



AGENDA

CAPITOLA PLANNING COMMISSION

January 17, 2013 – 7:00 PM

Chairperson Ron Graves
Commissioners Gayle Ortiz
 Mick Routh
 Linda Smith
 TJ Welch

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. NEW BUSINESS

A. Oath of Office - Newly Appointed Commissioner

B. Election of Chair and Vice-Chair

C. Committee Appointments

a. General Plan Advisory Committee

b. Traffic and Parking Commission

c. Commission on the Environment

d. Arts and Cultural Commission

3. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

Short communications from the public concerning matters not on the Agenda.

All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

C. Commission Comments

D. Staff Comments

4. APPROVAL OF MINUTES

A. December 6, 2012 Regular Planning Commission Meeting

5. CONSENT CALENDAR

All matters listed under "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for

separate discussion will be considered in the order listed on the Agenda.

- A. 723 EL SALTO DRIVE #10-092 APN: 036-143-35**
Request for a one-year extension to a previously approved Minor Land Division to convert four apartment units to condominiums in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Doug Dodds, filed: 1/2/13

6. PUBLIC HEARINGS

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission Discussion; and 6) Decision.

- A. 1900 41ST AVENUE #12-155 APN 034-201-10**
Amendment to an existing restaurant Conditional Use Permit (Capitola Diner) to incorporate a bar use and allow live entertainment in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: R. Deane, filed: 11/21/12
Representative: Pedro Salazar

- B. 3555 CLARES STREET, SUITE G #12-159 APN 034-261-56**
Amendment to an existing restaurant Conditional Use Permit (Crown Cafe) to allow an outdoor barbeque in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Bob Rivers, Brown Ranch Properties, filed: 12/13/12
Representative: Ron Clements, Jr.

7. DIRECTOR'S REPORT

8. COMMISSION COMMUNICATIONS

9. ADJOURNMENT

Adjourn to the next Planning Commission on Thursday, February 7, 2013 at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

APPEALS: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review can be appealed to the City Council within the (10) working days following the date of the Commission action. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a one hundred forty two dollar (\$142.00) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st

Thursday of each month at 7:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.ci.capitola.ca.us. Agendas are also available at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the Community Development Department at (831) 475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings can also be viewed from the City's website: www.ci.capitola.ca.us

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**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, DECEMBER 6, 2012
7:00 P.M. – CITY HALL COUNCIL CHAMBERS**

Chairperson Graves called the Regular Meeting of the Capitola Planning Commission to order at 7:00 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ed Newman, Gayle Ortiz, Mick Routh, Linda Smith and
Chairperson Ron Graves

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda - None
- B. Public Comments - None
- C. Commission Comments - None
- D. Staff Comments - None

3. APPROVAL OF MINUTES

- A. November 1, 2012 Regular Planning Commission Meeting

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER ROUTH TO APPROVE THE NOVEMBER 1, 2012 MEETING MINUTES.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS NEWMAN, ORTIZ, ROUTH, AND SMITH. NOES: NONE. ABSENT: NONE. ABSTAIN: CHAIRPERSON GRAVES.

4. CONSENT CALENDAR

- A. **2185 41st AVENUE #12-149 APN: 034-192-02**
Sign Permit for a new wall signs in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Hernan Termeno, filed 11/9/12
Representative: Susan Saltado/Liberty Tax

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE PROJECT APPLICATION #12-149 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

- 1. The project approval consists of a new wall sign with illuminated channel letters for “*Liberty Tax*” located at 2185 41st Avenue.

- 2. If minor modifications to the signs are desired by the applicant (i.e. lettering, materials, colors, illumination, etc.), the changes may be approved by the Community Development Department. Any significant changes shall require Planning Commission approval.
- 3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
- 4. Prior to building permit sign off, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.

The Planning Commission finds that the proposed wall signs comply with the Sign Ordinance regulations in terms of size and design.

B. The application will maintain the character and integrity of the neighborhood.

The Community Development Department Staff and Planning Commission have reviewed the project and have determined that the proposed signage conforms to the applicable provisions of the *41st Avenue Area Design Guidelines* as well as the Sign Ordinance, which were developed to ensure projects maintain the character and integrity of the 41st Avenue commercial area of the City.

C. This project is categorically exempt under the Section 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

This project involves the installation of a wall sign for an office use. Section 15311(a) exempts on-premise signs appurtenant to existing commercial facilities.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS NEWMAN, ORTIZ, ROUTH, SMITH AND CHAIRPERSON GRAVES. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B. 700 ESCALONA DRIVE #12-152 APN: 036-141-05

Amendment to a previously approved Design Permit to construct a new two-story single-family residence to add a second floor deck in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Lori Perpich & Alberto Munoz, filed 11/19/12

