

May 2, 2015

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

California Coastal Commission
Santa Barbara Board of Supervisors Chambers
105 E. Anapamu Street, Santa Barbara, CA 93101

Agenda Number Th23c
Application #A-3-STC-15-0024

Commissioner Mark Vargas
45 Fremont St.
St. 2000
San Francisco, CA 94105

I'm in opposition to this project for the reasons stated below.

I'm trying to understand the process that we have been going through for the last several months in our attempt to stop the encroachment on our beautiful view of the ocean. When I first looked at this property to purchase several years ago I wasn't too hot on buying in Santa Cruz. However when I went out on the patio and looked at the bay and saw the spectacular view I changed my mind. You could see to the west as far as the point where the surfers were doing their thing. I couldn't watch the sun set like I had hoped too because the view is to the south not west, but never the less it was beautiful.

Now with this proposed deck addition the spectacular view of the beach will be hidden from us. I'll still be able to see the horizon but the beautiful view of the beach will be gone forever. When I purchased the unit there was and still is an amendment to the Fee Title and Deed that states there can be no encroachment on the Visual Corridor in any manner, forever. I'm including a copy of this document so you can see what the original owners and builders wanted to preserve forever. The intent was to preserve the "Visual Corridor", meaning width as well as height for any future plans for the property. I would think this is well within your jurisdiction as the Coastal Commission. The owners of beach st inn knew this when they bought the property but they have chosen to go ahead and violate that agreement and it seems like the City of Santa Cruz doesn't seem to really

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care. I realize most of the people in this building are from out of town, but it seems like when there is a stipulation in the Deed not to do something, that should be upheld by the powers that be, meaning you.

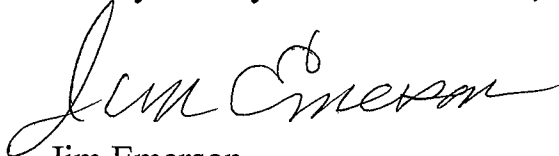
Not to be nitpicking but on the question of parking spaces it seems that the required number for the property in question is 66 as stated by the City Planning Dept. They only had 53 and were turned down by the City so they went and re stripped the area and now have 54 for a gain of one space. With that maneuver the City says they now have a net gain on one so it's OK. I wasn't taught the New Math but what I did learn was 54 is less than 66 and if that is what is required by Law then that is what they should have. There is a space between our property and the East side of their property that contains about 15 spaces but several are for the lessees of the shops on Beach St. I would imagine as soon as this project is over the shop keepers will be parking there again and the net gain will, once again, be several less spaces than required by law for patrons of the Inn. They will be forced to park on 2nd Street which is overcrowded now that the Arena has been built along with the Aquarium. Most of the time there aren't any spaces in front of our building for any of our guests to park.

Last but not least, why do they need 1800 sq. ft. of decking anyway? When you put that many young people together, mix in a little booze, there's bound to be some trouble. What's next, an on sale liquor license? A permit for dancing? The peace and quiet we've been experiencing is about to end.

If this isn't a change in conditions that create a Substantial Issue I'd like to know what does?

On reading some of the reasoning by the Planning Commission for giving the OK for this project was the investing and beautifying of the property and I would like to mention we are just finishing up with a renovation of the exterior of our building at a cost of over \$1,000,000. I would certainly hope this wasn't money wasted on something that will be diminished by a project you approved that never should have been?

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read "Jim Emerson".

Jim Emerson

Resident,

1B, Terrace Condominiums

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



Th23c

Appeal Filed:	4/14/2015
49th Day:	6/2/2015
Staff:	Ryan Moroney - SC
Staff Report:	4/23/2015
Hearing Date:	5/14/2015

APPEAL STAFF REPORT: SUBSTANTIAL ISSUE DETERMINATION ONLY

Appeal Number:	A-3-STC-15-0024
Applicant:	Beach Street Inn LLC
Appellants:	Terrace Condominiums Homeowners' Association (HOA)
Local Government:	City of Santa Cruz
Local Decision:	Coastal development permit (CDP) application number CP14-0166 approved by the City of Santa Cruz Zoning Administrator on February 4, 2015, and upheld on appeal by the Planning Commission on March 19, 2015.
Location:	125 Beach Street, (APN 007-212-16) just east of the Pacific Avenue/Santa Cruz Municipal Wharf/West Cliff Drive/Beach Street intersection in the City of Santa Cruz.
Project Description:	Construction of an approximately 1,800-square-foot outdoor deck and reconfiguration of a portion of the existing parking lot at the Beach Street Inn and Suites hotel.
Staff Recommendation:	No Substantial Issue

Important Hearing Procedure Note: This is a substantial issue only hearing. Testimony will be taken only on the question of whether the appeal raises a substantial issue. Generally and at the discretion of the Chair, testimony is limited to three minutes total per side. Please plan your testimony accordingly. Only the Applicant, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify. Others may submit comments in writing. If the Commission determines that the appeal does raise a substantial issue, the de novo phase of the hearing will occur at a future Commission meeting, during which it will take public testimony.

SUMMARY OF STAFF RECOMMENDATION

The City of Santa Cruz approved a coastal development permit (CDP) to construct an approximately 1,800-square-foot outdoor deck over a portion of an existing parking lot at the Beach Street Inn located at 125 Beach Street. The approved project would also reconfigure (restripe) the parking lot to accommodate the new deck, which will result in a net increase of one parking space.

The Appellants contend that the approved project is inconsistent with City of Santa Cruz Local Coastal Program (LCP) policies related to parking, community character and public views. After reviewing the local record, Commission staff has concluded that the approved project does not raise a substantial issue with respect to the project's conformance with the City of Santa Cruz LCP. First, in terms of parking, the approved development would not increase the demand for parking, and would actually result in the net increase of one additional parking spot, and therefore is not likely to negatively impact public access at or around the site. In terms of the Appellants' public view contention, the approved project does not block public views from any public road, nor will it block any existing view of Monterey Bay. In terms of community character, the project constitutes infill development, is comparable to and blends in with the existing and surrounding built environment, and is consistent with all applicable site standards. Finally, as the City staff report points out, the approved project will improve the amenities of the hotel and therefore enhance the quality of the visitor-serving hotel development, consistent with LCP requirements. In light of these facts, staff does not believe that the project raises a substantial issue of LCP conformance.

As a result, staff recommends that the Commission determine that the appeal contentions do not raise a substantial LCP conformance issue, and that the Commission decline to take jurisdiction over the CDP for this project. The single motion necessary to implement this recommendation is found on page 4 below.

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EXHIBITS

- Exhibit 1 – Project Site Map
- Exhibit 2 – Project Site Images
- Exhibit 3 – Approved Project Plans
- Exhibit 4 – Final Local Action Notice
- Exhibit 5 – Appeal of City of Santa Cruz’s CDP Decision

I. MOTION AND RESOLUTION

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal was filed. A finding of no substantial issue would mean that the Commission will not hear the application de novo and that the local action will become final and effective. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission determine that Appeal Number A-3-STC-15-0024 raises no substantial issue with respect to the grounds on which the appeal has been filed under Section 30603. I recommend a yes vote.*

***Resolution to Find No Substantial Issue.** The Commission finds that Appeal Number A-3-STC-15-0024 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 Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.*

II. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION AND DESCRIPTION

The City-approved project is located at 125 Beach Street in the Beach Hill area of the City of Santa Cruz in Santa Cruz County. The project site is on the landward (north) side of Beach Street, just east of the Pacific Avenue/Santa Cruz Municipal Wharf/West Cliff Drive/Beach Street intersection. Access to the site is provided from Beach Street to the south and Second Street to the north.

