

# **Staff Report to the Zoning Administrator**

Application Number: 131219

Applicant: David Marks, NOVA Partners

Owner: Dientes Community Dental Clinic

**APN:** 025-161-14

Agenda Date: 10/4/13

Agenda Item #: 2 Time: 9:00 A.M.

**Project Description**: Proposal to demolish a single-family dwelling used as an office and construct a 3,191 square foot one-story addition to the existing dental office which is located in the C-2 zone district.

Location: Property located on the south side of Commercial Way about 200 feet southwest of its intersection with Soquel Dr. (1830 Commercial Way).

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

**Permits Required**: Requires and Amendment to Commercial Development Permits 87-0561, 02-0353 & 05-0591, a Variance to reduce the required 30-foot side yard to about 0 feet, a Variance to allow two signs of about 46 square feet in area where the County Code allows one sign and 17 square feet, and a Categorical Exemption (Class 1) from further environmental review under CEQA.

#### **Staff Recommendation:**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 05-0591, based on the attached findings and conditions.

#### **Exhibits**

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project Plans

- E. Assessor's, Location, Zoning and General Plan Maps
- F. Comments & Correspondence
- G. Program Statement

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 APN: 025-161-14

Owner: Dientes Community Dental Clinic

#### Parcel Information

Parcel Size:

~22,782 square feet

Existing Land Use - Parcel:

Commercial

Existing Land Use - Surrounding:

Commercial and Residential

Project Access:

Commercial Way

Planning Area:

Live Oak

Land Use Designation:

C-C (Community Commercial)

Zone District:

C-2 (Community Commercial)

Coastal Zone:

Inside X Outside

Appealable to Calif. Coastal Comm.

Yes

X No

#### **Environmental Information**

Geologic Hazards:

Not mapped/no physical evidence on site

Soils:

No soils report required

Fire Hazard:

Not a mapped constraint

Slopes:

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Env. Sen. Habitat:

Not mapped/no physical evidence on site

Grading:

No grading proposed

Tree Removal:

No trees proposed to be removed Highway One Scenic Corridor

Scenic: Drainage:

Adequate as proposed

Archeology:

Not mapped/no physical evidence on site

#### Services Information

Urban/Rural Services Line:

X\_ Inside Outside

Water Supply:

City of Santa Cruz Water Department

Sewage Disposal:

Santa Cruz County Sanitation District

Fire District: Drainage District: Central Fire Protection District Zone 5 Flood Control District

# History

The original medical building, constructed under Building Permit 13634, was finaled in 1969. Discretionary Permit 87-0561 authorized an almost 600 square foot addition to what was then a chiropractor office. With Discretionary Permit 02-0353, the chiropractor office was converted into a dental office with a maximum of five practitioners allowed. In 2006, permit 05-0591 authorized an addition comprised of about 340 square feet to be used as a patient waiting area and another area of about 55 square feet to be used as a utility shed.

The medical building became nonconforming when the adjacent parcel was rezoned from commercial to residential to reflect the existing mobile home park use. County Code requires that commercial structures be set back 30 feet from residentially-zoned parcels. Since the dental building was constructed on the western property line, it became nonconforming with the

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#### rezoning.

The current application is to demolish the single-family dwelling which has served as Dientes' administrative offices and construct a 3,191 square foot addition, to be used primarily for pediatric clients and administrative uses (see Program Statement, Exhibit G).

#### **Project Setting**

The subject parcel is long and narrow and located in an area with a broad range of uses. A mobile home park is located to the west and commercial uses surround the rest of the subject parcel. The parcel is mapped as being part of the Highway One Scenic Corridor; it is not, however, visible from Highway One.

The dental building to which the addition is to be added is located in the northwest corner of the parcel adjacent to Commercial Way. Parking is located along the eastern property line and on the southern third of the parcel. The parcel slopes gently from Commercial Way towards the southeast corner.

#### Zoning & General Plan Consistency

The subject property is an almost 23,000 square foot lot, located in the C-2 (Community Commercial) zone district, a designation which allows medical offices. The proposed addition is an expansion of an allowed use within the zone district and the project is consistent with the site's (C-C) Community Commercial General Plan designation.

#### Variances

A variance is necessary for this proposal as the addition does not comply with the requirement that commercial structures be set back 30 feet from residentially-zoned parcels. A variance for the proposed addition is considered appropriate because of the long narrow shape of the parcel and the location of the existing improvements (see Variance findings, Exhibit B).

An additional variance is requested to allow for two signs, where County Code allows only one, and for 45 square feet of area where County Code allows 17 square feet. The long narrow shape of the parcel which resulted in a long, narrow building is the special circumstance warranting a variance (see Variance findings, Exhibit B).

#### Parking

Since the previous permits were approved, parking requirements for medical offices have changed (County Code 13.10.552). Instead of a parking requirement based upon the number of practitioners, parking for medical offices is now based upon the square footage of the structure. For every 300 square feet of area, one parking space is required. Because the dental practice has a substantial amount of area devoted to administration, this area was calculated using the office ratio of one space for every 250 square feet of area. Together, the existing and proposed square footage, result in a parking requirement of 26 parking spaces, and 27 are proposed. The project meets its parking requirement.

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The circulation of the revised parking lot will function better than the current parking lot where multiple driving maneuvers are necessary to turnaround. The hammerhead provided for emergency vehicle turnaround, will also provide a turnaround area for patients.

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#### Drainage

In general, the drainage plan works in the following way; runoff sheet flows from the north to the southeast corner where water enters an inlet. A silt and grease trap will treat the runoff before it leaves the parcel. As a part of Permit 05-0591, Dientes acquired an easement for off-site drainage improvements which convey runoff to an open drainage ditch located southeast of the subject parcel. The Department of Public Works has reviewed and accepted the proposed improvements.

#### Design Review and Landscape Plan

The most noticeable design feature of the otherwise non-descript existing dental office, is the crenelated parapet roof line. The project architect amplified this design element in the addition by repeating the form both in the walls and in the awnings over the windows. The proposed color scheme which uses beige, pale green, rusty red and turquoise, will create the visual bridge between the existing structure and proposed addition. Because the addition is to the back of the building, it will not be readily visible from Commercial Way.

Anita Kane, a landscape architect, provided a landscape plan which revitalizes the existing landscaped areas. In addition, a condition of approval is included requiring additional landscaping between the fire hammerhead and the south side of the building and, if possible, the south side of the eastern elevation where the supporting pony wall is highest. This landscape will soften the impact of the supporting wall. Vines that can be trained on that wall, or larger shrubs which will provide a screen, are recommended.

#### **Blast Wall**

This project will be funded with federal money through a Community Development Block Grant. Because of its funding, the project was subject to the National Environmental Protection Act (NEPA). During that review, staff discovered that a large fuel tank is located across Commercial Way. To mitigate the potential hazard of the tank, the project must incorporate a method to ensure the Dientes facility is an Acceptable Safe Distance (ASD) from a potential explosion. To satisfy this requirement, a blast wall was required to protect the dental clinic. This blast wall is anticipated to exceed the front yard fence height limit and will require a separate discretionary permit as its design was not finalized at the time of this application. A condition of approval is included requiring the completion of the blast wall, or an alternative that meets the ASD and is approved by staff, prior to the finalization of the addition's permit.

#### 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.

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#### Staff Recommendation

Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

APPROVAL of Application Number 05-0591, 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: Annette Olson

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

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E-mail: annette.olson@co.santa-cruz.ca.us

# 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.

	Imber: 131219 1 Number: 025-161-14 In: 1830 Commercial Way
Project Descri	ption: Proposal to construct and addition of approximately 3,141 square feet to an existing nonconforming dental office.
Person or Age	ncy Proposing Project: David Marks, Nova Partners Inc.
Contact Phone	e Number: (650) 324-5324
B S C B	The proposed activity is not a project under CEQA Guidelines Section 15378.  The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).  Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.  Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
Specify type:	
E. <u>X</u>	Categorical Exemption
Specify type: C	Class 1 - Existing Facilities (Section 15301)
F. Reasons	s why the project is exempt:
	isting structures of less than 10,000 square feet in an area which is not environmentally here all public services and facilities are available are exempt.
In addition, non	e of the conditions described in Section 15300.2 apply to this project.
Annette Olson,	Date: 9/10/13  Project Planner

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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 not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources. The proposed addition will not deprive adjacent properties or the neighborhood of light, air, or open space. A shadow study was provided which shows that there are minimal shading impacts (Exhibit D, Sheet A302), with the most significant being during winter mornings.