Representative: Derek Van Alstine

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE PROJECT APPLICATION #12-152 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a minor amendment to a previously approved single-family structure that is currently under construction at 700 Escalona Drive. The amendment would allow for the addition of a 64 square foot second floor deck.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
4. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
5. An encroachment permit shall be acquired for any work performed in the right-of-way.
6. The project shall implement Low Impact Development BMP's outlined in the *Slow it. Spread it. Sink it. Homeowner's Guide to Greening Stormwater Runoff* by the Resource Conservation District of Santa Cruz County. The applicant shall provide details on the bmp's implemented and with a goal of not allowing more than 25% of total impervious area from discharging directly from the site.
7. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
8. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
9. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. **This project is categorically exempt under Section 15303(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

This project involves a minor amendment to the construction of a new single-family residence in the R-1 (single family residence) Zoning District. Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS NEWMAN, ORTIZ, ROUTH, SMITH AND CHAIRPERSON GRAVES. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

C. 904 SIR FRANCIS AVENUE #06-061TX APN: 036-222-07

Request for a one-year extension to a previously approved Coastal Permit and Architectural and Site Review for the remodel of an existing single-family residence and construction of a new second story in the R-1 (Single Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Justin and Lisa Maffia, owners, filed 11/15/12

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE PROJECT APPLICATION #06-061TX WITH THE FOLLOWING FINDING:

- A. **A substantial change of circumstances has not occurred since Planning Commission approval of the permit on December 7, 2006. An additional one-year extension of the permit to December 7, 2013, would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.**

The Planning Commission finds that neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit on December 7, 2006. Therefore, (a fifth) one-year extension (to December 7, 2013) of said permit is appropriate.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS NEWMAN, ORTIZ, ROUTH, SMITH AND CHAIRPERSON GRAVES. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

5. PUBLIC HEARINGS

A. 2178 41ST AVENUE #12-080 APN 034-221-02

Design Permit and a Conditional Use Permit to demolish an existing food mart, currently run in conjunction with a gas station, and construct a new commercial retail building (7-11) in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Ed Hadad, filed: 6/18/12

Representative: Joe Nguyen, ASI Consulting

Senior Planner Bane presented the staff report.

Commissioner Smith asked if the concrete wall shown on the project aerial photo will be constructed at the rear of the property.

Senior Planner Bane clarified that the wall will be constructed along the east elevation only.

Commissioner Smith inquired on the status of the "Oh Thank Heaven" on the lower portion of the price sign.

Senior Planner Bane stated that price signs are not regulated and the "Oh Thank Heaven" sign may remain.

Commissioner Ortiz inquired on the minimal landscape improvements shown for the center planter area and the planter area on the north property boundary where the existing small monument sign is located.

Senior Planner Bane stated that the Architectural and Site Review Committee landscape architect, Susan Suddjian, commented that the landscape plan is sufficient for the site.

The public hearing was opened.

Joe Nguyen, architect, spoke in support of the application.

Niki Harmon, resident, spoke with concerns about delivery hours, parking, lighting, dumpster location and the improvements proposed along the easement at the rear of the property. She supported the construction of the 6' wall.

The public hearing was closed.

Senior Planner Bane stated that the trash enclosure is located away from the residents; lighting shall be shielded from adjacent properties, condition #6; there is a drive isle at the rear of the building, but no parking; the landscape buffer is sufficient as proposed; and deliver hours have not been addressed.

Chairperson Graves asked how will compliance with the approved plans will be achieved and if there is any bond required for compliance with the conditions of approval.

Senior Planner Bane stated that the city cannot require the applicant to build the project, but can require compliance with ongoing code enforcement issues. Condition #14 that requires the applicant to post a \$2,000 bond for three years to ensure the landscaping is maintained.

Commissioner Ortiz stated that prior permit approvals included conditions restricting the use of the rear of the property for parking and deliveries, in addition to limiting deliveries to the front of the building. She suggested that the previous conditions be included with this permit.

Chairperson Graves commented that condition #8 prohibits outdoor displays, but the current and future business will have propane for sale. He clarified that the propane dispensing area is adjacent to the trash enclosure.

Commissioner Smith suggested a condition that would require the concrete wall along the rear of the property be installed prior to any other construction to buffer the adjacent residential properties from the commercial property.

Commissioner Routh asked the applicant if the back door would be accessible to the public.

Commissioner Ortiz asked the applicant if deliveries are anticipated from the front or back doors; if the staff will use the rear door for access; and if the existing sign will remain on the north end of the property.

Joe Nguyen responded that the rear door is a required second exit for the building, but will not be used by the staff or the public as it will be alarmed. Deliveries will be accepted at the front door only. The existing sign on the north end of the property will remain.

Ed Hadad, property owner, spoke in support of the application.

Commissioner Ortiz suggested an additional condition to prohibit deliveries at the rear door; ensure condition #13 includes automated irrigation system in all planted area; and condition #15 include and enforcement provision for severely trimmed landscaping or that screening landscaping shall be maintained. She suggested that new developments on 41st Avenue include landscaping that incorporates height, mounding and interest to the landscaping in place of flat lawn.

