



Staff Report to the Zoning Administrator

Application Number: **121113**

Applicant: Dan Townsend
Owner: Zbigniew Ciekosz
APN: 031-021-96

Agenda Date: June 1, 2012
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposed Level V Change of Use approval as required under Condition of Approval III.B of Commercial Development Permit 88-0634, to permit new occupancy by a medical accessories manufacturing business. The proposed project includes an interior and exterior remodel of an existing 9,744 square foot commercial building. Requires a Commercial Development Permit.

Location: The property is located at the corner of Soquel Avenue and South Rodeo Gulch Road at 6990 Soquel Avenue.

Supervisory District: First District (District Supervisor: John Leopold)

Permits Required: Commercial Development Permit
Technical Reviews: none

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 121113, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	22,820 square feet
Existing Land Use - Parcel:	Commercial
Existing Land Use - Surrounding:	Commercial, Single-Family Residential, Public Facility (Hwy 1)
Project Access:	From South Rodeo Gulch Road and Soquel Avenue

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

Planning Area:	Live Oak./
Land Use Designation:	C-S (Service Commercial)
Zone District:	C-4 (Service Commercial)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
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:	Mapped Scenic resource
Drainage:	Existing drainage adequate
Archeology:	Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz Sanitation District
Fire District:	Central Fire
Drainage District:	Zone 5

History

On February 20, 1978, applications 78-1309-MLD and 78-1966-PD were approved to divide two existing parcels, including the subject property, and to construct an office/storage building on the property.

In 1988, Commercial Development Permit application 88-0634 was submitted to construct the subject commercial building and a 4,000 square foot covered parking structure with a reduced rear yard setback. The application included a General Plan Amendment, a re-zoning and a Minor Land Division that resulted in three residential parcels and one commercial parcel, and a Lot Line Adjustment to transfer land between the subject property and the adjacent commercial parcel on Soquel Avenue. A Master Occupancy Program and Variance to reduce the rear yard setback were also part of the project.

On November 21, 1989 the Board of Supervisors approved application 88-0634. Condition of Approval III.B.1 of the Permit requires that any change of use is subject to a Level V approval requiring Environmental Review and a public hearing by the Zoning Administrator.

Project Setting

The subject property fronts a portion of Soquel Avenue which functions as a frontage road for Highway 1 directly to the north. The parcel is within the mapped Highway 1 scenic corridor; however, due to the lowered elevation of Highway 1 in the vicinity, the 1-story building has little or no visibility from the highway. Soquel Avenue in this area has a variety of commercial, office, warehouse and some industrial facilities, with residentially-zoned parcels nearby. High-density single-family residences are directly across South Rodeo Gulch Road to the west and directly adjacent to the subject property to the south.

Proposed Change of Use

The commercial building proposed for a remodel and change of occupancy is currently vacant, but had previously been used for automotive services.

The business proposing a new occupancy, Advanced Extrusion Services, Incorporated, makes precision components for medical devices, as well as parts and tools for the bio-engineering industry. A 3,000 square foot interior production area will house five midsize plastic extruders approximately five feet by five feet wide and six feet tall. There will also be two smaller extrusion and plastic processing machines, other auxiliary equipment and a fully equipped machine shop. The machines will all be indoors, none of the equipment generates significant noise levels, and there will be no auditory or smell impacts outside of the building. The business is currently a tenant in the Live Oak Business Park, and their operations create no conflicts with the nearby Bay School or any of the adjacent office tenants.

Hours of operation will be 8am to 5pm, with 6-8 employees and an average of four visitors per week. Standard business deliveries and pick-ups via FedEx will occur once or twice daily. The use would require 16 parking pursuant to ordinance standards (one space per 600 square feet for manufacturing), and the 17 parking spaces provided on the site will be more than adequate for employees, visitors and deliveries.

In summary, the business will create no adverse impacts for the surrounding neighborhood, and will be a more compatible land use adjacent to residential-zoned parcels than the prior automotive businesses on the project site.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 22,820 square feet, located in the C-4 (Service Commercial) zone district, a designation that allows commercial/office uses. The proposed change of use for an existing commercial/industrial structure is a principal permitted use within the zone district and the zoning is consistent with the site's (C-S) Service Commercial General Plan designation.

