



Staff Report to the Zoning Administrator

Application Number: **141069**

Applicant: Steven Graves
Owner: Tushar Atre
APN: 028-304-72

Agenda Date: November 21, 2014
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to demolish an existing 1,928 square foot, one-story fire damaged single-family dwelling with an attached 246 square foot one-car garage, and to construct a 3,753 square foot, two-story single-family dwelling with an attached 445 square foot two-car garage and a 255 square foot one-car garage. Requires a Coastal Development Permit, a Variance to increase the maximum driveway area within the front yard from 50% to around 75% and Exceptions to the Pleasure Point Combining District standards to allow for an increase in the combined width of the garage doors facing the street from 50% to around 55% of the street facing façade and for an increased height within the required second story setback from 15 feet to 17 feet 3 inches for the proposed handrail at the first story rooftop decks, in the R-1-5-PP zone district.

Location: Property located on the south side of South Palisades Avenue (2866 South Palisades Avenue) at about 200 feet southeast of the intersection with East Cliff Drive.

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

Permits Required: Coastal Development Permit
Exception to the Pleasure Point Combining District Design Standards

Technical Reviews: Combined Soils and Geologic Report Review (REV131099)

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141069, based on the attached findings and conditions.

Exhibits

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| A. Categorical Exemption (CEQA determination) | E. Visual simulations |
| B. Findings | F. Assessor's, Location, Zoning and General Plan Maps |
| C. Conditions | G. Comments and correspondence |
| D. Project plans | |
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Parcel Information

Parcel Size: 14,905 square feet (gross)/10,385 square feet (net)
Existing Land Use - Parcel: Residential
Existing Land Use - Surrounding: Residential neighborhood
Project Access: South Palisades Avenue
Planning Area: Live Oak
Land Use Designation: R-UM/OR (Urban Medium Residential/Existing Parks and Recreation)
Zone District: R-1-5-PP/PR-PP (Single-family residential, 5,000 square feet)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm.: ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Located on a Coastal Bluff, Geologic Report Reviewed and accepted
Soils: Soils report reviewed and accepted
Fire Hazard: Not a mapped constraint
Slopes: The developable portion of the parcel is not sloped
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: Preliminary drainage plan approved by the Department of Public Works, Stormwater Division.
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

The existing one-story dwelling and a detached garage was constructed on the parcel in 1946. A one bedroom addition and extension to the living room was constructed in 1961, subject to Building Permit #10700 and later Coastal Development Permit 83-323-CZ was approved for the construction of a further addition and to remodel the dwelling, and this was constructed under Building Permit #74163 issued in 1983. These additions resulted in the one-story dwelling with an attached garage that currently exists on the parcel.

Several development applications have been filed on the parcel including an application in 1963 for a Variance (459-V), in 1982 for a Minor Land Division, Planned Development, Use Permit and Variance (82-240-MLD, 82-241-PD, 82-242-U and 82-243-V) and in 1982 for a second

story addition (82-977-ZA). However all of these applications were denied, withdrawn or went void. In addition, several Development Permits and Grading Permits have been issued on this parcel for the placing of rip-rap and for the construction of seawalls to protect the property from coastal erosion processes.

Permits for coastal protection structures include Planned Development Permits 74-132-PD and 78-1559-PD for the installation of rip rap and Grading Permits #0895 and #1547 for the placement of rip rap. More recently, in 1999, Coastal Development Permit and Grading Permit 99-0463 was approved to recognize work that was done under an Emergency Coastal Permit issued in November 1999, for the construction of 46 linear feet of seawall with a height of 18 feet, to relocate a portion of an existing rip rap protection structure and to construct a 2 foot buttress wall at the base of the rip rap. A further Emergency Coastal Permit, 06-0690, was issued on December 7, 2006, to repair the existing shotcrete seawall, to restack 12 linear feet of the rip rap and also to install sheeting for erosion control. Preliminary Grading Permit 07-0713 was then approved for the restacking of the rip rap and to establish a maintenance period for the existing rip rap and bluff armoring as well as to extend and maintain the existing seawall. Coastal Permit 3-07-047 was also issued by the California Coastal Commission on August 7, 2008 for this work and later extended for one year by Permit 3-07-047-E1.

Following the approval of these permits the rip rap was restacked and construction of the wall repair and extension commenced. However, initially no Building Permit or Grading Permit was obtained for the work. As a result a Stop Work order was issued and the property was red-tagged. In 2013 Building Permit B-132164 and Grading Permit B-134366 were issued to recognize the work and the code violation was resolved. Additional red tags that were issued for further unpermitted work, including electrical upgrades at the dwelling and the construction of a tepee, have also now been resolved. Later, the dwelling was badly damaged by an electrical fire and since that time the property has been vacant.

Project Setting

The property is located on South Palisades Avenue, a narrow road that was originally laid out as an alleyway to serve the rear of parcels located to the south and west that fronted onto the former East Cliff Drive and also to the north and east, fronting onto Chesterfield Drive. However, coastal erosion processes along this stretch of coastline has meant that the right-of-way for East Cliff Drive has long been abandoned so that South Palisades is now the only means of access to those parcels, including the subject parcel, that are now located on the coastal bluff.

Although, newer homes, including the homes on adjacent parcels, have been designed to meet current setback requirements, many of the homes along the street or their detached garages, have been developed so that there is no, or only a minimal setback to the edge of the right-of-way. Therefore the street feels narrow and constricted, especially when vehicles park along the roadway. In addition, because there are very few front yard areas abutting the street there is only very limited landscaping to break up and soften the built environment. The styles and types of housing along the street are also very eclectic with newer structures interspersed with the original older dwellings and with a range of architectural styles. The structures along the street include single story cottages or accessory dwellings, attached and detached garages, two story homes and also, opposite the subject parcel, an apartment building that is constructed over an open carport.

Coastal bluff /Geologic Hazards

The subject parcel borders the Pacific Ocean and is located along a coastal bluff that consists of a lower and an upper terrace. The lower terrace consists of an elevated bedrock platform while the upper terrace is set back from the edge of the bedrock and is comprised of marine deposits that are more easily eroded. Therefore revetment and seawall structures have been constructed at the site to protect the upper marine terrace. A concrete seawall constructed in 1959, approximately 10 feet in height extends into the property from the neighboring parcel to the northwest. In addition there is a shotcrete seawall with tie-backs, constructed in 2001, that is approximately 16 feet in height and 40 lineal feet in length. Both seawalls are founded on the bedrock terrace below. These two seawalls, which were separated by a gap of around 20 feet, have now been connected by a new section of wall as approved by Coastal Development Permit 3-07-047 issued by the California Coastal Commission. In addition rip rap has been restacked to protect the seawalls.

Prior to making an application for this project an application was submitted for a Geologic Hazards Assessment. As a result of that review the County Geologist required that the applicant submit a Geologic Report to determine the 100 year geologic setback for the site and also information to show that the proposed replacement dwelling will comply with all FEMA requirements. As a result, a Geologic Report, prepared by Craig S. Harwood and a Wave Run-up Analysis, prepared by Bauldry Engineering, were submitted for review. In addition, a Geotechnical Report prepared by Dees and Associates was submitted.

The Geologic Report and Wave Run-Up Analysis are both based upon the assumption that the existing seawalls at the property will be retained and that ongoing maintenance to the structures, as approved by Coastal Development Permits 3-07-047 and 3-07-047-E1, will occur. The Coastal Commission has reviewed the plans and supporting information submitted in support of this application for compliance with the approved Coastal Development Permits

The proposed dwelling has been designed in accordance with the recommendations of the Geologic Report and Chapter 16 of County Code, which requires a minimum 25 foot setback from the existing coastal bluff/seawall. In addition, based upon the recommendations of the Wave Run-Up Report, the structure is be elevated so that the finished floor level will be a minimum of one foot above the base flood elevation, which accounts for potential increase in sea level, and will therefore be raised 2 feet 4 inches above the existing grade level at the site. The design of the structure also includes breakaway vents to allow for the flow of seawater in the event that a flood should occur.

Zoning & General Plan Consistency

The subject property is a parcel with a net developable area of approximately 10,385 square feet that is located in the R-1-5-PP/PR-PP (Single-family residential, 5,000 square feet) zone district, a designation that allows residential uses. The proposed Single-family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UM) Urban Medium Residential General Plan Designation. A portion of the parcel that is south and east of a line that corresponds with the original front property line onto East Cliff Drive, is within the PR (Parks and Recreation) zone district and has a General Plan Designation of (OR) (Existing Parks and Recreation), however the proposed dwelling will be located outside of this area.

The Pleasure Point Community Design Combining District is an overlay or combining district that provides site and development standards that are in addition to those imposed by the site's R-1-5 zoning. These include increased setback requirements at the second floor to reduce the visual and shading impacts of new and expanded houses on neighboring parcels and homes, and additional restrictions on garage doors and driveways to reduce the impact of automobile-oriented features on residential building facades. In addition, the Pleasure Point Community Design Combining District encourages community interaction and orientation towards the street by providing incentives, such as reduced setbacks and an exemption from lot coverage calculations, for the provision of front porches.

As set out in County Code section 13.10.446(A); "Residential Development Standards in the Pleasure Point Community Design PP Combining District", on lots that are over 35 feet in width such as the subject parcel, a 10 foot side yard setback is required to any portion of the structure that exceeds 15 feet in height. In addition, as set out in 13.10.446(B), garage doors shall not protrude beyond the rest of the façade and the combined width of garage doors is restricted to a maximum 50% of the width of the building façade facing the street.

The proposed dwelling has been designed to meet the all of the setbacks, lot coverage, floor area ratio and height standards of the R-1-5 zone district and the additional side yard setback requirements to the second floor of the structure as required within the Pleasure Point Community Design Combining District as follows:

	Required Standard	Proposed
Front Yard	20 feet Min.	20 feet
Side Yards (lot < 60 feet wide)	5 feet (both sides)	5 feet (both sides)
Second Floor Side Yard (PP)	10 feet Min. (both sides)	10 feet (both sides)
Rear Yard	15 Min. feet	25 feet
Lot Coverage	40% Max.	31%
Floor Area Ratio (FAR)	50% Max.	49%
Height	28 feet Max.	28 feet

However the design submitted does not comply with the following standards:

Parking/driveways in front yard	Maximum 50% of setback area	75%
Height in Second Floor Side Yard	15 feet Max.	17 feet 3 inches
Garage door width facing the street	Max. 50% of building facade	55% of building façade

As shown in the first row of the above table, the design submitted requires that the area that is used for parking and driveways exceeds the maximum 50% that is allowed within the required front yard setback. Because of the narrow frontage of the pie-shaped parcel and because the dwelling includes two separate garages to ensure that there is sufficient covered and uncovered parking to accommodate both residents and guests, the driveway access to these garages necessarily takes up more than half of the required front yard area. It should be noted however, that the 75% shown in the table above includes all paving within the setback area over which a car could feasibly travel since there is no clear delineation of driveways from pedestrian walkways. However, if only the areas that directly lead to the garage doors from the street are included, this figure would drop to be around 65%. In order to allow for the increased driveway area within the required front yard setback a Variance is required. Variance findings are included with this report.

In addition, as shown in the two final rows of the table, the structure will require the approval of two Exceptions to the development standards for the Pleasure Point Combining District, one to allow the combined width of the garage doors to exceed 50% of the width of the street-facing façade, and one to exceed the 15 foot maximum height limit for portions of a structure that are located within the increased 10 foot side setback area.

As set out above, the proposed design includes two separate garages for the structure. These garages do not protrude beyond the façade of the building but, because of the pie-shaped lot and resulting narrow frontage of the proposed dwelling, the combined width of the two doors exceeds 50% of the width of the dwelling where it faces the street. Therefore an Exception to the Pleasure Point Community Design standards has been requested to recognize garage doors that have a total combined width of around 55% of the width of the street facing façade.

As set out in County Code section 13.10.446(A)(1)(e), decks and walkways are allowed on the roof of one story portions of the structure that are within the increased second floor setback area subject to a provision that the railing does not exceed 15 feet in height unless an Exception to the Pleasure Point standards can be approved. As proposed, the handrail at proposed decks within the second floor setback will exceed the 15 foot height limit by 2 feet 3 inches. The increase in height is the result of the Wave Run-Up Analysis for the project, which requires that the entire structure be raised 2 feet 4 inches above the existing grade level at the site to comply with FEMA regulations. Therefore, although the height of the first story walls will conform to the maximum 15 foot height limit, the required safety railing will exceed the maximum 15 foot height limit. To mitigate any concerns that these railings will shade the adjacent structures, the area between the top of the walls and the handrail will be see-through. To allow for this increased height for the handrail an Exception to the Pleasure Point Community Design standards has been requested to increase the height within the 10 foot side setback by around 2 feet 3 inches. Shadow Plans submitted in support of this application demonstrate that the proposed structure will not deprive the adjacent structures of light.

Exception Findings are included with this report.

Local Coastal Program Consistency

The proposed Single-family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain both single-family and multi-family dwellings and the size and architectural styles vary widely. The design submitted is consistent with the existing range of styles. The neighborhood contains many two-story homes that exhibit many different architectural styles as well as exterior materials and colors and also have either pitched or flat roofs.

Although the project site is located between the shoreline and the first public road, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water in that there is no public access to the beach that crosses the site. Currently there are no views of the ocean across the parcel due to the location of the existing structure that is set close to the road and has fences on either side that obstruct ocean views. However, the proposed dwelling includes an open breezeway at the lower floor that will open up views to the ocean from South Palisades Avenue that are not currently available. No fencing is proposed within the front yard

that will obstruct this newly opened vista. The site is not identified as a priority acquisition site in the County's Local Coastal Program.

Design Review

The proposed Single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as increased side setbacks to the second floor, an open breezeway through the center of the structure to allow for ocean views from South Palisades Avenue and new tree planting and landscaping to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. In addition, to address concerns voiced by the neighbor to the east of the proposed dwelling, the one-story section of the dwelling that extends towards the coastal bluff along the eastern property boundary includes a reduced ceiling height and a glass railing with no parapet wall which will reduce the impact of that portion of the structure in views from the neighboring property and also in views looking west along the coastline from the public beach overlook located at the end of Rockview Drive. The rear of the proposed dwelling will be in-line with other dwellings located both to the east and northwest of the subject parcel along South palisades Avenue and therefore will not be visually prominent in views along the coast from either the Rockview Drive or from the Moran Lake beach to the northwest.

Environmental Review

Environmental Review has not been required for the proposed project since, as proposed, the project qualifies for an exemption under the California Environmental Quality Act (CEQA) consistent with the CEQA guidelines in Section 3, New Construction or Conversion of Small Structures (15303). This is because the proposed replacement dwelling is will be constructed within an area designated for residential uses and will conform to all of the required site and development standards for the zone district with the approval of a Variance to allow for an increase in the allowed parking and driveway area within the required front yard from 50% to around 75% and Exceptions to the Pleasure Point Combining District standards to allow for an increase in the combined width of the garage doors facing the street from 50% to around 55% of the street facing façade and for an increased height within the required second story setback from 15 feet to 17 feet 3 inches for the proposed handrail at the first story rooftop decks.