Consultant Susan Westman commented that monitoring and enforcement of difficult conditions are dependent on staff availability. The suggested conditions may be setting up a false expectation of enforcement. She suggested that the Planning Commission authorize staff to work with the applicant to develop a landscape plan that incorporates height, mounding and interest in the planting areas. She stated that many landscape designs are very restricted by water use in both Santa Cruz Water District and Soquel Creek Water District.

Commissioner Newman stated that the existing landscape agreement be reviewed and revised to include enforcement and compliance language. He supported authorizing staff to work with the applicant to resolve the landscape design.

Commissioner Ortiz requested copies of both water districts landscaping regulations.

Commissioners Routh and Smith concurred with Commissioner Newman and Ortiz comments.

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER SMITH TO APPROVE PROJECT APPLICATION #12-080 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of demolition of an existing food mart building and construction of a new 2,940 square foot retail building (7-Eleven) for an existing gas station at 2178 41st Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The wall cabinet sign (*Oh thank heaven*) proposed on the south elevation is not permitted and shall not be included in the building permit plans.
4. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
5. Air-conditioning equipment and other roof top equipment shall be screened from view and fall within the city permitted decibel levels.
6. Lighting shall be shielded to prevent light from shining on to neighboring properties.
7. Sandwich board and other movable freestanding signs are prohibited.
8. Outdoor product displays are not permitted.

9. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
10. Curb, gutter and sidewalk shall be replaced to meet ADA standards to the satisfaction of the Public Works Director.
11. An encroachment permit shall be acquired for any work performed in the right-of-way.
12. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director. The grade along the eastern property line shall be designed to prevent potential drainage issues with the neighboring residential properties.
13. The final landscape plan submitted with the building permit application shall include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. The approved landscaping and operational irrigation system shall be installed prior to final occupancy.
14. The applicant shall enter into a landscape maintenance agreement and a cash deposit of \$2,000.00 shall be retained by the City to cover costs of replacing or maintaining landscaping for a period of three (3) years after project completion. The agreement and deposit shall be completed prior to final occupancy.
15. All landscaping must be maintained and non-maintenance will be a basis for review by the Planning Commission.
16. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.
17. The landscaping fronting 41st Avenue shall be improved, eliminating the existing lawn area and incorporating mounding and a mix of drought tolerant plants to create some verticality to the existing landscape islands. The new landscaping shall be included in the final landscape plan and approved by the Community Development Department.
18. Deliveries shall be limited to the front of the building, and will not be permitted to the back door. Delivery hours shall be limited to 8:00 a.m. – 8:00 p.m., seven days a week.
19. A 6' high concrete block wall (measured from project finished grade) will be constructed along the eastern property line adjacent to residential properties. The wall shall be erected as part of the initial construction in order to shield the residences from construction noise. The wall must be completed prior to commencing framing of the new building.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

B. The application will maintain the character and integrity of the neighborhood.

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

C. This project is categorically exempt under Section 15302(b) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15302(b) of the CEQA Guidelines exempts replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. This project involves demolition of a food mart and construction of a new retail food mart that is substantially the same size, as well as serves the same purpose and capacity. No adverse environmental impacts were discovered during review of the proposed project.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS NEWMAN, ORTIZ, ROUTH, SMITH AND CHAIRPERSON GRAVES. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B. 4800 GRACE STREET #12-131 APN: 034-023-33

Coastal Development Permit and Design Permit for the construction of a new one-story single-family residence in the R-1 (Single-Family Residence) Zoning District.

This project requires a Coastal Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Owner: Fred & Nan DeJarlais, filed 10/2/12

Senior Planner Bane presented the staff report.

The public hearing was opened.

Fred DeJarlais, property owner, spoke in support of the application.

The public hearing was closed.

Commissioner Newman stated that this type of application that meets all the ordinance requirements should be a consent item.

Commissioner Routh complimented the application for designing a project that does not overbuild the lot.

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER ROUTH TO APPROVE PROJECT APPLICATION #12-131 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of construction of a new 1,474 square foot one-story single-family structure with a 269 square foot attached garage at 4800 Grace Street.

2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
4. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
5. The applicant shall have the option to install a sidewalk as part of the approved project, or record a deferred sidewalk agreement approved by the City Public Works Director.
6. An encroachment permit shall be acquired for any work performed in the right-of-way.
7. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director.
8. The project shall implement Low Impact Development BMP's outlined in the *Slow it. Spread it. Sink it. Homeowner's Guide to Greening Stormwater Runoff* by the Resource Conservation District of Santa Cruz County. The applicant shall provide details on the bmp's implemented and with a goal of not allowing more than 25% of total impervious area from discharging directly from the site.
9. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
10. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
11. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project generally conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

B. The application will maintain the character and integrity of the neighborhood.

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. **This project is categorically exempt under Section 15303(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

This project involves construction of a new single-family residence in the R-1 (single family residence) Zoning District. Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS NEWMAN, ORTIZ, ROUTH, SMITH AND CHAIRPERSON GRAVES. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

C. 515 GILROY DRIVE #12-140 APN: 035-081-04

Coastal Development Permit and Design Permit for the demolition of a single-family residence and construction of a new two-story single-family residence in the R-1 (Single-Family Residence) Zoning District.