Design Review

The proposed remodel of a commercial/industrial structure will comply with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features that will enhance and improve the appearance of the existing

commercial building. Low or no-maintenance materials such as steel, glass, concrete and stucco with attractive finishes will be used, and new landscaping, including planter islands, will beautify the site and create improved compatibility with nearby residential properties. Signage will be designed to be well integrated into the overall style of the remodeled building. The parcel is within the mapped Highway 1 scenic corridor; and, due to the lower elevation of Highway 1 in the vicinity, the 1-story building has little or no visibility from the highway.

Environmental Review

Environmental evaluation of the proposed project pursuant to the requirements of the California Environmental Quality Act (CEQA) resulted in the determination that the proposed project is eligible for a Categorical Exemption under CEQA Section 15301, Existing Facilities. This Categorical Exemption applies because the project is for a remodel of an existing commercial structure with very minor expansion of floor area in a commercial zone.

Conclusion

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

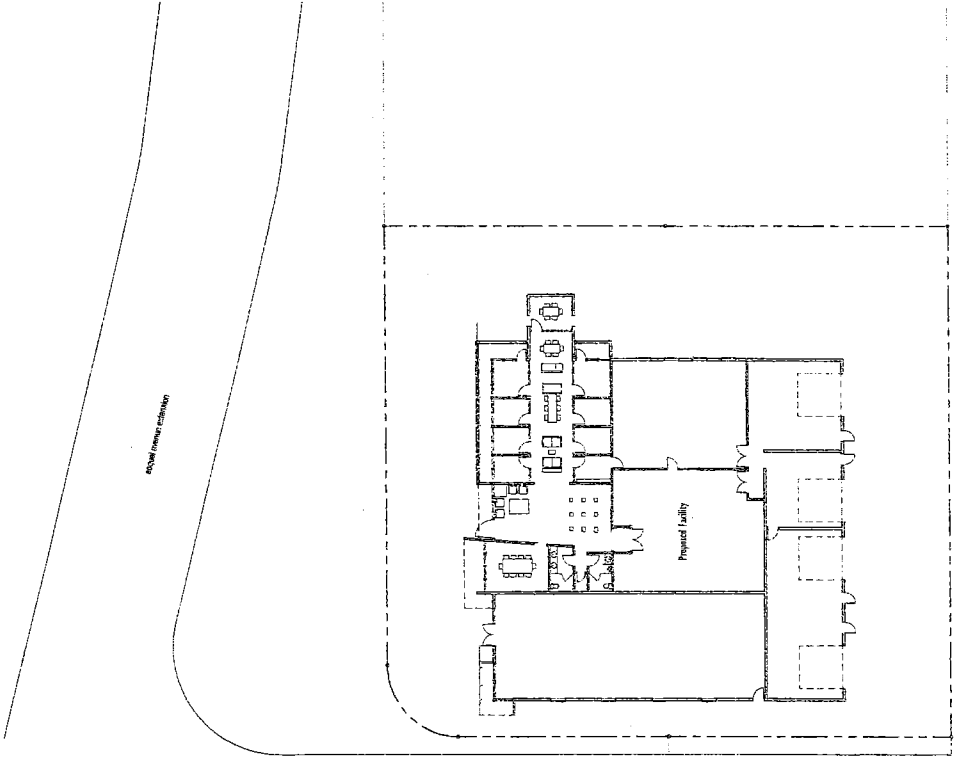
Staff Recommendation

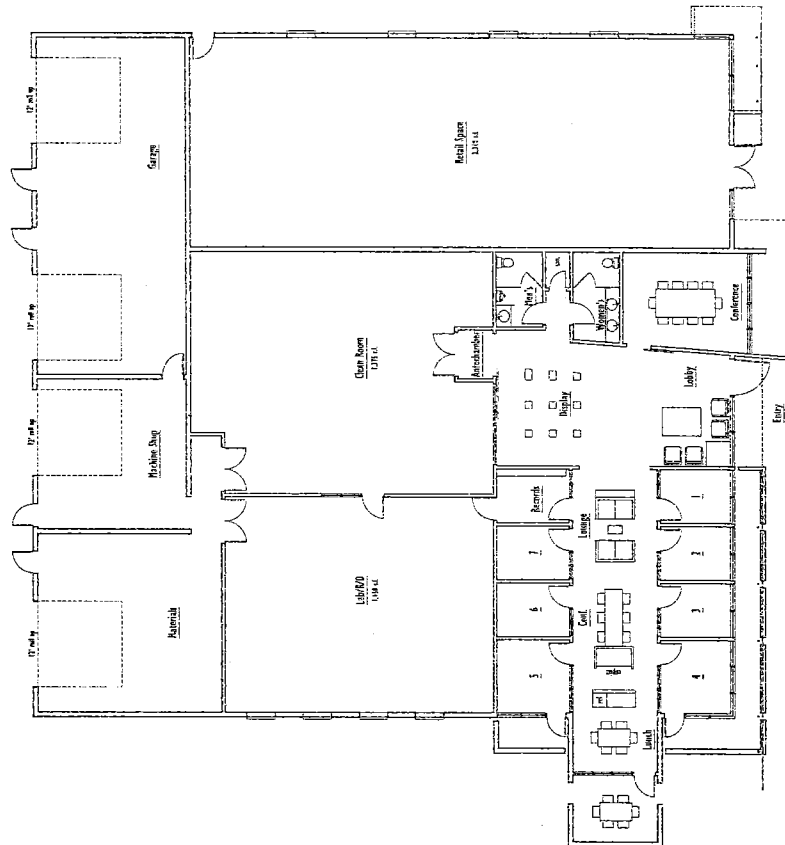
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **121113**, based on the attached findings and conditions.

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


Report Prepared By: Alice Daly
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3140
E-mail: alice.daly@co.santa-cruz.ca.us



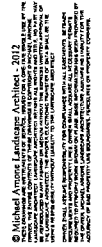


Ground Floor Plan - 9.744 s.f. (exterior)

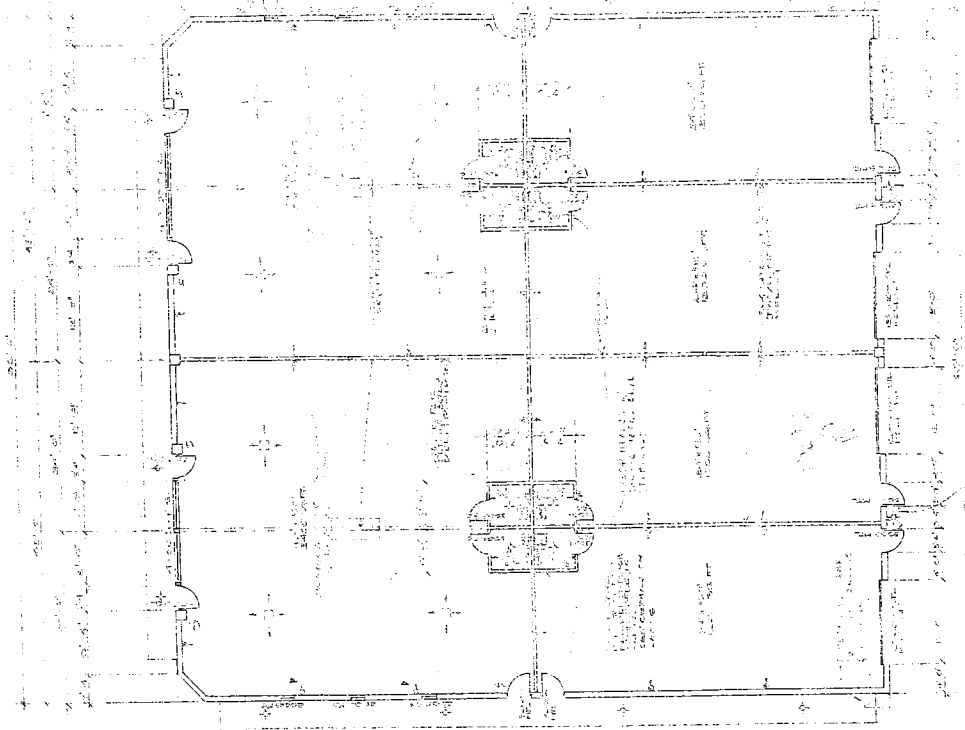
SCALE: 1/8" = 1'-0"