The project involves construction of an outdoor deck and reconfiguration of a portion of the parking lot to accommodate the deck. The proposed deck will be approximately 1,800 square feet (49'x 37') and will be located at the southwest corner of the existing parking lot, adjacent to the Beach Street driveway access. The surface of the deck will be flush with the existing level of the lower parking lot grade, and will be accessed from its eastern edge. Because the parcel slopes toward the driveway and Beach Street, portions of the supporting structure will follow the slope. The structure will reach a height of 18'-4" at its highest point, including a 42" high guard rail. The deck structure itself will consist of concrete retaining wall footings, 6"x 6" redwood posts, 42" high guard rails with horizontal cable, as well as a cable rail or wood lattice infill to screen the under portions of the structure that would be visible from the driveway. Vines will be planted to grow over the structure to enhance screening. In addition, new landscaping would be planted around the deck and parking area.

Additionally, the existing parking lot at the Inn will be reconfigured to accommodate the deck by converting diagonal spots to perpendicular, and through the use of compact spaces. The parking reconfiguration will result in an overall increase of one parking space (54 total).

See **Exhibit 1** for a location map; see **Exhibit 2** for photographs of the site and surrounding area; and see **Exhibit 3** for the approved project plans.

B. SANTA CRUZ COUNTY CDP APPROVAL

On February 4, 2015 the City of Santa Cruz Zoning Administrator (ZA) approved a CDP for the proposed outdoor deck and parking lot reconfiguration. On February 12, 2013, a letter was received by the City from the Vice President of the Terrace Condominium Homeowners Association appealing the ZA's decision to the City's Planning Commission. The Planning Commission heard the appeal on March 19, 2015, and after deliberation upheld the ZA's approval and denied the appeal.

The City's Final Local Action Notice was received in the Coastal Commission's Central Coast District Office on Monday, April 6, 2015 (see **Exhibit 4**). The Coastal Commission's ten-working day appeal period for this action began on Tuesday April 7, 2015 and concluded at 5pm on Monday April 20, 2015. One valid appeal (see below) was received during the appeal period.

C. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. This project is appealable because it is located within 300 feet of the inland extent of the City of Santa Cruz's Main Beach.

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to consider a CDP for an appealed project de novo unless a majority of the Commission finds that "no substantial issue" is raised by such allegations.¹ Under Section 30604(b), if the Commission conducts the de novo portion of an appeals hearing and ultimately approves a CDP for a project, the Commission must find that the

¹ The term "substantial issue" is not defined in the Coastal Act or in 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. Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of a local government's CDP decision by filing a petition for a writ of mandate pursuant to the Code of Civil Procedure, Section 1094.5.

proposed development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project is not located between the nearest public road and the sea and thus this additional finding would not need to be made if the Commission were to approve the project following the de novo portion of the hearing.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo CDP determination stage of an appeal.

D. SUMMARY OF APPEAL CONTENTIONS

The Appellants contend that the City-approved project raises LCP consistency questions relating to impacts to parking, visual resources, and community character. Specifically, the Appellants contend that the approved project would violate applicable LCP policies because: 1) the project will provide inadequate parking; and 2) the project will result in noise and privacy concerns, inconsistent with IP Section 24.08.430 which requires that a site plan “reasonably protect against external and internal noise, vibration and other factors which may tend to make the environment less desirable.” Finally, the Appellants claim that the public view corridor from 2nd Street through Drift Way out towards Monterey Bay will be blocked. Please see **Exhibit 5** for the appeal contentions.

E. SUBSTANTIAL ISSUE DETERMINATION

Parking

The City of Santa Cruz LCP contains numerous policies to ensure that development contains adequate parking and that traffic and circulation issues be addressed. For example, the Beach and South of Laurel Area Plan (BSOL Plan), which is a component of the LCP’s Land Use Plan (LUP), identifies parking and traffic circulation as major issues affecting public access and recreation opportunities in the “Beach Area,” specifically with respect to Beach Street. BSOL Plan Policy 3.2 requires that impacts of traffic circulation and parking on residences of Beach Hill be limited and Policy 3.18 requires the evaluation of a parking assessment district in the Beach and South of Laurel to provide new resources to construct additional parking:

***BSOL Policy 3.2:** Limit impacts of traffic circulation and parking on residents of Beach Hill by maintaining the permit parking program to limit visitor parking, developing an early warning system to monitoring changing traffic, parking and circulation impacts on Beach Hill as the Beach Hill Commercial Area develops, and implementing proposed neighborhood gateways to help define entries to the residential area and calm traffic.*

***BSOL Policy 3.18:** Evaluate creating a parking assessment district in the Beach and South of Laurel to provide new resources to construct additional parking.*

IP Section 24.12.240: Number of Parking Spaces Required

o. Hotels, motels:

1 for each unit intended for separate occupancy, plus 1 for the resident owner or manager

*x. Restaurants and other establishments selling food and beverages on the premises
(including bars and nightclubs without live entertainment)*

1 for each 120 square feet of floor area

*aa. Retail stores, shops, service establishments, including shopping centers other than
furniture and appliance stores*

1 for each 250 square feet of floor area

At the same time, the LCP also contains policies that call for improving the amenities and therefore the quality of the visitor- serving hotel development:

Land Use Element Policy 2.7.2: Improve the character and quality of visitor-serving commercial areas to encourage more off-season overnight visits.

Economic Development Element Policy 5.2: Encourage upgrades of existing hotel facilities and attract quality hotel and conference facilities in locations and scale appropriate to the City's character to enhance the quality of visitor serving areas and promote development of the conference tourism market.

The Appellants contend that: 1) both the existing and approved hotel parking are nonconforming with current parking requirements; 2) that the parking at times overflows into nearby streets; and, 3) that bringing the parking up to code requirements would help ease the crowded parking situation both at the motel and in the Beach Hill area in general (see **Exhibit 5** for the Appellant's contentions). In the Appellants' view, the parking area approved to be used for the outdoor deck should be maintained as parking.

As mentioned above, the approved outdoor deck would remove an approximately 1,800-square-foot area of existing parking from parking use. However, the approved project also includes the reconfiguration of the remaining parking area, which would result in a net increase of one additional parking spot. Specifically, a portion of the hotel parking lot is being reconfigured to accommodate the new deck, improve circulation and maximize available parking. The site currently provides 53 off-street parking spaces. The following table demonstrates the current parking requirements based on the City parking ordinance in IP Section 24.12.240:

Use	Square Feet	Parking Ratio	Parking Spaces Required
48 Room Hotel	n/a	1/rm + manager	49
Retail	2,550	1/250	10
Restaurant	850	1/120	7
			66 - Total Required

Because the property currently provides only 53 of the 66 required spaces, the City considers it to be “legal nonconforming” with respect to parking. However, according to the City, the deck use is accessory to the hotel use and thus does not trigger any LCP requirement for additional parking. In addition, with the approved parking lot reconfiguration, an additional parking space has actually been added, bringing the total number of parking spaces to 54. Therefore, the approved project does not reduce, but actually increases the number of parking spaces while also meeting other LCP goals and policies, including improving the amenities and therefore the quality of the visitor-serving hotel development consistent with Land Use Policy 2.7.2 and Economic Development Policy 5.2. In light of these facts, the project does not raise a substantial issue of LCP conformance with respect to parking.

Community Character and Neighborhood Compatibility

The LCP generally protects community character and neighborhood compatibility through a suite of policies and IP standards that apply design criteria and require visual compatibility with surrounding areas:

***Community Design Element Policy 1.1:** Infill and intensify land uses consistent with existing neighborhood or commercial district patterns in developed areas currently served by municipal services.*

***Community Design Element Policy 1.1.3:** Develop design criteria to ensure compatibility of infill development with existing neighborhoods...*

Further, the LUP’s BSOL Plan sets forth a suite of policies specific to the community and neighborhood in question, including, that design guidelines promote development that respects the physical and environmental characteristics of the site (Community Design Policy 1.1) and strengthen the residential quality and character of neighborhoods by improving the appearance of architecture:

***BSOL Community Design Policy 1.1:** Maintain General Design Guidelines to promote development that respects the physical environmental characteristics of the community and the site, reflecting functional and attractive site planning and high quality design.*

While these policies provide helpful guidance, there are no bright lines defining the concept of “community character,” and the LCP does not provide explicit conformance tests beyond the typical zoning standards, e.g., lot coverage, height, setbacks. Nevertheless, whether or not a project is compatible and consistent with the community character of an area can be assessed by answering whether or not the project (including how and where it is sited, designed and

landscaped) blends appropriately into the established community aesthetic and ambiance of an area (in this case the Beach Area of Santa Cruz.)