This project requires a Coastal Permit which is not appealable to the California Coastal Commission

Environmental Determination: Categorical Exemption

Owner: Mary Byrne, filed 10/28/12

Representative: Frank Phanton

Commissioner Ortiz and Chairperson Graves recused themselves as they own property within 300 feet of the subject property application. Vice-Chairperson Routh introduced the item.

Senior Planner Bane presented the staff report.

The public hearing was opened.

Frank Phanton, architect, spoke in support of the application. He presented a revised plan that resolves the neighbor's window placement concern.

Commissioner Routh suggested that revised plan be continued to the January meeting.

Consultant Susan Westman stated the only change in the plan is the window.

Commissioner Smith asked if the proposed casement window meets the current code requirements for egress window.

Frank Phanton responded that the casement window does meet the current code requirements for an egress window.

Judith Feinman, spoke with concerns about the window and appreciated that applicant's efforts to address her concerns.

The public hearing was closed.

Commissioner Smith stated that second story windows are a concern throughout Capitola. The code requirements and obscure glass have resolved the safety and privacy issues.

Commissioner Newman supported the redesigned window.

Commissioner Routh stated that the window is a required second exit.

A MOTION WAS MADE BY COMMISSIONER SMITH AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE PROJECT APPLICATION #12-140 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of demolition of an existing single-family house and construction of a new 1,373 square foot two-story single-family structure with a 223 square foot attached garage at 515 Gilroy Drive.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
4. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
5. The existing curb and sidewalk shall be replaced to the satisfaction of the Public Works Director.
6. An encroachment permit shall be acquired for any work performed in the right-of-way.
7. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director.
8. During all grading and subsurface excavations (including utility-line trenching), construction will be halted if significant unexpected, archaeological resources are discovered. For the purpose of this permit, significant archaeological resources shall include the remains of previous Native American living areas or human burials. In the instance of Native American living areas, these objects shall be recorded and mapped by an archaeologist approved by the Community Development Director 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 as a result of such unanticipated discovery shall be subject to the approval of the Community Development Director.
9. The project shall implement Low Impact Development BMP's outlined in the *Slow it. Spread it. Sink it. Homeowner's Guide to Greening Stormwater Runoff* by the Resource Conservation District of Santa Cruz County. The applicant shall provide details on the bmp's implemented and with a goal of not allowing more than 25% of total impervious area from discharging directly from the site.
10. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
11. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
12. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS**A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project generally conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

B. The application will maintain the character and integrity of the neighborhood.

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15303(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

This project involves construction of a new single-family residence in the R-1 (single family residence) Zoning District. Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS NEWMAN, SMITH, AND VICE-CHAIRPERSON ROUTH. NOES: NONE. ABSENT: NONE. ABSTAIN: COMMISSIONER ORTIZ AND CHAIRPERSON GRAVES.

6. DIRECTOR'S REPORT

Consultant Susan Westman thanked Commissioner Newman for his years of service to the Planning Commission and the city.

7. COMMISSION COMMUNICATIONS

Chairperson Graves suggested the city present Commissioner Newman with a resolution of appreciation at the January 17, 2013 meeting.

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:16 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, January 17, 2013 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on January 17, 2013

Danielle Uharriet, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JANUARY 17, 2013

SUBJECT: **723 EL SALTO DRIVE** **#10-082** **APN: 036-143-35**
Minor land division to convert four apartment units to condominiums in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Doug Dodds

APPLICANT'S PROPOSAL

The applicant is requesting a one-year extension of a previously approved minor land division to convert four apartments to condominiums at 723 El Salto in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District. The proposed project remains consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

BACKGROUND

On January 20, 2011, the Planning Commission approved the above-mentioned application #10-082. The Planning Commission staff report and minutes have been included for your information (Attachment B).

DISCUSSION

Pursuant to Section 17.63.130 of the Zoning Ordinance, approvals of the Planning Commission are valid for two years. The permit has not yet been activated, therefore the applicant has submitted for an extension of the permit. The extension request letter is attached (Attachment A).

Since the Planning Commission was the body that originally approved the permit, they have the power to grant, "one or more extensions, each of which shall be for one year." Both Section 17.81.160 and Coastal Zone Ordinance Section 17.46.120 state that a request for an extension may be granted upon a finding that no relevant substantial change of circumstances, regulations or planning policies has occurred and that such extension would not be detrimental to the purpose of the certified local coastal program and zoning ordinance. Since neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit, staff supports the request for a one-year extension.

It should be noted that while the Planning Commission has the power to approve or deny extensions, it has no power to exact conditions unless codes and circumstances have changed. Conditions can be added, but only if agreed upon by the applicant.

