



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET - 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
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KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

May 7, 2012

**Agenda Date: May 18, 2012**

Zoning Administrator  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

### **Subject: Continued Public Hearing for Application Number 101114**

This item was continued from the March 16, 2012 Zoning Administrator agenda to allow for additional public notice and to provide time for staff to work with the project applicant to address concerns that were raised prior to and during the public hearing.

Planning Department staff have met with the project applicant to discuss potential solutions to the issues raised before and during the March 16, 2012 public hearing. The applicant has agreed to revise the parking layout and has requested some additional flexibility in operational conditions to increase the viability of the existing business. Revised conditions have been prepared to address concerns related to the parking plan and operational conditions as described below.

### **Parking**

Concerns have been raised about the proposed valet parking arrangement. Neighboring commercial businesses may be affected by overflow parking from large events when the valet parking is backed up, or if it is not capable of handling the total number of guests within a relatively short period of time. Circulation issues related with the valet parking area also raise questions of how a valet parking arrangement would work for large events. As a result, the project applicant has agreed to redesign the parking layout to eliminate the tandem parking spaces for guests and to provide a gravel overflow parking area at the rear of the property. These changes would eliminate the need for valet parking for larger events.

A revised site plan has not been provided at the time of the preparation of this letter. It is anticipated that the applicant will provide a revised site plan which depicts the overflow parking area before the public hearing for this project. The overflow parking area is envisioned as a gravel surfaced lot with landscaping on the north and west sides of the property. The access to the overflow parking area would be provided by eliminating existing parking spaces at the end of the driveway to Trout Gulch Road on the east side of the property.

The construction of a gravel parking area does not prevent the future construction of additional structures on the property. However, any future construction would also have to comply with current parking requirements, and the loss of any existing parking spaces would affect the overall

## **Operational Conditions**

The applicant has requested some clarifications regarding the proposed operational conditions for the weddings and similar events. The three areas below have been addressed through revised recommended conditions of approval (Exhibit 1B)

### Frequency of Events

The applicant has stated that limitations on the total number of events per year may prevent the flexibility needed to run a viable event business. Through limiting large events (in excess of 50 people) to no more than 6 per month, the overall continuous potential impacts related to the events is adequately mitigated, while allowing events during whichever time of year that they happen to occur. No overall limitation on the total number of events is otherwise needed.

### Setup and Takedown of Outdoor Events

The applicant has requested additional clarification on the setup and takedown of outdoor events. In order to allow more flexibility, the setup and/or takedown could occur the day before and/or after the outdoor event, within the allowed hours of operation.

### Music

The applicant has requested the ability to use low level amplification for voice and acoustic instruments to raise them above the ambient noise level of the guests at the events. At this time, staff do not recommend allowing amplification of music at any outdoor events on the property due to noise concerns affecting residential properties located to the north. A future application to request amplification of music could be made, after the conditions of this permit have been satisfied and the events have been in progress for a sufficient period of time.

## **Conclusion**

The revised conditions provide a reasonable framework that addresses the concerns of the neighboring residents and commercial business owners, while allowing the Bayview Hotel to continue with the tradition of holding weddings (and similar events) at this historic property.

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 101114, based on the attached findings and conditions.

Prepared By: Randall Adams  
Project Planner  
Development Review

Reviewed By: Ken Hart  
Principal Planner  
Development Review

Exhibits:

- 1A. Letter from Project Applicant (Historic Bayview Hotel), dated 5/7/12.
- 1B. Revised Conditions of Approval
- 1C. Staff Report to the Zoning Administrator, 3/16/12 agenda date, with exhibits.

HISTORIC BAYVIEW HOTEL  
8041 Soquel Drive • Aptos, California 95003  
(831) 688-8656 • [www.bayviewhotel.com](http://www.bayviewhotel.com)  
Applicant: Ricardo de la Cruz – Owner: Cristina M. Locke

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Ken Hart and Randall Adams,  
County of Santa Cruz, Planning Department  
701 Ocean Street – 4<sup>th</sup> Floor  
Santa Cruz, California 95060

May 7, 2012  
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Subject: Agenda Item For: PA 101114 - Bayview Hotel (APN 041-011-34)

Dear Ken and Randall,

As a follow up to our meeting of May 2, 2012, Ms. Cristina Locke, the owner of the Bayview Hotel, has agreed to the changes listed in this letter. Understandably, Ms. Locke's overall goal is to create a fresh start for the Bayview without belaboring past infractions.

Ms. Locke respectfully wishes to remind Santa Cruz Planning she has already made several costly concessions. It is essential at the May 18, 2012 hearing that a final Agreement is adopted that allows the Bayview a fair opportunity to compete this summer with other local venues holding weddings and large events. Ms. Locke anticipates the new Commercial Development Permit (10-1114) for the Bayview will establish a reasonable solution to outdoor weddings and large group events; the size and frequency of those events; and, practical uses of equipment for acoustical music at those events.

This letter is organized to address the four specific subjects raised in our meeting (1) Parking and the next-door property owner, William H. Droege; (2) Frequency of large events; (3) Setup and take down; (4) Music.

On another matter, the latest Public Notice (yellow) has been posted in the front window of the Bayview and the affidavit of Posting has been e-mailed to you.

(Per Santa Cruz County Planning Department Staff Report (Exhibit "C", Pages 13-20)):

**1. Rear Parking Lot Design and Drawings:**

1.1 We will provide to the County an addendum 11" by 17" drawing to the drawings previously submitted with the application. The addendum drawing will be a blow-up of the design changes agreed to for Parking Lot "C". As a cost savings for Ms. Lock, the County will not require any new changes to the drawings nor the written application submitted for the March 16, 2012 Zoning Administrator Hearing. The addendum drawing provides a re-design of the rear parking lot depicting all parking spaces, size of the spaces, circulation, and landscaping. All ADA parking will be provided in the front parking lot (Lot "A") of the Bayview. Specific points addressed with you are:

- a.) The vacant land behind the Bayview may be used for parking and the County will allow a standard gravel lot be built with landscaping and an acceptable drainage plan using bio-swales. The Condition of Approval will require building permits.

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- b.) Up to 6 tandem parking spaces shall be allowed for employee and guest parking (Spaces 1, 2, 3, 24, 25, and 26 of Lot "C");
- c.) A design proposal by the Bayview Civil Engineer conserves as much land as possible for the new parking lot. The current thinking is to have a garden area along the back fence of the courtyard with a pedestrian entrance. The driveway for gravel parking would crossover parking spaces 6, 7, 20, and 21 of Lot "C". An 18' access driveway in the final design will serve 8 parking spaces on the gravel area tandem to parking spaces 14 to 21 of Lot "C". Another 8 parking spaces will be provided along the northwestern edge of the Gravel Parking Lot.
- d.) The new design for the Bayview creates a total of 52 parking spaces (Lot A has 21 parking spaces; Lot B has 3 parking spaces; and Lot C has 28 parking spaces).
- e.) Following the California Plumbing Code, the Bayview should have no more than 150 guests at any one time, which requires 60 parking spaces. The 52 Bayview parking spaces will accommodate 130 guests and staff.
- f.) During normal operations Parking Lot "C" will continue with current parking practices and provide 13 parking spaces.

1.2 A Memorandum of Understanding (MOU) between Cristina M. Locke and William H. Droege will establish all parking rights of the Bayview and the Vapor Cleaners using the Bayview parking lot in the rear. A copy of the MOU will be sent to the County as soon as the draft is completed. It is acceptable to Ms. Locke if the County wishes to add a condition similar to the following:

Condition ? (?): "To avoid parking disagreements between APN 041-011-34 (Bayview Hotel) and 041-011-32 (Vapors Cleaners) a Memorandum of Understanding (MOU) between Cristina M. Locke and William H. Droege shall be presented to the County for approval.

**2. Frequency of Large Outdoor Weddings and Events:**

2.1 To assure the Bayview remains in compliance with the County's requirements for holding large events, Ms. Locke would like to avoid any condition that has a potential to cause the Bayview to be out of compliance. Therefore, the Bayview is requesting more flexibility with its frequency to hold large events. Due to current economic constraints, it is increasingly difficult to gauge the number of large event bookings in Santa Cruz. Based on Bayview records kept during recent years, the number of attendees at large events at the Bayview has become smaller. Perhaps a smaller number of guests attending weddings and other celebratory events has become the "new normal." Ms. Locke understands it is possible the Bayview might not be able to book more than 6 large events in any given month. It is

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requested the County not complicate the regulation for large events at the Bayview and recommend Condition 4(e) read as follows:

Condition 4(e): "To prevent continuous potential impacts to surrounding residential properties, no more than 6 large events (defined as events in excess of 50 guests) shall occur during any one month."

Staff's Current Condition:

Condition 4 (e): "To reduce potential impacts to surrounding residential properties, the total number of large events (defined as events in excess of 50 guests) shall be limited to no more than two large events per month (for a total of 24 large events per year).

(i.) To allow additional flexibility during peak season, the 24 large events may be clustered together during the spring, summer and fall months. To prevent continuous potential impacts to surrounding residential properties, no more than 6 large events shall occur during any one month."

**3. Setup and Take Down of Outdoor Event:**

3.1 Condition 5.b in "Hours of Operation" (Page 17). As previously discussed during the May 2<sup>nd</sup> meeting, Ms. Locke stated the need for more flexibility in the hours of "setup" and "take down" of event facilities.

Condition 5.b now reads: "Setup and take down of outdoor event facilities shall occur no more than an one hour before, or one hour after, the above listed hours of operation (Condition 5.a)."

The Bayview reads Staff's intent to restrict loud noise between the hours of 10:00 P.M. and 8:00 A.M. as reasonable. However, if the Condition is enforced as it is written, the Condition literally directs that any and all events using typical facilities (sun covers, tables, chairs, space heaters, steam tables, etc.) must be set-up on the same day as the event and no sooner than one-hour before the start of the event. There will be times when the event may require set-up a day or two before the day of the event. To avoid confusion or incorrect enforcement of this Condition, it is recommended Staff consider substituting the following language:

New Language for Condition 5.b: "No setup or take down work on event facilities used in any outdoor event shall occur between the hours of 10:00 P.M. and 8:00 A.M. with the exception of typical table settings or typical table busing and cleaning. Typical table settings may start no sooner than 7:00 A.M. and all table busing and cleaning must be completed by 11:00 P.M."

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**4. Music:**

4.1 Ms. Locke is in agreement with “IV. Operational Conditions – A. Weddings and Private Events – 6. Noise & Outdoor Music (Page 17)”. However, Ms. Locke continues to worry about balancing the County’s new requirements for operations with the needs of her customers. Hospitality professionals like Ms. Locke work with all types of performers and Ms. Locke has significant knowledge and experience addressing the needs of clients as well as the talent who “make music” for weddings and other Private Events. Ms. Locke requests the County work with her to agree upon a reasonable and workable solution.

I have contacted Bayview’s noise consultant, Edward L. Pack Associates, to determine if low volume applications for voice during acoustic musical performance would cause any noise impacts to surrounding residential properties. Based on the acoustical tests using common amplified equipment for voice that have been completed and included in the noise studies the Bayview has previously submitted to the County, Edward L. Pack Associates again states there will be no significant noise impacts on surrounding residential properties. Edward L. Pack Associates is preparing a letter to the County substantiating this analysis. The Bayview has consistently agreed to Edward L. Pack Associates’ recommendations for managing low volume amplified noise using equipment that governs all out-put and keeps the level of music below 65 decibels.

Several acoustic music performers have asked the County to allow the use of a small electric tone control unit and electric devices to raise the music slightly above ambient noise. It is understood none of the instruments are electric nor behave like one. Singers are requesting the option to use equipment to raise the music slightly above the levels of the musical instruments noise. These electric devices **do not** convert acoustic performances into amplified music.

Again, because of code enforcement significance and the requirement to record these conditions affecting the deed of the property, the Bayview needs permission to have low volume out-put for voice. Ms. Locke is looking to the County to approve this request.

**5. Conclusions:**

All other Conditions of Approval, Requirements to Record, and Building Permit requirements are acceptable to Ms. Locke as owner of the Bayview. When the County documents are ready, the owner of the Bayview Hotel will be available to sign them. An application for a Building Permit to remodel the current restroom into an ADA facility will be filed next month (June 2012). The Parking Lot Building Permit will be filed by the end of the summer of 2012. Ms. Locke prefers the two construction projects proceed independent of the other. Updating the ADA restroom facility without the improvements to Parking Lot “C” would only allow 93 guests and employees (37 parking spaces). When the improvements to Parking Lot “C” are complete, then the Hotel may serve 135 guests and employees (54 parking spaces).

Ms. Locke is prepared to acquire all required Building Permits and will provide four (4) copies of the “Discretionary Permit” with Conditions of Approval attached. Ms. Locke

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will record the final version of the Conditions of Approval for this permit with the Office of the County Recorder within 30 days from the effective date of this permit.

If Les Strnad (831.419.2632 • [lestrnad@att.net](mailto:lestrnad@att.net)) or I can offer additional help or answer questions, please do not hesitate to call or email either of us to assist you.

Sincerely,

Ricardo de la Cruz  
(831) 915-4800 • [rdlc@gmail.com](mailto:rdlc@gmail.com)

cc: Supervisor Ellen Pirie (Dist.2), Wanda Williams, Asst. SC County Planning Director;  
Cristina Locke; Les Strnad; William H. Droege



### **Conditions of Approval (5/18/12 ZA Hearing)**

Exhibit A: Project plans, entitled "The Historic Bayview Hotel", 5 pages, revised 11/3/11.

- I. This permit authorizes outdoor weddings and similar private events at the Bayview Hotel property, per the terms of these conditions of approval. 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. All conditions of permit numbers 90-1111 and 93-0329 are incorporated herein by reference and, unless modified by these conditions, are also conditions of this approval.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official for modifications to the existing bathroom at the rear of the structure and for the restriping (including any repaving) of the parking area consistent with the approved Exhibit "A" for this permit.
    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.
    2. No events in excess of 50 guests shall be allowed until the restroom, and accessibility improvements (as depicted in the approved Exhibit "A", as modified by these conditions, and in compliance with the California Building Code) have been installed and received final inspection clearance under an approved Building Permit issued by the County of Santa Cruz Planning Department.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official, if required for parking lot improvements.
  - 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 final architectural and site 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 also include the following additional information:

1. A revised parking lot layout, including areas of proposed surfacing (gravel surface is acceptable for overflow parking at the rear of the property) and restriping improvements, shall be provided that eliminates the need for valet parking at large events.
  - a. Up to 6 tandem parking spaces shall be allowed for employee parking. Guest parking is not allowed to be tandem, but guests may park behind the tandem employee spaces during events.
  - b. In order to provide 52 parking spaces without requiring the need for valet services or tandem parking for guests, the currently vacant area at the rear of the property shall be improved as an overflow parking area with a gravel surface during for use during large events. The surface of the overflow parking area shall be a minimum of three inches of gravel that covers the entire parking and circulation area of the overflow parking area. Access to the overflow parking area shall be a minimum width of 18 feet through the existing parking area. A minimum five foot wide landscape strip shall be provided at the north and west sides of the overflow parking area. All drainage requirements shall be met in the improvement of the overflow parking area.
  - c. Parking areas "D", "E", and "F" shall be removed from the project plans.
2. Grading, drainage, and erosion control plans.
3. Details showing compliance with accessibility requirements.
4. Details showing compliance with fire department requirements.
5. 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.
  - 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 6 drainage fees to, the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
  - D. Meet all requirements of, and pay applicable fees to, the Santa Cruz County Sanitation District.
  - E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
  - F. Provide required off-street parking for 52 vehicles (with up to 6 tandem parking spaces). 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.
- 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. Weddings and Private Events

1. This approval is for weddings and similar private events reserved for a single group of individuals at the Bayview Hotel property and does not constitute approval of a performing arts venue (either outdoors or indoors). Events which require individual payment at the door, whether for live entertainment or other purposes, are not authorized by this permit.
2. All building and assembly requirements of the California Building Code (including fixture count and accessibility improvements) shall be met prior to the use of the property for events authorized by this permit.
3. All parking required by this permit shall be in place prior to the use of the property for events authorized by this permit.
  - a. Events of no more than 80 guests may be held on the property prior to completion of parking improvements (utilizing the existing parking areas).
4. Event Size and Frequency
  - a. Events of up to 50 guests are allowed to occur on any day of the year, without limitation to frequency or number, during the hours of operation authorized by this permit.
  - b. No events in excess of 50 guests shall be allowed until the restroom and accessibility improvements (as depicted in the approved Exhibit "A", as modified by these conditions, and in compliance with the California Building Code) have been installed and received final inspection clearance under an approved Building Permit issued by the County of Santa Cruz Planning Department.
  - c. To reduce potential impacts to surrounding residential properties, the total number of large events (defined as events in excess of 50 guests) shall be limited to no more than six large events per month.
  - d. During events in excess of 50 guests, the entire hotel and restaurant area shall be reserved for use by patrons of the event only. No additional guests of the hotel or restaurant are authorized while the event is in process.
  - e. The maximum event size is dependent on the available parking and the size of the assembly area. Based on the size of the assembly area and the amount of available parking (as depicted on the approved Exhibit "A" for this permit), the maximum size for large

events shall not exceed 120 guests and 12 employees.

- i. Any future expansion beyond the 120 guest maximum (due to modifications in parking or other site conditions) shall be considered as an amendment to this permit, processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance.
- f. Any future reductions in on-site parking (due to site improvements, accessibility requirements, improvements to or use of the easement between the Bayview Hotel and the Trout Gulch Crossing property, or any other reason) would reducing the total number of individuals who could be in attendance during events based on the parking ratio of 2.5 guests per parking space and 0.3 parking spaces per employee.
- g. Changes to the frequency or size of events established by these conditions of approval shall be considered as an amendment to this permit, processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance.

5. Hours of Operation

- a. The hours of operation for outdoor events shall be the hours between 9 AM and 10 PM. No outdoor event shall begin before 9 AM or end after 10 PM. All event guests shall either leave the property and surrounding area by 10 PM, or remain inside of the Bayview Hotel structure after 10 PM.
- b. Setup and take down of outdoor event facilities shall occur no more than one hour before, or one hour after, the above listed hours of operation. Setup and take down shall also be allowed to occur on the day before and after any outdoor event, during the above listed hours of operation.

6. Noise & Outdoor Music

- a. All musical instruments for outdoor events shall be acoustic in nature (without electric amplification) and amplification of a microphone at low volumes will only be available for the master of ceremonies. No musical instruments shall utilize a microphone or other form of acoustic pickup that is rebroadcast via an electrically amplified speaker.
- b. All outdoor events shall occur only between the hours of 9 AM and 10 PM to minimize the potential impacts associated with noise on surrounding properties, in compliance with County Code section

8.3.010 and the hours of operation authorized by this permit.

- c. All noise generated from the existing commercial use and outdoor events, separately or combined, shall comply with the requirements of General Plan Policy 6.9.1 (Noise - Land Use Compatibility Guidelines).

7. Signage

- a. No new or additional signage (including, but not limited to sandwich board signs, banners, flags, or other permanent or temporary signage) is authorized as a component of this approval.

8. Waste Management & Site Cleanup

- a. Adequate trash facilities shall be provided in the outdoor areas when events are underway. All garbage shall be collected at the end of each event and properly disposed of in approved receptacles.
- b. Outdoor areas of the project site, including surrounding parking lots and adjacent landscaping areas shall be cleaned of any debris resulting from the weddings or similar events within 24 hours of the event.

B. Parking

- 1. Parking shall be provided on the project site per the approved Exhibit "A" for this permit, and as modified by these conditions of approval. Off-street parking for 52 vehicles (including up to 6 tandem parking spaces) shall be provided. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way.
  - a. Up to 6 tandem parking spaces shall be allowed for employee parking. Guest parking is not allowed to be tandem, but guests may park behind the tandem employee spaces during events.
  - b. In order to provide 52 parking spaces without requiring the need for valet services or tandem parking for guests, the currently vacant area at the rear of the property shall be improved as an overflow parking area with a gravel surface during for use during large events. The surface of the overflow parking area shall be a minimum of three inches of gravel that covers the entire parking and circulation area of the overflow parking area. Access to the overflow parking area shall be a minimum width of 18 feet through the existing parking area. A minimum five foot wide landscape strip shall be provided at the north and west sides of the overflow

parking area. All drainage requirements shall be met in the improvement of the overflow parking area.

- c. Parking areas "D", "E", and "F" shall be removed from the project plans.
- 2. During events, a minimum of one parking space shall be provided for each 2.5 guests attending events and 0.3 parking spaces shall be provided for each employee. During non-event times, the parking for the Bayview Hotel and restaurant shall comply with the parking requirements specified in County Code (1.1 space per hotel room, 1 space per each 100 square feet of restaurant, and 0.3 space per employee).
- 3. Any future reductions in on-site parking (due to site improvements, accessibility requirements, improvements to or use of the easement between the Bayview Hotel and the Trout Gulch Crossing property, or any other reason) shall reduce the total number of guests authorized during events (based on the parking ratio of 2.5 guests per parking space and 0.3 parking spaces per employee).
- C. 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. Amendments

- A. Future amendments or changes to the project shall be processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance.

#### VI. 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.

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

**Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.**

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

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

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

\_\_\_\_\_  
Steven Guiney, AICP  
Deputy Zoning Administrator

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Randall Adams  
Project Planner

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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.



**Staff Report from 3/16/12  
Zoning Administrator Hearing**

**Application Number 101114  
Zoning Administrator Hearing  
5/18/12**



## Staff Report to the Zoning Administrator

Application Number: **101114**

**Applicant:** Rick de la Cruz

**Owner:** Locke

**APN:** 041-011-34

**Agenda Date:** 3/16/12

**Agenda Item #:** 2

**Time:** After 10:00 a.m.

**Project Description:** Proposal to allow weddings and outdoor events at the Bayview Hotel. Requires an amendment to Commercial Development Permits 90-1111 & 93-0329.

**Location:** Property located on the north side of Soquel Drive approximately 150 feet west of Trout Gulch Road in Aptos Village. (8041 Soquel Drive)

**Supervisory District:** 2nd District (District Supervisor: Ellen Pirie)

**Permits Required:** Commercial Development Permit

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 101114, 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. Application for the Historic Bayview Hotel |
| D. Categorical Exemption (CEQA | (as corrected through 11/30/12)               |
| determination)                 | G. Comments & Correspondence                  |

### Parcel Information

Parcel Size:	31,000 square feet (per project plans)
Existing Land Use - Parcel:	Historic hotel with restaurant
Existing Land Use - Surrounding:	Mixed commercial development, railroad tracks
Project Access:	Private driveway from Soquel Drive
Planning Area:	Aptos
Land Use Designation:	C-C (Community Commercial)
Zone District:	C-2-L (Community Commercial - Historic Landmark combining district)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside

## Environmental Information

Geologic Hazards:	N/A
Soils:	N/A
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate
Archeology:	N/A

## Services Information

Urban/Rural Services Line:	<u>  X  </u> Inside <u>    </u> 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

## Project Setting

The subject property is located on the north side of Soquel Drive in Aptos Village. The railroad tracks separate the parking area from Soquel Drive and the property is accessed via private driveways from Soquel Drive and Trout Gulch Road. The front of the Bayview Hotel is screened by a large magnolia tree. Existing businesses are located to the east and across Soquel Drive. The property immediately to the west (Aptos Firehouse/VFW Hall) is vacant and additional undeveloped property exists to the north (rear) of the Bayview property.

## Use History

The Bayview Hotel is listed as a historic structure (NR-1) on the National Register of Historic Places, and it is a landmark at the heart of Aptos Village. The hotel was constructed in 1878 and was later moved approximately 100 feet to its current location. The construction and re-location of the building pre-date zoning or building permit requirements.

As a focal point for activity in the Aptos Village, the hotel was also a location for weddings and other events of public interest. Over the years, it is not clear as to when such events may have been discontinued, but a period of time in excess of 3-5 years appears to have passed in which no such events occurred. Although some prior evidence of weddings and events has been provided, no clear estimate of recurring weddings or events has been provided. Additionally, in the use permit approval from 1990 (90-1111) it was established that the hotel and restaurant uses had not lapsed, but the ability to hold weddings and outdoor events had lapsed due to inactivity. For these reasons, the Bayview Hotel has lost the ability to hold weddings or outdoor events without the requirement of a use approval from the County of Santa Cruz.

## **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 31,000 square feet, located in the C-2-L (Community Commercial - Historic Landmark combining district) zone district, a designation which allows commercial uses. The existing hotel is a permitted use within the zone district and the zoning is consistent with the site's (C-C) Community Commercial General Plan designation.

## **Weddings and Events**

The Bayview Hotel has been a past focal point and center for Aptos Village, including a location for weddings and public events. This use has lapsed, as described above, and a Commercial Development Permit is necessary to allow weddings and similar events at the hotel. Although this requirement was understood at the time that a storage and office area was constructed at the rear of the hotel in the early 1990s, the practice of holding weddings and events began again sometime after 2002 when the property was sold. Due to formal reports of excessive noise from outdoor events and music, a Code Compliance investigation was initiated to prevent the use from continuing until a Commercial Development Permit approval is obtained to recognize the wedding and event use.

The use of the property for weddings or large events is complicated by a number of factors. The structure is historic, parking is limited, and noise from outdoor events has significantly disturbed surrounding residents. The historic nature of the building limits the extent of improvements that can be made to accommodate large indoor gatherings. The existing restaurant is not configured for large indoor events and additional improvements would be necessary (in terms of bathroom fixture counts and accessibility improvements) before large events could be held outdoors on the rear patio of the property. The proposed location of the outdoor events is indicated on the project plans (Exhibit A). All required parking would need to be provided on site, and site improvements (restriping, and possibly additional paving) would be needed before a valet parking arrangement could be in effect for larger events. The proposed parking arrangement is indicated on the project plans (Exhibit A) and is further described in the Application for the Historic Bayview Hotel (Exhibit F). For all events, noise concerns would need to be addressed and limitations on noise generation would need to be established to protect surrounding properties.

## **Parking**

The existing parking area for the Bayview Hotel is split between the front and the rear of the property. The rear portion of the parking area is located behind the hotel and is accessed from the Vapor Cleaners parking lot. The parking in this area is shared (by easement agreement) with the adjacent property owner. The applicant has stated that the use of the rear parking area exclusively by the Bayview Hotel during large events is not in conflict with the existing easements, although no evidence has been provided to support this statement.

County Code specifies parking requirements for hotel and restaurant uses, but not for weddings and similar events. A formal parking study, prepared by a licensed traffic engineer was requested by Planning Department staff, but the applicant did not to provide a parking study for staff use. Through analysis of similar uses in the Institute of Transportation Engineers (ITE) manual, the

Planning Department determined that the standard of 2.5 guests per vehicle could be used if a parking study was not going to be prepared. With the 2.5 guest per vehicle standard, the applicant proposes to use both the front and rear parking areas (with a total of 37 single parking spaces) in a self-parking arrangement for up to 85 guests and 8 employees. Above this number, the applicant proposes to use a tandem parking approach for a total of 52 on site parking spaces. The tandem parking proposal would require the use of a valet to park all vehicles on the project site. The proposed parking arrangement is indicated on the project plans (Exhibit A) and is further described in the Application for the Historic Bayview Hotel (Exhibit F).

For all larger events, the applicant proposes to close the restaurant and hotel to additional outside guests. Only individuals associated with the event would be able to use the restaurant and/or hotel during the time the event is ongoing.

### **Noise**

Per neighbor complaints, the outdoor events and amplified music at the Bayview Hotel property have created a noise impact for surrounding residential properties. Attempts to mitigate the noise created by outdoor amplified music have been unsuccessful to date. In order to reduce noise generated by large events, the applicant has proposed to limit the music to acoustic instruments only, as specified in the Application for the Historic Bayview Hotel (Exhibit F). Limited amplified voice equipment would be available for the master of ceremonies for outdoor events. Additionally, the applicant has proposed limiting the time period for outdoor events to the hours between 9 AM and 10 PM to prevent noise or activity that might disturb surrounding residents during early morning or late night hours. Further clarification and restrictions related to noise and hours of operation are specified in the recommended conditions of approval (Exhibit C).

### **Event Size and Frequency**

The applicant has proposed the ability to hold weddings and large events on the project site between 9 AM and 10 PM on any given day of the year, without limit to the total number of events that could be held per the Application for the Historic Bayview Hotel (Exhibit F). Given the past history with the disturbances caused by events held at the property, Planning Department staff feel that it would be reasonable to limit the number and frequency of large events at the Bayview Hotel property.

Considering the amount of available parking, the size of the existing structure, and the multiple uses on the project site (restaurant, hotel, and event facility) any events that exceed 50 guests would be limited per the recommended conditions of approval. To reduce potential impacts to surrounding residential properties, the total number of large events (defined as events in excess of 50 guests) would be limited to no more than two large events per month (for a total of 24 large events per year). The maximum event size (based on available parking) would be 120 guests. To allow additional flexibility during the peak wedding season, these 24 events can be clustered together during the spring, summer, and fall months. However, to prevent continuous potential impacts to surrounding residential properties, no more than 6 large events could occur during any one month.

Additional conditions of approval are recommended to protect surrounding residential properties

and further modify the applicant's proposed use of the subject property.

## **Conclusion**

The project applicant and property owners have proposed a use of the property that appears to be reasonable for weddings and similar large events (subject to additional modifications included in the recommended conditions of approval). The proposed use of the property for weddings and large events, including the use of the rear patio as an outdoor event space, can be supported by Planning Department staff, subject to the proposed conditions of approval.

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**

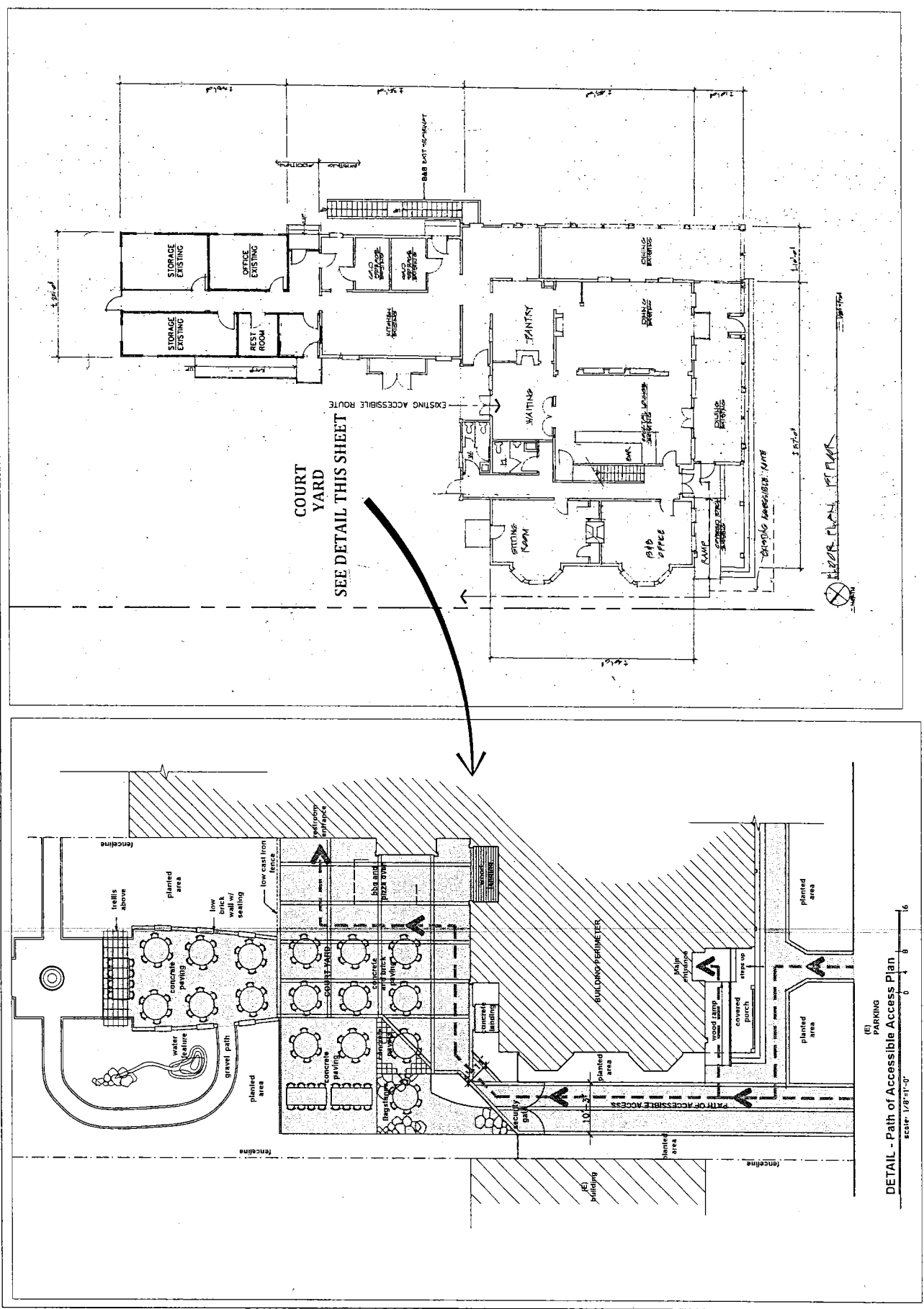
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **101114**, based on the attached findings and conditions.