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 141069, based on the attached findings and conditions.

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

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

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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: 141069
Assessor Parcel Number: 028-304-72
Project Location: 2866 South Palisades Avenue

Project Description: Proposal to replace an existing fire damaged single-family dwelling and attached garage with a replacement single-family dwelling with attached garages.

Person or Agency Proposing Project: Steven Graves

Contact Phone Number: (831) 661 5451

- 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).
E. ☒ **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Replacing a fire damaged single-family dwelling with a replacement single-family dwelling in an area that is zoned for residential uses.

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

Lezanne Jeffs, Project Planner

Date: _____

Coastal Development Permit Findings

- 1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.**

This finding can be made, in that the property is zoned R-1-5-PP/PR-PP (Single-family residential, 5,000 square feet – Pleasure Point Combining District), a designation which allows residential uses. The proposed Single-family dwelling is a principal permitted use within the zone district that will be located entirely within that portion of the parcel which has a residential zoning, and the zoning is consistent with the site's (R-UM/OR) Urban Medium Residential/ Existing Parks and Recreation General Plan designation.

- 2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.**

This finding can be made, in that no such easements or restrictions are known to encumber the project site.

- 3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.**

The proposed Single-family dwelling is consistent with the surrounding neighborhood in terms of architectural style and will incorporate site and architectural design features such as increased side setbacks to the second floor, an open breezeway through the center of the structure to allow for ocean views from South Palisades Avenue and new tree planting and landscaping to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site.

Currently there are no views of the ocean across the parcel due to the location of the existing structure that is set close to the road and has fences either side that obstruct ocean views. The proposed dwelling will improve the character of the street in that the proposed breezeway will open up views to the ocean from South Palisades Avenue that are not currently available. No fencing is proposed within the front yard that will obstruct this newly opened vista. Further, new landscaping will soften and improve views along the South Palisades Avenue, a street that currently has very few trees.

The rear of the proposed dwelling will be in-line with other dwellings located both to the east and northwest of the subject parcel along South palisades Avenue and therefore will not be visually prominent in views along the coast from either the Rockview Drive overlook or from the Moran Lake beach to the northwest.

Therefore this finding can be made.

- 4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.**

This finding can be made in that, although the project site is located between the shoreline and the first public road, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water. There is currently no public access to the beach that crosses the site and therefore the proposed project will not block any pathway to the ocean or beach. Additionally, there are existing public beach access points that are located approximately 300 feet east of the site and 750 feet west of the site, that will not be affected by the proposed development. Further, the proposed project will result in the availability of newly opened up views of the ocean from South Palisades Avenue that are not currently available. The proposed dwelling has been sited so that the rear of the dwelling is in-line with houses sited on lots to the northwest and east along South Palisades Drive and therefore the structure will not be visually prominent in views from the public beach or the overlook at the end of Rockview Drive. Where a one-story section of the structure does extend southwards towards the bluff, this portion has been redesigned following discussions with neighbors to the east. Ceiling heights have been lowered to reduce the scale of the structure and the proposed deck rail has been modified so as to be glass. Therefore this will further reduce the scale of the building so that there will be no significant visual impacts from the proposed dwelling.

The project site is not identified as a priority acquisition site in the County Local Coastal Program.

- 5. That the proposed development is in conformity with the certified local coastal program.**

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-5-PP/PR-PP (Single-family residential, 5,000 square feet) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles.

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.**

The proposed project is located within the R-1-5-PP (Single-family residential, 5,000 square feet – Pleasure Point Community Design combining District) zone district, a designation that allows for residential uses when combined with a residential General Plan designation. The proposed replacement single-family dwelling constitutes a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UM) Urban Medium Residential General Plan designation. Driveways and parking areas located within the front yard setback area are consistent with the allowed uses on other properties in the vicinity and under identical zoning classification.

The dwelling is located on south Palisades Avenue, a narrow road that was originally laid out as an alleyway to serve the rear of parcels located to the south and west that fronted onto the former East Cliff Drive that ran along the coastal bluff. However, due to coastal erosion processes along this stretch of coastline the right-of-way for East Cliff Drive has long been abandoned so that South Palisades is now the only means of access to those parcels, including the subject parcel. Because South Palisades Avenue was laid out as an alleyway it is very narrow and does not easily accommodate on-street parking. Therefore, it is of particular importance that, wherever possible, new homes on South Palisades Avenue include additional parking over the requirements as set out in County Code so as to accommodate any guest parking that would normally park along the street. Further, the subject parcel is located at a point where South Palisades Avenue turns to follow the coast and because of that the lot has a considerably narrower frontage onto the street than the adjacent parcels.

Because of the lack of available on-street parking it is appropriate that the proposed design includes for the inclusion of both a one-car and a two-car garage for the dwelling. However, because of the narrow street frontage of the parcel the required driveway accesses to these two garages will exceed the maximum 50% of the required front yard area and therefore a Variance is required to allow for paved area that will be around 75% of the total front yard area. However, it should be noted that if paved areas that do not directly lead to the garage are excluded, this figure would drop to be around 65%. It should also be noted that, if only a two-car garage were included, a Variance would still be required to allow for a driveway area of around 51% because of the reduced front yard area created by the narrow frontage.

Therefore the provision of driveways and parking areas within the front yard setback that exceed the maximum 50% allowed is consistent with other property in the vicinity and under identical zoning classification and this finding can be made.

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 a single-family dwelling is an allowed use within the R-1-5-PP zone district. The Variance will allow for sufficient covered and uncovered parking area on the parcel to accommodate both the occupants of the dwelling and guests which is desirable due to the lack of street parking along South Palisades Avenue. In addition, the proposed dwelling will meet the required 20 foot setback for the zone district and includes new landscaped areas and tree planting adjacent to the street. This constitutes an improvement on the existing situation that includes a nonconforming garage is located within the setback area and where the remaining visible portion of the front yard is mostly paved with no trees. Therefore, the proposed project will not be detrimental to public health or injurious to property or improvements in the vicinity as it will improve the existing situation by reducing the need for on-street parking, setting structures back away from the travelled roadway and adding landscaping and new trees to improve the streetscape.

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.**

The granting of a Variance to allow for an increase in the maximum allowed area of the front yard setback that may be allowed for driveways and parking does not constitute a grant of special privilege in that the subject parcel is located at a point where the road turns and therefore has a narrow frontage and as a result, a significantly reduced front yard area, a situation that does not exist on adjacent parcels.

This finding can therefore be made.

Exception Findings

Exceptions to the Pleasure Point residential development standards may be granted if the project is found to be consistent with the Pleasure Point Community Design “PP” Combining District purposes, found in SCCC 13.10.444, the Development Permit Findings found in SCCC 18.10.230(A), and **at least one** of the following additional findings:

- 1. There are special existing site or improvement characteristics or circumstances, including but not limited to the absence of adjacent residential parcels that could potentially be shaded by the proposed development, that appropriately excuses the proposed development from meeting one or more of the development standards; or**
- 2. The Pleasure Point Community Design “PP” Combining District purposes, found in SCCC 13.10.444, are better achieved by an alternative design; or**
- 3. The granting of an exception will result in a superior residential design that is consistent with the Pleasure Point Community Design “PP” Combining District purposes, found in SCCC 13.10.344.**

The proposed replacement dwelling meets all of the required site and structural standards for the R-1-5-PP zone district in which it is situated, except that the handrails at first-story rooftop decks exceed the 15 foot maximum height limit within the side yard and the combined width of the two garages exceeds 50% of the street facing façade.

Exception to allow for safety railings that exceed the 15 foot height limit within required side yard setbacks to the upper floor.

Setbacks in the R-1-5 zone district on lots that are less than 60 feet wide require minimum side yard setbacks of 5 feet. Within the Pleasure Point Combining District the design criteria set out in County Code section 13.10.446(A)(1)(b) require, in addition, that on lots where the site width exceeds 35 feet, a 10 foot setback is required to any portion of the structure that exceeds 15 feet in height. However, the roof of one story portions of the structure that are within the increased second floor setback area may be used for decks and walkways, as set out in section 13.10.446(A)(1)(e), subject to a provision that the railing does not exceed 15 feet in height.

The proposed structure has been designed so that the proposed second floor will be set back an additional 5 feet to meet the increased setback requirement and all walls within the increased setback area will be within the 15 foot height limit. However, as allowed in the Pleasure Point Combining District, some of the single-story portions of the proposed structure that are within the second floor setback area have been designed to be used as decks. As set out in the California Building Code, deck railings are required to have a minimum height of 42 inches. Because the roof level at the first floor has a height of 12 feet 8 inches, the combined height of the required safety railings and first floor walls will exceed the 15 foot height limit by 2 feet 3 inches and thereby increase the height of the structure within the required 10 foot setback to a total of 17 feet 3 inches.

The proposed project warrants the granting of an Exception to allow for a safety railing that exceeds the 15 foot height limit by 2 feet 3 inches, in that the proposed additional height is a result of the requirement of the submitted Wave Run-Up Analysis for the site, that requires that the entire structure be raised a minimum of 2 feet 4 inches above the existing grade to meet FEMA requirements. However, if the dwelling were to be constructed at grade it would conform to all aspects of the required standards. Further walls around first-story rooftop decks, will not exceed the 15 foot height limit and all of the proposed railings above this height will be see-through. In addition, to address concerns voiced by the neighbor to the east, the one-story section of the dwelling that extends southwards towards the coastal bluff along the eastern property boundary has been reduced in height, the parapet wall has been eliminated and the proposed railings will be a see-through material such as glass for their full height. This will reduce the impact of that portion of the structure in views from the neighboring property and also in views looking west along the coastline from the public beach overlook located at the end of Rockview Drive.

Shadow studies have been prepared to illustrate the impact of the proposed dwelling on neighboring properties. These studies (which does not include the reduced scale of the southernmost extension of the structure and are based upon a former design that included solid, full height parapet walls instead of see-through railings and also a walkway along the first-floor roof at the eastern elevation) illustrate that, the proposed structure will not deprive the adjacent homes of light, air or open space. Therefore, as designed, the proposed dwelling will be in conformance with the general intents and purposes of the Pleasure Point Community Design Combining District.

The findings for an Exception can therefore be made based upon the special circumstances that apply to this site.

Exception to allow for garage doors that have a combined width that exceeds 50% of the width of the street facing façade of the structure.

In order to reduce the impact of automobile-oriented features on residential building facades, the Pleasure Point Combining District the design criteria set out in County Code section 13.10.446(B)(2) provides additional restrictions on garage doors that face towards the street. These include a provision that garage doors must not protrude beyond the façade of the building and that the combined width of garage doors shall not exceed 50% of the street facing façade of the structure.

The dwelling is located on south Palisades Avenue, a narrow road that was originally laid out as an alleyway to serve the rear of parcels located to the south and west that fronted onto the former East Cliff Drive that ran along the coastal bluff. However, due to coastal erosion processes along this stretch of coastline the right-of-way for East Cliff Drive has long been abandoned so that South Palisades is now the only means of access to those parcels, including the subject parcel. Because South Palisades Avenue was laid out as an alleyway it is very narrow and does not easily accommodate on-street parking. Therefore, it is of particular importance that, wherever possible, new homes on South Palisades Avenue include additional parking over the requirements as set out in County Code so as to accommodate any guest parking that would normally park along the street. Further, the subject parcel is located at a point where South Palisades Avenue turns to follow the coast and because of that the lot has a considerably narrower frontage onto the street than the adjacent parcels.

Because of the lack of available on-street parking on South palisades Avenue it is appropriate that the proposed design includes for the inclusion of both a one-car and a two-car garage for the dwelling. However, because of the narrow street frontage and resulting narrow width of the proposed dwelling, the combined width of these two garage doors will exceed the maximum 50% of the required street facing façade of the structure. Therefore an Exception is required to allow for garage doors that together have an increased width to around 55% of the street facing façade of the building.

The findings for an Exception can therefore be made based upon the special circumstances that apply to this site.

This decision on an exception shall not establish a precedent for future applications.

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 residential uses and the portion of the site that is to be developed is not encumbered by physical constraints to development. 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. Further, the design of the proposed dwelling is based upon Geological and Geotechnical Reports and also a Wave Run-Up Analysis, each prepared by a licensed professional, to ensure that the proposed structure has been specifically designed for the coastal bluff location on which it is situated.

As illustrated by the submitted Shadow plans (which are based upon a former design that included solid, full height parapet walls instead of see-through railings and also does not include the reduced scale of the southernmost extension of the structure), the proposed single-family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that, with the approval of an Exception, the proposed addition will be in conformance with the general intents and purposes of the Pleasure Point Community Design Combining District. This combining zone provides site and development standards in addition to the setback requirements of the R-1-5 zone district, that are designed to further reduce the visual and shading impacts of new and expanded houses on neighboring parcels. Therefore the proposed addition will not deprive neighboring parcels of these amenities. Exception Findings are included with this report.

- 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.**

The proposed location of the Single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-5-PP/PR-PP (Single-family residential, 5,000 square feet) zone district. The primary use of the property will be one Single-family dwelling that, with the approval of a Variance to allow for an increase in the allowed parking and driveway area within the required front yard from 50% to around 75% and Exceptions to the Pleasure Point Combining District standards to allow for an increase in the combined width of the garage doors facing the street from 50% to around 55% of the street facing façade and for an increased height within the required second story setback from 15 feet to 17 feet 3 inches for the proposed handrail at the first story rooftop decks, meets all current site standards for the zone district.

This finding can therefore be made.

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 residential use is consistent with the use and density requirements specified for the Urban Medium Residential/Existing Parks and Recreation (R-UM/OR) land use designation in the County General Plan.

The proposed Single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and with the approval of a Variance to allow for an increase in the allowed parking and driveway area within the required front yard from 50% to around 75% and Exceptions to the Pleasure Point Combining District standards to allow for an increase in the combined width of the garage doors facing the street from 50% to around 55% of the street facing façade and for an increased height within the required second story setback from 15 feet to 17 feet 3 inches for the proposed handrail at the first story rooftop decks, meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the Single-family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed replacement home will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that, with the Approval of a Variance to allow for an increase in the allowed parking and driveway area within the required front yard from 50% to around 75% and Exceptions to the Pleasure Point Combining District standards to allow for an increase in the combined width of the garage doors facing the street from 50% to around 55% of the street facing façade and for an increased height within the required second story setback from 15 feet to 17 feet 3 inches for the proposed handrail at the first story rooftop decks, the proposed Single-family dwelling will comply with the site standards for the R-1-5-PP/PR-PP zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized 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 Single-family dwelling is to be constructed on an existing developed lot and will replace the existing home that was destroyed by fire. The structure will be built to current building standards that ensure efficient use of energy and therefore the proposed dwelling will not overload utilities. Further, the expected level of traffic generated by the proposed project is not anticipated to be any greater than was generated by the previous structure while it was inhabited, and therefore the new home 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 proposed structure is located in a mixed neighborhood with many two-story homes that exhibit many different architectural styles as well as exterior materials and colors and that also have either pitched or flat roofs. The proposed Single-family dwelling 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 Single-family dwelling 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 proposed project will incorporate site and architectural design features such as increased side setbacks to the second floor, an open breezeway through the center of the structure that will allow for ocean views from South Palisades Avenue. In addition, new tree planting and landscaping within the front yard will reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The rear of the proposed dwelling will be in-line with other dwellings located both to the east and northwest of the subject parcel along South palisades Avenue and therefore will not be visually prominent or out of place in views along the coast from either the public viewpoint at the end of Rockview Drive or from the Moran Lake beach to the northwest.