The Appellants contend that the approved project is incompatible with the character of the neighborhood. Specifically, the Appellants cite to the site plan the requirements set forth in Section 24.08.430 of the IP:

The site plan shall reasonably protect against external and internal noise, vibration and other factors which tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents.

The Appellants assert that the approved outdoor deck will exacerbate noise and other disturbances from the hotel and would therefore not respect the privacy of nearby residential uses. The Appellants further contends that the public view corridor from 2nd Street through Drive Way will be blocked by the addition of the deck along with its “umbrellas, chairs, tables and whatever.”

As identified above, the approved project consists of an approximately 1,800 square-foot outdoor deck located at the southwest corner of the existing parking lot, adjacent to the Beach Street driveway access (see **Exhibit 3**). The staff report to the Planning Commission addressed compliance with Section 24.08.430. That report states that the new deck would be located approximately 300’ from the condominium property and would be flush with the parking lot at a scale that is accessory to the other existing hotel structures. The report also points out that LCP protections for ocean and scenic coastal areas refer to views from *public* spaces (as opposed to private views), and determined that the deck would be at an elevation below the peak of the roof of the commercial building to the south, and therefore would not obstruct views of Monterey Bay from Drift Way. Finally, and perhaps most importantly, the City’s approval of the deck is consistent with LCP Land Use Element Policy 2.7.2 and Economic Development Policy 5.2, which encourages the enhancement of the character and the quality of visitor-serving hotel amenities in the City.

The approved project complies with all applicable standards of the zoning district, including in terms of height and setbacks and intensifies a land use in an existing developed district consistent with BSOL Community Design Policy 1.1. Moreover, the project is located approximately 300 feet way from the Appellants’ residences, and will be at a lower elevation than the residences. Thus, the privacy of the Appellants’ residences should not be impacted by the approved project. With respect to views of the deck, the project also includes visual relief through the use of screening and landscaping to help break up the mass of the deck.

In terms of noise from hotel patrons’ use of the deck, the approved project is located between two other hotel facilities on Beach Street, i.e. the Casablanca Inn and the Edgewater Beach Motel, and is across the street from the “Ideal Bar and Grill,” which is directly adjacent to Main Beach, and the Santa Cruz Municipal Wharf. The Santa Cruz Beach Boardwalk is located just downcoast of the project site, and a number of visitor-serving shops are also found in the immediate area. In other words, the approved project is located in a predominantly visitor-serving commercial area. Thus, while there is certainly some potential for increased noise from

hotel patrons' use of the deck, such noise would be heard in the context of other visitor-serving commercial uses (which, it bears noting, have priority under the Coastal Act over residential development) in this highly visited area. Accordingly, the Appellants' contentions do not raise significant concerns with respect to community character and neighborhood compatibility.

In summary, as sited and designed the project would fit appropriately into the established community character of this area of Beach Street. Further, the proposed enhancement of a visitor-serving use is compatible with the character of surrounding development as required by the LCP. For all the above reasons, this contention does not raise a substantial issue of LCP conformance with respect to community character and neighborhood compatibility.

F. CONCLUSION

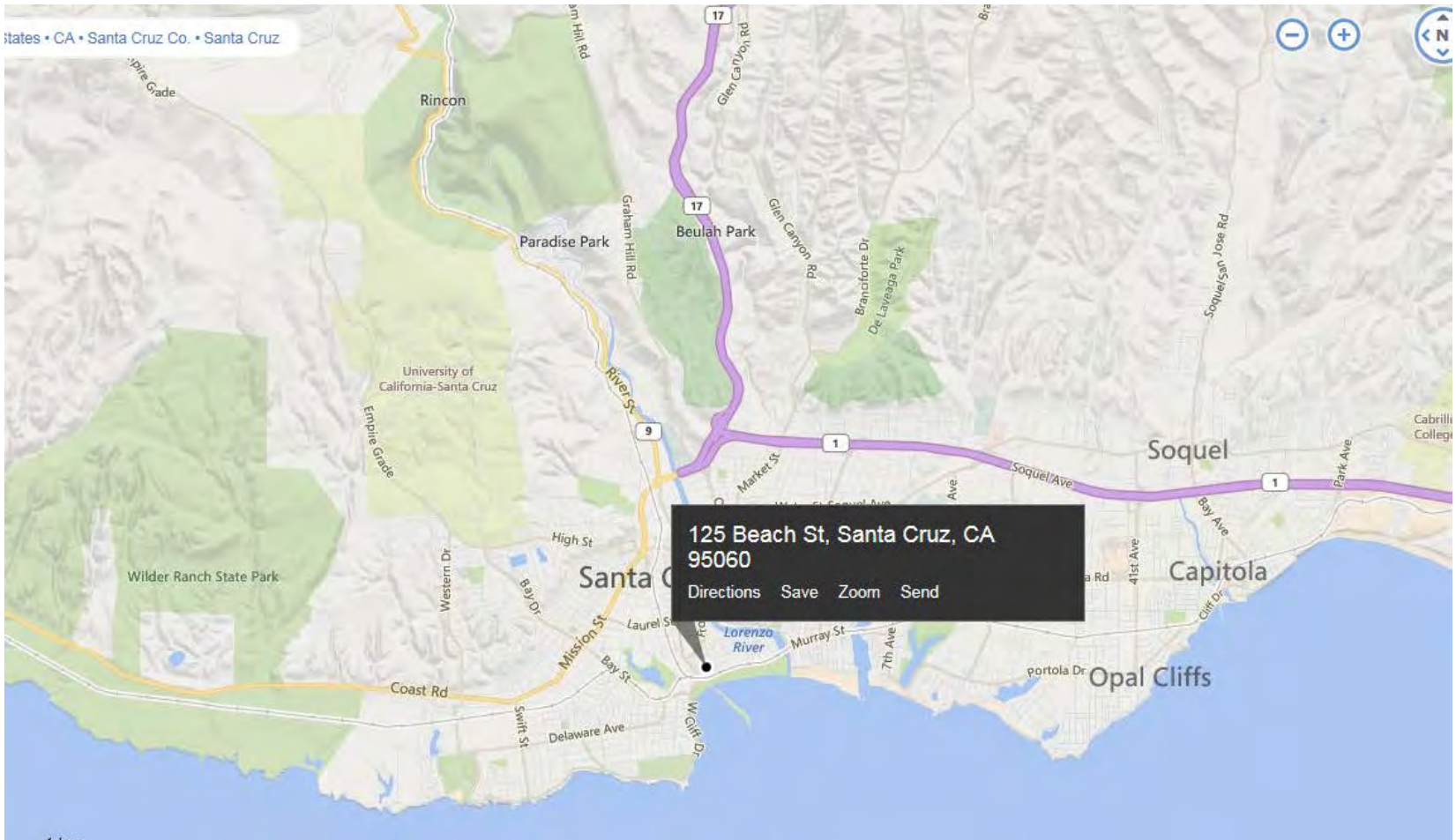
When considering a project that has been appealed to it, the Commission must first determine whether the project raises a substantial issue of LCP conformity, such that the Commission should assert jurisdiction over a de novo CDP for such development. At this stage, the Commission has the discretion to find that the project does not raise a substantial issue of LCP conformance. As explained above, the Commission is guided in its decision of whether the issues raised in a given case are "substantial" by the following five factors: 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 City; the significance of the coastal resources affected by the decision; the precedential value of the City'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.