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 addition and the conditions under which it would be operated or maintained will, with approval of the proposed variance to reduce the required 30-foot setback from the western property line to about zero feet and the variance for two signs that exceed the ordinance size limit, be consistent with all pertinent County ordinances and the purpose of the C-C (Community Commercial) zone district in that the primary use of the property will be a dental practice.

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 requirements specified for the Community Commercial (C-C) land use designation in the County General Plan.

General Plan Policy 2.14.4 (Provision of Commercial Development Sites) encourages the provision of suitable sites for commercial development to provide services for area residents. The proposed addition will enhance the efficiency of this dental practice to provide dental care to the community and is compatible with the intent of General Plan Policy 8.5.1 (Concentrate Commercial Uses) which seeks to contain commercial uses in designated areas. Except for the adjacent residential parcel, the parcels surrounding the subject parcel are part of a commercially-zoned area. Therefore, the proposed expansion of the dental office is consistent with General Plan Policy 2.14.4.

In addition, General Plan Policy 2.14.6 (Quality of Commercial Design) requires commercial facilities to be compatible with adjacent land uses and neighborhood character. This project complies with this policy in that the addition is to an existing dental practice which is an ongoing use compatible with the adjacent land uses. Because there will be no openings on the side of the

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building adjacent to the mobile home park, sound impacts will be minimized and privacy will be maintained. Solar impacts to the adjacent residential use will be minimized by limiting the addition to one-story.

Although the subject is mapped as part of the Highway One Scenic Corridor, it is not visible from Highway One as there are three parcels with large buildings intervening between the subject parcel and Highway One.

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 addition is to be added to an existing dental practice. No intensification of use, as defined by County Code 13.10.700 (Intensification of Use, Nonresidential), is proposed. For nonresidential uses, an intensification of use is an expansion of use requiring both more than a 10% increase in parking and two spaces. In this case, the existing dental office has a parking requirement of 25 spaces. The current proposal results in a total parking requirement for the clinic of 26 spaces. An increase in the parking requirement of one space is not considered to be an intensification of use. In addition, no significant change in the number of trips generated by the dental clinic is anticipated.

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 addition is located in an area containing a variety of uses and architectural styles, and the proposed addition is consistent with the land use intensity of the neighborhood. The addition will not be readily visible from Commercial Way as it will be substantially screened by the existing building.

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 addition 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. The most significant architectural feature of the otherwise non-descript existing structure is its crenelated parapet wall. This design element was echoed and amplified in the proposed addition, both with the wall planes and the awnings projecting above the windows. The proposed design is consistent with the County's Design Standards and Guidelines (County Code 13.11), in that the addition breaks up the massing of the building form by varying the wall planes; no change is proposed to the street face setbacks; the new entryway to the pediatric dentistry area creates a sense of arrival; and the wall planes are broken up with the projection of the awnings.

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### **Variance Findings**

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

Because the subject parcel abuts a residentially-zoned parcel, commercial structures are required to be located 30 feet away from the shared property line. In this case, due to the narrowness of the parcel and the location of the existing structures, it would be impossible to site the addition 30 feet from the property line as the addition would encroach into the already narrow driveway and eliminate much of the required parking. Given that the intent of this proposal is to enlarge the existing dental building and any addition to serve that purpose must be attached to the building, there is no other suitable location for the addition.

In addition, because the long, narrow parcel results in a long, narrow building, two signs are required to facilitate the orderly access of the building, one sign for the adult practice and the other for the pediatric practice. County Code 13.10.581 allows only one sign per parcel and limits the size to one-half square foot per linear foot of the front building width which, in this case, would be 17 square feet. The County's sign ordinance assumes that the signage will be mounted on the front façade of the building adjacent to a street and seeks to keep the sign size in proportion to that façade. However, in this case, the signs are not mounted on the front façade, but on the eastern elevation of the structure. Because of the special circumstance of the parcel's long, narrow shape, the eastern elevation of the building is about 190 feet long which would have entitled the use to have the maximum size of 50 square feet of signage if that elevation were the front façade. The proposed signage of about 46 square feet, then, is sized to be in proportion to this eastern elevation and meets the intent of the County's sign ordinance.

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

This finding can be made, in that the intent of requiring commercial structures to be setback 30 feet from residentially zoned parcels is to protect residential uses from the impacts of commercial uses. In this case, the building code requires no openings for structures located at the property line. This has the added benefit that noise impacts from the clinic to the adjacent residential use will be minimized. Noise impacts will be further controlled by the clinic hours of the dental office which are: weekdays from 8:30 AM to 4:30 PM and Saturdays from 8 AM to 2 PM. The addition will also provide a partial buffer from noises associated with the parking lot such as car doors closing. Because the proposed expansion is one-story, not two-stories as was initially proposed, the solar impacts to the adjacent mobile home coaches will be minimized.

Although the 30-foot setback that is normally required will not be met, the project has been designed in such a way to be in harmony with the general intent and purpose of zoning objectives. In addition, the proposed addition will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety.

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As described in Finding 1 above, the two proposed signs totally about 46 square feet in area meet the intent of the County's sign ordinance in that the signs are sized in proportion to the proposed building and having two signs will facilitate the orderly access of the dental practice.

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

With the exception of the one residentially-zoned parcel adjacent to the subject parcel, the rest of the area is zoned for commercial and office uses. Development on those parcels which are not adjacent to the residentially-zoned parcel, is not constrained by the 30-foot setback. This variance does not constitute a grant of special privileges, as all but two of the parcels in the area have a side yard setback of 0 feet.

Several parcels in the area are also long and narrow and might be eligible for a sign variance should their signs face the interior of the lot and not Commercial Way.

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### **Conditions of Approval**

Exhibit A: 11 Architectural Sheets by Henry Ruhnke of WR&D Architects, revised to 7/31/13; Sheet C100: Schematic Grading and Drainage Plan by Mesti-Miller Engineering, Inc., dated 7/31/13; Sheet L-1; Sheet C200: Schematic Utility Plan by Mesti-Miller Engineering, Inc., dated 7/31/13; Sheet L-1: Landscape Plan by Anita Kane, Landscape Architect, dated 7/31/13. Sheet E1: Photometrics Study by Prime Design Group, dated 7/31/13; Sheet S1: Topographic Survey by Robert L. Dewitt & Associates, date 7/22/13.

- I. This permit authorizes the construction of an approximately 3.191 square foot addition to the existing nonconforming dental office and reconfiguration of the parking lot and landscaping. 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 Demolition Permit from the Santa Cruz County Building Official.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official.
  - D. Obtain an Encroachment Permit from the Department of Public Works for any off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
  - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    - 1. The landscape plan must be modified to soften the impact of the pony wall supporting the addition along the addition's south side and, if possible, the southern side of the eastern wall. Submit a revised landscape plan for staff approval.
    - 2. All roof-mounted equipment must be screened from view.