RECOMMENDATION

It is recommended that the Planning Commission **approve** the request for a one-year extension, subject to the following finding. If approved, this finding is in addition to the findings made for the original permit:

- A. A substantial change of circumstances has not occurred since Planning Commission approval of the permit on January 20, 2011. An additional one-year extension of the permit to January 20, 2014, would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.**

The Planning Commission finds that neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit on January 20, 2011. Therefore, a one-year extension (to January 20, 2014) of said permit is appropriate.

ATTACHMENTS

- A. Request for extension letter from Doug Dodds, dated January 3, 2013
- B. January 20, 2011 Staff Report, Project Plans and Planning Commission Minutes

**Report Prepared By: Ryan Bane
Senior Planner**

DOUG DODDS

1-3-13

RE: EXTENSION OF # 10-082 APN 036-143-35

DEAR PLANNING COMMISSIONERS,

Please EXTEND MY APPEAL # 10-82 FOR
CONDO - CONVERSION ON APN 036-143-35.

THANK YOU

Doug Dodds

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JANUARY 11, 2011 (AGENDA: JANUARY 20, 2011)

SUBJECT: **723 EL SALTO DRIVE** **#10-082** **APN: 036-143-35**
Minor land division to convert four apartment units to condominiums in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Doug Dodds

APPLICANT'S PROPOSAL

The applicant is proposing to convert an existing four-unit apartment complex into four condominium units. The apartment building is located at 723 El Salto Drive in the VS/R-1 (Visitor Serving/Single-Family Residence) zoning district. The use is consistent with the General Plan, Local Coastal Plan, Zoning Ordinance, and Subdivision Ordinance.

BACKGROUND

The existing parcel currently contains a 4-unit apartment building, a single-family house, and a 4-car carport structure. On February 4, 2010, the Planning Commission approved an application (#08-041) to subdivide a 5,850 square foot portion of the lot, which will contain the single-family house, with the remaining 29,959 square foot lot containing the four-unit apartment building. As part of that approval, conditions were included that required that the existing carport structure be demolished and a new 4-car carport and parking lot be constructed on the lot containing the 4-unit apartment building, in addition to new landscaping and pathways.

At this point in time, the applicant has not moved forward with the Final Map for the subdivision. But it should be noted that the proposed condo conversion application is dependent upon the completion of the previous application (#08-041) and conditions, including construction of a new 4-car carport, parking area, and landscaping including pedestrian walkways connecting the street and apartment building. A condition to this affect is included in the conditions of approval for the subject application.

Item #: 5. Attachment B.pdf

DISCUSSION

The existing lot lies just to the west of the El Salto Resort, and extends from El Salto Drive to the north to the ocean bluff to the south. The site is relatively flat with the subject two-story four-unit apartment building on the southern portion of the lot, adjacent to the ocean bluff. The four units will continue to gain access from El Salto Drive, with a new driveway, new parking area and new landscaping conditioned as part of Application #08-041. The parking area will consist of a new 4-car carport, 4 uncovered spaces parked tandemly to those carport spaces, two guest spaces, as well as a new 4' concrete pedestrian walkway that connects the street to the parking area and apartment building.

The two-story apartment building contains four individual units, each unit being approximately 988 square feet in size with two bedrooms. As part of the approvals of Application #08-041, each unit will have two assigned parking spaces, one a carport space, the other a tandem uncovered space. In addition to the eight parking spaces for the unit owners, there are two spaces available for guest parking. This meets the zoning code requirement of 2.5 parking spaces per unit.

The complex will be set up the same way as most condominium projects, where the individual owners will own the air space of each unit, and the buildings and property are commonly owned by the condominium association. As is standard for townhome and condominium projects, a condition of approval has been added that final covenants, conditions and restriction (CC&Rs) documents be prepared by the applicant and reviewed by the Community Development Director, Public Works Director, and City Attorney for approval. A draft set of the Declaration of Covenants, Conditions and Restrictions is attached (Attachment C).

Condo Conversion

The City Subdivision Ordinance has a Condominium and Community Apartment Conversions Section that is fairly restrictive and limits the majority of multiple unit apartment buildings from converting to condominiums. However, the ordinance section only applies to "residential condominium projects" which is defined as "the conversion of an existing structure to a condominium containing **five** or more condominiums for residential purposes." Therefore, with the subject application converting only four units, the condo conversion ordinance does not apply and the conversions of the apartment units to individually owned condominium units are permitted with a minor land division.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #10-082 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of a tentative parcel map converting an existing four-unit apartment complex into four condominium units at 723 El Salto Drive.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The subdivider shall comply with all of the provisions of the approved Tentative Map and all pertinent provisions of the Municipal Code.