In this case, all five factors support the conclusion that this project does not raise a substantial issue of LCP conformance, so no further weighing or balancing of factors is necessary to reach the conclusion that the appeal raises No Substantial Issue. First, in terms of the public access, while hotel parking would continue to be nonconforming, the approved development would actually result in the net increase of one additional parking spot. In terms of the Appellants' public view contention, the approved project will not block public views from public roads. In terms of community character, the project constitutes infill development, improves a visitor serving amenity, is comparable to and blends in with the existing and surrounding built environment, and is consistent with all applicable site standards.

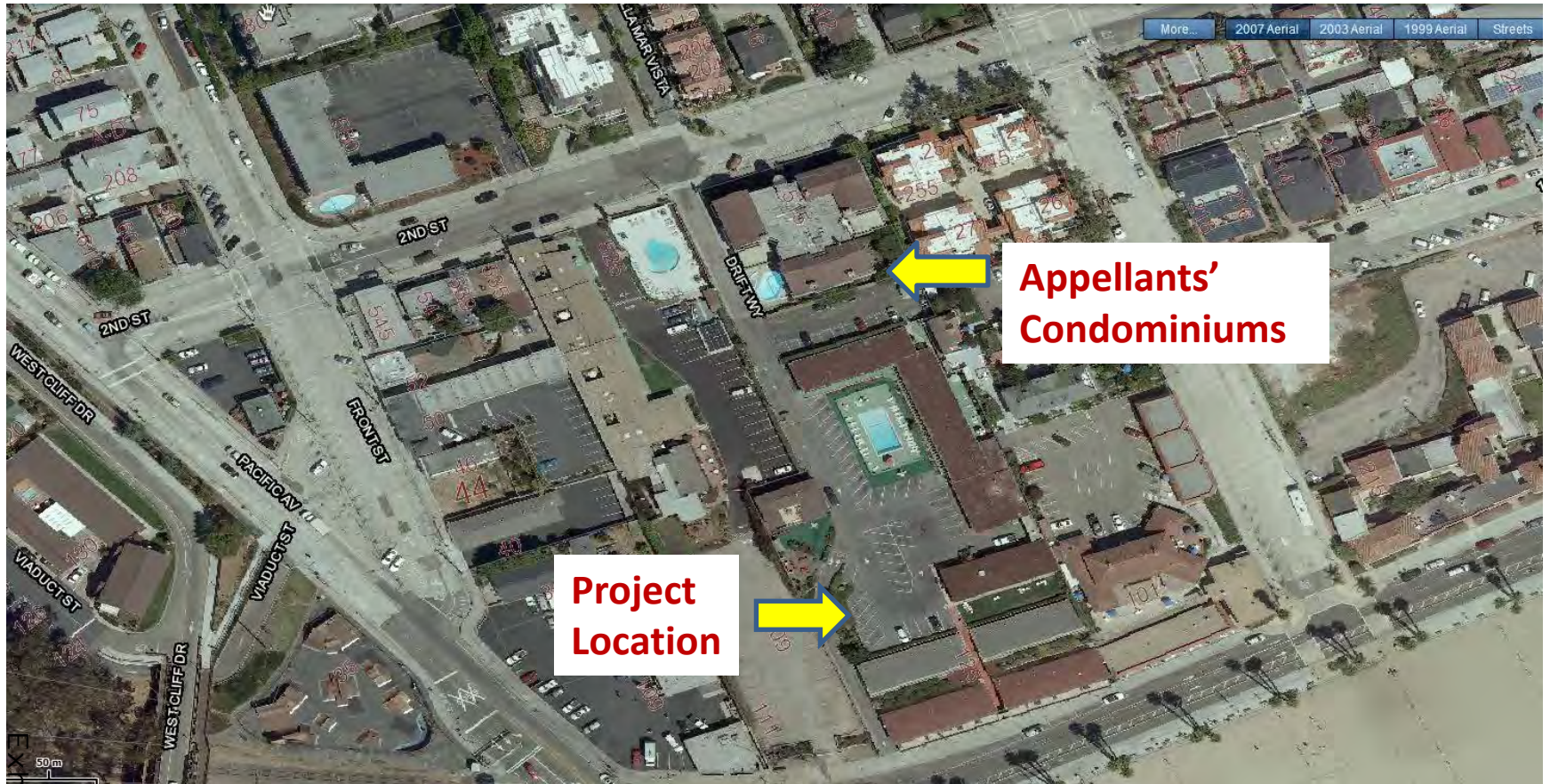
Thus, the City has provided a high degree of factual and legal support for its decision that the approved development would be consistent with the certified LCP. The approved project is a relatively modest outdoor hotel deck consistent with the recreation and visitor serving policies of the LCP. Because the project is consistent with the LCP, a finding of no substantial issue will not create an adverse precedent for future interpretation of the LCP. Finally, the project does not raise issues of regional or statewide significance.

For the reasons stated above, the Commission finds that Appeal Number A-3-STC-15-0024 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 and is consistent with the certified LCP and the public access policies of the Coastal Act.