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- 3. All outdoor areas, parking and circulation areas shall be lighted with low-rise lighting fixtures that do not exceed 15 feet in height. The construction plans must indicate the location, intensity, and variety of all exterior lighting fixtures. All lighting must be consistent with Title 24, Part 6, California Code of Regulations, Energy Efficiency Standards for Residential and Non-Residential Buildings. All lighting shall be directed onto the site and away from adjacent properties.
- 4. Grading, drainage, and erosion control plans.
- 5. Details showing compliance with fire department requirements.
- 6. Details showing compliance with accessibility requirements, including:
  - a. Current CA codes are the 2010 series. January 1, 2014 is the effective date for 2013 CA codes. Building permit applications made on and after January 1, 2014 are subject to the new codes.
  - b. Include details for accessible parking
  - c. Provide complete details and specifications for restroom access.
  - d. Provide service counters that are lowered for wheelchair users. CBC 1122B
  - e. Provide accessible employee work areas for aisle widths in the exam rooms. CBC 1133B.6
- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
  - 1. Please provide a cross section construction detail of the proposed pervious pavers and proposed under drain.
  - 2. Please verify the condition of the existing silt and grease trap onsite. Propose any needed repairs or maintenance.
  - 3. All catch basins shall be marked with the legend "NO DUMPING DRAINS TO OCEAN. NO TIRE DESECHO CORRE AL MAR."
  - 4. A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing (50% for gravel, base rock, paver blocks, pervious pavement) to offset costs and encourage more extensive use of these materials.
  - 5. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved

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plans. Read the attached comments for directions on clearing the hold.

- D. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal.
- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- G. Provide required off-street parking for 26 cars. Parking spaces must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- H. Pay the appropriate child care in lieu fee of .23 per new square foot or obtain a waiver as allowed by ordinance.
- 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. Submit and have final inspection for an overheight fence permit for the blast wall required to protect the clinic from the fuel tanks located across the street or gain staff approval for an alternative solution that meets the ASD. If a blast wall is required, a hold shall be placed on the building permit issued for the addition which will not be cleared until the blast wall has been completed.
  - B. All site improvements shown on the final approved Building Permit plans shall be installed.
  - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - D. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

#### IV. Operational Conditions

A. In the event that future County inspections of the subject property disclose

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noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- B. The clinic hours of operation will be weekdays from 8:30 AM to 4:30 PM and Saturdays from 8 AM to 2 PM. Staff may be on-site earlier and later as long as there are no significant noise impacts to the adjacent residential use.
- C. All landscape areas must be permanently maintained. Plants/trees that are damaged or die must be replaced in-kind.
- D. The project must comply with the General Plan Noise Policies 6.9b. Should any equipment generate noise in excess of the limit established in the noise element, sound attenuation will be required.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
  - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
  - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
    - 1. COUNTY bears its own attorney's fees and costs; and
    - 2. COUNTY defends the action in good faith.
  - C. <u>Settlement</u>. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

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D. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

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

Wanda Williams Deputy Zoning Administrator		Annette Olson Project Planner	
Expiration Date:	·		
Effective Date:		 	
Approval Date:	-		

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.

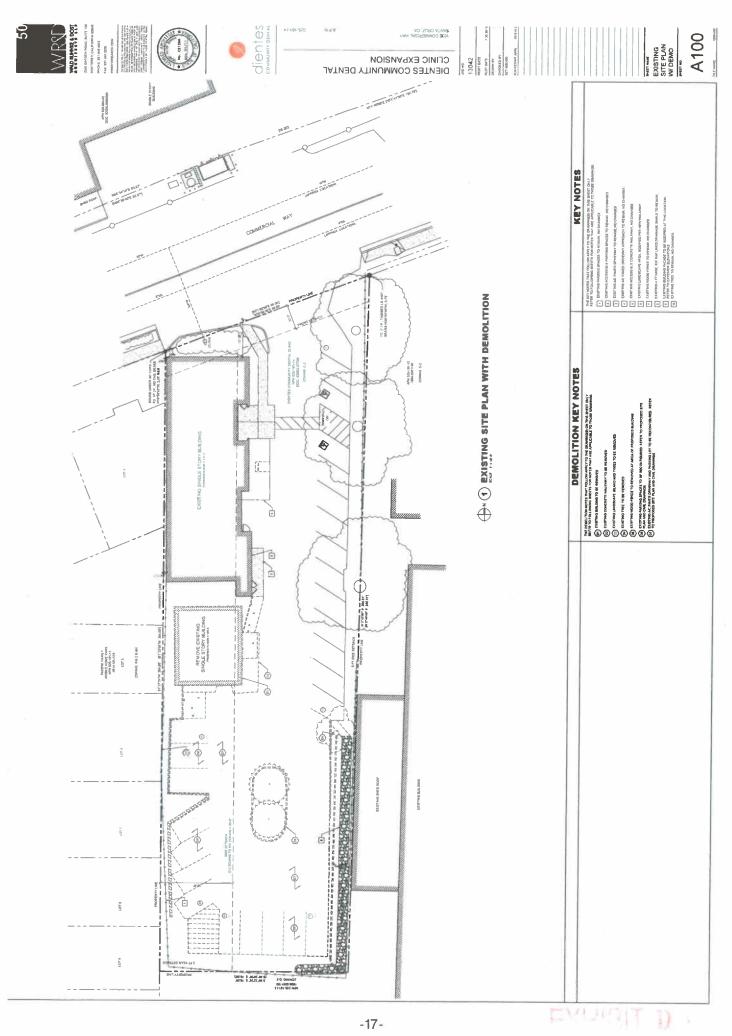
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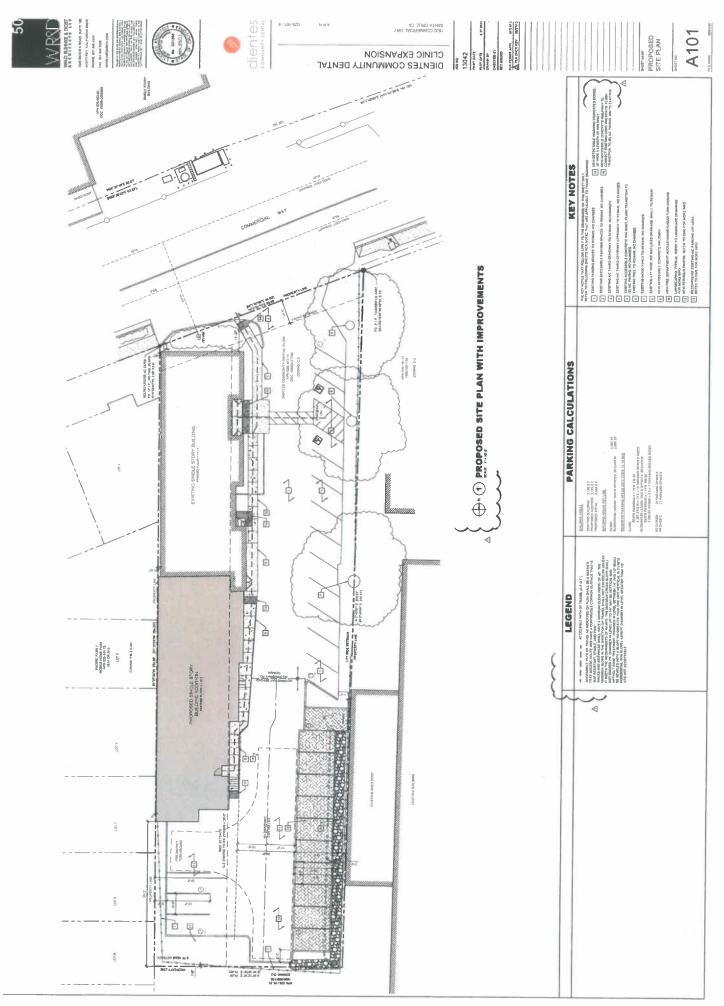
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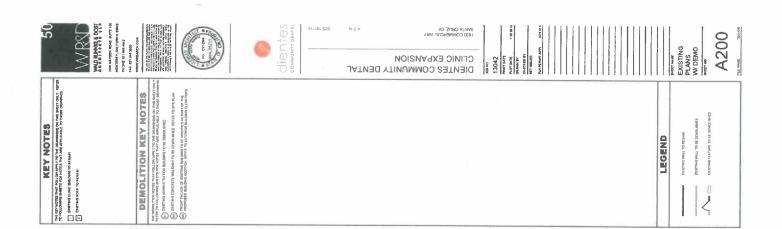


