

# Staff Report to the Zoning Administrator Application Number: 09-0170

Applicant: Dave Johnson Owner: Barrett Ltd. APN: 039-221-11 & -12

Agenda Date: 5/7/10 Agenda Item #: 1 Time: After 10:00 a.m.

Project Description: Proposal to perform a cosmetic remodel of an existing shopping center to include re-facing existing buildings, upgrade and replace existing signs, and install additional landscaping in the parking area.

Requires an Amendment to Commercial Development Permits 03-0070, 02-0265, 77-1945-PD, and a Variance to adopt a master sign program which exceeds 50 square feet of monument sign area (with three monument signs) and exceeds 18 square feet of sign area for individual tenant signs.

Location: Property located at the southeast corner of State Park Drive and Soquel Drive in Aptos. (Rancho Del Mar Shopping Center - 140 Rancho Del Mar)

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

Permits Required: Commercial Development Permit and Variance

### **Staff Recommendation:**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 09-0170, based on the attached findings and conditions.

### **Exhibits**

- Α. Project plans
- **Findings** В.
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- Location, Zoning, General Plan & E. Assessor's Parcel Maps
- F. Comments & Correspondence

### Parcel Information

Parcel Size: 10.5 acres

Existing Land Use - Parcel: Rancho Del Mar Shopping Center

Existing Land Use - Surrounding: Commercial retail & office, Resurrection Church, Highway 1

Project Access: State Park Drive & Soquel Drive

Planning Area: Aptos

Land Use Designation: C-C (Community Commercial)

Zone District: C-2 (Community Commercial)
Coastal Zone: Inside X Outside

### **Environmental Information**

Geologic Hazards: Not mapped/no physical evidence on site

Soils: N/A

Fire Hazard: Not a mapped constraint

Slopes: 5-10%

Env. Sen. Habitat: Not mapped/no physical evidence on site Grading: No grading proposed

Grading: No grading proposed

Tree Removal: No trees proposed to be removed - Additional trees to be planted

Scenic: Mapped scenic resource - no modifications to rear of property

Drainage: Existing drainage adequate

Archeology: Mapped archaeological resource, no grading proposed

### Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District

Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Aptos/La Selva Fire Protection District

Drainage District: Zone 6 Flood Control District

### History

The Master Occupancy Permit for the Rancho Del Mar shopping center was issued in 1978 (77-1945-PD). Planned Development Permit 77-1945-PD consolidated all of the use approvals and permits for buildings constructed on the site through the late 1970s (the earliest permits for the shopping center date back to 1961). Changes of use have followed the guidelines established under 77-1945-PD, with higher levels of approval for more major modifications. Within the past ten years, the Safeway store has been remodeled (Commercial Development Permit 02-0265), including reconstruction of the adjacent gas station. Following the Safeway reconstruction, an upgrade to the signage at the Safeway store and gas station were completed (Commercial Development Permit 08-0510). The current proposal is to perform a remodel to upgrade the exterior appearance and signage of the existing shopping center, similar to the recent remodel of the Safeway store on the project site.

### **Project Setting**

The project site is the Rancho Del Mar shopping center located at the southeast corner of State Park Drive and Soquel Drive in Aptos. The shopping center property consists of two separate parcels (APNs 039-221-11, & -12), with a third adjacent parcel for the gas station at the corner of State Park and Soquel Drives. The subject property is located in an area of existing commercial office and retail development to the north and east, with an existing church facility across State Park Drive to the west, and Highway 1 to the south. The rear of the existing shopping center is visible from Highway 1.

## **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 10.5 acres, located in the C-2 (Community Commercial) zone district, a designation which allows commercial uses. The shopping center is an existing permitted use within the zone district and the C-2 zoning is consistent with the site's (C-C) Community Commercial General Plan designation.

### Remodel of Existing Shopping Center

This application is a proposal to remodel the existing shopping center buildings and signage for an improved exterior appearance. Additional landscaping is proposed within the parking area and within existing planters on the project site. Ramps and accessibility improvements are proposed along the walkways at the front of the existing businesses. The overall goal is to modernize the facility and improve the façade of the existing shopping center. The exterior changes include the removal of existing mansard-type shingled roof areas and replacement with wood-type siding under gabled roof areas. This will allow removal of existing box signs and replacement with more modern individual sign letters. Additional landscaping will further upgrade the exterior appearance of the existing shopping center. No expansion of building area or commercial square footage is proposed. The proposed project will only affect the buildings, walkways, and parking areas on APNs 039-221-11, & -12 and no changes to the existing gas station or KFC restaurant are proposed.

### Master Sign Program

The project includes a master sign program which will replace the existing sign program (established under 77-1945-PD) for the project site. The existing sign program authorized all existing signs in 1978 with the exception of the signs that faced the freeway at the rear of the shopping center. All freeway facing signs have since been removed. New signs and alterations to existing signs were allowed, with review and approval by Planning Department staff.

The primary goal of the proposed sign program is to replace existing box signs with individual letter signs. The change from box signs to individual letter signs with logos is considered as a visual improvement and will modernize the external appearance of the shopping center. The sign area of individual letter signs is larger (when measured as a rectangular box), although the total area of each individual letter sign is similar. For this reason, the master sign program will result in a higher total sign area (in rectangular measurements) than the existing sign totals on the subject property. A sign variance is required because the total sign area (both existing and

proposed) exceeds the maximum sign area allowed under County Code section 13.10.581.

Approximately 1260 square feet of sign area currently exists on the subject property. The proposed master sign program will result in approximately 1660 square feet of total sign area. The increase of approximately 400 square feet of sign area is a result of the rectangular measurement of individual letter signs, including the wall surface area between the individual letters. The increased sign area will not be noticeable as a result, and the overall appearance of the signage will be improved by the change from box signs to individual letter signs. The signage is appropriately scaled to the existing buildings and the increase in sign area beyond code maximums (one monument sign of 50 square feet and tenant signs of 18 square feet) is necessary due to the size of the shopping center and the locations of multiple tenant spaces on one property at a distance from the roadway. For these reasons, a variance to allow an increase in total sign area is considered as appropriate.

Signage for the existing building at the southeast corner of the shopping center will remain box signs, because this area will not be remodeled with horizontal wall surfaces that are suitable of individual letter signs. However, the existing box signs will be replaced with an improved box sign that has an opaque background of consistent color with individual illuminated letters and logos within the box area. As a result, the improved box signs will be similar to the individual letter signs in visual appearance.

### Design Review

The proposed remodel of the existing shopping center complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as a mixture of horizontal and vertical siding, gabled roof pitches, and additional landscaping in the parking lot and planter areas. A consistent color palette will be used and architectural features will be complimentary throughout the development. These features will improve the visual appearance of the existing shopping center and reduce the visual impact of the proposed development on surrounding land uses.

### Conclusion

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

### **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- APPROVAL of Application Number 09-0170, 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: <a href="https://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

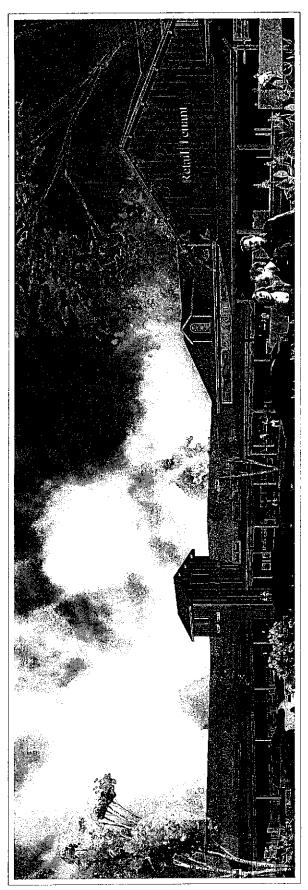
Report Prepared By: Randall Adams

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

Phone Number: (831) 454-3218

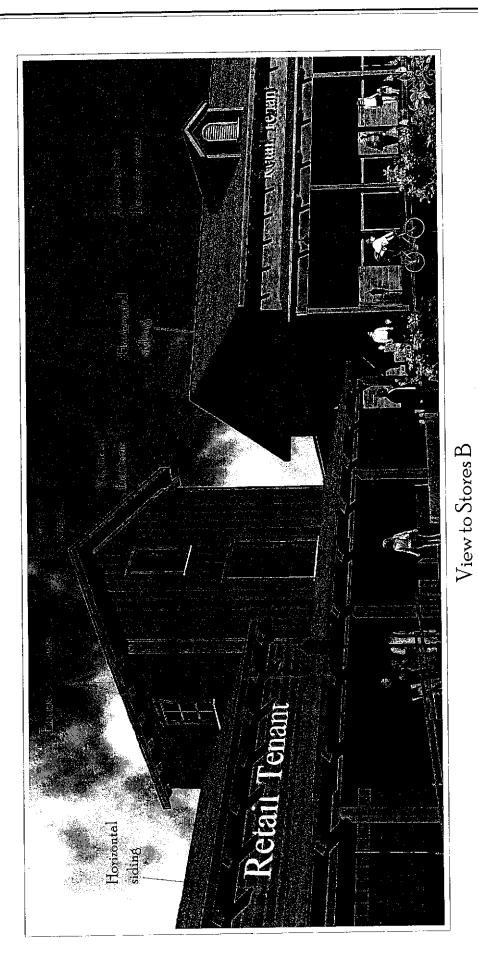
E-mail: randall.adams@co.santa-cruz.ca.us