Beach Street Inn - Location Map



Beach Street Inn - Aerial View



**Appellants'
Condominiums**

**Project
Location**

Coastal Records Project View

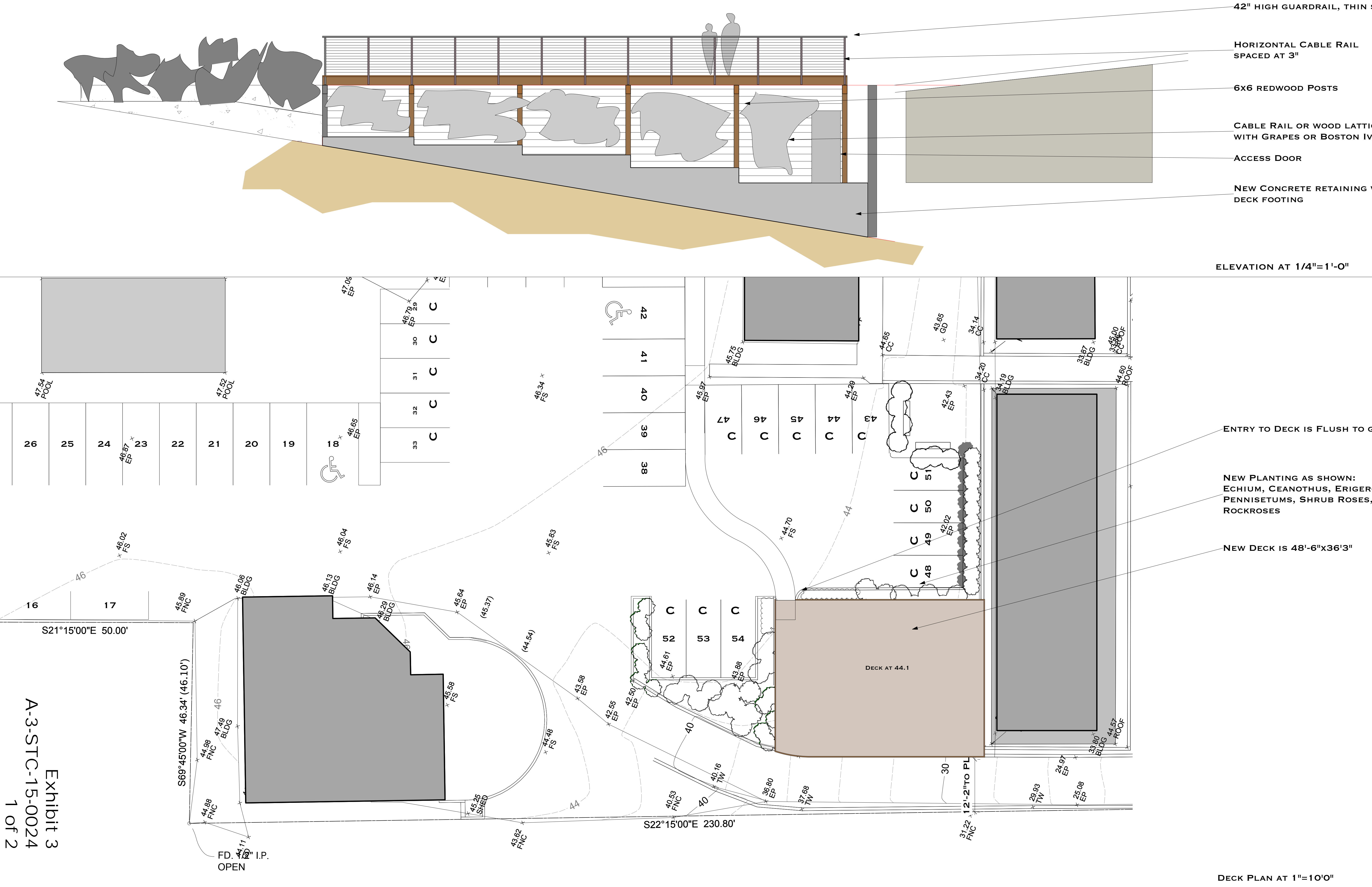


Deck Location

Appellants'
Condominiums

View from Beach Street





DECK PLAN AT 1"=10'0"

NEW DECK IS 48'-6"X36'3"

NEW PLANTING AS SHOWN:
ECHIU, CEANOTHUS, ERIGERON,
PENNISETUMS, SHRUB ROSES,
ROCKROSES

ENTRY TO DECK IS FLUSH TO GRADE

ELEVATION AT 1/4"=1'-0"



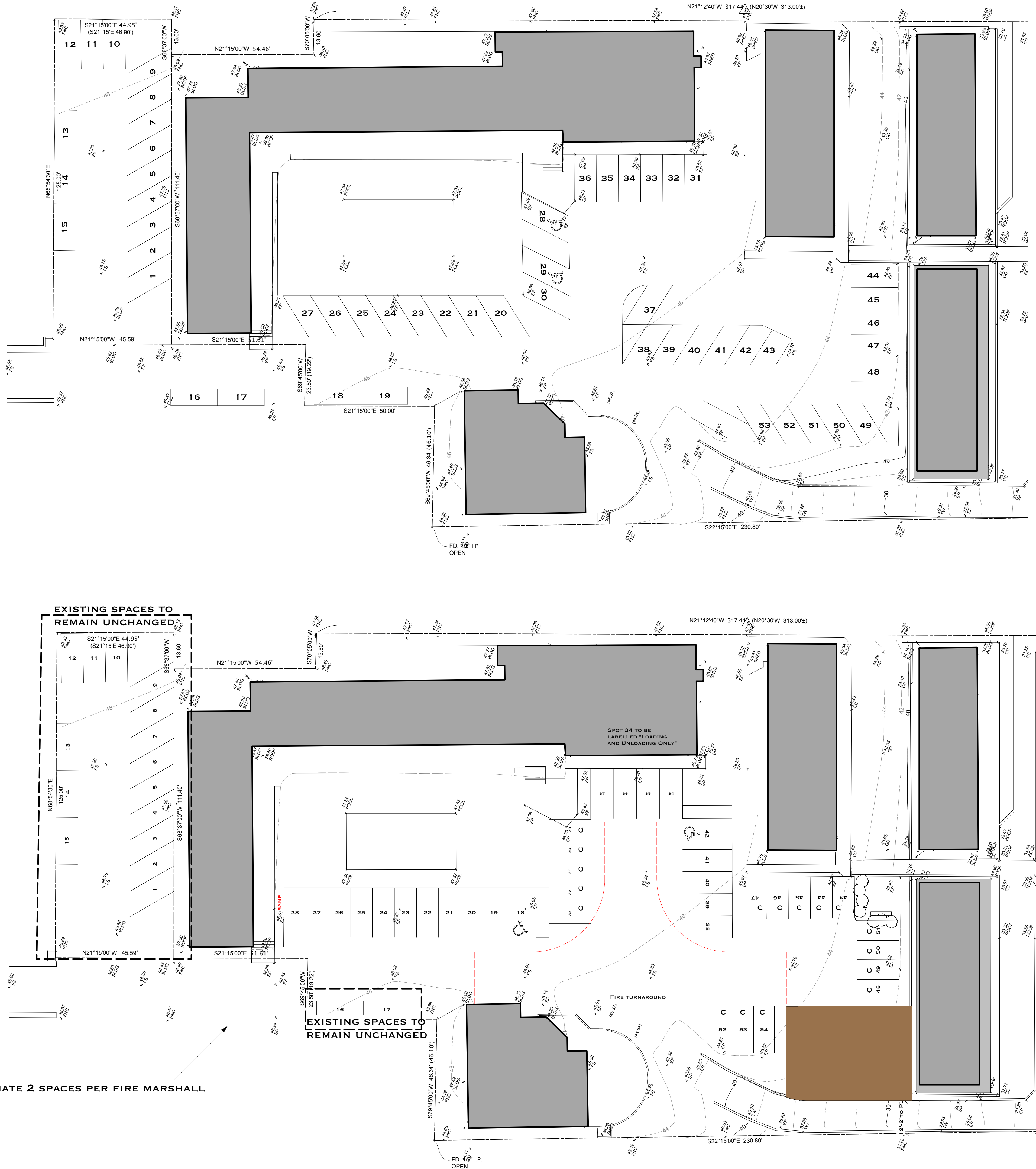
OCEAN VIEW VERANDA
DECK PLAN

JANUARY 28, 2015

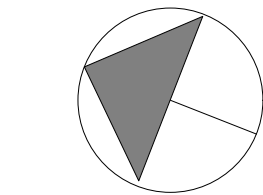


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311 EMERALD FOREST LANE
BONNY DOON, CA 95060
TEL: 925.255.0000
WWW.VERTECTURE.COM

BEACH STREET INN AND SUITES
125 BEACH STREET SANTA CRUZ, CA



EXISTING PARKING:
53 TOTAL SPACES
2 ACCESSIBLE SPACES
MANY NON-COMPLIANT



0 10' 20' 40'

PROPOSED PARKING:
53 TOTAL SPACES
2 ACCESSIBLE SPACES
ALL NEW SPACES COMPLY WITH CITY
OF SANTA CRUZ PARKING STANDARDS.
COMPACT SPACES 7'-6" WIDE, 16'-0" LONG MIN
STANDARD SPACES 8'-6" WIDE, 19'-0" LONG MIN.

ELIMINATE 2 SPACES PER FIRE MARSHALL

EXISTING SPACES TO
REMAIN UNCHANGED

EXISTING SPACES TO
REMAIN UNCHANGED



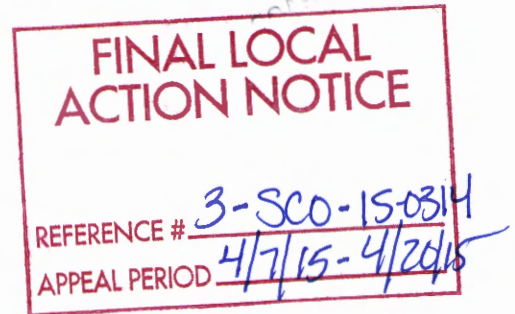
Dept. of Planning and Community Development
809 Center Street, Room 206
Santa Cruz, CA 95060
(831) 420-5100

Notification of Final Local Action on Coastal Permits

Date: 3/31/15

To: Attn: Ryan Moroney, Planner
California Coastal Commission
Central Coast District
725 Front St., Ste 300
Santa Cruz, CA 95060

From: City of Santa Cruz Planning Department



Please be advised of the following actions:

☐ Zoning Administrator hearing of _____
(date)

Local appeals have ☐ have not ☐ been filed on the following case:

File No.: _____ Address: _____
☐ Adopted findings and conditions are attached. ☐ Were previously submitted.