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

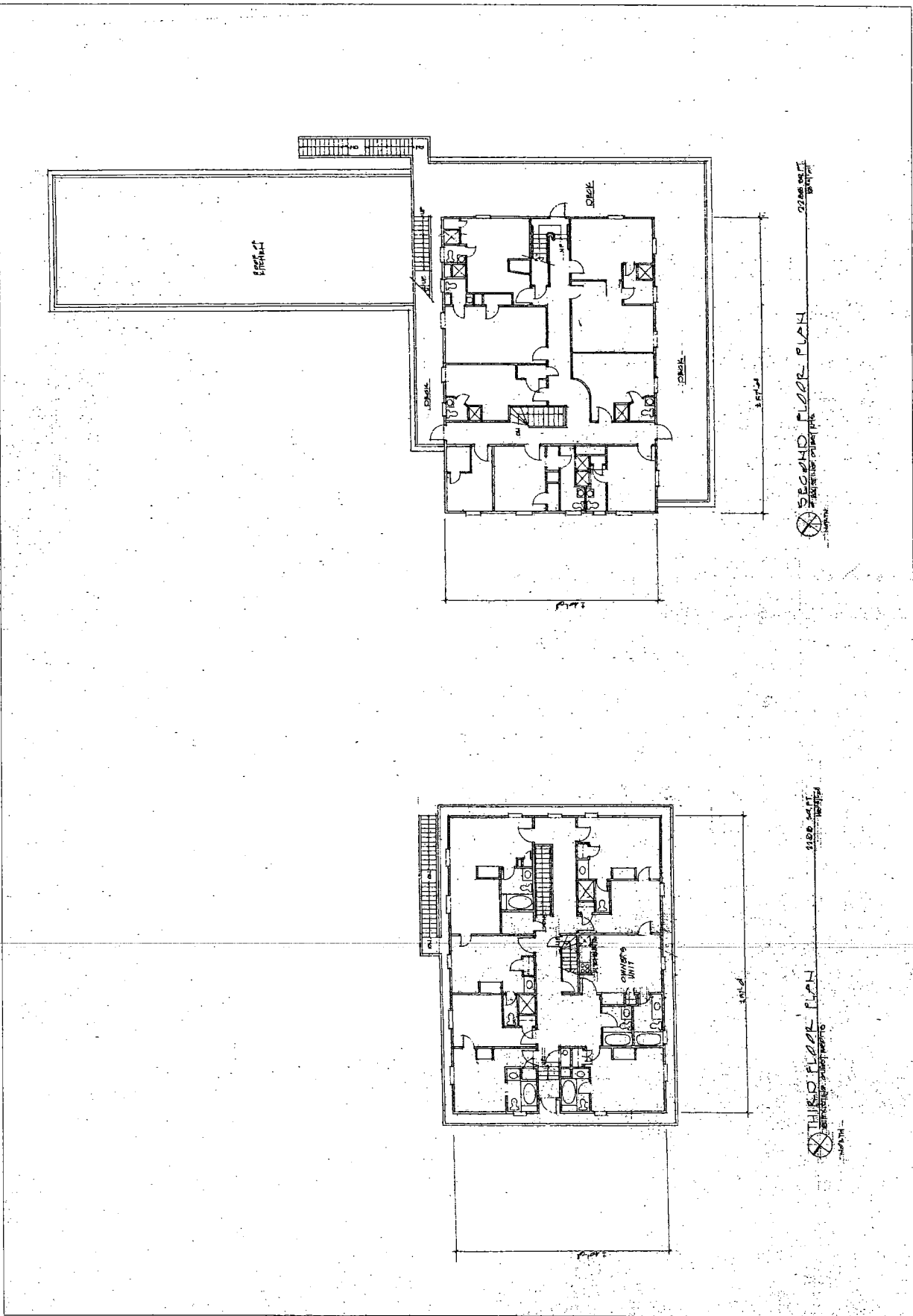
**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

Report Prepared By: Randall Adams  
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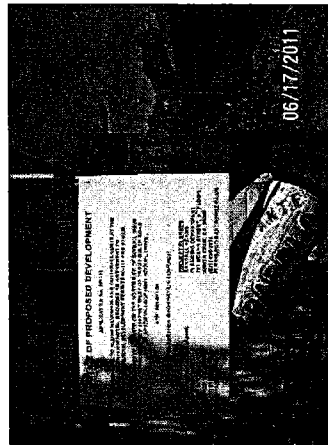
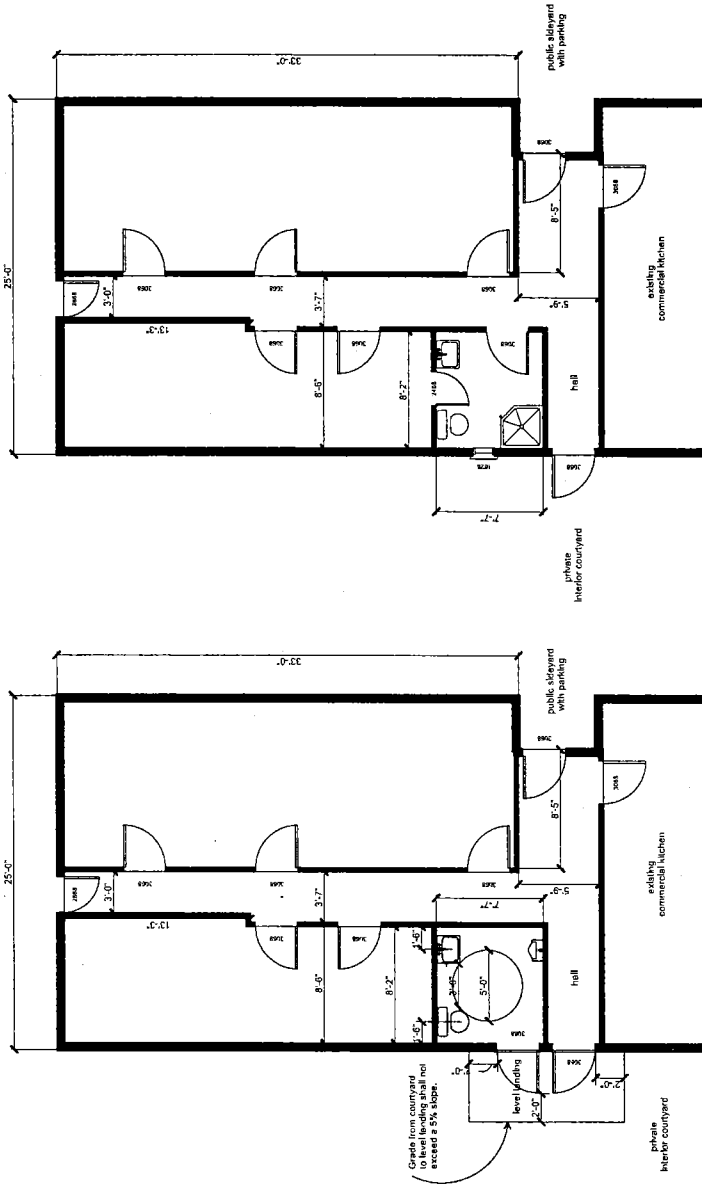












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## **Development Permit Findings**

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

This finding can be made, in that the project is located in an area designated for commercial uses and is located on the site of a historic hotel. Hours of operation, event size and frequency, and the type and amount of noise generated by the proposed wedding and events use will be limited by the conditions of approval to ensure that potential impacts to surrounding residential properties are minimized.

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 events will be held at an existing hotel property and the conditions under which the proposed use would be operated will be consistent with all pertinent County ordinances and the purpose of the C-2-L (Community Commercial - Historic Landmark combining district) zone district.

The use of the property shall be in compliance with County Code section 16.42 (Historic Resource Preservation), in that the historic Bayview Hotel will be preserved in compliance with historic resource preservation requirements and exterior modifications to the existing historic structure will not occur as a result of this project.

Sufficient parking shall be provided for the proposed wedding and events use per the submitted parking management plan. The use of a parking plan to determine minimum parking requirements is authorized per County Code section 13.10.553(a).

Noise emanating from the subject property during outdoor events shall be limited by the hours of operation, to the hours between 9 AM and 10 PM, in compliance with County Code section 8.3.010, and shall be further subject to the noise standards contained in the County General Plan (Policy 6.9.1).

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 hotel and restaurant use is consistent with the use requirements specified for the Community Commercial (C-C) land use designation in the County General Plan.

The proposed weddings and event uses will not generate excessive noise as specified in Policy 6.9.1 (Noise - Land Use Compatibility Guidelines), in that all musical instruments for outdoor events will be acoustic and electronic amplification will only be available for the master of

ceremonies at a low volume. All outdoor events shall occur between the hours of 9 AM and 10 PM to further reduce the potential impacts associated with noise on surrounding properties.

The current and proposed use of the property is consistent with the Aptos Village Plan, adopted by the Board of Supervisors on February 23, 2010.

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 weddings will occur at an existing hotel and restaurant. The expected level of traffic generated by the proposed events is anticipated to be no more than 52 vehicles (based on available parking on the project site). Typically, weddings and similar events will occur on weekend days and evenings and not occur during peak weekday trip periods. As a result, the traffic generated from the proposed events will not adversely impact existing roads or intersections in the surrounding area.

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

This finding can be made, in that the existing historic hotel structure is located in a mixed neighborhood containing a variety of architectural styles and no modifications are proposed to the structure. The proposed wedding and outdoor event use is compatible with the existing hotel use and 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 wedding and events use will not modify the exterior appearance of the Bayview Hotel.

## Conditions of Approval

Exhibit A: Project plans, entitled "The Historic Bayview Hotel", 5 pages, revised 11/3/11.

- I. This permit authorizes outdoor weddings and similar private events at the Bayview Hotel property, per the terms of these conditions of approval. 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. All conditions of permit numbers 90-1111 and 93-0329 are incorporated herein by reference and, unless modified by these conditions, are also conditions of this approval.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official for modifications to the existing bathroom at the rear of the structure and for the restriping (including any repaving) of the parking area consistent with the approved Exhibit "A" for this permit.
    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.
    2. No events in excess of 50 guests shall be allowed until the restroom, accessibility, and parking improvements (as depicted in the approved Exhibit "A" and in compliance with the California Building Code) have been installed and received final inspection clearance under an approved Building Permit issued by the County of Santa Cruz Planning Department.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official, if required for parking lot improvements.
  - 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 final architectural and site 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 also include the following additional information:

1. Parking lot layout, including areas of proposed paving and restriping improvements.
  2. Grading, drainage, and erosion control plans.
  3. Details showing compliance with accessibility requirements.
  4. Details showing compliance with fire department requirements.
  5. 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.
- 
- 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 6 drainage fees to, the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- D. Meet all requirements of, and pay applicable fees to, the Santa Cruz County Sanitation District.
- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

- F. Provide required off-street parking for 52 vehicles (including 30 tandem parking spaces as depicted on the approved Exhibit "A" for this permit). 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.

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. Weddings and Private Events

- 1. This approval is for weddings and similar private events reserved for a single group of individuals at the Bayview Hotel property and does not constitute approval of a performing arts venue (either outdoors or indoors). Events which require individual payment at the door, whether for live entertainment or other purposes, are not authorized by this permit.
- 2. All building and assembly requirements of the California Building Code (including fixture count and accessibility improvements) shall be met prior to the use of the property for events authorized by this permit.
- 3. All parking required by this permit shall be in place prior to the use of the property for events authorized by this permit.
  - a. Events of no more than 50 guests may be held on the property prior to completion of parking improvements (utilizing the existing parking area)
- 4. Event Size and Frequency



- a. Events of up to 50 guests are allowed to occur on any day of the year, without limitation to frequency or number, during the hours of operation authorized by this permit.
- b. No events in excess of 50 guests shall be allowed until the restroom, accessibility, and parking improvements (as depicted in the approved Exhibit "A" and in compliance with the California Building Code) have been installed and received final inspection clearance under an approved Building Permit issued by the County of Santa Cruz Planning Department.
- c. To reduce potential impacts to surrounding residential properties, the total number of large events (defined as events in excess of 50 guests) shall be limited to no more than two large events per month (for a total of 24 large events per year).
  - i. To allow additional flexibility during the peak wedding season, the 24 large events may be clustered together during the spring, summer, and fall months. To prevent continuous potential impacts to surrounding residential properties, no more than 6 large events shall occur during any one month.
- d. During events in excess of 50 guests, the entire hotel and restaurant area shall be reserved for use by patrons of the event only. No additional guests of the hotel or restaurant are authorized while the event is in process.
- e. The maximum event size is dependent on the available parking and the size of the assembly area. Based on the size of the assembly area and the amount of available parking (as depicted on the approved Exhibit "A" for this permit), the maximum size for large events shall not exceed 120 guests and 12 employees.
  - i. Any future expansion beyond the 120 guest maximum (due to modifications in parking or other site conditions) shall be considered as an amendment to this permit, processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance.
- f. Any future reductions in on-site parking (due to site improvements, accessibility requirements, improvements to or use of the easement between the Bayview Hotel and the Trout Gulch Crossing property, or any other reason) would reducing the total number of individuals who could be in attendance during events based on the parking ratio of 2.5 guests per parking space and 0.3 parking spaces per employee.

- g. Changes to the frequency or size of events established by these conditions of approval shall be considered as an amendment to this permit, processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance.

5. Hours of Operation

- a. The hours of operation for outdoor events shall be the hours between 9 AM and 10 PM. No outdoor event shall begin before 9 AM or end after 10 PM. All event guests shall either leave the property and surrounding area by 10 PM, or remain inside of the Bayview Hotel structure after 10 PM.
- b. Setup and take down of outdoor event facilities shall occur no more than one hour before, or one hour after, the above listed hours of operation.

6. Noise & Outdoor Music

- a. All musical instruments for outdoor events shall be acoustic in nature (without electric amplification) and amplification of a microphone at low volumes will only be available for the master of ceremonies. No musical instruments shall utilize a microphone or other form of acoustic pickup that is rebroadcast via an electrically amplified speaker.
- b. All outdoor events shall occur only between the hours of 9 AM and 10 PM to minimize the potential impacts associated with noise on surrounding properties, in compliance with County Code section 8.3.010 and the hours of operation authorized by this permit.
- c. All noise generated from the existing commercial use and outdoor events, separately or combined, shall comply with the requirements of General Plan Policy 6.9.1 (Noise - Land Use Compatibility Guidelines).

7. Signage

- a. No new or additional signage (including, but not limited to sandwich board signs, banners, flags, or other permanent or temporary signage) is authorized as a component of this approval.
  - i. As an exception to the above listed prohibition on additional signage, a single temporary sign directing guests to use the valet parking may be posted at the valet parking drop-off location. The sign shall only be present during valet parking events and shall be removed at the end of

each event and stored within the building.

8. Waste Management & Site Cleanup

- a. Adequate trash facilities shall be provided in the outdoor areas when events are underway. All garbage shall be collected at the end of each event and properly disposed of in approved receptacles.
- b. Outdoor areas of the project site, including surrounding parking lots and adjacent landscaping areas shall be cleaned of any debris resulting from the weddings or similar events within 24 hours of the event.

B. Parking

1. Parking shall be provided on the project site per the approved Exhibit "A" for this permit. Off-street parking for 52 vehicles (including 30 tandem parking spaces) shall be provided. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way.
2. During events, a minimum of one parking space shall be provided for each 2.5 guests attending events and 0.3 parking spaces shall be provided for each employee. During non-event times, the parking for the Bayview Hotel and restaurant shall comply with the parking requirements specified in County Code (1.1 space per hotel room, 1 space per each 100 square feet of restaurant, and 0.3 space per employee).
3. Per the approved Exhibit "A" for this permit, regular (non-tandem) parking will be used for events of up to 85 guests and 8 employees. Valet (tandem) parking shall be required for any event in excess of 85 guests and 8 employees. For these valet parking events, all guests shall use the valet service and tandem spaces shall only be utilized through valet parking. The drop-off and pick-up of vehicles shall be in compliance with the California Building Code including specific requirements for valet parking and accessibility.
4. Any future reductions in on-site parking (due to site improvements, accessibility requirements, improvements to or use of the easement between the Bayview Hotel and the Trout Gulch Crossing property, or any other reason) shall reduce the total number of guests authorized during events (based on the parking ratio of 2.5 guests per parking space and 0.3 parking spaces per employee).

- C. 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. Amendments

- A. Future amendments or changes to the project shall be processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance.

VI. 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.

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

Application #: 101114  
APN: 041-011-34  
Owner: Locke

**Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.**

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

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

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

\_\_\_\_\_  
Steven Guiney, AICP  
Deputy Zoning Administrator

\_\_\_\_\_  
Randall Adams  
Project Planner

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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: 101114

Assessor Parcel Number: 041-011-34

Project Location: 8041 Soquel Drive, Aptos

**Project Description: Proposal to allow weddings and events at the Bayview Hotel.**

**Person or Agency Proposing Project: Rick de la Cruz**

**Contact Phone Number: (831) 915-4800**

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

Specify type:

E.   X   **Categorical Exemption**

Specify type: Class 5 - Minor Alterations in Land Use Limitations (Section 15305)

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

Modifications to existing Commercial Development Permits to allow events in an area designated for commercial development

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

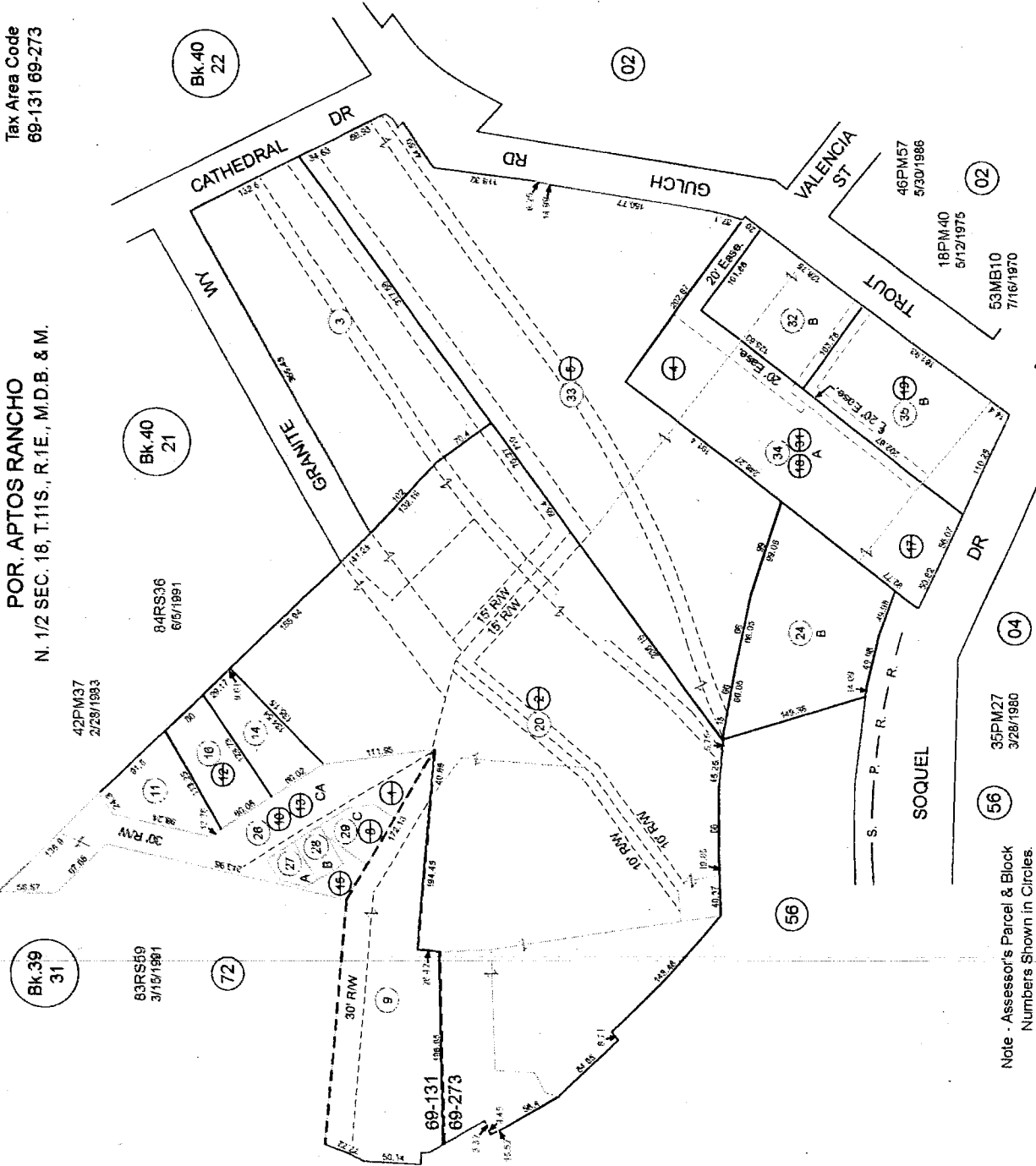
\_\_\_\_\_  
Randall Adams, Project Planner

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

41-01

Tax Area Code  
69-131 69-273

POR. APTOS RANCHO  
N. 1/2 SEC. 18, T.11S., R.1E., M.D.B. & M.



Assessor's Map No. 41-01  
County of Santa Cruz, Calif.  
Dec. 1998

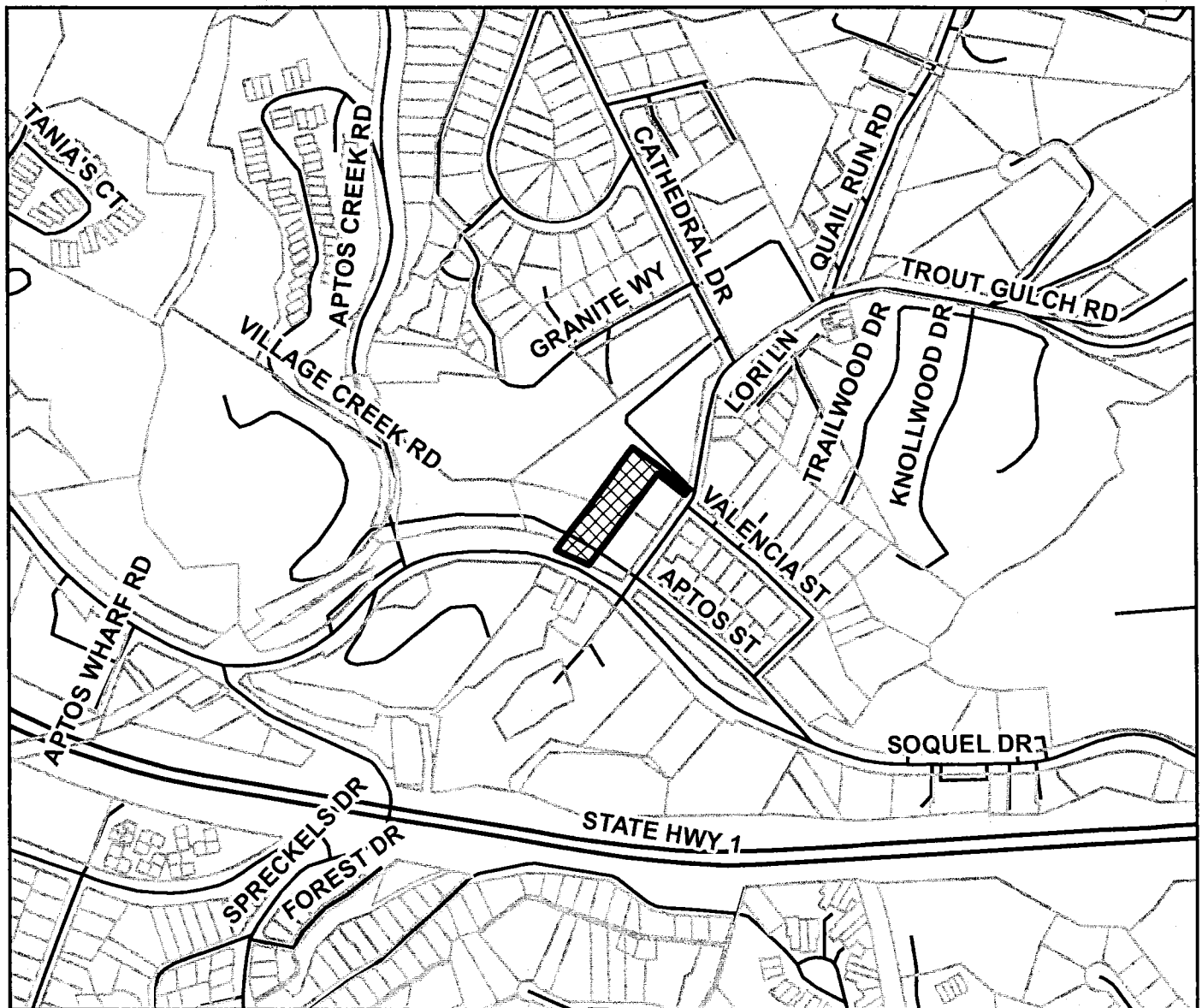
FOR TAX PURPOSES ONLY

EXHIBIT E





Electronically Redrawn 12/17/98  
Rev. 11/2/99 (pg. 1 to pg. 58) m  
Rev. 1/23/99 CB (0000000000 to 1-33)  
Rev. 1/21/01 CB (0000000000 to 1-34 & 35)  
Rev. 2/27/01 CB (Removed old S&E #5)  
Rev. 4/10/01 CB (Added 55M/27)  
Rev. 4/7/05 CB (Tax Code 69-289)  
Rev. 12/27/05 CB (Pac to pg. 41-72)  
Rev. 5/18/06 mm (Added APN, 1-03)  
Rev. 3/16/11 mc (Cot. 1-27 to 29, cando to townhouse)

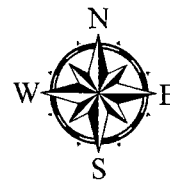


# Location Map



## LEGEND

-  APN: 041-011-34
-  Assessors Parcels
-  Streets
-  State Highways



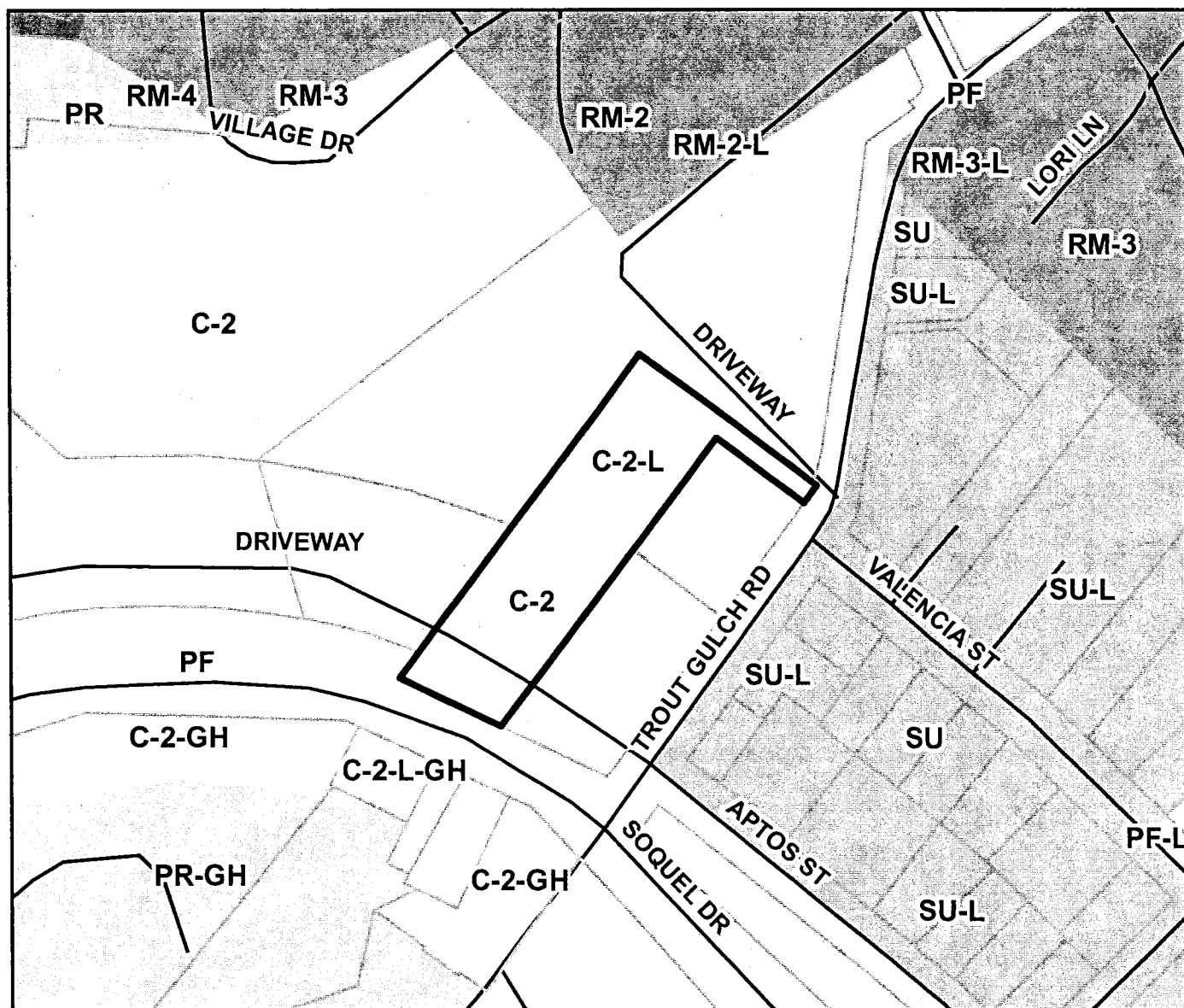
Map Created by  
County of Santa Cruz  
Planning Department  
June 2011