Conditions of Approval

- Exhibit D: 9 sheets (A-1 through A-9, 3 sheets drawn April 2014, 6 sheets revised August 2014) and 2 sheets (L-1 and SH-1, dated June 2014 and August 2014), prepared by Patrick Powers Designs, and 4 sheets (Sheet 1 of 1, dated 1/24/07 and sheets 1-3 of 3, two as revised 5/17/14, one as revised 5/21/14) prepared by Robert L. DeWitt & Associates, Inc.
- Exhibit E: Revisions to the rear sitting area and bath at bedroom #1: Sheets A-4.1, A-5.1, A-6.1 and A-8.1, dated September 2014 prepared by Patrick Powers Designs.

- I. This permit authorizes the demolition of an existing 1,928 square foot, one-story fire damaged single-family dwelling with an attached 246 square foot one-car garage, and the construction of a 3,753 square foot, two-story single-family dwelling with an attached 445 square foot two-car garage and a 255 square foot one-car garage. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. 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.
 - D. If required for over-excavation and re-compaction, obtain a Grading Permit from the Santa Cruz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - F. 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 plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D", on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural

methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:

1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application.
 - i. Please provide three (3) additional copies of the colors and materials sheet mounted on an 8.5" X 11" sheet of card or paper (not foam core board).
 2. Grading, drainage, and erosion control plans.
 3. The building plans must include a surveyed roof plan based upon the surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet and within the 10 foot second story side setback the maximum approved height is 17 feet 3 inches.
 4. Details showing compliance with fire department requirements.
- 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 the Environmental Planning section of the Planning Department as follows:
1. Revise sheets A-1, P-1 and P-2 to correctly delineate the 25'/100-year coastal bluff setback and also revise the design of the proposed dwelling to eliminate any portion that lies within this designated area. Development, other than the at grade patio as shown on the approved plans, within the 25'/100-year coastal bluff setback is prohibited. If any portion of the proposed residence falls within the setback the structure will need to be re-designed to remove the encroachment.
 2. Note on the plans that the structure is required to be elevated at least one (1) foot above the base flood elevation, as required by County Code section 16.10.070(f). All plan sheets shall reference the base flood elevation of 31.2 feet (NAVD88 reference datum).

NOTE: FEMA is currently in the process of updating the flood maps for this area. Any building permit issued after the preliminary maps have been provided to the County will be required to be revised if the base flood elevation is increased.

In addition the flood hazard ordinance contained within Chapter 16 of County Code is currently also being revised. Any building permit applied for after the ordinance has been adopted will be required to be revised if requirements change.

3. Plans submitted for the building application shall be designed in conformance with all recommendations provided in the soils and geology reports, and Wave Run-Up Analysis and shall reference the reports. Please also submit the following:
 - a. Two copies of the soils report and any updates;
 - b. Two copies of the geology report and any updates;
 - c. Two copies of the wave run-up analysis and any updates;
 4. Plans submitted for the building application shall conform to ASCE 24-05.
 5. Plans submitted for the building application shall show flood vents to be located on all enclosed portions of the foundation of the structure.
 6. Plans submitted for the building application shall include a civil-engineered stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual. The Manual may be found on our website at sccoplanning.com by navigation to Environmental / Erosion and Stormwater Pollution Control / Construction Site Stormwater BMP Manual.
 7. Plans submitted for the building application shall include a drainage plan that complies with the requirements set forth in 2013 California Building Code (CBC) Section 1804.3 and the recommendations of the soils engineer.
- D. Prior to building permit approval the applicant shall submit:
1. A plan review form, based on final revised plans, signed and stamped by the soils engineer.
 2. A plan review form, based on final revised plans, signed and stamped by the project geologist.
 3. A copy of the recorded Declaration of Geologic Hazards.

- E. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management as follows:
 - i. Please make clear on the plans the limits of the proposed semi-pervious pavement and provide a cross section construction detail to facilitate proper construction by the contractor.
 - ii. Please revise the construction detail of the proposed gravel filled retention trench by moving the perforate sub-drain up in the trench to provide some area for percolation of runoff. If feasible it is recommended that the downspouts be directed to the gravel trench drain or landscaping prior to discharging to the ocean through the existing outfalls.
 - iii. The designer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The designer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient. An as-built plan may be submitted in lieu of the letter. Upon approval of the project a hold will be placed on the permit to be released once a satisfactory letter is received.
 - iv. A drainage fee will be assessed on the net increase in impervious area. The fees are currently \$1.14 per square foot, and are subject to increase based on the fee amount applicable at the time of permit issuance. Reduced fees (50%) are assessed for semi-pervious surfacing (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials.
 - F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - G. Pay the current fees for Parks and Child Care mitigation for one additional bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - H. Provide required off-street parking for a minimum of 3 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.
 - I. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of the approved reports:
 - 1. The applicant shall provide a completed Elevation Certificate, based on finished construction.
 - 2. The applicant shall provide final inspection forms from the geotechnical engineer, engineering geologist, and civil engineer.
 - 3. All construction shall be completed in compliance with all recommendations provided in the soils and geology reports.
 - 4. Project shall comply with the requirements set forth in the technical report acceptance letter prepared by Joe Hanna, County Geologist, dated 1/15/2014.
- 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. All proposed and future maintenance or work on the coastal protection structures at the property shall be made in accordance with approved Coastal Development Permit 3-07-047, as extended by 3-07-047-E1, issued by the California Coastal Commission. In addition, all work requires the issuance of a Grading Permit and/or Building Permit from the County of Santa Cruz. Any work that is not authorized under CDP 3-07-047 shall not be permitted.
- B. Rooftops at the second story shall not be used as deck area and no permanent ladder or other form of access is allowed.
- 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. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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

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

Application #: 141069
APN: 028-304-72
Owner: Tushar Atre

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Wanda Williams
Deputy Zoning Administrator

Lezanne Jeffs
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.

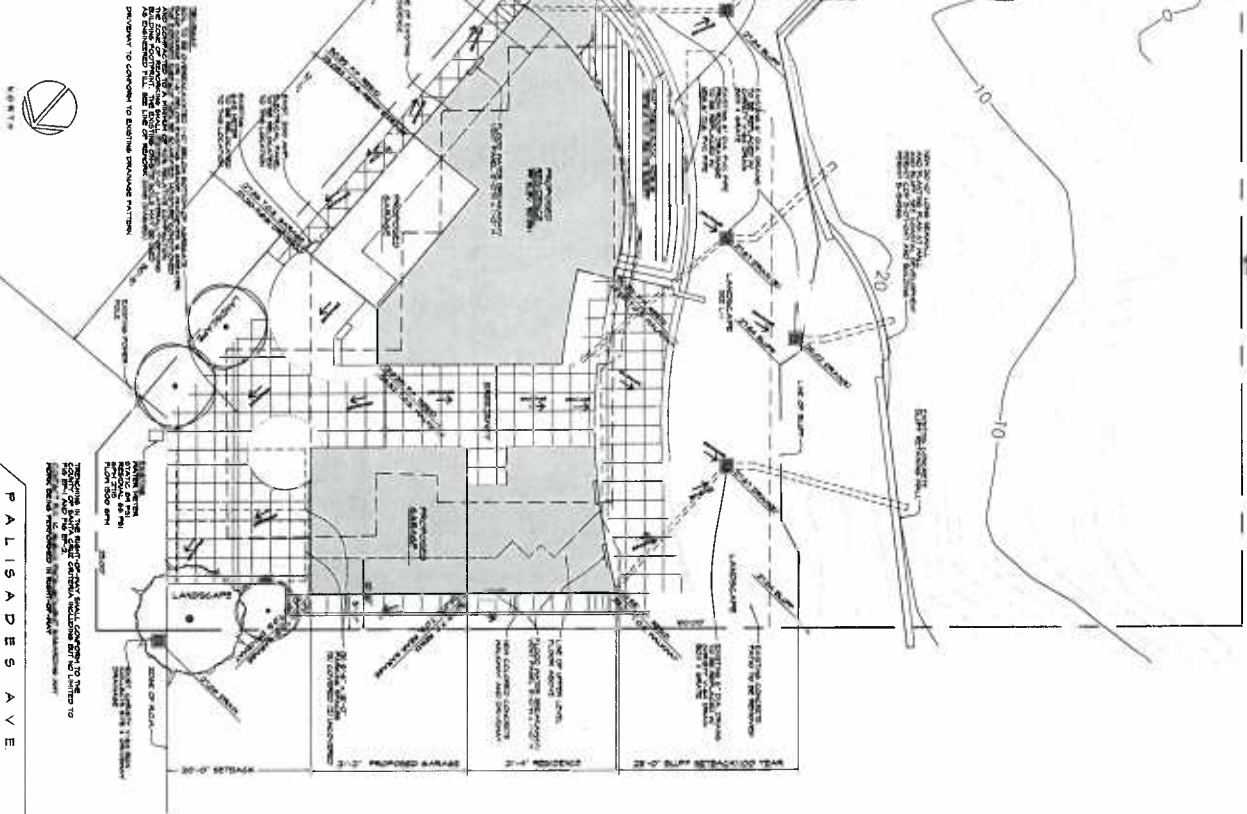
NO ONE CONSTRUCTION DESIGN, TEMPORARY OR PERMANENT ADDRESS NUMBERS SHALL

[illegible]

THE PROTECTION FOR THE SLOPES SHALL BE INSTALLED AS SOON AS PRACTICABLE, NOT LATER THAN OCT 5, ON BEFORE APRIL 15, UNLESS A WRITING AGREEMENT EXISTING IN CERTAINED TO OCCUR AFTER OCT 5 ON BEFORE APRIL 15, UNLESS A WRITING AGREEMENT EXISTING IN CERTAINED

- [illegible]

5



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

4

Zoning:
A.P.N. (BUILDING):

A.P.N. (BUILDING):	028-304-72
Zoning:	R-15
Occupancy:	R-3
Construction Type:	VB
Total Lot Size:	14,905.00 SQ.FT.

REPLACE 1430.00 SQ. FT FINE DAMAGED SHD IN NEW SP46.00 SQ. FT
AND TWO SLABS TOTAL 186.700.00 SQ. FT

REPLACE 143.00 SQ. FT. FINE DAMAGED BRD N NEW 3046.00 SQ. FT.
AND TWO GARAGE TOTALING 701.00 SQ. FT.

-BURN:	7,105.00	Sq. Ft.
Net:	0.124,00	Sq. Ft.

Existing Lot Coverage (Existing with garage)	1425.00 Sq. Ft.
First Floor Main Building Footprint	785.00 Sq. Ft.

Percent of Lot Coverage: $2642/8729 = 30\%$

Proposed Lot Coverage	1672.00 Sq. Ft.
First Floor Building Footprint:	
Breakroom	225.00 Sq.Ft.
Covered Porch:	43.00 Sq. Ft.

(P) Lot Coverage (Net area B.124 - 2112) = 6,007.00 Sq. Ft.
Percent of Lot Coverage: 71.77/73.73% (Risk 1) of Coverage

PAR Calculations:
Lot Size: 15,000 sq ft
Lot Area: 15,000 sq ft
Lot Coverage: 100%

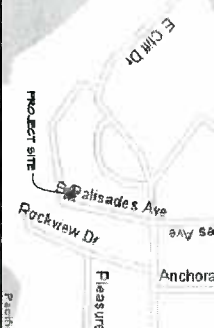
Existing "AR (Existing with garage)

First Floor Main Building Footprints	143,000 sq. ft.
Garage	286,000 sq. ft.
covered porch	437,000 sq. ft.
Total	3643,000 sq. ft.
(2) FAR Area (Net area 6,124-3,643)	= 2,501.00 sq. ft.
FAR Percent:	2642/6,124 = 30%

Covered Porch	42.00 Sq. Ft.
Covered Sitting Area	81.00 Sq. Ft.

Corresponding Credit	-250.00 Sq. Ft.
Storage	702.00 Sq. Ft.
Storage Credit	-235.00 Sq. Ft.
Total	458.00 Sq. Ft.
Net Area (Net area 8,724 - 4,580)	= 4,294.00 Sq. Ft.
Final Percentage:	4,294/8,724 = 49%

ag



A-1 **Title Sheet / Site Plan**

A-2	Existing Floor Plan
A-3	Existing Exterior Elevations
A-4	Proposed Main Level Plan
A-5	Proposed Upper Level Plan
A-6	Proposed Exterior Elevations
A-7	Proposed Exterior Elevations
A-8	Proposed Exterior Elevations
C-1	Survey
C-2	Exteriors & Existing Plan
C-3	Site Cross Sections
F-1	More Rump
	Landscape Plan

1. *Journal of the American Medical Association*, 2000; 284: 2689-2695.