☒ Planning Commission hearing of March 19, 2015
(date)

Local appeals have ☐ have not ☒ been filed on the following case numbers:

File No.: CP14-0166 Address: 125 Beach St.
☒ Adopted findings and conditions are attached. ☐ Were previously submitted.

☐ City Council hearing of _____
(date)

Local appeals have ☐ have not ☐ been filed on the following case numbers:

File No.: _____ Address: _____
☐ Adopted findings and conditions are attached. ☐ Were previously submitted.

☐ This project is not appealable to the California Coastal Commission. Section 24.04186.

Action Agenda for coastal permits acted upon is attached.

**Excerpts of the Action Agenda
of the Planning Commission
March 19, 2015**

3. 125 Beach St CP14-0166 APN 007-212-16

Appeal of Coastal and Design Permits to reconfigure a parking lot and to add a deck structure for an existing hotel in the RT(C)/SPO/CZO zone district.

(Environmental Determination: Categorical Exemption) (Beach Street Inn LLC, owner/filed: 12/11/2014) RB

This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and deny the appeal, upholding the Zoning Administrator's approval of a Design and Coastal Permit based on the Findings listed in the staff report and the Conditions of Approval.

ACTION: The Planning Commission **ACKNOWLEDGED** the environmental determination and denied the appeal, upholding the Zoning Administrator's approval of a Design and Coastal Permit based on the Findings listed in the staff report and the Conditions of Approval. The vote was 7-0 with all Commissioners in favor.

EXHIBIT "A"

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

125 Beach Street - Application CP 14-0166

Coastal and Designs Permits to reconfigure a parking lot and to add a deck structure for an existing hotel (Beach Street Inn) in the RT(C)/CZO/SPO zone district.

(Environmental Determination: Categorical Exemption) (Beach Street Inn LLC, owner/filed: 12/11/2014)

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. All plans for future construction which are not covered by this review shall be submitted to the City Planning and Community Development Department for review and approval.
3. This permit shall be exercised within three (3) years of the date of final approval or it shall become null and void. The appeal period for this permit shall begin after the Design Permit is acted upon by the Zoning Administrator.
4. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.
5. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the approved plans. All approved exterior finishes and materials shall be clearly notated on the building permit plans.
6. Except for modifications required by permit conditions below, the development of the site shall be in substantial accordance with the approved plans prepared by Scott Lipscomb Landscape Architect, submitted January 29, 2015, to the Planning Department and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
7. All refuse and recycling activities during construction shall be done in accordance with Chapter 6.12 of the Santa Cruz Municipal Code. Be aware that private companies offering refuse or debris box services are not allowed to operate within the City limits, except under certain limited circumstances detailed in Chapter 6.12.160.
8. All requirements of the Building, Fire, Public Works and Water Departments shall be completed prior to occupancy and continuously maintained thereafter.

CONDITIONS OF APPROVAL

For Project: **125 Beach Street – CP 14-0166**

9. Final landscape and irrigation plans shall be submitted at the time of the building permit application. The landscape and irrigation plans shall comply with all requirements of the City's landscape water conservation ordinance prior to issuance of the building permit. This may include separate irrigation meters for high water needs plants.
10. All landscaping shall be installed prior to final sign off of the building permits.
11. All new downspouts shall be directed to the City Street or through bio-swales or other BMP facilities for the handling of such runoff.
12. Handicap access shall be provided in accordance with ~~Uniform~~ Building Code.
13. All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator.
14. During all grading and subsurface excavations (including utility-line trenching), construction will be halted within 50 meters (150 feet) of the find if significant archaeological or paleontological resources are discovered. For the purpose of this use permit, significant archaeological resources shall include the remains of previous Indian living areas or human burials. In the instance of Indian living areas, these objects shall be recorded and mapped prior to further excavation on that portion of the site. In the event human burials are discovered during excavation, work shall be halted and the County Coroner, the Northwest Indian Cemetery Protective Association (NICPA), and other appropriate authorities shall be notified. Mitigation measures developed by the applicant and authorized archaeologists shall be subject to the approval of the Planning Department. Any information developed as a result of this archaeological survey shall be forwarded to the County Archaeological Society, the County Historical Museum, and the Santa Cruz Collection, University of California Library.
15. At the time of building permit submittal, plan sets will need to include a complete index for the City of Santa Cruz Green Building Program on the cover sheet and compliance with the Mandatory Measures of Cal Green.
16. Plans submitted for building permits shall demonstrate compliance with the requirements of the Fire Department, including but not limited to:
 - The current full width of the existing driveway to Beach Street shall be maintained. The new deck structure shall not protrude into driveway access.
 - The fire turnaround must meet 2013 CFC, Appendix D, 120 foot hammerhead or acceptable alternative to 120 foot hammerhead.

EXHIBIT "B"

FINDINGS FOR APPROVAL FOR THE PROJECT ON PROPERTY AT 125 Beach Street

FINDINGS

Design Permit, Section 24.08.430

1. The site plan shall be consistent with physical development policies of the General Plan, any required or optional element of the General Plan, any area plan or specific plan or other city policy for physical development. If located in the Coastal Zone, a site plan shall also be consistent with policies of the Local Coastal Program.

The site plan is consistent with the General Plan/Local Coastal Plan policies and the RTC zone district standards in terms of height, setbacks and parking. The following General Plan/Local Coastal Plan policies specifically call for the upgrade of the City's generally older motel stock:

Land Use Policy 2.7.2

Improve the character and quality of visitor-serving commercial areas to encourage more off-season and overnight visits.

Economic Development Policy 5.2

Encourage upgrades of existing hotel facilities and attract quality hotel and conference facilities in locations and scale appropriate to the City's character to enhance the quality of visitor-serving areas and promote development of the conference tourism market.

The proposed improvements improve the amenities of the hotel and therefore enhance the quality of the visitor-serving hotel development. As proposed, the project meets the development standards for the RTC zoning district, including setbacks, height and design.

2. The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.

The deck is of quality design, including landscaping and screening to integrate it into the existing hotel development.

3. Design of the site plan shall respect design principles in terms of maintaining a balance of scale, form and proportion, using design components which are harmonious, materials and colors which blend with elements of the site plan and surrounding areas. Location of structures should take into account maintenance of view; rooftop mechanical equipment shall be incorporated into roof design or screened from adjacent properties. Utility installations such as trash enclosures, accessible and screened.

The deck is of quality design, including landscaping and screening to integrate it into the existing hotel development. The deck will be flush with the parking lot, keeping a low profile from adjacent properties to the north that have views over the hotel site.

4. Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan should take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.

The project is an existing motel use adjacent to other motel uses and some more recent residential uses are located to the north. While hotel guests will use the deck, it is proposed approximately 300' from the existing condominium building and their associated outdoor living areas. This distance in separation will reasonably protect against external noise and privacy impacts.

5. The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and preserve solar access of adjacent properties, and minimize alteration of natural land forms, building profiles, location, and orientation must relate to natural land forms.

Some Juniper bushes and smaller palm tree like shrubs will be removed, but they are not heritage in status. While private views are not protected, removal of these shrubs could actually open up view toward the ocean from the adjacent Terrace Condominium complex. As sited, the deck will preserve solar access of adjacent properties, and minimizes alteration of the existing land forms by conforming to the slope.

6. The site plan shall be situated and designed to protect views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance visual quality of visually degraded areas.

The protection of ocean and scenic coastal areas refers to views from public spaces, not from private property. The proposed deck, situated behind and below a commercial building would be readily visible from Beach Street. The deck would similarly be situated at an elevation well below the peak of the roof of the

commercial building and would therefore not obstruct view to the ocean from Drift Way.