EXHIBIT E

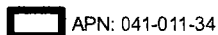




# Zoning Map



## LEGEND



APN: 041-011-34



Assessors Parcels



Streets

COMMERCIAL-COMMUNITY

PUBLIC FACILITY

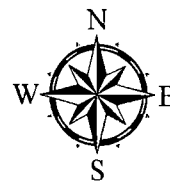
PARK



SPECIAL USE



RESIDENTIAL-MULTI FAMILY

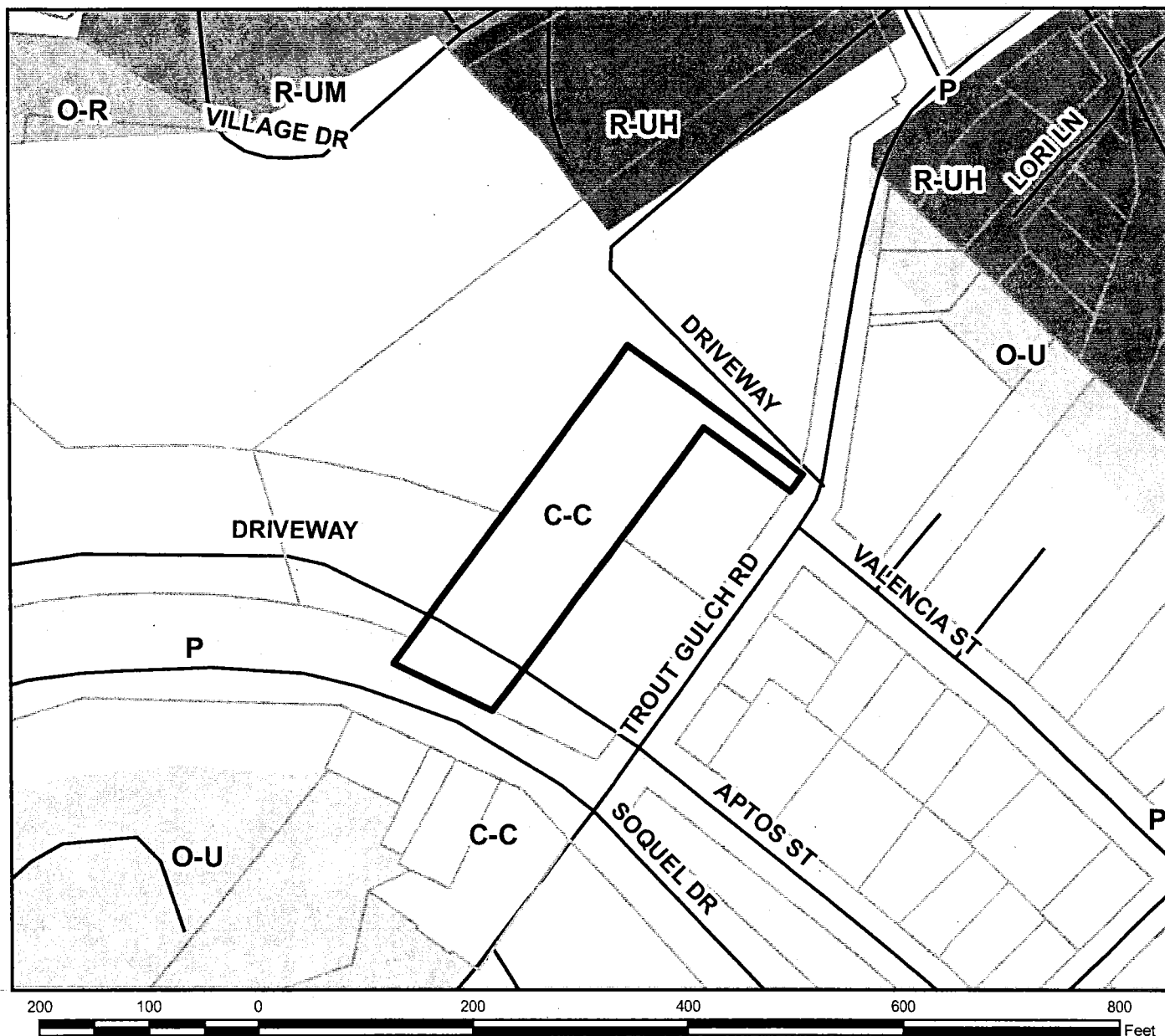


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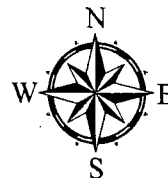


# General Plan Designation Map



## LEGEND

- APN: 041-011-34
- Assessors Parcels
- Streets
- Commercial-Community
- Public Facilities
- Urban Open Space
- Parks and Recreation
- Residential - Urban Medium Density
- Residential - Urban High Density



Map Created by  
County of Santa Cruz  
Planning Department  
June 2011

EXHIBIT E

***BAYVIEW HOTEL - APPLICATION 10-1114***

8041 Soquel Drive • Aptos, California 95003

• [www.bayviewhotel.com](http://www.bayviewhotel.com) •

Cristina M. Locke • Bayview Owner • (831) 688-8654

Ricardo de la Cruz • Bayview Consultant • (831) 915-4800

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***THE HISTORIC BAYVIEW HOTEL***

(APN: 041-011-34)

***3<sup>rd</sup> Corrected Application***

**Response to County Planning Department  
Letter Dated July 14, 2011**

**Commercial Development Permit Application: 10-1114  
To Amend  
Commercial Development Permits: 90-1111 and 93-0329**

---

**November 30, 2011**

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**November 30, 2011 Corrected Application For  
The Historic Bayview Hotel**

<b>PART I. OVERVIEW: 3<sup>rd</sup> CORRECTED APPLICATION</b>	<b>Page 2</b>
<b>PART II. UP-DATES TO MAY 10, 2011 SUBMITTAL</b>	<b>Page 6</b>
1. SITE PLAN NOTES AND DRAWINGS	Page 7
2. MARKETING PLAN	Page 7
3. ASSEMBLY PLAN	Page 7
4. MANAGEMENT PLAN	Page 8
5. MUSIC MANAGEMENT PLAN	Page 8
6. PARKING PLANS	Page 8
7. REQUEST FOR INFORMATION	Page 10
8. ATTACHMENT(S)	
Attachment A: Revised Drawings, Dated November 3, 2011 (5 Pages)	

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***November 30, 2011 Corrected Application For  
The Historic Bayview Hotel***

**PART I. OVERVIEW: 3<sup>rd</sup> CORRECTED APPLICATION**

The Applicant and owner of the Historic Bayview Hotel, Cristina M. Locke, received a letter from the Santa Cruz County Planning Department, dated July 14, 2011, stating that her application to amend the current Historic Bayview Hotel Commercial Development Permit is considered complete for further processing.

To date, there have been four (4) submittals to this application:

- (a) The original on February 9, 2011
- (b) The 1<sup>st</sup> correction on May 10, 2011
- (c) The 2<sup>nd</sup> correction on June 6, 2011
- (d) And, now, the 3<sup>rd</sup> correction submitted on November 30, 2011.

It is our understanding from the July 14, 2011 County letter that the Planning Staff has found this Application to be "Complete." The Planning Staff has received all documents requested, which supports the goals and objectives of this application.

However, Planning Staff also warned the Applicant, staff might ask for more information to further "clarify, amplify, correct, or otherwise supplement the information requested for this application." Following various conversations with staff on how to avoid additional delays in processing this permit, which has been in process for over 10 months, the Bayview consulting team has up-graded the drawings as suggested by staff. The Bayview consulting team is focusing on:

- (e) Improved Parking Information
- (f) Accommodations for a maximum of 120 guests anywhere on-site
- (g) Details on the Accessible Access Plan
- (h) Building a new American Disability Act (ADA) Unisex Restroom that will protect the historic features by its location in the rear spaces

In basic terms, the Historic Bayview Hotel is amending its Commercial Development Permit 90-1111 by requesting the County approve its Commercial Development Permit 10-1114, wherein:

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1. It is requested the County re-establishes within its records the legal and historic uses allowable to the Historic Bayview Hotel to again include large gatherings, such as public events, general business affairs, and private celebrations of all types, including, but not limited to, family reunions, weddings and other similar events.

2. It is requested the County approves the Bayview Hotel's assembly plan for 132 people. The number of guests attending large events is based on the California Plumbing Code (CPC), which sets restroom capacity, and the County's on-site parking codes, which set parking capacity. The maximum number of guests allowed under the CPC - Table 4 (Minimum Plumbing Facilities For Restaurants, Pubs, Lounges) would be 150 people based on the final fixture counts among all restrooms after the Applicant remodels an existing restroom into an ADA unisex facility.

The County Code, Section 13.10.552(b) (Schedule of off-street parking space requirements) only allows 132 people based on the capacity calculations for the number of Bayview parking spaces. For the Bayview Hotel, this typically means parking for 120 guests and 12 employees.

The Applicant recognizes that a new ADA unisex restroom needs to be adapted from an existing restroom; and, until that is completed, a restriction on the interim number of guests might be expected. Regarding parking spaces, the Applicant recognizes that 120 guests does require tandem parking spaces, which requires re-striping of the parking lots, in addition to the use of a valet-parking plan.

3. It is requested the County approves the use of outdoor Acoustic Music and outdoor low volume equipment for Master of Ceremony activities in the Courtyard area.

4. It is requested the County approves the Bayview Hotel's parking plan, which will provide sufficient parking, accommodating a range of group sizes up to 120 guests. This is accomplished using a parking management plan previously submitted. The plan upholds the two easements shared by the owners of the Bayview Hotel (Cristina Locke, APN 041-011-34), the Vapor Cleaners building (William H. Droege, APN 041-011-32) and Trout Gulch Crossing (William H. Droege, APN 041-011-35). The

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Bayview's proposed parking plan does not cause any parking conflicts between the properties during large events.

The Bayview's proposed parking plan for large events uses County Parking Ordinance, Section 13.10.554(b), "Valet Parking For Hotels." All parking lot information and use details for all three lots are noted on Sheet 1 of the attached drawings (dated November 3, 2011). Although there are 6 parking lots (Parking Lots A through F), the Bayview Hotel only uses "Parking Lots A, B, C." The Bayview's proposed parking plan is based on 2.5 guests and 0.33 employees per parking space, please note: Lots A, B, C provide ample parking for 37 spaces for Self Parking and 52 spaces for Valet Parking.

Using Self-Parking, the hotel would serve up to 89 guests with 8 employees using all 37 spaces in lots A, B, and C. For more details, please refer to "Table 2: Schedule For Large Events & Parking Space Allocations" below.

Using valet parking, the hotel would provided serves for a of maximum 120 guests with 12 employees using 50 of the 52 parking spaces in lots A, B, and C. The break down is 30 tandem parking spaces (Lots A and C) and 22 single parking spaces (Lots A and B). Such events would start with 90 guests and 9 employees and top out at events with 120 guests and 12 employees. For more details, please refer to "Table 2: Schedule For Large Events & Parking Space Allocations" below.

The following section addresses the Applicant's response to staff's comments in its letter of July 14, 2011. The following section also up-dates the information provided in the Bayview's May 10, 2011 submittal. In addition, the following information shall serve as the Applicant's "Annotated List" to this submittal, dated November 30, 2011.

5. Corrections to the project drawings, dated June 13, 2011, are provided in the revised drawing dated November 3, 2011 (5 Pages) and are included in Attachment A under separate cover. The Applicant's November 30, 2011 submission includes three (3) full sets and two (2) 8.5" by 11" size drawings. Tables have been added to the drawings to improve readability. With respect to previous errors noted by staff, the parking lots have been renamed and parking totals now match the total number of parking spaces. Please refer to

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"Parking Lot Data" in Table 1 (Self Parking Lots) and Table 2 (Tandem Parking Lots) on Sheet 1 of the drawings.

6. Staff suggested there might be limitations to the number and frequency of events at the Bayview. It is suggested County staff may wish to visit comparative large group venues. Bayview large group contracts, like other venues in the County, are "need driven." While it may be said, no one can predict when a large group will need the hospitality services provided by the Bayview, decades of experience support the spring and summer months to be the most popular. The Bayview requests to be treated fairly and allowed to compete with other local large group operators. There should be no restrictions on when events can occur. It is reasonable to regulate the size of the events with parking requirements and the California Building Code (CBC) and California Plumbing Code (CPC).

7. The maximum number of attendees for proposed events is fully addressed by the Applicant in the preceding Item 1. As established in the previous two reports to County Planning Staff, the Bayview management program developed a schedule for different group sizes (Please see below Table 2 - Schedule For Large Events & Parking Space Allocations). The table shows when the Hotel and Restaurant will close to ensure that space and parking is fully available.

8. The Applicant agrees that while the structure labeled "Future Building" is not part of this application, the "Future Building" is allowed in the County adopted Aptos Village Specific Plan. Ms. Locke has terminated negotiations with the developer of the Aptos Village Plan Unit Development (Application No. 10-1027). Because the Bayview is not participating within the parameters of the proposed AV-PUD, the Bayview rear-yard configuration will remain as it is currently structured. The "Future Building" matter is not relevant at this time.

9. The Applicant will make arrangements for appropriate construction drawings and building permits once this application is approved. For example, the VP-D designation on Sheet 1 of the November 3, 2011 drawings will be converted into construction drawings and the information expanded accordingly. The construction drawings will include specifics such as podiums, key boxes, signage and parking striping, as well any other item



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listed in the Building Code. Our intention is to meet all of the following per local and state building codes in providing:

- 9.1 Valet parking facilities and passenger loading zone with full compliance with Section 1117B.5.1 (See Notes on Sheet 1 of the November 3, 2011 drawings). The Valet Parking will comply with CBC Section 1131B.2, CBC Section 1114B1.2, and CBC Section 1129B through 1130B
- 9.2 Full compliance with Vertical Clearance requirements of 114 inches (9.5 feet) will be at accessible passenger loading zones and along the access route to and from entrance and exit areas
- 9.3 The Outdoor Courtyard is in compliance with CBC Chapter 10 (new occupant load) as are accessibility requirements of 1133B for doors and gates
- 9.4 All new construction with plans and specifications will be in compliance with current California Building Code, California Electrical Code; California Energy Code, California Mechanical Code, and California Plumbing Code The ADA Restroom details for a permanent facility will comply with CBC 1115B.

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**II. UP-DATES TO MAY 10, 2011 SUBMITTAL**

1. **SITE PLAN NOTES AND DRAWINGS** - Improvements have been made to the Section IV, Page 7 drawings submitted May 10, 2011. Joe Akers, P.E. (California License Number: 20372) prepared the revised drawings, dated November 3, 2011. James Reed Stroupe, AIA (California License Number: C12455) prepared the details for the courtyard (Sheet 2 of 5) and the new ADA restroom (Sheet 5 of 5). The documents provided to the County "are accurate, scaled, and dimensioned parking and striping plan" for planning purposes and application approval. Upon approval, building plans will be prepared.

1.0 Drawing 1 of 5 (Site Plan and Parking Tables):

- 1.1 Identified existing Easement Boundaries
- 1.2 Identified existing parking lots between the two properties. Each is labeled and parking spaces counted
- 1.3 Added identification information to each building
- 1.4 Added improved data formatted in readable Tables
- 1.5 Added notes and details about the parking plan, 10 total

2.0 Drawing 2 of 5 (1<sup>st</sup> Floor Plan):

- 2.1 1<sup>st</sup> Floor Plan - No Change
- 2.2 Details for Female Restroom on 1<sup>st</sup> Floor
- 2.3 Details for Male Restroom on 1<sup>st</sup> Floor
- 2.4 New Courtyard Details
- 2.5 Improved drawing for Path of Accessible Access Plan

3.0 Drawing 3 of 5 (2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans):

- 3.1 2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans - No Change

4.0 Drawing 4 of 5 (Elevations):

- 4.1 Southeast & Northeast - No Change
- 4.2 Southwest & Northwest - No Change

5.0 Drawing 5 of 5 (Elevations):

- 5.1 Photo of the "Notice Sign As Posted"
- 5.2 ADA Unisex Restroom by courtyard

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(Remodel to Existing Restroom)

2. **MARKETING PLAN** - No changes have been made to the Historic Bayview Hotel Marketing Plan discussed in the May 10, 2011 report (Section V, Page 8). To reiterate, the Historic Bayview Hotel marketing plan intends to provide services for large events such as public and business gatherings, family reunions, weddings and similar events of all types. These events vary throughout the year and are affected by current Santa Cruz economic trends. Because all activities will be within the Bayview Hotel and, therefore, will not affect neighboring properties, Hotel Management intends to allow any guest to select any day of the year, weekends as well as weekdays, to hold their celebrations. Scheduling will be market driven. The hotel will not have more than one large event per day and will seldom have more than two events a week. Hotel Management does not intend to speculate which days of the year contracts will be executed.

3. **BAYVIEW HOTEL MANAGEMENT PLAN** - As explained in the May 10, 2011 Submittal (Section VII, page 11), the Bayview Hotel Management Plan addresses: the responsibilities of the General Manager of the Historic Bayview Hotel; Hours of Operation; Hours for Outdoor Acoustic Music; Selecting Outdoor Acoustic Music Ensembles; Outdoor Master of Ceremony (MC); Hotel and Restaurant Rental Agreements for large events; and, Valet Parking using 30 tandem parking spaces. At this time we do not expect any changes to the Bayview Hotel Management Plan.

4. **MUSIC MANAGEMENT PLAN** - As described in the May 10, 2011 Submittal (Section VIII, Page 12), the Bayview Hotel Music Management Plan will continue without any changes. The plan addresses: Use of Outdoor Acoustic Music; Use of Indoor Amplified Music; "Master of Ceremony Equipment" (MC); and, Independent Third Party Acoustical Engineer (Acoustical Music). The Hotel is continuing to develop a list of appropriate Acoustic Musical Ensembles who may perform in outdoor spaces. From this list, the guest may select a group to perform. The type of instruments and music selected shall be the prerogative of the Acoustic Musical Ensemble and the customer. It has been confirmed by the Bayview's acoustical engineer, Edward L. Pack Associates, that using Outdoor Acoustic Music conforms to the County General Plan Noise Policies 6.9.1, 6.9.2, and 6.9.4.

5. **BAYVIEW OCCUPANCY LOAD: 132-150 PEOPLE** - Since the May 10, 2011 submittal, Bayview Hotel Management has been successful in re-organizing the Bayview's improvements to accommodate services up to a maximum of 120 guests

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and 12 employees (132 people). The standards for parking, ADA restrooms, and ADA circulation is based on County Parking Ordinances, the California Building Code Chapter 11-B, and the California Plumbing Code (CPC), Table 4-1: male and female requirements for Restaurants, Pubs, and Lounges (see Table 1 below). Although Table 4-1 of the CPC establishes the “occupancy load” for the Bayview at 150 people, at the time the Bayview installs an additional ADA restroom, the Applicant recognizes the number of parking spaces available establishes the assembly plan for the Bayview. The Bayview will meet the requirements for 132 people by (1) remodeling an existing restroom into a new ADA unisex restroom; and (2) by adopting the proposed valet and tandem parking plan. The Bayview intends to complete the new ADA unisex restroom by May 1, 2012 in order to be ready for the 2012 summer season. Again, the 132 people represent 120 guests and 12 employees.

6. **PARKING PLANS AND TIME OF EVENTS** – The Bayview Hotel has made improvements to the “Parking Plan” initially provided in Section IX, Page 13 of the May 10, 2011 Submittal. The new parking plan serves up to 120 guests and no more. The parking plan for the Bayview Hotel consists of two components to meet the County’s required parking standards: “Option-1 Self-Parking” and “Option-2 Valet Parking.” The following analysis examines the “upper limits” of Bayview’s two-level parking program and considers how parking needs can be best accommodated both guests and employees. (Please refer to “Table 2 - Schedule For Large Events & Parking Space Allocations”).

6.1 In Option-1, the Bayview uses a **Self-parking Program**, which accommodates events on any day of the week, between the hours of 9:00 A.M. and 10:00 P.M. Option-1 consists of a total 37 single parking spaces. With groups above 65 people, the hotel would be restricted to only guests attending the event and the restaurant would be closed to the public. The “Self-parking Program” allows the Bayview to serve up to 85 people (34 parking spaces) and use 8 employees (3 parking spaces).

6.2 Option-2 for the Bayview is a **Valet-parking Program**, which accommodates events on any day of the week, between the hours of 9:00 A.M. and 10:00 P.M. Option-2 includes a total of 30 tandem and 22 single parking spaces, or 52 parking spaces all together. The hotel is restricted to only guests of the event and, again, the restaurant is closed to the public. The “Valet Parking

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Program" allows the Bayview to serve up to 120 people and use 12 employees. Please note that no changes have been made to the route between the front door of the hotel and Parking Lot C (see Section IX, page 13 of the May 10, 2011 submittal).

7. **REQUEST FOR INFORMATION** - This ends the summary report. Should additional information be required, please do not hesitate to contact Ricardo de la Cruz at [rdlc13@gmail.com](mailto:rdlc13@gmail.com). The phone numbers for the team working on the Bayview Hotel application are listed below:

**7.1 Bayview Contacts:**

Owner/Applicant:	Cristina Locke	(831) 688-8656
Owner's Agent:	Ricardo de la Cruz	(831) 915-4800
Owner's Agent:	Les Strnad	(831) 419-2632

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**TABLES**Table 1 - Minimum Plumbing Facilities - CPC For 51 to 150 Guests  
(Table 4-1 For Restaurants, Pubs, and Lounges)

<b>Bayview Hotel</b>	<b>Water Closets</b>	<b>Urinals</b>	<b>Lavatories</b>
Female - CPC Req.	2 Units	0 Units	1 Unit
Male - CPC Req.	2 Units	1 Unit	1 Unit
<b>Totals</b>	<b>4 Units</b>	<b>1 Units</b>	<b>2 Units</b>
<b>Bayview After May '12</b>	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
Female (Current)	2 Units	0 Units	1 Unit
Male (Current)	1 Units	1 Unit	1 Unit
Unisex (Due 5-1-12)	1 Unit	1 Unit	1 Unit
<b>Totals</b>	<b>4 Units</b>	<b>2 Units</b>	<b>3 Units</b>

Table 2 - Schedule For Large Events &amp; Parking Space Allocations

Large Event Parking (1 Space Per 2.5 Guests) (0.3 Space Per Employee)	Required Self Parking Spaces (37 Spaces)	Required Valet Parking Spaces (52 Spaces)	Time and Days
70 Guests* 7 Employees	30 Self Parking	N/A	Monday Thru Sunday Time: 9am - 10pm
80 Guests* 8 Employees	34 Self Parking	N/A	Monday Thru Sunday Time: 9am - 10pm
90 Guests* 9 Employees	N/A	38 Valet Parking 12 Extra Spaces	Monday Thru Sunday Time: 9am - 10pm
100 Guests* 10 Employees	N/A	42 Valet Parking 10 Extra Spaces	Monday Thru Sunday Time: 9am - 10pm
110 Guests* 11 Employees	N/A	46 Valet Parking 6 Extra Spaces	Monday Thru Sunday Time: 9am - 10pm
120 Guests* 12 Employees	N/A	50 Valet Parking 2 Extra Spaces	Monday Thru Sunday Time: 9am - 10pm

Per S.C. County Code Section 13.10.552 (b) (\*Hotel and Restaurant are Closed to the Public)

HISTORIC BAYVIEW HOTEL  
8041 Soquel Drive • Aptos, California 95003  
(831) 688-8654 • www.bayviewhotel.com  
Planning Permit Application Number: 101114

***THE HISTORIC BAYVIEW HOTEL***  
**(APN: 041-011-34)**

**2<sup>nd</sup> Corrected Planning Application**

**Response to County Planning Department  
Letter Dated May 18, 2011**

**Current Application Number: 10-1114  
(Original Application PA 10-1034)**

**To Amend  
Commercial Development Permits 90-1111 and 93-0329**

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**June 20, 2011**

**Corrected Application For The**  
**Historic Bayview Hotel**

I.	AMENDMENT OVERVIEW	Page 3
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Attachment A – Annotated List of Current Submittal

Attachment B – Response to May 18, 2011 County Planning Letter

Attachment C – Public Notice

Attachment D – Annotated List of May 10, 2011 Submittal

Attachment E – County Parking Ordinances

Attachment F – Valet Parking Route (Map)



**Corrected Application For The  
Historic Bayview Hotel**

**I. 2<sup>nd</sup> AMENDMENT OVERVIEW**

The Historic Bayview Hotel Application for Commercial Development Permit 10-1114 is requesting the County of Santa Cruz to amend its current permit, Commercial Development Permit 90-1111. The Bayview Hotel is asking to be allowed:

(1) Outdoor Acoustic Music and low volume Master of Ceremony Equipment with reasonable limitations on all equipment, and without effecting any form of indoor music;

(2) An on-site Parking Plan for valet-parking using "Tandem Parking Spaces" and without effecting normal use of self-parking; and

(3) To re-establish in County records the historic uses of Large Outdoor Events, such as business meetings, family reunions, weddings, and other celebrations.

A May 18, 2011 letter from the Planning Department informing the Applicant of two: (1) parking solution for large events and (2) adequate ADA restrooms. The Historic Bayview Hotel is willing to work with the County to resolve all site issues by the summer of 2013. There is plenty of parking if we are allowed to use a valet/tandem-parking program. The only issue we can identify that will take a little bit of time maybe associated with permanent ADA restrooms. This issue maybe solved by allowing portable ADA restrooms until the Bayview Hotel builds a new ADA Unisex Restroom with access from the Courtyard.

This document, along with its attachments, is presented to the County Planning Department as a correction to the May 10, 2011 submittal, and serves as the Complete Application. Attachment A, B, and C are offer critical information to this application:

Attachment A (Annotated List of Current Submittal) provides to the County conformation that a Public

Attachment B (Response to May 18, 2011 County Planning Letter) offers our latest response to the May 18, 2011 letter from the Planning Department informing the Applicant that the May 10, 2011 submittal was still incomplete.

Attachment C (Public Notice) provides to the County conformation that a Public Notice has been posted on the property by June 10, 2011.

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To date, there have been three (3) submittals to this application: February 9, 2011, May 10, 2011, and June 6, 2011. The County's deadline to resubmit all requested information is **July 18, 2011**.

Ms. Cristina M. Locke is the applicant and has owned the Historic Bayview Hotel since October 2002. In cooperation with the outcome of the Decision and Order from the September 10, 2010 Administrative Hearing for Case 09-CC4649, Ms. Locke agreed to proceed with this application in order to settle all disagreements with County Staff. Ms. Locke also agreed to suspend any further action to defend her Historical Grandfather rights pending the outcome of this amended application. At the April 19, 2011 meeting with the Planning Director, it was agreed that the Historic Bayview Hotel problems large celebrations (such as business meetings or weddings or anniversaries or family reunions) will be resolved on site with the new application even though all agree that large celebrations date back to its origin, 1878.

In this same meeting with the Planning Director, Ms. Locke agreed to provide on-site parking that would accommodate large celebrations and provide the County with a parking plan, which is enclosed. All parties agreed the best method for this application would be valet parking using newly striped Tandem Parking Spaces in the rear parking lot area (On Site Plan, Parking Lot C).

At the April 19, 2011 meeting with the Planning Director Ms. Locke agreed to wait until the Aptos Village Specific Plan's conditions of approval are adopted setting standards for amplified music outdoors for all Aptos Village properties. That means for now the site only allows acoustic music outdoors. In addition, Ms. Locke requested outdoor approval for master of ceremony equipment (MC), using very low wattage amplification. Ms. Locke pointed out that her intent is to provide classical musical instruments, voice, jazz, and strings ensembles that have been pre-approved by hotel management. However, there are some instruments that are considered acoustic requiring small low volume amplification equipment. As an example, voice, harps and other string instruments often use them in outdoor settings. The Applicant agrees to allow only equipment that has been preapproved by the County. The Applicant is asking for a little flexibility by the County in anticipation of modern advancements used by acoustic musical ensembles. In all cases the Applicant will control equipment to be used to enhance the music and not to provide volume.

Planning Staff anticipates that the final Aptos Village Specific Plan's conditions of approval will have noise standards that resolve all noise issues for all residents in the Village, and the hotel will accept any fair and reasonable outdoor

noise levels and hours of operations for outdoors amplified music adopted by the County.

The physical changes to the site consist of:

- (1) Adding an additional Handicap Parking Space by the Front Door;
- (2) Adding a Pick-up and Drop-Off location per California Building Code.
- (3) Re-stripping the Parking Lots; and
- (4) Adding a new ADA Unisex Restroom, and using 1 Portable ADA Facilities as a temporary solution.

## **II. NOTICE of VIOLATION**

The reason for this application is to comply with the findings of an Administrative Hearing before Administrative Hearing Officer, Stephania Francone. A Decision and Order for this case (Case No.: 09-CC4649, page 14) offered a solution to both the Applicant and the County if the Applicant would file this Application to amend Commercial Development Permit 90-1111; and to end all action listed in the "Notice of Violation", dated January 13, 2009, until a new permit is issued. If the County approves this application, then the matter will be rectified. The Decision and Order sets the Code Enforcement costs in the amount of \$2,359.51 to be paid by December 6, 2010. By applying for this amendment as instructed, the Civil Penalty (\$2,500.00) is waived. At this time there are no other pending complaints filed with the County known by the Applicant. The Decision and Order required the Applicant to file a new application in a timely fashion and the Applicant did so and the County Planning Department accepted the application as evident by this document.

## **III. BACKGROUND**

Prior to addressing the Historic Bayview Hotel proposed Amendment to Commercial Development Permit 90-1111, it is useful to review its historical significance and its relevance to the February 23, 2010 County Aptos Village Plan.

The Historic Bayview Hotel, originally named the Anchor House and built by Jose Arano in 1878, contributed to the continuous history of the Aptos Hihn Valencia Mill era; the Loma Prieta Railroad and Redwood harvest; the Lam-Mattison Apple Dryer Era; creating Highway 1 and the post World War II financial decline; and now the February 23, 2010 County Aptos Village Plan Era. During each of these historical eras the Bayview has stood as the "City Hall" of Aptos Village. It has provided the community a critical center for lodging, meals, weddings, celebrations, and sadly, funerals. In 2010, 140 years since its inception, it continues with this "Community Tradition." It offers the only community memory of a place lost in history (see Aptos Village Plan pages 6-8). The Bayview Hotel is on the National Register of Historic Places (U.S. Department of the Interior) and included in the County's Historic

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Resource Inventory. An Italianate Victorian antique-filled building, the businesses today consist of a small Bed and Breakfast Inn and an Italian Bar and Restaurant, named Barolo. Although the Bayview is considered a Bed and Breakfast Inn, it is called a hotel due to its historical record.

The February 23, 2010 County Aptos Village Plan offers "Context For The Village Plan." With each aspect of this document the Historic Bayview Hotel is viewed as a valued and viable business continuing with the commercial services currently provided, which reflect the historical record of its continuous usage. While waiting for the Village Plan to be implemented, the applicant intends to preserve the current business as is, and continue to operate it as envisioned by the Aptos Village Plan. The plan envisions improved parking with new circulation, landscaping, and drainage infrastructure. Currently a new 2,800-square-foot building and an indoor/outdoor dancing-pavilion are being designed, and a manager's apartment is under consideration. All design proposals will be submitted to the U.S. Department of the Interior and the National Park Service for further processing under Federal NR-1 criteria. The design changes discussed are on hold until the County adopts a final Specific Plan or Plan Unit Development for the Village. With the exception of adding new ADA Unisex Restroom within the space of an existing restroom, the cost to install additional improvement associated with the Village Plan is prohibitive. Therefore, the Bayview will remain as it is for now and wait for better economic times or the building of the Aptos Village Plan.