VIEW TO STORES A AND TWO STORY BUILDING

# RANCHO DEL MAR RENOVATION APTOS CALIFORNIA

SHEET INDEX	Sign Program Sign Program Sign Program Sign Program Sign Program C1 Proposed Darinege Plan C2 Proposed Darinege Plan C3 Darinege Topographic Plan C32 Extensing Inprographic Plan C33 Extensing Inprographic Plan C31 Extensing Inprographic Plan C31 Extensing Inprographic Plan C31 Extensing Inprographic Plan C31 Extension Individual Plan C32 Extension Indivi
	All Renderings All Renderings All Site Plan
PROJECT TEAM	Architect Johnson Lyman Arbitects 1375 Locust Sc., #202 Walnut Creek, CA 94596 925,330,980 925,330,980 PERMINER Architect Landscape Architect Thomas Baak and Associates 1620 Main Steet Walnut Creek, CA 94596 925,931,283
	Owner James Fenton Co., Inc. P.O. Box 505 Dover, Idaho 83825 509-998.5109 Civil Engineer Ifland Engineers, Inc. 100 Water Street, Inc. 10
PROJECT SUMMARY	Building Arca 151,405 sf Parking 533 cars No new Building area proposed No new site grading proposed
VICINITY MAP	Site



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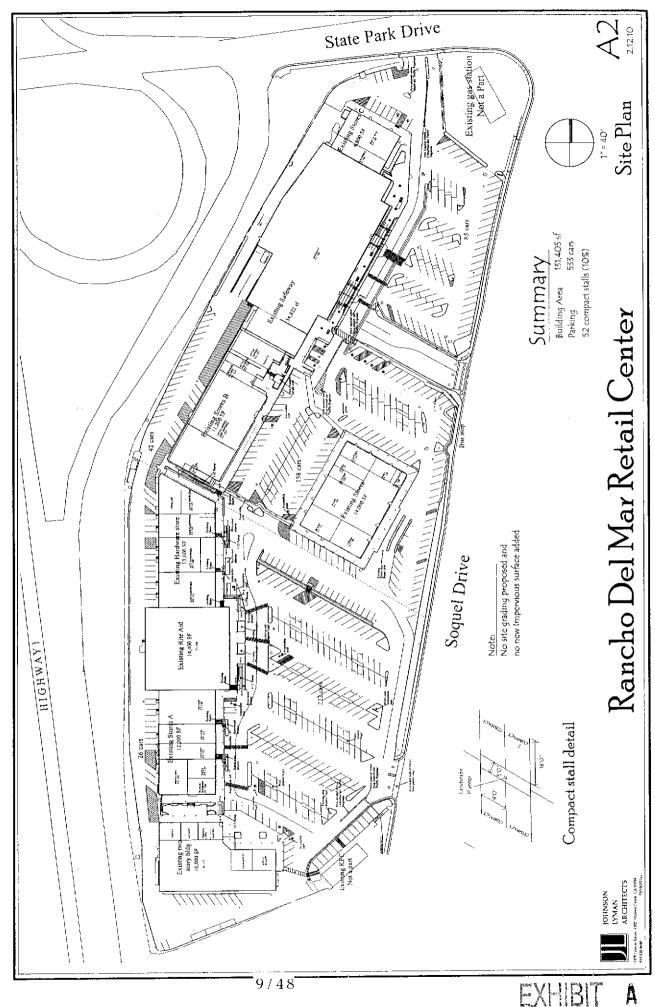
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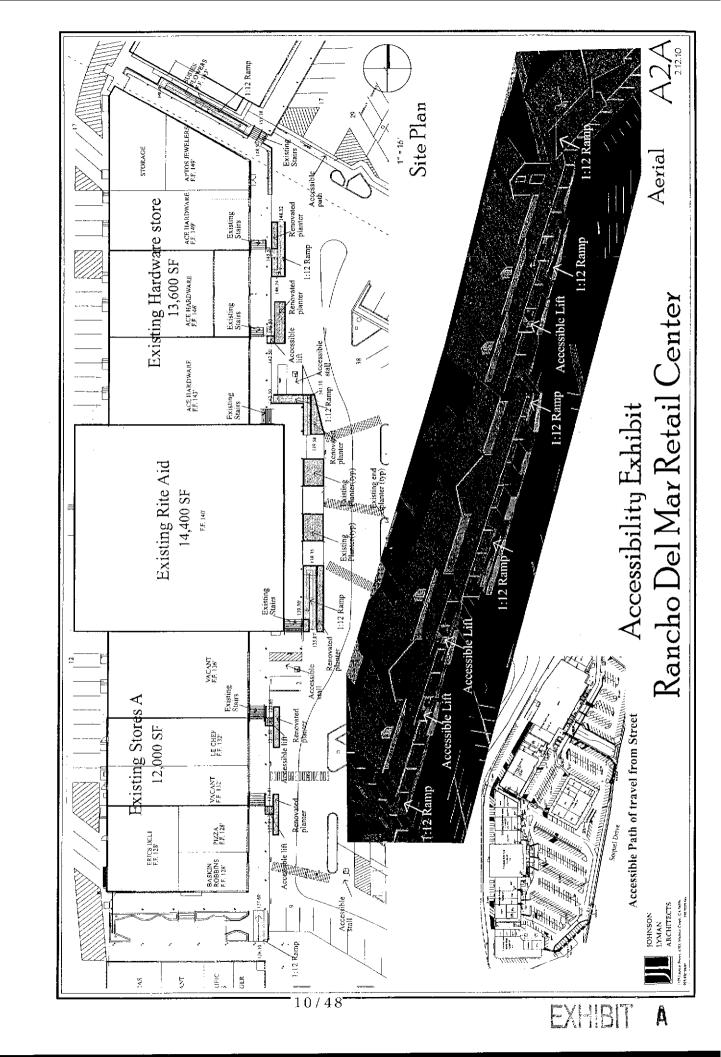