7. The site plan shall minimize the effect of traffic conditions on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.

The project provides required parking for the motel and commercial spaces fronting Beach Street. For this application, the access points to the site are not being altered, and the internal circulation is being improved and brought up to current zoning standards. The proposed deck does not increase the need for parking, but with the reconfiguration of the parking lot, an additional parking space is being added.

8. The site plan shall encourage alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicyclists, including covered parking for bicycles and motorcycles where appropriate. Public transit stops and facilities shall be accommodated as appropriate, and other incentive provisions considered which encourage non-auto travel.

The project is located in an area with commercial services and bus service - all within easy walking distance.

9. The site shall provide open space and landscaping which complement buildings and structures. Open space should be useful to residents, employees, or other visitors to the site. Landscaping shall be used to separate and/or screen service and storage areas, separate and/or screen parking areas from other areas, break up expanses of paved area, and define open space for usability and privacy.

The new deck is providing new open space for hotel occupants to use. New landscaping is proposed between the deck and within the reconfigured parking area to break up the expanse of paved area.

10. The site plan shall reasonably protect against external and internal noise, vibration and other factors, which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents.

The proposed deck is within an open area of the site and will not affect the privacy of adjacent properties.

11. Building and structures shall be so designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling and ventilation.

The proposed deck is within an open area of the site to take advantage of the sunlight.

12. The site plan shall incorporate water-conservation features where possible, including in the design of types of landscaping and in the design of water-using fixtures. In addition, water restricting showerheads and faucets shall be used, as well as water-saving toilets utilizing less than three gallons per flush.

The new landscaping incorporates drought tolerant plants and will be required to meet the City's landscape water conservation ordinance.

Findings 11,14,15,16 & 17 are not applicable to this application.

Coastal Permit, Section 24.08.250

13. Maintain views between the sea and the first public roadway parallel to the sea.

The project will not affect coastal views, as it is not located between the sea and the first public roadway (Beach Street) parallel to the sea.

14. Protect vegetation, natural habitats and natural resources consistent with the Local Coastal Land Use Plan.

The property is not located within mapped habitat or sensitive archaeological areas.

15. Be consistent with any applicable design plans and/or area plans incorporated into the Local Coastal Land Use Plan.

The project site is within the General Plan/Local Coastal Plan and the Beach/South of Laurel Area Plan policies. The following General Plan/Local Coastal Plan policies specifically call for the upgrade of the City's generally older motel stock:

Land Use Policy 2.7.2

Improve the character and quality of visitor-serving commercial areas to encourage more off-season and overnight visits.

Economic Development Policy 5.2

Encourage upgrades of existing hotel facilities and attract quality hotel and conference facilities in locations and scale appropriate to the City's character to enhance the quality of visitor-serving areas and promote development of the conference tourism market.

The proposed improvements improve the amenities of the hotel and therefore enhance the quality of the visitor-serving hotel development. As proposed, the project meets the development standards for the RTC zoning district, including setbacks, height and design.

16. Maintain public access to the coast along any coastline as set forth in the Local Coastal Land Use Plan.

This finding is not applicable.

17. Be consistent with the Local Coastal Land Use Plan goal of providing visitor-serving needs as appropriate.

The project will provide improved hotel amenities for visitors.

18. Be consistent with the Local Coastal Land Use Plan goal of encouraging coastal development uses as appropriate.

The project is consistent with this goal because of the motel use involved.

24.10.2430 Shoreline Protection Overlay District Review Criteria.

19. Protect trees and vegetation and sensitive wildlife habitat

The site does not include any heritage trees or sensitive habitat.

20. Be consistent with the following criteria for bluff or cliff development:

- a. The development is sited and designed to assure stability and structural integrity of its expected economic life span and minimize alterations to natural land forms.
- b. The development will not create or contribute significantly to problems of erosion or geologic instability on the site or on surrounding geologically hazardous areas.

- c. The development minimizes alteration of cliffs, bluff tops, faces or bases, and will not interfere with sand movement.
- d. The development which proposes use of retaining walls shall be allowed only to stabilize slopes. Sea walls at the toe of sea cliffs to check marine erosion shall be allowed only where there is no less environmentally damaging alternative.
- e. The development within one hundred feet of any cliff or bluff line shall follow the recommendations of an approved geologic report by a registered geologist. The area where such a report is required may be increased where the issue of slope stability requires a greater distance from any cliff or bluff line.

Not applicable. The project is not located near a coastal bluff.

- 21. Provide maximum erosion protection, using accepted engineering practices and other methods and specifications set forth in this title;

The project does not involve steep slopes.

- 22. Maintain public view corridors between the sea and the first public roadway parallel to the sea and maintain natural views of the coastline;

Not applicable because of the project location.

- 23. Protect paleontological resources as prescribed in the Land Use Plan;

Not applicable. No such resources are located on the parcel.

- 24. Protect and enhance free public access to or along the beach, and sign such access when necessary;

Not applicable because of project location.

- 25. Include mitigation measures prescribed in any applicable environmental document;

The project qualifies for a Categorical Exemption.

- 26. Be compatible with the established physical scale of the area;

The project is compatible with the established scale because it only involves a small outdoor deck at the grade of the existing parking lot.

27. Be consistent with the design review guidelines of this title and the policies of any applicable area plan;

The project design is compatible with the motel, and is consistent with the design review guidelines set forth in the RT(C) zone district and Beach and South of Laurel Area Plan Design Guidelines.

28. Be consistent with the policies of the Local Coastal Program, the General Plan, and the California Coastal Act.

The project site is within the General Plan/Local Coastal Plan and the Beach/South of Laurel Area Plan policies. The following General Plan/Local Coastal Plan policies specifically call for the upgrade of the City's generally older motel stock:

Land Use Policy 2.7.2

Improve the character and quality of visitor-serving commercial areas to encourage more off-season and overnight visits.

Economic Development Policy 5.2

Encourage upgrades of existing hotel facilities and attract quality hotel and conference facilities in locations and scale appropriate to the City's character to enhance the quality of visitor-serving areas and promote development of the conference tourism market



PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
809 Center Street ~ Room 206 ~ Santa Cruz, CA 95060 ~ (831) 420-5100

ZONING PERMIT

PROJECT #:CP14-0166

OWNER: BEACH STREET INN LLC
125 BEACH ST
SANTA CRUZ CA 95060

APPLICANT: SCOTT LIPSCOMB
311 EMERALD FOREST LANE
SANTA CRUZ CA 95060

APN(s)/Address(es):

007-212-16/125 BEACH ST

The following permit(s) was/were approved on 03/19/2015 by the Planning Commission and will be effective on 03/31/2015 unless appealed. If the final day for filing an appeal (ten calendar days following the approval date) occurs on a weekend day or holiday, the final filing date shall be extended to the following workday. If no appeal is filed, the effective date shall be the day after the final appeal filing date.

☒ Coastal Permit*

☒ Design Permit

By: Ry - B


Ryan Bane, Senior Planner

This permit is issued to the owner of the property. In executing this permit, applicant/owner agrees to comply with all terms of permit(s), including conditions of approval, if any. Permit must be exercised within 36 months of date of issuance (above) unless otherwise indicated in conditions of approval. See reverse for information regarding appeals and property reassessment.

* Coastal Permit - This Coastal Permit **is appealable** to the California Coastal Commission following appeal to the Planning Commission and City Council. Appeals must be filed within ten (10) working days after final action by City Council. There is no fee. Appeal forms are available in the Regional Office of the Coastal Commission: 725 Front St, Suite 300, Santa Cruz CA 95060.