Although the Historic Bayview Hotel expects to make a number of site improvements when the Aptos Village project starts, those improvements are not under consideration in this Application.

**2011 Amendment to Commercial Development Permits:**  
**90-1111, 93-0329 and 85-0661**

Owner/Applicant:	Cristina Locke	(831) 688-8656
Owner's Agent:	Ricardo de la Cruz	(831) 915-4800
Owner's Agent:	Les Strnad	(831) 419-2632
County Planner:	Ken Hart	(831) 454-2580

Amend Development Permit	90-1111, Approved May 24, 1991
Public Notice Sign Installed On	June 8, 2011 (Attachment E)

Address:	8041 Soquel Drive Aptos, California 95003
Assessor's Parcel Number(s)	041-011-34 (Replaced: 41-011-31 & 32)
Built:	1878 (Historical Designation - NR-1)

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Parcel Size:	0.71 Acres (31,015 SF)
Total Square Footage/Floors:	15,000 SF and 3 Floors
Number of Rentable Hotel Rooms:	10 Suites (No Kitchens)
Restaurant Bar and Dining Area:	1,950 SF
Restaurant Kitchen and Storage:	1,050 SF
Total Restaurant Bar, Dining, Kitchen, and Storage:	3,000 SF
Guest Self-Parking:	33 Spaces (Parking Lots A (20) and C (13))
Guest Valet Parking:	47 Spaces (Parking Lots A (21), and C (26))
Employee Self-Parking:	3 Spaces (Parking Lot B)
Bicycle Parking Spaces:	10 Spaces

**IV. SITE PLAN AND DRAWINGS**

The final version of the Site Plans and Drawings (Drawing 1 thru 4) was prepared by Joe Akers, P.E. (California License Number: 20372) and wet-stamped. A "Detail Sheet of Court Yard Set and Restrooms" is also provided and prepared by James Reed Stroupe, AIA (California License Number: C12455) and wet-stamped. The documents provided to the County "are accurate, scaled, and dimensioned parking and striping plan" for planning purposes and application approval.

When the Historic Bayview Hotel orders the striping of the site under the new permit the company doing the work will provide a surveyed "striping plan" at that time (March 10, 2011 County Letter – Item 4(a)), and there is no risk to the County in that the Applicant will accept a condition that states: "the maximum number of guests that may attend a large event is equal to the number of passengers from the maximum autos parked on site, and the number of passengers per auto will be the same as that established for the Aptos Village Plan."

Please note on the Site Plan (Drawing A-1) that all parking spaces are standard spaces and measure 8.5 feet by 18.0 feet per County Code Section 13.10.544. There are two (2) accessible parking spaces per code and a valet parking drop-off and pick-up location at the front door area of the Hotel. All of these items are included in the parking plan and shown on Drawing 1 (Site Plan). Latest edits:

1. Drawing 1 of 4 (Site Plan):
  - 1.1 Identified Exiting Easement Boundaries
  - 1.2 Added Information on 26-Foot Parking Aisle
  - 1.3 Identified Ingress and Egress To and From Trout Gulch Road

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2. Drawing 2 of 4 (1<sup>st</sup> Floor Plan):
  - 2.1 Removed Text Stating Proposed  
(All items exist)
3. Drawing 3 of 4 (2<sup>nd</sup> & 3<sup>rd</sup> Floors Plan):
  - 3.1 Removed Text Stating Proposed  
(All items exist)
4. Drawing 4 of 4 (Elevations):
  - 4.1 None
5. Detail Sheets:
  - 5.1 Court Yard Set For 118 Guests\*
  - 5.2 Male Restroom on ground floor
  - 5.3 Female Restroom on ground floor
  - 5.4 ADA Unisex Restroom by courtyard  
(Floor Plan for adapted existing restroom)

**\*Table 1 - 5.1 - Court Yard Set For 118 Guests**

Table Type	Number	Chairs	Guests
Long Table	1	14	14
Small Rectangle	1	6	6
Large Rectangle	1	8	8
Round	10	8	80
Tall	3	4	12
<b>Totals</b>	<b>16</b>	<b>xxx</b>	<b>120</b>

**V. MARKETING PLAN FOR LARGE EVENTS**

Historic Bayview Hotel marketing plan intends to provide services for large events as business gatherings, celebrations of all types, family reunions, weddings, and other similar events will vary through out the year, as well as effected by Santa Cruz economy. Because all activities will be within the properties of the Bayview Hotel, and not effect neighboring properties, Hotel Management intends to allow any guest to select any day of the year, weekdays as well as weekends, to hold their celebration. The procedures to be followed are discussed below in Management Plans (VI.). Scheduling will be market driven. However, the hotel will seldom have more that one per day, or two a week. Typically, there may be two a week during the spring and summer, one during the week and one during the weekend. It is not possible to predict the day of the week a guest wishes to hold an event. The rest of the year typically has but one a month. In a good year, which Santa Cruz has not seen since 2006, should have as many as 30 events. In 2012 it is anticipated that the

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Bayview will be lucky to have 15 or 20 events per year until the County's economy improves. A successful year would have 30 events on various days of the week:

**Table 2 - Events**

<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>
2 Events	1 Events	1 Events	1 Events
<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>
3 Events	4 Events	5 Events	5 Events
<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>
2 Events	1 Events	2 Events	3 Events

Although asked by the County Planning Department which days of the week will an event occur, it is not possible to predict the needs of all events. It is reasonable to conclude that most events will occur on weekends. But, it is also reasonable to conclude that a few event may occur on a Monday or some other weekday as well. To remain competitive in the Santa Cruz Market, an operator must show complete flexibility. It is also reasonable to conclude that it would be rare to have two events on the same day, i.e. back to back. Nonetheless, an operator must be ready for such possibilities too.

The event's coordinators will determine their needs and how they wish to configure the Bayview Hotel to meet their guests' satisfaction. Using the outdoor facility of the Bayview will be effected by the weather and the seasons. During the best weather the event's coordinator usually will want to hold entire event outside. That means an outside guest count between 50 and 118 people. There are a few events that will spread some percentage of use between the indoor and outdoor venues. In all cases a significant majority will use the outdoor venue, as envision by this proposal. Otherwise, it would be an indoor event and outdoor venue will not be made available (set-up costs would be to high to use both venues).

The County asked the Bayview Hotel: "how many events will include 49 or few patrons, and how many will include 50 or more patrons"? Again, market trends will provide us with this information in the future. For now, during the last 5 years 2/3<sup>rd</sup> of all events were for groups with 49 or few patrons. The Bayview Hotel is processing this application to prepare for all possibilities up to 118 patrons.

No information is provided in this application regarding indoor events in that indoor events are not under consideration in this application. Indoor events are allow now with amplified music using available parking. The Bayview does not anticipate any changes by the County to its indoor events services.

The County Planning Department should keep in mind that any outdoor event on any day between the hours of 9:00 AM and 10:00 PM occurs only on the

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Bayview Hotel property using its exclusive parking spaces. The Bayview Hotel needs full flexibility with no restrictions on which days of the week an event occurs or on number of event-days per year. It is all about market competitiveness within the tolerances of the Bayview Hotel's parking plan.

**VI. ASSEMBLY PLAN**

The California Building Code Chapter 11-B requires review of the proposal for parking, ADA restrooms, and ADA circulation. In addressing the "Occupancy Load" requirements for 118 guests, we find that the Historic Bayview Hotel currently meets all ADA movement requirements for a historic building of this type (California Building Code Chapter 11-B). By adopting the proposed valet/tandem-parking plan the Historic Bayview Hotel would meet the parking requirements for 118 guests. By reviewing the Tables below, it's noted that the Bayview is one water closet short from the State of California Plumbing Code (CPC) for guests between 50 and 150 using the Bayview.

Regarding modifying the Bayview Hotel, and as we all know, no action may be taken to threaten or destroy the historical significance of the hotel. Any physically modify to the Historic Bayview Hotel requires submitting a new application to the U.S. Department of the Interior and the National Park Service for further processing under Federal NR-1 criteria, as well as initial applications to the State of California. None of this is practical for this application. However, the Applicant will consider addressing a new ADA restroom to meet the requirements for 118 people by supplementing the hotel with portable ADA restroom facilities ("Occupancy Load" CBC Demands) until a new ADA Unisex Restroom is built. In anticipation of finding a quick solution, the Applicant is submitting a new floor plan for a ADA Unisex Restroom to be located in the wing approved in Commercial Development Permit 90-1111.

Minimum Plumbing Facilities – UPC  
Restaurants, Pubs, Lounges

**Table 3 - CPC**

Table 4-1 in CPC	Water Closets	Urinals	Lavatories
Female (1-49)	2	0	1
Male (1-49)	1	1	1
TOTALS	4	1	2

Table 4-1 in CPC	Water Closets	Urinals	Lavatories
Female (50-150)	2	0	1
Male (50-150)	2	1	1
TOTALS	4	1	2



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Current Bayview Plumbing Facilities  
(Restaurant – Ground Floors)

Table 4 – Bayview 1

	Water Closets	Urinals	Lavatories
Female	2	0	1
Male	1	1	1
TOTALS	3	1	2

Future Bayview Plumbing Facilities  
By 2013

Table 5 – Bayview 2

3 Rooms	Water Closets	Urinals	Lavatories
Unisex	1	0	1
Female	2	0	1
Male	1	1	1
TOTALS	4	1	3

**VII. MANAGEMENT PLAN**

All large events will be scheduled in advance giving the Historic Bayview Hotel Management time to get organized and arrange for staff support. The Management Plans for the Historic Bayview Hotel during large events is as follows:

1. Management: The general manager of the Historic Bayview Hotel will be responsible for all aspects of large events during the entire event and will be on site, or have assistant managers on site.
2. Hours of Operation: Large events maybe scheduled on any day of the week and between the hours of 9:00 AM and 10:00 PM. After 10:00 PM all guests of the large event will be required to remain indoors in the Historic Bayview Hotel.
3. Hours for Outdoors Acoustic Music: Music maybe scheduled on any day of the week and between the hours of 10:00 AM and 10:00 PM.
4. Selecting Outdoors Acoustic Music Ensembles: All music performers will be pre-selected by management and pre-qualified to perform at the Historic Bayview Hotel's outside courtyard. All music groups will

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conduct an on-site rehearsal, and each group will provide an on-site recording demonstrating levels of their music output. Each performer will be informed of the noise standards at the Bayview and will enter in an agreement with management stating that they will comply at all times. All music performance will comply with the County of Santa Cruz General Plan Noise Element. If monitoring of our proposed use is required

5. Outdoors Master of Ceremony (MC): Management will oversee all Outdoors Master of Ceremonies (MC) using only the equipment provided by the hotel, which will comply with all County Conditions of Approval. MC volumes will be kept at low levels with decibels levels to be set by the County.
6. Hotel and Restaurant Rental: The Restaurant and Hotel will remain open to the public at large during small event with less than 31 guests. The Restaurant will be closed for mid-size events between 31 and 49 guests, however, the hotel will remain open to the public at large. Large event with 50 or more guests will be required to rent the entire facility; and during those events the Hotel and Restaurant will be closed to the public at large. The courtyard is the outdoor space to be used by large groups.
7. Valet Parking (Tandem Parking): Large event with 50 or more guests will be required to use Valet Parking following the hotel's procedures discussed in the Valet Parking section below (using Tandem Parking).

**Table 6 - Summary**

<b>Guests At Event &amp; Parking Type</b>	<b>Restaurant</b>	<b>Hotel</b>
30 or Less - Self Pkg	Open To Public	Open To Public
31 to 49 - Self Pkg	Close To Public	Open To Public
50 To 118 - Valet Pkg	Close To Public	Close To Public

**VIII. MUSIC MANAGEMENT PLAN**

The Historic Bayview Hotel has agreed to use only Acoustic Music outdoors and the hotel's common definition is: "Acoustic Music comprises music that solely or primarily uses instruments which produce sound through entirely acoustic means, as opposed to electric or electronic means. The retronym "acoustic music" appeared after the advent of electric instruments, such as the electric guitar, electric violin, electric organ and synthesizer" (Source: Safire, William, "On Language: Retronym", *New York Times Magazine*, January 7, 2007 in Wikipedia).

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The Hotel shall make every effort to develop a list of appropriate Acoustic Musical Ensembles who may perform in outdoor spaces. From this list the guest may select a group to perform. The type of instruments selected shall be the prerogative of the Acoustic Musical Ensembles. It is anticipated that using Outdoors Acoustic Music will conform to the General Plan Noise Policies 6.9.1, 6.9.2, and 6.9.4.

1. Use of Outdoor Acoustic Music: Acoustic Music shall be restricted to any day of the week and only between the hours of 10:00 A.M. to 10:00 P.M. Performances may only occur in the rear courtyard.
2. Use of Indoor Amplified Music: Without restriction, the Historic Bayview Hotel currently has, and continues to have the privilege to provide Amplified Music Indoors.
3. "Master of Ceremony Equipment" (MC): Historic Bayview Hotel will provide the equipment for MC uses with significant controls to keep outputs at the lowest levels serving only the Courtyard area. The purpose of this equipment is to assist with "Master of Ceremony" at low effective volumes. None of this equipment shall cause noise impacts on neighboring properties.
4. Independent Third Party Acoustical Engineer (Acoustical Music): The Historic Bayview Hotel's independent third party acoustical engineer is Edward L. Pack Associates, Inc. Any new required noise studies will be conducted by Edward L. Pack Associates. (As a reference, Pack's 2010 music and noise studies regarding Amplified Music were submitted to the County Planning Department on May 10, 2011, and are in the files in case there are questions about the hotel meeting the County's Noise Standards (General Plan Noise Policies 6.9.1, 6.9.2, and 6.9.4)).

#### **IX. PARKING PLANS**

Until the County Adopts Parking Standards for the Aptos Village Plan, the Applicant agrees to use the County's parking demand standard of **2.5 Passengers Per Auto**. Therefore, in this application all parking demand assessments will use the County's parking demand standard of **2.5 Passengers Per Auto**.

The currently Bayview Hotel Parking Plan provides orderly on-site parking. However, the hotel's proposed parking plan intends to expand its capacity by adding a Valet Parking Plan. By adding it to the Bayview Hotel parking program the hotel will have two (2) programs for group events:

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(A) The Self-Parking Plan offering 36 parking spaces (Parking Lot A has 20, Parking Lot B has 3, and Parking C has 13 spaces). The Self Parking Plan provides parking spaces for approximately 83 guests and 8 employees.

(B) The Valet Parking Plan offering 47 parking spaces (Parking Lot A has 21, Parking Lot B has 3, and Parking C has 26 spaces). The Valet Parking Plan provides parking spaces for approximately 118 guests and 8 employees.

1. The Historic Bayview Hotel and Restaurant currently comply with the County Code for Standards of Off-Street Parking Facilities (per Attachment D), and

(A) Hotels - County Code (13.10.552 (b)) requires hotels to provide 1.1 parking spaces per room, of which Bayview Hotel have 10 rooms, and 0.3 parking spaces per employee, of which there are 2 hotel employees. This equates to 11 spaces for hotel guests and 1 space for hotel employees, for a total of 12 parking spaces. 2 Bicycle Parking Spaces will be provided in accordance with requirements prescribed in County Code (13.10.552 (b)).

(B) Restaurants - County Code (13.10.552 (b)) requires restaurants to provide 1 parking space per 100 square feet and 0.3 parking spaces per employee. The restaurant dining area is approximately 2,000 square feet and employees 6 staff members per shift. This equates to 20 spaces for the restaurant guests and 2 spaces for employees totaling 22 parking spaces. 5 Bicycle Parking Spaces will be provided in accordance with requirements prescribed in County Code (13.10.552 (b)).

3. Accessibility - County Code Section 13.10.554 (a)(4) The Historic Bayview Hotel meets all ADA standards for a historical building of this type. By implementing this proposal, there will be two (2) Accessible Parking Spaces in the front area of the building. Per State Construction Code a Drop Off and Pick Up will be built and is shown on the Site Plan (A-1). The project fully complies with Accessibility County Codes for a historical building of this type, as set out in Permit Number 90-1111.
4. Vehicular Right of Ways - County Code Section 13.10.554(b) requires self parking spaces or tandem parking spaces to not be in vehicular right of ways, and when the valet-parking plan

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is in effect no self-parking will be allow in the tandem parking areas. The project fully complies with County Codes, which requires a parking aisle of 26 feet and both Parking Lots A and C have parking aisles greater than 26 feet.

5. Maintenance: Historic Bayview Hotel will follow County Code Section 13.10.554 (j) and "parking areas shall be maintained in good condition, and kept free of trash, debris, display or advertising uses. No changes shall be made in the number of parking spaces designated on the parking plan without review of the complete development permit by the Approving Body."

**Self-Parking Plan**: During normal operations the Bayview Hotel and Restaurant provides sufficient parking per County Code (see Site Plan - Parking Lots A, B, and C).

1. Distribution of Self-Parking: Bayview Hotel and Restaurant share 3 parking lots with its hotel guests, restaurant patrons, and employees. With the new striping plan the parking facilities will improve to allow the following (see Table 1). Parking Lot A consists of 20 spaces and serves primarily restaurant patrons. Parking Lot B consists of 3 spaces and serves exclusively the employees. Parking Lot C consists of 13 spaces and serves primarily hotel guests and over flow of not more than 3 from the adjacent property.
2. Event Sizes 30 or Less: The Self Parking Plan could allow for outside events with 30 or less guests, the hotel remains open following normal operations, and the restaurant remains open, but can scale down to a size the does not require more than 8 parking spaces. This maximum self-parking condition provides 12 parking spaces for the hotel (all 10 rooms rented), 8 parking spaces for the restaurant (20 patrons), and 12 parking spaces for the event (30 guests outdoors). The employees have 3 assigned spaces (Parking Lot B). There are 36 parking spaces available for this configuration (Parking Lots A (20), B (3), and C (13)).
3. Event Sizes Between 31 and 50: When more than 31 guests are scheduled for an event the restaurant will be closed to the general public. However, the hotel may be available to the general public. By providing 20 self parking spaces the Bayview Hotel may accommodate up to 50 guests for an event and still have spaces for renting all 10-hotel rooms. There are 36 parking spaces available for this configuration (Parking Lots A (20), B (3), and C (13)).

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4. Event Sizes Between 51 and 118: When more than 50 guests are scheduled for an event the restaurant and the hotel will be closed to the general public. In addition, the Valet Parking Plan will be put in motion when there are more than 50 guests, and serving up to 118 guests. There are 50 parking spaces available for this configuration (Parking Lots A (21), B (3), and C (26)).
5. Employee Transportation For Event Sizes Between 51 and 118: Management will assign the 3 Parking Spaces Available in Parking Lot B. All others will be provided resources to use public transportation. An event of 118 guests will use approximately 7 employee's parking spaces, or 18 individuals, including musicians. 10 employees will use public transportation giving the Bayview Hotel the same as 7 employee parking spaces.

The Site Plan shows that the Bayview Hotel's off-street parking lots conform to the standards in Section 13.10.554. Details of those standards are shown on the enclosed drawings prepared by Joe Akers, P.E. By approving this application and allowing new striping the self-parking conditions will improve as shown in the table below. All parking spaces will be striped to County standards (8.5 feet x 18 feet – County Code Section 13.10.554).

**Table 7 – Self Parking Spaces**

Parking Lots	Current Count	New Stripe Count
A	18	20
B	3	3
C	12	13
Totals	33	36

**Valet Parking – Large Events with more than 51 Guests:** As noted above, the hotel will initiate its valet parking program when there are events having 51 or more people. There are a total of 47 parking spaces available by using the hotel's Tandem Parking Plan serving up to 118 guests. Under this program the host rents the entire facility and the hotel and restaurant will be closed to the general public. All such events are scheduled and planned in advance allowing for orderly implementation. Valet Parking shall only be on the hotel's property and all Tandem Parking shall be at Parking Lot C (See the Site Plan). The Bayview Hotel's off-street parking lots shall conform to the standards in County Code Section 13.10.554. Details of those standards are shown on the enclosed drawings prepared by Joe Akers, P.E. in both text and drawings.

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**Table 8 – Valet Parking Requirements**

Number of Guests	Person Per Auto	Parking Requirement
25*	2.5	10
50*	2.5	20
52**	2.5	21
75**	2.5	30
100**	2.5	40
118**	2.5	47

\* Self Parking: Onsite

\*\* Valet Parking: Onsite

Drawing 1, Site Plan, shows on-site Valet Parking at Lot C. The guest arrives at the front door of the Historic Bayview Hotel and the valet parks the car for the guest, and retrieves it when the guest departs. Any form of self-parking will not be allowed during the valet parking program. The section below identifies detailed requirements for the hotel's valet parking program.

1. Drop Off and Pick Up Area: An area at the front door of the Historic Bayview Hotel will be striped to State Standards with "yellow" markers, and used as the "Drop Off and Pick Up Area". This is the location for guests to deliver and retrieve autos. A temporary "Valet Parking Sign" will be present to show guests where to stop for services.
2. Valet Parking Route: A map is provided in Attachment E – Valet Parking Route (Map). Valet Drivers will spread out the flow of autos by driving from the front door of the hotel to Aptos Creek Road turn left and left again onto Soquel Drive heading east. At the Stop Sign, turn left onto Trout Gulch Road and left again onto the property by the Antique Barn. All tandem parking will be in Parking Lot C. The reverse route shall be from the rear property area to Trout Gulch Road and into the east entry to the front parking lot (Lot A) (next to stop sign at Soquel Drive and Trout Gulch Road intersection) and stopping at the pick up area next to the front door of the hotel. The drivers will be trained to spread out the traffic in order to avoid congestion.
3. Valet Drivers: The Valet Drivers will be trained to manage traffic time and auto movement to reduces any congestion and interference of other on-site pass through traffic. The Valet Drivers will promote safety at all times. Hotel management will use "best practices" for Valet Drivers and Valet Parking. Firms specializing in valet parking

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will provide all valet services. Only those firms providing staff and best practices for valet parking will be selected.

4. Concerns By County Staff: County staff is concerned that this proposal's use of valet/tandem parking will remove accessible spaces. There are no accessible spaces in Parking Lot C where tandem parking will occur, thus no accessible spaces are proposed for removal. Will the proposal provide special parking space for customized vehicles for disabled individuals? Yes, this will be done in Parking Lot A using allocated accessible spaces.

**X. TITLE REPORT REVIEW**

The Title Report for the Historic Bayview Hotel was submitted to the County Planning Department on May 10, 2011. For discussion purposes we are using Parcels A, B, and C found on a surveyor's map in the Title Report, dated April 2005, and prepared by Michael F. Beautz (Civil State No. 24266). Parcel A is the Historic Bayview Hotel (APN: 041-011-34); Parcel B is the dry cleaners and retail center (APN: 041-011-32 and -35); and Parcel C is the Antique Barn (APN: 041-011-33).

The property owners of the rear parking areas have agreed to support this proposal for Tandem Parking with use of Valet Services during the full time of using this parking plan. Each will enter in to a binding agreement once the County's Conditions of Approval are determined.

The title reports declares that the hotel has the easement rights to do the following:

- (1) A 20-foot Ingress and Egress Easement is used by Parcels A and B. This proposal will not interfere with normal ingress and egress activities on this easement due to the assistance provided by the valet staff. When valet services are not used, normal easement activities will proceed as they are now using self-parking.
- (2) A May 29, 1986 Parking Agreement allowing the dry cleaners of Parcel B to share Parking Lot C on the hotel's site map (Drawing 1). However, the documents are clear that Parking Lot C is not only owned by the hotel and restaurant, but it is also for their use. However, the Parking Agreement is silent as to how many spaces may be used by the dry cleaners, if any. The workout over such old easements is with total cooperation with the adjacent property owners of Parcel B, and they offer full support and agreement with this proposal.



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- (3) In the Parking and Circulation Agreement and Amendment of Existing Right-Of-Way Agreement, recorded with the County on May 30, 1986, it states that the "County requires a joint parking and circulation agreement and amendment of an existing Right-Of-Way Agreement" before the County would grant new 1986 permits, which the County did. It is reasonable for the County to give special consideration to the hotel in allowing improved use of its property since the hotel has been cooperating without any real benefit.

The owners of Parcel B (APN: 041-011-32 and -35) are Peter Truman, Kimberly Truman, and William Droege, all agree to allow the hotel to use Valet and Tandem Parking at Parking Lot C so long as the adjacent businesses have full access to the parking spaces on their property. The letter confirming this agreement is under separate cover and will be mailed to the County Planning Director by the owners. In all large group events the hotel will accommodate this request during the entire period of such events. Under the County's policies for Valet and Tandem Parking the hotel will provide on site staff to manage both parking and circulation services for both Parcels A and B in the rear parking areas. Regarding the front parking areas, the hotel will provide parking and circulation services only to Parking Lot A, which is adjacent to the Rail Road and Soquel Drive.

**XI. APTOS VILLAGE PLAN ISSUES - Barry Swenson and Cristina Locke**

A little more contract work needs to be done on the final agreements between Barry Swenson and Cristina Locke before the Bayview property making up the Valencia Street right of way is sold; Bayview accepting new easements; and locating a new building at the rear of the Bayview property. Shared parking, amplified music, large group gatherings are anticipated for all Aptos Village property owners, including the Historic Bayview Hotel. The terms and conditions of approval will apply to all property owners in the Aptos Village, and those terms and conditions of approval shall meet the County Codes for the Aptos Village Specific Plan. The Historic Bayview Hotel always has the option to include the general requests of this application, (parking for weddings and other large groups, outdoor amplified music, and full recognition by the County of its grandfathered-in historical uses, such as weddings and other celebrations) in any Development Application for the Aptos Village Plan, and anticipates to be fully included in the final Aptos Village Specific Plan's conditions of approval. The Aptos Village Specific Plan's conditions of approval must resolve all noise issues for all residing in the Village, and the hotel will accept any fair and reasonable outdoor noise levels and hours of operations. It is for this circumstance that the Historic Bayview Hotel will accept Outdoor Acoustic Music for the time being.

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No requirements associated with the proposed Aptos Village Plan and Development Application should be placed on the hotel, in that, the Historic Bayview Hotel is a major part of the future application and all land use, permitting, and easement conflicts will be resolved during the final approval process, which will be required in order for the County to accept the Aptos Village Plan and Development Application as complete.

**XII. PUBLIC NOTICE SIGN**

The public notice has been installed on June 3, 2011 per County instructions. Photos have been sent to the County Planning Department under separate cover. The Project Description is as follows:

Proposal to allow weddings and outdoor events at the Bayview Hotel. The Bayview Hotel will use Outdoors Acoustic Music. Requires an amendment to Commercial Development Permits 90-1111 and 93-0329. Property located on the north side of Soquel Drive approximately 150 feet west of Trout Gulch Road in Aptos Village (8041 Soquel Drive) (Attachment C).

**XIII. ATTACHMENTS**

- Attachment A – Annotated List of Current Submittal
- Attachment B – Response to May 18, 2011 County Planning Letter
- Attachment C – Public Notice
- Attachment D – Annotated List of May 10, 2011 Submittal
- Attachment E – County Parking Ordinances
- Attachment F – Valet Parking Route (Map)

## **Attachment A**

### **Annotated List of Application Items June 6, 2011**

1. **Corrected Application For The Historic Bayview Hotel** - The 2<sup>nd</sup> Amended Commercial Development Permit Application Proposal Number 10-1114 to amended Commercial Development Permits 90-1111 and 93-0329 corrects to the first Bayview Hotel proposal for large events with parking plans and acoustic music outdoors, dated May 31, 2011. It proposes to use Outdoor Acoustic Music rather than using Amplified Music Outdoors, and use Valet and Tandem Parking for large events of greater than 50 guests. This effort requires amending the current 90-1111 to allow (1) Outdoor Acoustic Music and without effecting any form of indoor music; (2) an on-site Parking Plan for valet-parking using "Tandem Parking Spaces", and without effecting normal self-parking uses; and (3) to re-establish in County records that the historic uses of Large Outdoor Events, such as weddings and other celebrations, are allowed. 4 copies of the following are provided in this Submittal:

- I. AMENDMENT OVERVIEW
- II. NOTICE of VIOLATION
- III. BACKGROUND
- IV. SITE PLAN AND DRAWINGS
- V. MARKETING PLAN
- VI. ASSEMBLY PLAN
- VII. MANAGEMENT PLAN
- VIII. MUSIC MANAGEMENT PLAN
- IX. PARKING PLANS
- X. TITLE REPORT REVIEW
- XI. APTOS VILLAGE PLAN ISSUES
- XII. PUBLIC NOTICE SIGN
- XIII. ATTACHMENTS

Attachment A - Annotated List of Current Submittal

Attachment B - Response to May 18, 2011 County Planning Letter

Attachment C - Public Notice

Attachment D - Annotated List of May 10, 2011 Submittal

Attachment E - County Parking Ordinances

Attachment F - Valet Parking Route (Map)

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2. **4 Sets of Drawings** – 2 sets printed at 8.5x11 inches and 4 sets printed at 24x36 inches (folded per County Folding Plans Handout). The drawings are wet stamped, and were prepared by Joe L. Ackers, P.E. (California License Number: 20372). The floor plans and elevations came from County 1990 records and the County Planning Department gave permission to use these drawings for this application because the building is not changing.

Attached, one (1) sets of drawing consisting of (Revision April 14, 2011):

- |                   |   |
|-------------------|---|
| a. Drawing 1 of 4 | Site Plan and Parking Plan                    |
| b. Drawing 2 of 4 | 1 <sup>st</sup> Floor Plan                    |
| c. Drawing 3 of 4 | 2 <sup>nd</sup> & 3 <sup>rd</sup> Floor Plans |
| d. Drawing 4 of 4 | Elevations                                    |
| e. Details        | Restrooms; 118 Person Set-Up; Public Notice   |

3. **Signage For Public Notice** – Applicant has arranged for a Public Notice Sign to be installed by June 10, 2011.

**Objective:**

To Amend Commercial Development Permits 90-1111 and 93-0329 allowing:

- (1) Outdoors Acoustic Music and outdoors Master of Ceremony activities using low volume equipment;
- (2) On- Site Tandem Parking Plan using Valet-Parking Services;
- (3) Re-establish in County records the historic uses of Large Outdoor Events, such as Business Gatherings, Celebrations of all types, Family Reunions, weddings, and other similar events;
- (4) The largest Outdoor Event may serve up to 118 guests.

**Items Submitted  
To County Planning Department  
On June 13, 2011**

- (1). Four (4) Copies: 2<sup>nd</sup> Amended Commercial Development Permit Application 10-1114, Which Includes Parking Plans, Program Statement, and Management and Operational Procedures for large events outdoors.
- (2). Four (4) Copies: 24" x 36" Sets of Drawings (5 Sheets)  
(Folded to 12" x 9")
- (3). Two (2) Copies: 8.5"x11" Sets of Drawings (5 Sheets)

## **Attachment B**

### **Response to County Staff Letter, May 18, 2011**

*(Large Events, Valet-Parking and Outdoor Acoustic Music)*

*Applicant: Ms. Cristina M. Locke • Staff: Ken Hart*

**Item 1 - Parking Study** – At the April 19, 2011 meeting with the Planning Director it was agreed that a “Parking Study” prepared by a professional engineer who specializes in traffic and transportation planning is not required. We are providing Parking Plans in Section VI in the 2<sup>nd</sup> Corrected Application For The Historic Bayview Hotel. The Site Plan show the details of the hotel’s parking lots (A, B, and C).