4. The proposed condo conversion Final Map shall not be approved for recordation until the Final Map and associated conditions of approval for Application (#08-041) are completed, approved, and recorded.
5. A Homeowner's Association CC&R document shall be prepared by the developer and subject to the approval of the Community Development Director, Public Works Director, and City Attorney. The CC&Rs shall be prepared and approved prior to recordation of the Parcel Map and all costs associated with the creation of the documents will be the responsibility of the applicant.
6. The owner/applicant shall comply with the Inclusionary Housing Ordinance.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Staff and the Planning Commission have reviewed the project and determined that the project is consistent with the development standards of the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

Community Development Staff and the Planning Commission have reviewed the project and determined that the proposed project will maintain the character and integrity of the neighborhood. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. **The application is consistent with the Subdivision Map Act and local Subdivision Ordinance.**

The subdivision was designed in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto. Per the Subdivision Map Act, the proposed map is consistent with the General Plan, is physically suited for the proposed type and density of development, will not cause substantial environmental damage, or substantially and avoidably injure fish, wildlife or their habitats, will not cause serious public health problems, and will not conflict with public easements for access through, or use of, property within the proposed subdivision.

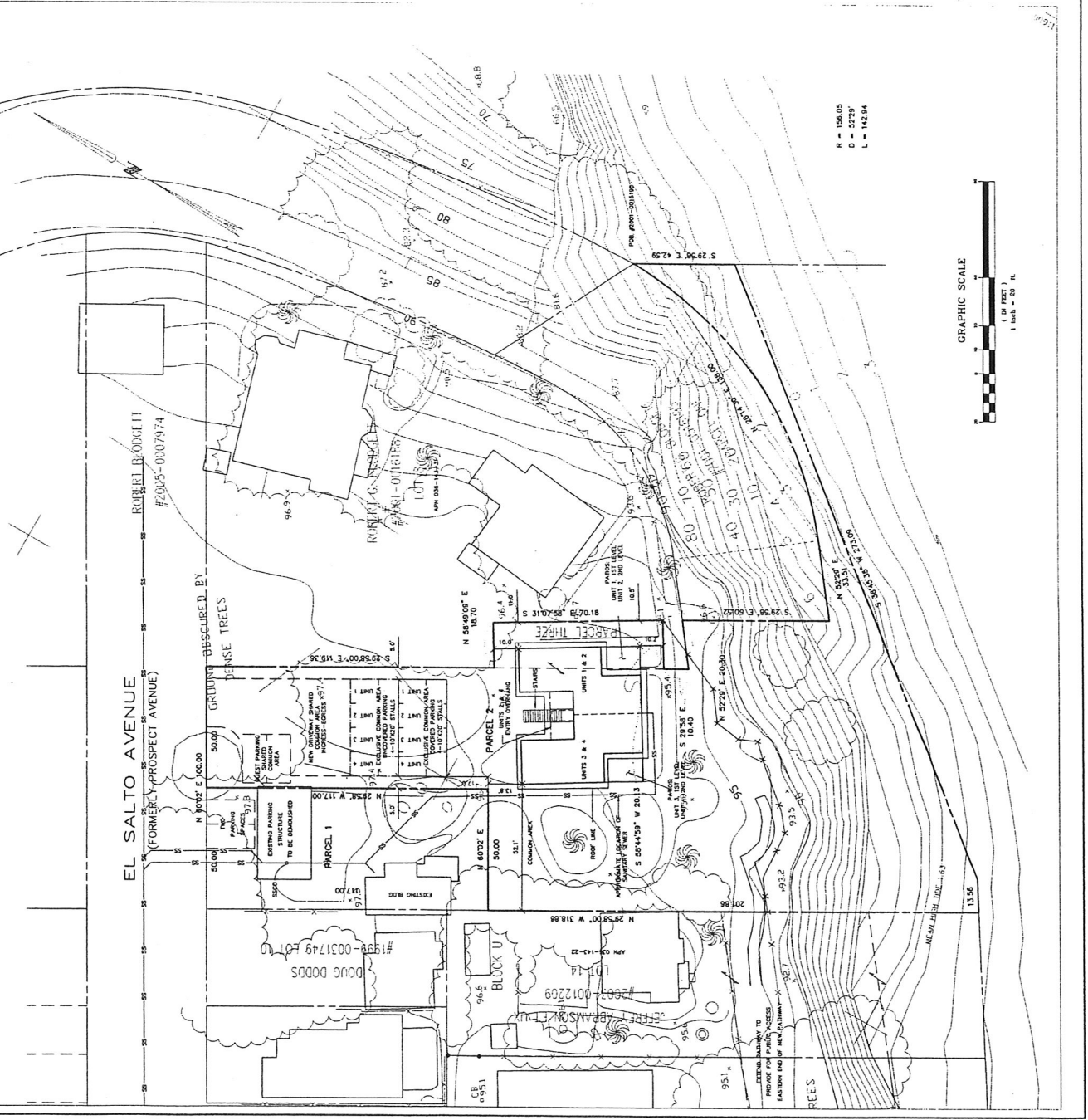
- D. **This project is categorically exempt under Section 15315 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15315 of the CEQA Guidelines exempts minor land divisions in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning.