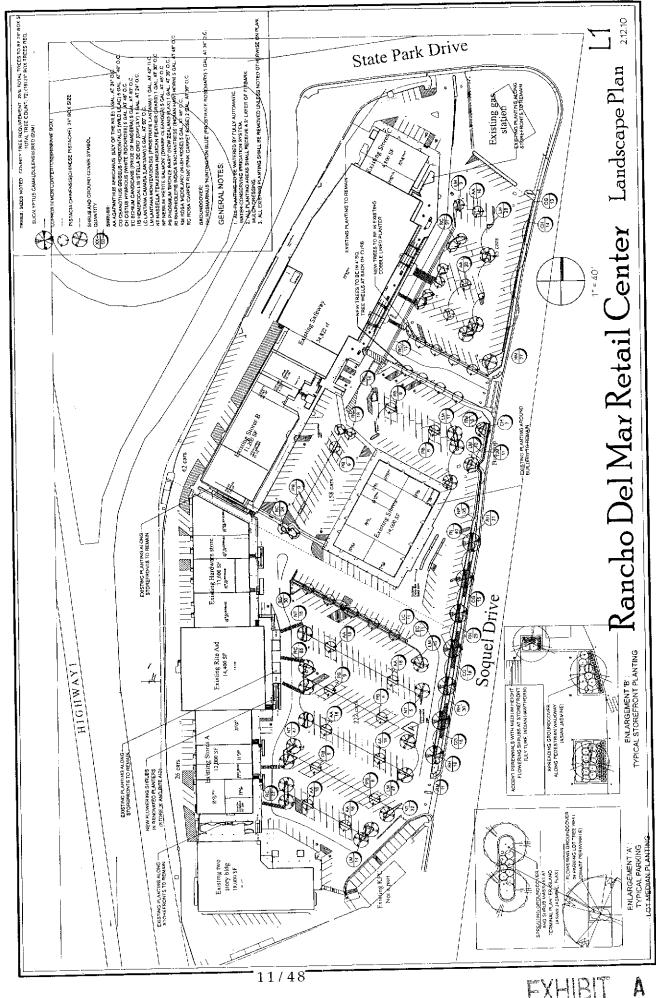
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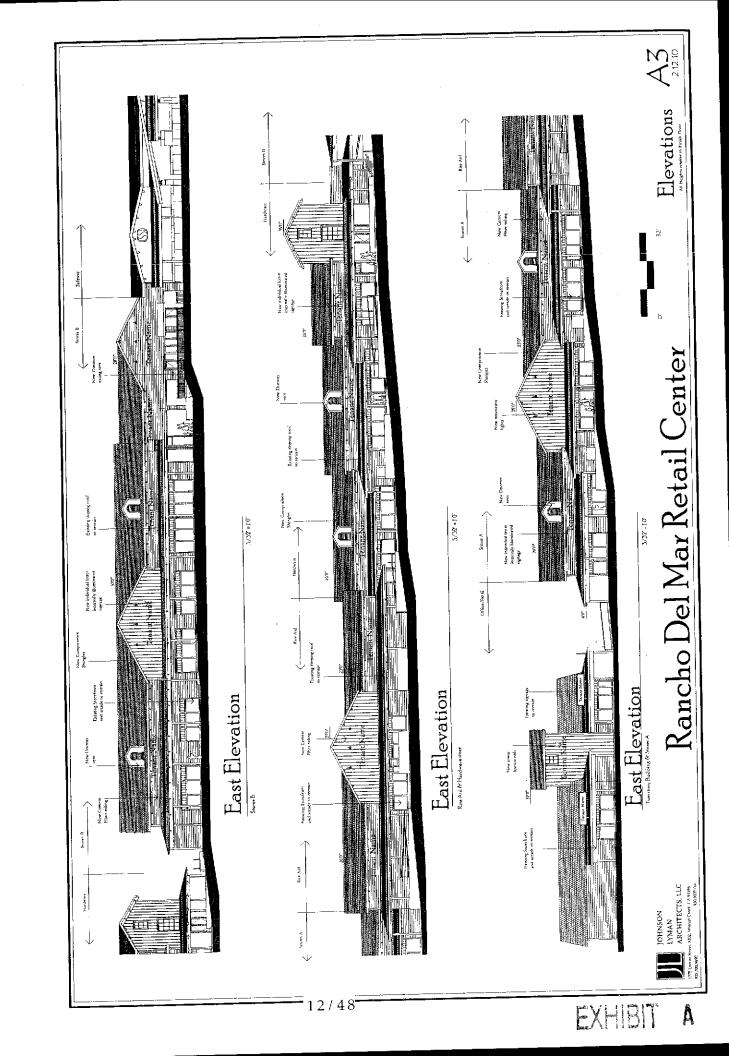
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Rancho Del Mar Retail Center









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Rancho Del Mar Retail Center

EXHIBIT

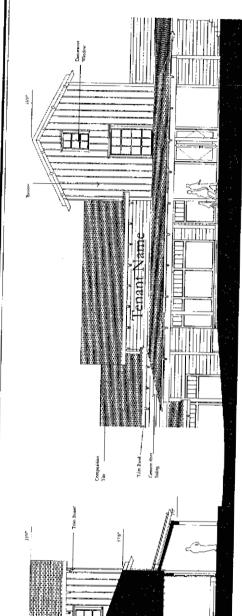
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Rancho Del Mar Retail Center

Elevations

EXHIBIT

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Typical Stores Elevation

3/16" - 1'0"

JOHNSON LYMAN ARCHITECTS, LLC

2.12.10

Typical Elevation

Retail Tenant

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Retail Tenant







Composite siding



Composite siding Composition roof tile weathered Wood

Wood Trim DF 157 Cella: Door

DE 785 Whisper Gray Wood frim

Wall Lights BK - Gooseneck

Building Materials

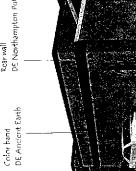


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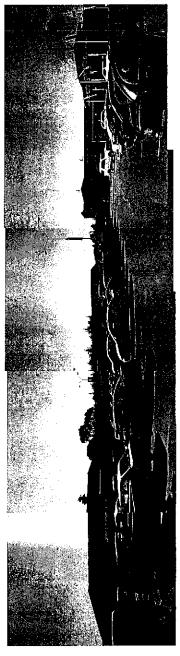