**Item 2 - Program Statement** – The Program Statement has been expanded to address the questions listed in the County May 18, 2011 letter. A Marketing Plan has been added to clear up any confusion. The Marketing Plan answers the County’s questions about “days and hours for outdoor events, the maximum number of large/outdoor events per year, and proposed frequency of the large/outdoor events”. It also answers the County’s questions about events with 49 or fewer patrons and events 50 or more patrons.

### **Item 3 - Revised Plans** – Latest edits:

1. Drawing 1 of 4 (Site Plan):
  - 1.1 Identified Exiting Easement Boundaries
  - 1.2 Added Information on 26-Foot Parking Aisle
  - 1.3 Identified Ingress and Egress To and From Trout Gulch Road
2. Drawing 2 of 4 (1<sup>st</sup> Floor Plan):
  - 2.1 Removed Text Stating Proposed (All items exist)
3. Drawing 3 of 4 (2<sup>nd</sup> & 3<sup>rd</sup> Floors Plan):
  - 3.1 Removed Text Stating Proposed (All items exist)
4. Drawing 4 of 4 (Elevations):
  - 4.1 None
5. Detail Sheets:
  - 5.1 Male Restroom on ground floor
  - 5.2 Female Restroom on ground floor
  - 5.3 ADA Unisex Restroom by courtyard (Adapted existing restroom)
  - 5.4 Photo of 118 Person Outdoors Set-Up
  - 5.5 Public Notice

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**Item 4 - Review Agency Comments -**

Accessibility Review - County Code Section 13.10.554 (a)(4) (Routing No.2 | Review Date: 05/17/2011): The only agency comment was from Ms. Laura Brinson addressing accessibility issues (County Code Section 13.10.554 (a)(4)). We talked with to her on April 4, 2011 and May 25, 2011, and based on her comments there appears to be no accessibility deficiencies with parking and general movement, per PA 90-1111. However, we are still reviewing ADA restrooms. Our action or response to Ms. Brinson requests:

**Completeness:**

1. Provide interior seating plan to demonstrate the capacity of the interior portions of the hotel. The Bayview Hotel is a historical exempt structure and it is not necessary to cause additional costs and create new work for this application. The interior capacity of the hotel is known by the County and was established in Commercial Development Permits 90-1111. There are two ways to resolve this issues so as not to slow the application down or cause unnecessary expense is to:
  - (a) Accept the Aptos-Soquel Fire Department rating for the restaurant, which are 100 people. The County should use this information to set the capacity for the interior portions of the Bayview Hotel.
  - (b) Accept the gross square footage of the dining area and bar, then match that square footage to the available parking. By so doing, the following maybe derived: the Dinning Area and Bar is a little less than 2,000 SF. County Code states that restaurants need 1 parking space per 100 square feet with 2.5 passengers per auto. Therefore the Bayview restaurant needs 20 self parking spaces to serves 50 patrons, and 40 valet parking spaces to serves 100 patrons.

The Historic Bayview Hotel meets all ADA standards for a historical building of this type. Upon approving this application, there will be two (2) Accessible Parking Spaces in the front area of the building. Per State Construction Code a Drop Off and Pick Up will be built and is shown on the Site Plan (A-1). The project fully complies with Accessibility County Codes for a historical building of this type.

2. Provide exterior seating plan to demonstrate the capacity of the exterior portions of the hotel. We are providing photos of the Bayview Hotel table and seating plan. There is a pizza oven, which is the only cooking device in the courtyard. The courtyard does not have

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stages, canopies, tents, or any other structures. If it is found that the current restroom arrangement needs expansion, it is possible to use 1 ADA portable restrooms during large events until a new ADA Unisex Restroom could be built. Access would be from the Courtyard.

3. Provide information on combine use of interior and exterior capacity. In Section IV MARKETING PLAN FOR LARGE EVENTS, we review operations when there are some combinations of interior and exterior uses. When an Event Planner contracts to use the Bayview Hotel's exterior spaces, a Events Planner typically does not have celebration activates indoors. Section IV offers more details interior and exterior uses.

4. Provide scaled plan of existing restroom facilities, including accessibility details. The Bayview Hotel is a historical exempt structure and it is not necessary to cause additional costs and create new work for this application. The existing restroom facilities of the hotel are known by the County and were established in Commercial Development Permits 90-1111. No action may be taken to threaten or destroy the historical significance of the hotel. Any physically modify to the Historic Bayview Hotel requires submitting a new application to the U.S. Department of the Interior and the National Park Service for further processing under Federal NR-1 criteria, as well as initial applications to the State of California. None of this is practical for this application. A detail sheet has been added to the Bayview drawings with scaled plans of existing restroom facilities, including accessibility details for a future ADA Unisex Restroom.

**Compliance:**

1. County staff is concerned that this proposal's use of valet/tandem parking will remove accessible spaces. There are no accessible spaces in Parking Lot C where valet/tandem parking will occur, thus no accessible spaces are proposed for removal. Provide special parking space for customized vehicles for disabled individuals, and this will be done in Parking Lot A using allocated accessible spaces.

**Conditions for Building Permit:**

1. County staff is requesting all plans, specifications and details to show compliance will all proposed and required work in accordance with applicable provisions in 2010 CBC, CPC, CEC, CMC, CFC, 2008 CA Energy Standards. This request needs further explanation to the Applicant in that there isn't any construction or change to existing

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historical buildings. Perhaps County staff should explain exactly what is needed and provide a code reference.

**Item 5 - Annotated List** – Annotated list is included in Attachment A

**Item 6 - Public Notice (Signage)** –

**Photos of the Sign Submitted Under Separate Cover**

- a. **Installed:** June 8, 2011
- b. **Proposal On Notice:** Proposal to allow weddings and outdoor events at the Bayview Hotel. Requires an amendment to Commercial Development Permits 90-1111 and 93-0329. Property located on the north side of Soquel Drive approximately 150 feet west of Trout Gulch Road in Aptos Village (8041 Soquel Drive).

**Item 7. Planning Department Submittal Application:**

1. Due: July 18, 2011
2. Updated sets of plans:  
Folded to 9" x 12"; Two 8.5" x 11" Sets
3. Comments on withdrawing application or appealing staff determination of incomplete application. Appeal Letter and \$625.00 Fee by June 1, 2011.

**Item 8. Compliance Issues:** Although it is not necessary to address compliance issues in our application, we have resolved the concerns of the Planning Department. The Planning Department Staff suggested that they would recommend denial of this application if it does not conform to County Ordinances or the County General Plan Policies. Staff called out two County Code Sections, 13.10.552(b) & (c) and 13.10.553(a).

County Code Section 13.10.552(b) & (c): Staff disagree with the work done for Aptos Village Plan Parking Demand Analysis using 3 passengers per auto attending large events, such as weddings. To save time and attempt to complete this application, the Applicant is foregoing this issue for now and will address it when the Aptos Village Plan Conditions of Approval are considered. Staff should drop this issue in that the Applicant has agreed to use 2.5 passengers per auto in Parking Demand Analysis for the Bayview Hotel. By accepting the County's Parking Demand Analysis no further studies are needed.

County Code Section 13.10.553(a): Based on the above comments, the County should authorized the Bayview Hotel off-street parking plan assuming 2.5 persons per vehicle for the proposed use. No further studies are needed.



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**Attachment C**

**NOTICE OF PROPOSED DEVELOPMENT**

**APPLICATION No. 101114**

**PROPOSAL TO ALLOW WEDDINGS AND OUTDOOR EVENTS AT THE  
BAYVIEW HOTEL. REQUIRES AN AMENDMENT TO  
COMMERCIAL DEVELOPMENT PERMITS 90-111 AND 93-0329.**

**PROPERTY LOCATED ON THE NORTH SIDE OF SOQUEL DRIVE  
APPROXIMATELY 150 FEET WEST OF TROUT GULCH ROAD IN  
APTOS VILLAGE (8041 SOQUEL DRIVE).**

**APN: 041-011-34**

**FOR FURTHER INFORMATION CONTACT:**

**APPLICANT:  
RICARDO de la CRUZ (Agent)  
BAYVIEW HOTEL  
8041 SOQUEL DRIVE  
APTOS, CA. 95003  
(831) 915-4800  
rdlc13@gmail.com**

**PROJECT PLANNER:  
RANDALL ADAMS  
PLANNING DEPARTMENT  
701 OCEAN STREET, 4<sup>TH</sup> FLOOR  
SANTA CRUZ, CA. 95060  
(831) 454-3218  
PLN515@CO.SANTACRUZ.CA.US**

## **Attachment D**

### **Annotated List of Application Items -- May 10, 2011**

1. **Corrected Application For The Historic Bayview Hotel** – The Amended Application (PA 10-1114 or PA 10-1034) will amend the current PA 90-1111 to allow (1) Outdoor Acoustic Music and without effecting any form of indoor music; (2) an on-site Parking Plan for valet-parking using "Tandem Parking Spaces", and without effecting normal self-parking uses; and (3) to re-establish in County records that the historic uses of Large Outdoor Events, such as weddings and other celebrations, are allowed. No other section in PA 90-1111 will be amended, no part of the building will be changed, and no new construction will occur, other than re-stripping the parking lots. The following are provided in this Corrected Application:
  - I. AMENDMENT OVERVIEW
  - II. BACKGROUND
  - III. SITE PLAN AND DRAWINGS
  - IV. MANAGEMENT PLAN
  - V. MUSIC MANAGEMENT PLAN
  - VI. PARKING PLANS
  - VII. TITLE REPORT (APN: 041-011-32 & 34)
  - VIII. APTOS VILLAGE PLAN ISSUE - Barry Swenson and Cristina Locke
  - IX. NOTICE of VIOLATION
  - X. ATTACHMENTS
    - Attachment A – Annotated Lists of Enclosed Application Items
    - Attachment B – Response to March 10, 2011 County Planning Letter
    - Attachment C – County Parking Ordinances
    - Attachment D – Valet Parking Route (Map)
    - Attachment E – Title Reports (APN 041-011-32, -34, and -35)
2. **Title Reports** – Title Reports, one (1) copy each for APN 041-011-32 (Truman), APN 041-011-34 (Locke), and APN 041-011-35 (Truman) are attached. The Title Reports are provided to only review the easements. The Title Report for APN 041-011-34 (Locke) shows that the hotel uses only its property for on site parking.
3. **4 Sets of Drawings** – 2 sets printed at 8.5x11 inches and 4 sets printed at 24x36 inches (folded per County Folding Plans Handout). The drawings are wet stamped, and were prepared by Joe L. Ackers, P.E. (California License Number: 20372). The floor plans and elevations came from County 1990 records and the County Planning Department gave permission to use these drawings for this application because the building is not changing.

Attached, one (1) sets of drawing consisting of (Revision April 14, 2011):

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- a. Drawing 1 of 4      Site Plan and Parking Plan
  - b. Drawing 2 of 4      1<sup>st</sup> Floor Plan
  - c. Drawing 3 of 4      2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans
  - d. Drawing 4 of 4      Elevations
4. **3 Noise Assessment Studies and Sound Monitoring Reports** – A cover letter dated April 18, 2011 and three (3) reports were prepared by Edward L. Pack Associates, Inc. regarding outdoor amplified music at the Bayview (Attention Jeff Pack – Project No. 42-008), and consist of:
- a. April 7, 2010      Noise Assessment For Outdoor Event Music
  - b. June 11, 2010      Supplemental Noise Assessment to  
April 7, 2010 Report.
  - c. June 11, 2010      Sound Monitoring
5. **Signage For Public Notice** – Applicant is aware of the Guidelines for Neighborhood Notification. When the County Staff authorizes the Applicant to proceed, the sign will be prepared and posted per County's instructions (Nothing is attached at this time).

**Items Submitted  
To County Planning Department  
On May 10, 2011**

- (1). Four (4) Copies: Proposed Commercial Development Permits Amendment (Includes Parking Plan, Program Statement and Management and Operational Procedures)
- (2). Four (4) Copies: 24" x 36" Sets of Drawings (4 Sheets)  
(Folded to 12" x 8.5")
- (3). Two (2) Copies: 12" x 8.5" Sets of Drawings (4 Sheets)
- (4). Three (3) Copies: Noise Studies by Edward L. Pack Associates
- (5). One (1) Copy: Title Report 041-011-34
- (6). One (1) Copy: Title Report 041-011-35

**Objective:** To amend Commercial Development Permits 90-1111 and 93-0329 approve:

- (1) Outdoors Acoustic Music and outdoors Master of Ceremony activities using low volume equipment;
- (2) Valet-Parking Plan using on- site Tandem Parking Spaces;
- (3) Re-establish in County records the historic uses of Large Outdoor Events, such as weddings and other celebrations.

## **Attachment E**

### **13.10.554 Standards of off-street parking facilities.**

Off-street parking facilities for autos shall conform with the following standards:

(a) **Size of Parking Spaces.**

1. Each standard size parking space shall be not less than eighteen (18) feet (5.5 meters) in length and eight and one-half feet (2.7 meters) in width, exclusive of aisles and access drives.
2. Each compact car parking space shall be not less than sixteen (16) feet (4.9 meters) long and seven and one-half feet (2.3 meters) wide.
3. All parking spaces shall have a vertical clearance of not less than seven and one-half feet (2.3 meters).
4. Accessible parking spaces shall be located as near as practical to a primary entrance. Where single spaces are provided, they shall be fourteen (14) feet wide and outlined to provide a nine-foot parking area and a five-foot loading and unloading access aisle on the passenger side of the vehicle. When more than one space is provided, in lieu of providing a fourteen (14) foot-wide space for each parking space, two spaces can be provided within a twenty-three (23) foot area lined to provide accessible parking as required by this section. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities which do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances. Such parking space shall be located in an area with a slope not exceeding two percent, and shall be near or convenient to a level or ramped entrance, with a slope not exceeding five percent. Accessible parking spaces shall be assigned and restricted for use by persons with disabilities only.

- (b) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this Chapter. For single family dwelling units, either attached or detached, and for multi-family dwellings where

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garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

(c) Entrances and exits from or onto a public right-of-way shall be provided at locations approved by the Public Works Director according to encroachment permit procedures. Backing out movements onto the street shall be discouraged. Backing out movements onto major streets shall not be allowed where a reasonable alternative exists to do otherwise.

(d) The parking area, aisles and access drives shall be paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or non permeable surface so as to provide a durable, dust-less surface, and shall be graded and drained so as to prevent erosion and disperse surface water. Parking areas, aisles and access drives together shall not occupy more than fifty (50) percent of any required front yard setback area for any residential use, except for parking spaces located on an individual mobile home lot, which does not front on an exterior street, in a mobile home park.

Variances to this rule can only be granted, pursuant to Section 13.10.554(l), if locating parking areas, aisles or access drives in front yard setbacks result in less environmental damage than at all alternative locations.

(e) On-site drainage percolation or detention shall be provided so as not to exceed predevelopment runoff levels, and designed for a ten (10) year storm, unless waived by the Public Works Director. Drainage shall be filtered to reduce urban contamination of downstream drainage. The installation and maintenance of traps for oil, grease, and silt is required for all parking lots for twenty (20) spaces or more and for all commercial and industrial projects. The requirement for the collection of runoff water for filtration may be waived by the Approving Body in rural areas where appropriate.

(f) Wheel stops and bumper rails shall be provided where needed for safety or protection of property.

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(g) If the parking area is illuminated, lighting shall be deflected away from the abutting residential sites so as not to cause annoying glare.

(h) Landscaping requirements for projects subject to the design standards found in Chapter 13.11 shall conform to Section 13.11.074(c). Projects not subject to the design standards found in Chapter 13.11 shall conform to the following standards:

1. A comprehensive landscape plan shall be submitted for review and approval for developments requiring five automobile parking spaces or more. A minimum of one tree for each five parking spaces shall be provided. The plan shall indicate existing and proposed trees, shrubs and ground cover and delineate species, size, placement and irrigation methods. The plan shall include species from the recommended species list (or other approved equivalent species) for the specific plant community of the project. Landscape plans shall be required to be prepared by the project architect, a registered landscape architect, or other qualified individual.

2. Trees shall be provided in sufficient size and quantity to adequately screen and soften the effect of the parking area within the first year.

3. Landscaping shall be planted in the ground or in approved planters.

4. Where a site adjoins a residential zone district, landscaping shall be used to ensure privacy and screen unsightliness.

5. Hose bibs shall be conveniently located for hand watering, or an irrigation system shall be installed to ensure that all landscaping is permanently maintained.

(i) No repair work or servicing of vehicles shall be conducted on a parking area.

(j) Maintenance. Parking areas shall be maintained in good condition, and kept free of trash, debris, display or advertising uses. No changes shall be made in the number of parking spaces designated on the parking plan without review of the complete development permit by the Approving Body.

(k) Provisions shall be made for pedestrian movement in all parking areas. Projects subject to the provisions of Chapter 13.11 shall meet the requirements of Section 13.11.074(a)(2).

(l) A request for a variance from the provisions of this section may be considered according

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to Chapter 18.10 at Level V. This request for variance must state in writing the provision from which it is to be varied, the proposed substitute provisions, when it would apply, and its advantages. In granting a variance, the Zoning Administrator shall be guided by the following criteria:

1. That there are special circumstances or conditions affecting the property.
2. That the variance is necessary for the proper design and/or function of a reasonable project for the property.
3. That adequate measures will be taken to ensure consistency with the purpose of this section. (Ord. 839, 1/23/62; Ord. 1080, 4/26/65; Ord. 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3784, 4/22/86; 4496-C, 8/4/98; 4642, 11/6/01; Ord. 4786 § 5, 5/3/05)

**13.10.555 Location of off-street parking facilities.**

(a) In an "RA," "RR," "R-1," "RM," or "PR" District, off-street parking facilities prescribed in this chapter shall be located on the same Site as the use for which the spaces are required, or on an adjoining site separated only by an alley from the use for which the spaces are required.

(b) In a "CT," "C-1," "C-2," "C-4," "PF," "PA," "VA," "M-1," "M-2" or "M-3" District, off-street parking facilities prescribed in this chapter shall be located within three hundred (300) feet (91.4 meters) of the use for which the spaces are required, measured by the shortest route of pedestrian access.

(c) Off-Site Parking Facilities. Where parking cannot be provided on-site to meet the requirements of this Chapter, the requirements for parking facilities may be satisfied by the permanent allocation of the required number of spaces for each use in either a shared-use or in an exclusive-use off-site parking facility. An easement in perpetuity, attached to the land for which the application is being made, granting such off-site parking rights shall be recorded in the office of the County Recorder. The easement shall designate the off-street parking facility and the uses or structures to be served, with legal descriptions of the sites involved, and shall specify the hours of operation, provide for maintenance, and certify that the easement shall not be terminated and that the off-street parking facility shall not be used for any other purpose unless a Development Permit amendment has been approved pursuant to Chapter 18.10 either eliminating the requirement for the parking facility or approving alternative parking facilities.

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(d) Shared, In-Lieu Parking in a Parking and Business Improvement Area. In a "CT," "C-1," "C-2," "C-4," "PF," "PA," "VA," "M-1," or "M-3" District, within the boundaries of business improvement district or parking and business improvement area which provides for shared, managed, public parking, the requirement for parking facilities may be satisfied by the provision of shared, in-lieu parking spaces if approved by the Board of Supervisors, acting as the Board of Directors of the business district or improvement area. Such spaces shall be assigned pursuant to an in-lieu parking program adopted by the Board of Supervisors.

(e) Compact Car Stalls. When designing the location of compact car stalls the developer shall take all necessary steps to ensure that stalls will not cause traffic jams and confusion for drivers. In long-term facilities, compact stalls should be located close to entrances, while in facilities with high turnover stalls should be scattered throughout the facility.

(Ord. 839, 11/28/62; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3748, 4/22/86; 4195, 5/12/92; 4346, 12/13/94)



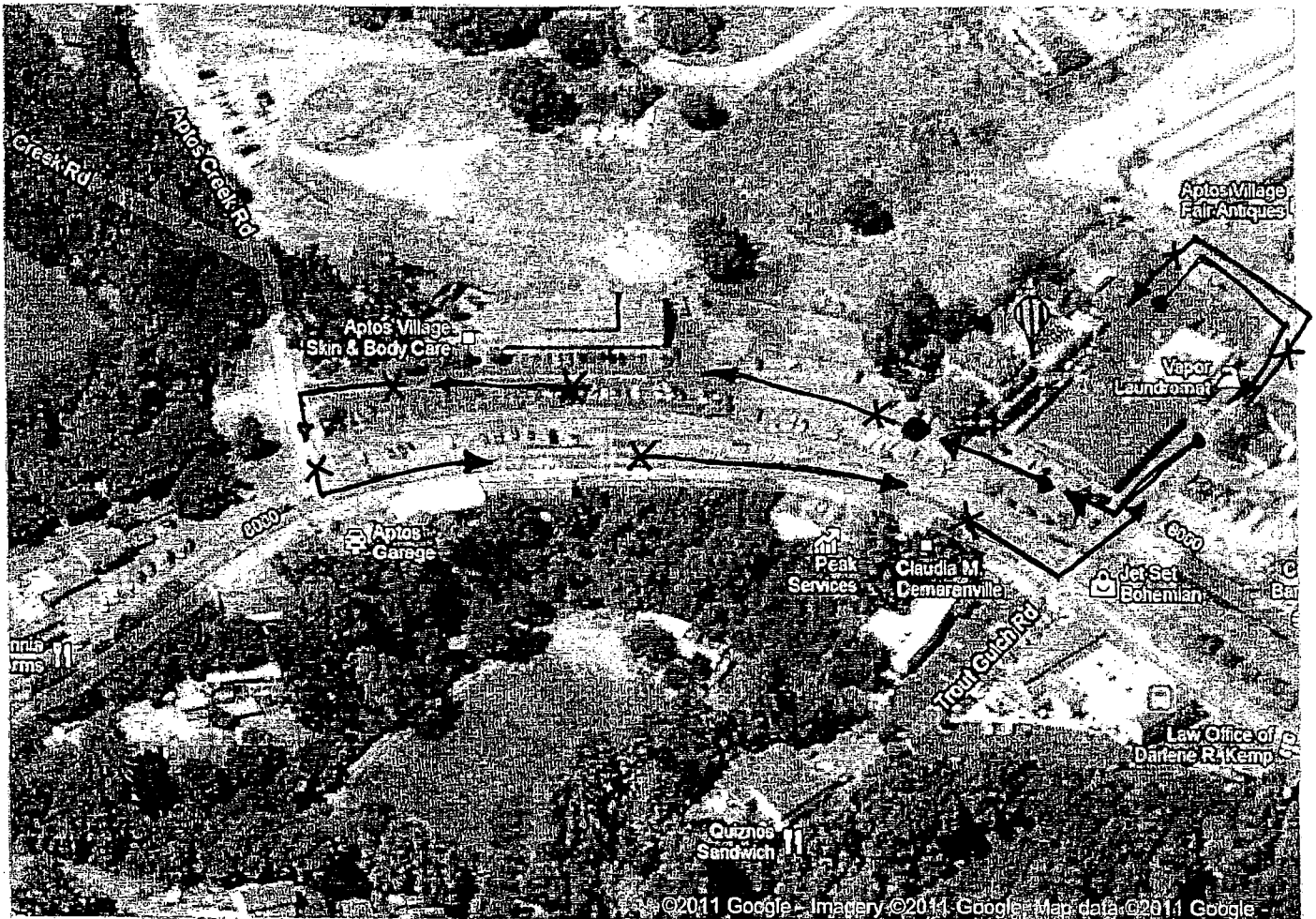
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Planning Permit Application Number: 101114

## **Attachment F**

### **Valet Parking Route (Map)**

To see all the details that are visible on the screen, use the "Print" link next to the map.

- Google maps



✕ TO VALET PARKING  
 ✕ FROM VALET PARKING  
 ● DROP-OFF / PICK-UP AREA

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## ***THE HISTORIC BAYVIEW HOTEL***

*8041 Soquel Drive - Aptos, California 95003  
(831) 688-8654 – [www.bayviewhotel.com](http://www.bayviewhotel.com)*

**Application Numbers PA 10-1114 and PA 10-1034**

**APN: 041-011-34**

*2011 Amendment to Commercial Development Permits  
90-1111, 93-0329 and 85-0661*

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***May 10, 2011***

HISTORIC BAYVIEW HOTEL  
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Kathleen Molloy Previsich, Planning Director  
701 Ocean Street - 4<sup>th</sup> Floor  
Santa Cruz, California 95060  
PLN001@co.santa-cruz.ca.us

May 5, 2011

Subject: Historic Bayview Hotel - Built 1878 (APN 041-011-34)  
Amendments to PA 90-1111: PA 10-1034 and PA 10-1114


Dear Kathy,

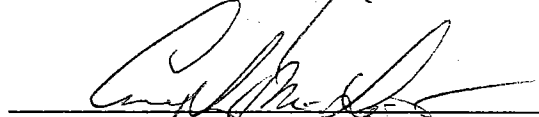
We would like to update you regarding our work on the Historic Bayview Hotel Application since our meeting on April 19, 2011. As of today, we will be able to deliver all of the requested information in the County Planning Department letter of March 10, 2011 to you on this coming Tuesday, May 10, 2011

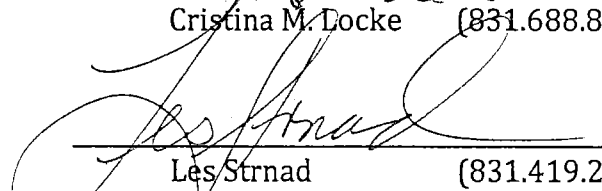
After reviewing our summary, please contact us immediately if there are any questions or concerns. Otherwise, the following list is what will be submitted in our corrected Application and we anticipate that the County will consider our "Corrected Application" as complete.

Ms. Locke has agreed to change from "Outdoors Amplified Music" to "Outdoors Acoustic Music." Given that accommodation, will we still need to go before the Planning Commission or will the application only require review by the Zoning Administrator? Please advise at your earliest opportunity.

Sincerely,

  
Ricardo de la Cruz (831.915.4800)

  
Cristina M. Locke (831.688.8656)

  
Les Strnad (831.419.2632)

Cc: Ellen Pirie, County Supervisor for District 2 (Attention: Stephanie Camacho)  
Cc: Sally A. Williams, Esq. and Ken Hart, Planning Department

**May 10, 2011**  
**County Planning Department Submittal**

- (1). Four (4) Copies: Proposed Commercial Development Permits Amendment (Includes Parking Plan, Program Statement and Management and Operational Procedures)
- (2). Four (4) Copies: 24" x 36" Sets of Drawings (4 Sheets)  
(Folded to 12" x 8.5")
- (3). Two (2) Copies: 12" x 8.5" Sets of Drawings (4 Sheets)
- (4). Three (3) Copies: Noise Studies by Edward L. Pack Associates
- (5). One (1) Copy: Title Report 041-011-34
- (6). One (1) Copy: Title Report 041-011-35

**Objective:** To amend PA 90-1111 and approve:

- (1) Outdoor Acoustic Music and outdoors Master of Ceremony activities using low volume equipment;
- (2) Valet-Parking Plan using on- site Tandem Parking Spaces;
- (3) Re-establish in County records the historic uses of Large Outdoor Events, such as weddings and other celebrations.

**Corrected Application For The**  
**Historic Bayview Hotel**

I.	AMENDMENT OVERVIEW	Page 3
II.	BACKGROUND	Page 4
III.	SITE PLAN AND DRAWINGS	Page 6
IV.	MANAGEMENT PLAN	Page 6
V.	MUSIC MANAGEMENT PLAN	Page 7
VI.	PARKING PLANS	Page 8
VII.	TITLE REPORT REVIEWS	Page 12
VIII.	APTOS VILLAGE PLAN ISSUES	Page 13
IX.	NOTICE of VIOLATION	Page 14
X.	ATTACHMENTS	Page 14

Attachment A – Annotated List of Enclosed Application Items  
Attachment B – Response to March 10, 2011 County Planning Letter  
Attachment C – County Parking Ordinances  
Attachment D – Valet Parking Route (Map)  
Attachment E – Title Reports (APN 041-011-34)

**Corrected Application For The  
Historic Bayview Hotel**

**I. AMENDMENT OVERVIEW:**

The Historic Bayview Hotel Application(s) (PA 10-1034 or PA 10-1114) is a County of Santa Cruz Commercial Development Permit requesting an amendment to its current permit, PA 90-1111, to allow (1) Outdoor Acoustic Music and low volume Master of Ceremony Equipment with reasonable limitations on all equipment, and without effecting any form of indoor music; (2) an on-site Parking Plan for valet-parking using "Tandem Parking Spaces" and without effecting normal use of self-parking; and (3) to re-establish in County records the historic uses of Large Outdoor Events, such as weddings and other celebrations. No other section in PA 90-1111 will be amended, no part of the building will be changed, and no new construction will occur, other than re-stripping the parking lots. An annotated list of Application items enclosed is in Attachment A.

Ms. Cristina M. Locke is the applicant and has owned the Historic Bayview Hotel since October 2002. In cooperation with the outcome of the Decision and Order from the September 10, 2010 Administrative Hearing for Case 09-CC4649, Ms. Locke agreed to proceed with this application in order to settle all disagreements with County Staff. Ms. Locke also agreed to suspend her Historical Grandfather rights pending the outcome of this amended application. At the April 19, 2011 meeting with the Planning Director, it was agreed that the Historic Bayview Hotel always had the right to have large celebrations (such as weddings or anniversaries or family reunions) on site dating back to its origin, 1878. Attachment B offers our latest response to the March 10, 2011 letter from the Planning Department informing the Applicant that the February 9, 2011 submittal was incomplete. This document, along with its attachments, is presented to the County Planning Department to correct the last submittal and serve as the Complete Application.

In this same meeting, Ms. Locke agreed to provide on-site parking that would accommodate large celebrations and provide the County with a parking plan, which is enclosed. All parties agreed the best method for this application would be valet parking using newly striped Tandem Parking Spaces.

At the April 19, 2011 meeting with the Planning Director Ms. Locke agreed to wait until the Aptos Village Specific Plan's conditions of approval are adopted setting standards for amplified music outdoors. That means for now the site only allows acoustic music outdoors. In addition, Ms. Locke requested outdoor approval for master of ceremony equipment (MC), using very low wattage amplification. Ms.

Locke pointed out that her intent is to provide classical musical instruments, voice, jazz, and strings ensembles that have been pre-approved by hotel management. However, there are some instruments that are considered acoustic requiring small low volume amplification equipment. As an example, voice, harps and other string instruments often use them in outdoor settings. The Applicant agrees to allow only equipment that has been preapproved by the County. The Applicant is asking for a little flexibility by the County in anticipation of modern advancements used by acoustic musical ensembles. In all cases the Applicant will control equipment to be used to enhance the music and not to provide volume.

Planning Staff anticipates that the final Aptos Village Specific Plan's conditions of approval will have noise standards that resolve all noise issues for all residents in the Village, and the hotel will accept any fair and reasonable outdoor noise levels and hours of operations for outdoors amplified music adopted by the County.

## **II. BACKGROUND**

Prior to addressing the Historic Bayview Hotel proposed Commercial Development Permits Amendment, it is useful to review its historical significance and its relevance to the February 23, 2010 County Aptos Village Plan.

