

CALIFORNIA COASTAL COMMISSION

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Prepared November 4, 2010 (for November 18, 2010 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Susan Craig, Coastal Planner

Subject: **Appeal A-3-SCO-10-052** Appeal by Dennis Beach of a Santa Cruz County decision granting a coastal development permit with conditions to Lou and Isabel Bartfield for additions to and remodeling of the Rio Sands Motel (including a new mansard roof, enlargement of the existing entrance foyer, enclosure of existing uncovered stairways, and improvements in building façade, exterior lighting, signage, and landscaping) located at 150 Stephen Road in the unincorporated Rio del Mar area of Santa Cruz County. Appeal Filed: October 20, 2010. 49th Day: December 8, 2010 (waived).

Recommendation

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which appeal A-3-SCO-10-052 was filed. Staff recommends a **YES** vote on the following motion and resolution:

Motion and Resolution. I move that the Commission determine and resolve that Appeal Number A-3-SCO-10-052 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Coastal Act Section 30603 regarding consistency with the certified Local Coastal Program.

Passage of this motion and resolution will result in a finding of no substantial issue and adoption of the following findings. By such action, the Coastal Commission declines to take jurisdiction over the coastal development permit (CDP) for this project, the County's action becomes final and effective, and any terms and conditions of the County's decision remain unchanged. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present

Findings

On September 17, 2010, Santa Cruz County approved a CDP authorizing remodeling and minor additions to the existing 42-room Rio Sands Motel (which was built in 1959), including: 1) enclosing and enlarging the entrance foyer; 2) enclosing the east and west stairs; 3) constructing a mansard roof¹; 4) constructing a trash enclosure at the east end of the motel; 5) remodeling the covered walkway colonnade, and; 6) installing new signage and lighting on the exterior of the remodeled entrance foyer (see Exhibit 1 for the County's Final Local Action Notice for the development). The County-approved

¹ A mansard roof has two slopes on each of the four sides. The lower slope is steeper than the upper slope. Dormers are often set in the lower slope. The upper slope is usually not visible from the ground.



project will maintain the existing number of rooms and parking spaces, and there will be no change in the amount of impervious area. Pursuant to Coastal Act Section 30603, this approval is appealable to the Commission because a motel is not designated as the principal permitted use under the zoning ordinance or zoning district map.² The Appellant contends that the County's approval is inconsistent with the Santa Cruz County Local Coastal Program (LCP) requirements related to parking, setbacks, and maximum allowable height. The Appellant also contends that the County should not have allowed the Applicant up to two years to complete the project (see the full appeal document in Exhibit 2).

Coastal Act Section 30625(b) requires the Commission to hear an appeal unless it determines that no substantial issue exists with respect to the grounds on which the appeal has been filed.³ Commission staff has analyzed the City's Final Local Action Notice for the development (Exhibit 1), the Appellant's contentions (Exhibit 2), the project plans (Exhibit 3), the Applicant's response to the Appellant's contentions (Exhibit 4), and the relevant requirements of the LCP. Based on this analysis, staff recommends that the Commission find that the appeal raises no substantial issue with respect to the project's conformity with the LCP, as explained below.

With respect to parking, the Appellant contends that the required removal of three parking spaces has not been included in the County's Conditions of Approval for the project. However, in response to comments made at the September 3, 2010 Zoning Administrator's hearing, the Applicant submitted revised plans to the County (see page 2 of Exhibit 3) that relocated two parking spaces from the east side of the entrance foyer to the west side of the property⁴ to ensure that the car parked closest to the east side of the foyer has clear and safe visibility when backing out (i.e., there is now a gap that is the width of two parking spaces directly adjacent to the east side of the entrance foyer, which will provide an adequate line of sight for the car that is parked closest to the east side of the entrance foyer when backing out onto Stephen Road (which is a one-way street)). The County approved these revised plans at the September 17, 2010 Zoning Administrator hearing. Thus, there will be no net loss of parking at the motel.

The Appellant further contends that enlargement and enclosure of the existing entrance foyer will be located just one foot back from the public sidewalk and will constitute a safety hazard that will negatively impact traffic on Stephen Road and parking in the surrounding neighborhood. The existing entrance foyer is set back about one foot from the property line and about 4½ feet from the existing

² The site is zoned RM-3.5 (Multi-Family Residential, 3,500 square foot minimum parcel size). The existing motel is an allowable use within the RM-3.5 zoning district.

³ The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. In previous decisions on appeals, the Commission has generally been guided by the following factors in making substantial issue determinations: the degree of factual and legal support for the local government's decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government's decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance.

⁴ The approved plans show these two parking spaces relocated to the west side of the property in an area where a previously existing trash enclosure was proposed. An approved storage area on the east end of the building will now be used for trash.



sidewalk.⁵ The remodeled entrance foyer will be set back these same distances from the property line and the existing sidewalk (see page 3 of Exhibit 3). Thus, remodeling the foyer will not have an impact on traffic safety on Stephen Road.

In addition, as discussed above, to provide a better line of sight for cars backing up onto Stephen Road, the project will relocate two parking spaces from the east side of the entrance foyer to another location on the site. This specifically addresses the issues associated with cars backing up immediately adjacent to the foyer. Thus the remodeled and enlarged entrance foyer will not negatively impact traffic on Stephen Road. Also, the proposed project maintains the existing number of rooms (42) and the existing number of onsite parking spaces (46)⁶, and so it will not negatively impact parking in the surrounding neighborhood.

The Appellant also contends that the Applicant is out of compliance with the LCP because a large storage area was built before the appropriate permit was issued. According to the Applicant (see Exhibit 4), the County recently investigated a building code compliance complaint by the Appellant and found that the complaint did not have merit.

The Appellant further contends that, as remodeled, the roof height of the County-approved project will create a loss of light in the area and will dwarf and be inconsistent with existing residential structures in the area. The existing two-story motel has a flat roof and is about 20 feet high. The County-approved project will have east and west stair roofs with eaves about 20 feet high and ridges about 24½ feet high. The foyer roof will have eaves about 23½ feet high and a peak about 27½ feet high. Thus, the project is consistent with the LCP's maximum roof height of 28 feet in the RM-3.5 zoning district (LCP Section 13.10.323). Also, the roofs have been designed as hip roofs (i.e. sloped roofs) to minimize visual impacts on the surrounding neighborhood. In short, the project meets the LCP's height limits, and the additional height (above existing) is meant to – and should – ensure a more attractive façade that will be consistent with the LCP's requirements to protect views.

Finally, the Appellant contends that the County should have allowed the Applicant only one year to finish the project, instead of two years (see Special Condition F on page 13 of Exhibit 1) to avoid neighborhood impacts from ongoing construction. In order to keep the motel completely open during the next two summer tourist seasons, the Applicant plans to remodel half of the motel during the coming winter and the other half of the motel during the next winter. Thus, the construction will be split into two phases over two winters and will not be continuous over two years, which should not result in significant impacts to the surrounding neighborhood.

In conclusion, the County has provided adequate factual and legal support for its decision that the

⁵ The LCP requires a 20-foot setback from Venetia Road and a 10-foot setback from Stephen Road. The existing motel foyer is located about 4½ feet and 1 foot, respectively, from these rights-of-way, and the remodeled motel would maintain these same setbacks.

⁶ LCP Section 13.10.552(b) requires that off-street parking for motel uses in residential districts shall equal 1.1 parking space per unit or 1 parking space per habitable room, whichever is more. Thus, using the 1.1 parking space per unit formula, a 42-room motel requires 46 off-street parking spaces, which the motel provides.



approved development would be consistent with the applicable standards of the certified LCP; the project is an enhancement that largely is the same in scope as the existing development; the project does not raise any significant coastal resource issues; the County's decision should not lead to an adverse precedent, and; the approval raises local issues as opposed to those of regional or statewide importance. Thus, for the reasons stated above, the Commission finds that Appeal Number A-3-SCO-10-052 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the certified LCP.

Exhibits:

Exhibit 1: Santa Cruz County's CDP decision

Exhibit 2: Appeal of Santa Cruz County's CDP decision

Exhibit 3: Project Plans

Exhibit 4: Applicant's response to Appeal Contentions



NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

County of Santa Cruz

Date of Notice: October 4, 2010

Notice Sent to (via certified mail):

California Coastal Commission
Central Coast Area Office
725 Front Street, Ste. 300
Santa Cruz, CA 95060

Please note the following **Final Santa Cruz County Action** on a coastal permit, coastal permit amendment or coastal permit extension application (all local appeals have been exhausted for this matter):

Project Information

Application No.: 10-0109
Project Applicant: Lou and Isabel Bartfield
Applicant's Rep: Robert Goldspink, Architect
Project Location: 150 Stephen Road, Rio Del Mar

Project Description: Proposal to remodel and construct minor additions to an existing motel complex including a new mansard roof, enlargement of existing entrance foyer, enclosure of existing uncovered stairways, covering existing garbage facilities, and improvements in building façade, exterior lighting, signage and landscaping.

Final Action Information

Final Local Action: Approved with Conditions

Final Action Body:

- Zoning Administrator
 Planning Commission
 Board of Supervisors

Required Materials Supporting the Final Action	Enclosed	Previously sent (date)
Staff Report	X	
Adopted Findings	X	
Adopted Conditions	X	
Site Plans	X	
Elevations	X	

Additional Materials Supporting the Final Action	Enclosed	Previously sent (date)
CEQA Document	X	
Geotechnical Reports		
Biotic Reports		
Other:		
Other:		

Coastal Commission Appeal Information

This Final Action is appealable to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Action. The Final Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission Central Coast Area Office in Santa Cruz; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the Central Coast Area Office at the address listed above, or by phone at (831) 427-4863.

Copies of this notice have also been sent via first-class mail to:

- Applicant
- Interested parties who requested mailing of notice

CCC Exhibit 1
(page 1 **of** 39 **pages)**



Staff Report to the Zoning Administrator

Application Number: **10-0109**

Applicant: Robert Goldspink, Architect
Owner: Lou and Isabel Bartfield
APN: 042-301-01

Agenda Date: September 17, 2010
Agenda Item #: 0.1
Time: 8:30 a.m.

Project Description: Proposal to remodel and construct minor additions to an existing motel complex including a new mansard roof, enlargement of existing entrance foyer, enclosure of existing uncovered stairways, covering existing garbage facilities, and improvements in building façade, exterior lighting, signage and landscaping.

Location: 116 Aptos Beach Drive, Aptos

Supervisory District: Second District (District Supervisor: Ellen Pirie)

Permits Required: Commercial Development Permit, Coastal Development Permit and Variances (to reduce the required front yard setback at Venetian Road from 20 feet to approximately 4 feet and to reduce the required street side yard setback at Stephen Road from 10 feet to approximately 1 foot.

Technical Reviews: none

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 10-0109, based on the attached findings and conditions.

Exhibits

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

CCC Exhibit 1
(page 2 **of** 39 **pages)**

Application #: 10-0109
APN: 042-301-01
Owner: Lou and Isabel Bartfield

Parcel Information

Parcel Size: 34,100 sq. ft.
Existing Land Use - Parcel: motel
Existing Land Use - Surrounding: single-family residential
Project Access: Stephen Road
Planning Area: Rio Del Mar
Land Use Designation: R-UH (Urban High Residential)
Zone District: RM-3 (Multi-family Residential)
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm. Yes No

Environmental Information

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

Services Information

Urban/Rural Services Line: Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Zone 6

History

Permit 04-0267 was approved for the same application on October 15, 2004. The permit lapsed and the applicant is reapplying for the same program of remodeling and minor additions to an existing motel.

CCC Exhibit 1
(page 3 of 39 pages)

Project Setting

The existing two-story motel structure was built in 1959. Tract No 381 subdivided this property in June 1963 as Rio Sands Motel – A Condominium Subdivision.

The current project consists of remodeling of the existing 42-room motel building including exterior improvements and minor additions including the following:

1. enclosing and enlarging existing entrance foyer.
2. enclosing east and west stairs and adding storage
3. covering trash dumpster area
4. constructing mansard roof
5. construction of storage at east end of building
6. remodeling covered walkway colonnade
7. signage and lighting on new entrance area

There will be no increase in the number of habitable rooms, no change in impervious area and no change in the number of parking spaces.



Fig. 1 – View of existing entry at motel

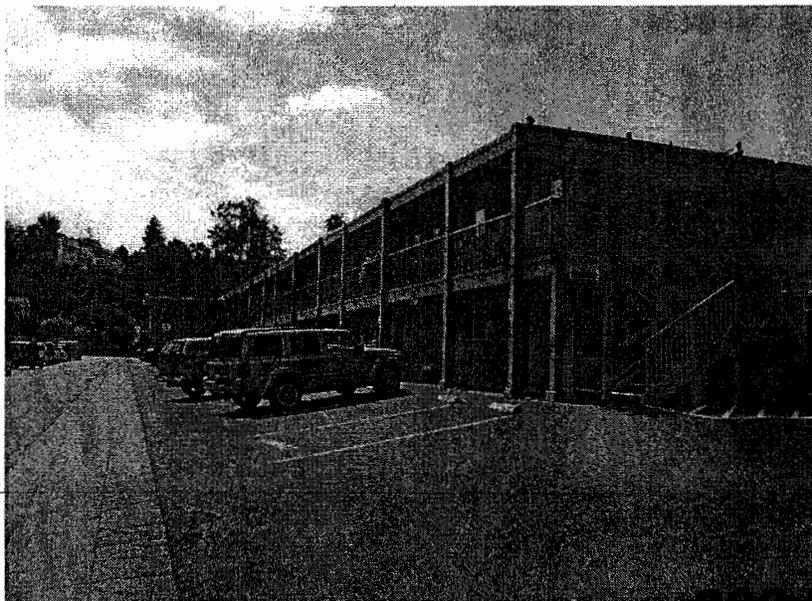


Fig. 2. End view of existing motel

Zoning & General Plan Consistency

The subject property is a 34,100 square foot lot, located in the R-M-3.5 (3,500 sq. ft. min. parcel size) zone district, a designation that allows small scale visitor accommodations within coastal special communities. The existing motel is a permitted use within the zone district and the project is consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

Local Coastal Program Consistency

The proposed alterations to the existing motel are in conformance with the County's certified Local Coastal Program, in that the modifications to the structure will be sited and designed to be more visually compatible, more in scale with, and more integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings, and Rio Del Mar State Beach is located approximately 400 feet south of the site.

The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed alterations to the motel comply with the requirements of the County Design Review Ordinance. The analysis by the Urban Designer is attached as Exhibit F.

Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and the project is comprised of alterations to an existing construction and no change of use is proposed.

Variances

The property appears to have been combined from individual residential parcels when the motel was created and then subsequently subdivided as a motel condominium. The property is an unusual shape – long and thin and is surrounded on four sides by streets and rights-of-way. A portion of the new work proposed will be inside the setback lines and will require variances.

The current application warrants a variance due to the shape of the property and due to special circumstances that include its' location on a corner, which results in increased setback requirements adjacent to streets. Due to the peculiarities of the shape of the parcel and its location, any addition to this structure would require a variance.

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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 **10-0109**, 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: Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2676
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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 RM-3 (Multi-family Residential), a designation which allows small scale visitor accommodations within coastal special communities. The proposed motel is a permitted use within the zone district, and the zoning is consistent with the site's (R-UH) Urban High Residential 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 the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements 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.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

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 the project site is not located between the shoreline and the first public road. There is beach access two blocks away at the Rio Del Mar Esplanade and this motel will not interfere with public access to the beach, ocean, or any nearby body of water. Further, 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 with, and integrated with the character of the surrounding neighborhood. Additionally, small scale visitor accommodations are allowed uses in the RM-3 (Multi-family Residential) zone district of the area (within coastal special communities), as well as the General Plan and Local

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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 not inconsistent with the existing range.

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EXHIBIT B

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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 where small scale visitor accommodations are allowed and 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. The proposed motel will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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 motel and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RM-3 (Multi-family Residential) zone district in that the primary use of the property will be remain as a small scale visitor accommodation, a permitted use in Coastal Special Communities.

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 motel use is consistent with the use and density requirements specified for the Urban High Residential (R-UH) land use designation in the County General Plan.

The proposed additions and renovations will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and with approval of the requested variances will meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), and will not adversely shade adjacent properties, and will ensure access to light, air, and open space in the neighborhood.

The existing motel is not improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed motel will comply with the site standards for the RM-3 zone district (with the approval of the requested variance) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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A specific plan has not been adopted for this portion of the County, however this area is designated as a special coastal community.

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 additions and renovation to the existing motel will not create additional sleeping rooms.

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 containing a variety of architectural styles, and the proposed renovation 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 existing motel and the proposed additions and renovations 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.

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EXHIBIT B

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Owner: Lou and Isabel Bartfield

Variance Findings

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

This finding can be made. The long, thin shape of the parcel and it's adjacency on three sides to streets creates a unusual circumstance based on it's size, shape and location. Due to the peculiarities of the parcel, any addition would require a variance.

2. That the granting of such 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. Nothing within this proposal poses any change to the existing operation of the motel. The proposed additions and renovation will be of an appropriate scale and design that will enhance the aesthetic characteristics of the neighborhood.