TUSHAR ATRE

2866 SOUTH PALISADES
SANTA CRUZ, CALIFORNIA 95062
A.P.N. 028-304-72

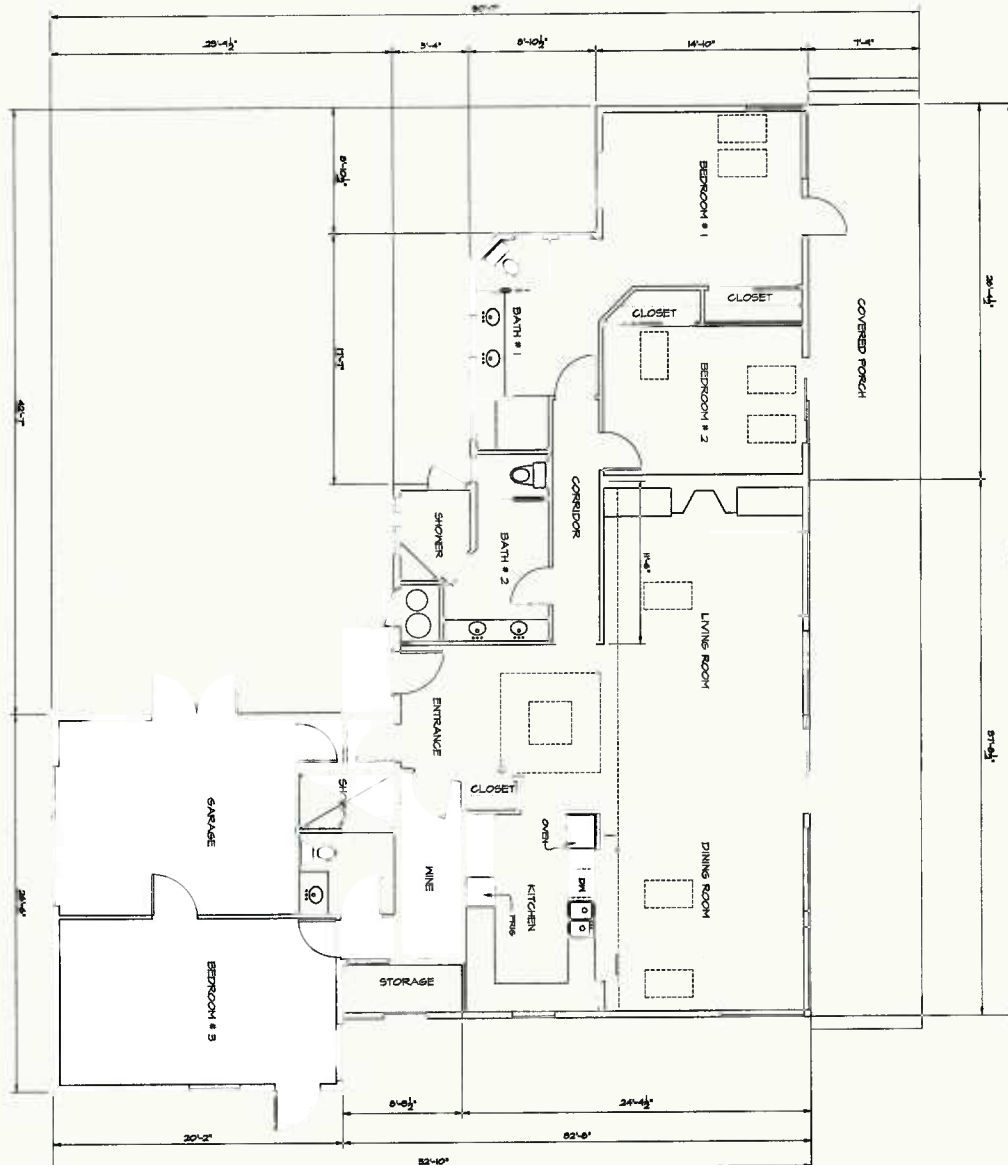
patrick pow
designs
residential
commercial
planning
110 ladera drive
san diego california 92106
(619) 484-4148

NOV 2014
OCTOBER 2014

TITLE SHEET & SITE PLAN

A-1

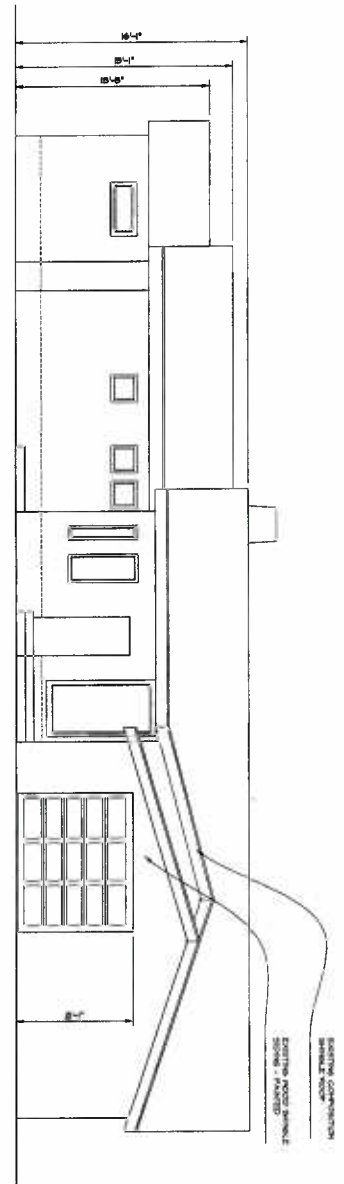
SCALE: 1/4" = 1'-0"
HABITABLE AREA: 1,426.00 SQ. FT.
GARAGE: 286.00 SQ. FT.



PROPOSED REPLACEMENT DWELLING FOR:
TUSHAR ATRE
2866 SOUTH PALISADES
SANTA CRUZ, CALIFORNIA 95062
A.P.N. 028-304-72

patrick powers
designs
residential
commercial improvements
planning
1101 adena drive
san diego california 92106
(619) 454-4148

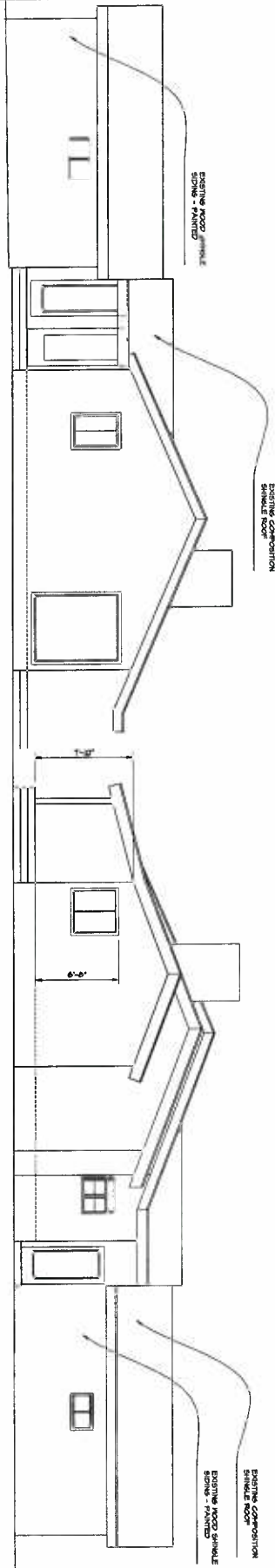
Revisions	
1	
2	
3	
4	
5	



NORTH ELEVATION

SCALE: 1/4" = 1'-0"

4



EXISTING EAST ELEVATION

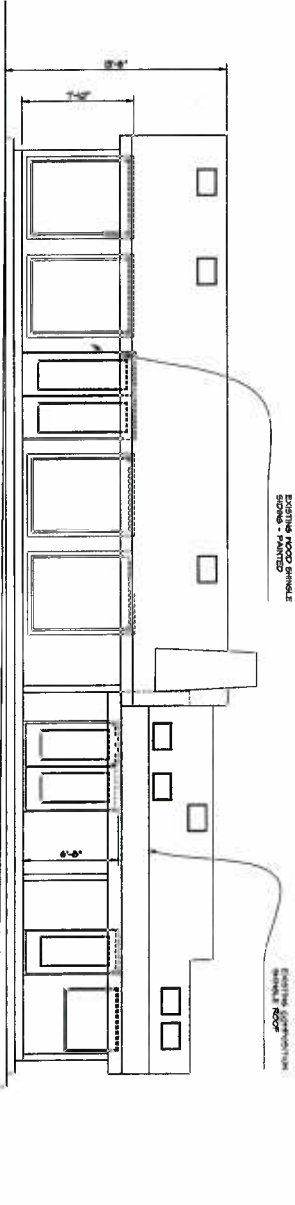
SCALE: 1/4" = 1'-0"

2

WEST ELEVATION

SCALE: 1/4" = 1'-0"

3

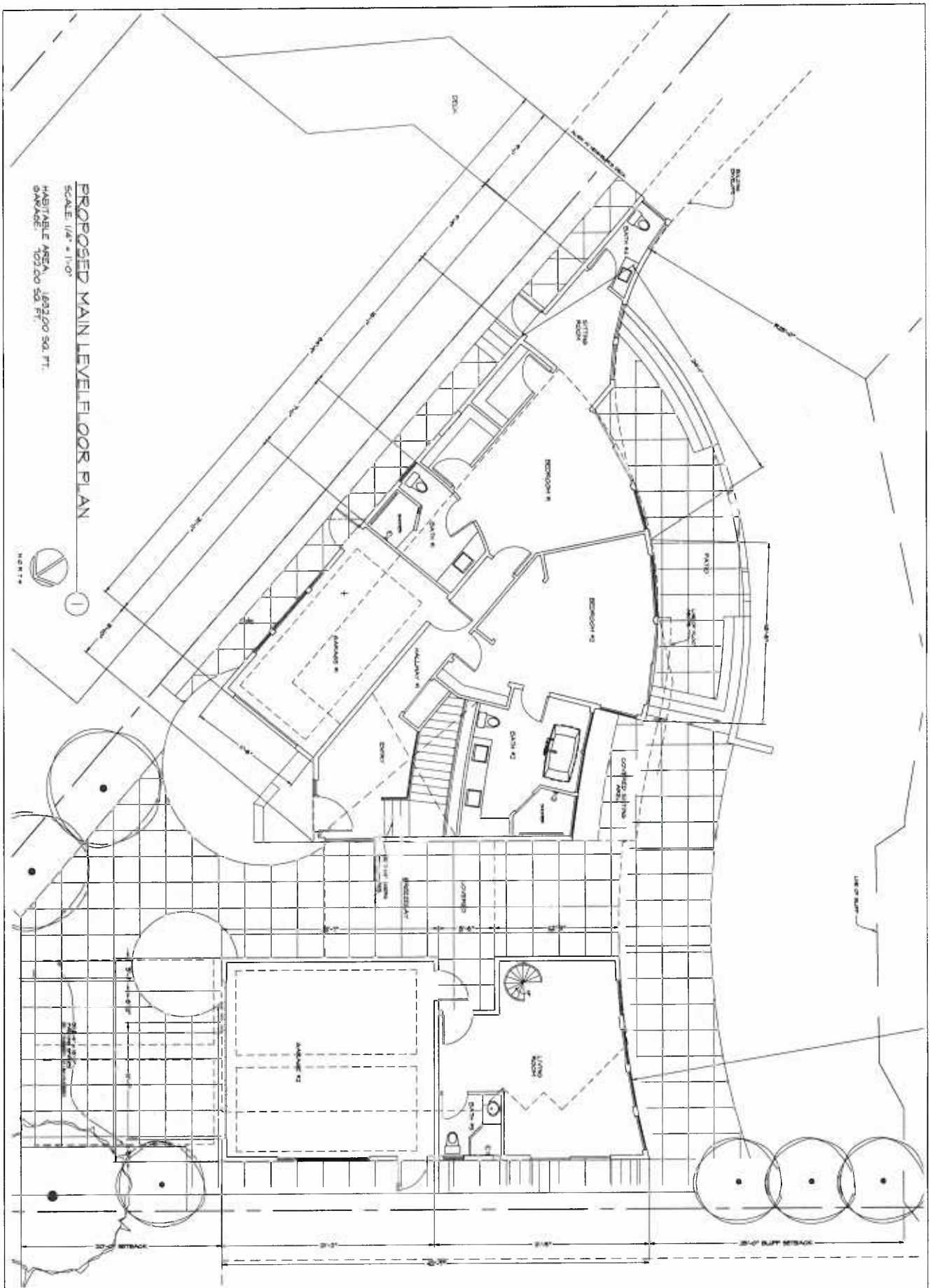



EXISTING SOUTH ELEVATION

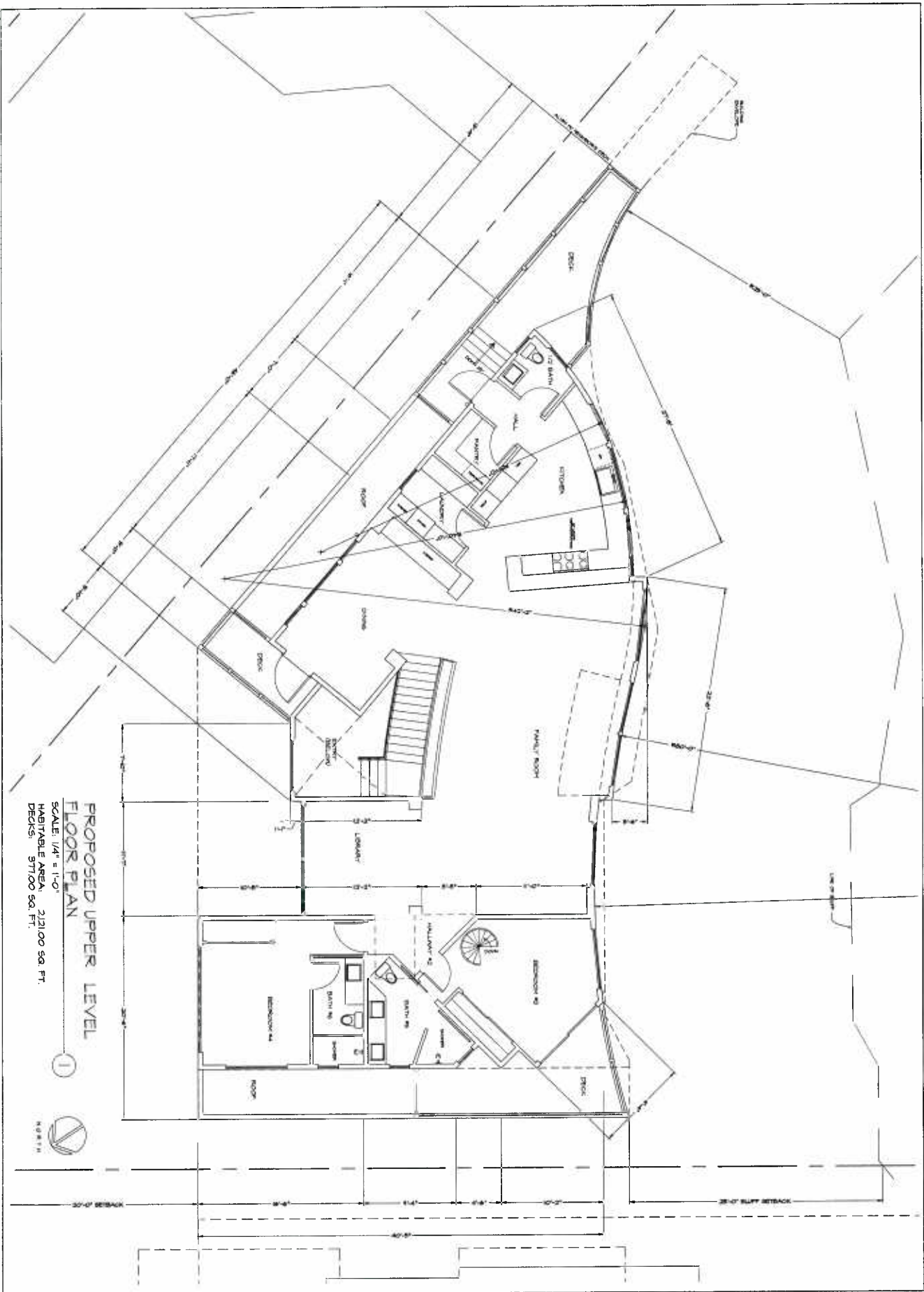
SCALE: 1/4" = 1'-0"