The Historic Bayview Hotel, originally named the Anchor House and built by Jose Arano in 1878, contributed to the continuous history of the Aptos Hihn Valencia Mill era; the Loma Prieta Railroad and Redwood harvest; the Lam-Mattison Apple Dryer Era; creating Highway 1 and the post World War II financial decline; and now the February 23, 2010 County Aptos Village Plan Era. During each of these historical eras the Bayview has stood as the "City Hall" of Aptos Village. It has provided the community a critical center for lodging, meals, weddings, celebrations, and sadly, funerals. In 2010, 140 years since its inception, it continues with this "Community Tradition." It offers the only community memory of a place lost in history (see Aptos Village Plan pages 6-8). The Bayview Hotel is on the National Register of Historic Places (U.S. Department of the Interior) and included in the County's Historic Resource Inventory. An Italianate Victorian antique-filled building, the businesses today consist of a small Bed and Breakfast Inn and an Italian Bar and Restaurant, named Barolo. Although the Bayview is considered a Bed and Breakfast Inn, it is called a hotel due to its historical record.

The February 23, 2010 County Aptos Village Plan offers "Context For The Village Plan." With each aspect of this document the Historic Bayview Hotel is viewed as a valued and viable business continuing with the commercial services currently provided, which reflect the historical record of its continuous usage. While waiting for the Village Plan to be implemented, the applicant intends to preserve the



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current business as is, and continue to operate it as envisioned by the Aptos Village Plan. The plan envisions improved parking with new circulation, landscaping, and drainage infrastructure. Currently a new 2,800-square-foot building and an indoor/outdoor dancing-pavilion are being designed, and a manager's apartment is under consideration. All design proposals will be submitted to the U.S. Department of the Interior and the National Park Service for further processing under Federal NR-1 criteria. The design changes discussed are on hold until the County adopts a final Specific Plan for the Village. At this time the cost to install any temporary improvement is prohibitive. Therefore, the Bayview will remain as it is for now and wait for better economic times or the building of the Aptos Village Plan.

Although the Historic Bayview Hotel expects to make a number of site improvements when the Aptos Village project starts, those improvements are not under consideration in this Application.

**2011 Amendment to Commercial Development Permits:**  
**90-1111, 93-0329 and 85-0661**

Owner/Applicant:	Cristina Locke	(831) 688-8656
County Planner:	Ken Hart	(831) 454-2580
Amend Development Permit	90-1111, Approved May 24, 1991	
Address:	8041 Soquel Drive Aptos, California 95003	
Assessor's Parcel Number(s)	041-011-34 (Replaced: 41-011-31 & 32)	
Built:	1878 (Historical Designation - NR-1)	
Parcel Size:	0.71 Acres (31,015 SF)	
Total Square Footage/Floors:	15,000 SF and 3 Floors	
Number of Rentable Hotel Rooms:	10 Suites (No Kitchens)	
Restaurant Bar and Dinning Area:	1,800 SF	
Restaurant Kitchen and Storage:	1,200 SF	
Total Restaurant Bar, Dinning, Kitchen, Storage:	3,000 SF	
Guest Self-Parking:	36 Spaces (Parking Lots A, C, D: Site Plan)	
Employee Self-Parking:	3 Spaces (Parking Lot B: Site Plan)	
Total Self-Parking:	39 Spaces (Parking Lots A, B, C, D: Site Plan)	
Guest Valet-Parking:	50 Spaces (Parking Lots A, C, & D: Site Plan)	
Employee Valet-Parking:	6 Spaces (Parking Lots B & D: Site Plan)	
Total Valet-Parking:	56 Spaces (Parking Lots A, B, C, D: Site Plan)	
Total Bicycle Parking Spaces:	10 Spaces (Location To Be Determine)	

### **III. SITE PLAN AND DRAWINGS:**

The final version of the Site Plans and Drawings (Drawing 1 thru 4) was prepared by Joe Akers, P.E. (California License Number: 20372) and wet-stamped. The documents provided to the County "an accurate, scaled, and dimensioned parking and striping plan" for planning purposes and application approval. When the Historic Bayview Hotel orders the striping of the site under the new permit the company doing the work will provide a surveyed "striping plan" at that time (March 10, 2011 County Letter - Item 4(a)), and there is no risk to the County in that the Applicant will accept a condition that states: "the maximum number of guests that may attend a large event is equal to the number of passengers from the maximum autos parked on site, and the number of passengers per auto will be the same as that established for the Aptos Village Plan."

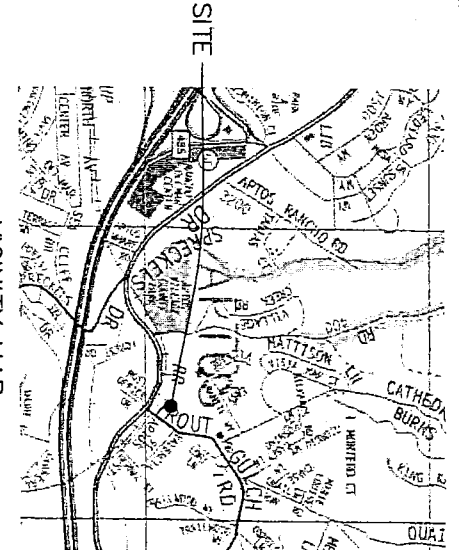
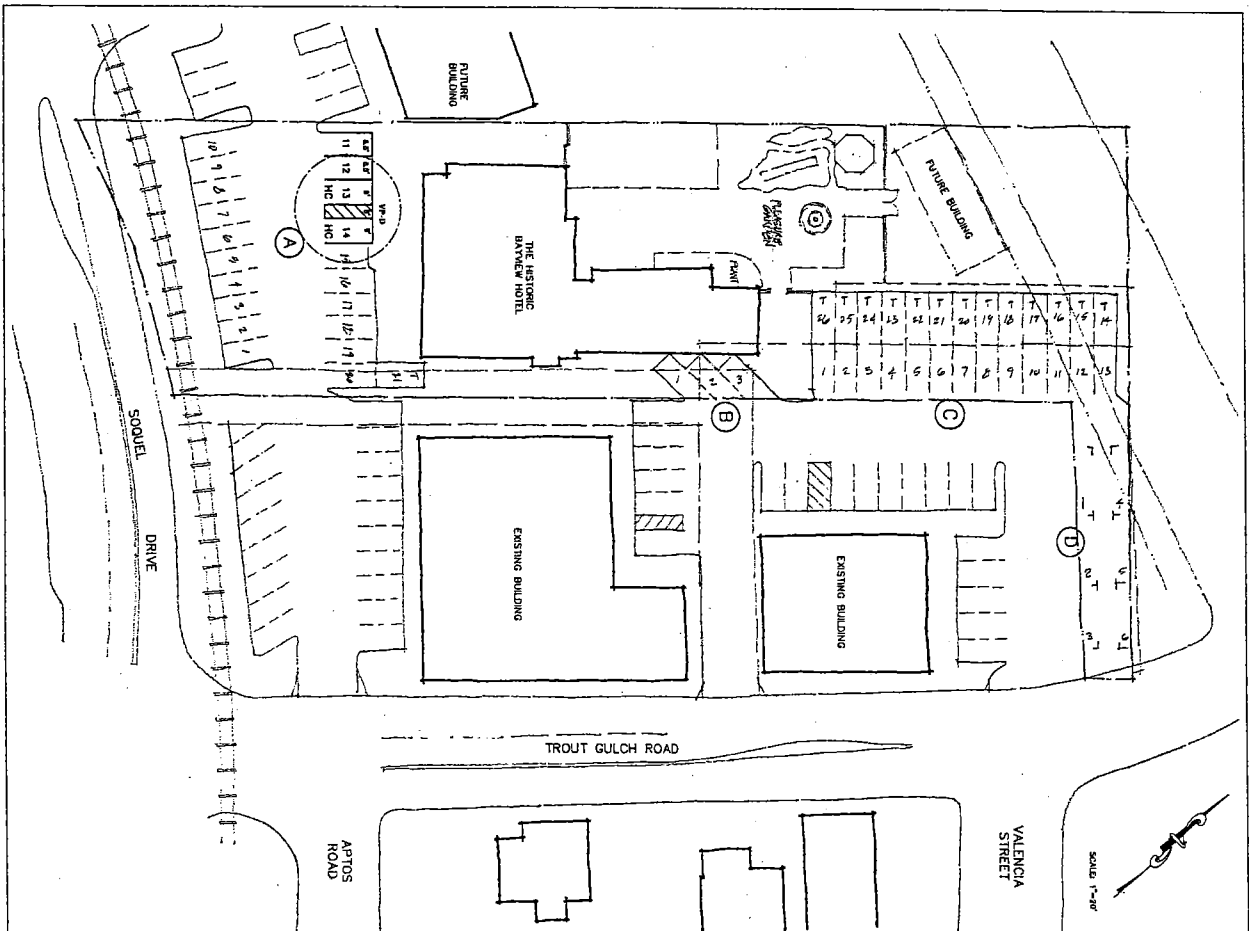
At various meeting provide by the County Planning Department, the County Standard for the number of Passengers per auto for planning large events are three (3) guests. In addition, Matthew Thomason, AIA, and Ron Marquez, P.E. have reported in several public meetings that the Aptos Village Plan uses three (3) passengers per auto for large events, such as the Aptos Blues Festival or the 4<sup>th</sup> of July Parade. The Applicant agrees to use the same count that the Aptos Village Plan uses. We are asking for similar treatment as the rest of the property owners in the Aptos Village Plan. If the County Staff is not in agreement, then please submit an alternative number for our consideration.

Please note on the Site Plan (Drawing A-1) that all parking spaces are standard spaces and measure 8.5 feet by 18.0 feet per County Code Section 13.10.544. There are two (2) accessible parking spaces per code and a valet parking drop-off and pick-up location at the front door area of the Hotel. All of these items are included in the parking plan and shown on Drawing 1 (Site Plan).

1. Drawing 1 of 4 (Site Plan):
2. Drawing 2 of 4 (1<sup>st</sup> Floor Plan):
3. Drawing 3 of 4 (2<sup>nd</sup> & 3<sup>rd</sup> Floors Plan):
4. Drawing 4 of 4 (Elevations):

### **IV. MANAGEMENT PLANS:**

All large events will be scheduled in advance giving the Historic Bayview Hotel Management time to get organized and arrange for staff support on time. The Management Plans for the Historic Bayview Hotel during large events is as follows:



# VICINITY MAP

N.T.S.

Historic Bayview Hotel

Site: 1875 (Historic Bayview Hotel - 1875)  
Lot Area: 1.5112 Acres (65,000 sq ft)  
Zoning: M-100 (Medium Density Residential)

Proposed: 1875 (Historic Bayview Hotel - 1875)  
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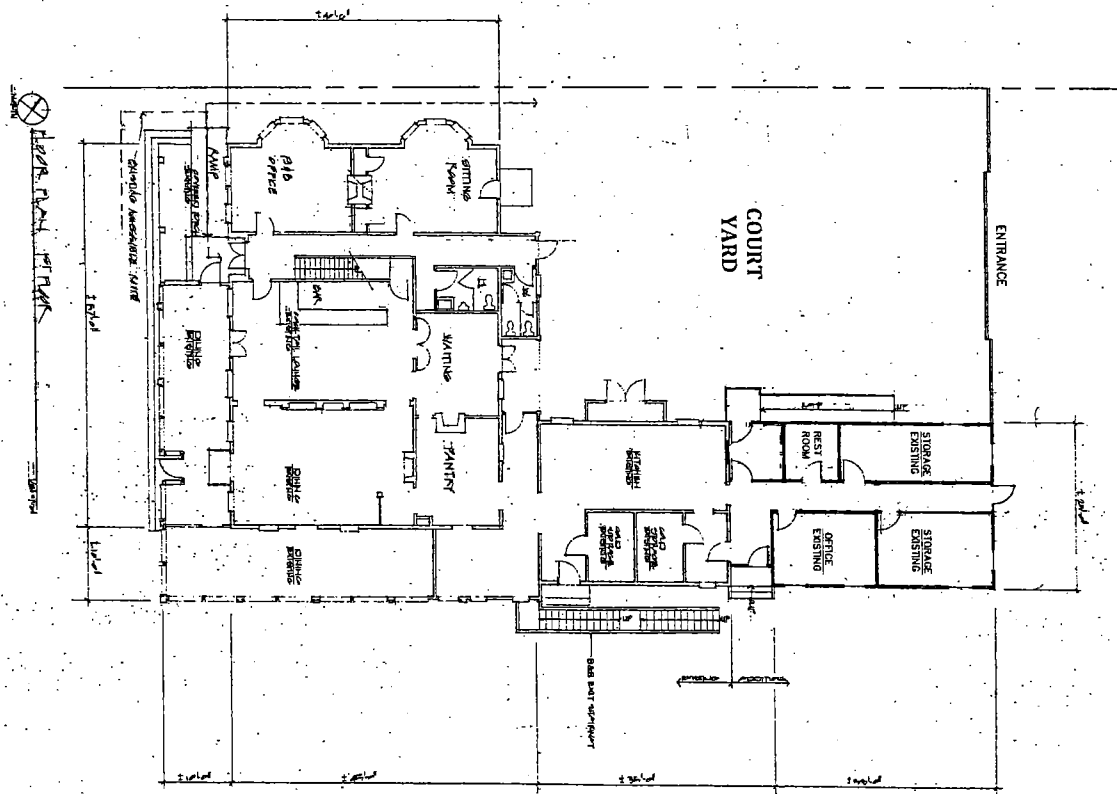
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2 OF 4

SANTA CRUZ CO. PLANNING APPLICATION: PA 101034

**THE HISTORIC BAYVIEW HOTEL**

CRISTINA LOCKE  
8041 SOQUEL DRIVE  
APRIS, CA 95023  
(831) 686-8154

APN 041-071-34

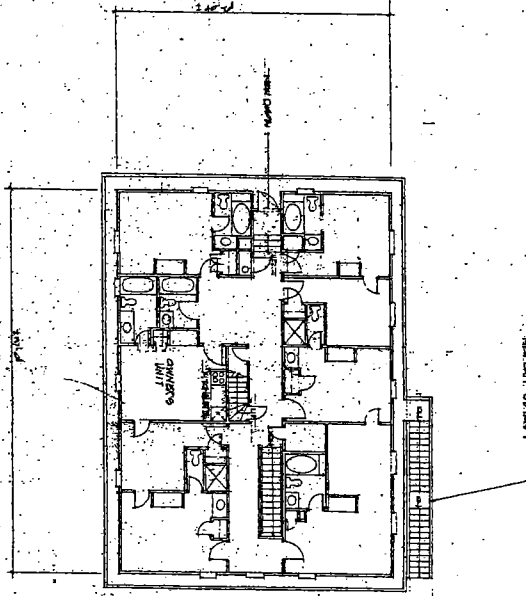
FIRST FLOOR PLAN

**JOE L. AKERS**  
CIVIL ENGINEER

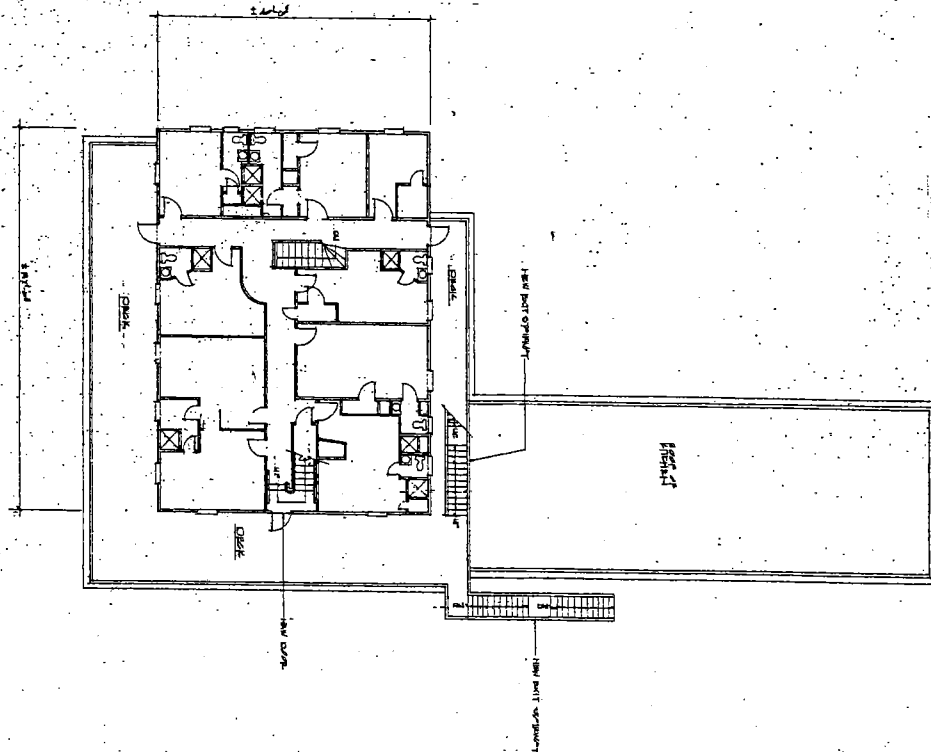
830 BAY AVE. STE. E SANTECA, CA 95070  
PHONE: (831) 479-8387



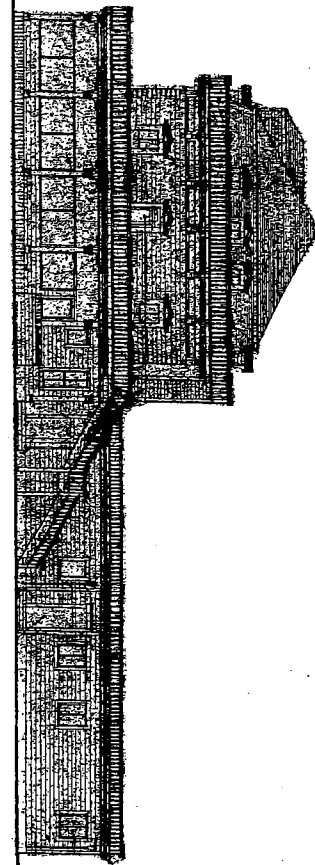
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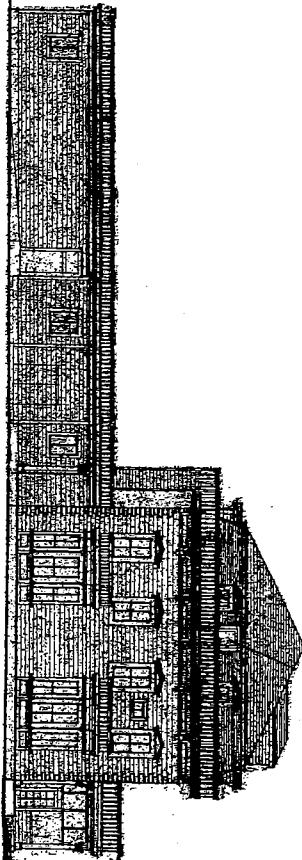
2ND FLOOR PLAN  
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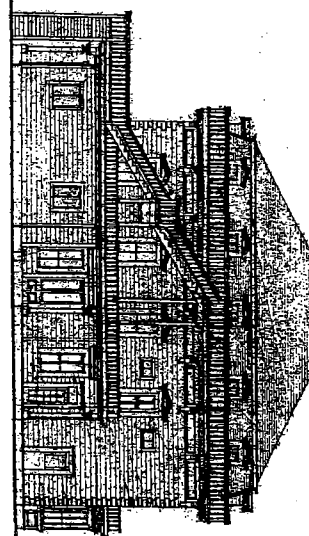
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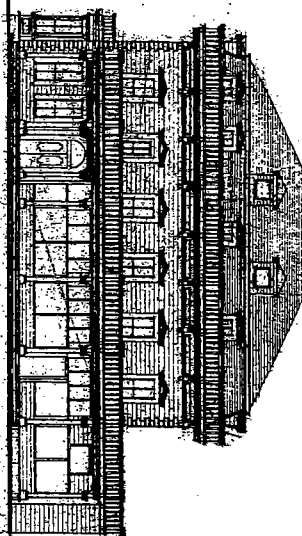
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S O U T H W E S T E L E V A T I O N

4 OF 4

SANTA CRUZ CO. PLANNING APPLICATION: PA 101034

THE HISTORIC BAYVIEW HOTEL

CRISTINA LOCKE  
8041 SOQUEL DRIVE  
APTOS, CA 95023  
(831) 698-8654

APN 041-011-34

ELEVATIONS

JOE L. AKERS  
CIVIL ENGINEER

830 BAY AVE. STE. E CAPITOLA, CA 95010  
PHONE (831) 472-8367



DATE	BY	CHKD	APP'D

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1. Management: The general manager of the Historic Bayview Hotel will be responsible for all aspects of large events during the entire event and will be on site, or have assistant managers on site.
2. Hours of Operation: Large events maybe scheduled on any day and between the hours of 9:00 AM and 10:00 PM. After 10:00 PM all guests of the large event will be required to remain indoors in the Historic Bayview Hotel.
3. Hours for Outdoors Acoustic Music: Music maybe scheduled on any day and between the hours of 10:00 AM and 10:00 PM.
4. Selecting Outdoors Acoustic Music Ensembles: All music performers will be pre-selected by management and pre-qualified to perform at the Historic Bayview Hotel's outside courtyard. All music groups will conduct an on-site rehearsal, and each group will provide an on-site recording demonstrating levels of their music output. Each performer will be informed of the noise standards at the Bayview and will enter in an agreement with management stating that they will comply at all times.
5. Outdoors Master of Ceremony (MC): Management will oversee all Outdoors Master of Ceremonies (MC) using only the equipment provided by the hotel, which will comply with all County Conditions of Approval. MC volumes will be kept at low levels with decibels levels to be set by the County.
6. Hotel and Restaurant Rental: Large event with 100 or more guests will be required to rent the entire facility; and during those events the Hotel and Restaurant will be closed to the public at large. The courtyard is the outdoor space to be used by large groups.
7. Valet Parking (Tandem Parking): Large event with 100 or more guests will be required to use Valet Parking following the hotel's procedures discussed in the Valet Parking section below (includes Tandem Parking).

**V. MUSIC MANAGEMENT PLAN:**

The Historic Bayview Hotel has agreed to use only Acoustic Music outdoors and the hotel's common definition is: "Acoustic Music comprises music that solely or primarily uses instruments which produce sound through entirely acoustic means, as opposed to electric or electronic means. The retronym "acoustic music" appeared

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after the advent of electric instruments, such as the electric guitar, electric violin, electric organ and synthesizer" (Source: Safire, William, "On Language: Retronym", *New York Times Magazine*, January 7, 2007 in Wikipedia).

The Hotel shall make every effort to develop a list of appropriate Acoustic Musical Ensembles who may perform in outdoor spaces. From this list the guest may select a group to perform. The type of instruments selected shall be the prerogative of the Acoustic Musical Ensembles.

1. Use of Outdoor Acoustic Music: Acoustic Music shall be restricted to any day of the week and only between the hours of 10:00 A.M. to 10:00 P.M. Performances may only occur in the rear courtyard.
2. Use of Indoor Amplified Music: Without restriction, the Historic Bayview Hotel currently has, and continues to have the privilege to provide Indoor Amplified Music.
3. "Master of Ceremony Equipment" (MC): Historic Bayview Hotel will provide the equipment for MC uses with significant controls to keep outputs at the lowest levels serving only the Courtyard area. The purpose of this equipment is to assist with "Master of Ceremony" at low effective volumes. None of this equipment shall cause noise impacts on neighboring properties.
4. Independent Third Party Acoustical Engineer (Amplified Music): The Historic Bayview Hotel's independent third party acoustical engineer is Edward L. Pack Associates, Inc. Any new required noise studies will be conducted by Edward L. Pack Associates. Although Pack's 2010 music and noise studies regarding Amplified Music are not necessary for this application, nonetheless, 3 copies are provide in case there are questions about the hotel meeting the County's Noise Standards (General Plan Noise Policies 6.9.1, 6.9.2, and 6.9.4).

**VI. PARKING PLANS:**

The Historic Bayview Hotel Parking Plans provides orderly on-site parking. The hotel parking plan provides for two (2) conditions: Self Parking Plan offering 36 parking spaces; and Valet Parking Plan offering 56 parking spaces. For Self Parking, 36 spaces are provided to the guests and 3 to the employees. The Valet Parking Plan provides parking spaces for approximately 150 guests and 18 employees.



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1. The Historic Bayview Hotel and Restaurant comply with County Code for Standards of Off-Street Parking Facilities (see Attachment C), and
  - (A) Hotels - County Code (13.10.552 (b)) requires hotels to provide 1.1 parking spaces per room, of which Bayview Hotel have 10 rooms, and 0.3 parking spaces per employee, of which there are 2 hotel employees. This equates to 11 spaces for hotel guests and 1 space for hotel employees, for a total of 12 parking spaces. 2 Bicycle Parking Spaces will be provided in accordance with requirements prescribed in County Code (13.10.552 (b)).
  - (B) Restaurants - County Code (13.10.552 (b)) requires restaurants to provide 1 parking space per 100 square feet and 0.3 parking spaces per employee. The restaurant dining area is approximately 2,000 square feet and employees 6 staff members per shift. This equates to 18 spaces for the restaurant guests and 2 spaces for employees totaling 22 parking spaces. 5 Bicycle Parking Spaces will be provided in accordance with requirements prescribed in County Code (13.10.552 (b)).
2. Accessibility - County Code Section 13.10.554 (a)(4) The Historic Bayview Hotel meets all ADA standards for a historical building of this type. There are two (2) Accessible Parking Spaces in the front area of the building. Per State Construction Code a Drop Off and Pick Up will be built and is shown on the Site Plan (A-1). (We talked with Ms. Laura Brinson on April 4, 2011 and were able to confirm that there are no Accessibility Deficiencies, per PA 90-1111). The project fully complies with County Codes.
3. Vehicular Right of Ways - County Code Section 13.10.554(b) requires self parking spaces or tandem parking spaces to not be in vehicular right of ways, and when the valet-parking plan is in effect no self-parking will be allow in the tandem parking areas. The project fully complies with County Codes.
4. Passenger Count per Auto for Large Events: Until further notices, all parking and guest counts are based on 3 guests per auto. In designing the Aptos Village Parking Plan for large events, 3 guests per auto were selected as the standard to be used by the County. Along with Planning Staff and members

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from Barry Swenson Builders, Matthew Thomason, AIA, and Ron Marquez, P.E. have reported in several public meetings that the Aptos Village Plan uses three (3) passengers per auto for large events, such as the Aptos Blues Festival or the 4<sup>th</sup> of July Parade. The Applicant agrees to use the same count that the Aptos Village Plan uses.

5. Maintenance: Historic Bayview Hotel will follow County Code Section 13.10.554 (j) and "parking areas shall be maintained in good condition, and kept free of trash, debris, display or advertising uses. No changes shall be made in the number of parking spaces designated on the parking plan without review of the complete development permit by the Approving Body."

Self-Parking: During normal operations the Bayview Hotel and Restaurant is over parked in that it has 36 parking spaces, yet only needs 29 parking spaces; (see Site Plan - Drawing 1 - Parking Lots A, B, C, and D).

1. Distribution of Self-Parking: Bayview Hotel and Restaurant share 4 parking lots with its hotel guests, restaurant patrons, and employees. With the new striping plan the parking facilities will improve to allow the following (see Table 1). Parking Lot A consists of 20 spaces and serves primarily restaurant patrons (18 spaces required). Parking Lot B consists of 3 spaces and serves exclusively the employees (3 spaces required). Parking Lot C consists of 13 spaces and serves primarily hotel guests (12 spaces required). Parking Lot D consists of 3 spaces and serves as over flow for patrons or employees.
2. Event Sizes 63 or Less: The hotel and restaurant can scale down to a size the does not require more than 15 parking spaces. The remaining 21 parking spaces would allow the hotel to accommodate events up to 63 people, and permit the guests to Self Park.
3. Event Sizes 63 or More: When more than 63 guests are scheduled for an event the hotel and restaurant will be closed to the general public. The Self Parking Program will be permitted until the event schedules 100 or more people, or uses more than 33 parking spaces. At that point the Value Parking Program will go into effect. The Self Parking Program maximum capacity is 37 spaces (111 people), but for quality control the hotel would prefer to initiate valet parking at 33 autos.

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The Site Plan shows that the Bayview Hotel's off-street parking lots conform to the standards in Section 13.10.554. Details of those standards are shown on the enclosed drawings prepared by Joe Akers, P.E. By approving this application and allowing new striping the self-parking conditions will improve as shown in the table below.

Table 1

Parking Lots	Current Count	New Stripe Count
A	18	20
B	3	3
C	12	13
D	3	3
Totals	36	39

**Valet Parking – Large events with 100 or more guests:** When there are events having 100 or more people, the hotel will initiate its valet parking program. Under this program the host rents the entire facility and the hotel and restaurant will be closed to the general public. All such events are scheduled and planned in advance allowing for orderly implementation. Valet Parking shall only be on the hotel's property and all Tandem Parking shall be at Parking Lots C and D (See Site Plan - Drawing 1). The Bayview Hotel's off-street parking lots shall conform to the standards in County Code Section 13.10.554. Details of those standards are shown on the enclosed drawings prepared by Joe Akers, P.E.

Table 2

Number of Guests	Person Per Auto	Parking Requirement
25*	3	13
50*	3	25
75*	3	24
100**	3	33
125**	3	42
135**	3	45

\* Self Parking: Onsite

\*\* Valet Parking: Onsite

(No Offsite Valet Parking)

Drawing 1, Site Plan, shows on-site Valet Parking at Lots C and D. The guest arrives at the front door of the Historic Bayview Hotel and the valet parks the car for the guest, and retrieves it when the guest departs. Any form of self-parking will not be allowed during the valet parking program. The section below identifies detailed requirements for the hotel's valet parking program.

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1. Drop Off and Pick Up Area: An area at the front door of the Historic Bayview Hotel will be striped to State Standards with "yellow" markers, and used as the "Drop Off and Pick Up Area". This is the location for guests to deliver and retrieve autos. A temporary "Valet Parking Sign" will be present to show guests where to stop for services.
2. Valet Parking Route: The Valet Drivers will spread out the flow of autos by driving from the front door of the hotel to Aptos Creek Road turn left and left again onto Soquel Drive heading east. At the Stop Sign, turn left onto Trout Gulch Road and left again onto the property by the Antique Barn. All tandem parking will be in Parking Lots C and D. The reverse route shall be from the rear property area to Trout Gulch Road and into the east entry to the front parking lot (Lot A) (next to stop sign at Soquel Drive and Trout Gulch Road intersection) and stopping at the pick up area next to the front door of the hotel. The drivers will be trained to spread out the traffic in order to avoid congestion. A map is provided in Attachment D – Valet Parking Route (Map).
3. Valet Drivers: The Valet Drivers will be trained to manage traffic time and auto movement to reduces any congestion and interference of other on-site pass through traffic. The Valet Drivers will promote safety at all times. Hotel management will use "best practices" for Valet Drivers and Valet Parking.