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

This finding can be made. Other properties in the vicinity are single-family residences on primarily rectangular lots. The "motel condominium" is an unusual circumstance, which does not occur on other properties in the vicinity.

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EXHIBIT B

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Conditions of Approval

Exhibit A: Architectural drawings prepared by Robert Goldspink, Architect dated April 14, 2004

- I. This permit authorizes minor additions to, and remodel of, an existing motel. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval

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2. Maximum height of the building is 28 feet.
 3. 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. No net increase in impervious area is approved with this permit.
 - D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - E. All construction shall be limited to between 8 a.m. and 5:30 p.m. on weekdays only, unless an extreme circumstance arises and approvals are obtained from the Planning Department.
 - F. All construction shall be performed by a licensed general contractor within two years.
 - G. New exterior lighting shall be directed at building signage only.
 - H. Existing exterior lighting shall be reinstalled to be directed onto the applicant's property only. The applicant shall submit a lighting plan for review and approval by the Planning Department.
 - I. All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Landscaping, structure, fixture design or other physical means can shield light sources.
 - J. Building and security lighting shall be integrated into the building design.
 - K. All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed.
 - L. Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.
 - I. The proposed mansard roof shown on Exhibit A shall extend around the full perimeter of the roof.

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:

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- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
 - B. The owner/developer shall designate a disturbance coordinator to respond to citizen complaints and inquiries from area residents during construction. A 24-hour contact number shall be conspicuously posted on the job site, on a sign that shall be a minimum of two feet high and four feet wide. This shall be separate from any other signs on the site, and shall include the language "for construction noise and dust problems call the 24 hour contact number". The name, phone number, and nature of the disturbance shall be recorded by the disturbance coordinator. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Unresolved complaints received by County staff from area residents may result in the inclusion of additional Operational Conditions.
- 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,

Application #: 10-0109
APN: 042-301-01
Owner: Lou and Isabel Bartfield

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.

Approval Date: 9/17/10

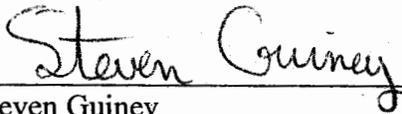
Effective Date: 10/1/10

Expiration Date: 10/1/13

CCC Exhibit 1
(page 15 of 39 pages)

EXHIBIT C

Application #: 10-0109
APN: 042-301-01
Owner: Lou and Isabel Bartfield



Steven Guiney
Deputy Zoning Administrator



Lawrence Kasparowitz
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.

CCC Exhibit 1
(page 16 of 39 pages)

EXHIBIT C

**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: 10-0109
Assessor Parcel Number: 042-301-01
Project Location: 150 Stephen Road, Aptos

Project Description: Proposal to allow minor additions and remodel to an existing motel.

Person Proposing Project: Robert Goldspink, Architect

Contact Phone Number: 831-688-8950

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

Specify type:

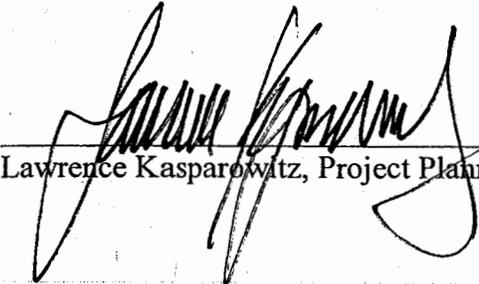
E. Categorical Exemption

Specify type: Class 1 - New Construction or Conversion of Small Structures (Section 15301)

F. Reasons why the project is exempt:

Minor new construction and remodeling to an existing structure.

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



Lawrence Kasparowitz, Project Planner

Date: 9/27/10

CCC Exhibit 1
(page 17 of 39 pages)

EXHIBIT D

Steven Guiney

From: Robert Goldspink [robertgoldspink@aol.com]
Sent: Thursday, September 16, 2010 3:50 PM
To: Lawrence Kasparowitz; Steven Guiney
Cc: steven@allenginc.com
Subject: Re: Rio Sands Motel

Hi Larry and Steve,

I attach a pdf copy of my Drawing 2, Revision 1, dated 9.16.10, for your review and approval.

The parking layout has been amended in accordance with County Codes 13.10.551 thru' 13.10.554. Please see revised parking schedule showing that the total number of spaces is unchanged.

I have shown the sight line from the first parking space on the East side of the Entrance Foyer. The driver of this car will have clear visibility of oncoming traffic, being able to see 100ft up Stephen Road. As the driver moves backward onto the side walk, before entering the road, his sight line to the center line line increases to over 250ft.

I will bring paper copies of the drawing to our meeting tomorrow morning, one marked up with the 250ft sight line.

Regards, Robert

-----Original Message-----

From: Lawrence Kasparowitz <PLN795@co.santa-cruz.ca.us>
To: 'Robert Goldspink' <robertgoldspink@aol.com>
Sent: Thu, Sep 16, 2010 1:35 pm
Subject: RE: Rio Sands Motel

You didn't include your phone number...call me at 454-2255.

Send a copy of the pdf to Steve Guiney - pln950@co.santa-cruz.ca.us

-----Original Message-----

From: Robert Goldspink [<mailto:robertgoldspink@aol.com>]
Sent: Thursday, September 16, 2010 1:16 PM
To: Lawrence Kasparowitz
Cc: steven@allenginc.com
Subject: Rio Sands Motel

Larry,

I have prepared an alternative parking plan that reorganizes the existing 46 spaces so that we can eliminate parking immediately to the East of the Entry Foyer. I have included 5 compact spaces and 1 handicap space in accordance with County standards.

The closest parking space to the East side of the Entrance Lobby is now over 20ft from the Lobby. The driver's sight line, shown on the drawing, provides visibility of 100ft measured along the center of this one-way road. I believe this resolves the question regarding safety for cars backing out from this location and trust that you will agree.

I will deliver copies of the alternative plan to you late this afternoon and send a pdf copy to you asap.

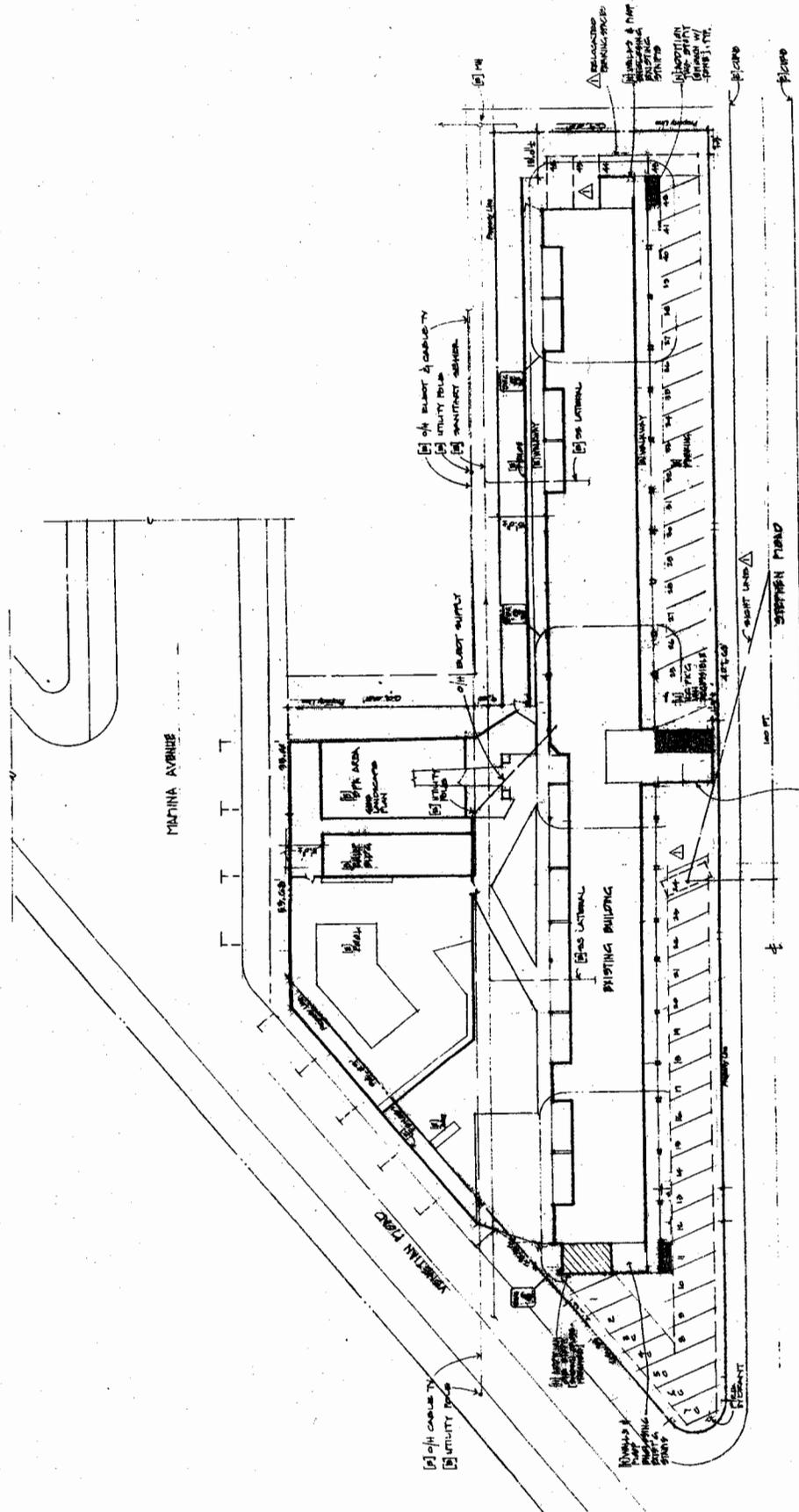
Please call to discuss.

Best regards, Robert

CCC Exhibit 1
(page 18 **of** 39 **pages)**

9/16/2010

REVISIONS
△ PARKING LAYOUT AMENDED
△ 9/16/10
START LINE ADDRESS



Parking Schedule

Existing parking	42 standard and 3 accessible spaces
Proposed parking	40 standard, 5 compact and 1 accessible space
Total #	82

EXISTING EXTERIOR LIGHTING AND SIGNAGE TO REMAIN

EXISTING EXTERIOR LIGHTING AND SIGNAGE TO REMAIN

9-3-10 ZA, #4
August 30, 2010

Attention:

Zoning Administrator
County Government Center
701 Ocean Street Room 400
Santa Cruz, CA 95060

Subject:

Extension Project for 150 Stephen Road, Aptos, CA

Dear Sir/Madam:

This letter is to notify you that I object to the proposed addition + extension of the property located at 150 Stephen Road, Aptos, CA.

Expanding the size + reducing the setback will pose a major infringement upon our street, our neighborhood + quality of life in general.

The hotel as it currently exists already blocks the light + ocean views. Expanding the building would enhance the problem.

Limited parking on the street would also worsen + there would simply be less space!

The expansion represents an unacceptable reduction in space & thus of the quality of life for all the people on the street, especially for those directly across from the property, as well as it would adversely affect our property values!

Finally, I take issue with the timing of the hearing on a Friday before a major holiday weekend, making it impossible to attend the hearing, due to previous holiday plans.

I hereby request the hearing be rescheduled.

Respectfully yours,

Donata Makuda

cell 408-205-5364

Property owner of:
139 Stephen Road,

CCC Exhibit 1
(page 21 of 39 pages)

(2)

Lawrence Kasparowitz

From: Peggy Eklund [peggyeklund@sbcglobal.net]
Sent: Thursday, September 16, 2010 8:39 PM
To: Lawrence Kasparowitz
Subject: Rio Sands Motel

Dear Mr. Kasparowitz:

We wish offer our support for the proposed architectural changes to the Rio Sands Motel. We feel it would enhance the Rio del Mar area and be a beautification asset to the neighborhood. Thank you for your consideration.

Peggy and Rick Eklund
201 Augusta Lane
Aptos, CA

CCC Exhibit 1
(page 22 **of** 39 **pages)**

9/17/2010

Rio del Mar Improvement Association, Inc.

P.O. Box 274, Rio del Mar, California 95003-0274

Zoning Administrator c/o
Larry Kasparowitz, Project Planner
Santa Cruz County Planning Department
EMAIL: pln795@co.santa-cruz.ca.us

September 15, 2010

SUBJECT: Rio Sands Motel changes: Continued item 10-109 of the September 17 Agenda

Dear Zoning Administrator,

On behalf of Rio del Mar Improvement Association (www.RDMIA.org), I am writing to strongly support the proposed changes to the Rio Sands Motel. The appearance of the building will be significantly enhanced! This will augment the desirability of the surrounding Esplanade area, benefit the Esplanade businesses, and improve local property values.

While the Public Works sewer project was necessary and worthwhile, it has caused significant degradation of the Esplanade parking lot and the appearance and accessibility of the area. The Rio Sands improvements will appreciably assist in the recovery of the Esplanade.

Mr. Bartfield has been a staunch and generous supporter of the community and community activities. For example, he has provided (free of charge) the use of the Rio Sands conference room for public events such as: "meet the candidates night" and the August 11 Public Works meeting informing the community about the sewer project.

We strongly encourage this project be approved without further delay.

Sincerely,



Bill Comfort
President, Rio del Mar Improvement Association
w.comfort@att.net

To the Zoning Administrator

I'm lending my voice to those opposed to the extension of the R10 Sands front office lobby as it will cause a safety issue for cars backing out and driving down Stephen Road. I also objection to additional storage buildings. I'm unable to attend due to medical reasons.

D. L. Egan
Homeowner on Venetian

PH#
(831) 466-6100

item 1: 10-0109

Steven Guiney

From: Lawrence Kasparowitz
Sent: Monday, August 23, 2010 11:25 AM
To: 'Mark'
Cc: Ken Hart; Steven Guiney
Subject: RE: Public Hearing Notice for 150 Stephen Road (Rio Sands Motel)

It is the exact same plan...their permit ran out and they must go through the hearing again. You may see a copy of the plans at our office from 8-12 and 1-5...let me know and I will make sure they are there. I will go back and review the Conditions of Approval from the previous hearing. I assure you that I will include any that were agreed to.

-----Original Message-----

From: Mark [mailto:mark01@destinydesign.com]
Sent: Monday, August 23, 2010 11:17 AM
To: Lawrence Kasparowitz
Subject: Public Hearing Notice for 150 Stephen Road (Rio Sands Motel)

Mr. Kasparowitz,

I am one of the neighbors of the Rio Sands Motel that have been notified of construction at 150 Stephen Road, in Aptos. Unfortunately, I will not be able to attend the Public Hearing, but am very concerned about the motel's plans.

During the original public hearing for the now-expired permit (04-0267) I learned of several "improvements" that would have affected our neighborhood in a negative way. I raised these concerns at the meeting, and your planning department was kind enough to address them with a number of conciliations that the motel agreed to.

Since that time, the proposed construction was not performed, nor were any of the conciliations the neighborhood was assured of (specifically: addressing the "light pollution" the hotel produces). Instead, the motel installed a third pool, adding additional, constant lighting and noise pollution. What happened there?

So you can imagine my concern about what the motel is planning this time around, and whether any of the previously agreed upon conciliations would still be in effect. And my concern is compounded by the fact that I cannot attend this public hearing.

Do I have any other recourse to determine what is being planned, and to voice any concerns about how those plans might affect my neighborhood, other than attending the meeting?

The motel does not exhibit much sensitivity to the problems it creates in the neighborhood (parking, traffic, noise, unsightly visuals, etc). I am looking to the county and the planning department to help me and my neighbors maintain a reasonable semblance of peace here, not to mention property values, something the hotel has not historically shown any great interest in.

Respectfully,
Mark Gillham

mark01@destinydesign.com

CCC Exhibit 1
(page 25 **of** 39 **pages)**

Steven Guiney

ZA 00-03-10

4

From: Mark [mark01@destinydesign.com]
Sent: Monday, August 30, 2010 11:11 AM
To: Steven Guiney
Subject: Re: Public Hearing Notice for 150 Stephen Road (Rio Sands Motel)

Mr Guiney,

Thank you so much for your response, and explanation. It certainly seems fair, and in keeping with what I perceive as the spirit of these public hearings. I clearly understand the reason you'd be unable to commit to the conditions at this time.

Since I cannot attend the hearing, perhaps a short explanation of my concerns would be in order, and maybe of value to you:

My house, and those of my neighbors I represent, are directly behind the hotel. For years their extremely bright flood lights illuminate our houses and shine directly into our windows. That's why we're looking for a new lighting plan. We see this as an opportunity to not only keep anything from making this issue worse, but also to fix a long-standing problem. For example, their recent addition of a jacuzzi included new pool lighting, which exacerbated the problem.

Their original plans called for the mansard roof only on the *front* side of the hotel. That would have left myself and the neighbors a view of the backside of that mansard system, which would be even uglier than the view of their roof we now have (our houses are tall and on a hill, so we look down into their yard and can see the top of their roof). And considering we are losing a few feet of our view of the Rio Del Mar valley because of this addition, we feel the least the hotel can do is make it attractive from *all* sides of their buildings, not just the side their customers first see.