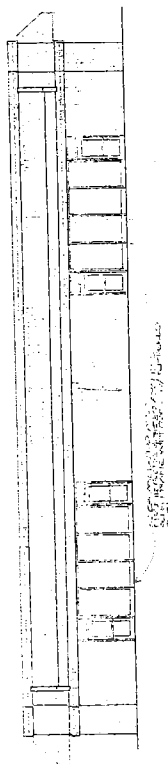




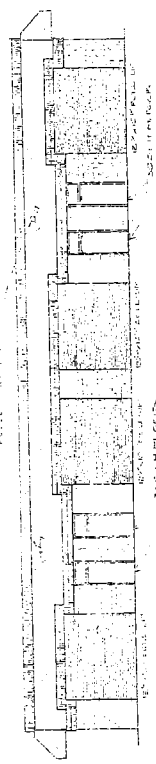
- Plant options based on suitability for coastal climate, sun/shade and contemporary style of building



EXISTING



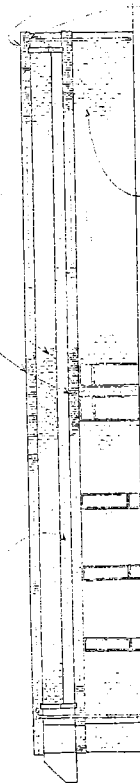
1924



SECRET



THE UNIVERSITY OF CHICAGO



EXISTING ELEVATIONS

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 not encumbered by physical constraints to development. The proposed remodel construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the remodeled commercial structure and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the Service Commercial (C-4) zone district based on the primary use of the property with a commercial structure that meets all current site standards for the zone district.

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

This finding can be made, in that the proposed commercial use is consistent with the use and density requirements specified for the Service Commercial (C-S) land use designation in the County General Plan.

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

The proposed remodel of a commercial structure will be properly proportioned to the parcel size and compatible with adjacent uses as specified in General Plan Policy 8.5.2 (Commercial Compatibility With Other Uses), in that the proposed commercial remodel will comply with the site standards for the C-4 zone district (including setbacks, lot coverage, height, and number of stories), as no significant changes to exterior dimensions are proposed, and the proposed project will result in a structure with landscaping signage, access and visual appeal consistent with a design that could be approved on any similarly zoned lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed change of use and commercial remodel is on an existing developed lot that has already generated commercial traffic in its past uses. The property has adequate access and parking. The expected level of traffic generated by the proposed project is not anticipated to adversely impact existing roads and intersections in the surrounding area.

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

This finding can be made, in that the proposed commercial remodel and change of use is located in a neighborhood of mixed commercial, industrial and residential uses containing a variety of architectural styles, and the proposed commercial remodel is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed commercial/industrial structure will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Project Plans, 10 pages, by Fuse Architects, Inc, dated April 30, 2012.

- I. This permit authorizes a Level V Change of Use Commercial Development Permit for a change of occupancy and remodel of an existing 9,744 square foot commercial structure for a medical accessories manufacturing business. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. 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 permit on plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods. Changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application.
 2. Details showing compliance with fire department requirements.
 - B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached.
 - C. Meet all requirements of and pay Zone 5 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 and pay any applicable plan check fee of the Central Fire Protection District.

- E. Provide required off-street parking for 17 cars. 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. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP
Deputy Zoning Administrator

Alice Daly, AICP
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 121113

Assessor Parcel Number: 031021-96

Project Location: 6990 Soquel Avenue

Project Description: Level V Commercial Development Permit for a change in occupancy and remodel of an existing commercial structure for a medical accessories manufacturing business.

Person or Agency Proposing Project: Dan Townsend

Contact Phone Number: 831-479-9295

- 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 1 - Existing Facilities (Section 15301e)

F. Reasons why the project is exempt:

Remodel and change of occupancy of an existing commercial structure with negligible increase in area.