**VII. TITLE REPORT REVIEW:**

The Title Report for the Historic Bayview Hotel, dated Month 00, 2002, is included in Attachment E. For discussion proposes we are using Parcels A, B, and C found on a surveyor's map in the Title Report, dated April 2005, and prepared by Michael F. Beautz (Civil State No. 24266). Parcel A is the Historic Bayview Hotel (APN: 041-011-34); Parcel B is the dry cleaners and retail center (APN: 041-011-32 and -35); and Parcel C is the Antique Barn (APN: 041-011-33). The County ask for Title Reports for APN: 041-011-34 and APN: 041-011-35, which are included herein. Title Reports for APN: 041-011-32 and APN: 041-011-33 are not included. The title reports declares that the hotel has the easement rights to do the following:

- (1) A 20-foot Ingress and Egress Easement is used by Parcels A and B. This proposal will not interfere with normal ingress and egress activities on this easement due to the assistance provided by the valet staff. When valet services are not used,

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normal easement activities will proceed as they are now using self-parking.

- (2) There is a May 29, 1986 Parking Agreement allowing the dry cleaners of Parcel B to share Parking Lots C and D on the hotel's site map (Drawing 1). However, the documents are clear that Parking Lots C and D are not only owned by the hotel and restaurant, but it is also for their use. However, the Parking Agreement is silent as to how many spaces may be used by the dry cleaners, if any. The Parking Agreement also states that new parking arrangements by Parcel B will occur when the Aptos Village Parking Plan is implemented. At that time, the hotel will have exclusive use of all part of Parking Lot C that remains. The workout over such old easements is with total cooperation with the adjacent property owners of Parcel B. For that reason we have approached adjacent property owners for their support and agreement with this proposal.
- (3) In the Parking and Circulation Agreement and Amendment of Existing Right-Of-Way Agreement, recorded with the County on May 30, 1986, it states that the "County requires a joint parking and circulation agreement and amendment of an existing Right-Of-Way Agreement" before the County would grant new 1986 permits, which the County did. It is reasonable for the County to give special consideration to the hotel in allowing improved use of its property since the hotel has been cooperating without any real benefit.

The owners of Parcel B (APN: 041-011-32 and -35) are Peter Truman, Kimberly Truman, and William Droege, all agree to allow the hotel to use Valet and Tandem Parking at Parking Lots C and D so long as the adjacent businesses have full access to the parking spaces on their property. The letter confirming this agreement is under separate cover and will be mailed to the County Planning Director. In all large group events the hotel will accommodate this request during the entire period of such events. Under the County's policies for Valet and Tandem Parking the hotel will provide on site staff to manage both parking and circulation services for both Parcels A and B in the rear parking areas (Drawing 1 - Parking Lots B, C, and D). Regarding the front parking areas, the hotel will provide parking and circulation services only to Parking Lot A, which is adjacent to the Rail Road and Soquel Drive.

**VIII. APTOS VILLAGE PLAN ISSUES - Barry Swenson and Cristina Locke:**

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A little more contract work needs to be done on the final agreements between Barry Swenson and Cristina Locke before the Bayview property making up the Valencia Street right of way is sold; Bayview accepting new easements; and locating a new building at the rear of the Bayview property. Shared parking, amplified music, large group gatherings are anticipated for all Aptos Village property owners, including the Historic Bayview Hotel. The terms and conditions of approval will apply to all property owners in the Aptos Village, and those terms and conditions of approval shall meet the County Codes for the Aptos Village Specific Plan. The Historic Bayview Hotel always has the option to include the general requests of this application, (parking for weddings and other large groups, outdoor amplified music, and full recognition by the County of its grandfathered-in historical uses, such as weddings and other celebrations) in any Development Application for the Aptos Village Plan, and anticipates to be fully included in the final Aptos Village Specific Plan's conditions of approval. The Aptos Village Specific Plan's conditions of approval must resolve all noise issues for all residing in the Village, and the hotel will accept any fair and reasonable outdoor noise levels and hours of operations. It is for this circumstance that the Historic Bayview Hotel will accept Outdoor Acoustic Music for the time being.

No requirements associated with the proposed Aptos Village Plan and Development Application should be placed on the hotel, in that the Historic Bayview Hotel is a major part of the future application and all land use, permitting, and easement conflicts will be resolved during the final approval process, which will be required in order for the County to accept the Aptos Village Plan and Development Application as complete.

**IX. NOTICE of VIOLATION:**

There is one "Notice of Violation" known by the applicant, dated January 13, 2009. If the County approves this application, then the matter will be rectified. The Decision and Order (page 14) from Case No.: 09-CC4649 sets the Code Enforcement costs in the amount of \$2,359.51 to be paid by December 6, 2010. By applying for this amendment as instructed, the Civil Penalty (\$2,500.00) is waived. There are no other pending complains by the County at this time.

**X. ATTACHMENTS:**

- Attachment A - Annotated Lists of Enclosed Application Items
- Attachment B - Response to March 10, 2011 County Planning Letter
- Attachment C - County Parking Ordinances
- Attachment D - Valet Parking Route (Map)
- Attachment E - Title Reports (APN 041-011-32, -34, and -35)

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**Attachment A**  
**Annotated List of Application Items**

1. **Corrected Application For The Historic Bayview Hotel** - The Amended Application (PA 10-1114 or PA 10-1034) will amend the current PA 90-1111 to allow (1) Outdoor Acoustic Music and without effecting any form of indoor music; (2) an on-site Parking Plan for valet-parking using "Tandem Parking Spaces", and without effecting normal self-parking uses; and (3) to re-establish in County records that the historic uses of Large Outdoor Events, such as weddings and other celebrations, are allowed. No other section in PA 90-1111 will be amended, no part of the building will be changed, and no new construction will occur, other than re-stripping the parking lots. The following are provided in this Corrected Application:

- I. AMENDMENT OVERVIEW
- II. BACKGROUND
- III. SITE PLAN AND DRAWINGS
- IV. MANAGEMENT PLAN
- V. MUSIC MANAGEMENT PLAN
- VI. PARKING PLANS
- VII. TITLE REPORT (APN: 041-011-32 & 34)
- VIII. APTOS VILLAGE PLAN ISSUE - Barry Swenson and Cristina Locke
- IX. NOTICE of VIOLATION
- X. ATTACHMENTS

Attachment A - Annotated Lists of Enclosed Application Items  
Attachment B - Response to March 10, 2011 County Planning Letter  
Attachment C - County Parking Ordinances  
Attachment D - Valet Parking Route (Map)  
Attachment E - Title Reports (APN 041-011-32, -34, and -35)

2. **Title Reports** - Title Reports, one (1) copy each for APN 041-011-32 (Truman), APN 041-011-34 (Locke), and APN 041-011-35 (Truman) are attached. The Title Reports are provided to only review the easements. The Title Report for APN 041-011-34 (Locke) shows that the hotel uses only its property for on site parking.
3. **4 Sets of Drawings** - 2 sets printed at 8.5x11 inches and 4 sets printed at 24x36 inches (folded per County Folding Plans Handout). The drawings are wet stamped, and were prepared by Joe L. Ackers, P.E. (California License Number: 20372). The floor plans and elevations came from County 1990 records and the County Planning Department gave permission to use these drawings for this application because the building is not changing.



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Attached, one (1) sets of drawing consisting of (Revision April 14, 2011):

- a. Drawing 1 of 4      Site Plan and Parking Plan
- b. Drawing 2 of 4      1<sup>st</sup> Floor Plan
- c. Drawing 3 of 4      2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans
- d. Drawing 4 of 4      Elevations

- 4. **3 Noise Assessment Studies and Sound Monitoring Reports** - A cover letter dated April 18, 2011 and three (3) reports were prepared by Edward L. Pack Associates, Inc. regarding outdoor amplified music at the Bayview (Attention Jeff Pack - Project No. 42-008), and consist of:
  - a. April 7, 2010      Noise Assessment For Outdoor Event Music
  - b. June 11, 2010      Supplemental Noise Assessment to  
April 7, 2010 Report.
  - c. June 11, 2010      Sound Monitoring
- 5. **Signage For Public Notice** - Applicant is aware of the Guidelines for Neighborhood Notification. When the County Staff authorizes the Applicant to proceed, the sign will be prepared and posted per County's instructions (Nothing is attached at this time).

**Attachment B**

**Response to County Staff Letter, March 10, 2011**

*(Large Events, Valet-Parking and Outdoor Acoustic Music)*

Applicant: Ms. Cristina M. Locke

Staff: Ken Hart

**Item 1 - Parking Study** – At the April 19, 2011 meeting with the Planning Director it was agreed that a “Parking Study” prepared by a professional engineer who specializes in traffic and transportation planning is not required. We are providing Parking Plans in Section VI in the Corrected Application For The Historic Bayview Hotel. The Site Plans show the details of the hotel’s parking lots.

**Item 2 - Noise Study (3 Copies Under Separate Cover)** – The Historic Bayview Hotel has agreed to use only Acoustic Music outdoors, but will keep Edward L. Pack Associates ([www.packassociates.com](http://www.packassociates.com)) recommended by the county planning staff as its Professional acoustical engineers. The noise studies are not needed now, nonetheless, three copies are provide in case there are questions about the hotel meeting the County’s Noise Standards (General Plan Noise Policies 6.9.1, 6.9.2, and 6.9.4).

**Item 3 - Program Statement** – The Program Statements are discussed in the Management Plans and provided in Section IV of the Corrected Application For The Historic Bayview Hotel. It lists days and hours of operation, among other things.

**Item 4 - Revised Plans** - Four (4) Full Size and Two (2) 8.5x11 inch plan sets. Our Professional Civil Engineer is Joe Ackers, P.E. (California License Number: 20372) who prepared the drawings.

- a. Revision Set Dated April 14, 2011;
- b. No Parking Spaces in Vehicular Right of Way;
- c. There are no Off-Site Parking Sites in this Application;
- d. All rooms labeled in the Kitchen Addition built under PA 90-1111 are included in Revision Set Dated April 14, 2011;
- e. Location of the Passenger Loading Zone (State Building Code) is included in Revision Set Dated April 14, 2011, and the Property meets the accessibility requirements under PA 90-1111;

**Item 5 and 6 - Title Reports** - Applicant is providing one (1) copy each for APN 041-011-32, APN 041-011-34, and APN 041-011-35. This will allow

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review of the 20 foot wide easement along the northeast boundary; and elsewhere.

**Item 7 - Off Site Parking Agreements** - This Application is not asking for Off-Site Parking. No further action required.

**Item 8 - Comments From Other Agencies** - Ms. Laura Brinson (454-3151) on Accessibility was the only agency making comments. Accessibility standards were reviewed and it was found that the application and the Bayview Hotel are in full ADA compliance. We noted the need for a Drop-Off and Pick-Up area and it has been added to our Drawings and our Striping Plan (Site Plan - Drawing 1). No further action required.

**Item 9 - Annotated Lists of Application Items** - This list is in Appendix A, and it lists all Items requested by the County for this application. No further action required.

**Item 10 - Notification For Development Permit Application** - Applicant will comply if the requirement when the Application is found complete per County Standards found in [www.sccoplanning.com](http://www.sccoplanning.com). No action required at this time, waiting for County authorization to proceed.

**Item 11 - Submittal Requirements** - Applicant has complied with the March 10, 2011 County letter, and is submitting all requested items at the same time, and on May 10, 2011, see Appendix B.

**Item 12 - Compliance Issues** - We believe that all "areas of conflict with applicable codes and policies identified" by County Staff in the March 10, 2011 letter have been resolved. A fair amount was resolved in the April 19, 2011 Planning Director meeting, as well as the Applicant accepting the use of Acoustic Music outdoors and leave all questions about Amplified Music outdoors to the Aptos Village Specific Plan's conditions of approval for outdoors music (i.e. Aptos Village noise standards).

One section in "Compliance Issues" suggested that Planning Staff intends to recommend denial due to pending land use and acquisition agreements between Cristina Locke and Barry Swenson (the Aptos Village Plan); tandem parking plans; and noise. We hope we have corrected this perspective, and the Application is not under consideration for denial. In response to this paragraph we offer the following to add more clarity.

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County Code Section 13.10.552(b)&(c)

(a) Parking in vehicular right of way during Tandem Parking: no parking spaces interfere with traffic lanes. If a conflict develops between tandem parking and traffic, the Valet Staff will manage it and correct it. No conflict should occur during self-parking periods.

(b) Three (3) guest per auto in large events. All large event parking and guests calculations are based on the data adopted for the Aptos Village Parking Plan. If there are disagreements between the County Planning Staff and this application we will resolve in due course following the final Staff Report. The Applicant agrees to follow the Aptos Village Plan data, and will adjust all calculations, up or down, based on the approved Aptos Plan. The County Planning Department may wish to review the work that Matthew Thomason, AIA, and Ron Marquez, P.E. completed for the Aptos Village Plan. A major questions needs to be answered by the Planning Department: Now that three (3) guest per auto at large events is the Aptos Village Standard when does the staff intend to establish the "code basis" for this number? It makes sense to allow the Bayview to be documented first.

(c) Staff's questions the Bayview using all of it property prior to final land use and transfers for the adopted February 23, 2010 County Aptos Village Plan. VIII. APTOS VILLAGE PLAN ISSUE - Barry Swenson and Cristina Locke in the *Corrected Application For The Historic Bayview Hotel* explains why a possible restriction on the use of land owned by the Bayview is inappropriate at this time. Cristina Locke and Barry Swenson will one day enter into their final land use and acquisition agreement. When they do that the agreement will have new property lines, easements, land use agreements, and other parts so that there will not be any land use conflicts. At this time Ms. Locke has full rights to use her property and should be allowed to do so even with her willingness to modify her parking arrangement in the contact with Barry Swenson. Keep in mind that the Aptos Village Plan accommodates large events at the Historic Bayview Hotel, which is part of the Village Plan.

(d) There is reference to General Plan Policies, particularly to Noise (6.9.1, 6.9.2, and 6.9.4). Are there any others staff would like to bring to our attention? Are we correct to think that by using only Acoustic Music outdoors at the Historic Bayview Hotel all issues involving music (noise) are now resolved? In addition, the application now meets all General Plan Policies for Noise (6.9.1, 6.9.2, and 6.9.4), and we are assuming the Application does not need further Acoustical Engineer's studies.

County Code Section 13.10.553(a) - Using Licensed Professional Engineers.

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(a) The requirement to use only a Licensed Professional Engineer with knowledge of ITE to prepare a Parking Study for this Application was dropped at the April 19, 2011 Planning Director meeting. It was agreed that a Parking Plan would meet the needs of County Staff to do its work to understand the parking plan and strategies for the Bayview. The parking study is provided in the Corrected Application For The Historic Bayview Hotel.

Based on the parking requirement below should we consider Tandem Parking a "Variations to County Parking Standards?" At any rate, the hotel is willing to accept the requirement that *"tandem spaces shall be limited to that number in the approved valet parking plan... and... operate full-time during established business hours."*

"For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use."

County Code Section 13.10.554(b) - During Tandem Parking Operations.

(a) Self Parking will not be allowed during Tandem Parking Operations. The hotel will have valet parking on duty during Tandem Parking periods. Once a large event is concluded, all parking will return to normal Self Parking operations. The parking study is provided in the Corrected Application For The Historic Bayview Hotel.

Accessibility (Laura Brinson - 454-3141):

Ms. Brinson was contacted and all of her requests for that Drop Off and Pick Up Area have been incorporated in the revised plans. All other questions regarding accessibility to the courtyard and into the bar and restaurant were examined and found to meet the accessibility requirements for this historical building per PA 90-1111.

If we have failed to answer any of the County Planning Department's questions, please contacts us with additional questions and we will respond as soon as possible.

### **Attachment C**

#### **13.10.554 Standards of off-street parking facilities.**

Off-street parking facilities for autos shall conform with the following standards:

(a) Size of Parking Spaces.

1. Each standard size parking space shall be not less than eighteen (18) feet (5.5 meters) in length and eight and one-half feet (2.7 meters) in width, exclusive of aisles and access drives.
2. Each compact car parking space shall be not less than sixteen (16) feet (4.9 meters) long and seven and one-half feet (2.3 meters) wide.
3. All parking spaces shall have a vertical clearance of not less than seven and one-half feet (2.3 meters).
4. Accessible parking spaces shall be located as near as practical to a primary entrance. Where single spaces are provided, they shall be fourteen (14) feet wide and outlined to provide a nine-foot parking area and a five-foot loading and unloading access aisle on the passenger side of the vehicle. When more than one space is provided, in lieu of providing a fourteen (14) foot-wide space for each parking space, two spaces can be provided within a twenty-three (23) foot area lined to provide accessible parking as required by this section. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities which do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances. Such parking space shall be located in an area with a slope not exceeding two percent, and shall be near or convenient to a level or ramped entrance, with a slope not exceeding five percent. Accessible parking spaces shall be assigned and restricted for use by persons with disabilities only.

(b) Each parking space shall be accessible from a street or alley. Tandem parking spaces

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shall be allowed for the purpose of fulfilling parking requirements set forth in this Chapter. For single family dwelling units, either attached or detached, and for multi-family dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

(c) Entrances and exits from or onto a public right-of-way shall be provided at locations approved by the Public Works Director according to encroachment permit procedures. Backing out movements onto the street shall be discouraged. Backing out movements onto major streets shall not be allowed where a reasonable alternative exists to do otherwise.

(d) The parking area, aisles and access drives shall be paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or non permeable surface so as to provide a durable, dust-less surface, and shall be graded and drained so as to prevent erosion and disperse surface water. Parking areas, aisles and access drives together shall not occupy more than fifty (50) percent of any required front yard setback area for any residential use, except for parking spaces located on an individual mobile home lot, which does not front on an exterior street, in a mobile home park.

Variances to this rule can only be granted, pursuant to Section 13.10.554(l), if locating parking areas, aisles or access drives in front yard setbacks result in less environmental damage than at all alternative locations.

(e) On-site drainage percolation or detention shall be provided so as not to exceed predevelopment runoff levels, and designed for a ten (10) year storm, unless waived by the Public Works Director. Drainage shall be filtered to reduce urban contamination of downstream drainage. The installation and maintenance of traps for oil, grease, and silt is required for all parking lots for twenty (20) spaces or more and for all commercial and industrial projects. The requirement for the collection of runoff water for filtration may be waived by the Approving Body in rural areas where appropriate.

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- (f) Wheel stops and bumper rails shall be provided where needed for safety or protection of property.
- (g) If the parking area is illuminated, lighting shall be deflected away from the abutting residential sites so as not to cause annoying glare.
- (h) Landscaping requirements for projects subject to the design standards found in Chapter 13.11 shall conform to Section 13.11.074(c). Projects not subject to the design standards found in Chapter 13.11 shall conform to the following standards:
  - 1. A comprehensive landscape plan shall be submitted for review and approval for developments requiring five automobile parking spaces or more. A minimum of one tree for each five parking spaces shall be provided. The plan shall indicate existing and proposed trees, shrubs and ground cover and delineate species, size, placement and irrigation methods. The plan shall include species from the recommended species list (or other approved equivalent species) for the specific plant community of the project. Landscape plans shall be required to be prepared by the project architect, a registered landscape architect, or other qualified individual.
  - 2. Trees shall be provided in sufficient size and quantity to adequately screen and soften the effect of the parking area within the first year.
  - 3. Landscaping shall be planted in the ground or in approved planters.
  - 4. Where a site adjoins a residential zone district, landscaping shall be used to ensure privacy and screen unsightliness.
  - 5. Hose bibs shall be conveniently located for hand watering, or an irrigation system shall be installed to ensure that all landscaping is permanently maintained.
- (i) No repair work or servicing of vehicles shall be conducted on a parking area.
- (j) Maintenance. Parking areas shall be maintained in good condition, and kept free of trash, debris, display or advertising uses. No changes shall be made in the number of parking spaces designated on the parking plan without review of the complete development permit by the Approving Body.
- (k) Provisions shall be made for pedestrian movement in all parking areas. Projects subject



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to the provisions of Chapter 13.11 shall meet the requirements of Section 13.11.074(a)(2).

(l) A request for a variance from the provisions of this section may be considered according to Chapter 18.10 at Level V. This request for variance must state in writing the provision from which it is to be varied, the proposed substitute provisions, when it would apply, and its advantages. In granting a variance, the Zoning Administrator shall be guided by the following criteria:

1. That there are special circumstances or conditions affecting the property.
2. That the variance is necessary for the proper design and/or function of a reasonable project for the property.
3. That adequate measures will be taken to ensure consistency with the purpose of this section. (Ord. 839, 1/23/62; Ord. 1080, 4/26/65; Ord. 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3784, 4/22/86; 4496-C, 8/4/98; 4642, 11/6/01; Ord. 4786 § 5, 5/3/05)

**13.10.555 Location of off-street parking facilities.**

(a) In an "RA," "RR," "R-1," "RM," or "PR" District, off-street parking facilities prescribed in this chapter shall be located on the same Site as the use for which the spaces are required, or on an adjoining site separated only by an alley from the use for which the spaces are required.

(b) In a "CT," "C-1," "C-2," "C-4," "PF," "PA," "VA," "M-1," "M-2" or "M-3" District, off-street parking facilities prescribed in this chapter shall be located within three hundred (300) feet (91.4 meters) of the use for which the spaces are required, measured by the shortest route of pedestrian access.

(c) Off-Site Parking Facilities. Where parking cannot be provided on-site to meet the requirements of this Chapter, the requirements for parking facilities may be satisfied by the permanent allocation of the required number of spaces for each use in either a shared-use or in an exclusive-use off-site parking facility. An easement in perpetuity, attached to the land for which the application is being made, granting such off-site parking rights shall be recorded in the office of the County Recorder. The easement shall designate the off-street parking facility and the uses or structures to be served, with legal descriptions of the sites involved, and shall specify the hours of operation, provide for maintenance, and certify that the easement shall not be terminated and that the off-street parking facility shall not be used for any other purpose unless a Development

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Permit amendment has been approved pursuant to Chapter 18.10 either eliminating the requirement for the parking facility or approving alternative parking facilities.

(d) Shared, In-Lieu Parking in a Parking and Business Improvement Area. In a "CT," "C-1," "C-2," "C-4," "PF," "PA," "VA," "M-1," or "M-3" District, within the boundaries of business improvement district or parking and business improvement area which provides for shared, managed, public parking, the requirement for parking facilities may be satisfied by the provision of shared, in-lieu parking spaces if approved by the Board of Supervisors, acting as the Board of Directors of the business district or improvement area. Such spaces shall be assigned pursuant to an in-lieu parking program adopted by the Board of Supervisors.

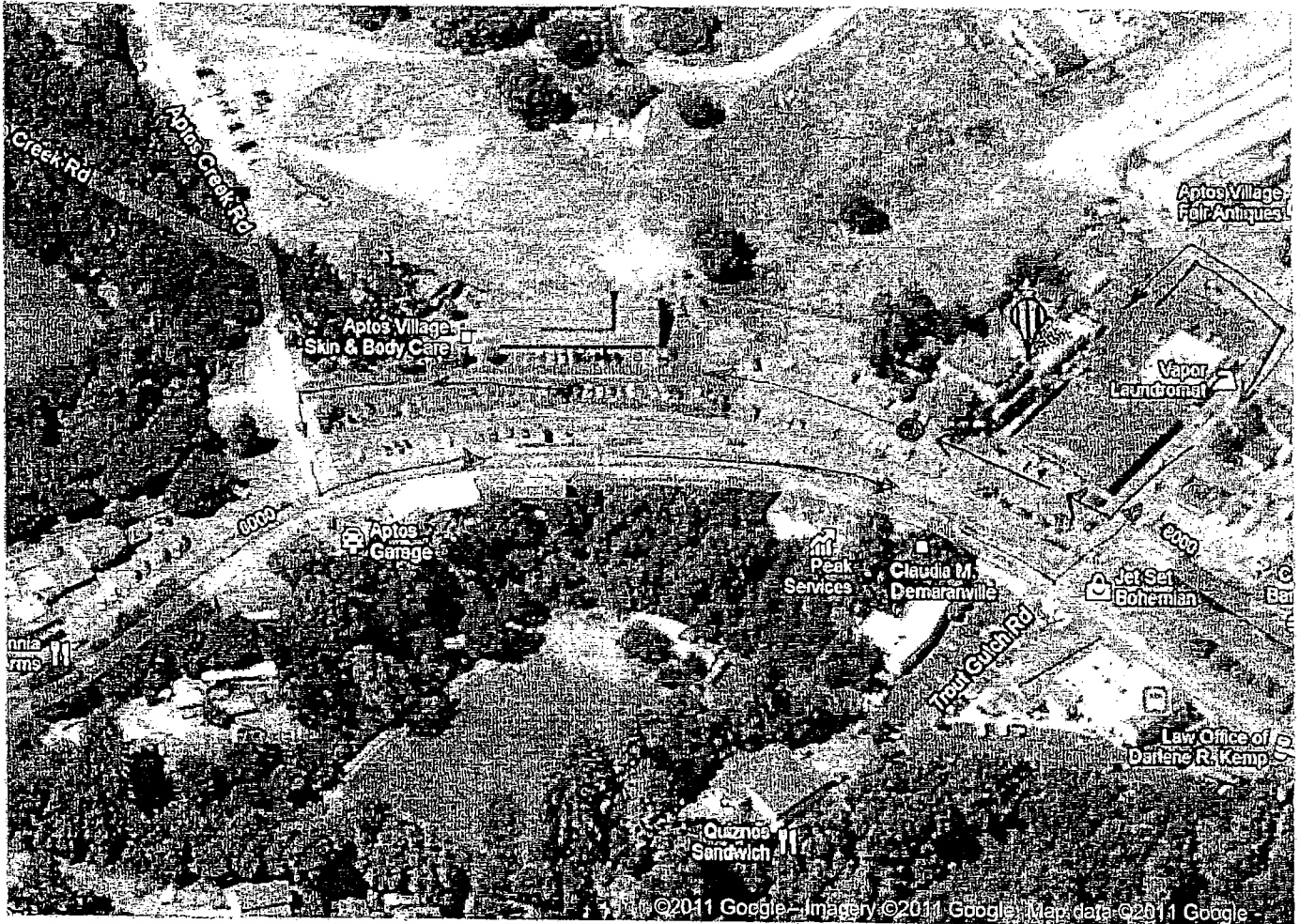
(e) Compact Car Stalls. When designing the location of compact car stalls the developer shall take all necessary steps to ensure that stalls will not cause traffic jams and confusion for drivers. In long-term facilities, compact stalls should be located close to entrances, while in facilities with high turnover stalls should be scattered throughout the facility. (Ord. 839, 11/28/62; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3748, 4/22/86; 4195, 5/12/92; 4346, 12/13/94)

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**Attachment D – Valet Parking Route  
(Map)**

- Google maps

To see all the details that are visible on the screen, use the "Print" link next to the map.



→ TO VIALET PARKING

← FROM VIALET PARKING

● DROP-OFF PICK-UP AREA

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**Attachment E**  
**Title Report for APN: 041-011-34**

Under Separate Cover:  
Title Reports for APN: 041-011-32 and -35

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**2010 Amendment to Commercial Development Permits**  
**90-1111, 93-0329 and 85-0661**

**Site Location and Project Data:**

**The Historic Bayview Hotel**

Amend Development Permit	90-1111, Approved May 24, 1991
Address:	8041 Soquel Drive Aptos, California 95003.
Assessor's Parcel Number(s)	041-011-34 (Replaced: 41-011-31 &
Site Measurement:	0.712 Acres (Est. 31,000 SF)
Built:	1870 (Historical Designation - NR-1)
Total Square Footage/Floors:	15,000 SF and 3 Floors
Number of Rentable Rooms:	10 Suites (No Kitchens)
Restaurant Square Footage:	1,800 SF
Patron Parking Spaces:	33 (3 On Site Parking Areas)
Employee Parking Spaces:	5
Proposed Parking Spaces:	45 Self-Parking & Up To 70 Valet Parking

Owner/Applicant:	Cristina Locke	(831) 688-8654
County Planners:	Randall Adams	(831) 454-3218

**Introduction** - This application is amend Commercial Development Permit 90-1111 to allow outdoor events, which include weddings and other celebrations, using Amplified Music and Valet Parking at the Bayview Hotel. No structural changes, landscape modifications, or site disturbance will occur in this amendment. There are two items requested in this amendment: (1) allow the option to re-stripe all parking lots so that the Bayview may capture contemporary parking practices that allow the Bayview improved onsite parking, as well as off site Valet Parking during large events; (2) and allow the use of Amplified Music under restricted conditions and Acoustic Music under normal conditions.

The List of Required Information (LORI) for this application is partially incomplete. As of November 23, 2010, the applicant is waiting for a site plan showing modified parking areas; reproductions (dated January 18, 1991) of the Bayview Hotel's current floor plans and elevations; and a letter from our Traffic Engineer confirming the parking count.

Prior to addressing the Bayview Hotel proposed Commercial Development Permits Amendment, it is useful to review its Historical significance and its relevance to the February 23, 2010 County Aptos Village Plan.

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The Bayview Hotel, originally named the Anchor House and built by Jose Arano in 1870, contributed to the continuous history of the Aptos Hihn Valencia Mill era; the Loma Prieta Railroad and Redwood harvest; the Lam-Mattison Apple Dryer Era; creating Highway 1 and the post World War II financial decline; and now the February 23, 2010 County Aptos Village Plan Era. During each of these historical eras the Bayview stands as the "City Hall" of Aptos Village. It has provided the community a critical center for lodging, meals, weddings, celebrations, and sadly, funerals. In 2010, 140 years since its birth, it continues with this "Community Tradition". It offers the only community memory of a place lost in history (see Aptos Village Plan pages 6-8). The Bayview Hotel is in the National Register of Historic Places (U.S. Department of the Interior) and included of the County's Historic Resource Inventory.

February 23, 2010 County Aptos Village Plan offers "Context For The Village Plan". With each aspect of this document the Bayview Hotel is view as a valued and viable business continuing with the commercial services currently provided, which reflects the historical record of it continuous uses. While waiting for the Village Plan to be implemented, the applicant intends to preserve the current business as is, and continue to operate it as envision by the Aptos Village Plan. The plan envisions improved parking with new circulation, landscaping, and drainage infrastructure. Currently a new 2,800 square foot building and an indoor/outdoor dancing-pavilion are being design, and a manager's apartment is under consideration. All design proposals will be submitted to the U.S. Department of the Interior for further processing under Federal NR-1 criteria. The design changes discussed are on hold until the County adopts a final Specific Plan for the Village. At this time the cost to install any temporary improvement is prohibitive. Therefore, the Bayview will remain as it is for now and wait for better economic times or the building of the Aptos Village Plan.

Although the Bayview expects to make a number of site improvements when the Aptos Village project starts, those improvements are not under consideration in this Application.

**Amendment Overview** – This Application is not a new commercial development, remodel, or addition. In an effort to resolve any disagreements between the Bayview Hotel and the County, amending Use Permit 90-1111 is offered so that the Bayview Hotel may comply with the Decision and Order from Case Number: 90-CC4649.

The purpose is to place the Bayview Hotel in compliance with Santa Cruz County Code Sections 13.10.140 (a) and 13.10.275(c) allowing for outdoor events, weddings, and receptions using amplified music with acceptable volume levels. All outdoor events will comply with County Code regarding hours and days of

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performances, Bayview staff operations, sound checks, volume levels, curfews, or any other regular County custom of allowing outdoor amplified music required by other venues. In addition, the Application addresses parking code requirements for large groups using the Bayview Hotel. The existing parking plan meets all normal hotel and restaurant operations. The recommended valet parking is using the guest-to-auto development by those working on the Aptos Village Plan, 3 guests per car. Our Traffic Engineer will confirm this ratio in a letter forth coming.

