry. Upgrade bathroom as needed to accessibility requirements.

Completeness Items:

- Whether accessibility is required at all depends on the type of work proposed. A building permit will be required because there are many building code requirements for the area where the repair work is done (in the occupancy change S-1 portion of the building). The nature of that work may trigger accessibility to the following areas: to the primary entrance, area of work, sanitary facilities. The plans appear to present no obstacles to getting to these areas, however, you must show the items required on this plan in order to make comments.

9/23/08 Not resolved.

Details of the type of work to be performed were not specified. Specify the types of physical alterations that will or have occurred since the prior business was vacated. Identify new and existing partitions, new electrical plumbing and mechanical work. Provide details of the entry door – size of doors, sill details, lever hardware, interior and exterior landing dimensions, slope of landings, 5 lb open force, etc.

1/22/09 Not resolved

No information provided. Plans do not indicate: new parking layout; new framed dressing room, new or modified guardrails on 2nd floor, etc.

3/3/09 Resolved. See Permit Conditions

- Specify the occupancy group on the title block.

9/23/08 Not resolved

The occupancy type and the specific areas of these occupancy classifications (M & S-1) were not specified on plans.

1/22/09 Not resolved

Specific occupancy classification of the building or spaces within the building is essential for this review. CBC Chapter 3

3/3/09 Resolved (Retail use = M; Storage= S-2; Motorcycle Repair + S-1)

- Specify the existing building type of construction.

9/23/08 Not resolved

Is this building entirely of wood-frame construction - Type 5 or exterior masonry walls with wood-framed partitions? Is it sprinklered?

1/22/09 Not resolved

No information provided.

3/3/09 Resolved V-B wood-framed construction, unsprinklered

- Provide topographic information and percent of slope at parking and path of travel locations.

9/23/08 Not resolved

1/22/09 Not resolved

3/3/09 Resolved - basically a level site

Compliance Issues:

- The van accessible parking space shown is incorrect. The passenger loading and unloading zone must be on the passenger side of the van. Also, provide dimensions to all aspects of the parking space including slope and cross slope information.

9/23/08 Not resolved

1/22/09 Not resolved

The proposed location of the van accessible parking space and its path of travel to the front door requires additional details such as: detectable warnings prior to crossing the vehicular path, detectable warnings along the path of travel adjacent to the parking area in front of the building & grades and cross-slopes for this area along with a site specific detail of all accessibility features for this parking area. CBC 1133B.8.5, 1129B. Detectible warnings must be 3 foot

Do the plans indicate the installation of bollards outside the front door & would it be possible to relocate the accessible space to the front of the building?

3/3/09 Resolved – see revised parking details

- The floor plan appears to show new walls for dressing rooms or closets or something? The walls are shaded dark indicating new. Dressing rooms are required to be accessible, if that is the use.

9/23/08 Not resolved.

The new dressing room must be accessible. Provide details verifying compliance with CBC 1117B.8

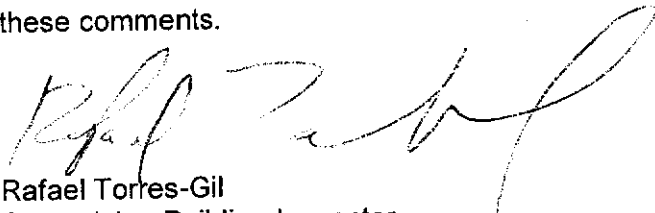
1/22/09 Not resolved

3/3/09 Resolved – not a dressing room

Permit Conditions/Additional Information:

- For building permit applications the County's path of travel verification agreement form must be completed and submitted at time of application, <http://www.sccoplanning.com/pdf/bldg/accessverification.pdf>. Also provide existing stairway and ramp specifications/details, required accessibility signage, etc. complete existing bathroom elevation details.
- The building is too close to the west and south property lines. The change of occupancy to a more hazardous use based on fire and life risk has precipitated the comment regarding proximity to property lines, code section 3406.1 in the new code, 3405 in the existing 2001 code. The previous use, Western Wear Store-B occupancy-would have been required to be 20 from a property line or be of one-hour fire resistive construction, code section table 5-A. Verify and clarify at permit stage.
- Provide typical accessible entry door details.
- Provide accessible details for upgrade of the existing stairway i. e. handrails, contrast stripes, enclosed risers, etc. CBC 1133B
- Provide finish details for the accessible restroom. CBC 1115
- Provide accessible parking details. CBC 1129B

Provide an itemized response to these requirements and please contact me with any questions regarding these comments.

A handwritten signature in black ink, appearing to read 'Rafael Torres-Gil', written over a horizontal line.