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

Alice Daly, Project Planner

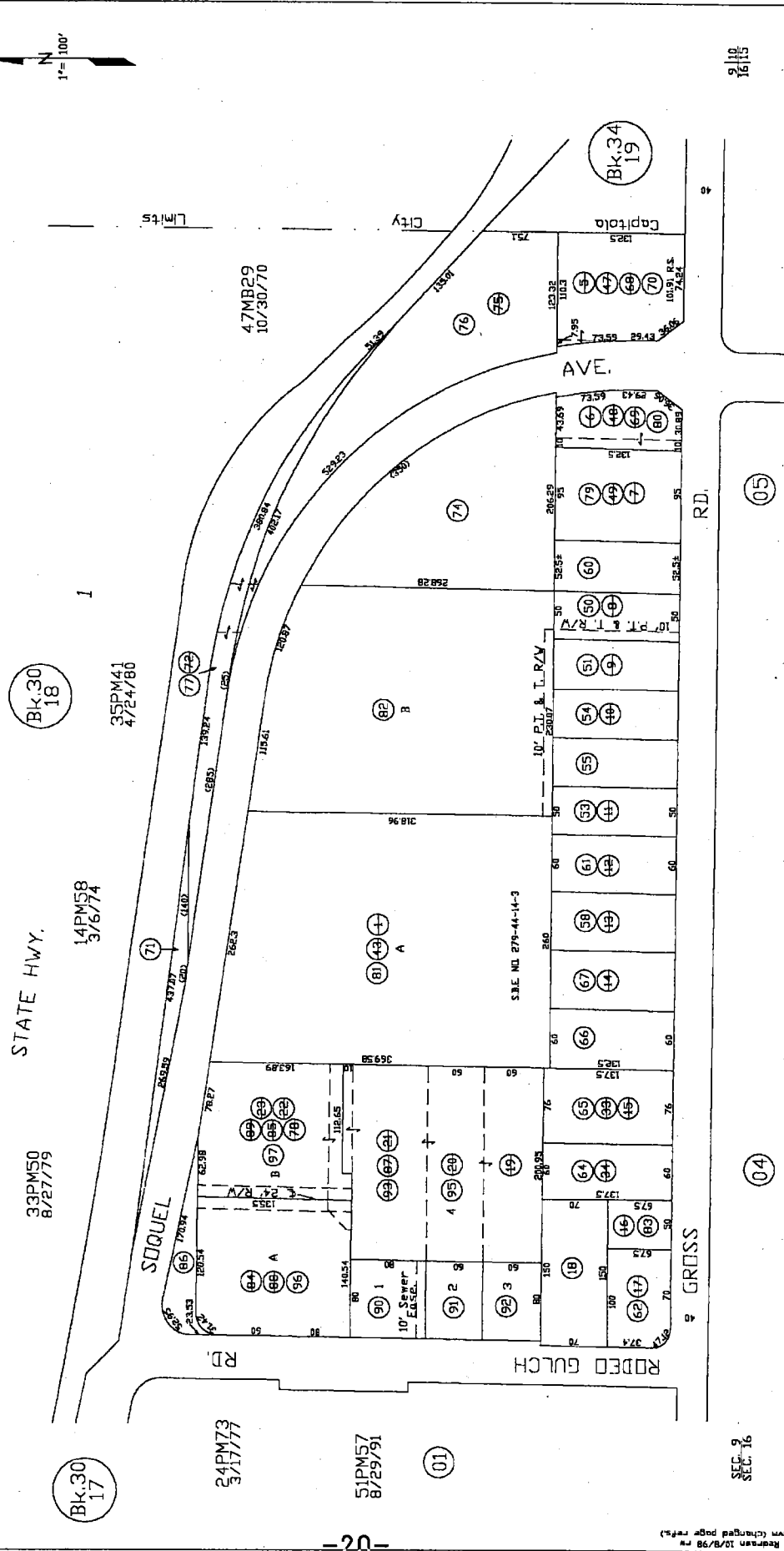
Date: _____

FOR TAX PURPOSES ONLY POR. RANCHO ARROYO DEL RODEO Tax Area Code 31-02

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1998

S.E. 1/4 SEC. 9, T.11S., R.1W., M.D.B. & M.