And regarding the "timely construction": historically, the hotel uses a single maintenance man or two to perform a multitude of tasks, including construction. And they make use of the sidewalk behind their hotel as a makeshift shop, often running machinery like table saws, etc. right on the sidewalk. Well, because that sidewalk is in essence our front yard, and by nature of using only one workman at a time, these projects are quite a nuisance and can go on for quite some time. We are just looking to have this major construction project proceed with as little disturbance to the neighborhood as possible, by utilizing a professional contractor with an adequate crew that can get the job done as quickly as possible. Additionally, we'd prefer that this construction take place during regular business hours, for the same reason. If there was some way to limit construction noise so that it didn't occur outside of the hours of 8:00AM-5:00PM, Monday-Friday, that would really be fantastic.

We're happy that the hotel is seeking to improve their grounds, we would just appreciate that they apply some sensitivity to the fact that the impact as well as the benefits from this project greatly affect more folks than just their customers.

I very much appreciate this opportunity to share these concerns with you.

Please feel free to contact me any time: 831-688-3144.

Regards,
Mark Gillham

On Aug 30, 2010, at 10:36 AM, Steven Guiney wrote:

8/30/2010

CCC Exhibit 1
(page 24 of 39 pages)

I. The proposed mansard roof shown on Exhibit A shall extend around the full perimeter of the roof.

These conditions still exist in the "ZA Report" Lawrence provided. Which was good news. The last two, H and I, greatly affect myself and my neighbors, and we are most interested in keeping those conditions enforced.

However, when I pressed Lawrence for assurance that those conditions would remain in affect for the new, re-issued permit, he referred me to you.

As I am unable to attend the public hearing for this permit, I am very concerned about the disposition of the afore mentioned Conditions, and whether the concerns they address will be satisfied. I represent myself and several of my neighbors in this matter, who are also unable to attend the hearing.

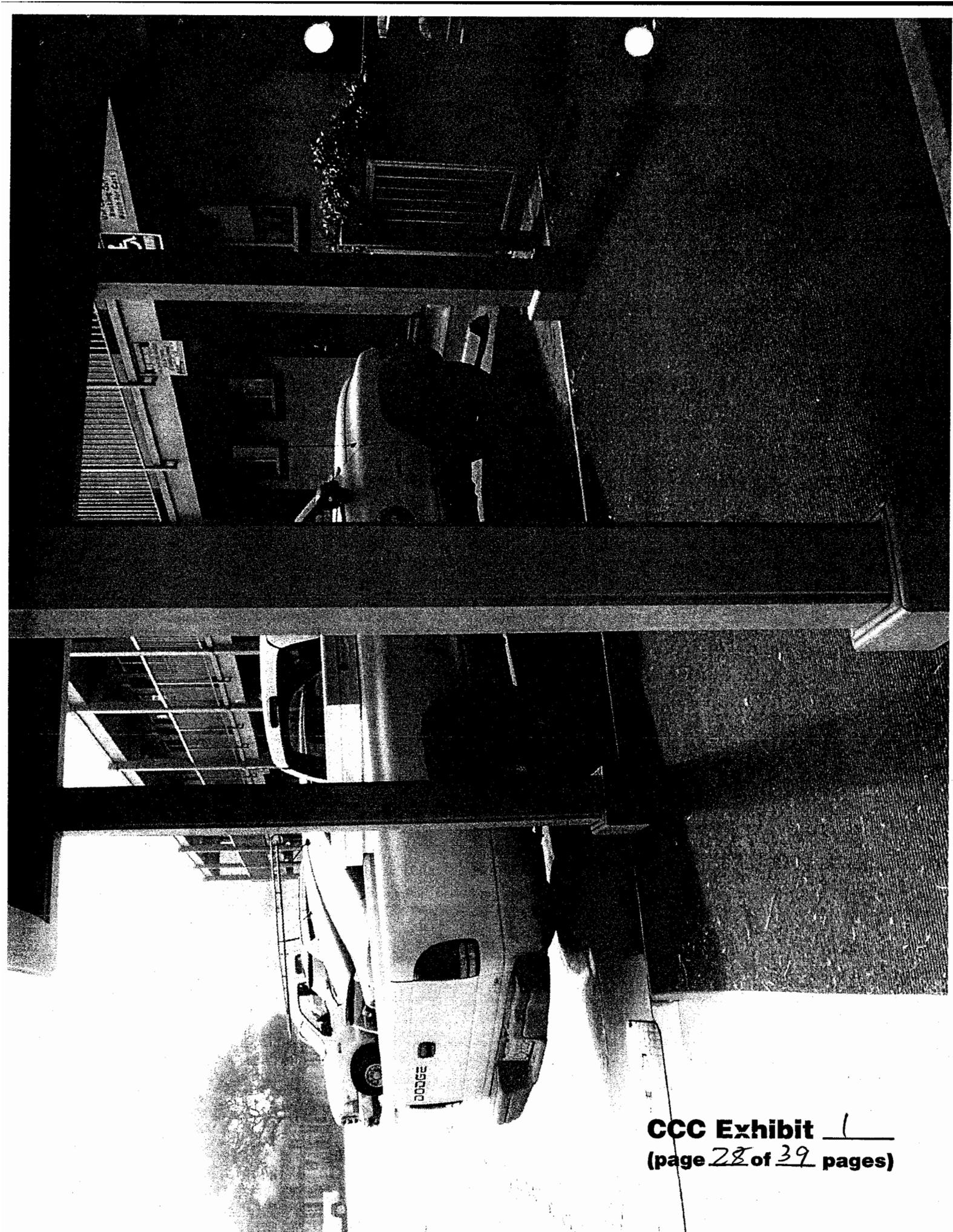
Can you assure me these particular Conditions of Approval will remain enforced? And if not, what steps can I take, other than attendance at the hearing, to keep them in place?

Your attention to this matter will be greatly appreciated,

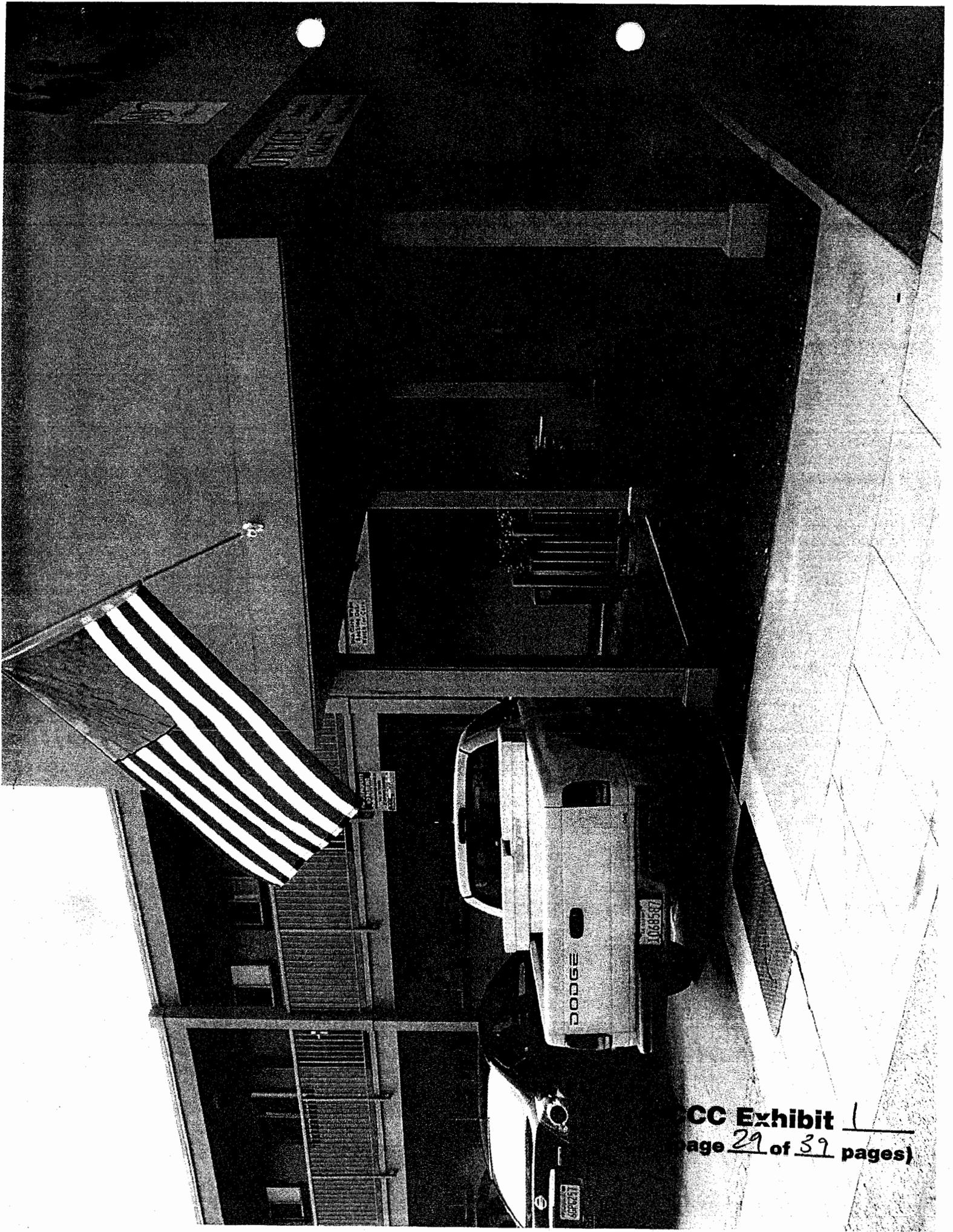
Sincerely
Mark Gillham

mark01@destinydesign.com

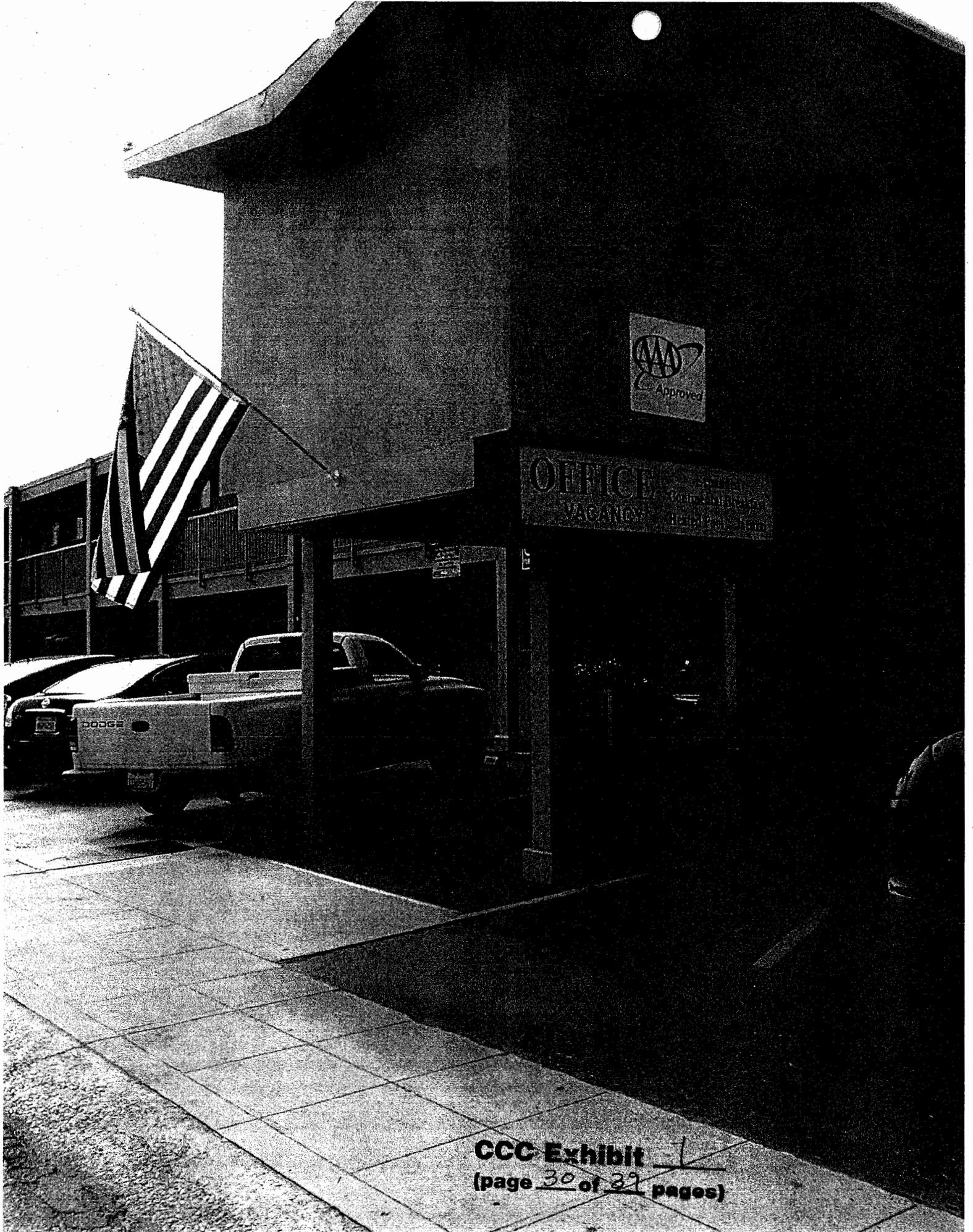
mark01@destinydesign.com



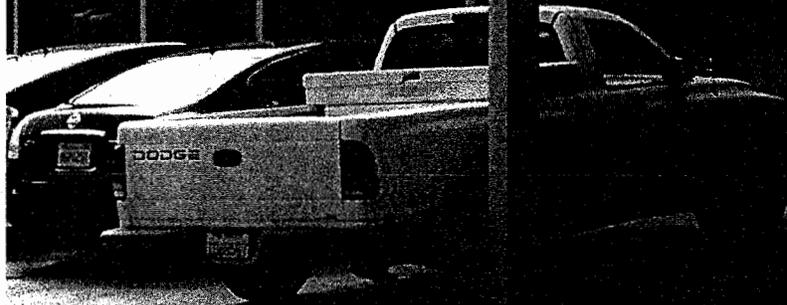
CCC Exhibit 1
(page 28 of 39 pages)



CC Exhibit 1
page 29 of 39 pages)