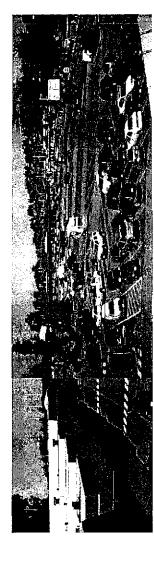




Typical Rear Elevation

JOIINSON LYMAN ARCHITECTS, LLC







Steen Park Drug @ Samual Drive + Aprest, Courternin SHOPPING CENTER

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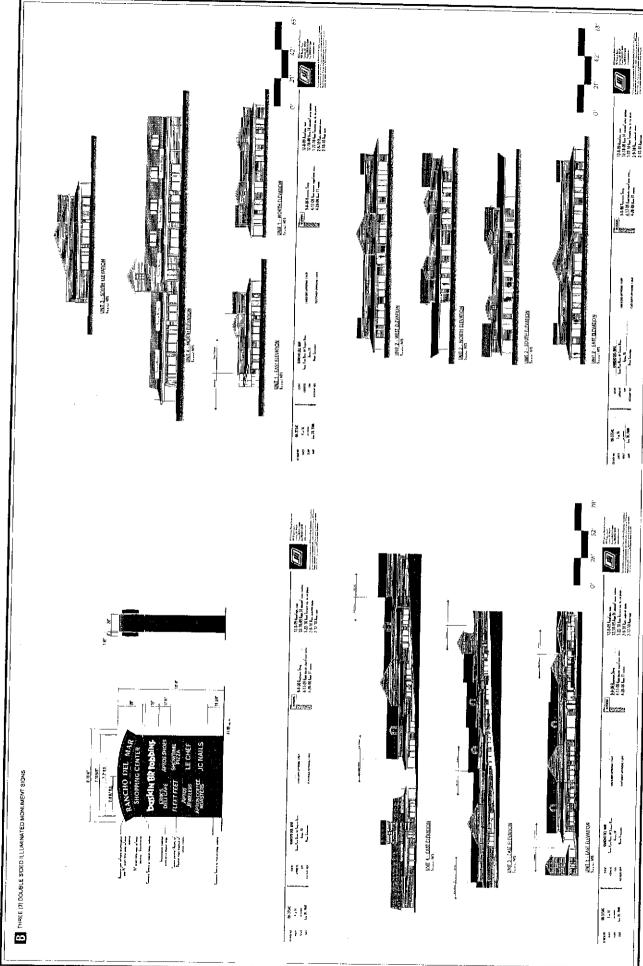
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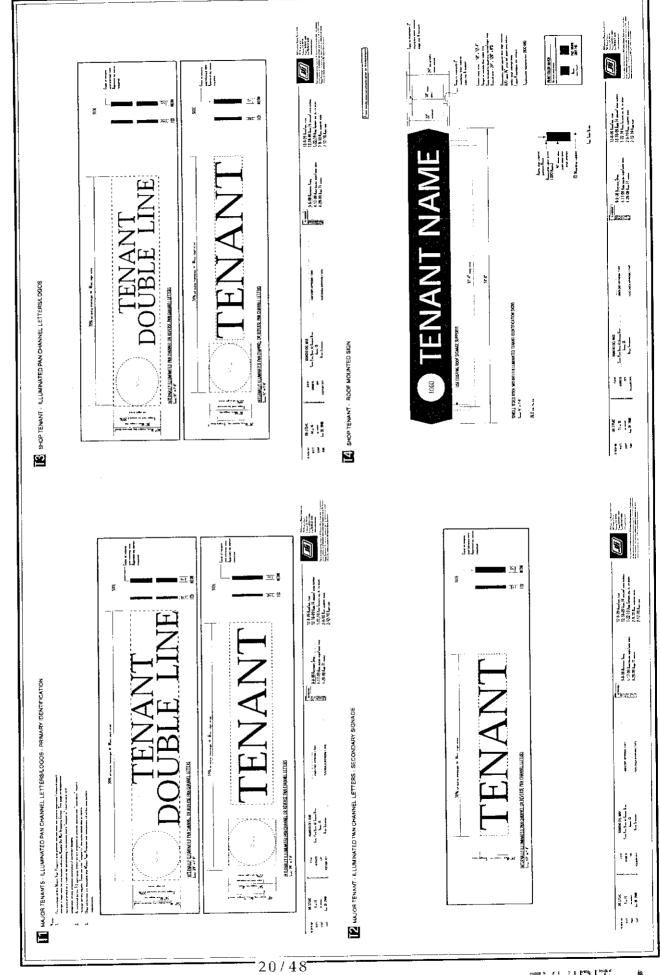
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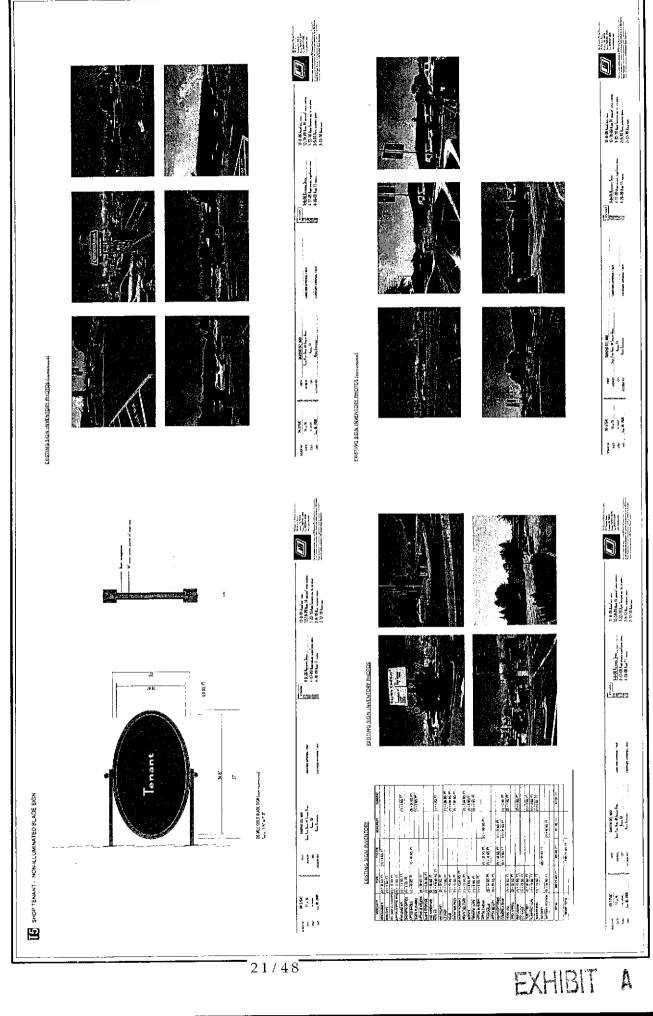
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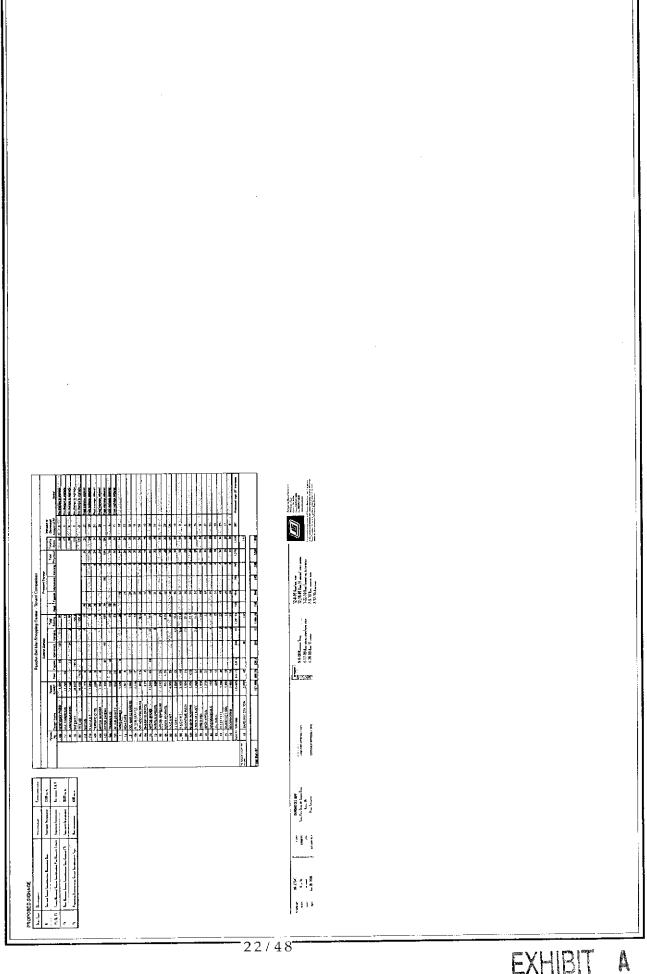
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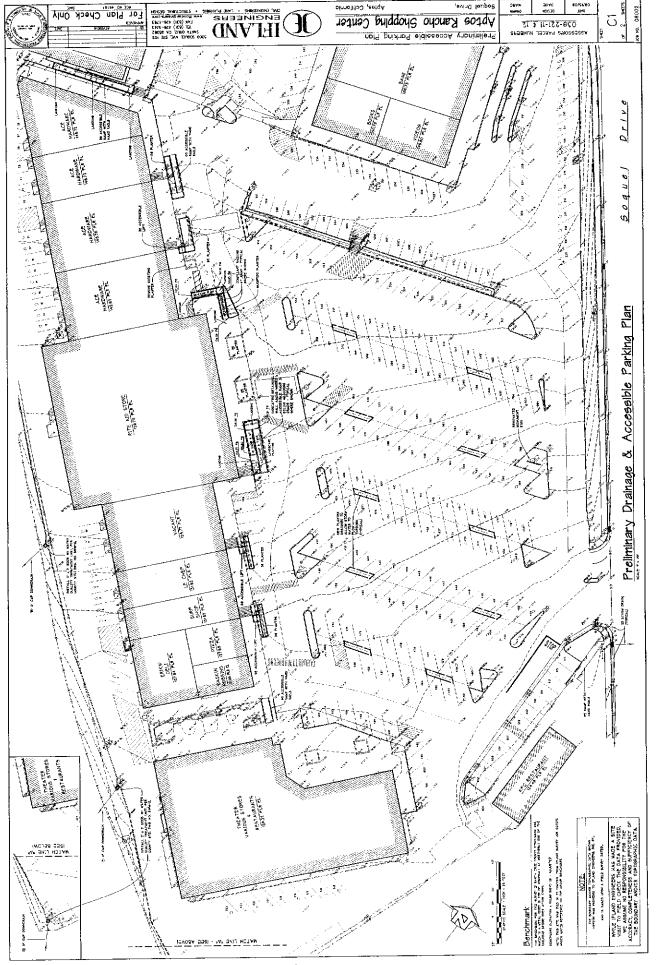