1

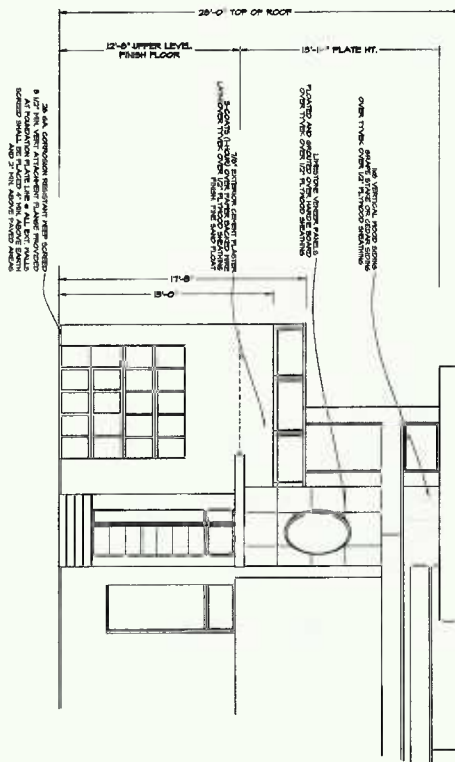
<p>RESIDENCE FOR: TUSHAR ATRE 2866 SOUTH PALISADES SANTA CRUZ, CALIFORNIA 95062 A.P.N. 028-804-12</p>		<p>patrick powers designs residential commercial improvements planning 110 ladona drive santa cruz, california 95060 562.484.4148</p>		<p>Revisions</p> <table border="1"> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> </table>	1		2		3		4		5	
1														
2														
3														
4														
5														
<p>EXISTING ELEVATIONS</p>		<p>DATE: APRIL 2014 SHEET NO. A-3 SHEET 1 OF 1</p>												



DATE: APRIL 2014 SCALE: 1/8" = 1'-0"		PROPOSED FLOOR PLAN	PROPOSED REPLACEMENT DWELLING FOR: TUSHAR ATRE 2866 SOUTH PALISADES SANTA CRUZ, CALIFORNIA 95062 A.P.N. 020-904-12	patrick powers designs residential commercial planning 1101 adena drive santa cruz, california 95060 831.454.4128		1	JAN 2014	Revisions
APRIL 2014						2	AUGUST 2014	
APRIL 2014						3	SEPTEMBER 2014	
APRIL 2014						4	OCTOBER 2014	
APRIL 2014						5		

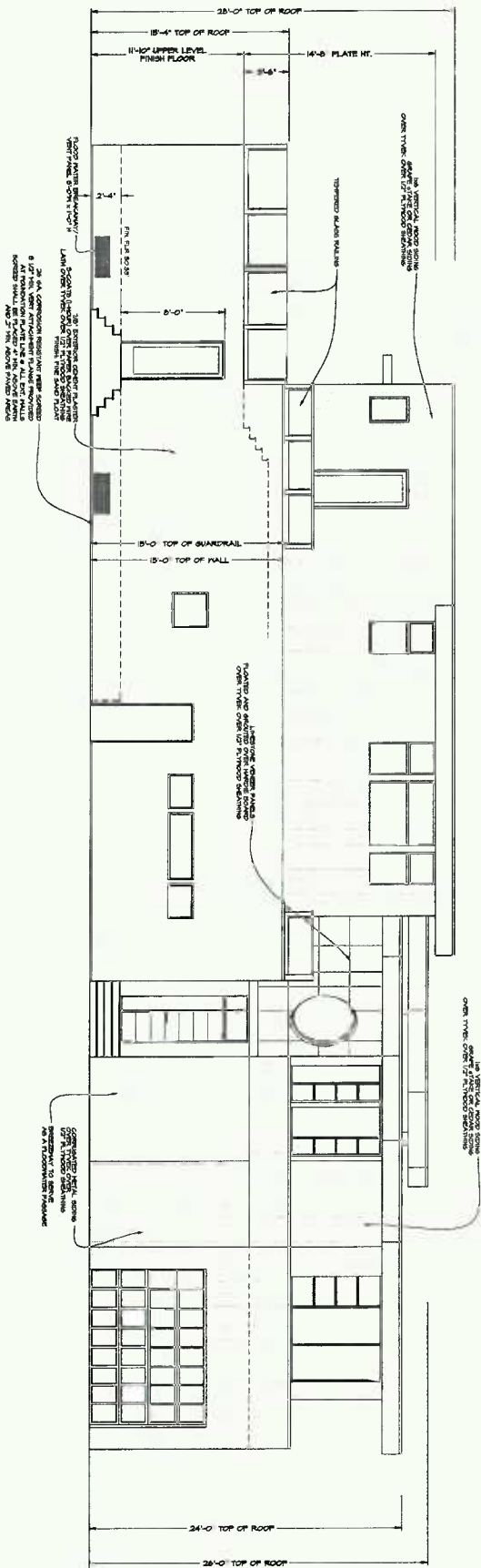


DATE: APRIL 2014		PROPOSED REPLACEMENT DWELLING FOR:		patrick powers designs residential commercial planning 10101adora drive santa cruz california 95060 505.452.4125		1	JUNE 2014	Revisions
DRAWN BY: A-5		TUSHAR ATRE				2	AUGUST 2014	
SCALE: 1/4" = 1'-0"		2866 SOUTH PALISADES				3	OCTOBER 2014	
PROJECT NO. _____		SANTA CRUZ, CALIFORNIA 95062				4		
SHEET NO. _____		A.P.N. 028-304-12				5		



PROPOSED NORTH ELEVATION @ (1) CAR GARAGE

2



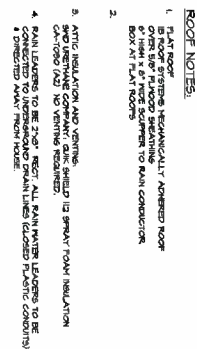
PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0"

1

Revisions 1 OCTOBER 2014	patrick powers designs residential commercial planning 1800 E. Highway 101 Suite 100 Santa Cruz, California 95060 857.424.4148	PROPOSED REPLACEMENT DWELLING FOR: TUSHAR ATRÉ 2866 SOUTH PALISADES SANTA CRUZ, CALIFORNIA 95062 A.P.N. 028-304-T2	PROPOSED ELEVATIONS DATE: AUGUST 2014 SCALE: 1/4"=1'-0" SHEET: A-8
--------------------------------	--	---	--

SCALE: 1/4" = 1'-0"



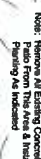
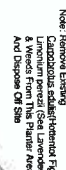
Revisions	
1	AUGUST 2014
2	OCTOBER 2014
3	
4	
5	

patrick powers
designs
residential
commercial
planning
1101adene drive
santa cruz california 95060
408/298-1101

PROPOSED REPLACEMENT DWELLING FOR:
TUSHAR ATRE
2866 SOUTH PALISADES
SANTA CRUZ, CALIFORNIA 95062
APN: 028-304-72

PROPOSED ROOF PLAN

Client: **ATRE**
 Scale: **W4-100**
 Date: **FEB. 2014**
 Sheet No. **A-9**



Painting Notes:

1. Cures shown indicate approximate mature size of duster material.
2. Material should be responsible for adequate erosion control measures during FISH GRADING. Fill all duster areas to a 6 inch depth. Break up or remove all dusters material from paved areas. Finish grade all areas to a smooth, even finished line of adequate compaction in grade. Make minor grading adjustments as required to restore positive drainage.
3. All duster areas should be covered with a minimum of 100% erosion control, covering all duster areas, is installed, tested and is fully operational.

PLANTING OF TREES, SHRUBS & WHEAT: (Leave duster material noted).

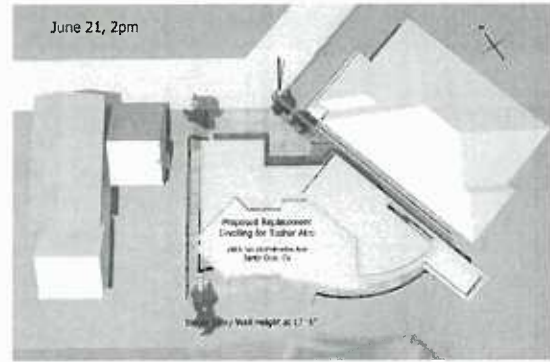
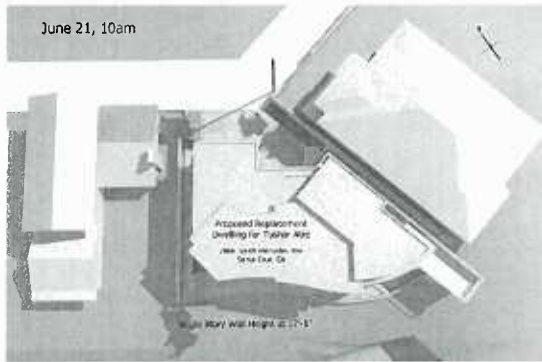
IRRIGATOR NOTE:
Duster Control Strip must be 4' x 14' x 14' minimum.
As indicated On The Plan.

NOTE:
All Trees A/E To Be 15 Gallon Unless
Noted Otherwise

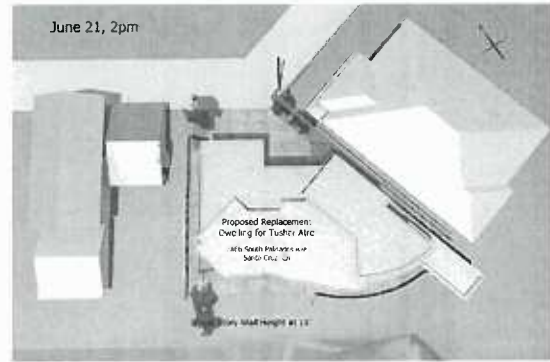
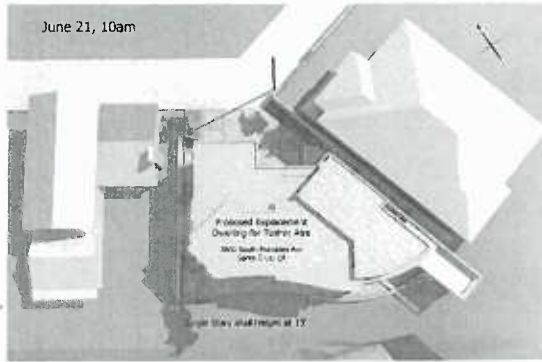
**ALL STUBS ARE TO BE 5 GALLON UNLESS
NOTED OTHERWISE**

[illegible]

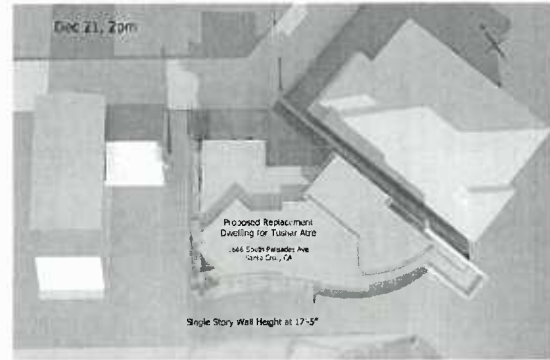
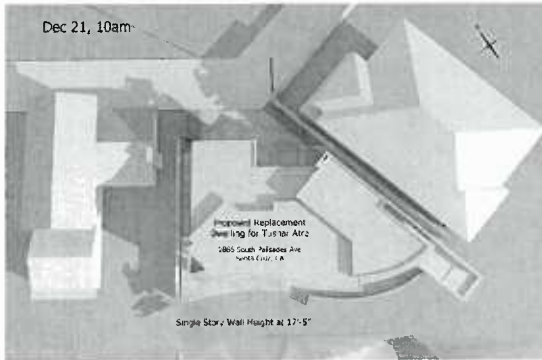
Single Story Wall Height
at 17'-5"



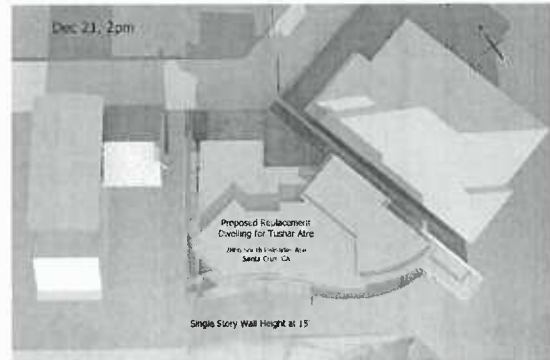
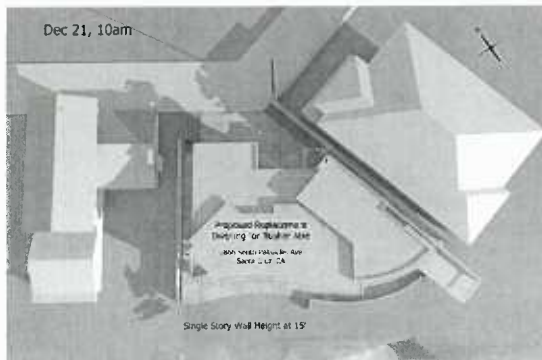
Single Story Wall Height
at 15'



Single Story Wall Height
at 17'-5"



Single Story Wall Height
at 15'



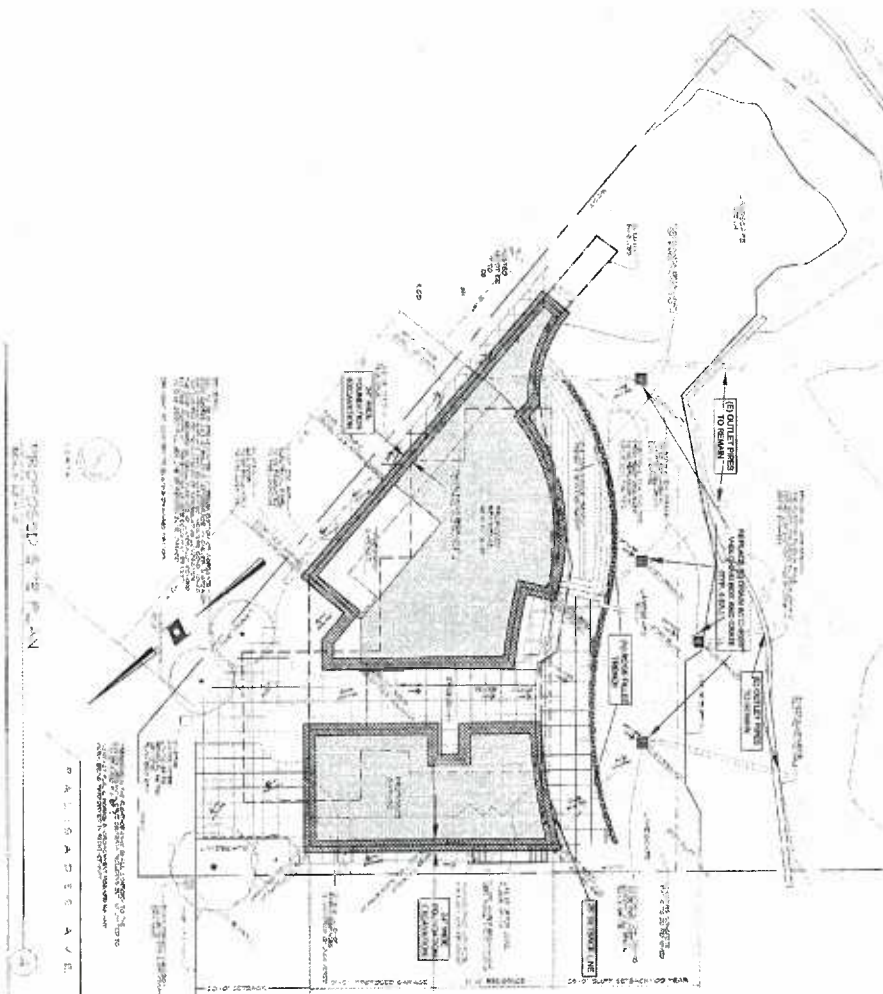
Proposed Atre Residence Shading Study for Justification to allow a Single Story Wall Height of 17'-5" vs. 15'