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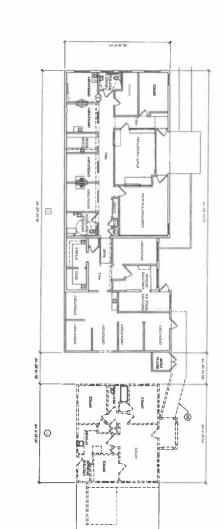






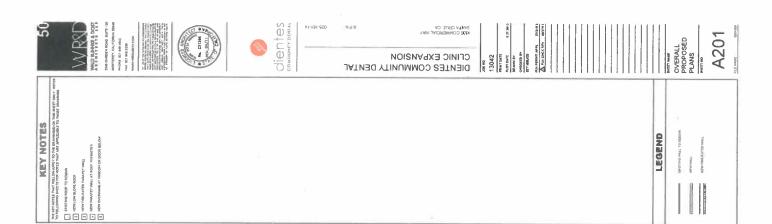
HE (2) EXISTING ROOF PLAN WITH DEMOLITION





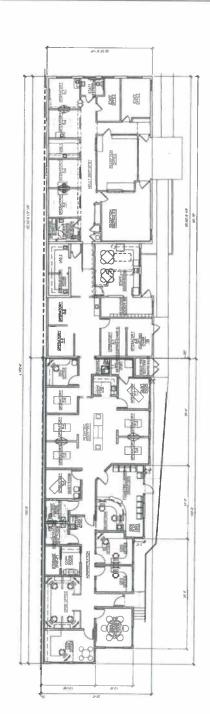
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PROPOSED ROOF PLAN

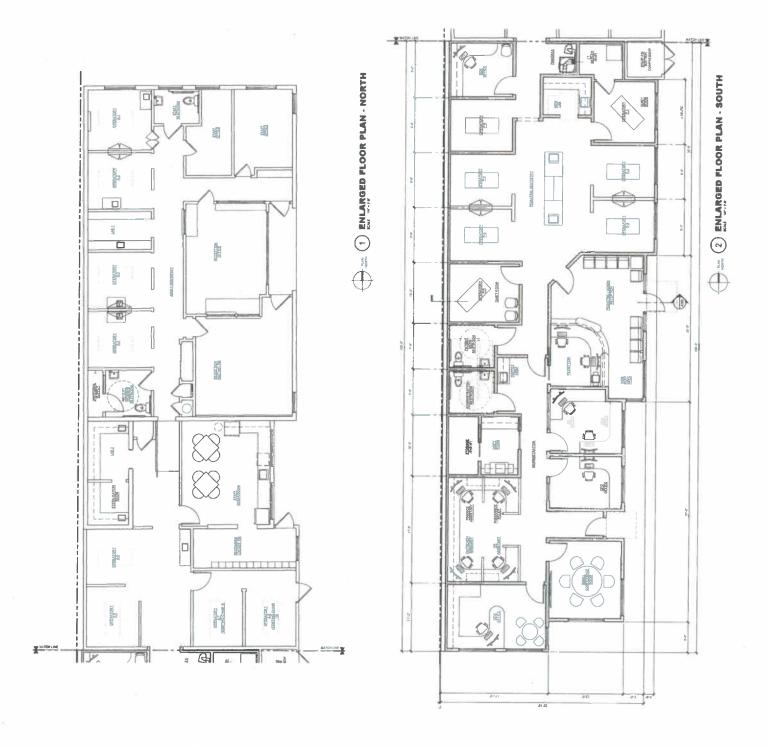




(1) OVERALL PROPOSED FLOOR PLAN

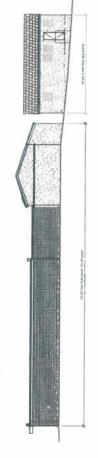
EAMOIL D 4





(1) EXISTING EAST ELEVATION

(2) EXISTING SOUTH ELEVATION



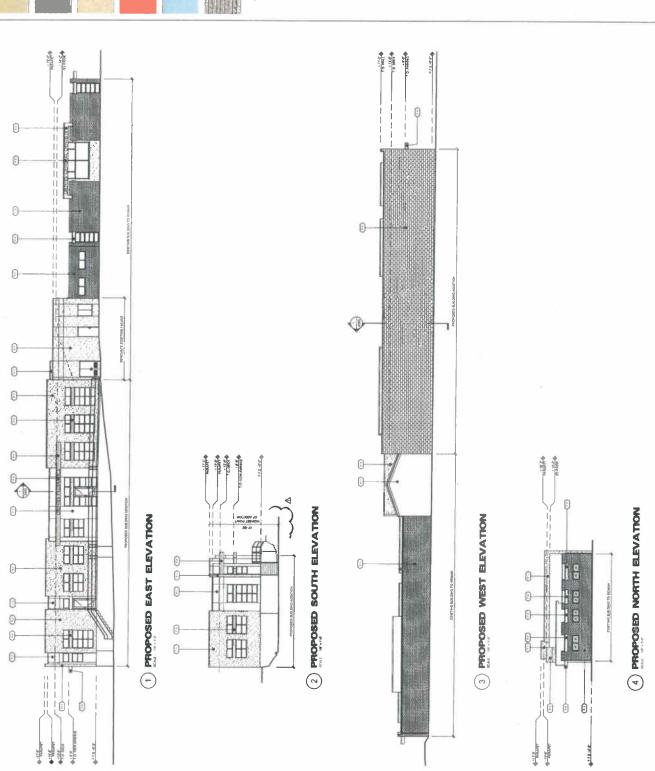


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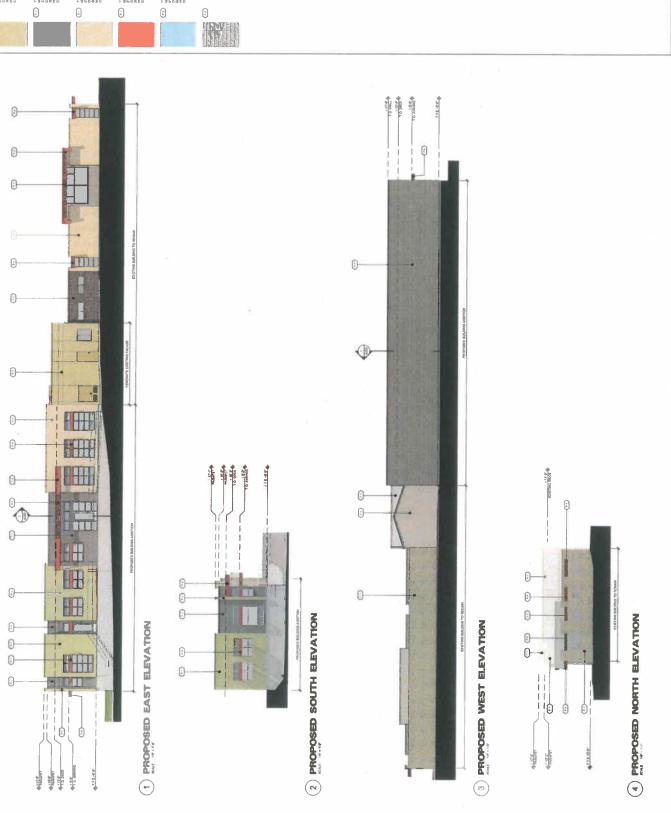
(3) EXISTING WEST ELEVATION