Rafael Torres-Gil
Supervising Building Inspector
County of Santa Cruz Planning Department
(831) 454-3174
pln146@co.santa-cruz.ca.us

INTEROFFICE MEMO

APPLICATION NO: 07-0659 (third routing)

Date: January 21, 2009

To: Sheila McDaniel, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Parking and landscaping for Moto Italiano, Santa Cruz

COMPLETENESS ITEMS

- none

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
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		N/A
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			N/A
Natural Site Amenities and Features			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A

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

13.11.074 Access, circulation and parking.

Parking			
Minimize the visual impact of pavement and parked vehicles.	✓		
Parking design shall be an integral element of the site design.	✓		
Site buildings toward the front or middle portion of the lot and parking areas to the rear or side of the lot is encouraged where appropriate.	✓		
Lighting			
All site, building, security and landscape 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.	✓		
Parking Lot Design			
Driveways between commercial or industrial parcels shall be shared where appropriate.	✓		
Avoid locating walls and fences where they block driver sight lines when entering or exiting the site.	✓		
Minimize the number of curb cuts	✓		
Driveways shall be coordinated with existing or planned median openings.	✓		
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 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 in. They shall be appropriately located in relation to the major activity area.	✓		
Reduce the visual impact and scale of interior driveways, parking and paving.	✓		

Parking Lot Landscaping			
Parking lot landscaping shall be designed to visually screen parking from public streets 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.	✓		
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 is 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.	✓		
Pedestrian Travel Paths			
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.	✓		
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.	✓		

COUNTY OF SANTA CRUZ

INTER-OFFICE CORRESPONDENCE

DATE: March 19, 2009
TO: Sheila McDaniel, Project Planner
FROM: Steve Guiney, Planning Department Liaison to the Redevelopment Agency
SUBJECT: Application # 07-0659, 4rd routing, APN 02604131, 3600 Soquel Avenue, Live Oak

Please see the previous Redevelopment Agency (RDA) comments dated 11/21/07, 10/03/08, and 01/23/09 on the project's first, second, and third routings, respectively.

RDA is pleased to see this project moving forward. The following comments are reproduced from our 01/23/09 comments.

- No parking will be provided along Soquel Avenue with the upcoming improvements. Therefore, the plans must clearly indicate on-site parking for deliveries. This should be a condition of approval.
- It is unclear how the internal circulation will accommodate deliveries and parking for motorcycles waiting to be serviced/repaired. Additionally, it appears that the proposed parking arrangement on the east side of the site could necessitate backing out onto Soquel Avenue if all the parking spaces are full. Backing out onto Soquel Avenue is not allowed. This should be a condition of approval.
- The property owner is responsible to supply the proposed street trees and to replace as needed both upon development of this project and in perpetuity after improvements are made to Soquel Avenue, which may be constructed as early as the summer of this year. This should be a condition of approval.
- The irrigation system proposed by the applicant may need to be modified as part of the Soquel Avenue project and the owner will still be responsible for maintaining the irrigation system, modified or not, in perpetuity. This should be a condition of approval.
- All proposed landscaping and permanent hardscape must be entirely on the site and not in the public right-of-way. This should be a condition of approval.
- The indicated 5 foot offer of dedication along Soquel Avenue is sufficient and meets the Plan Line requirement.

The issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. Please route any further submittals to RDA. RDA appreciates this opportunity to comment. Thank you.

cc: Greg Martin & Rodolfo Rivas, DPW Road Engineering
Paul Rodrigues, Melissa Allen, & Betsey Lynberg, RDA
John Leopold, District Supervisor

EXHIBIT E₁



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

930 17th Avenue, Santa Cruz, CA 95062
phone (831) 479-6843 fax (831) 479-6847

Date: September 30, 2008
To: Charles Putris
Applicant: **William Ow**
From: Tom Wiley
Subject: **07-0659**
Address: **3600 Soquel Ave.**
APN: 026-041-31
OCC: 2783
Permit: 20080238

We have reviewed plans for the above subject project.

The following NOTES must be added to notes on velums by the designer/architect in order to satisfy District requirements when submitting for **Application for Building Permit**:

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2001) as amended by the Central Fire Protection District.

NOTE on the plans **construction classification** as determined by the building official and outlined in Part IV of the California Building Code.

NOTE on the plans the **occupancy classification** as determined by the building official and outlined in Part III of the California Building Code.

NOTE on the plans whether the building will be **SPRINKLERED** as outlined in the 2001 California Building Code and via District Amendment. The fire sprinkler system data must be affixed to the fire sprinkler riser in the form of a data plate.

NOTE on the plans a fire sprinkler five year certification is required to be presented to Central Fire Protection District prior to final inspection.

NOTE on the plans the fire alarm system shall be installed and maintained to monitor the fire sprinkler system.

NOTE on the plans occupancy load of each area. Show where occupancy control signs will be posted.

If the existing building is equipped with an automatic fire sprinkler system, the addition must be equipped with an automatic fire sprinkler system.

NOTE on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13 currently adopted in Chapter 35 of the California Building Code.