As shown in this shading study the second story portions
of the building are creating the shading effect, the single
level walls would not create any additional shading effect

1-HS SHADOW PLAN	PROPOSED REPLACEMENT DWELLING FOR: TUSHAR ATRE 2866 SOUTH PALISADES SANTA CRUZ, CALIFORNIA 95062 A.P.N. 028-304-72	patrick powers designs residential & commercial planning 11000000 DRIVE SAN JOSE, CALIFORNIA 95060 (408) 454-4140	REVIEWERS DATE			
			COMMENTS			

EXHIBIT D



GRADING AND DRAINAGE PLAN

DRAINAGE NOTES:

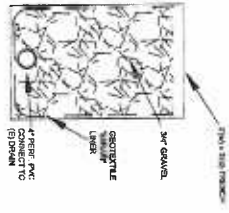
1. PRELIMINARY DRAINAGE PLAN PREPARED AT THE REQUEST OF THE OWNER.
OWNER: TUSHOR ATTE
2800 S. PALMDALE AVE
SANTA CRUZ, CA 95062
2. SITE PLAN BY ARCHITECT DATED 11.4.14.
PAT POWERS DESIGN
110 LUGER AVE.
SANTA CRUZ, CA 95062
831-464-9148
3. DRAINAGE AREA CALCULATIONS PREPARED BY R. L. DEWITT & ASSOC., INC. DATED 6-17-14
4. DRAINAGE STUDY AREA, EXCLUDING AREAS BELOW THE TOP OF THE BLUFF, IS 7,695 S.F.
5. PRE-EXISTING DRAINAGE AREAS WITHIN THE DRAINAGE STUDY AREA:
IMPERVIOUS AREAS: 2,285 S.F.
PERVIOUS AREAS: 5,410 S.F.
CONCRETE PAVEMENT: 2,182 S.F.
SUBTOTAL: 5,118 S.F.
6. PROPOSED DRAINAGE AREAS: PER REV. SITE PLAN BY POWERS DESIGN DATED 11.4.14
IMPERVIOUS AREAS:
DRAINAGE STUDY AREA: 2,285 S.F.
LESS IMPERVIOUS AREAS:
SUBTOTAL: 1,401 S.F.
MAIN BLDG: 624 S.F.
CONCRETE PAVEMENT: 524 S.F.
EX. PAV. AT FRONT: 174 S.F.
SUBTOTAL: 2,862 S.F.
SEAM PERVIOUS AREAS:
REAR PATIO: 624 S.F.
BREASTING: 300 S.F.
FRONT PATIO: 600 S.F.
SUBTOTAL: 1,524 S.F.
7. MAIN LEADER DOWNSPOUTS TO BE CONNECTED TO EXISTING UNDERGROUND DRAIN, AS RECOMMENDED BY DFW/STORMWATER MANAGEMENT DIVISION.

GRADING NOTES:

1. GRADING SHALL CONFORM TO THE RECOMMENDATIONS IN THE GEOTECHNICAL INVESTIGATION PREPARED BY DESS & ASSOC., PROJECT NO. SCR-0732, DATED NOV. 2011.
2. ACCORDING TO THE RECOMMENDATIONS IN THE REPORT THERE IS NO REQUIREMENT FOR OVER-EXCAVATION AND RE-COMPACT FOR THE FOUNDATIONS. THERE IS NO EXCESSIVE GRADING REQUIRED.
3. FOOTINGS SHALL BE POURED ON FIRM SOIL, 12" - 18" BELOW GRADE, ACCORDING TO THE REPORT. EXCAVATION FOR FOOTINGS WILL BE MINIMAL.
4. SEAM-IMPERVIOUS PANELS WILL BE UTILIZED FOR THE PATIO AREAS AND PLACED ON EXISTING GRADE. MINOR GRADING IS REQUIRED TO FINE-GRADE THE PATIO AREAS.
5. ESTIMATED GRADING, BASED UPON THE RECOMMENDATIONS IN THE GEOTECHNICAL REPORT, IS LESS THAN 100 CUBIC YARDS.

FEMA FLOOD LEVEL NOTE:

THE BASE FLOOD ELEVATION FOR THIS SITE HAS BEEN DETERMINED TO BE 15.22 (NAVD 83) BY THE FLOOD INSURANCE RATE MAP (FIRM) 17030-01-0000. NAVD DATUM WAS USED FOR THIS PROJECT.

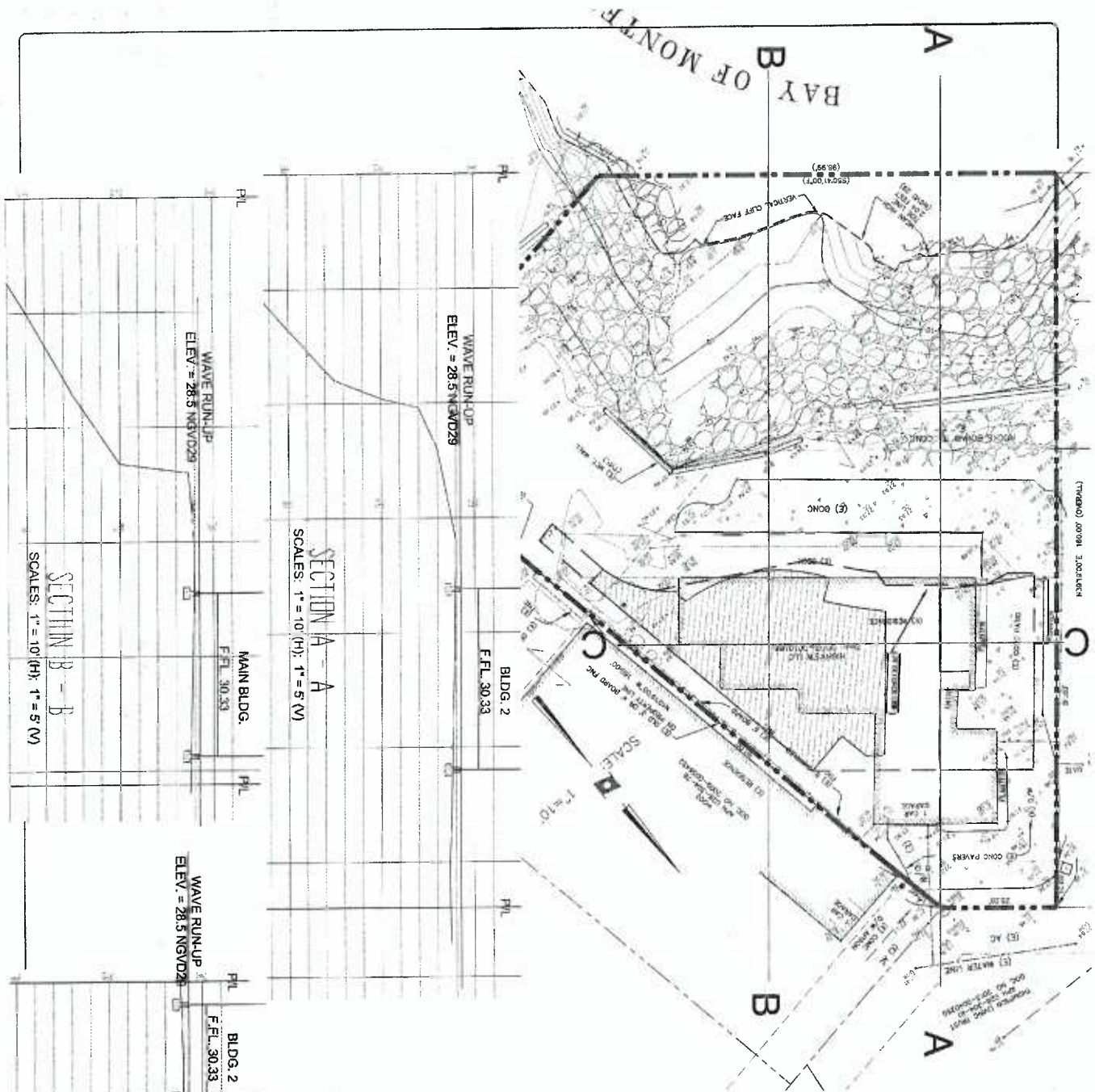


TRENCH DETAIL

(SEE SCALE)



PRELIMINARY GRADING AND DRAINAGE PLAN
PREPARED AT THE REQUEST OF:
Tushor Atte
LOCATED AT:
APN 028-304-72
County of Santa Cruz, California



CROSS SECTION NOTES:

1. SITE CROSS SECTIONS DRAWN FROM TOPOGRAPHIC SURVEY MAP BY R. L. DEWITT & ASSOC., INC.
2. PROPOSED BUILDINGS ON THE SITE ARE FROM THE ARCHITECT'S SITE PLAN.
3. FINISH FLOOR ELEVATION SET AT 1' ABOVE THE MAXIMUM WAVE RUN-UP ELEVATION AS DETAILED IN THE WAVE RUN-UP REPORT PREPARED BY BAILEY ENGINEERING.
4. SECTION A-A IS SHOWN IN THE SAME LOCATION AS THE SECTION A-A IN THE BUILDING REPORT.
5. WAVE RUN-UP ELEVATION IS 28.5 NGVD29 CORRESPONDING TO ELEVATION 11.2 (4000) IN THE BUILDING REPORT.
6. FOUNDATIONS TO BE CONSTRUCTED WITH BRICKLAYER PANEL REINFORCING TO PERMIT THE PROVISION OF FLOODPROOFING, IF NEEDED.

SECTION A-A
SCALE: 1"=10' (H), 1"=5' (V)

SECTION B-B
SCALE: 1"=10' (H), 1"=5' (V)

SITE CROSS SECTIONS
PREPARED AT THE REQUEST OF
Tushar Atre
located at
APN 028-304-72
County of Santa Cruz, California



PROJECT: 028-304-72	DATE: 11-5-14	BY: RLD	CHECKED: RLD
PROJECT: 028-304-72	DATE: 11-5-14	BY: RLD	CHECKED: RLD
PROJECT: 028-304-72	DATE: 11-5-14	BY: RLD	CHECKED: RLD
PROJECT: 028-304-72	DATE: 11-5-14	BY: RLD	CHECKED: RLD