(4) EXISTING NORTH ELEVATION









1) SHADOW STUDY - JUNE 21





B JUNE 21 - 12:00 PM

B DECEMBER 21 - 12:00 PM





A JUNE 21 - 10:00 AM

A DECEMBER 21 - 18:00 AM



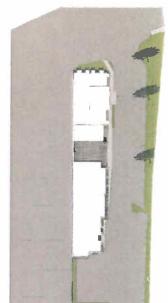


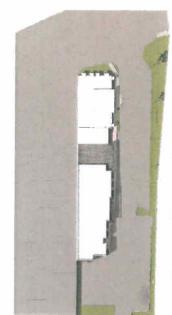


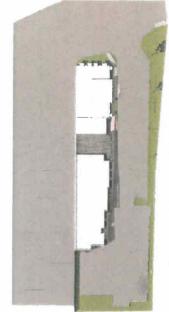


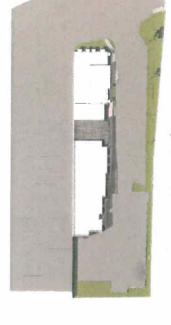
Cientes COMMUNITY DENTAL

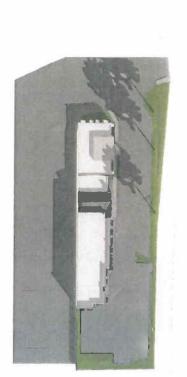


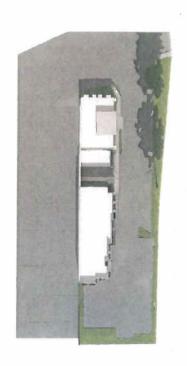


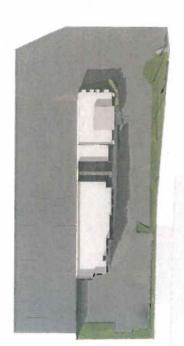


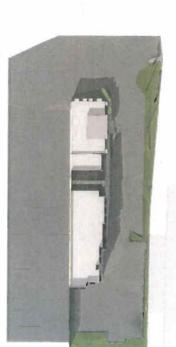












2 SHADOW STUDY - DECEMBER 21 © DECEMBER 21 - 2:00 PM

C JUNE 21 - 2:00 PM

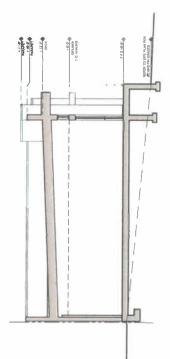








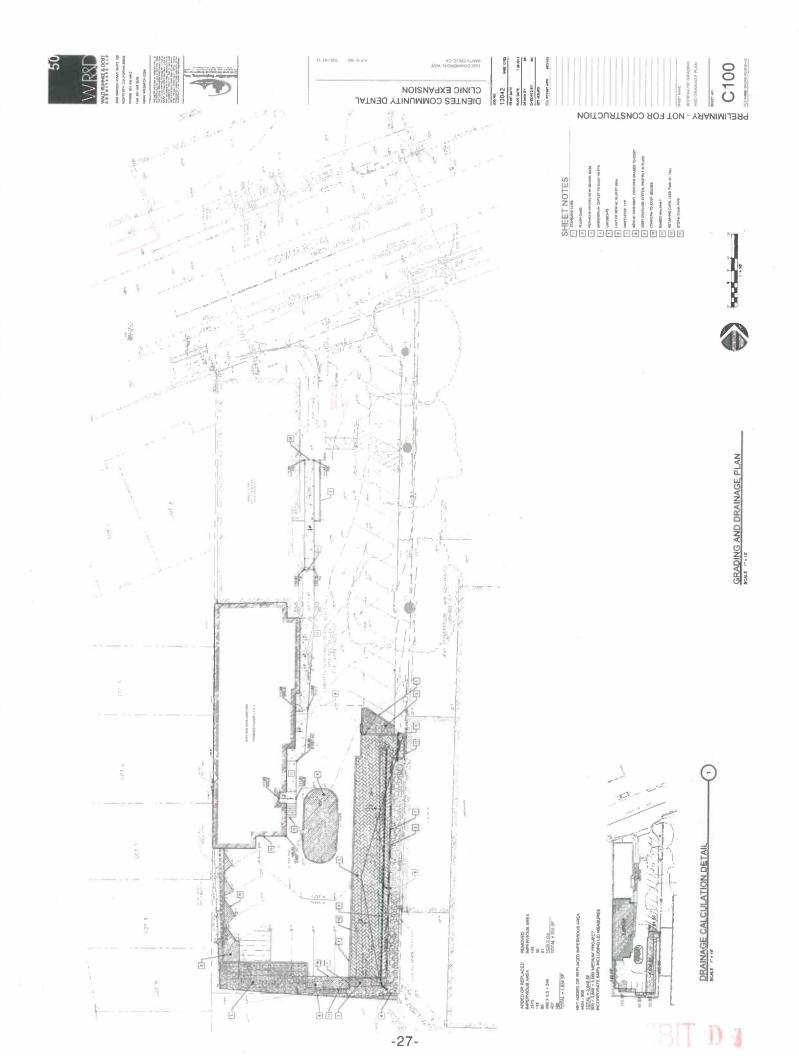


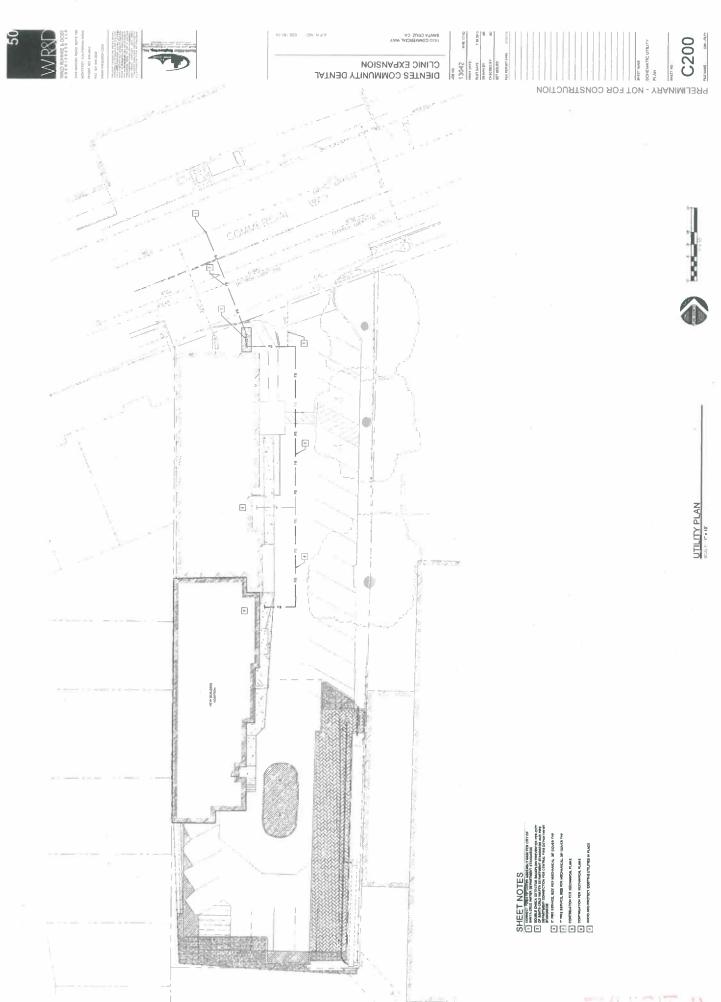


SCHEMATIC BUILDING SECTION

TYLIDIT

D 1





EXHIGIT D.