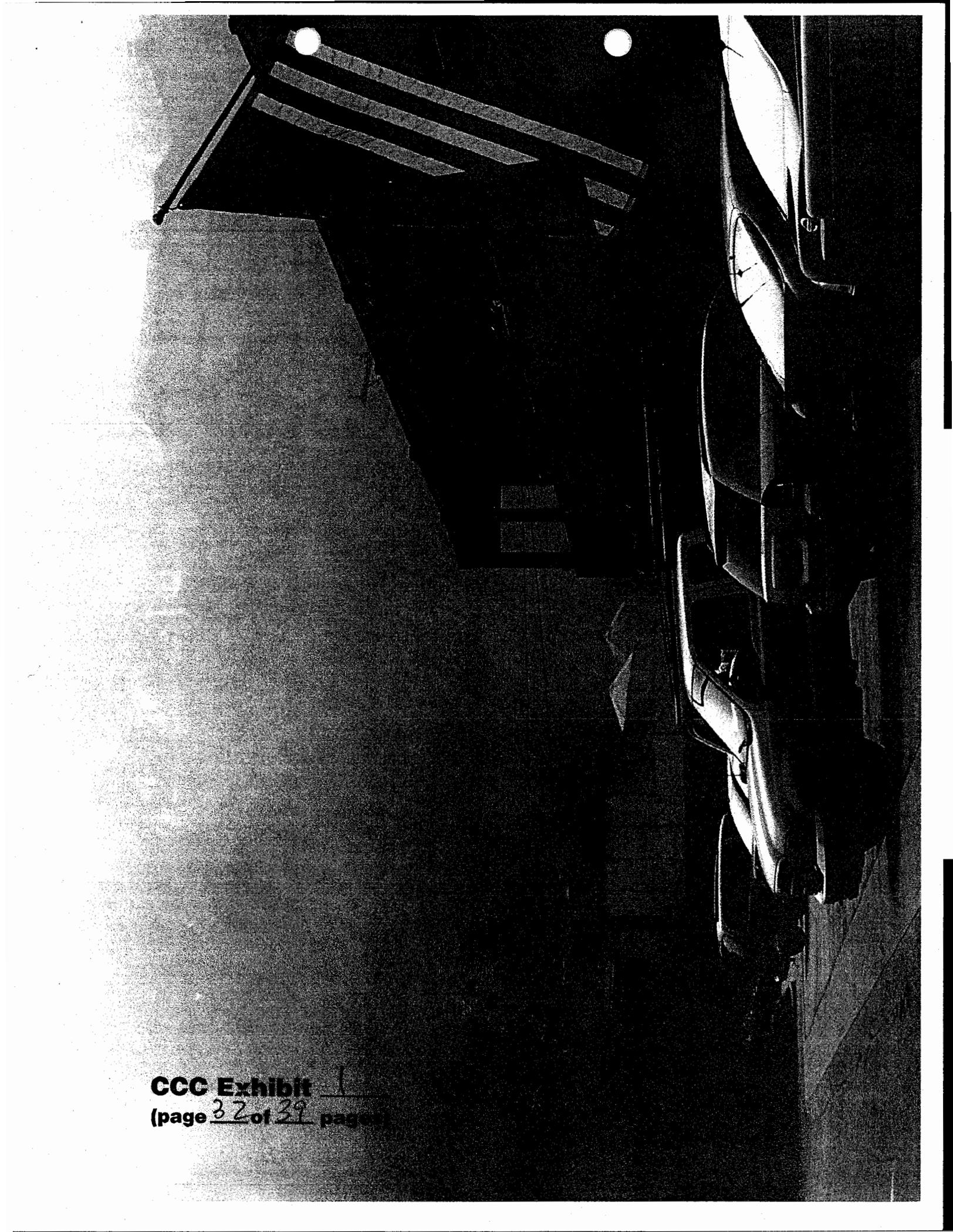


OFFICE
VACANCY

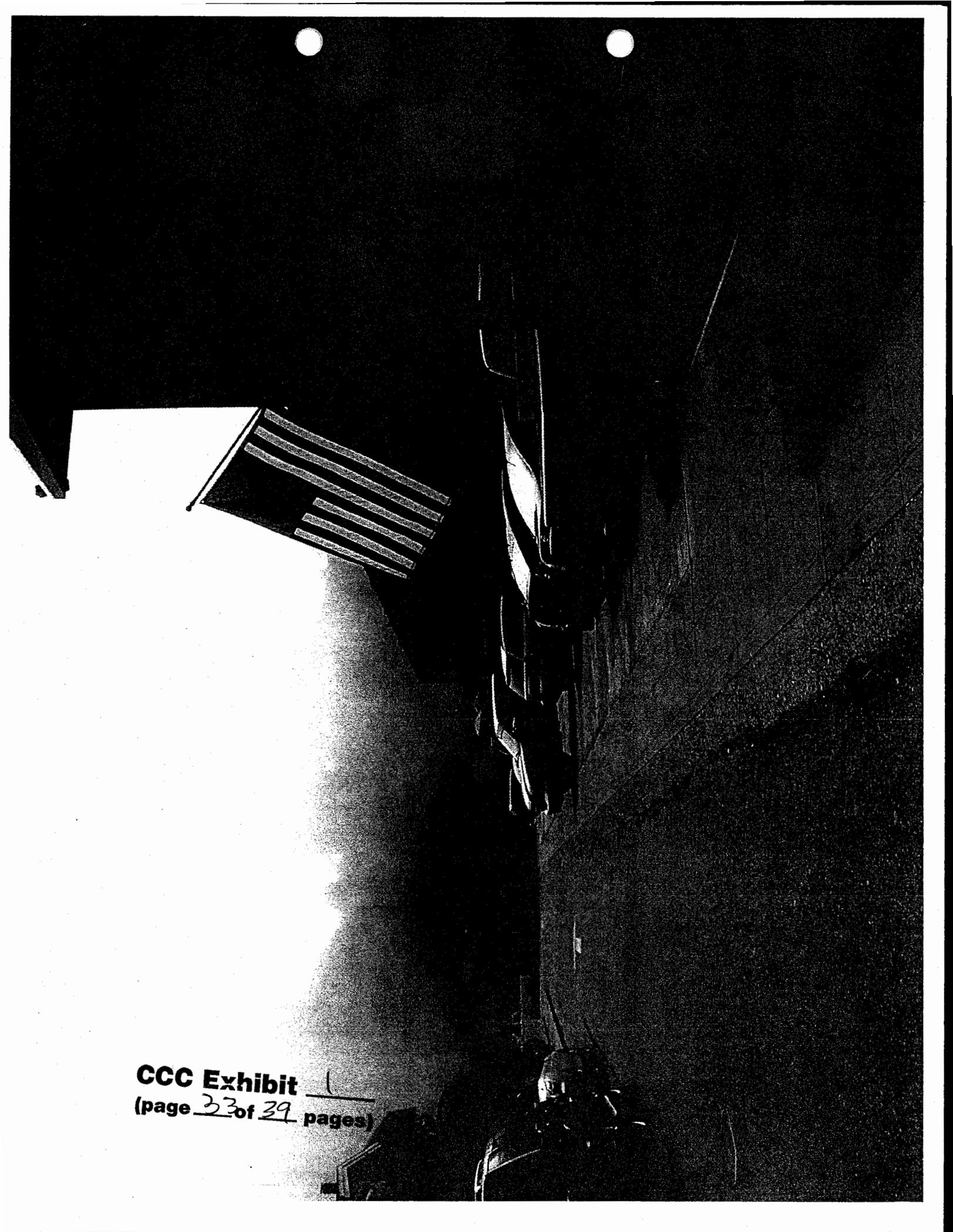


CCC Exhibit 1
(page 30 of 39 pages)

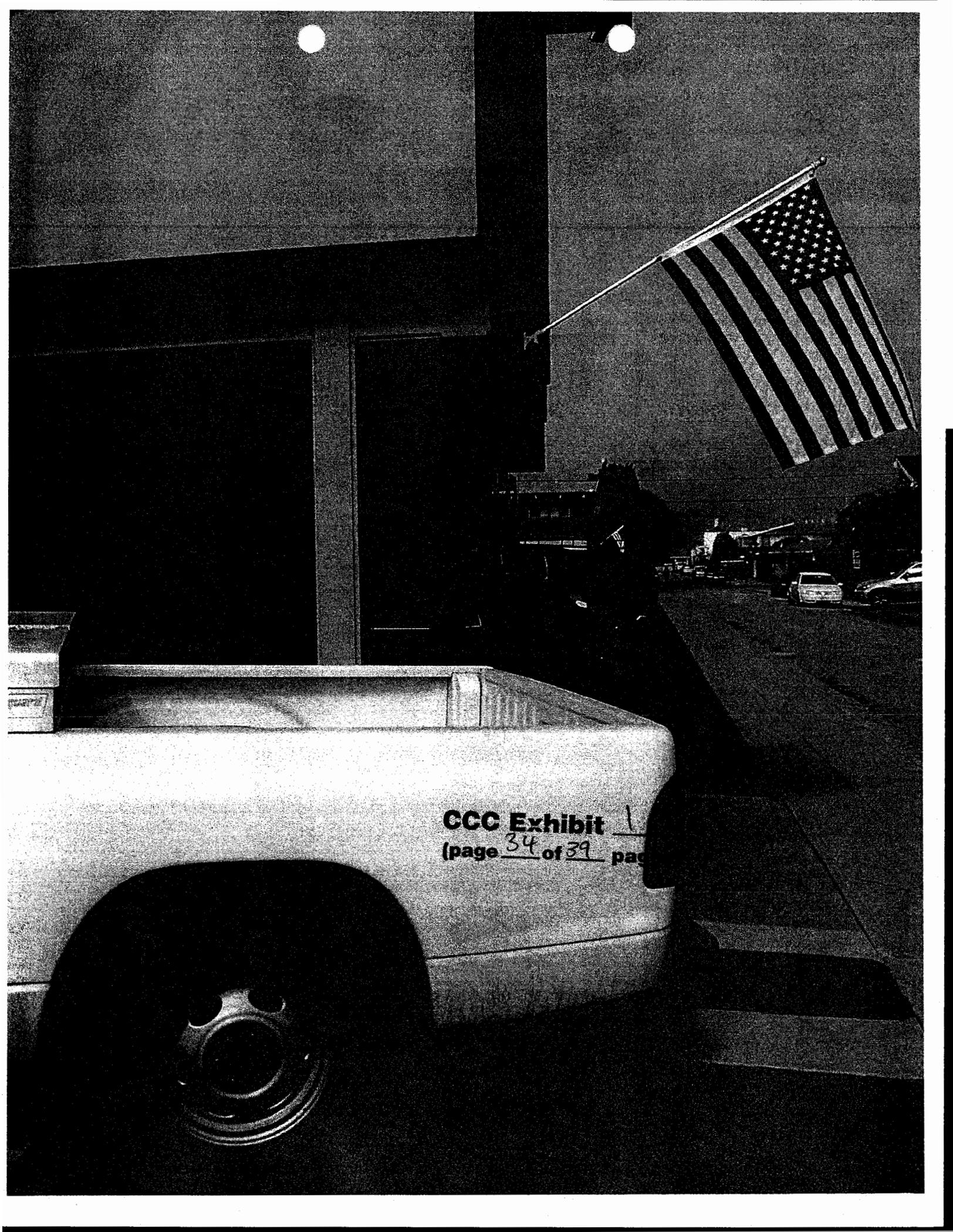
CCC Exhibit 1
(page 31 of 39 pages)



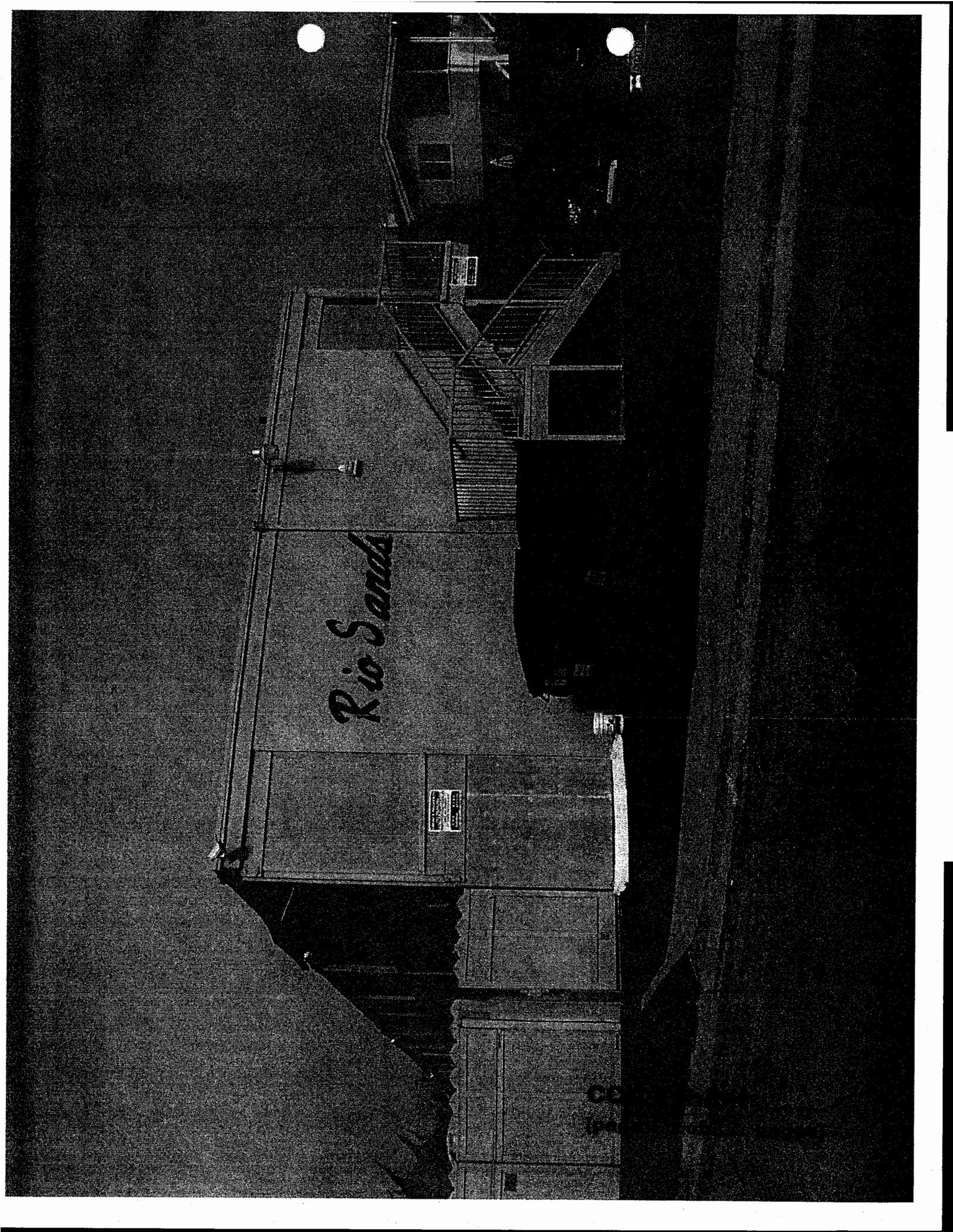
CCC Exhibit 1
(page 32 of 39 pages)



CCC Exhibit ()
(page 33 of 39 pages)



CCC Exhibit 1
(page 34 of 39 page 1)