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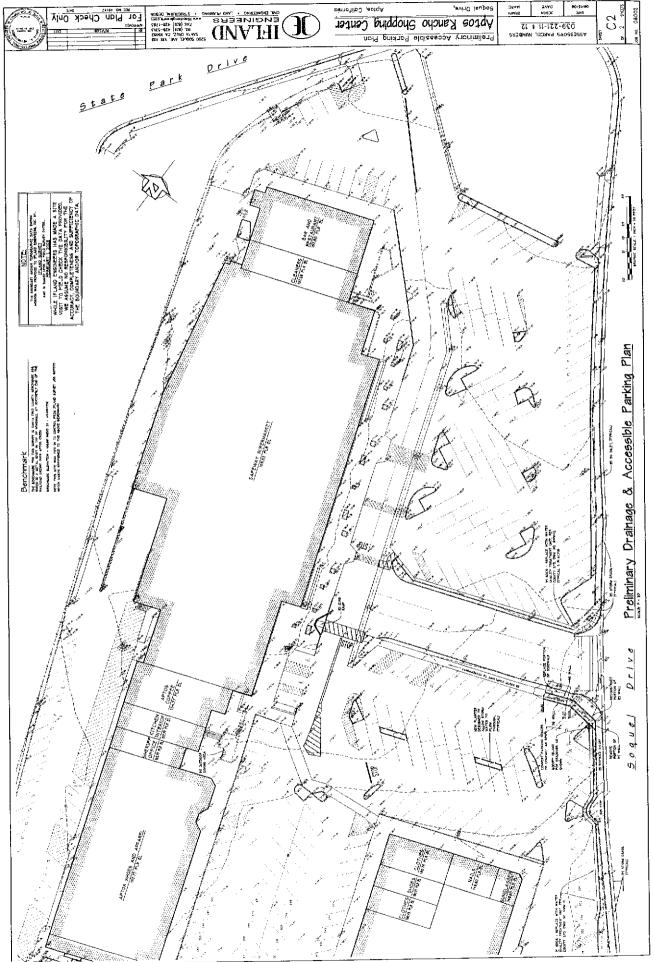




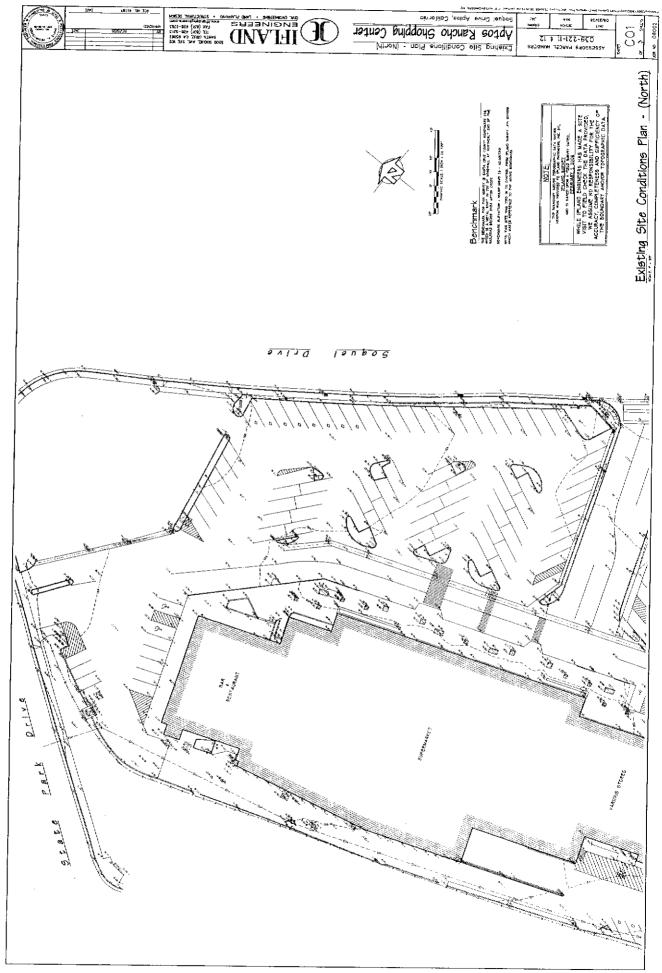


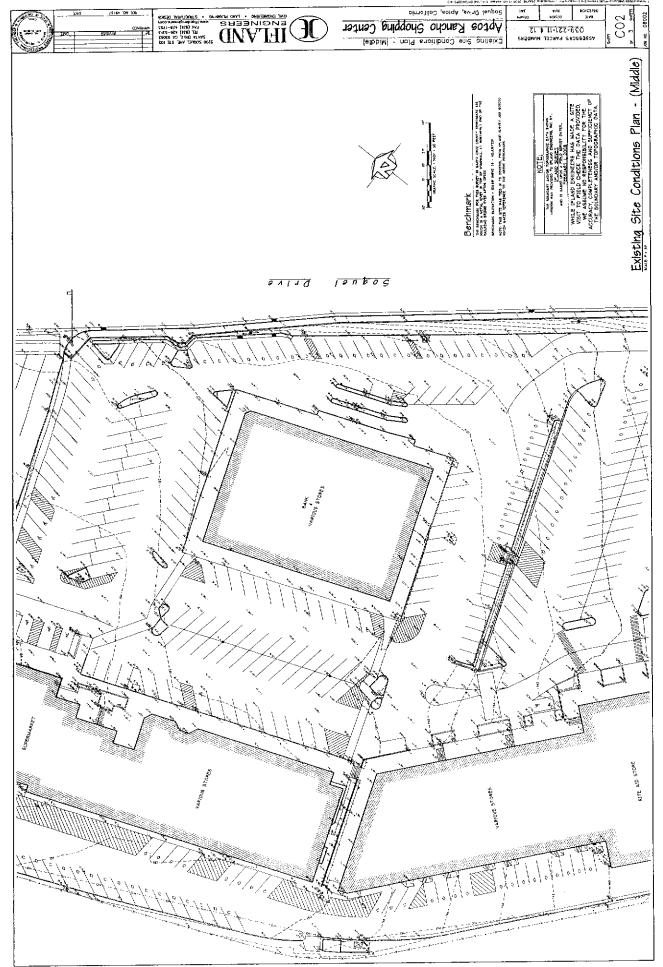


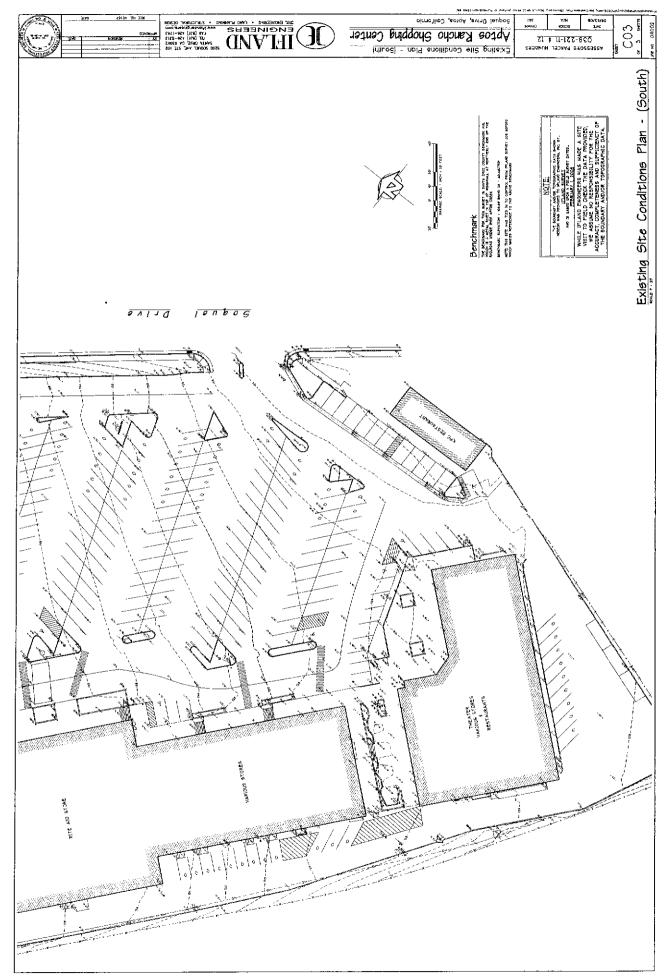
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# Variance Findings

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

This finding can be made, in that the existing shopping center is located on a large site and the center includes multiple tenant spaces that are located at a distance from the roadway where smaller signs would not be clearly visible. The existing signage on the subject property exceeds the code maximums (one monument sign of 50 square feet and tenant signs of 18 square feet) and the proposed change in signage will be appropriately scaled to the existing buildings. Strict application of the sign ordinance would result in signage that is not clearly visible and would not allow proper identification of the businesses within the shopping center from the street or from within the shopping center parking area. The special circumstances in this case are the large size of the subject property (10.5 acres), the presence of multiple tenant spaces providing various services and products, and the distance from the street to the facades of the businesses within the shopping center. Additionally, the site is a corner lot and additional signage is needed to be visible from multiple directions. Strict application of the sign ordinance in this case would result in the businesses not being visible to traffic traveling on Soquel and State Park Drives, and the businesses would suffer in comparison to other commercial sites under identical zoning classification which are more visible from public roadways.