LANDSCAPE PLAN

CLINIC EXPANSION

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CONCEPT PLANT SCHEDULE

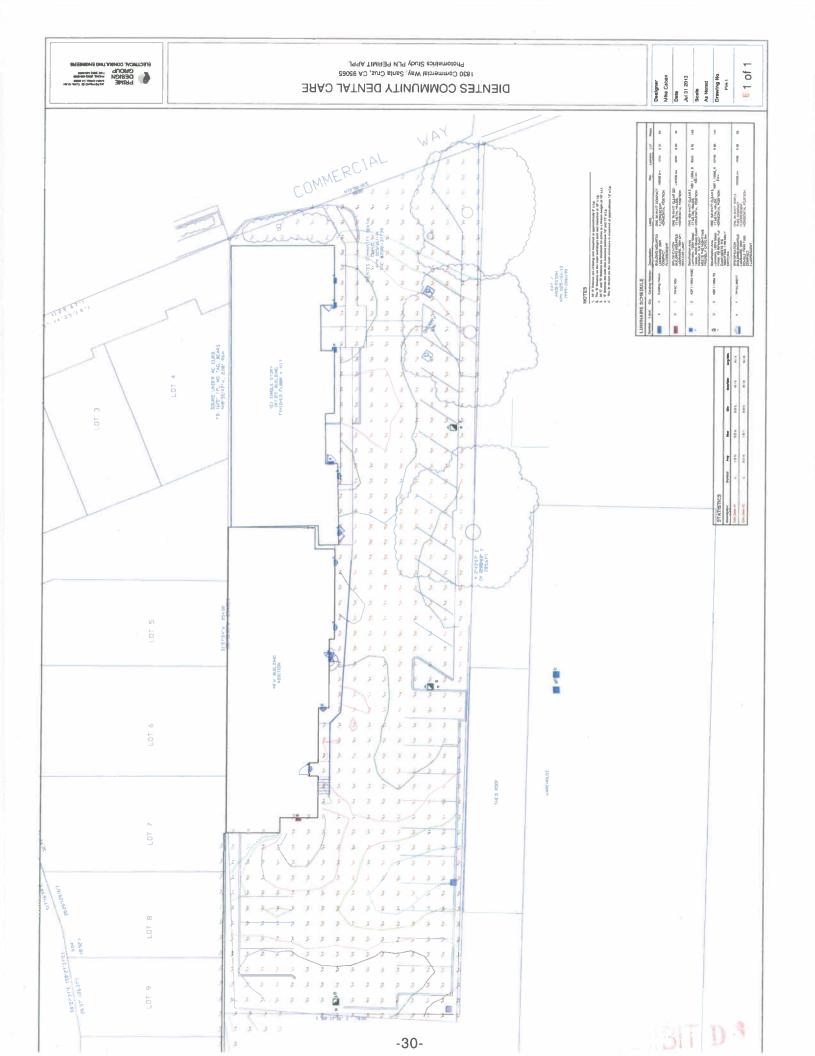
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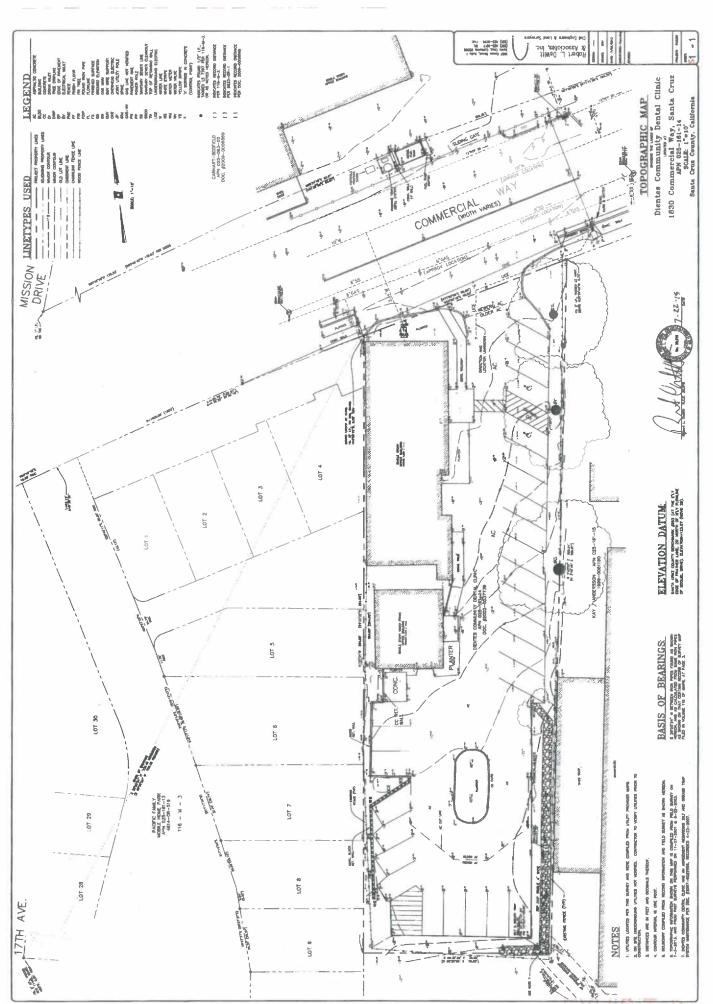
CONCEPT LIGHTING SCHEDULE

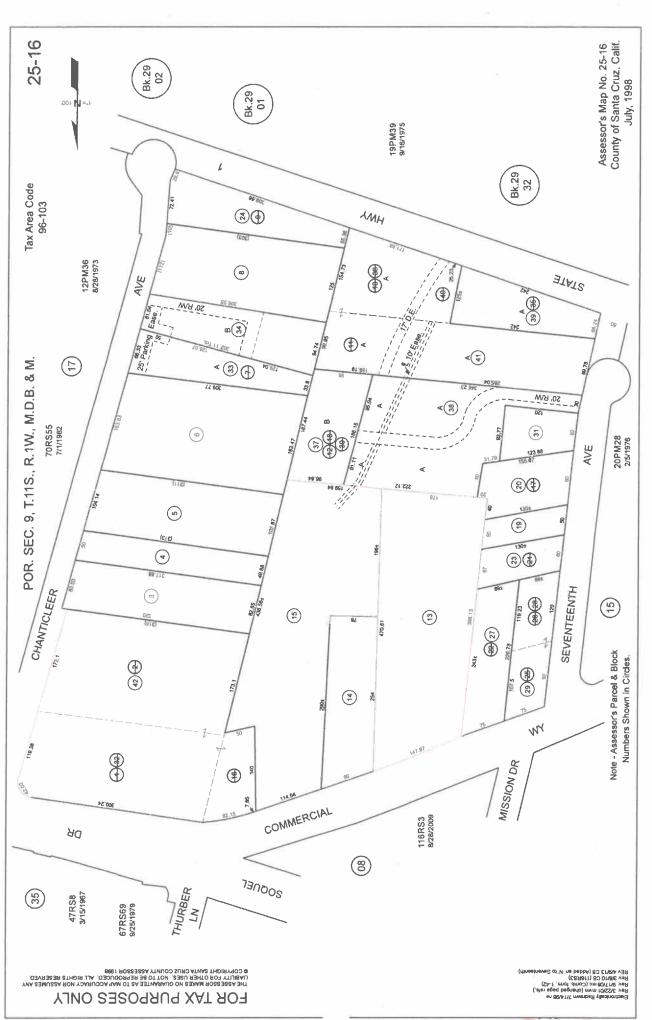
NOTES.