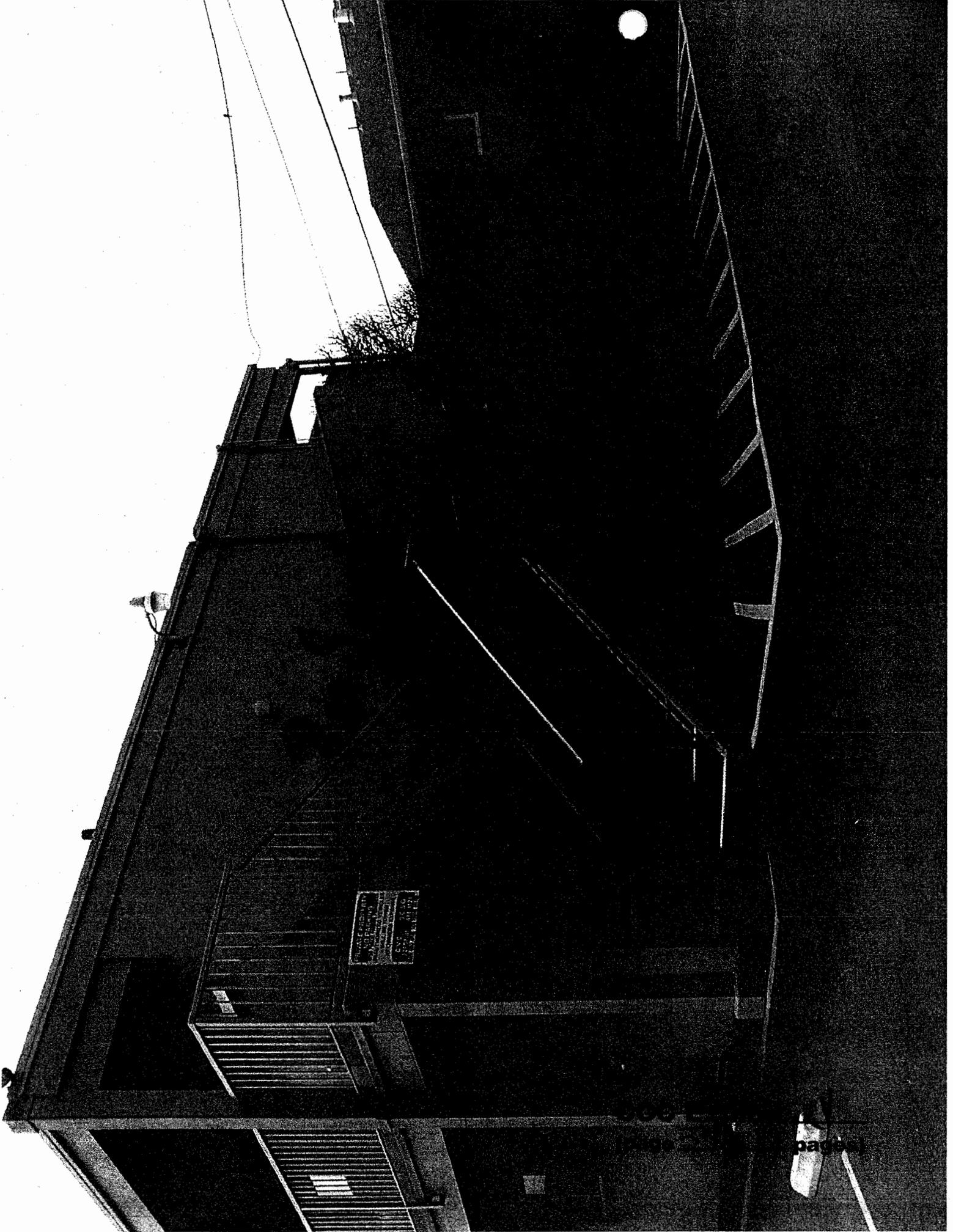


Rio Sands

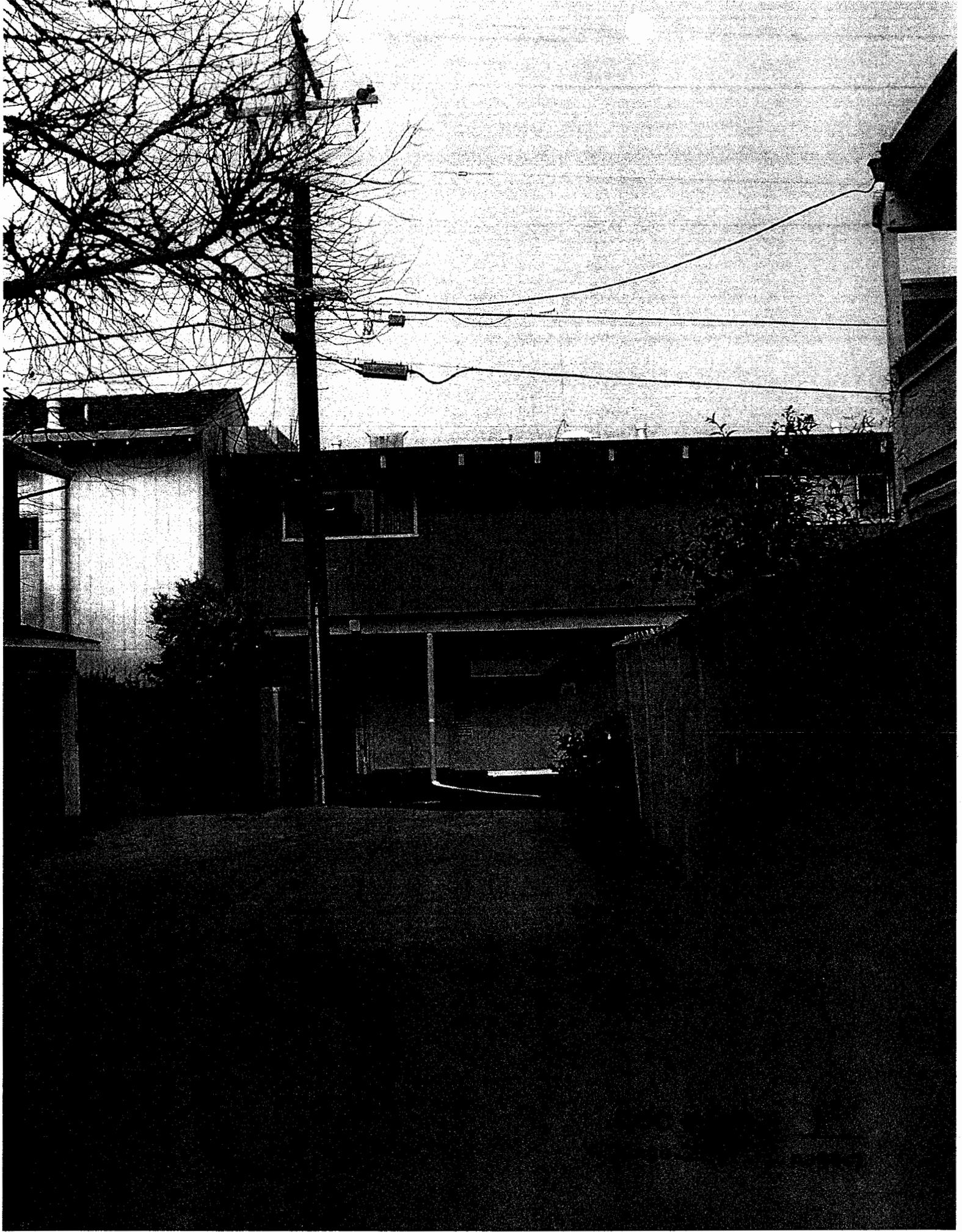
Small, illegible text block on the building facade, possibly a sign or poster.

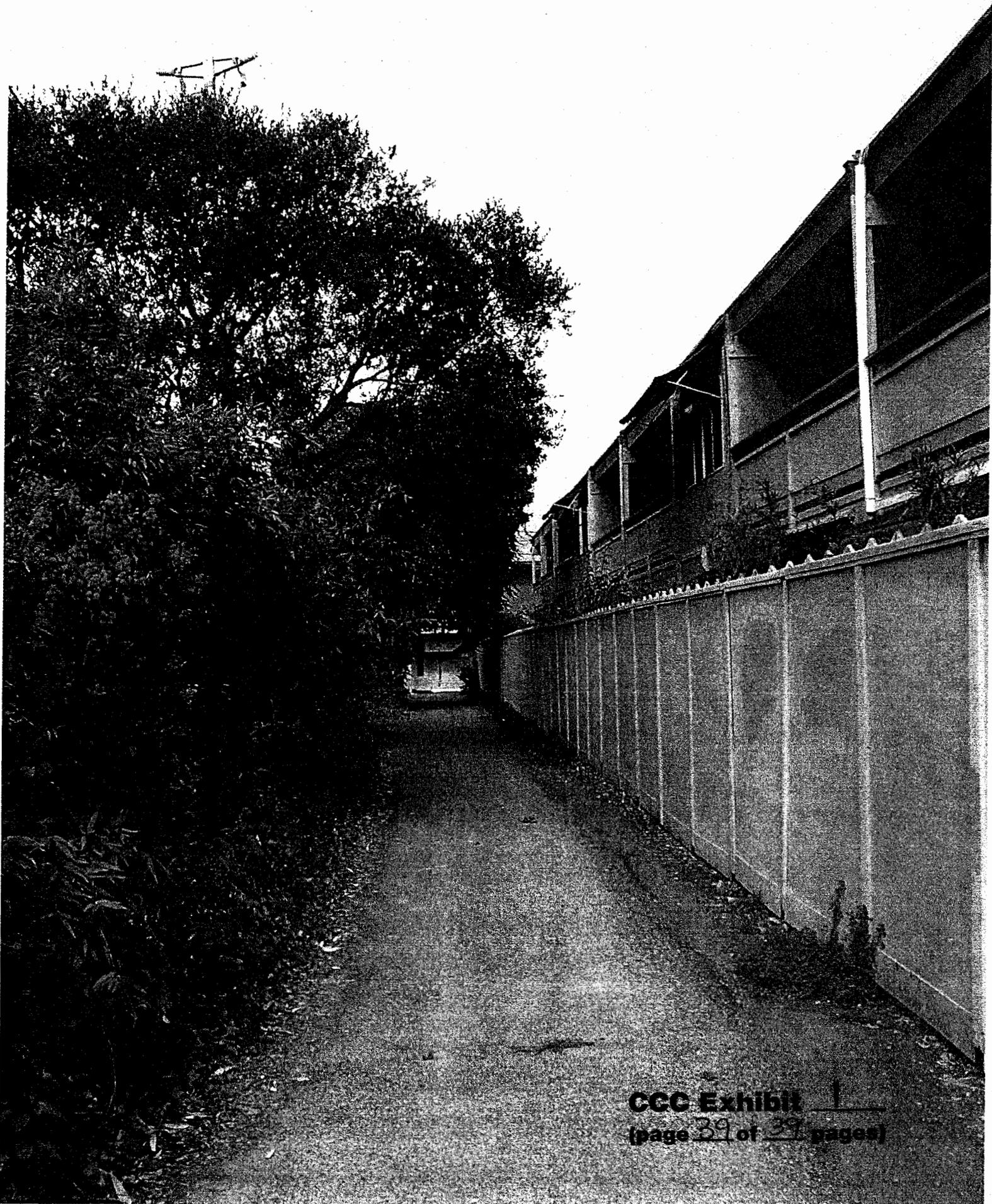
38





PROFESSIONAL
SERVICES
CORPORATION
1000 BAYVIEW BLVD
SUITE 1000
COSTA MESA, CALIF
92626





CCC Exhibit 1
(page 39 of 39 pages)

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060-4508
VOICE (831) 427-4863 FAX (831) 427-4877



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Dennis Beach

Mailing Address:]30 Venetian Rd.

City: Aptos

Zip Code: 95003

Phone: *(83])466- 6]00

SECTION II. Decision Being Appealed

1. Name of local/port government: Santa Cruz County

2. Brief description of development being appealed:

A remodel and minor additions to an existing motel (multi-family residential complex
Enlargement of an existing entrance foyer & removal of existing parking spaces

3. Development's location (street address, assessor's parcel no., cross street, etc.):

]6 Aptos Beach Dr Aptos, Ca. 95003

4. Description of decision being appealed (check one): Parcel # 042-30]-0] Cross Street is Stephen Rd

- xx] Approval; no special conditions
Approval with special conditions:
Denial

RECEIVED

OCT 20 2010

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:
APPEAL NO:
DATE FILED:
DISTRICT:

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
 City Council/Board of Supervisors
 Planning Commission
 Other

6. Date of local government's decision: September 17, 2010

7. Local government's file number (if any): _____

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Robert Goldspink
8042 Soquel Dr.
Aptos, Ca. 95003

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Donata Makuta
2346 Roosevelt Circle
Santa Clara, Ca. 95951
- (2) Ron & Carol Dunn
415 Woodhams Rd.
Santa Clara, Ca. 95051
- (3) Donna L. Egan
130 Venetian Rd.
Aptos, Ca. 95003
- (4) Russell Riley
1518 Ascension Rd.
San Mateo, Ca. 94402
- (5) Wendy Breen
141 Stephen Rd. Aptos, Ca. 95003
- (6) David Schie
1 22620 Ricardo Rd. Cupertino, Ca. 95014

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

The required removal of three parking spaces, a decision made by the Santa Cruz county zoning administrator has not been included in the Conditions of Approval, Exhibit C .

This condition was required by Steve Guinney in a hearing held on September 17, 2010 for public safety due to the extension of the entrance foyer that would block the vision of guests backing out of the motel onto Stephen Rd. The issue of where the three parking spaces would be relocated has not been resolved. The construction of the entrance which will be located just one foot back from a public sidewalk will be materially detrimental to public safety and injurious. The opposite side of this proposed entrance and opposite of where the three parking spaces are to be removed the vision of drivers will also be blocked from children walking, running, biking, walking or running down Stephen Rd. The county's granting of special privileges in allowing a one foot setback from a public sidewalk is a privilege that have been denied to other residents directly across the street from the Rio Sands Motel. The extension of the office/foyer will negatively impact the traffic on Stephen Rd. a one way Street, and have an adverse effect on parking in and around the neighborhood. A permit should not be issued until as the Rio Sands is already out of compliance for building a large storage area before any permits have been issued. The code compliance officer is currently investigating the complaint. Under the Land Use Plan any new development or remodel of an existing motel requires one parking space per room. Additions of the 28ft tall towers at each end of the motel along with the eight foot tall mansard roof will create a loss of light in the area and will dwarf all other structures in the neighborhood and will not be consistent with homes in the area. All of these issues were concerns voiced and written to the planning department, yet out of the five or six letters and faxes sent to the planning department only one letter was included to the coastal commission in the county's packet of documents. We are also appealing the decision to allow the motel two years to finish this project and require that the construction be completed in one year. I; I;ve worked construction my whole life and have built 100 room hotels in six months. The quality of life will disappear for two years.

CCC Exhibit 2
(page 3 of 4 pages)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 10-20-10

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

RECEIVED

NOV 08 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Project Data

PROJECT NAME: Rio Sands Motel
PROJECT ADDRESS: 116 Aptos Beach Drive, Aptos, CA 95023
OWNER: Robert J. Goldspink

APN: 047-07-007-001
ZONING: C-1
DESCRIPTION: New 100-unit multi-unit residential building, consisting of 100 units, including 100 units of studio units and 100 units of one-bedroom units.

AREA COMPARISONS:
Site Area: 54,109 sq. ft. (1.2521 ac)
Existing Building Footprint: 4,441 sq. ft.
Existing Building Area: 18,309 sq. ft.
New Building Footprint: 100,000 sq. ft.
New Building Area: 100,000 sq. ft.

PERMITS: No change in number of spaces.
DESIGN: 17A (MAY 2007)
STORM: 17A (MAY 2007)

UTILITY: No change in number of units.
No change in number of units.
No change in number of units.

PROJECT DATA:
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PROJECT ADDRESS: 116 Aptos Beach Drive, Aptos, CA 95023
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STORM: 17A (MAY 2007)

UTILITY: No change in number of units.
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PROJECT DATA:
PROJECT NAME: Rio Sands Motel
PROJECT ADDRESS: 116 Aptos Beach Drive, Aptos, CA 95023
OWNER: Robert J. Goldspink

APN: 047-07-007-001
ZONING: C-1
DESCRIPTION: New 100-unit multi-unit residential building, consisting of 100 units, including 100 units of studio units and 100 units of one-bedroom units.

AREA COMPARISONS:
Site Area: 54,109 sq. ft. (1.2521 ac)
Existing Building Footprint: 4,441 sq. ft.
Existing Building Area: 18,309 sq. ft.
New Building Footprint: 100,000 sq. ft.
New Building Area: 100,000 sq. ft.

PERMITS: No change in number of spaces.
DESIGN: 17A (MAY 2007)
STORM: 17A (MAY 2007)

UTILITY: No change in number of units.
No change in number of units.
No change in number of units.

PROJECT DATA:
PROJECT NAME: Rio Sands Motel
PROJECT ADDRESS: 116 Aptos Beach Drive, Aptos, CA 95023
OWNER: Robert J. Goldspink

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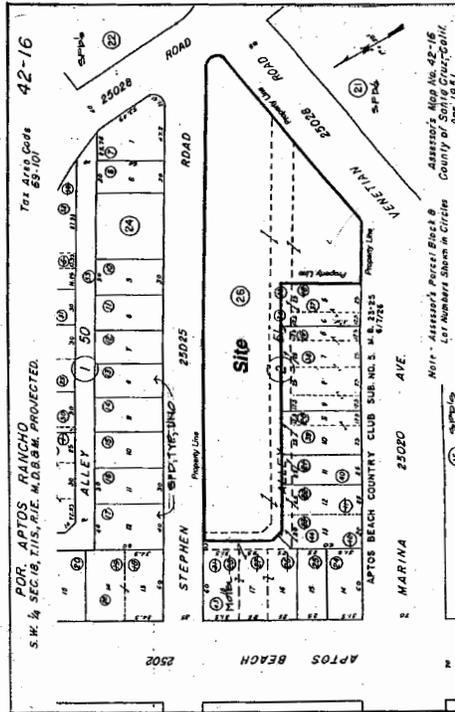
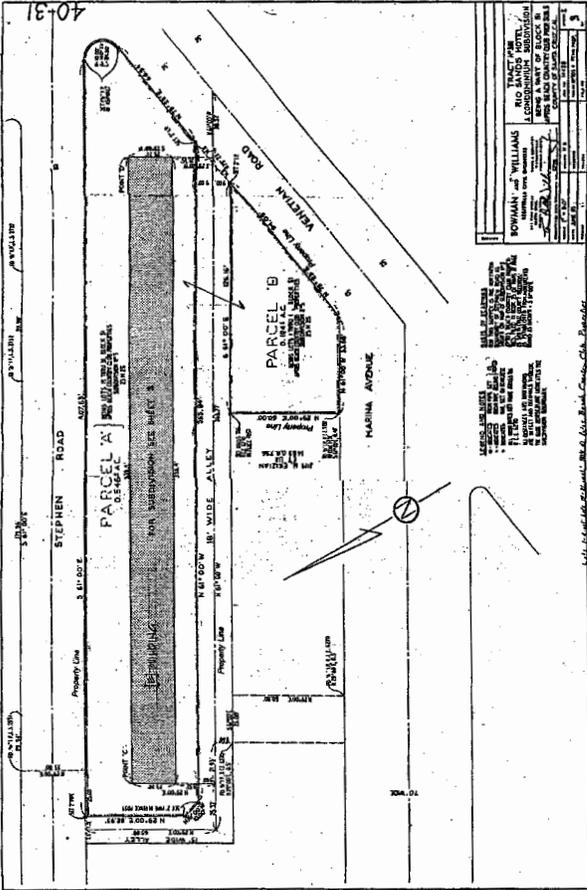
RIO SANDS MOTEL
116 Aptos Beach Drive
Aptos, CA 95023

Title Sheet

1

Drawing List

- TITLE SHEET
- FIRST FLOOR PLAN - CENTRAL AREA
- FIRST FLOOR PLAN - EAST END
- FIRST FLOOR PLAN - WEST END
- SECOND FLOOR PLAN - CENTRAL AREA
- SECOND FLOOR PLAN - WEST END
- SECTION A ELEVATION - CENTRAL AREA
- ELEVATIONS - EAST END
- ELEVATIONS - WEST END
- ROOF PLAN
- EXISTING SITE PLAN
- EXISTING FIRST FLOOR PLAN - CENTRAL AREA
- EXISTING FIRST FLOOR PLAN - EAST END
- EXISTING FIRST FLOOR PLAN - WEST END
- EXISTING SECOND FLOOR PLAN - CENTRAL AREA
- EXISTING ELEVATIONS & SECTION
- LANDSCAPE PLAN