EXHIBIT D



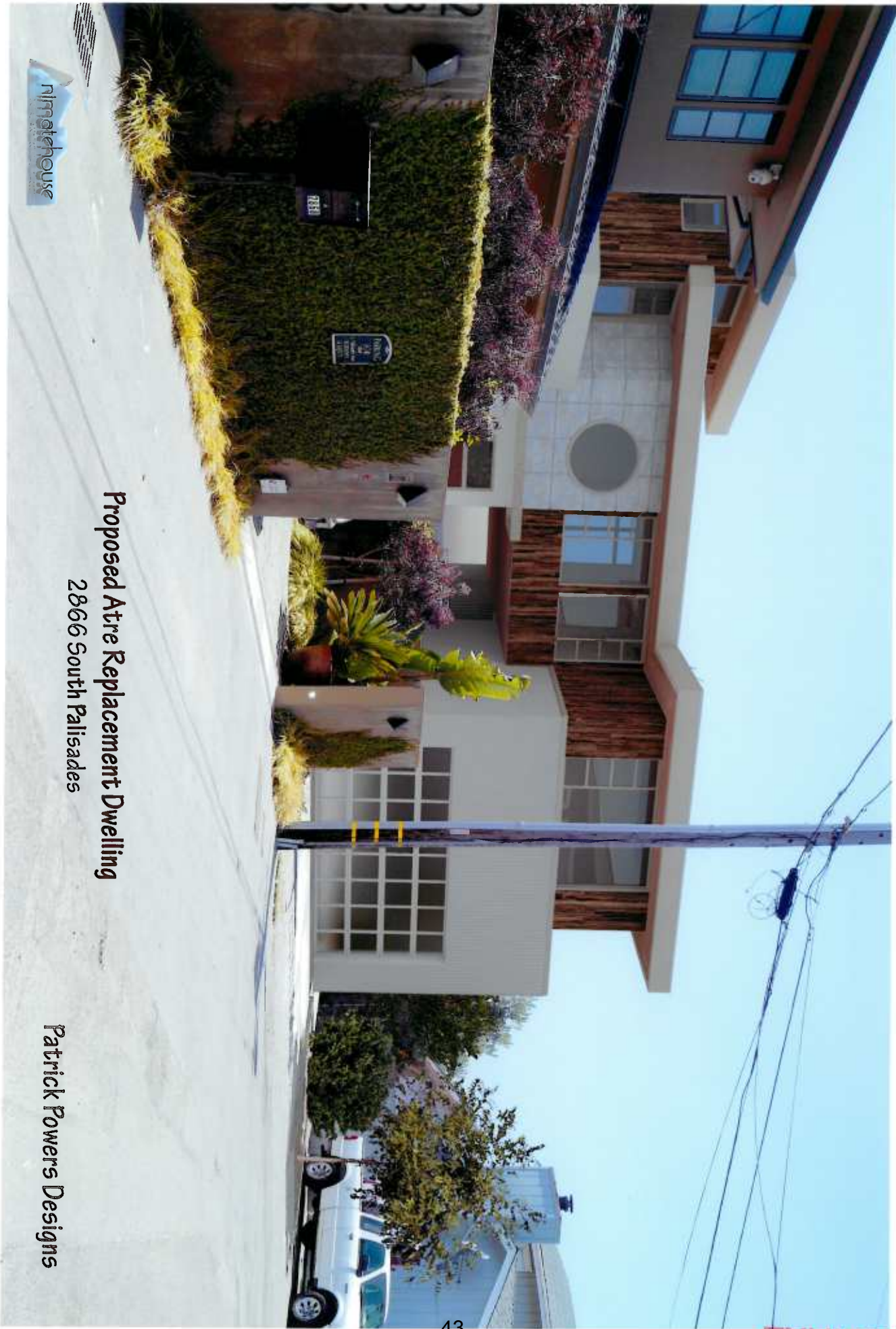
REAR DECK AREA HAS BEEN
LOWERED AND PARAPET WALL
REPLACED WITH GLASS RAILING

Proposed Atre Residence
2866 South Palisades

Patrick Powers Designs

EXHIBIT E

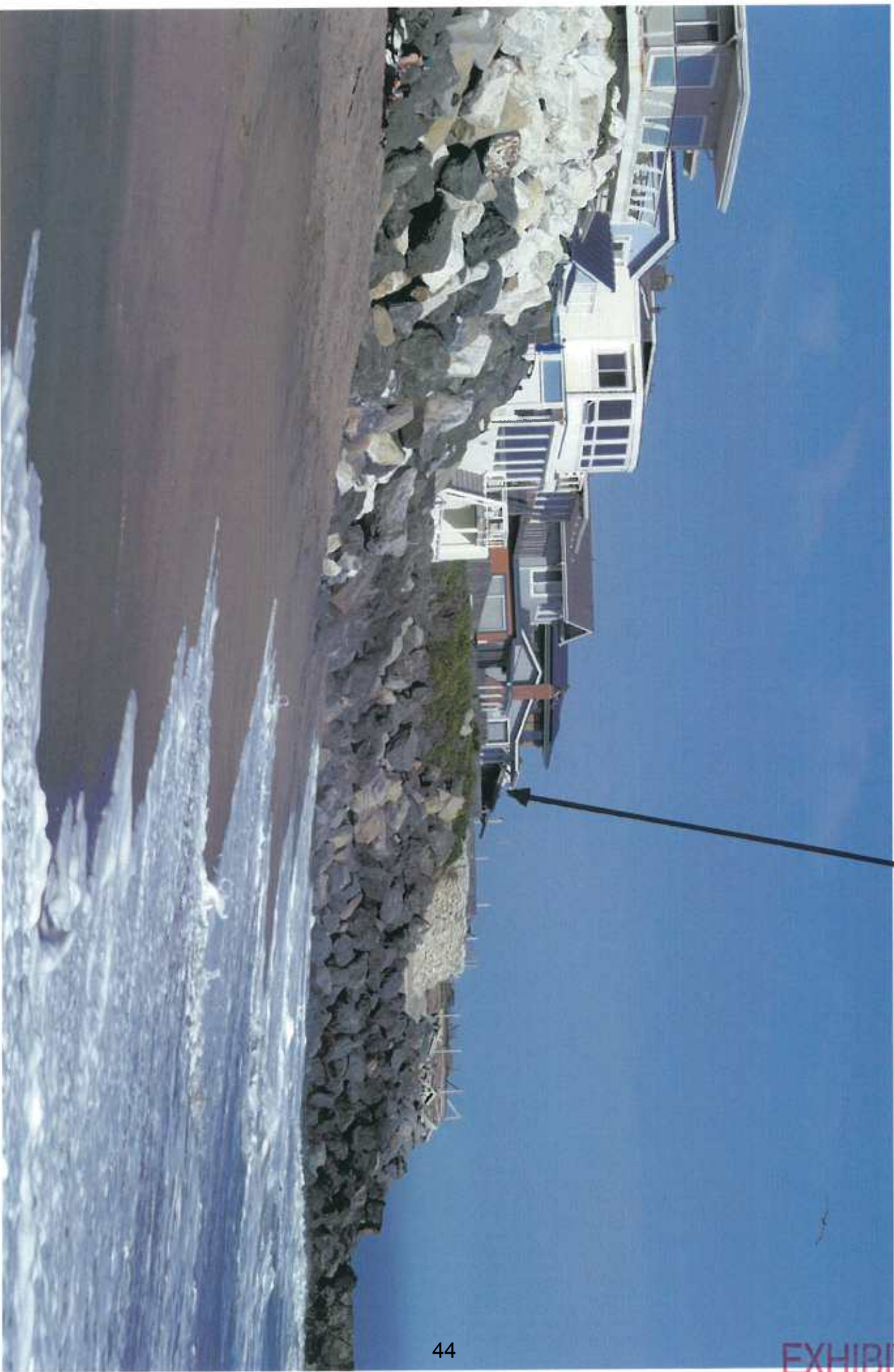
EXHIBIT E



Proposed Atre Replacement Dwelling
2866 South Palisades

Patrick Powers Designs

EXISTING DWELLING



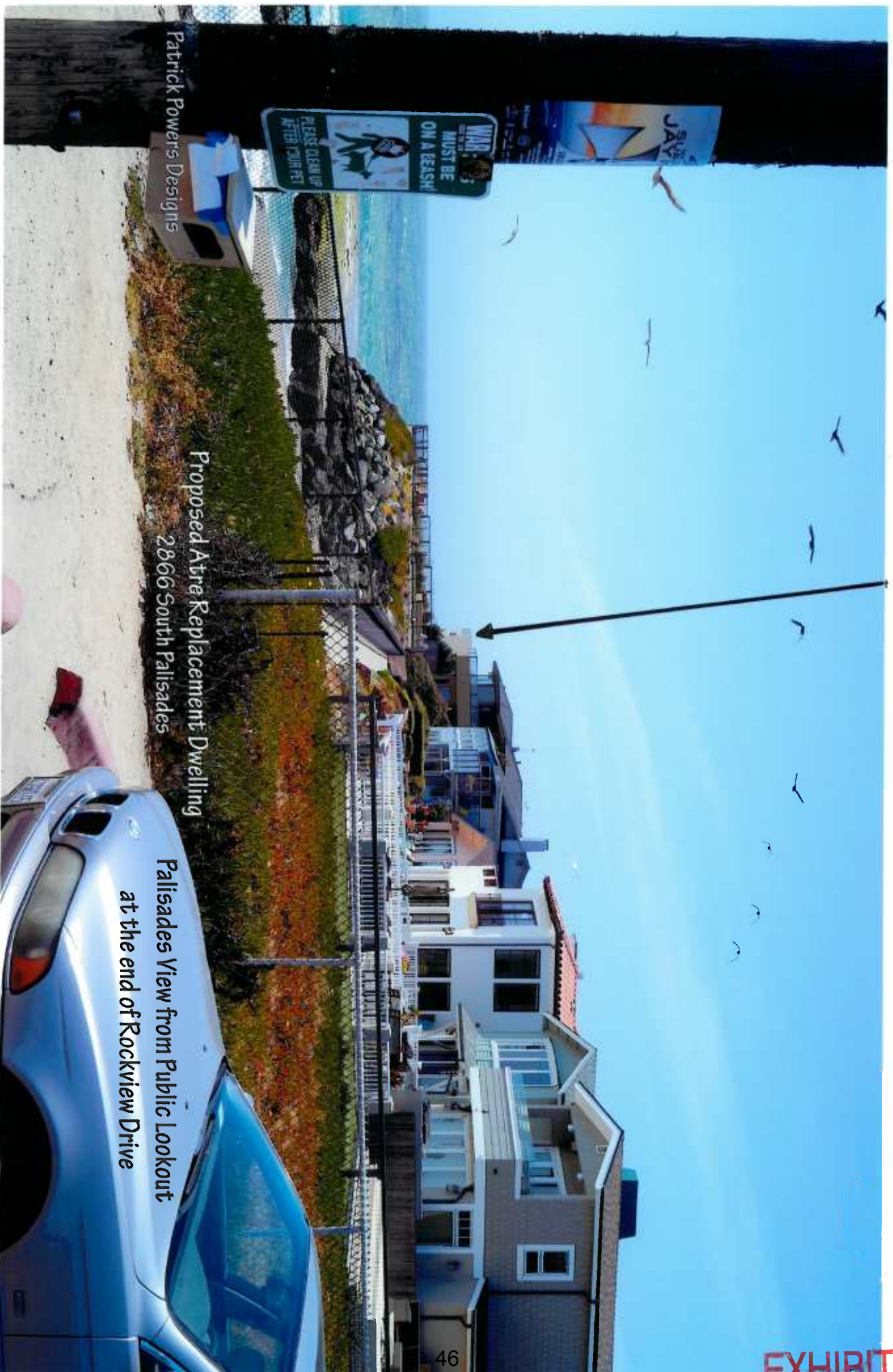
EXISTING VIEW TO THE PROJECT SITE FROM THE 26TH AVENUE BEACH,
NORTHWEST OF THE PROJECT SITE

EXISTING DWELLING NOT VISIBLE
(LOCATED BEHIND ADJACENT DWELLING)



EXISTING VIEW TO THE PROJECT SITE FROM THE PUBLIC VIEWPOINT LOCATED AT
THE END OF ROCKVIEW DRIVE, EAST OF THE PROJECT SITE

PROPOSED DWELLING
(REAR DECK AREA)



Patrick Powers Designs

Proposed A tre Replacement Dwelling
2866 South Palisades

Palisades View from Public Lookout
at the end of Rockview Drive

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO THE ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1988

RANCHO ARROYO DEL RODEO
POR. S.W. 1/4 SEC. 21, T. 11S, R. 1W, M.D.B. & M.

Tax Area Code
82-040

28-30

CLIFF MOOR PARK SUB. 2
UNFILED

Electronically Redrawn 8/21/98 rw
Rev. 6/14/99 CB (Cor to 4-23, 24 & 64)
Rev. 8/27/00 GG (Comb. Form 4-72)
Rev. 8/27/01 GG (LBA 2001-0050188, 69, 70 & 71, 3-04, 05, 06, 07)
Rev. 4/22/02 CB (57PM26, 2-11 & 12)
Rev. 5/18/02 GG (LBA 2001-0074255, 4-74 & 75)
Rev. 2/24/03 DD (2-0091450, combo 3-08)
Rev. 11/30/06 mvm (Comb. form, 4-78)
Rev. 5/21/07 Id (108RS18)
Rev. 1/29/08 CB (7-0033923, Comb. 4-79 & 80)
Rev. 1/29/08 CB (7-0063697 & 98, 4-81 & 82)
Rev. 6/15/10 CB (113RS15)
Rev. 6/15/10 CB (4106/156, LBA 1-83 & 84)
Rev. 8/18/10 mc (4108/153, LBA 1-85 & 86)

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

113RS15
3/13/2008

CLIFF MOOR PARK SUB. NO. 1
18MB57 3/17/1925

Assessor's Map No. 28-30
County of Santa Cruz, Calif.
Aug. 1998

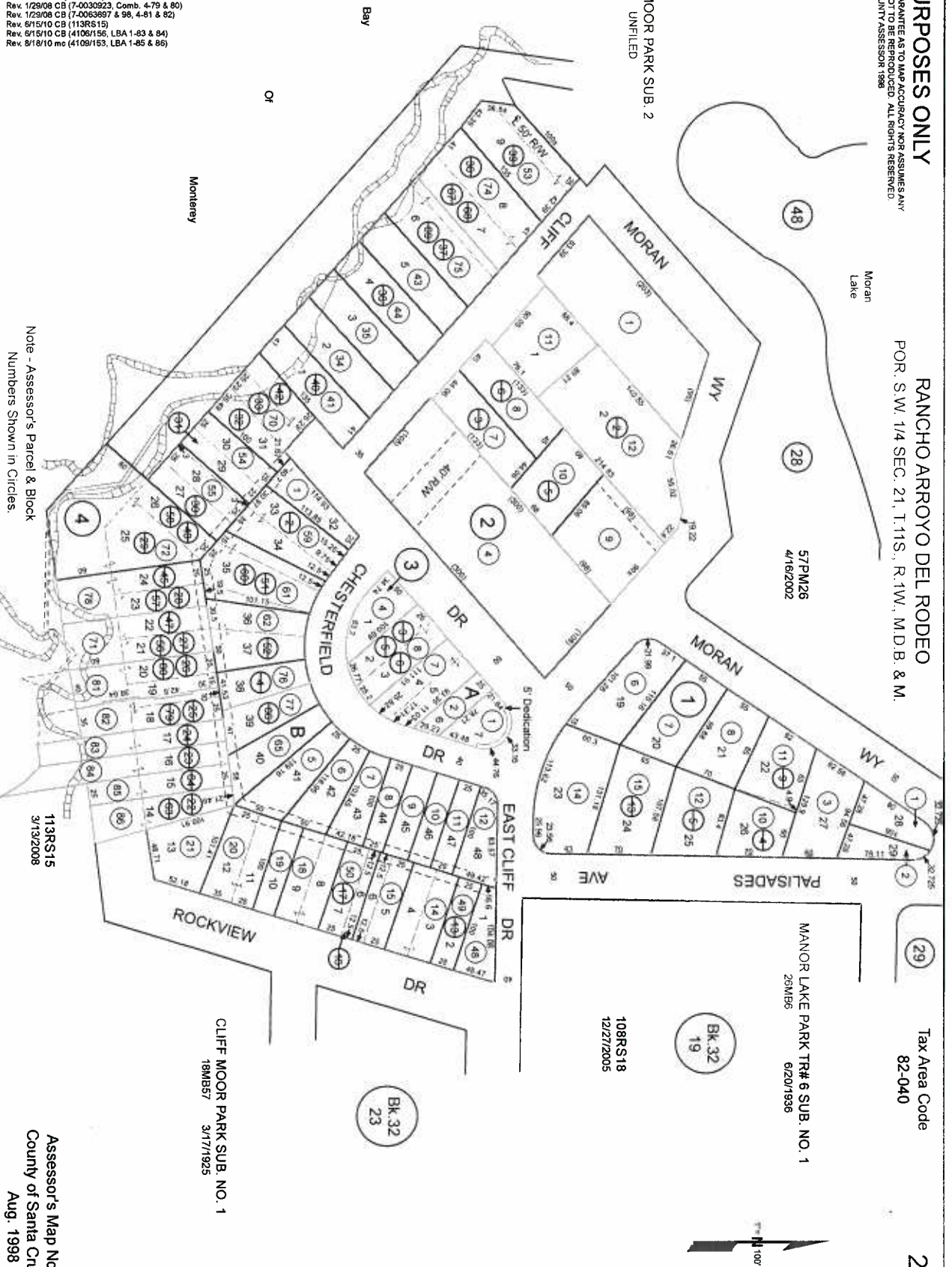
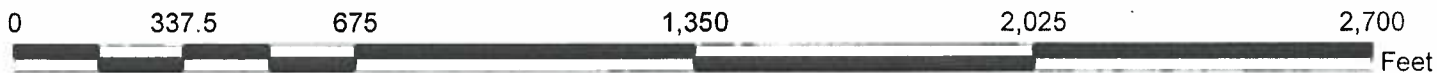
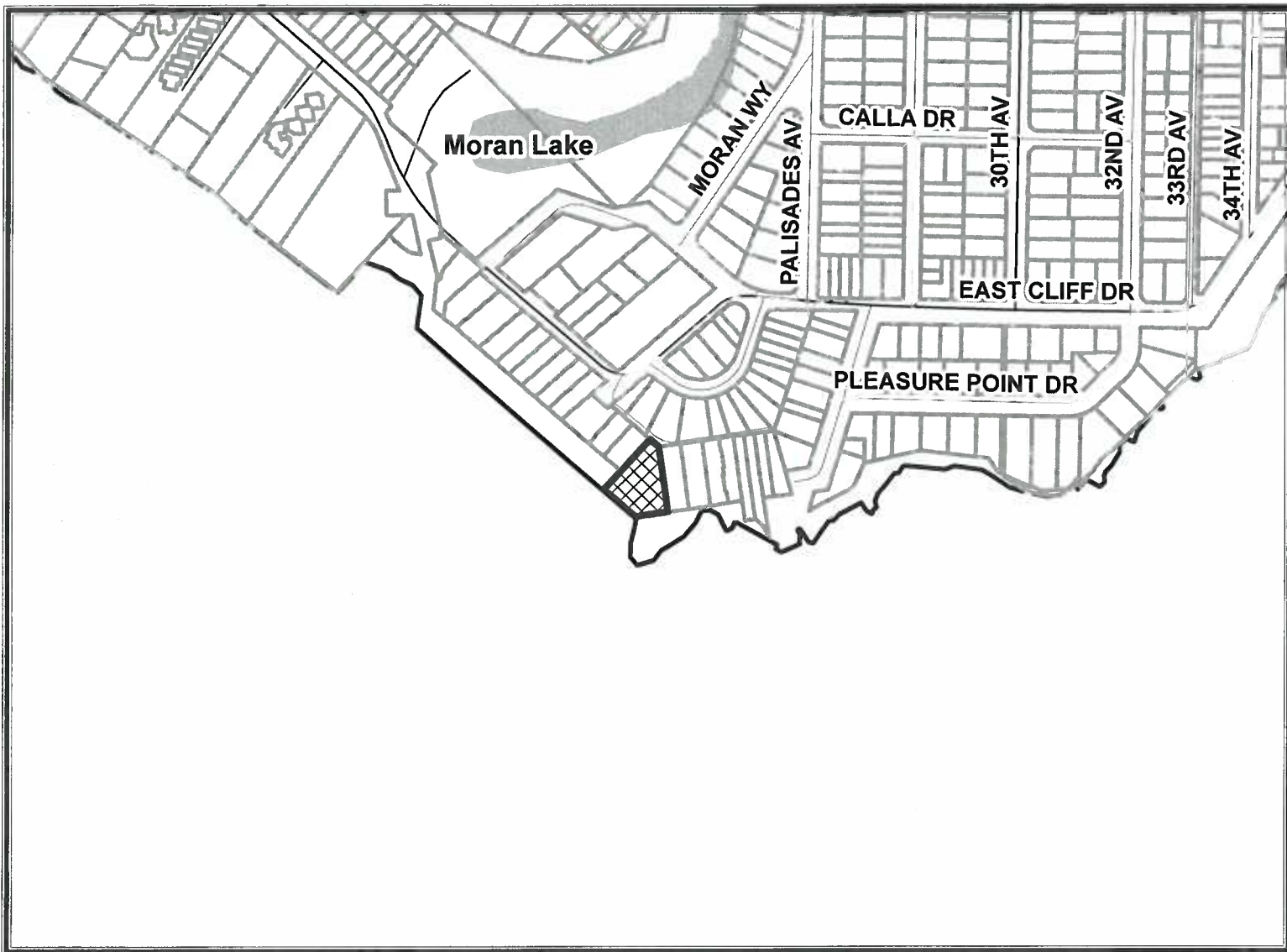