LANDSCAPE PLAN

TRUE NORTH NORTH

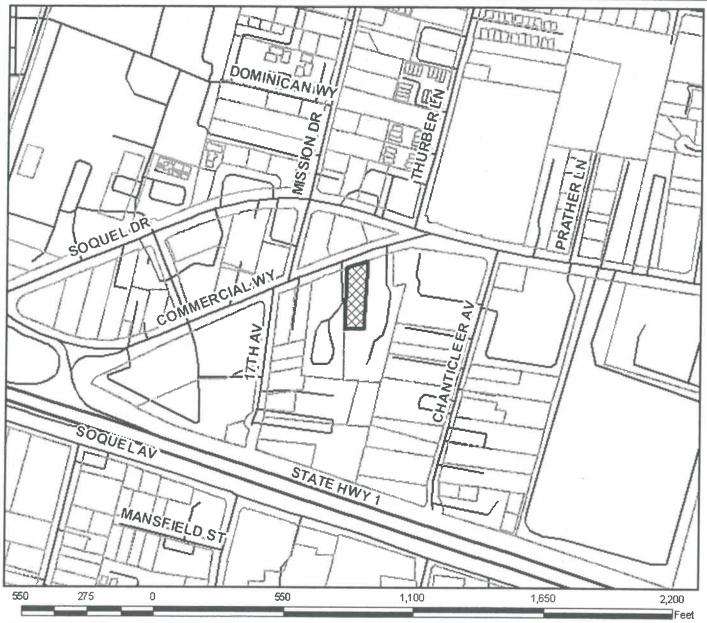




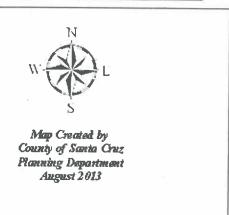




# **Location Map**

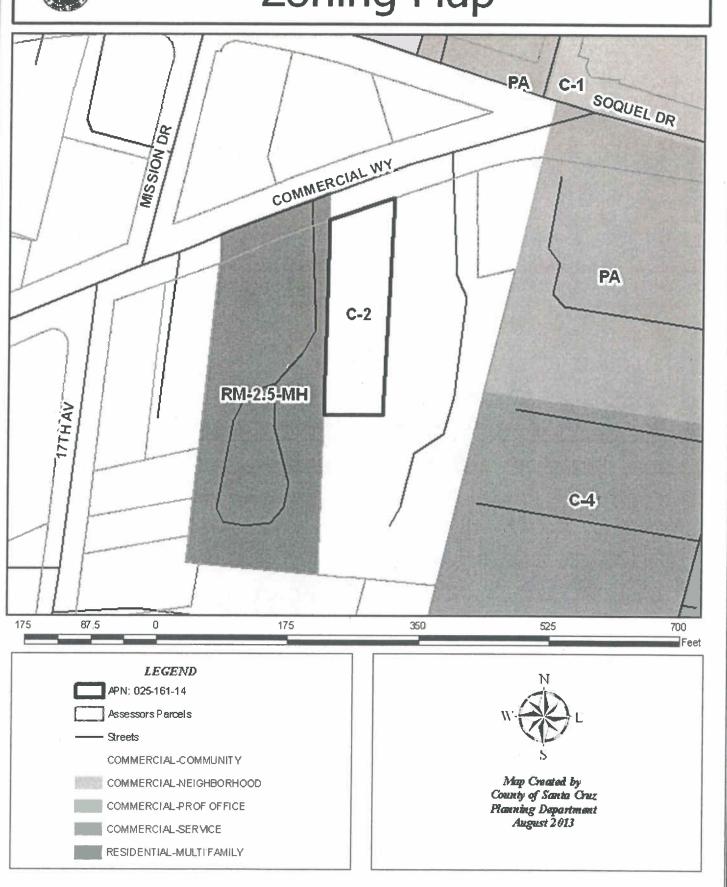






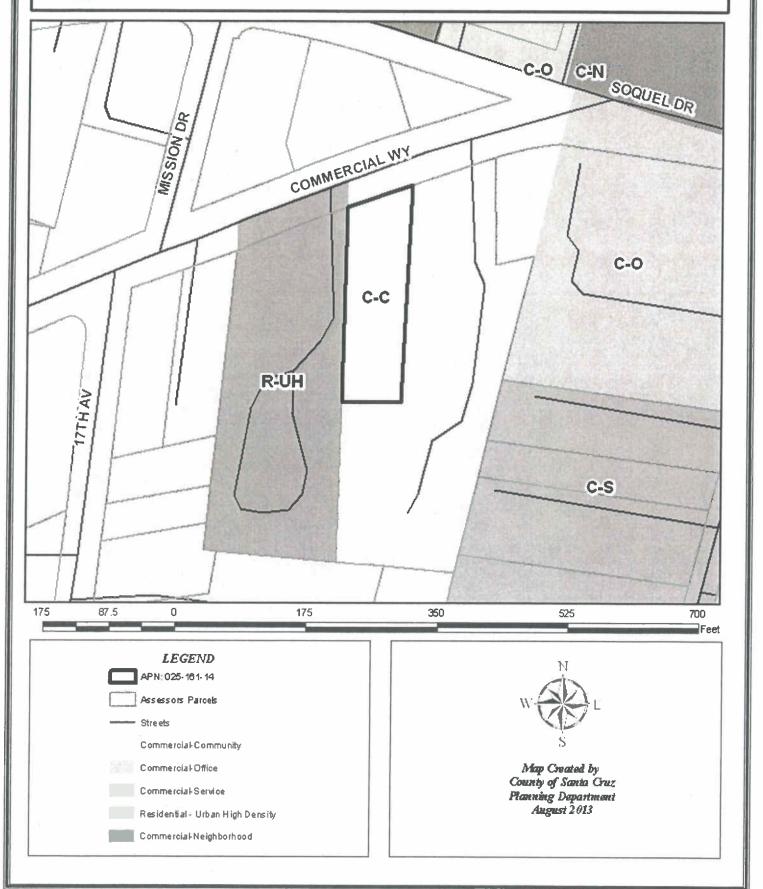


# **Zoning Map**





# General Plan Designation Map





### County of Santa Cruz, PLANNING DEPARTMENT

# Discretionary Application Comments 131219 APN 025-161-14

Your plans have been sent to several agencies for review. The comments that were received are printed below. Please read each comment, noting who the reviewer is and which of the three categories (Completeness, Policy Considerations/Compliance, and Permit Conditions/Additional Information) the comment is in.

<u>Completeness</u>: A comment in this section indicates that your application is lacking certain information that is necessary for your plans to be reviewed and your project to proceed.

<u>Policy Considerations/Compliance</u>: Comments in this section indicate that there are conflicts or possible conflicts between your project and the County General Plan, County Code, and/or Design Criteria. We recommend that you address these issues with the project planner and the reviewer before investing in revising your plans in any particular direction.

<u>Permit Conditions/Additional Information:</u> These comments are for your information. No action is required at this time. You may contact the project planner or the reviewer for clarification if needed.

# Accessibility Review

Routing No: 1 | Review Date: 08/15/2013

LAURA BRINSON (LBRINSON): Incomplete

### Completeness

Show the connection from the public sidewalk to the entries of the building. CBC 1127B Indicate walkway elevations and adjacent parking lot/driveway elevations. Curbs, barriers or detectable warnings are required to separate paths of travel with vehicular ways. CBC 1133B.8.5 Compliance

California Plumbing Code, Section 412, requires minimum plumbing fixtures to be provided in the numbers listed in Table 4-1, using Table A for determining occupant loads. For this project, the staff restrooms appear to comply with minimum fixtures. However the number required for office and public use buildings is 1 water closet, 1 urinal and 1 lavy for males, and 3 water closets and 1 lavy for females.

#### **Building Permit Considerations**

Current CA codes are the 2010 series. January 1, 2014 is the effective date for 2013 CA codes. Building permit applications made on and after January 1, 2014 are subject to the new codes. Include details for accessible parking

Provide complete details and specifications for restroom access.

Provide service counters that are lowered for wheelchair users. CBC 1122B

Provide accessible employee work areas for aisle widths in the exam rooms . CBC 1133B.6

If you have any questions regarding these comments, please contact Laura Brinson at 831-454-3151 or email laura.brinson@co.santa-cruz.ca.us.

Routing No: 2 | Review Date: 09/12/2013

LAURA BRINSON (LBRINSON): Complete

Print Date: 09/13/2013

Page: 1 CYLINIT

# **Drainage Review**

Routing No: 1 | Review Date: 08/21/2013 TRAVIS RIEBER (TRIEBER): Complete

#### Completeness Comments:

Application Complete? X Yes No

- 1. The review fee deposit for this project should have been \$1290 for a commercial project proposing greater than 2000 sq ft of impervious area. Please deposit an additional \$655 to supplement the original deposit amount of \$635.
- 2. The civil plans dated 7/30/2013 have been received and are approved for the planning application stage. Please see the permit conditions below for additional information to be provided at the building application stage.

#### Policy Considerations and Compliance Issues:

#### Permit Conditions and Additional Information:

- 1. Please provide a cross section construction detail of the proposed pervious pavers and proposed under drain.
- 2. Please verify the condition of the existing silt and grease trap onsite. Propose any needed repairs or maintenance.
- 3. All catch basins shall be marked with the legend "NO DUMPING DRAINS TO OCEAN. NO TIRE DESECHO CORRE AL MAR."