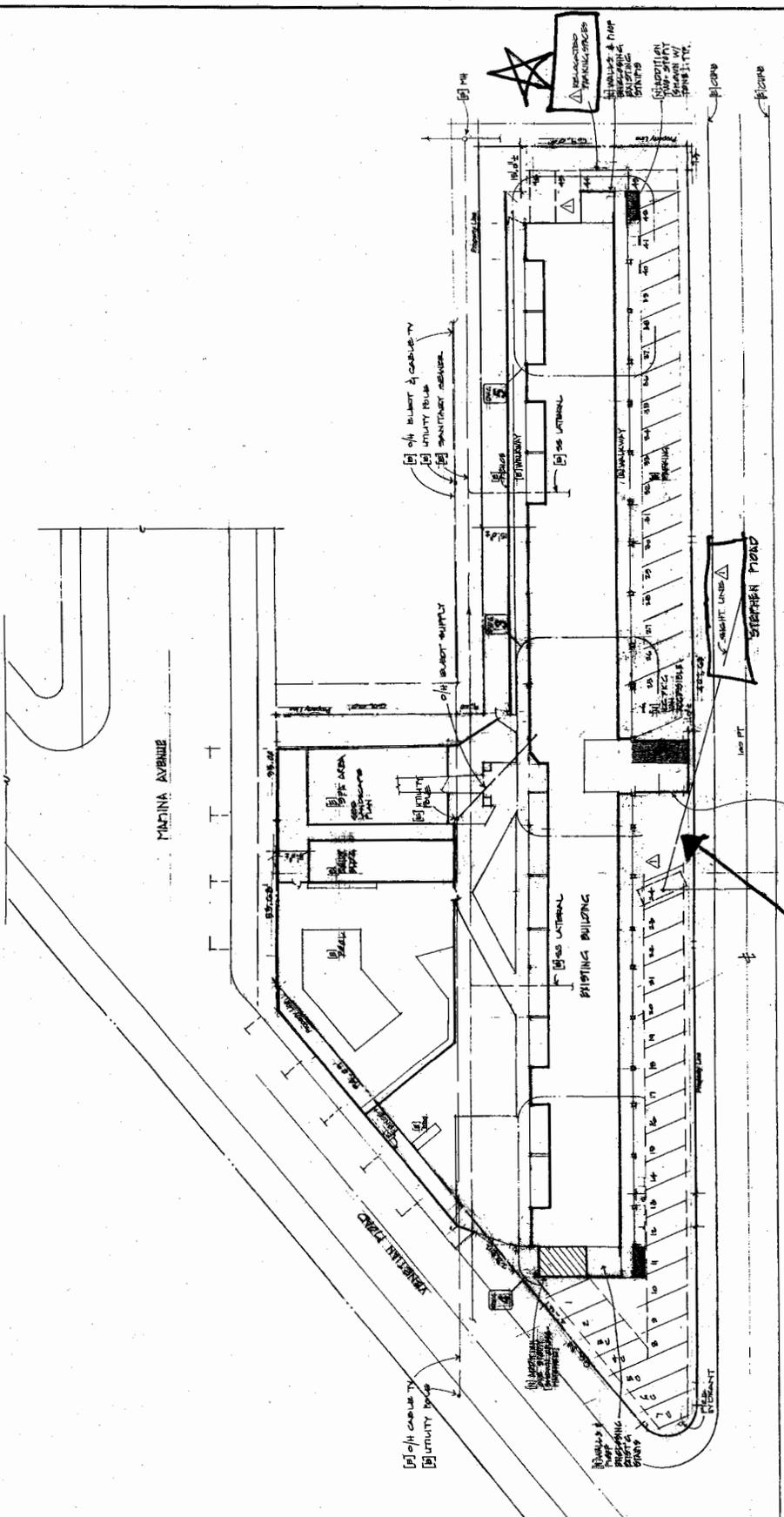
△ 7-16-10 TRAINING LOGSKIT ATTENDED
SHORT UNIT ADDRESS

ROBERT J GOLDSPIK ARCHITECT C 12.796
Aplos CA 95002
116 Aplos Beach Drive
Aplos CA 95003

Site Plan

RIO SANDS MOTEL
116 Aplos Beach Drive
Aplos CA 95003

2



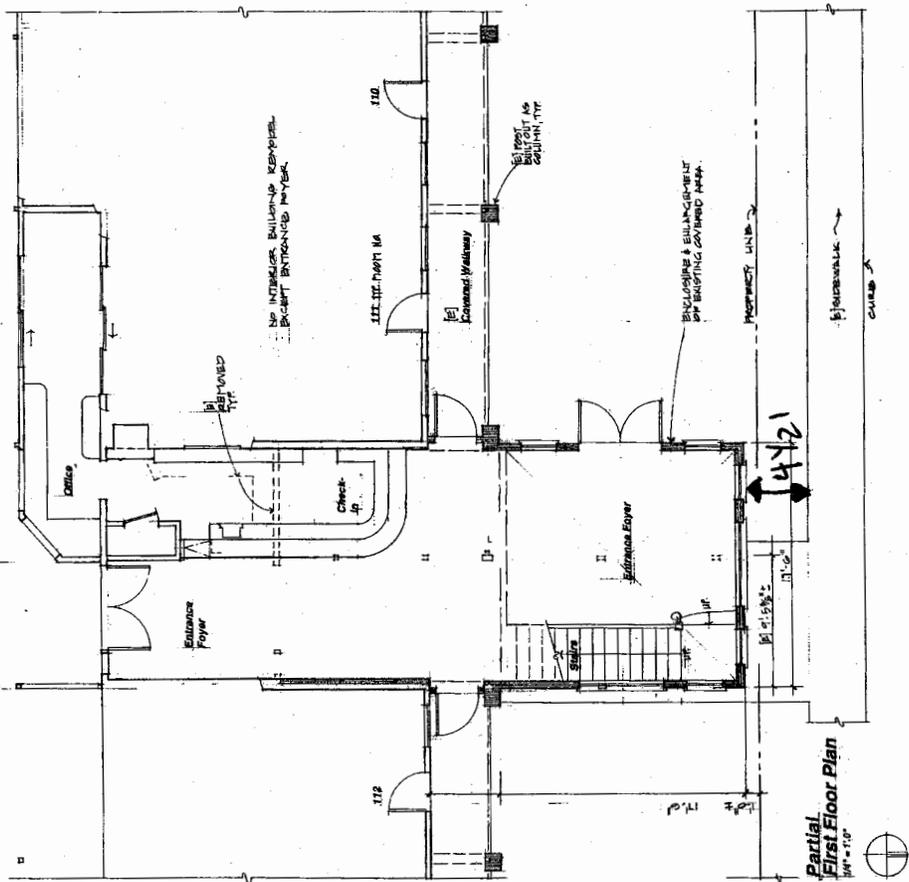
Parking Schedule

Existing parking	43 available and 3 accessible spaces
Total	46
Proposed parking	48 available, 5 complete and 1 accessible space
Total	46

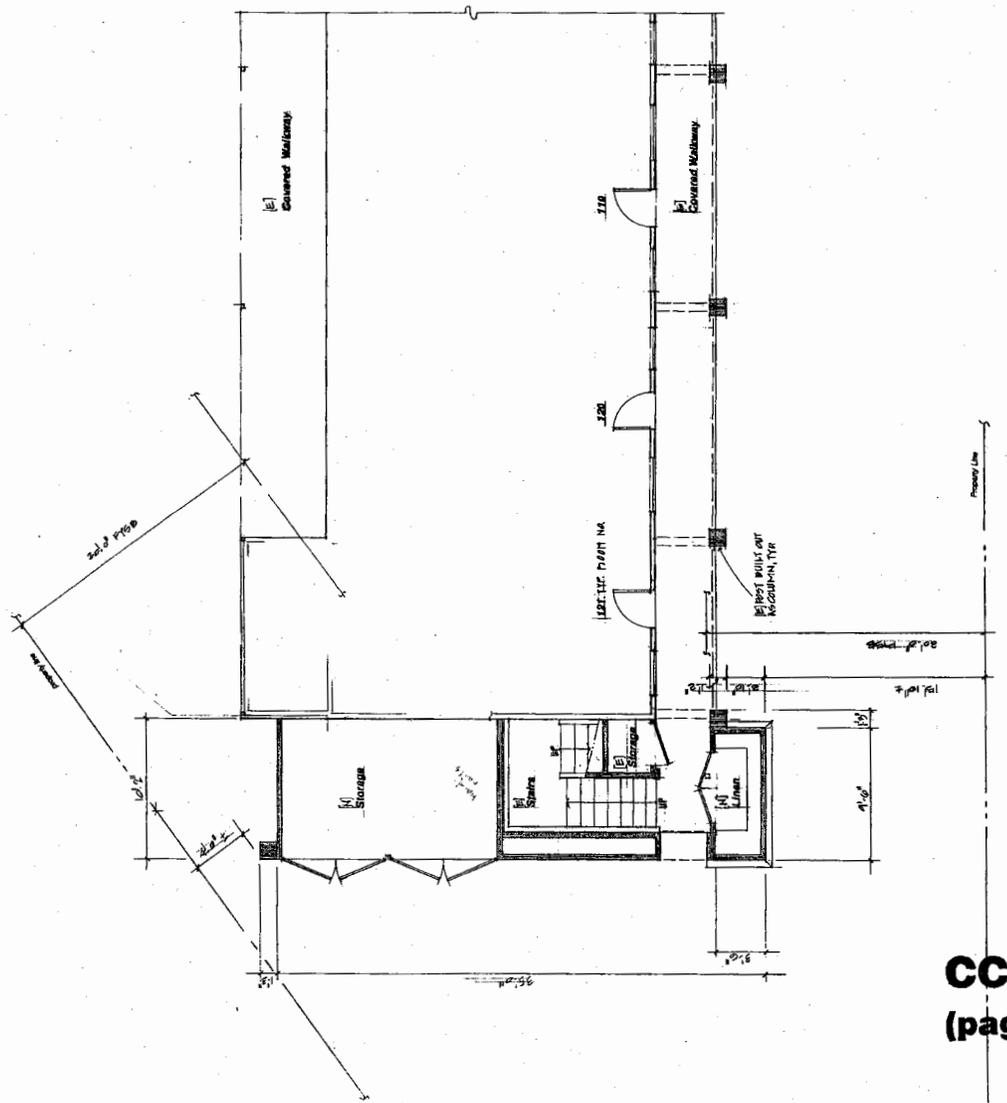
Remove
two parking
spaces



SEE PAGE 3 & 4 FOR ARCHITECTURAL
COMPLETIONS

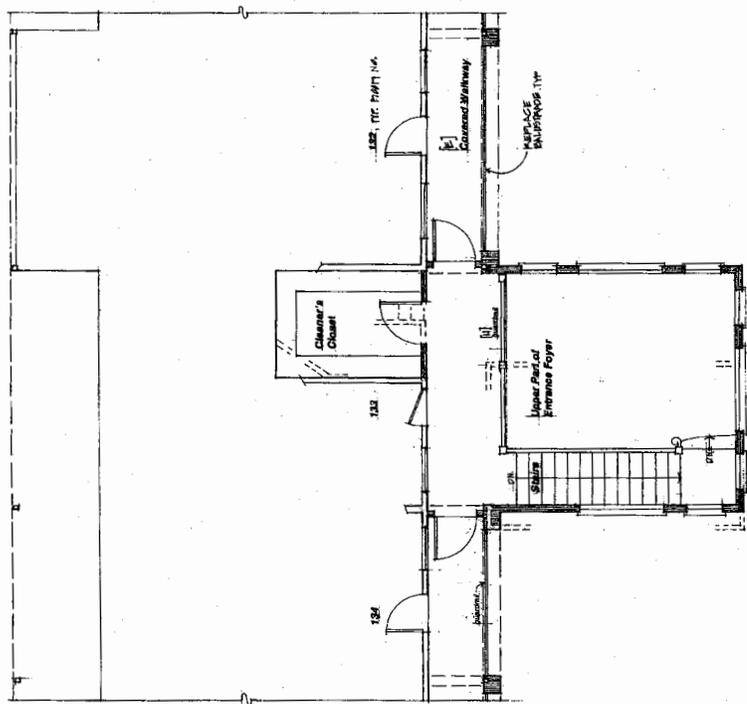


Partial First Floor Plan
1/4" = 1'-0"



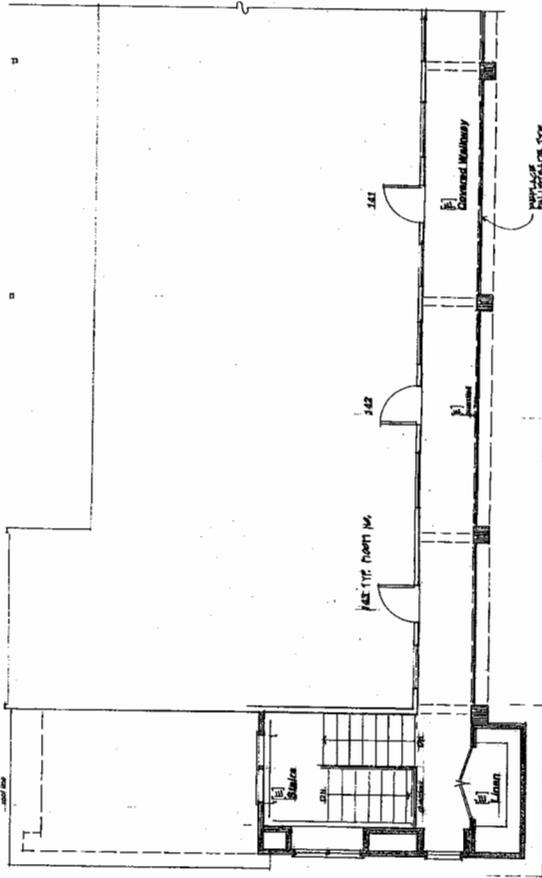
Partial
First Floor Plan
1/4" = 1'-0"

CCC Exhibit 3
(page 4 of 21 pages)



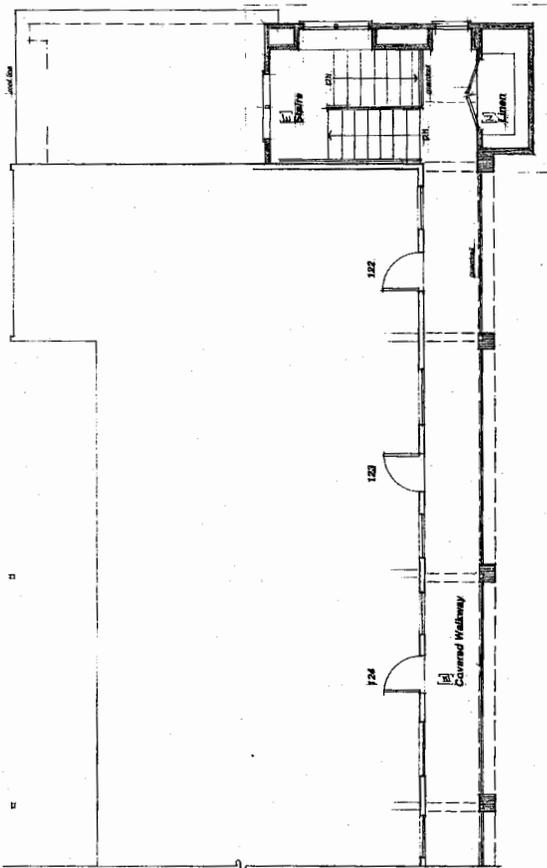
Partial
Second Floor Plan
RJS-116





Partial
 Second Floor Plan
 1/4" = 1'-0"



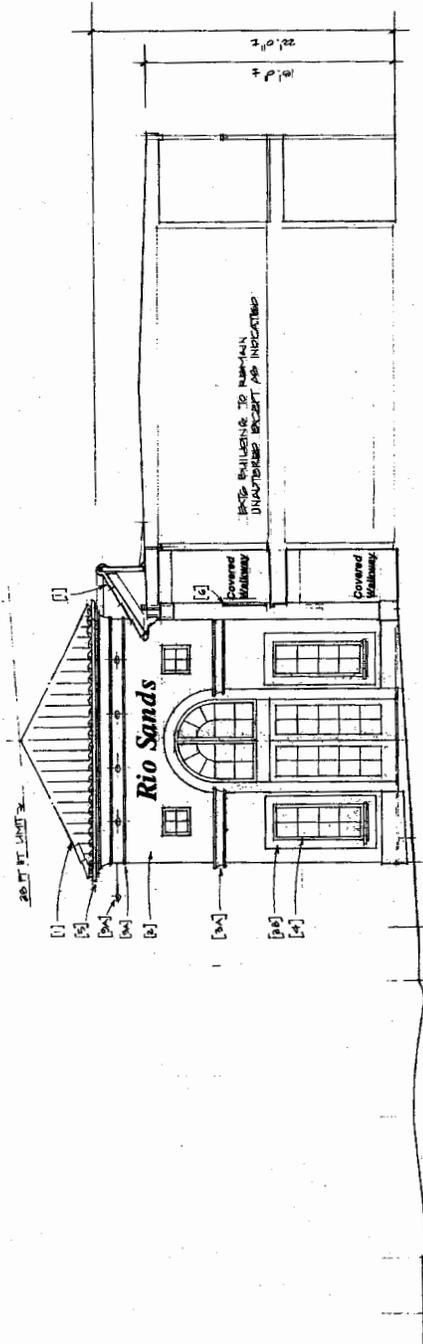


Partial
Second Floor Plan
1/4" = 1'-0"