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

This finding can be made, in that the granting of the sign variance will allow the continued use of the property as a commercial shopping center, in harmony with the intent of the C-2 (Community Commercial) zone district. The signage is appropriately scaled to the existing buildings and the increase in sign area beyond code maximums (one monument sign of 50 square feet and tenant signs of 18 square feet) is necessary due to the size of the shopping center and the locations of multiple tenant spaces on one property at a distance from the roadway. The size and location of the proposed signs will allow proper identification of the shopping center (including the individual businesses within the center) from the public streets adjacent to the project site. The project, including the proposed sign variance, will not be detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that the sign variance will allow the property to continue to operate as a shopping center on a site designated for community commercial use. Similarly zoned property of smaller size, with fewer tenants and buildings closer to the street, would not require increased sign area to be visible and therefore would not require a variance approval.

# **Development Permit Findings**

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

This finding can be made, in that the project is located in an area designated for commercial uses. Construction 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 remodel of the existing shopping center will be cosmetic in nature and will not be materially injurious to properties or improvements in the vicinity.

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 remodel of the existing shopping center and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the C-2 (Community Commercial) zone district in that the primary use of the property will continue to be a commercial shopping center operating in conformance with all previous use approvals and the requirements of the C-2 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 existing commercial use is consistent with the requirements specified for the Community Commercial (C-C) land use designation in the County General Plan.

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 remodel of the existing shopping center will be cosmetic in nature and no increase in traffic generation or utilities consumption is anticipated as a result of the project.

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 remodel of the existing shopping center will include updated building facades and signage with additional landscaping on the property, resulting in an improved exterior appearance. No changes to the existing land use intensity are proposed.

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 project will incorporate site and architectural design features such as a mixture of horizontal and vertical siding, gabled roof pitches, and additional landscaping in the parking lot and planter areas. A consistent color palette of neural colors will be used and architectural features will be complimentary throughout the development. These features will improve the visual appearance of the existing shopping center and reduce the visual impact of the proposed development on surrounding land uses.

# **Conditions of Approval**

Exhibit A: Project plans "Rancho Del Mar Renovation", 22 sheets, prepared by Johnson Lyman Architects, Tomas Baak & Associates, and Ifland Engineers, revised 2/12/10.

- I. This permit authorizes the remodel of an existing commercial shopping center, to include a cosmetic exterior remodel of existing building facades, accessibility improvements, additional landscaping, and a master sign program. This permit amends development permits 03-0070, 02-0265, 77-1945-PD and all conditions of approval of those prior permits are hereby incorporated by reference. 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 all offsite 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.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. 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.
  - 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application.
- 2. Engineered improvement plans, prepared and wet stamped by a licensed civil engineer, for all on-site and off-site improvements. All improvements shall be submitted for the review and approval by the Planning Department and the Department of Public Works.
- 3. Sign locations, dimensions, and height shall be consistent with the master sign program indicated in the approved Exhibit "A" for this permit.
  - a. Total sign area shall not exceed 1,658 square feet, as depicted on the approved Exhibit "A" for this permit. This sign area does not include signage for the Safeway gas station on the adjacent parcel (APN 039-221-04).
  - b. Signage shall be limited to the monument signs, tenant signs, and blade signs indicated in the master sign program.
    - Appropriately scaled window signage shall also be allowed. Window signage shall not exceed 25 percent of window area for each tenant space.
    - ii. No banners, flags, sandwich-board, moving or animated signs shall be allowed.
  - c. Signage may be internally illuminated. Any sign lighting which creates off-site glare, as determined by the Planning Director, shall be addressed through:
    - i. Reduction of the total effective light emitted (change in wattage or bulb intensity).
    - ii. Change in the type or method of sign lighting (change in bulb or illumination type).
    - iii. Removal of the lighting creating the off-site glare.
- 4. A lighting plan indicating any proposed lighting fixtures. Lighting for the proposed development shall comply with the following conditions:
  - a. All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical

- means. Building and security lighting shall be integrated into the building design.
- b. 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. Any existing light standards over 15 feet in height may be retained, but any replacement light standards on the subject property shall be required to comply with the 15 foot height requirement.
- c. Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.
- 5. All rooftop mechanical and electrical equipment shall be designed to be an integral part of the building design, and shall be screened from exterior view.
- 6. Utility equipment such as electrical and gas meters, electrical panels, and junction boxes shall not be located on exterior wall elevations facing streets unless screened from streets and building entries using architectural screens, walls, fences, and/or plant material.
- 7. A landscape plan consistent with the approved Exhibit "A" for this permit, with the following additional information:
  - a. A minimum of (3) three 15 gallon trees (species selected to provide screening, subject to review approval by Planning Department staff) shall be installed at the rear of the shopping center adjacent to the Highway 1 right of way (behind tenant spaces indicated as "Existing Stores A" on the approved Exhibit "A" for this permit).
- 8. Details showing compliance with fire department requirements.
- C. Meet all requirements of and pay any required drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
  - 1. Please provide a detail of the new planters to facilitate proper construction by the contractor. Also please add to the plan set detail SWM-12 from the design criteria.
  - 2. All inlets shall be marked with "No Dumping Drains to Bay No Tire Desecho Corre al Mar" or equivalent to be maintained by the property owner.
  - 3. A recorded maintenance agreement is required for all the proposed water quality treatment units.

- 4. A civil engineer is required to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the project plans. The civil engineer's letter shall be specific as to what was inspected including invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient. An as-built plan may be submitted in lieu of the letter. Upon approval of the building permit a hold will be placed on the permit to be released once a satisfactory letter is received.
- D. Parking shall be required to be maintained per the approved Exhibit "A" for this permit. Modifications to the existing parking area to allow additional landscape planting areas are authorized as indicated on the approved Exhibit "A".
- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection 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. The occupancy and use of the shopping center shall be maintained per the requirements of the C-2 zone district and the prior development approvals. All change of use requests shall be reviewed by the County Planning Department. All changes in signage (associated with a change of use request or otherwise) shall be reviewed by the County Planning Department.
- B. Master Sign Program: Sign locations, dimensions, and height shall be consistent with the master sign program indicated in the approved Exhibit "A" for this

### permit.

- 1. Total sign area shall not exceed 1,658 square feet, as depicted on the approved Exhibit "A" for this permit. This sign area does not include signage for the Safeway gas station on the adjacent parcel (APN 039-221-04).
- 2. Signage shall be limited to the monument signs, tenant signs, and blade signs indicated in the master sign program.
  - Appropriately scaled window signage shall also be allowed.
     Window signage shall not exceed 25 percent of window area for each tenant space.
  - b. No banners, flags, sandwich-board, moving or animated signs shall be allowed.
- 3. Signage may be internally illuminated. Any sign lighting which creates off-site glare, as determined by the Planning Director, shall be addressed through:
  - a. Reduction of the total effective light emitted (change in wattage or bulb intensity).
  - b. Change in the type or method of sign lighting (change in bulb or illumination type).
  - c. Removal of the lighting creating the off-site glare.
- C. All landscaping, lighting, and signage shall be permanently maintained per the approved Exhibit "A" for this permit and as modified by these conditions of approval.
- D. 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, it 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "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 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.

Application #: 09-0170 APN: 039-221-11 & -12 Owner: Barrett Ltd.

Approval Date: Effective Date:		
in the second second		
Expiration Date:		
Steven G	uiney	Randali Adams

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.