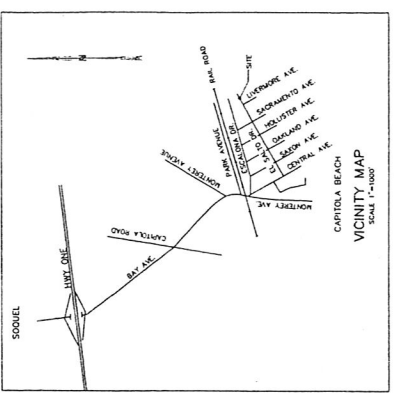
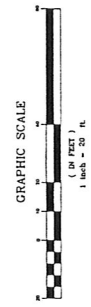
Item #: 5. Attachment B.pdf

Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Tentative Parcel Map
Attachment B – Apartment Building Plans
Attachment C – Draft CC&Rs



R = 156.05
 D = 273'
 L = 142.84



BASIS OF BEARINGS.

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALCULATED BEARING BETWEEN A FOUND CONCRETE RIB POST IN LANE AT THE SOUTHWEST CORNER OF LOT 36 BLOCK 145 SHOWN ON 86-14-22, (S 46°31'37" E 286.53) VS. S 46°31'37" E 286.67 AS FOUND.

BASIS OF ELEVATIONS.

BEARINGS IS 1925 MGR 72-210 EAST, BRASS PEGS IN A CONCRETE RIB POST IN LANE AT THE SOUTHWEST CORNER OF MONTELEONE AVENUE AND THE UNION PACIFIC RAILROAD ELEVATION = 63.922 USDS DATUM NOV 1899 ADJUSTED.

NOTE.

PARCEL 1 AND PARCEL 2 SHOWN HEREON ARE FROM AN APPROVED MINOR LAND DIVISION RECORD FOR THE PROJECT OF THE CONDOMINIUM PLAN. PARCEL 2 WILL BE COMPLETED PRIOR TO APPROVAL AND RECORDING OF A CONDOMINIUM PLAN. APPROXIMATE LOCATION OF SANITARY SEWER IS BASED ON FOUND SANITARY SEWER CLEANOUT AND SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH RECORDS PERMIT AND SKETCH 35-143-25, CURRENTLY APR 38-143-35. EASEMENT OVER PARCEL 1 OR NEW SANITARY SEWER CONNECTION MAY BE REQUIRED.

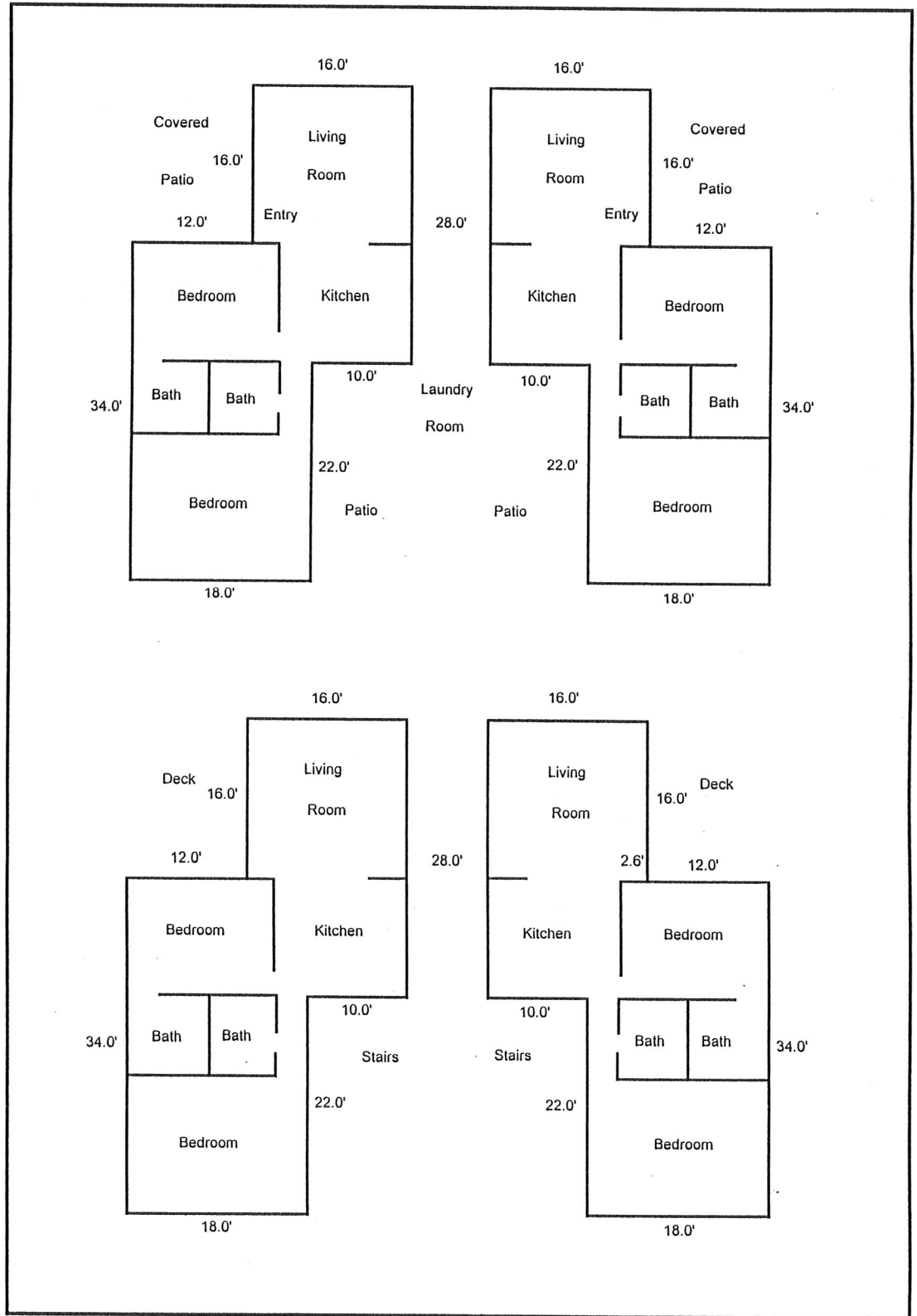
DATE: AUG 23, 2010	CHECKED: FORTNER
SCALE: 1"=20'	DRAWN: DBS
DESIGN: DBS	DATE: AUG 23, 2010
BOWMAN & WILLIAMS CONSULTING ENGINEERS 5001 SLOAN STREET SAN JOSE, CALIF. 95128 (408) 435-5200	