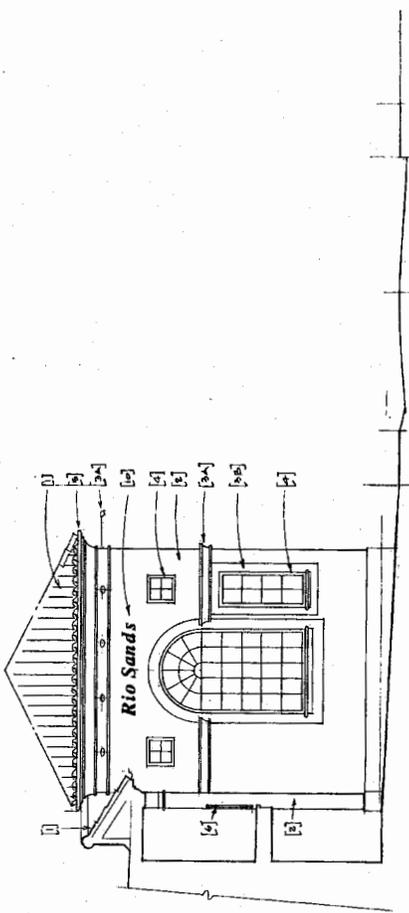


Exterior Materials & Color Schedule

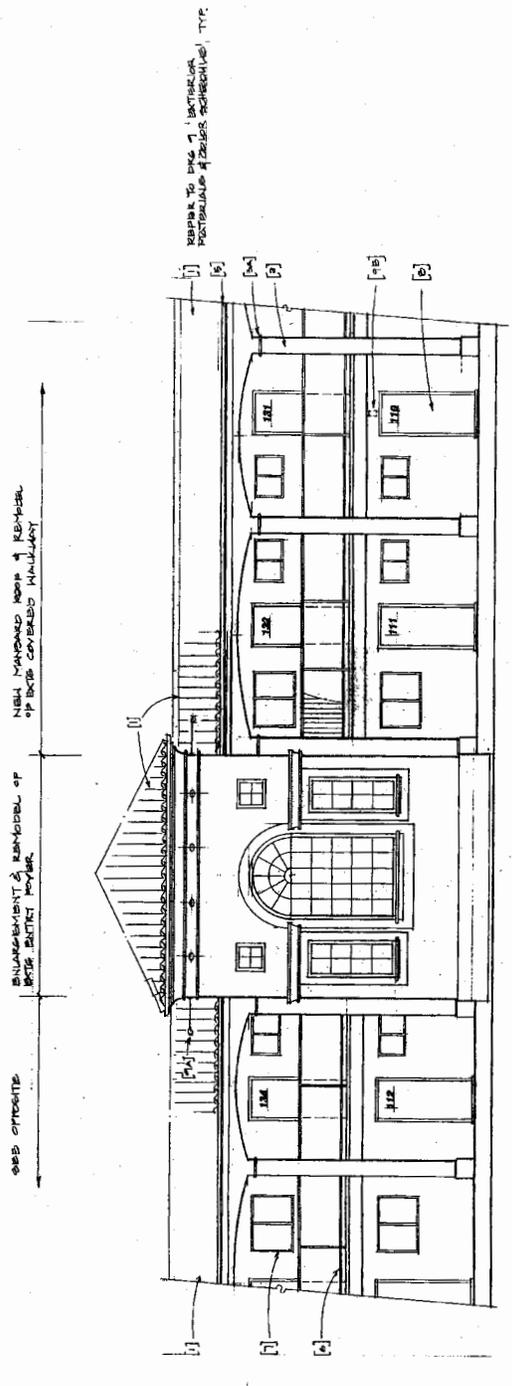
- Material**
1. Clay roof tile
 2. Stucco walls
 3. Stucco masonry
 4. Masonry veneer
 5. Copper gutters and downspouts
 6. Aluminum
 7. Existing exterior windows
 8. Light fixtures
 9. Replacement garage door
 10. Security bars
 11. Security bars
- Color**
1. The fabric color with colored metal roof tiles and ridge cap.
 2. The color of the stucco walls to match the existing stucco walls on the existing building.
 3. The color of the stucco masonry to match the existing stucco masonry on the existing building.
 4. The color of the masonry veneer to match the existing masonry veneer on the existing building.
 5. The color of the copper gutters and downspouts to match the existing copper gutters and downspouts on the existing building.
 6. The color of the aluminum to match the existing aluminum on the existing building.
 7. The color of the existing exterior windows to match the existing exterior windows on the existing building.
 8. The color of the light fixtures to match the existing light fixtures on the existing building.
 9. The color of the replacement garage door to match the existing garage door on the existing building.
 10. The color of the security bars to match the existing security bars on the existing building.
 11. The color of the security bars to match the existing security bars on the existing building.



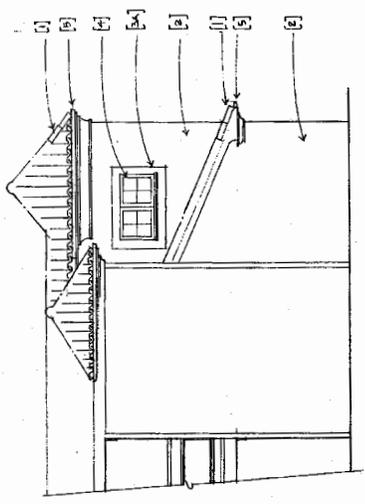
Section A
1/4" = 1'-0"



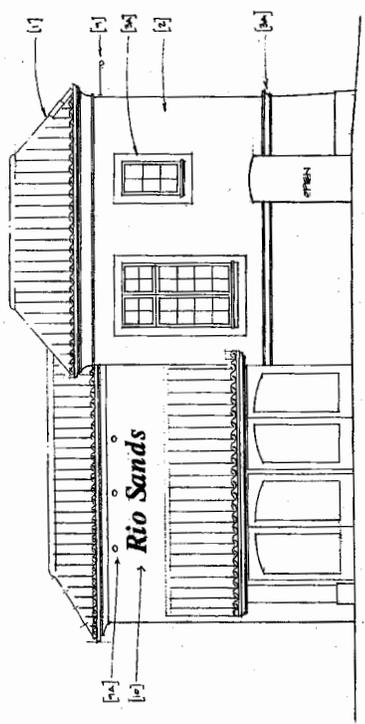
East Elevation
1/4" = 1'-0"



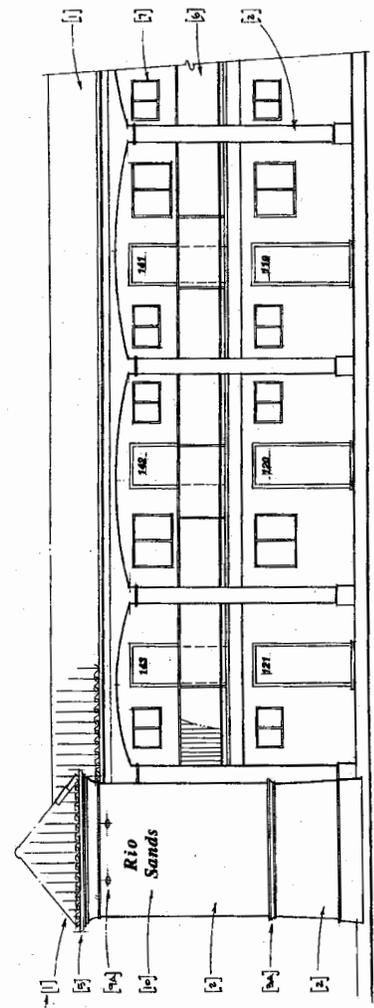
Partial North Elevation
1/4" = 1'-0"



Partial South Elevation
 1/4" = 1'-0"

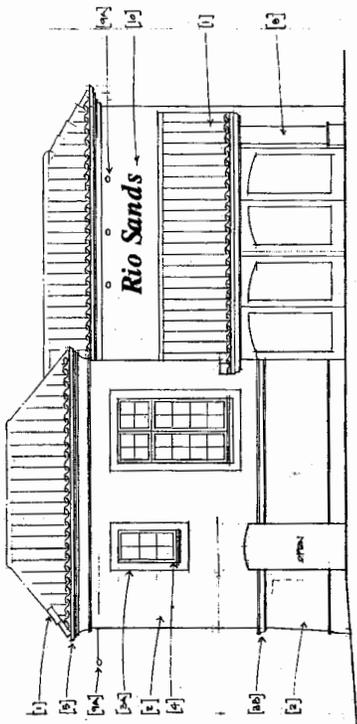


East Elevation
 1/4" = 1'-0"

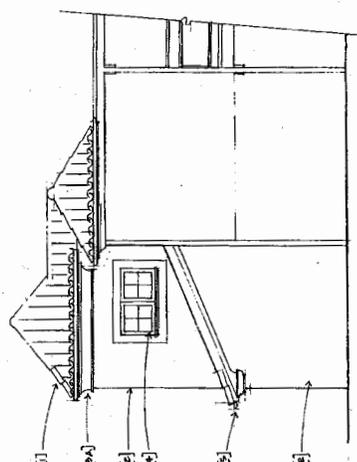


Partial North Elevation
 1/4" = 1'-0"

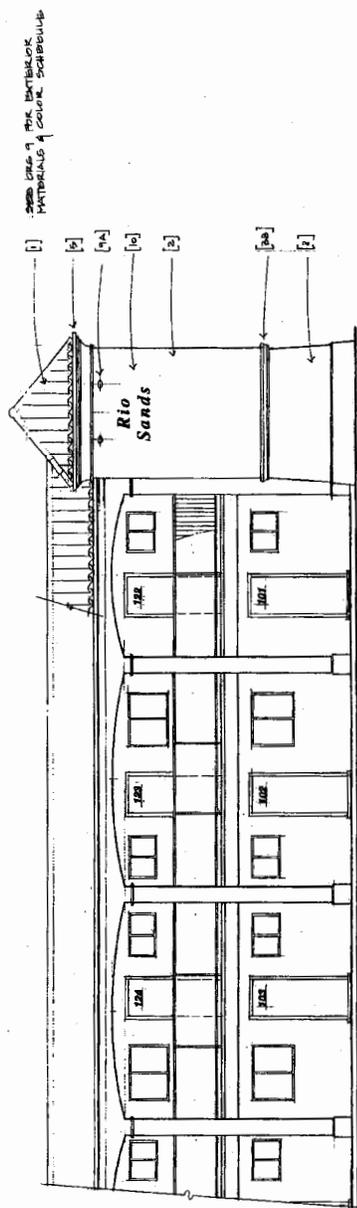
SHOW UPON THE EAST ELEVATION
 THE LOCATION OF THE EAST END
 OF THE BUILDING



West Elevation
1/4" = 1'-0"



Partial South Elevation
1/4" = 1'-0"



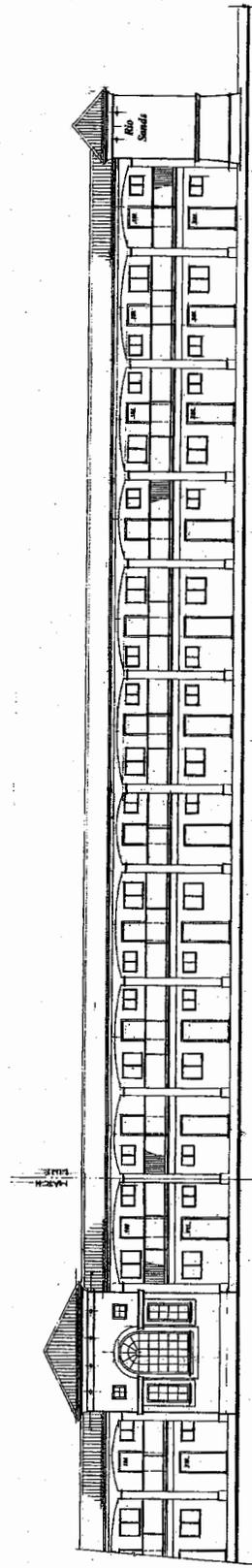
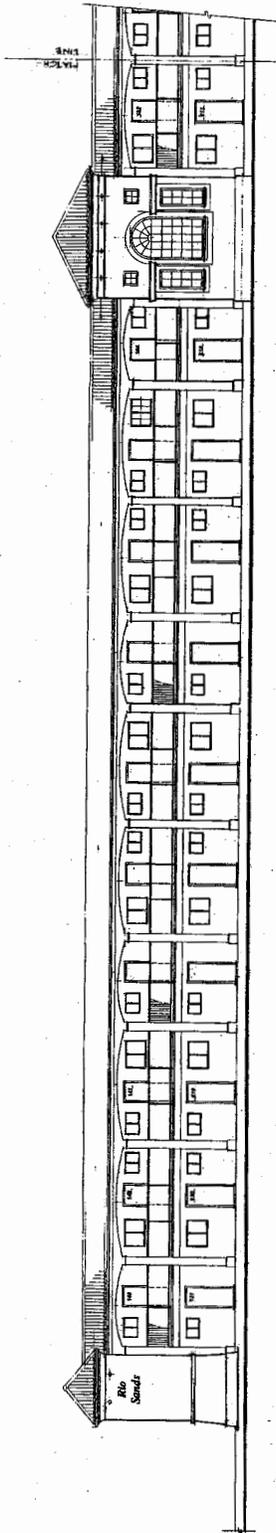
Partial North Elevation
1/4" = 1'-0"

ROBERT J GOLDSPIK ARCHITECT C 12.796
10425 Sausal Drive Aptos CA 95003
Tel (831) 682 6422 Fax (831) 682 6422
drew V.A.R. drew at aptos

North Elevation

RIO SANDS MOTEL
116 Aptos Beach Drive
Aptos CA 95003

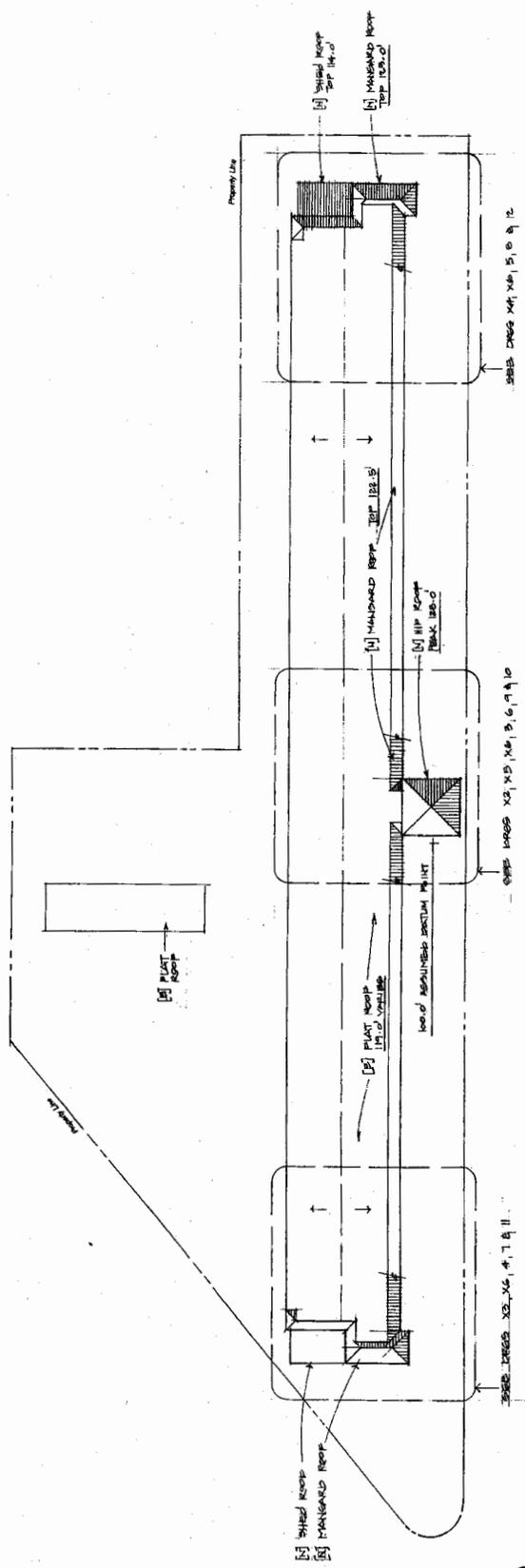
13



North Elevation
1/8" = 1'-0"

DATE: 08/05/03 3, 10, 11, 12 REAL INTERIORS & EXTERIORS

CCC Exhibit 3
(page 12 of 24 pages)