The Bayview Hotel and Restaurant will continue its normal operations and hours of services. The Hotel provides 10 rooms 365 days a year, The Restaurant operates 365 days a year with Breakfast between 7:30 AM and 10:00 AM; Lunch between 11:30 AM and 2:00 PM; and Diner between 5:30 PM and 10:00 PM. The Bar operates during the same hours as the Restaurant during the week, and remains open until 1:00 AM during the weekends and holidays (it will close earlier if there are not patrons).

**Application For Outdoor Amplified Music:**

The Bayview will encourage acoustic music at all times. However, if amplified music is selected, Bayview managing staff will train all staff members to follow the operational practices recommended in the Noise Assessment Study by Edward L. Pack Associates, Inc. It will be mandated in contracts and general set that all performers using amplified music volume levels at 55 decibels (dB), which is less than allowed for the use under the County Code. The Bayview is working out the operation manual with Edward L. Pack Associates sound check procedures, meter readings and recordings, and Master of Ceremony (MC) requirements and equipment.

Only bands that will meet the Bayview's new contact terms restricting amplified music volume to levels of 55 decibels (dB) will be allowed to perform at this venue.

3. **Indoor Events and Music** - No amendments are proposed to the current list of indoor activities. Those activities consist of 10 suites for rent as a hotel, normal restaurant operations, normal bar operations, and special events such as business meeting, wedding, anniversary, birthday parties, or other celebrations. All indoor activities should continue as established in Use Permit 90-1111 without further review or changes.

**4a. Parking -** Assigned Parking Lots/Re-Striping

There is sufficient parking for normal hotel and restaurant operations, as shown in the Parking Plan (Attachment 2). The hotel operations require 1.1 parking spaces per room, of which there are 10, and 0.3 parking spaces per employee, of which



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there are 2. This equates to 11 spaces for guests and 1 space for employees working in the hotel, for a total of 12 parking spaces.

County Code (13.10.552 (b)) requires restaurants to provide 1 parking space per 100 square feet and 0.3 parking spaces per employee. The restaurant dining area is 12,000 square feet and employees 6 staff members per shift. This equates to 20 spaces for the restaurant and 2 spaces for employees totaling 22 parking spaces.

During normal operations the Bayview is over parked in that it has over 42 parking spaces, yet only needs 34 parking spaces. See Photos: Parking Lot A - Attachment 2-A; Parking Lot B - Attachment 2-B; Parking Lot C - Attachment 2-C; Parking Lot D - Attachment 2-D.

Parking Lots	Current Count	New Stripe Count
A	18	22
B	5	6
C	12	14
D	3	3
Totals	38	45

**4b. Valet Parking - Assigned Parking Lots Valet Parking**

The Bayview Hotel is working on a contract with the near by property owner on Valencia Street to lease the parking area of the property during large gatherings. This site will be used for valet parking. The guest arrives at the front door of the Bayview and the valet parks the car for the guest, and retrieves it when the guest departs. When there are events with 50 or less people there is adequate parking to allow self-parking. With events having more than 50 people the Bayview will initiate its valet parking program. All such events are scheduled and plan in advance allowing for orderly implementation. Table 2 below identifies parking requirements under this program.

Table 2

Number of Guests	Person Per Auto	Parking Requirement
25*	3	13
50*	3	25
75*	3	24
100*	3	33
125**	3	42
150***	3	50
175***	3	58
200***	3	67

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\* Self Parked

\*\* Valet Parking: Onsite

\*\*\* Valet Parking: Onsite & Offsite

**Notice of Violation** – There is only one “Notice of Violation” known by the applicant, dated January 13, 2009. If the County approves this application then the matter will be rectified. The Decision and Order (page 14) from Case No.: 09-CC4649 sets the Code Enforcement costs in the amount of \$2,359.51 to be paid by December 6, 2010. By applying for this amendment as instructed the Civil Penalty (\$2,500.00) is waived.

There are no other pending complains by the County at this time.

**List of Required Information (LORI)** – The applicant met with County Planning Staff on November 11, 2010 and received a preliminary LORI based on the possibility of a temporary parking lot on site to be used until the Aptos Plan is built. After further review and cost analysis, it was determine by the applicant that such an approach was not financially feasible. The cost was significantly prohibitive for the limited time and benefit to the hotel. The applicant is now proposing that the parking area be re-stripe to allow 8 additional parking spaces, and to use a valet parking program for events with more than 125 guests. The proposed valet parking lot is offsite located on Valencia Street. The applicant is negotiating a contract at this time. Please note that there will not be any soil disturbance, removal, or grading at the Bayview Hotel or the proposed valet parking.

Because the applicant reduced the scope of the amendment the majority of drawings and reports are no longer required, as listed below. The fee for County services will need to be recalculated as soon as possible. In addition, it is stated in the LORI: “Hourly rates vary for different Planning Department Staff”. The applicant request the County’s schedule so to better manage fees and reduce costs where every possible.

**Public Notice** – During the course of processing this application, would staff provide the following as soon as possible: (1) Is a public notice sign applicable to this amendment? (2) What Level is this amendment?

**LORI Attachments -**

Attachment 1.            Site Plan and Parking Plan

Attachment 2.            Floor Plans (3 Floors)

Attachment 3.            Elevations

Not Applicable:

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- (A) Staking
  - (B) Preliminary Building Plans
  - (C) Preliminary Grading Plan and Calculations
  - (D) Preliminary Stormwater Management Plans  
(Project in Drainage Zone No. 6)
  - (E) Preliminary Erosion Control Plans
  - (F) Preliminary Engineered Improvement Plans
  - (G) Landscape Plan
  - (H) Technical Reports and Letters
-

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Applicant: Ricardo de la Cruz – Owner: Cristina M. Locke

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COUNTY ZONING ADMINISTRATOR  
Steve Guiney, Deputy Zoning Administrator  
County of Santa Cruz, Planning Department  
701 Ocean Street – 4<sup>th</sup> Floor  
Santa Cruz, California 95060

March 16, 2012

(831) 454-2580  
[PLN950@co.santa-cruz.ca.us](mailto:PLN950@co.santa-cruz.ca.us)

Subject: Agenda Item #2 - PA 101114 - Bayview Hotel (APN 041-011-34)

Dear Mr. Guiney,

Les Strnad, Cristina Locke and I appreciate Santa Cruz County's Zoning Administrator's hearing on behalf of the Historic Bayview Hotel (Bayview). Ms. Cristina M. Locke, the owner of the Bayview, has reviewed the Conditions of Approval included in the County's Staff Report (Exhibit "C", Pages 13-20) and accepts a majority of the Conditions of Approval. However, there are a few items we would like to discuss at this time.

(1) First, we are concerned with which reports the Planning Staff will use as official Planning Department records, should a future conflict arises. If the enclosed Staff Report is an official County record and could be used in court as a factual source, then we request that it be accurate. (2) Second, there are two conditions where we recommend amendments, (IV-A(4)(e) and IV-A(5)(b)). We would like to express to the County that our goal is to create a fresh start for the Bayview without belaboring past infractions.

Ms. Locke has made several concessions that are costly and is asking the County to allow her businesses to remain competitive in this turbulent Santa Cruz economy. We anticipate that a new Commercial Development Permit (10-1114) will establish how outdoor weddings and large group events should be conducted, as well as the size and frequency of events.

**1. CORRECTIONS TO STAFF REPORT:**

Again, the incorrect comments we noticed in the Staff Report may not be significant enough to justify elaboration during this hearing if the report plays no official role in setting a Court record for the Bayview. Our interest is to ensure that all materials produced by us or the County are accurate. If we face no danger from the comments made by Staff, then we may set this section aside and move onto the final Conditions of Approval for Commercial Development Permit Number 10-1114. If this report serves as an official County Record and could be used in Court, the following sections reflect our comments:

1.1 **Use History** - The reason the Bayview agreed to amend its current Commercial Development Permits (90-1111 and 93-0329) originates with an agreed compromise negotiated between Ken Hart, on behalf of the County, and myself, on behalf of the Bayview, at the September 10, 2010 Bayview Administrative Law Hearing (Page 15 of

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the “Decision and Order” for Case No. 09-CC4649). Mr. Hart and Ms. Locke agreed that a complex and expensive court hearing to establish which activities are “Grandfathered” rights of the Bayview Hotel was not the best use of either the County’s or the Bayview’s time and money.

The Bayview Hotel is listed on the National Registry of Historic Places. For over a hundred years, the Bayview Hotel has hosted weddings and large group events. As the decades have passed, other outstanding issues concerning social events at the Bayview have arisen, including the volume of amplified music; parking impacts; and meeting State Plumbing Codes establishing sufficient restroom fixtures for group sizes.

In the September 10, 2010 Bayview Administrative Law Hearing (Page 14 of the “Decision and Order” for Case No. 09-CC4649) the Administrative Judge found that County Use Permit Number 85661 did not provide for “outside amplified music” with outside wedding receptions. The Judge declared that no evidence from the County precluded outside weddings and other group events. The Judge also declared that the September 10, 2010 Bayview Administrative Law Hearing would not establish historical uses for the Bayview. For this reason we proceed cautiously with all County actions to avoid diminishing the rights of the Bayview. During this hearing Ms. Locke agreed to hold off on future outside weddings and other group events until a new Commercial Development Permit (10-1114) could be processed.

Ms. Locke is following S.C. County procedure, requesting Commercial Development Permit Number 10-1114 (details included in Exhibit F) be approved to permit the Bayview to host outdoor large group events of all types.

1.2 **Weddings and Events** – According to Roland and Sandra Held, the previous owners who sold the Bayview Hotel to Ms. Locke in 2002, outdoor weddings and large group events were their primary business between 2000 and 2002. They closed the Bed-and-Breakfast as well as the Restaurant and Bar business to concentrate only on events that used the full facilities. Mr. and Mrs. Held report that under their management the Bayview Hotel conducted at least 50 events per year. During the Held years, the Bayview was, basically, a “Wedding Factory.” Ms. Locke reduced the number of outdoor weddings and large group events and added the Bed-and-Breakfast and the Restaurant businesses to her business plan. There are no signs that this use lapsed. There may be some confusion about the use of the Bayview as a group venue because when the Helds ran their business between 2000 and 2002, the restaurant and bar business were closed to the general public, but not closed for weddings and other large group events.

On another matter, there are references in this Section that any future outdoor weddings and large group events may require the County to protect surrounding properties from new noise sources. At the September 10, 2010 Bayview Administrative Law Hearing, all noise issues and infractions were addressed and have been fully mitigated Ms. Locke is offering further mitigation of possible loud music by using acoustic music performers.

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Applicant: Ricardo de la Cruz – Owner: Cristina M. Locke

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The permit requested by Ms. Locke is not complicated and does not require excessive restrictions by the County. We are encouraged that the Bayview can, in fact, accommodate the marketing goals of the Bayview's outdoor weddings and large group events. Once the new ADA restroom is built, the parking plan is implemented and outdoor musical performances are limited to acoustic music performers, the property will be in compliance with County standards. Additionally, all of these changes can be accomplished within the design limits of this historical building.

1.3 **Parking** - Please note that the Staff Report states the rear of the Bayview "is accessed from the Vapor Cleaners parking lot" (Page 3). This statement is not accurate. Rear ingress and egress to the Bayview Hotel is on the Bayview's driveway that runs from Trout Gulch Road to the Bayview. The Bayview's driveway is used by the Vapor Cleaners building and the Trout Gulch Crossing building (APNs: 041-011-32 and 35). Vapor Cleaners' one-way driveway is typically used to service a customer drive-up window and to exit the Vapor Cleaners property.

2. **BAYVIEW ACKNOWLEDGEMENTS:**

If the Bayview is able to work-out Issue 1 and Issue 2 (Section 3 below) with the County, this permit will provide the Bayview with a fresh start with the County. Issue 1 and Issue 2 are addressed at length in the following Section.

It is understood that the Bayview accepts and agrees to add a new unisex ADA restroom to the premises. The Bayview agrees to provide a maximum use of 150 guests. The Bayview accepts the parking plan with a maximum number of 52 parking spaces to serve a maximum of 120 guests and 10 employees (130 People). The Bayview agrees to use only acoustic music. The Bayview encourages the County to allow it to compete with other Santa Cruz venues providing outdoor weddings and outdoor large group events. With the exception of two Conditions of Approval (IV.A.4(e) and IV.A.5(b)), all other Conditions of Approval for this permit are fine as presented within the Planning Staff Report.

It should be understood that at this time the Bayview does not plan to conduct any grading; does not plan to change the current lighting or signage plans; and, does not plan to change the current drainage or sanitation plans. Should any of these items change, the existing Conditions of Approval provide the owner of the Bayview with clear Building Permit instructions and there is no need to amend this permit.

The owner of the Bayview is prepared to acquire all required Building Permits and will provide four (4) copies of the "Discretionary Permit" with Conditions of Approval attached. The owner of the Bayview will record the final version of the Conditions of Approval for this permit with the Office of the County Recorder within 30 days from the effective date of this permit.

HISTORIC BAYVIEW HOTEL  
8041 Soquel Drive • Aptos, California 95003  
(831) 688-8656 • [www.bayviewhotel.com](http://www.bayviewhotel.com)  
Applicant: Ricardo de la Cruz – Owner: Cristina M. Locke

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**3. ISSUES And REQUESTS**

3.1 Issue 1: At the Zoning Administrator (ZA) hearing, the owner of the Bayview Hotel would like to discuss Zoning Administrator Condition IV.A.4 (e & e(i)) in "Operational Conditions – A. Weddings and Private Events – 4. Event Size and Frequency" (Page 15). The Bayview is requesting more flexibility and opportunity with the following Conditions of Approval:

Condition 4 (e): "To reduce potential impacts to surrounding residential properties, the total number of large events (defined as events in excess of 50 guests) shall be limited to no more than two large events per month (for a total of 24 large events per year).

(i.) To allow additional flexibility during peak season, the 24 large events may be clustered together during the spring, summer and fall months. To prevent continuous potential impacts to surrounding residential properties, no more than 6 large events shall occur during any one month."

Condition 4 (g): "Changes to the frequency or size of events established by these conditions of approval shall be considered as an amendment to this permit, processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance."

The Bayview recognizes the need to control large group events in the greater Aptos Village area and has provided a "Marketing Plan For Large Events" on page 45. To avoid confusion or incorrect enforcement of this Condition, we, on behalf of the Bayview, recommend the Zoning Administrator set additional parameters as to the size of the 24 events per year. The 30 events per year reported in the Bayview's marketing plan evaluated events of maximum size – 120 guests. Because of Code enforcement significance and the requirement to record conditions affecting the deed of the property, the Bayview needs clear information guiding all outdoor events larger than 85 guests.

Please note that the Bayview gave-up the use of amplified music and will use acoustic music to avoid any further conflicts with surrounding residential properties. Other than amplified music, there appear to be no other aspects of weddings and large events that could cause "potential impacts to surrounding residential properties." The Bayview is requesting the County offer the Bayview more flexibility in the number of events per year with the knowledge there are no additional impacts to surrounding residential properties.

The Bayview also requests you further review our "Marketing Plan for Large Groups" (Page 45) which explains the requirements of event coordinators arranging for use of the Bayview. The Bayview needs to meet the same standards other weddings and large events venues offer in the County. The owner of the Bayview is only asking the County to

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allow the Bayview to be competitive with other weddings and large group event venues in the County.

The following wording for Condition 4 (e)(i) and Condition 4 (e)(ii) is presented to provide clarity to "Event Sizes and Frequencies" of different groups using the Bayview and to allow the Bayview to remain competitive as Santa Cruz's economy improves.

Condition 4 (e)(i): All outdoor events that can be accommodated using non-tandem parking (Condition B.3 – Parking) shall not be limited to event size or frequencies so long as no event exceeds 85 guests and 8 employees;

Condition 4 (e)(ii): All outdoor events that are required to use tandem parking (Condition B.3 – Parking (greater than 85 guests and 8 employees)) shall be limited to no more than 3 large events per month, for a total of 36 large events per year; and to allow additional flexibility during peak seasons, the 36 large events may be clustered together such that no more than 6 large events shall occur during any one month.

3.2 Issue 2: The owner of the Bayview Hotel requests discussion of the Zoning Administrator Condition 5.b in "Hours of Operation" (Page 17). The Bayview is requesting more flexibility in the hours of "setup" and "take down" of event facilities.

Condition 5.b now reads: "Setup and take down of outdoor event facilities shall occur no more than an one hour before, or one hour after, the above listed hours of operation (Condition 5.a)."

The Bayview reads Staff's intent to restrict all work between the hours of 10:00 P.M. and 8:00 A.M. as reasonable. However, if the Condition is enforced as it is written, the Condition literally directs that any and all events using typical facilities (sun covers, tables, chairs, space heaters, steam tables, etc.) must be set-up on the same day as the event and no sooner than one-hour before the start of the event. There will be times when the event may require set-up a day or two before the day of the event. To avoid confusion or incorrect enforcement of this Condition, the Bayview recommends the Zoning Administrator consider substituting the following language:

New Language for Condition 5.b: "No setup or take down work on event facilities used in any outdoor event shall occur between the hours of 10:00 P.M. and 8:00 A.M. with the exception of typical table settings or typical table busing and cleaning. Typical table settings may start no sooner than 7:00 A.M. and all table busing and cleaning must be completed by 11:00 P.M."



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3.3 Request 1: The owner of the Bayview Hotel accepts the spirit of "IV. Operational Conditions – A. Weddings and Private Events – 6. Noise & Outdoor Music (Page 17)". However, Part (a.) needs review based on new information provided by Bayview consultant, Edward L. Pack Associates and several acoustic string performers. Again, because of Code enforcement significance and the requirement to record these conditions affecting the deed of the property, the Bayview needs, as clear as possible, additional information guiding all outdoor music performances.

Several acoustic music performers have asked if the County would allow them to use a small electric tone control unit and electric devices to raise the music slightly above ambient noise. It is understood none of the instruments are electric nor behave like one. Is the ZA willing to approve this request?

**4. CONCLUSIONS:**

All other Conditions of Approval, Requirements to Record, and Building Permit requirements are acceptable to the owner of the Bayview. When the County documents are ready, the owner of the Bayview Hotel will be available to sign them. An application for a Building Permit to remodel the current restroom into an ADA facility will be filed this month (March 2012). The Parking Building Permit will be filed in April of 2012.

If Les Strnad (831.419.2632 • [lestrnad@att.net](mailto:lestrnad@att.net)) or I can offer additional help or answer questions, please do not hesitate to call or email either of us to assist you.

Sincerely,

Ricardo de la Cruz  
(831) 915-4800 • [rdlc@gmail.com](mailto:rdlc@gmail.com)

cc: Supervisor Ellen Pirie (Dist.2), Wanda Williams, Asst. SC County Planning Director;  
Ken Hart and Randall Adams, SC County Planning Department;  
Cristina Locke; Les Strnad; Roland & Sandra Held

March 16, 2012

**Regarding The Application For The Bay View Hotel**

**APN(S): 041-011-34**

My name is Aaron Meyer and I own and live at 447 Granite Way in Aptos with my family. We have been here since 2002. We are located just over 300 feet from the back fence of the Bay View Hotel with 7 houses on our street, the beginning of one of the residential areas of Aptos Village with houses above on the hillside. Over the years we have had continuous issues with music that was so loud that the pictures on the walls would vibrate, and this was with our house closed up and us being in the furthest room away from the hotel. From the beginning, my neighbors and I have reached out to the owners of the hotel and asked them turn the sound system turned down, but this only resulted in verbal assaults by the owner. Not once have the owners come to us to see what could be done so that we all would be happy. Over time we reached out to Supervisor Ellen Pieri to find help in resolving the issue and it has taken over 5 years to get to this point with the hotel being issued with a red tag for a code violation

Prior to the red tag, the hotel was given certain parameters to work with and they failed to follow them, whether it was stopping at 10 pm or adhering to the sound level of 65 db. at the fence line. We even had Supervisor Ellen Pieri come down during one event to witness the sound level going over 97 dbs at the fence line.

We have great concerns with the permit that the hotel is seeking and we would like to see some changes to it. Being that it is a residential area and that there are 9 children living on Granite way in school, we would like to see the times of use changed so that there would not be outside events Monday through Thursday, and the times for Friday through Saturday would be 10 am to 10 pm and 10 am to 7 pm on Sunday due to it being a school night. Also a strict 65 db. sound limit is needed. Another concern is what acoustic instrument would be used at the event. 6 months ago I had a brief conversation with Christina, the owner of the hotel, and we were talking about the hotel and it seeking a permit for acoustic music. One thing that she mentioned was that acoustic instruments included brass horns and that they were very loud. During that conversation it became abundantly clear that she really do not care about their neighbors and will do what she wants.

If a permit is given to the hotel we would like to see a 6 month trial period during the peak season. It has been proven over the years that the Bay View Hotel has refused to follow the guidelines set by the county until they were red tagged and I am concerned that with a permit they will continue their blatant disregard for the rules.

Aaron Meyer  
447 Granite Way  
Aptos, CA 95003  
831-359-5217  
aaronmeyerpainting@gmail.com

## Randall Adams

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**From:** Jesse Nickell [jnickell@barryswensonbuilder.com]  
**Sent:** Thursday, March 15, 2012 1:25 PM  
**To:** Randall Adams  
**Cc:** Mary Gourlay; Jesse Nickell; appenrodt1@aol.com; Wanda Williams  
**Subject:** Bayview Hotel Application

March 14, 2012

Randall Adams  
Santa Cruz County Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060  
Email: [Randall.Adams@co.santa-cruz.ca.us](mailto:Randall.Adams@co.santa-cruz.ca.us)

RE: Application Number 101114

Dear Randall Adams and Zoning Administrator,

Per the Bayview Hotels' (Bayview) application for Commercial Development Permits 90-1111 & 93-0329 to hold events and weddings, we generally support their goals to expand business operations but would like to express the following concerns and questions to staff and the applicant:

1. As an owner of adjacent property within the Aptos Village Plan area, we have concerns over the potential noise impacts from the events and weddings to be held at the Bayview Hotel. There is a sizable investment to date, and as we continue with the entitlement process we would like to preserve our current and future interests so any impacts or changes to the area are mitigated. We understand that the Bayview will be restricted to 24 events per year and limited to the number of guests allowed to attend. However:
  - a. Given the negative history of the Hotel pertaining to past events, who will be held responsible for enforcement and monitoring of such events throughout the year?
  - b. Are their permits required for large events for over 85 people? And will neighbors be notified for advanced preparation?
  - c. What implications or fines exist if the conditions of approval are not adhered to regarding number of attendees and noise impacts?
  - d. How will this be reasonably monitored and/or enforced by the County, or how do surrounding properties exercise effective recourse without lengthy and costly legal action by the County or the surrounding property owners?
  - e. What Condition of Approval can be implemented to protect the public and surrounding properties from the issues raised above?
2. Upon review of the applicant's plans for valet circulation and parking, we are concerned with the possible encroachment over BSB property near the Apple Barn adjacent to Trout Gulch Road. Our aerial photos and property line / easement overlays indicate that the current improvements may not be sufficient for the Bayview parking system to work without encroaching onto BSB property and/or that of Mr. Droege. Out of concern for our tenants at the Apple Barn and with consideration for future development on our property, we would like to be assured that:
  - a. Any plans or permits approved require the Bayview to survey and construct their northern property improvements prior to any final use permits granted.
  - b. As a practical manner, all parking and access agreements required between the Bayview and Vapor Cleaner property (Droege) are executed to provide legal access with an accurate parking count. We request that these agreements be provided as a Condition of Approval.

- c. The current and future plans impacting the Droege property have been disclosed to the owner? Does the current parking plan support both parking use requirements given the tenancy between both properties (Droege and Bayview)?
3. As events and weddings occur at the Bayview and the potential for patrons to have difficulty parking increases, so does the chances that patrons park on surrounding property. This becomes an issue for BSB and our tenants located at the Apple Barn. We would like to request that no fewer then four (4) "Village Fair Antiques Only Parking" signs be required to be posted on our property at acceptable locations.
4. Increased use of the property will also increase the need for maintenance. The view of the rear of the property is of particular concern for our tenants at Village Fair Antiques. To mitigate negative views, (both existing and future), we request that the applicant submit a landscape plan and/or buffer plan that ensures visual impact will not impact to the Village Fair / Apple Barn property.
5. Traffic generated by the events and weddings could impact traffic conditions in the surrounding areas on Soquel Drive and Trout Gulch Road.
  - a. Does the increased traffic from events/weddings increase any safety concerns at neighboring entries or at the driveway located on Trout Gulch related to the self-park or valet scenario?
  - b. As we continue to develop and finalize our Aptos Village Plan for BSB property, is the traffic generated from the northern parking area at the Bayview negatively affect the Valencia Street option that fronts onto Trout Gulch road? Any negative impacts or increased improvement requirements from the increased traffic at the northern driveway by Bayview should not be shifted to BSB as future plans unfold.

BSB is generally supportive of the Bayview Hotels' business plans but have questions and concerns that we feel should be discussed or mitigated. We have not discussed the plans with the Bayview owners or representatives at length but would encourage open communication and dialogue to resolve these questions and issues.

We encourage the County to discuss or mitigate the issues and questions mentioned above.

Sincerely,

Jesse L. Nickell III  
Vice President  
Barry Swenson Builder  
2400 Chanticleer Avenue, Suite H  
Santa Cruz, CA 95062  
(831) 475-7100 ext. 113  
(831) 901-1572 Cell  
(831) 475-4544 Fax

## Randall Adams

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**From:** seabreeze tavern [seabreezetavern@gmail.com]  
**Sent:** Thursday, March 15, 2012 12:28 PM  
**To:** Randall Adams  
**Subject:** Public Hearing for Bayview Hotel 8041 Soquel Drive, Aptos

To whom it may concern,

I am Rich McInnis, the manager and owner of Seabreeze Tavern and I am writing this email in support of the proposal to allow weddings and outdoor events at the Bayview Hotel.

As the owner of the other historical landmark in Aptos, I believe it is imperative that the Bayview be allowed to continue hosting weddings and outdoor events as it has for over a hundred years, since this location is perfect because it has a beautifully remodeled restaurant and bar, an outdoor patio area to hold wedding ceremonies, and rooms upstairs for the wedding party to stay overnight.

These events are the bread and butter for restaurants because they are pre-planned months in advance and allow the business to hire staff to prepare meals, servers to serve food, bartenders to mix drinks, and bands to entertain the guests.

Without the additional revenue from these events, the maintenance of this historical landmark will suffer and with so few landmarks left in Aptos, the county should be doing everything in its power during these trying times to allow these events to continue at the Bayview Hotel.

There are benefits to all of Aptos as well, since these types of events create long lasting impressions in the minds of those folks who attend these events, and afterwards they will show pictures and tell stories about these events to others which will encourage them to visit Aptos rather than other locales to spend their discretionary income.

Sincerely,

Rich McInnis  
Seabreeze Tavern  
101 Esplanade  
Aptos, CA 95003

## Randall Adams

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**From:** Diane Romeo  
**Sent:** Thursday, March 15, 2012 11:31 AM  
**To:** Randall Adams  
**Cc:** Carmen Locatelli; Amy Gross  
**Subject:** app. 101114 - Bayview hotel

Hi Randall. This application was not routed to the Sanitation District for review and comments, so I am adding them here.

This application is for an intensification of use and there may be additional sewer connection fees to be paid and additional review of the source control requirements for more frequent cleaning of the grease trap.

Additionally, the prior plans for the improvements built in the 1990's were never routed to the Sanitation District and the building was constructed over a public sewer main serving more than this property, obstructing our access to maintenance and repair and within an easement to the Sanitation District. The building plans for this intensification of use, if any are required, should show the surveyed easement and sewer main on the site plan.

During the proposed construction of improvements for the larger Aptos Village project, the District will be abandoning its ownership of the sewer main that lies under the Bayview improvements and it will be considered a part of the privately owned sewer lateral for the owner's maintenance and repair.

Please relay these comments to the applicants during the meeting. Thank you.

Diane Romeo  
Department of Public Works  
831.454.2160

## Beau Hawksford

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**From:** PLNAgendaMail@co.santa-cruz.ca.us  
**Sent:** Wednesday, March 14, 2012 2:40 PM  
**To:** PLN AgendaMail  
**Subject:** Agenda Comments

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**Meeting Type :** Zoning

**Meeting Date :** 3/16/2012

**Item Number :** 1.00

**Name :** Pete Testorff

**Email :** [Pete@Testorffconstruction.com](mailto:Pete@Testorffconstruction.com)

**Address :** 7765 Soquel Dr. Ste. G  
Aptos, Ca 95003

**Phone :** 831 239-4453

**Comments :**

My partner, Joe Appenrodt and I own the parcel next to the Bayview Hotel. In reviewing the proposal for weddings and events we have strong concerns with regards to parking and traffic flow. With 40-50 cars arriving in a short period of time major problems become a predictable event.

Cars will either park in adjoining parking lots and disrupt businesses, or gridlock will occur as they wait for valet parking. The route the valet takes is ill defined and most certainly problematic; with cars going on a long trip to get to the back of the building. We would recommend guests go directly to the rear of the building and the valet can park in the tandem spaces. We also did not see any landscaping in the rear which is important in screening for the cars from the new development. We encourage you to further review the parking and landscaping to establish a parking policy that does not create a problem with adjoining business or create a safety hazard. Thank You Pete Testorff

**Beau Hawksford**

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**From:** PLNAgendaMail@co.santa-cruz.ca.us  
**Sent:** Monday, March 12, 2012 12:01 PM  
**To:** PLN AgendaMail  
**Subject:** Agenda Comments

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**Meeting Type :** Zoning

**Meeting Date :** 3/16/2012

**Item Number :** 2.00

**Name :** Aptos Station

**Email :** [rhudson@mcsberryandhudson.com](mailto:rhudson@mcsberryandhudson.com)

**Address :** P O Box 2690  
Watsonville, Ca 95077

**Phone :** 831-724-3841

**Comments :**

Aptos Station objects to Application #101114 for the following reasons:

#1) Wedding guest will use our land as a parking lot.

#2) When the restaurant is currently full they already use our land as a parking lot.

Thank you,  
Aptos Station  
By Rod Hudson  
(A general partner)



## Ken Hart

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**From:** Ricardo de la Cruz [rdlc13@gmail.com]  
**Sent:** Wednesday, March 07, 2012 9:32 AM  
**To:** Ken Hart  
**Cc:** Cristina Locke; Les Strnad  
**Subject:** Re: Bayview Hotel Conditions

Ken, Thank you. With one minor item, noted below, we appreciate and accept your Conditions of Approval.

5. Hours of Operation

b. Setup and take down of outdoor event facilities shall occur no more than one hour before, or one hour after, the above listed hours of operation.

Often a morning wedding is set up the afternoon before. We understand why no one should work (making noise) before 8AM or after 10PM. Maybe we can find language that allows set up and take down hours before or a day before, and if it is late, say 10pm, the take down work waits until the next day. Thanks for your consideration on this minor point.

Call me if I can help further, Best, RdlC

On Wed, Mar 7, 2012 at 8:06 AM, Ken Hart <[PLN711@co.santa-cruz.ca.us](mailto:PLN711@co.santa-cruz.ca.us)> wrote:

Rick – here are the Conditions of Approval proposed for the Bayview Hotel. The entire staff report will be going out in today's mail.

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**From:** Randall Adams  
**Sent:** Wednesday, March 07, 2012 8:01 AM  
**To:** Ken Hart  
**Subject:** 101114 Bayview Hotel Conditions

Conditions attached in .pdf format

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Ricardo de la Cruz  
PO Box 1259  
Capitola, CA. 95010  
(831) 915-4800