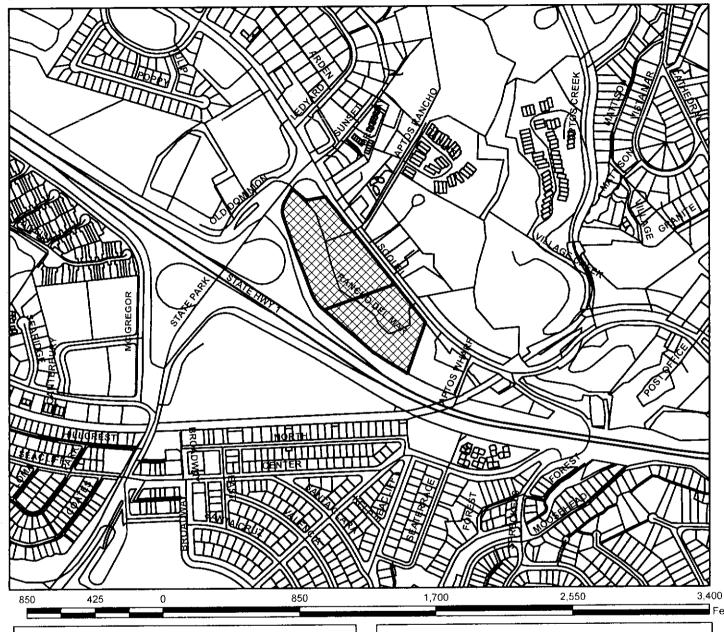
## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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.

	n Number: 09-0170
	arcel Number: 039-221-11 & -12
Project Loc	cation: 140 Rancho Del Mar, Aptos
Project De	escription: Proposal to perform a cosmetic remodel of an existing shopping center.
Person or	Agency Proposing Project: Dave Johnson
Contact Pl	hone Number: (925) 930-9690
A	The proposed activity is not a project under CEQA Guidelines Section 15378.
В	The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C	<u>Ministerial Project</u> involving only the use of fixed standards or objective measurements without personal judgment.
D	<u>Statutory Exemption</u> other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
Specify typ	e:
E. <u>X</u>	Categorical Exemption
Specify typ	e: Class 1 - Existing Facilities (Section 15301)
F. Rea	isons why the project is exempt:
Minor remo	odel at an existing shopping center in an area designated for commercial development
In addition,	, none of the conditions described in Section 15300.2 apply to this project.
	Date:
Randall Ad	ams, Project Planner



# Location Map



APN: 039-221-12
APN: 039-221-11
Assessors Parcels
Streets
State Highways

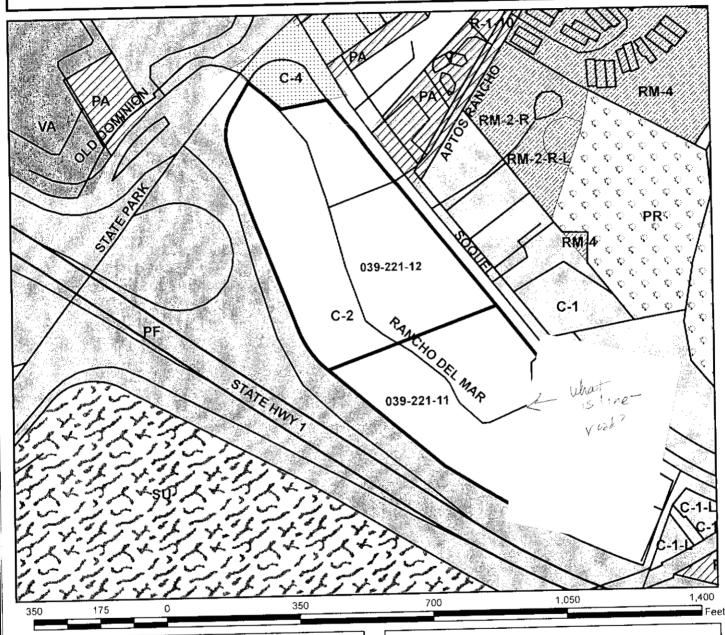


Map Created by County of Santa Cruz Planning Department June 2009

EXHIBIT



# Zoning Map





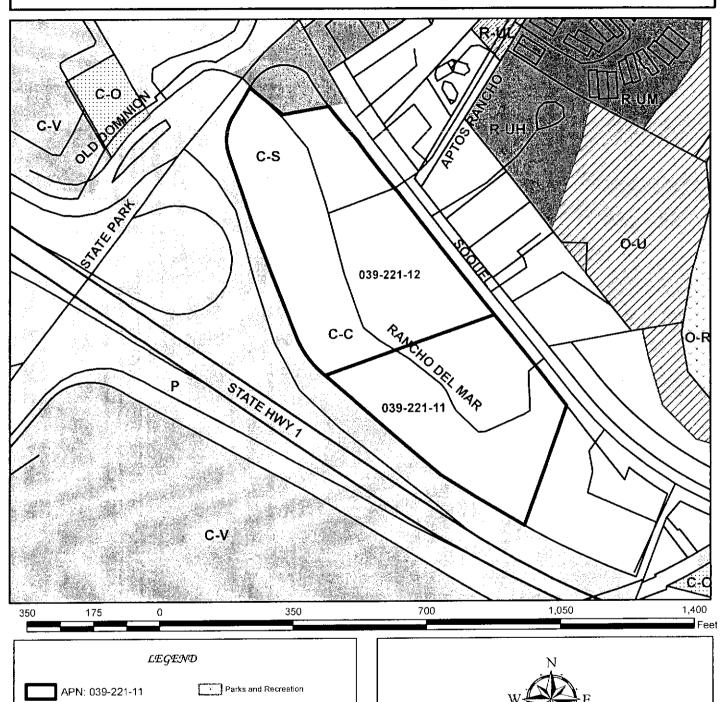


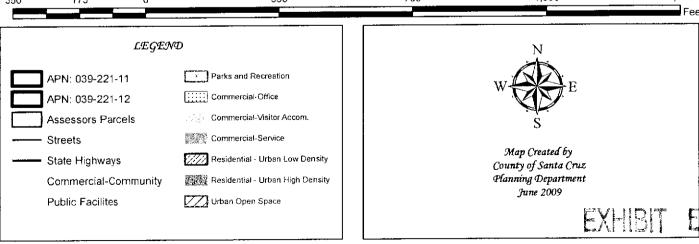
Map Created by County of Santa Cruz Planning Department June 2009