Assessor's Map No. 31-02
County of Santa Cruz, Calif.
October, 1998



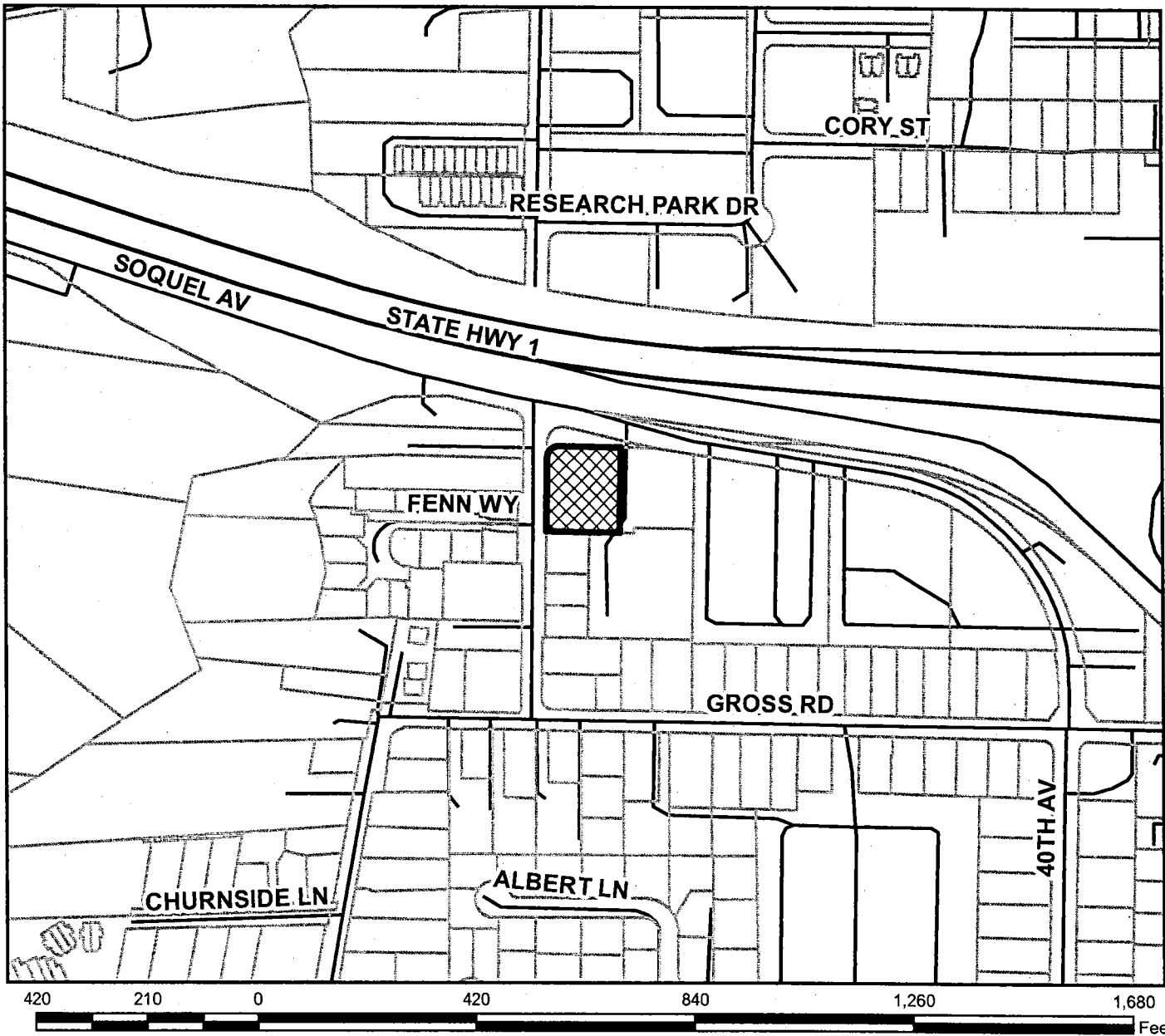
Note - Assessor's Parcel & Block Numbers Shown in Circles.