Note: A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing (50% for gravel, base rock, paver blocks, pervious pavement) to offset costs and encourage more extensive use of these materials.

Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:

- 1. The civil engineer must inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.
- 2. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built

Print Date: 09/13/2013



### County of Santa Cruz, PLANNING DEPARTMENT

# Discretionary Application Comments 131219 APN 025-161-14

## Drainage Review

Routing No: 1 | Review Date: 08/21/2013 TRAVIS RIEBER (TRIEBER) Complete

stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.

3. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone number. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold, if the submittal is satisfactory.

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

#### Fire Review

Routing No: 1 | Review Date: 08/15/2013 KAREN MILLER (KMILLER): Complete

Date:

August 9, 2013

To:

Dientes Community Dental Clinic c/o Mark Riley

Applicant:

**David Marks** 

From:

Jim Dias

Subject: Discretionary Application 131219

Address 1830 Commercial Way Santa Cruz CA 95060

APN:

025-161-14

OCC:

0530

Permit:

We have reviewed plans for the above subject project and District requirements appear to have been met.

Please ensure designer/architect reflects equivalent notes and requirements on velums as appropriate when submitting for Application for Building Permit.

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Print Date: 09/13/2013

#### Fire Review

Routing No: 1 | Review Date: 08/15/2013 KAREN MILLER (KMILLER) : Complete

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2010) as amended by the Central Fire Protection District.

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

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

NOTE on the plans whether the building will be protected by an automatic fire sprinkler system. System shall be designed to NFPA 13 for a light hazard occupancy.

The FIRE FLOW requirement for the subject property is 1500 gallons per minute.

NOTE, on the plans, the required FIRE FLOW and the available FIRE FLOW. This information can be obtained from the water company upon request.

SHOW on the plans a public fire hydrant meeting the minimum required fire flow for the building, within 150 feet of any portion of the building.

NOTE ON PLANS: New/upgraded hydrants, water storage tanks, and/or upgraded roadways shall be installed PRIOR to and during time of construction (CFC 901.3).

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

NOTE on the plans that the designer/installer shall submit three (3) sets of plans and one (1) set of calculations for the automatic sprinkler system to this agency for approval prior to installation. Installation shall follow our guide sheet.

NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. NOTE that the WORKING DRAWINGS shall comply with the District UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT and NFPA 24. Designer/Installer shall submit three (3) sets of plans and cut sheets to this agency for approval prior to installation.

NOTE on the plans requirements for other fire extinguishing systems (range hoods, spray booths, etc.).

SHOW location of fire extinguishers.

SHOW Occupant Load(s) and an Exiting Plan.

SHOW location of exit signs.

SHOW where address numbers will be posted and maintained, plainly visible from the street. Numbers shall be a minimum of six (6) inches in height and of a color contrasting to their background.

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SHOW location of Knox Box and key.

Print Date: 09/13/2013



### County of Santa Cruz, PLANNING DEPARTMENT

# **Discretionary Application Comments** 131219 APN 025-161-14

#### Fire Review

Routing No: 1 | Review Date: 08/15/2013 KAREN MILLER (KMILLER): Complete

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

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

Submit a check in the amount of \$115.00 for this particular plan check, made payable to Central Fire Protection District. A \$50.00 Late Fee may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 722-2393, or email me at jimd@csgengr.com. All other questions may be directed to Fire Prevention at (831)479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.

Any beneficially interested party has the right to appeal the order served by the Fire Chief by filing a written "NOTICE OF APPEAL" with the office of the Fire Chief within ten days after service of such written order. The notice shall state the order appealed from, the identity and mailing address of the appellant, and the specific grounds upon which the appeal is taken.

# **Project Review**

Routing No: 1 | Review Date: 08/23/2013 ANNETTE OLSON (AOLSON) : Incomplete

See accessibility comments.

Routing No: 2 | Review Date: 09/06/2013 ANNETTE OLSON (AOLSON) : Complete

Print Date: 09/13/2013



July 31, 2013

Re: Dientes Community Dental

1830 Commercial Way Santa Cruz, CA. 95065

Subj: County of Santa Cruz

Commercial Development Permit Application

APN: 025-161-14

# **Program Statement**

#### I. Back Round

Dientes was started in 1992 by a few local private dentists who wanted to provide care for the burgeoning HIV infected population who had no other place to go. Prior to consolidating their services in 2003 at the building on Commercial Way, Dientes had a five-chair clinic on Mission Street in Santa Cruz, a part-time clinic at Allianza School in Watsonville, and offered care one day per week at a private office in Ben Lomond. In there first full year at there current location, they provided approximately 9,000 dental visits. Partly due to a building expansion in 2007 and moving to electronic health records in 2008, they are now operating at full capacity providing 20,000 annual visits. In recent years Dientes has initiated several new programs to further serve our community, including the Outreach and Dental Affinity Programs. Dientes also substantially strengthened their children's program, increasing its capacity and scope to serve twice as many children.

#### **Current Operations**

Dientes mission is to create lasting oral health for the under-served children and adults in Santa Cruz County and neighboring communities. Dientes ten-chair facility is open six days a week and provides comprehensive dental care to adults and children representing the neediest population in the county; there services include oral health education, hygiene, general dentistry, endodontics, periodontics and pediatric dentistry. They are one of only two providers in the county providing sliding scale fees for low-income people, as well as the only federally qualified health center (FQHC) look-alike dedicated purely to dentistry. Their bilingual, bi-cultural clinic is conveniently located in mid-county directly on the public bus line, providing easy access. Dientes focus on offering the highest quality facility and care; more than 90% of patients consistently rate their experience as Good/Excellent in our quarterly satisfaction surveys.

#### **Our Patients**

In there most recent fiscal year (11-12) they provided 19,800 visits to 7,300 individuals. There primary patient population includes uninsured and publicly insured families, the elderly, the physically and/or developmentally disabled, the homeless, pregnant women and new parents, farm workers and their families, and HIV positive individuals. Approximately 96% of patients are Santa Cruz County residents: 25% of them from South County. 32% of our clients this year lacked any form of dental insurance including public insurance/Medi-Cal (7,600 visits). We are one of very few dental providers in the county serving Medi-Cal and Healthy Kids beneficiaries; they provided 10,400 of these visits last year. 96% of there patients last year were living at or below the Federal Poverty Level.

Dientes also serve a large number of disabled adults and children. They have taken many measures to make there facility completely accessible and welcoming to those with disabilities, including procuring equipment that make positioning easy for every patient and allows ample access for wheelchair patients. In many cases, patients can be treated directly in wheelchairs.

### II: Purpose of Proposed Facility

Dientes Community Dental Care is renovating and expanding it's existing facility located at 1830 Commercial Way in Santa Cruz, CA. To increase access to dental care throughout the Santa Cruz community and increase its patient care services, Dientes proposes adding clinical and administration spaces to its existing owned facility as follows:

- A. Demolition of the existing Circa 1937, +/- 900 square foot administration building and associated utilities including hazardous material, foundations, structure, etc.
- B: Design and construction of a new Single -story 3,100 square foot addition added to the south side of the existing dental office. The preliminary design depicts a first floor area and will house a clinical children's Pediatric wing along with Administration offices. This expansion will allow Dientes to offer more specialized services, enabling children and adults with complex needs to receive this in their regular dental home.
- C: Site work improvements to accommodate new building expansion and existing building configuration to meet current building code requirements. Increased parking for staff and patients along with creating a safe and navigable parking circulation.

These additions will have little if any impact to the adjacent neighbors. The North elevation bordering the Mobil home park will have no windows creating a similar feel as the existing building. The overall facility will be updated creating a more aesthetically appealing building from both the street views and within the property.

The hours of operation for the facility will remain unchanged as follow: 8:30-12:30 and 1:30-4:30 M-F, Sat 8-2