EXHIBIT F

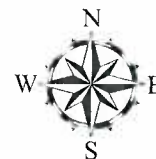


Location Map



LEGEND

-  APN: 028-304-42
-  Assessors Parcels
-  Street
-  County Boundary
-  Lakes

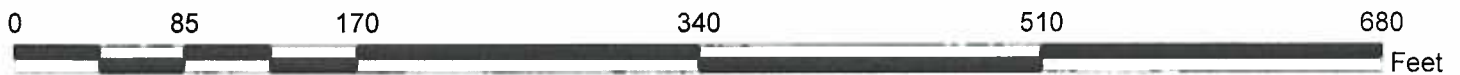
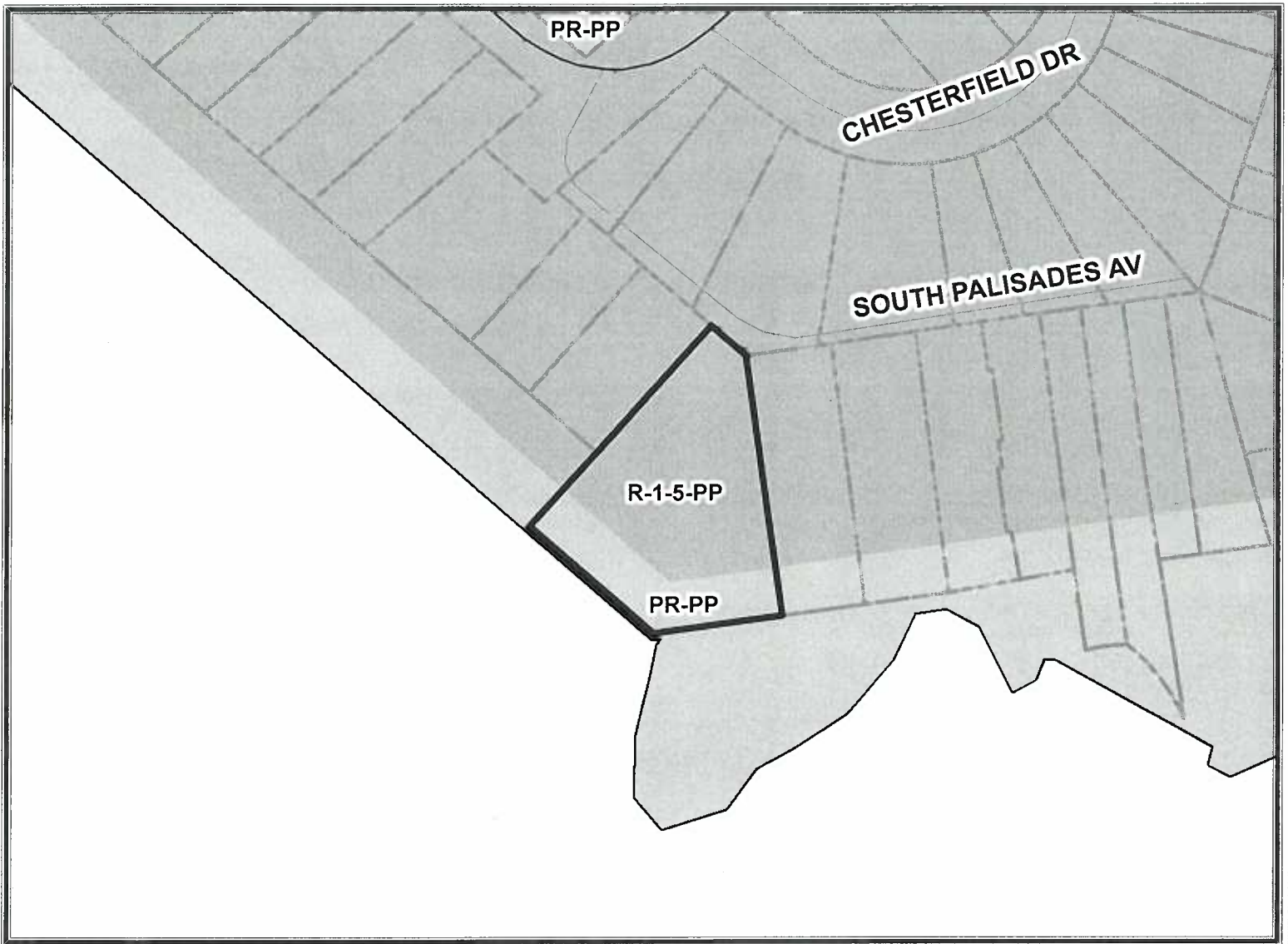


Map Created by
County of Santa Cruz
Planning Department
May 2014

EXHIBIT F

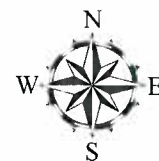


Zoning Map



LEGEND

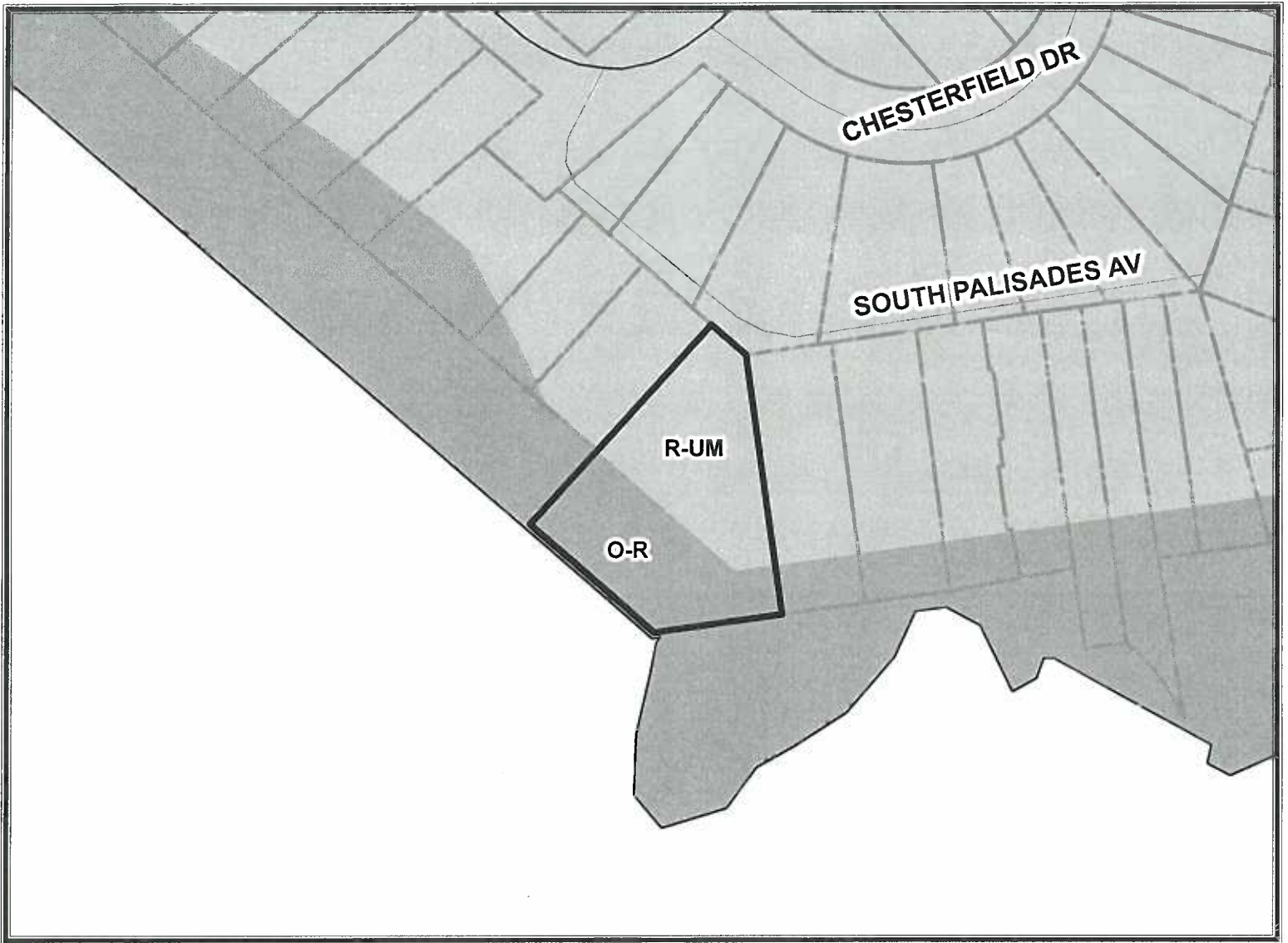
-  APN: 028-304-42
-  Assessors Parcels
-  Street
-  County Boundary
-  RESIDENTIAL-SINGLE FAMILY
-  PARK









Map Created by
County of Santa Cruz
Planning Department
May 2014

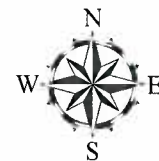


General Plan Designation Map



LEGEND

-  APN: 028-304-42
-  Assessors Parcels
-  Street
-  County Boundary
-  Residential - Urban Medium Density
-  Parks and Recreation



Map Created by
County of Santa Cruz
Planning Department
May 2014

EXHIBIT F

September 23, 2014

Ms. Lezanne Jeffs
Planner
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Ref: Project 141069, Parcel APN 028-3604-72

Dear Lezanne,

Thank you for the time spent with us Wednesday afternoon, September 18 in your office. We appreciate your consideration, especially since you had a pending staff meeting and were about to embark on a trip getting your daughters off to college.

I mentioned that the story poles don't really tell the "story". There is just a single pole on the southeastern elevation (and at a height you said is no longer correct). Because the wall extends at an angle, it is difficult to see how much the view to the ocean is obstructed. It would be more revealing to have poles at the end wall corners to see how much the view is constrained. From the park bench at the foot of Rockview Dr., it appears to be a lot. You said you would stop by to see them on your way home the afternoon we spoke.

We were disappointed to see the building has a flat roof at the absolute maximum allowable height and that the reason it is so high is to accommodate a 2-foot addition at the bottom to allow for wave run-up (with breakaway doors, etc.) -- seems like the house doesn't fit the property. And we were distressed to see that the siding will be corrugated metal and grape stakes. We disagree with you that the building will not seem very large hanging over the street. Even more, we think it will look like a big shed with windows looming from the cliff over the ocean.

We look forward to seeing the revised plans with the lowered second-story deck and with the revisions to overcome the encroachment of the 25' setback you mentioned. We'd also appreciate it if you would check that the plans do not include a ladder to the roof.

Thank you for your consideration.

Yours truly,



Jim and Karen Tucker
33 Rockview Dr. Santa Cruz, CA 95062
Mail: (13645 Riverdale Dr., Saratoga CA 95070)
831/462-5055

CC: Mr. Dan Carl
Deputy Director
California Coastal Commission
Central Coast District Office
725 Front St. Ste. 300
Santa Cruz, CA 95060-4508

Ms. Karen Geisler
Central Coast District Office

Lezanne Jeffs

From: Connie Hart [hartthecook@yahoo.com]
Sent: Wednesday, September 24, 2014 1:05 PM
To: Lezanne Jeffs
Subject: Re: Application# 141069 APN: 028-304-72

I live in the area and I have some input on this property. Application #141069 APN: 028-304-72
I vote AGAINST the proposal for this permit asking for a costal permit EXCEPTION.
I do not deny the right for this person to build. However, stay within the district standards.
Many thanks,
Connie

On Friday, September 19, 2014 2:52 PM, Connie Hart <hartthecook@yahoo.com> wrote:

I live in the area and I have some input on this property. Application #141069 APN: 028-304-72
I vote AGAINST the proposal for this permit asking for a costal permit EXCEPTION.
I do not deny the right for this person to build. However, stay within the district standards.
Many thanks,
Connie

Lezanne Jeffs

From: Lucia Areias [lucialeo@aol.com]
Sent: Monday, October 13, 2014 10:44 AM
To: Lezanne Jeffs
Subject: 2866 So. Palisades, apn 028-304-72

Dear Mr. Lezanne:

I have lived at 2862 So. Palisades for the past 36 years. I am writing, today, in opposition to any variances on the proposed project two doors down from my residence. The subject project has the largest lot on the bluff on South Palisades and therefore should easily be able to conform to the existing allowed set backs and square footage.

I am also questioning the set back from the bluff as that parcel gets a lot of surf splash. In addition, seven bathrooms for a single family residence is excessive, especially when we are experiencing a severe drought. I urge design review to take a good look at the design, grape stakes, really?

Thank you for your anticipated consideration.

Sincerely,
Lucia Areias
2862 South Palisades Avenue
Santa Cruz, CA 95062
831 476-5063