Assessor's Map No. 31-02
County of Santa Cruz, Calif.
October, 1998





EXHIBIT E

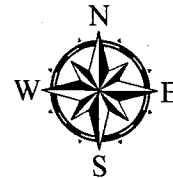


Location Map



LEGEND

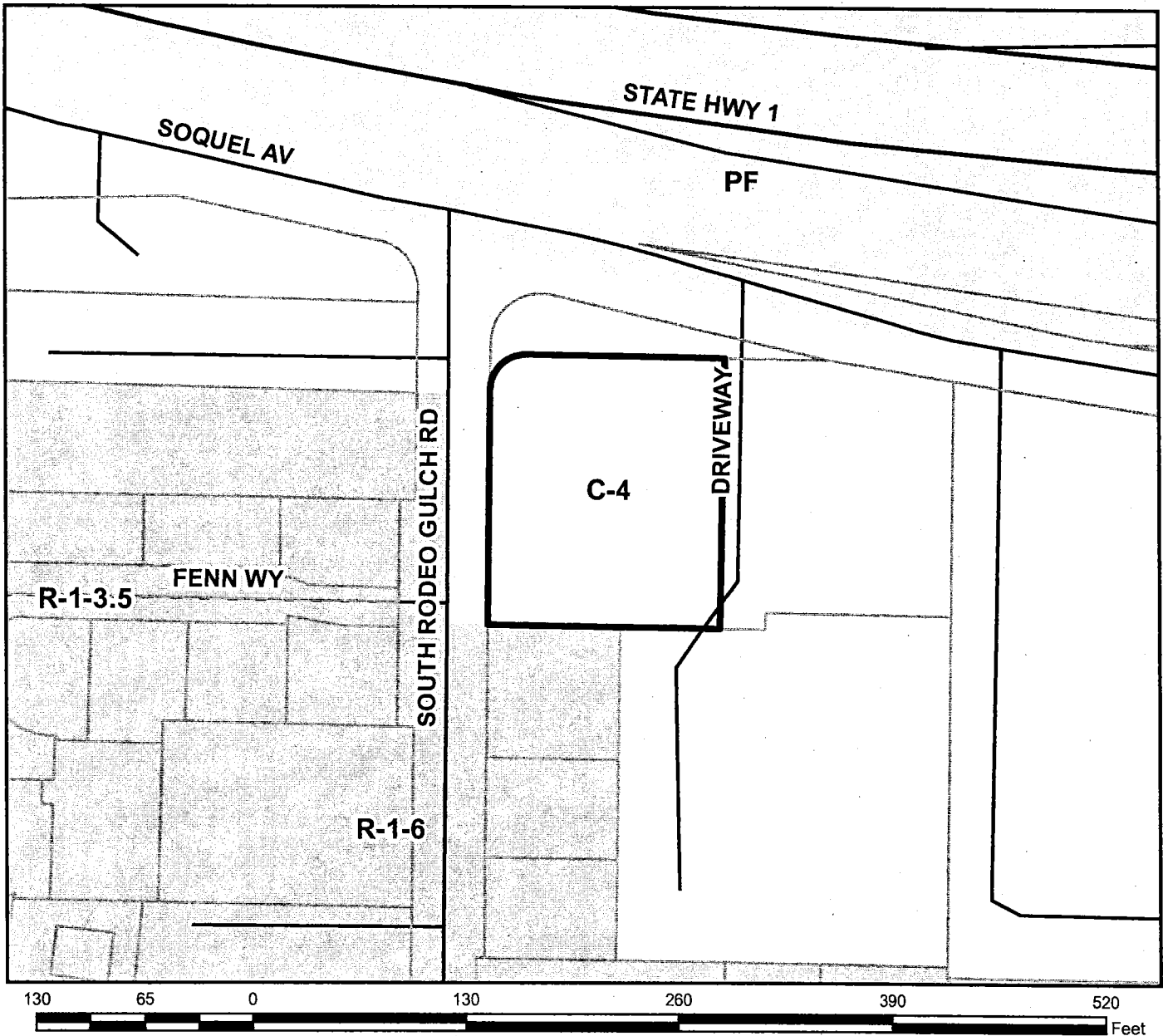
-  APN: 031-021-63
-  Assessors Parcels
-  Streets
-  State Highways