CC: County Assessor's Office
File
Coastal Commission

In accordance with Chapter 24.04 of the Santa Cruz Municipal Code, any interested person may appeal a final action of a hearing body or staff. Appeal of a decision of the City Planning Director or the Zoning Administrator must be made to the Planning Commission through the Planning Department. Appeals of a decision of the City Planning Commission or Historic Preservation Commission must be made to the City Council through the City Clerk. All appeals must be made in writing and state the nature of the application and the basis upon which the decision is considered to be in error. Appeals must be accompanied by the required appeal fee. **Appeals must be received no later than ten (10) calendar days following the action from which the appeal is being taken. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.



Whenever any permit is denied or withdrawn, no new application for the same or substantially the same project may be filed for a period of one year from the date of said denial or withdrawal. Where an application has been denied without prejudice, application for the same or substantially the same project may be filed within said period of one year.

In accordance with Section 65863.5 of the Government Code, a copy of this permit has been sent to the County Assessor. It is the Assessor's duty, under Section 402.2 of the Revenue and Taxation Code, to reassess the property to the extent permitted by law. If, after receiving your notice of assessment, your opinion of value differs from the Assessor's valuation, you have the right of protest and appeal. Contact the Assessor's Office immediately to discuss the valuation. If there is still a difference of opinion, you may request a hearing before the Assessment Appeals Board. Application for such hearing must be filed in writing with the Clerk of the County Board of Supervisors, County Courthouse, 701 Ocean St, Santa Cruz CA 95060, between July 2 and August 26 of each tax year.

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

1385 EIGHTH STREET, SUITE 130

ARCATA, CA 95521

VOICE (707) 826-8950 FAX (707) 826-8960



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: TERRACE CONDOMINIUMS - HOA
Mailing Address: 515 2ND STREET
City: SANTA CRUZ, CA. Zip Code: 95060 Phone: 831-458-3492

SECTION II. Decision Being Appealed

1. Name of local/port government:
SANTA CRUZ PLANNING COMMISSION
2. Brief description of development being appealed:
CONSTRUCTION OF AN OUTDOOR DECK AND RECONFIGURATION OF A PORTION OF THE PARKING LOT TO INCORPORATE THE DECK (APPROX 1,800 SQUARE FEET)
3. Development's location (street address, assessor's parcel no., cross street, etc.):
125 BEACH STREET
SANTA CRUZ, CA.
4. Description of decision being appealed (check one.):
☒ Approval; no special conditions
☐ Approval with special conditions:
☐ Denial

RECEIVED

APR 14 2015

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: A-3-STC-15-0024DATE FILED: April 14, 2015DISTRICT: Central Coast

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: MARCH 19, 2015

7. Local government's file number (if any): CP14-0166

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:

BEACH STREET INN AND SUITES
125 BEACH STREET
SANTA CRUZ, CA. 95060

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) SHERRIC GENETTI, Vice President, TERRACE CONDOMINIUMS
9942 COPPEROPOLIS Rd.
STOCKTON, CA. 95215
- (2) DIANE AND PHILLIP SOLARI
515 2nd STREET, #1B
SANTA CRUZ, CA. 95060
- (3) JOANNE AND TOM WALTERS
515 2nd STREET #1A
SANTA CRUZ, CA. 95060
- (4) SABINA AND DANA GRAU
515 2nd STREET, #1C
SANTA CRUZ, CA. 95060
- (5) JIM EMERSON
10062 E. COMSTOCK Rd.
STOCKTON, CA. 95215

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.

See ATTACHMENT

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.

Thomas E. Walters, Authorized agent
Signature of Appellant(s) or Authorized Agent

Date: April 14, 2015

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

Thomas E. Walters

Section VI. Agent Authorization

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

Signature of Appellant(s)

Date: _____

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

SECTION IV. Reasons Supporting This Appeal

There are three major reasons to appeal the proposed deck construction project at 125 Beach Street – CP14-0166

1. Parking

The motel has a parking requirement of 66 spaces. Presently, there are 53 spaces and with the proposed deck, and with a reconfigured parking scheme, the total will be 54 spaces. As a result of this proposal, the motel still remains *12 spaces short*, and it continues to be in an existing ***legal nonconforming parking situation***. In addition, there will be many more *compact* spaces created in an already crowded parking area.

The motel owners have not offered any ***Master Plan*** for the changes it has made in the past and for changes it wishes to make now and into the future. Two years ago (April 2013) they proposed to neighbors a plan to add 15 additional units which they later dropped. In December 2013 they changed their plan of direction by getting approval to remodel several guest rooms, adding a conference room including a 204 square foot office extension to the motel. After completing this project, in the Fall of 2014, they began demolition of an existing large 2 story building on the property and are presently reconstructing and enlarging the building to house additional motel rooms. It is a major project as it is the most prominent building on the property. This February they returned to the SC Planning Department with plans to add an 1800 square foot deck in a portion of their present parking lot. In conversations with the owners, they have suggested that they wish to move the swimming pool to a different location in the future but have declined to move forward on this idea because of an estimated \$300,000 expense.

The point is that there is no plan; everything is accomplished piecemeal. We feel that this *piecemeal approach* is done deliberately so that they do not have to furnish the SC Planning Department with a ***Master Plan***, thus avoiding conformance with the current parking code. Instead, they are creating more compact spaces in order to add one additional space. This would be a logical time and a perfect opportunity for the motel to maintain that area for parking and not a deck, particularly since they already have an outdoor common area for guests. In a crowded situation, parking at times overflows onto Drift Way (see photo). Bringing parking closer, if not to actual code, would help ease the crowded parking situation not only at the motel, but in the Beach Hill area in general.

2. Unfair Representation in the Case Planner's Report

Our representatives from Terrace Condominiums met with the SC Planning Department's Case Planner to present our case against the deck project. We argued that the deck would be directly in front of our condominiums and there would be extra noise and privacy issues. We stated to the Case Planner that we do not hear the noise or see people on Beach Street because there is a bluff that separates the street from the motel and our property. However, in his report, he stated that:

"Noise from the Boardwalk and traffic along Beach Street will exceed any noise generated from the deck. Lastly, the pool for the hotel, which tends to generate more noise than a deck, is actually located closer to the condominiums than the proposed deck"

Certainly he did not visit the site and check out our point of view or he would have never written this statement in his report. Not only do we not hear or see folks on Beach Street, but he failed to mention that the noise from the pool is blocked because a wing of the motel sits in between the pool and our condominium complex. It was a lopsided report favoring the motel owners.

We spoke with the Assistant Director of Planning, and after discussion over these points, he concluded that "we were misrepresented in the report" and that the work had been "sloppy". We did not get a fair shake.

3. Santa Cruz Regulations, Section 24.08.430, number 10.

This article specifically states that, "The site plan shall reasonably protect against external and internal noise, vibration and other factors which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents". We fear that the proposed deck will not *respect our privacy as adjacent residents*, and will exacerbate the noise and other disturbances that will make our environment less desirable. Also, the public view corridor from 2nd Street through Drift Way will be blocked by the addition of the deck along with its umbrellas, chairs, tables, and whatever.

In the original letter to the members of the Planning Commission, we pointed out the history of the motel's disturbances that violate the spirit of Section 24.08.430, number 10. The proposed deck will not only cause more disturbances among its neighbors, but also, block off much of the existing public view corridor at Drift Way and 2nd Street.

At the Planning Commission meeting, the owners of the Beach Street Inn erroneously stated that most of the condominium owners were not against their proposal. Terrace Condominium owners voted 7-0 against their project.

Finally, the owners of the motel continually tell us about the amount of upgrades that they are putting into their projects. While we can appreciate their efforts, it goes both ways. Our condominium complex is completing a \$1.5 million dollar renovation. Both properties are being upgraded; the main difference is that our project will only enhance the area and will have not adverse affects on our neighbors.

Sherrie Genetti

Sherri Genetti, Vice-President
Terrace Condominiums
515 2nd Street
Santa Cruz, California

April 14, 2015



DRIFT WAY AND 2nd STREET