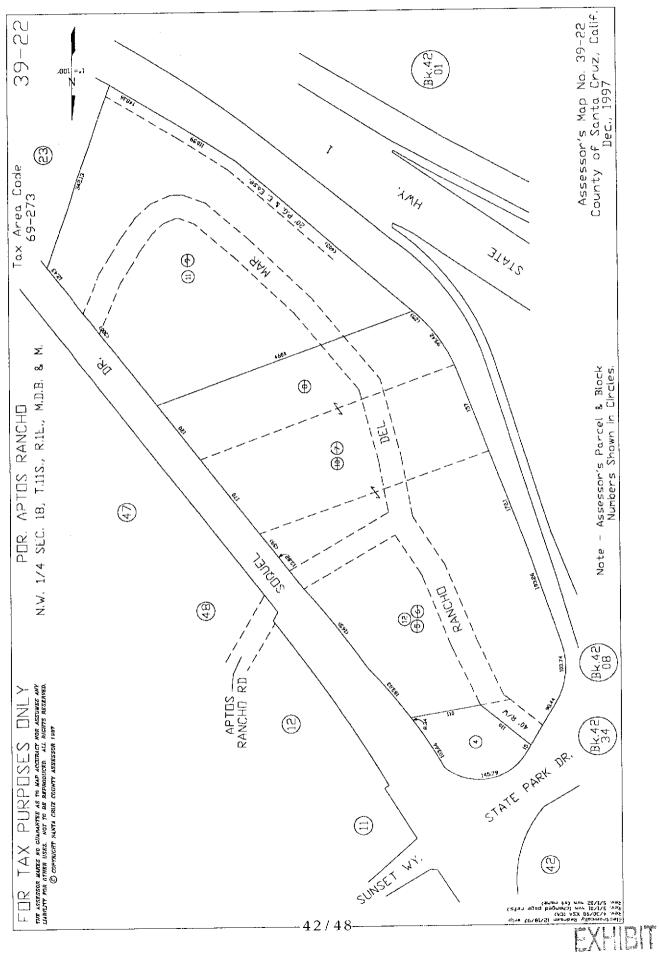
EXHIBIT\_



# General Plan Designation Map







#### COUNTY OF SANTA CRUZ DISCRETIONARY APPLICATION COMMENTS

Project Planner: Randall Adams

Application No.: 09-0170

**APN:** 039-221-11

Date: April 5, 2010

Time: 14:30:00

Page: 1

#### Environmental Planning Completeness Comments

---- REVIEW ON JUNE 2, 2009 BY ROBERT S LOVELAND -----NO COMMENT

#### Environmental Planning Miscellaneous Comments

---- REVIEW ON JUNE 2, 2009 BY ROBERT S LOVELAND ---- NO COMMENT

#### Dpw Drainage Completeness Comments

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

- 1. Water quality treatment is required for the entirety of the parking lot if not presently treated by facilities elsewhere on the site. Please demonstrate how water quality treatment is being achieved prior to runoff leaving the site. Provide details for the existing silt and grease traps demonstrating that they meet current county standards (see figure SWM-12 in the design criteria or equivalent).
- 2. Is it feasible for curb cuts to be added to the new landscape areas to allow for filtration and infiltration of runoff?

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. A \$200.00 additional review fee shall be applied to all re-submittals starting with the third routing.

Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions. ====== UPDATED ON OCTOBER 5, 2009 BY TRAVIS RIEBER ========

The civil plans dated 9/15/2009 have been received and are approved for the discretionary application stage. Please see miscellaneous comments for issues to be addressed at the building application stage.

#### Dpw Drainage Miscellaneous Comments

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

- 1. Please show on the civil plans all existing and proposed drain inlets. All inlets shall be marked with "No Dumping Drains to Bay No Tire Desecho Corre al Mar" or equivalent to be maintained by the property owner.
- 2. A recorded maintenance agreement is required for all existing and proposed silt and grease traps. Please contact the County of Santa Cruz Recorder-s office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at: http://www.dpw.co.santa-cruz.ca.us/Storm%20Water/FigureSWM25.pdf

#### Discretionary Comments - Continued

Project Planner: Randall Adams

Application No.: 09-0170

APN: 039-221-11

Date: April 5, 2010

Time: 14:30:00

Page: 2

3. A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions. ====== UPDATED ON OCTOBER 5, 2009 BY TRAVIS RIFBER ========

- 1. Please provide a detail of the new planters to facilitate proper construction by the contractor. Also please add to the plan set detail SWM-12 from the design criteria.
- 2. All inlets shall be marked with "No Dumping Drains to Bay No Tire Desecho Corre al Mar" or equivalent to be maintained by the property owner.
- 3. A recorded maintenance agreement is required for all the proposed water quality treatment units. Please contact the County of Santa Cruz Recorder-s office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at: http://www.dpw.co.santa-cruz.ca.us/Storm%20Water/FigureSWM25.pdf

A civil engineer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer-s letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of -general conformance to plans- are not sufficient. An asbuilt plan may be submitted in lieu of the letter. Upon approval of the project a hold will be placed on the permit to be released once a satisfactory letter is received.

Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions.

#### Dpw Road Engineering Completeness Comments

	REVIEW	ON S	JUNE 4	, 21	009	BY F	RODOLFO	NR	IVAS ==	======
NO COMMENT	=									
_=======	UPDATED	-0N	JUNE	10.	200	9 BY	'RODOLF	0 N	RIVAS	=======

#### Dpw Road Engineering Miscellaneous Comments

The proposed striping and installation of new signs at the shopping center will not cause any negative impact to County roads. Note: Public Works is not responsible for the review and approval of parking supply/demand and vehicular circulation within the shopping center. Please contact the Planning Department if you need information regarding parking or circulation requirements.

#### Accessibility Project Comments for Development Review: 2nd Review County of Santa Cruz Planning Department

Date:

Septermber 23, 2009

Planner: Randall Adams

Project: Rancho Del Mar Renovation at 76 & 140 Rancho Del Mar in Aptos

Application Number: 09-0170

APN: 039-221-11.12

Dear Mr. Johnson

A preliminary review of the plans for the above project was conducted to determine any accessibility concerns, as required in 2007 CBC, Chapter 11B. The following comments relate to this discretionary permit application.

#### Completeness Items:

Accessibility plans complete

#### Compliance Issues:

Plans show compliance with accessibility

#### Permit Conditions/Additional Information:

- Plans for a building permit will need to be prepared, stamped and signed by a California licensed professional(s).
- Path of Travel Verification Form to be submitted with the Building Permit application. This form is available at http://www.sccoplanning.com/pdf/bldg/accessverification.pdf
- Larger scale details will be required at areas of new work to verify access compliance. The plans for building a building permit will need to include dimensions, slopes, handrails, lift specifications, stair details, and signage, CBC 1114B.1

Please note that this is only a preliminary review to determine major accessibility issues. This is not a complete accessible plan check. A complete accessible plan check will be conducted at the time of building permit application review. The plans submitted for building plan check review will need to include complete details and specifications for all of the accessible issues in the California Building code. Therefore, there may be additional comments when applying for a building permit and responding to the Building Plan Check process. Please contact me with any questions regarding these comments

Laura Brinson Building Plans Examiner County of Santa Cruz Planning Department (831) 454-3151 laura.brinson@co.santa-cruz.ca.us

### COUNTY OF SANTA CRUZ

## **Planning Department**

### INTEROFFICE MEMO

APPLICATION NO: 09-0170 (second routing)

Date:

October 1, 2009

To:

Randall Adams, Project Planner

From:

Larry Kasparowitz, Urban Designer

Re:

Remodel for shopping center, Aptos

#### **COMPLETENESS ITEMS**

none

#### **COMPLIANCE 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
Compatible Site Design			
Building bulk, massing and scale	<b>✓</b>		
Landscaping		<b>V</b>	see comments below
Streetscape relationship	~		N/A
Street design and transit facilities			N/A
Relationship to existing structures	~		
Views			
Protection of public viewshed	~		
Minimize impact on private views	~		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles	~		
Solar Design and Access			
Reasonable protection for adjacent properties	<b>~</b>		

Reasonable protection for currently occupied buildings using a solar energy system	~	
Noise Reasonable protection for adjacent properties	~	

#### 13.11.073 Building design.

Evaluation Criteria	Meets criteria In code ( ❤ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	V	·	
Building silhouette	-		
Spacing between buildings			
Street face setbacks	<del> </del>		N/A
Character of architecture	~		
Building scale	<b>~</b>		
Proportion and composition of projections and recesses, doors and windows, and other features	~		
Location and treatment of entryways	~		
Finish material, texture and color	~		
Scale			
Scale is addressed on appropriate levels	<b>Y</b>		
Design elements create a sense of human scale and pedestrian interest	~		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting.	•		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties.	•		
Building walls and major window areas are oriented for passive solar and natural lighting.			N/A

#### 13.11.074 Access, circulation and parking.

Lighting		
All site, building, security and landscape		Suggest as Condition of
lighting shall be directed onto the site and		Approval
away from adjacent properties.		
Area lighting shall be high-pressure sodium		Suggest as Condition of
vapor, metal halide, fluorescent, or equivalent		Approval
energy-efficient fixtures.		
All lighted parking and circulation areas shall		Suggest as Condition of
utilize low-rise light standards or light fixtures		Approval
attached to the building. Light standards to a		
maximum height of 15 feet are allowed.		
Building and security lighting shall be		Suggest as Condition of
integrated into the building design.		Approval
Light sources shall not be visible form adjacent		Suggest as Condition of
properties.		Approval
	· <del>-</del> · <del>- · · · · · · · · · · · · · · · · · </del>	
Loading areas	<del></del>	
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.		
Pedestrian Travel Paths		
On-site pedestrian pathways shall be provided		
form 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	<b>V</b>	
circulation routes shall be utilized where		
appropriate.		

#### Comments:

Provide screening at the rear of the building to screen the view from Highway One (a scenic corridor).