NOTE The FDC shall be labeled with the address of the building that it serves, with 2" peal and stick plastic reflective numbers.

NOTE on the plans that the designer/installer shall submit two (2) sets of plans, calculations, and cut sheets for the automatic sprinkler system to this agency for approval. Installation shall follow our guide sheet.

Compliance with the District Access Requirements outlined on the enclosed handout is required.

SHOW location of fire extinguishers.

SHOW Occupant Load(s) and an Exiting Plan.

SHOW location of exit signs.

SHOW where address numbers will be posted and maintained, plainly visible from the street. Numbers shall be a minimum of four (4) inches in height and of a color contrasting to their background.

SHOW location of Knox Box and key.

NOTE roof coverings to be no less than Class "B" rated roof.

NOTE on the plans any hazardous materials being stored in the facility in excess of the exempt amounts shall be stored in a flammable liquid cabinet.

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

Submit a check in the amount of \$115.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 **Late Fee** may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at tomw@centralfpd.com. All other questions may be directed to Fire Prevention at (831)479-6843.

CC: File & County

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. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.
2783-093008

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

Project Planner: Sheila Mcdaniel
Application No.: 07-0659
APN: 026-041-31

Date: April 14, 2009
Time: 08:43:43
Page: 1

Dpw Driveway/Encroachment Completeness Comments

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

===== REVIEW ON NOVEMBER 20, 2007 BY DEBBIE F LOCATELLI =====

No modifications to building, per discretionary application. Asphalt approach in good condition; therefore, no requirements from Encroachment Section.

Dpw Driveway/Encroachment Miscellaneous Comments

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

===== REVIEW ON NOVEMBER 20, 2007 BY DEBBIE F LOCATELLI =====

No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON NOVEMBER 26, 2007 BY GREG J MARTIN =====

Frontage improvements are recommended consistent with the plan line on file with the Department of Public Works. Offsite improvements consistent with the plan line are recommended to connect to 17th Avenue (JRS). If an exception is granted, then each driveway should be separated by landscaping. ===== UPDATED ON OCTOBER 6, 2008 BY RODOLFO N RIVAS =====

1) We recommend that the applicant provide frontage improvements along Soquel Avenue. Such improvements will need to include separated sidewalks and should connect to improvements on 17th Avenue. An exception to the Plan Line standard is required if all of the required standard roadside improvements are not installed in conjunction with this project. Roadside improvements, if installed, will be eligible for TIA fees credit.

----- 2) A 5' Right
Of Way dedication is required for the project's parcel along Soquel Avenue.

----- 3) The
development is subject to Live Oak Transportation Improvement Area (TIA) fees at a rate of \$508 per daily trip-end (\$254 for roadside improvement fees + \$254 for transportation improvement fees) generated by the proposed use. The project plans show a 4,433 square foot commercial building to be used for the sale and service of motorcycles and motor scooters. The estimated trip generation (per Public Works Department Trip Generation Rate Table) for fee purposes is 24 trip-ends per 1,000 gross floor area square feet (ksf). Therefore the total trips are calculated as 4.433 ksf of commercial building, multiplied by 24 trip ends/ksf equals 106 trip ends being generated by the project. The fee is calculated as 106 trip ends multiplied by \$508 per trip end equals \$53,848. The total TIA fee of \$53,848 is to be split evenly between transportation improvement fees (\$26,924) and roadside improvement fees (\$26,924). Applicant has the option of submitting to the approving body a lower trip-end rate, provided that the proposed trip-end rate is based on a traffic engineering study.

Discretionary Comments - Continued

Project Planner: Sheila Mcdaniel
Application No.: 07-0659
APN: 026-041-31

Date: April 14, 2009
Time: 08:43:43
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===== UPDATED ON OCTOBER 6, 2008 BY RODOLFO N RIVAS =====

===== UPDATED ON JANUARY 22, 2009 BY GREG J MARTIN =====

The five foot dedication is shown. All other previous comments are applicable.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON NOVEMBER 26, 2007 BY GREG J MARTIN =====

===== UPDATED ON OCTOBER 6, 2008 BY RODOLFO N RIVAS =====

NO COMMENT

===== UPDATED ON OCTOBER 6, 2008 BY RODOLFO N RIVAS =====

NO COMMENT

===== UPDATED ON JANUARY 22, 2009 BY GREG J MARTIN =====

===== UPDATED ON JANUARY 22, 2009 BY GREG J MARTIN =====

Environmental Health Completeness Comments

===== REVIEW ON NOVEMBER 20, 2007 BY JIM G SAFRANEK ===== No comment.

Environmental Health Miscellaneous Comments

===== REVIEW ON NOVEMBER 20, 2007 BY JIM G SAFRANEK =====

If hazardous materials or hazardous waste are to be used, stored or generated on site, contact the appropriate Hazardous Material Inspector in Environmental Health at 454-2728 to determine if a permit is required. Due prior to issuance of building permit.