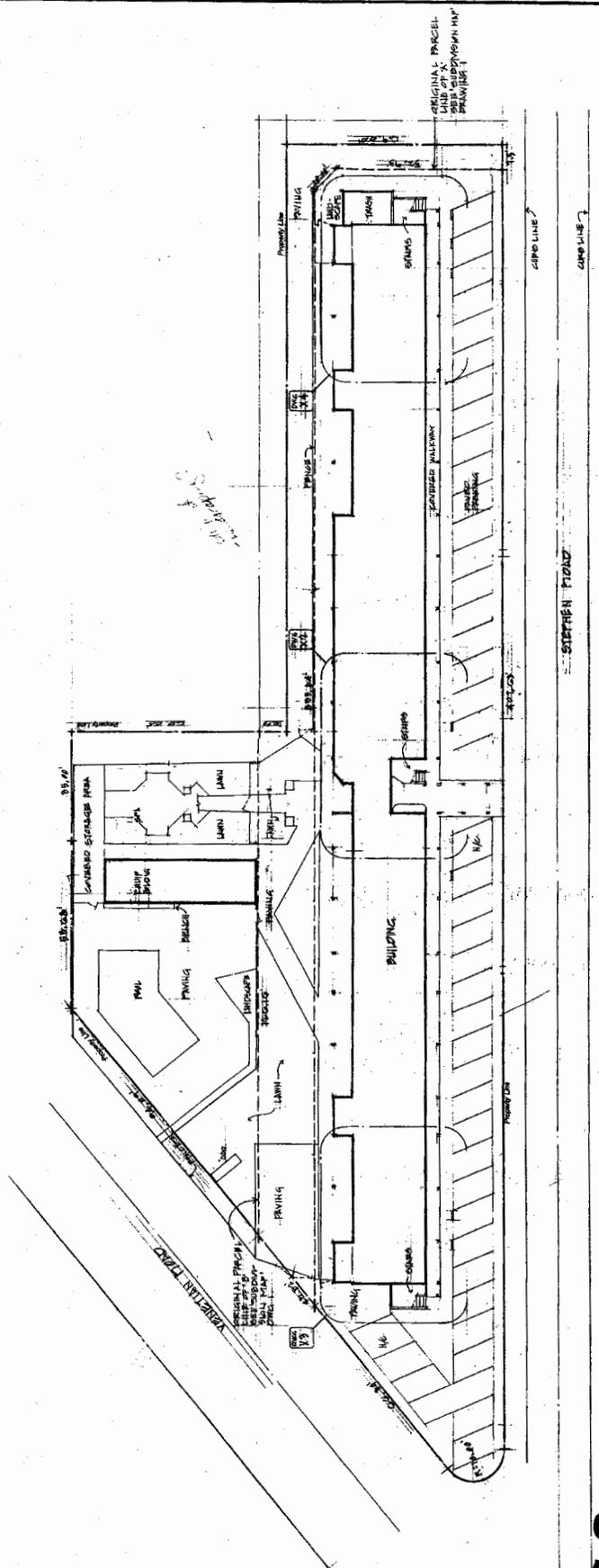
Roof Plan
1" = 16'-0"

X1

RIO SANDS MOTEL
116 Aptos Beach Drive
Aptos CA 95003

Existing
Site Plan

ROBERT J GOLDSPEAK ARCHITECT
C 12,796
Aptos CA 95003
Fax (831) 686 4412
1042 Soquel Drive
(831) 686 6550



Site Plan
1" = 10'-0"



CCC Exhibit 3
(page 15 of 21 pages)

X2

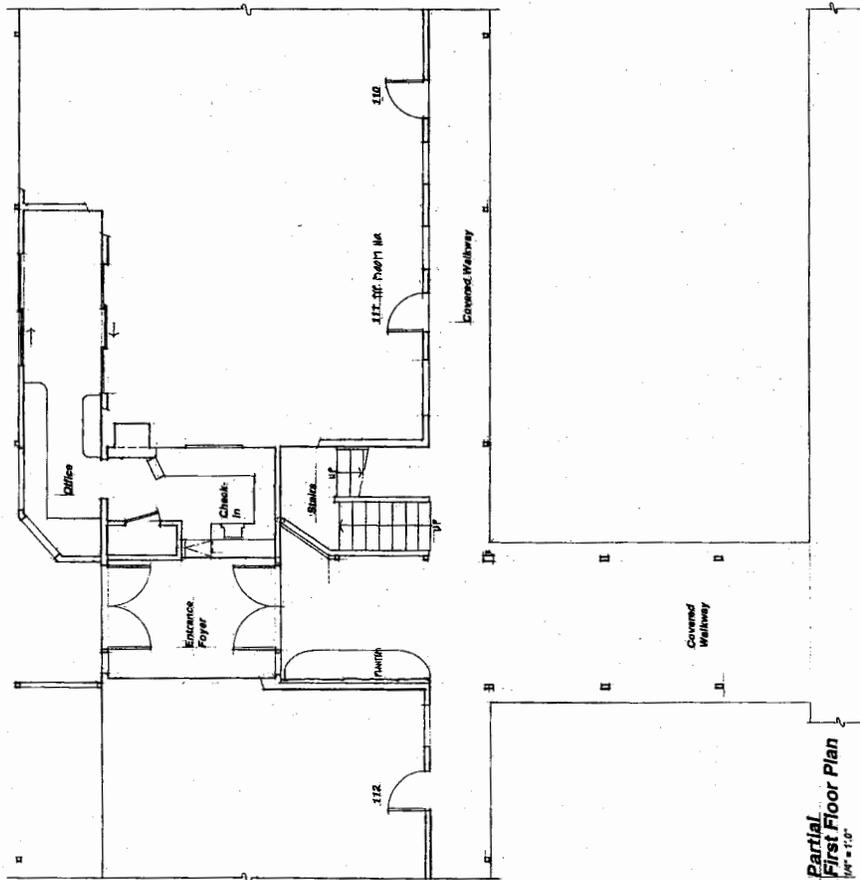
RIO SANDS MOTEL
115 Aptos Beach Drive
Aptos CA 95003

**Existing
First Floor Plan
Central Area**

ROBERT J GOLDSBANK ARCHITECT
1002 Sycamore Drive
Santa Cruz CA 95060
(408) 298-8800

Appt. CA 95003
Fax (408) 298-8802

Sheet Title
Date 4-18-04



**Partial
First Floor Plan**
1/4" = 1'-0"

X3

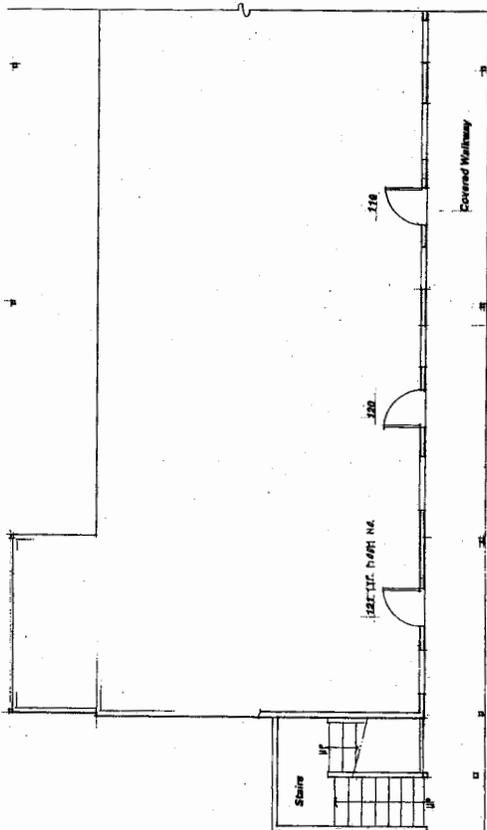
RIO SANDS MOTEL
116 Aptos Beach Drive
Aptos CA 95003

**Existing
First Floor Plan
East End**

ROBERT J. GOLDSPIRK ARCHITECT
C 12,796

1042 Seaside Drive
Aptos CA 95003
Tel (831) 688 4402

08/11/04



**Partial
First Floor Plan**
1/4" = 1'-0"



X4

RIO SANDS MOTEL
116 Aptos Beach Drive
Aptos CA 95003

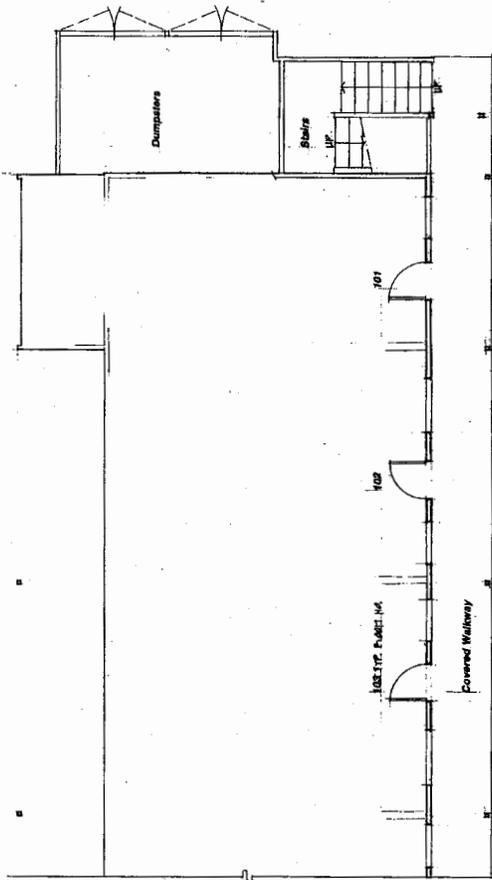
Existing
First Floor Plan
West End

ROBERT J GOLDSPIK ARCHITECT
C 12.796

Architect
1031 8th Street
Aptos CA 95003

Phone (831) 838-4402
FAX (831) 838-4402

Sheet 15
Date 4-14-74



Partial
First Floor Plan
1/4" = 1'-0"



X5

RIO SANDS MOTEL
118 Aptos Beach Drive
Aptos CA 95003

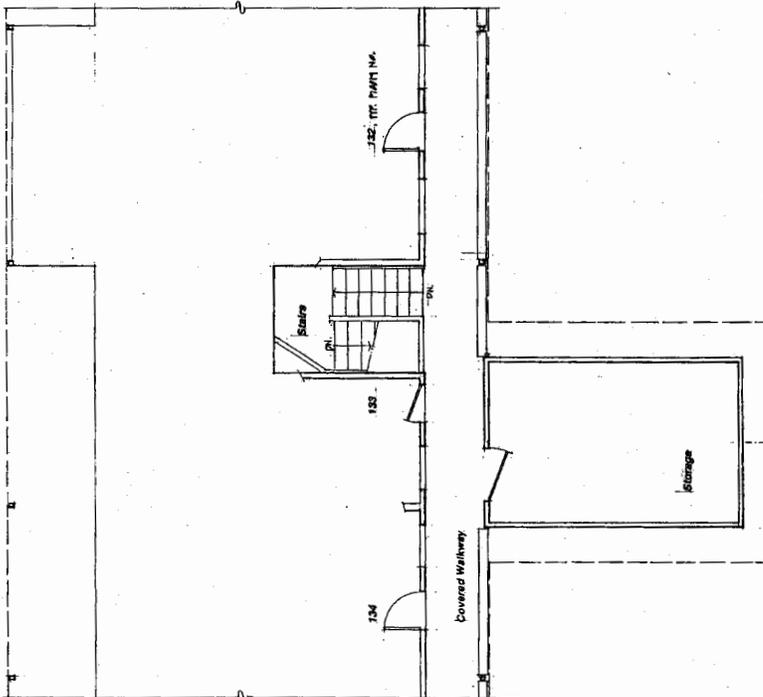
**Existing
Second Floor Plan
Central Area**

ROBERT J GOLDSPINK ARCHITECT
C 12.796

Aptos CA 95003
Tel (831) 588-4402

6047 Sargent Drive
(831) 588-8800

Sheet H-5
Date 11.14.04



**Partial
Second Floor Plan**
1/4" = 1'-0"



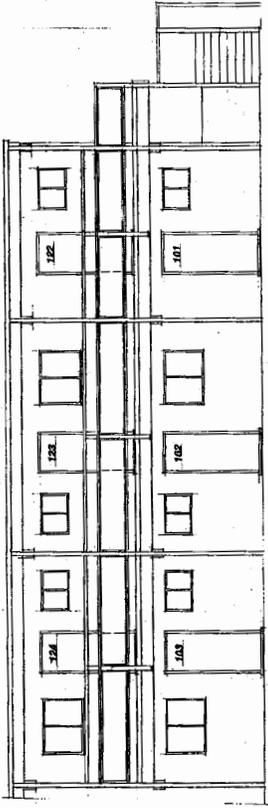
X6

RIO SANDS MOTEL
116 Aptos Beach Drive
Aptos CA 95003

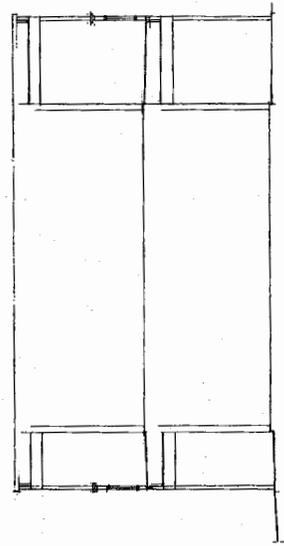
**Existing Elevations
and Section**

ROBERT J. GOLDSPEAK ARCHITECT
9042 Sausal Drive
Aptos CA 95023
(831) 698-6922
Fax (831) 698-6922
www.rjga.com

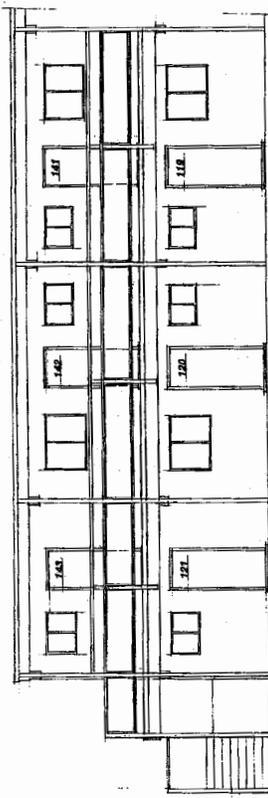
C-12.796



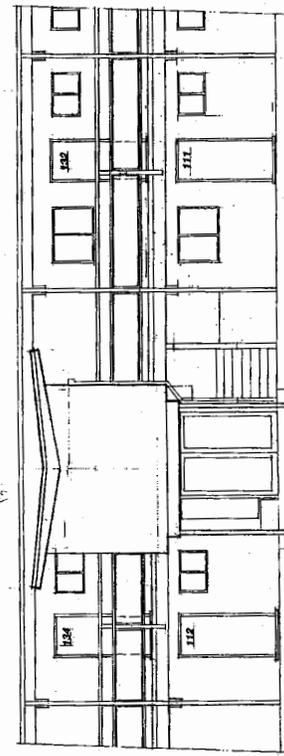
**Partial
North Elevation**
1/4" = 1'-0"



Section A
1/4" = 1'-0"



**Partial
North Elevation**
1/4" = 1'-0"



**Partial
North Elevation**
1/4" = 1'-0"

ROBERT J GOLDSPINK ARCHITECT

October 28th 2010

Susan Craig
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz CA 95060

RECEIVED

NOV 02 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Rio Sands Motel

116 Aptos Beach Drive Aptos

APN 042-301-10 thru' 24 and 042-311-1 thru' 23

Dear Susan,

Thank you for sending me a copy of the appeal submitted by Dennis Beach, dated 10.20.10. I set out my responses, as follows:

1. Parking

In response to comments made at the 9.3.10 Zoning Administrator's hearing, we amended Drawing 2 Site Plan, as follows. Copies of the amended drawing were handed to the ZA at the 9.17.10 hearing with the request that the application be amended accordingly.

- a. The trash enclosure at the West end of the building was removed
- b. Two parking spaces adjacent the East side of the Entrance Foyer were relocated to the West end of the building where the trash enclosure was removed
- c. Sightlines were added to show that the car parked closest to the East side of the Entrance Foyer has clear and safe visibility for backing out

2. Setbacks

The remodeled and enlarged Entrance Foyer will be setback the same distance from the front property line as the existing building and will, in fact be, approx. 5ft from the sidewalk

3. Code Compliance

The County investigated a recent building code compliance complaint by Mr. Beach and found the complaint was groundless

4. Building Height

The East and West stair roofs will have eaves approx. 20'.0" and ridges approx. 24'.6" high. The Foyer roof will have eaves approx. 23'.6" high and a peak approx. 27'.6" high. All three roofs have been designed as hip roofs to minimize the visual impact. The roof heights comply with County regulations and will be compatible with the residential neighborhood.

5. Construction Period

The owner needs to keep the motel open during the summer. Remodeling approx. half of the motel during two winters will allow the owner to keep approx. half of the motel open during these months. Construction work during the winter will also minimize disruption to the tourist season; many of the houses in the neighborhood are vacation rentals. The delay caused by this appeal will reduce the construction period this winter and will make the phasing of the work more difficult.

CCC Exhibit 4
(page 1 of 2 pages)

Susan Craig,
Coastal Commission
Rio Sands Motel
10.28.10
p2

Paragraph (c) of County Code 13.20.122 coastal 'Commission Appeals' includes the following:

"Grounds of appeal for any coastal project approved under these regulations in the area identified in Section 13.20.122(a) shall be limited to the following:

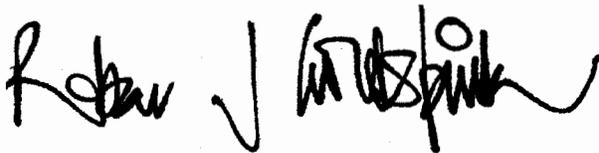
1. The development will fail to provide adequate physical access or public or private commercial use or interferes with such uses
2. The development will fail to protect views from any public road or from any recreational area to and along the coast
3. The development will not be compatible with the established physical scale of the area
4. The development may significantly alter natural land forms
5. The development will not comply with the shoreline erosion and geologic setback requirements."

The appeal fails to meet any of the above grounds and I urge you to determine that the appeal is without merit, reject this appeal application or find there are no substantial issues.

This project will not only greatly enhance the appearance of the motel, it will improve the character of the neighborhood and encourage other building owners that the entire beach flats area can be restored.

Please call if you have any questions.

Sincerely,



Robert J Goldspink

cc Lou Bartfield
Steve Allen

8042c Soquel Drive Aptos CA 95003 tel [831] 688 8950 fax [831] 688 4402
RobertGoldspink@aol.com

CCC Exhibit 4
(page 2 **of** 2 **pages)**