Map Created by
County of Santa Cruz
Planning Department
May 2012

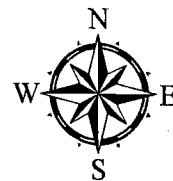


Zoning Map



LEGEND

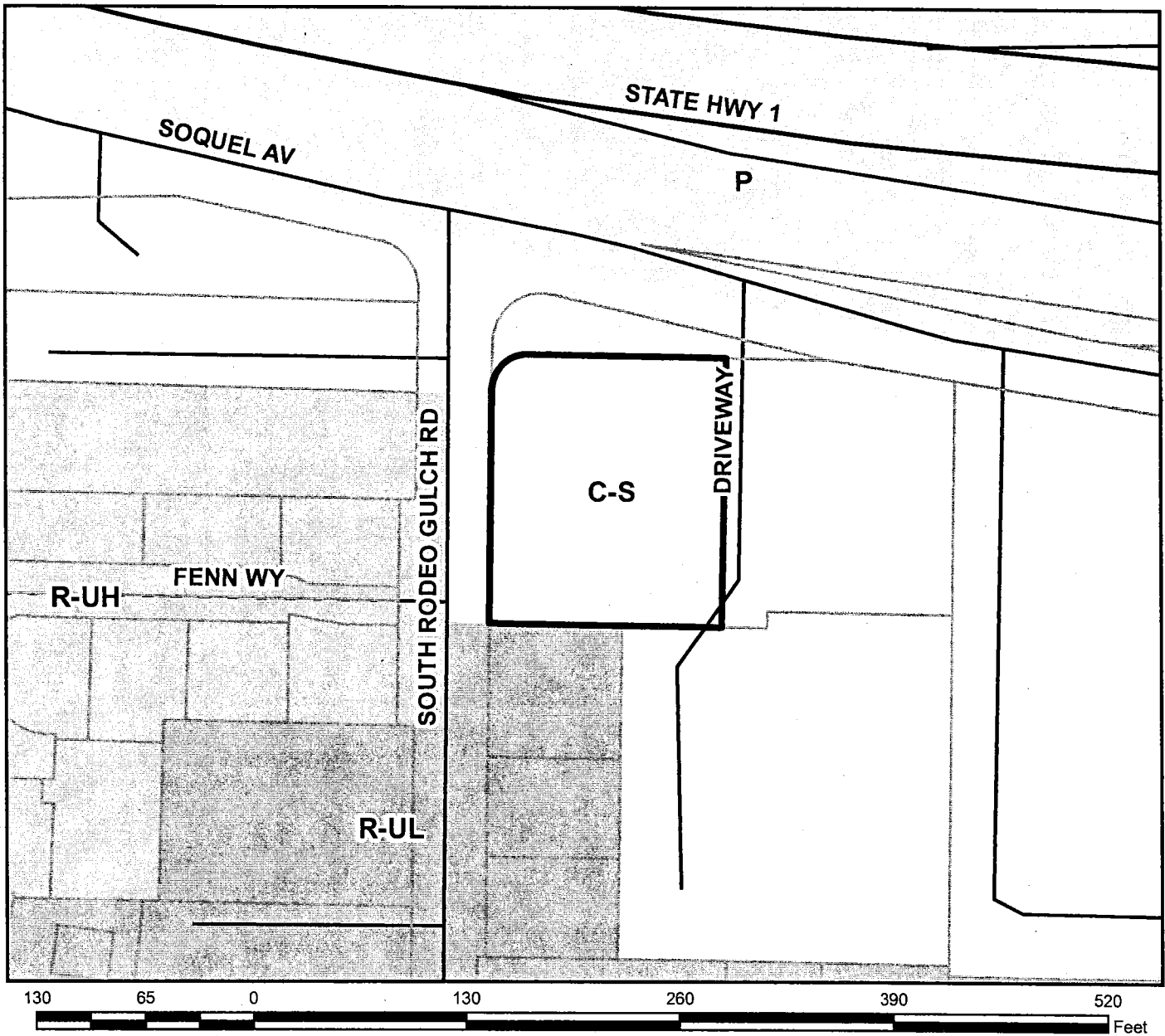
-  APN: 031-021-63
-  Assessors Parcels
-  Streets
-  State Highways
-  COMMERCIAL-SERVICE
-  PUBLIC FACILITY
-  RESIDENTIAL-SINGLE FAMILY











Map Created by
County of Santa Cruz
Planning Department
May 2012

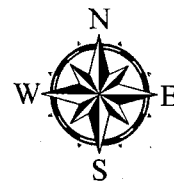


General Plan Designation Map



LEGEND

-  APN: 031-021-63
-  Assessors Parcels
-  Streets
-  State Highways
-  Commercial-Service
-  Public Facilities
-  Residential - Urban High Density
-  Residential - Urban Low Density



Map Created by
County of Santa Cruz
Planning Department
May 2012