LOCATED AT:
723 EL SALTO DRIVE
LOT 9 CAMP CAPITOLA
CAPITOLA, CA 95010

Building Sketch (Page - 1)

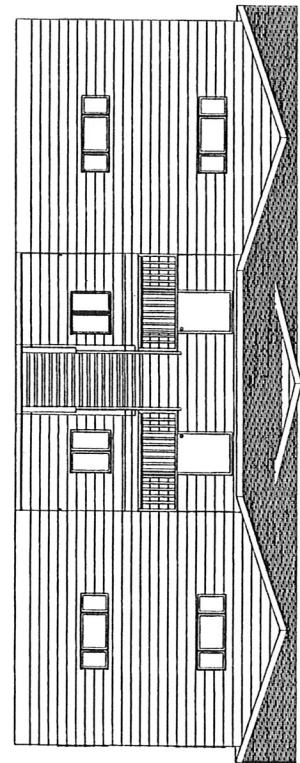
Borrower/Client DOUGLAS DODDS			
Property Address 723 EL SALTO DRIVE			
City CAPITOLA	County SANTA CRUZ	State CA	Zip Code 95010
Lender			



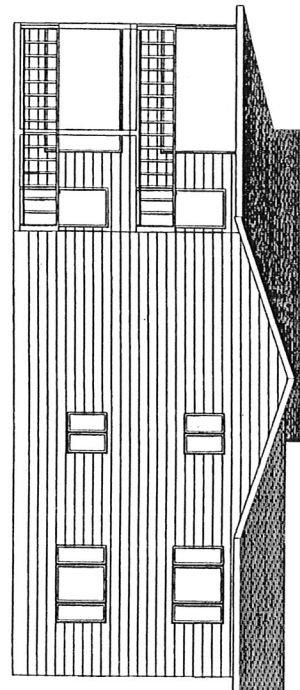
Building Sketch (Page - 2)

Borrower/Client DOUGLAS DODDS			
Property Address 723 EL SALTO DRIVE			
City CAPITOLA	County SANTA CRUZ	State CA	Zip Code 95010
Lender			

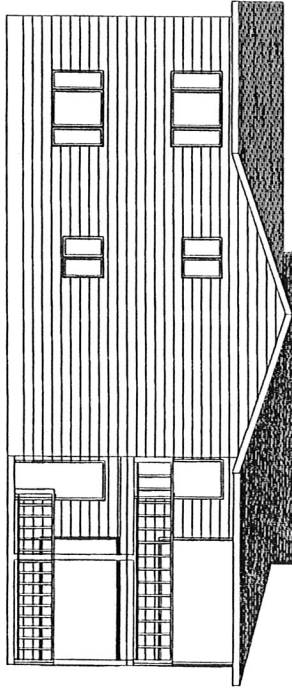
SKETCH CALCULATIONS			
Misc. Area			
Unit 2			
	A1 : 16.0 x 16.0 =		256.0
	A2 : 28.0 x 12.0 =		336.0
	A3 : 18.0 x 22.0 =		396.0
			988.0
Unit 3			
	A4 : 16.0 x 16.0 =		256.0
	A5 : 28.0 x 12.0 =		336.0
	A6 : 18.0 x 22.0 =		396.0
			988.0
Unit 4			
	16.0 x 16 =		256
	28.0 x 12 =		336
Living Area			
Unit 1			
	A7 : 16.0 x 16.0 =		256.0
	A8 : 28.0 x 12.0 =		336.0
	A9 : 18.0 x 22.0 =		396.0
			988.0
Total Gross Living Area		= 3952 Square Feet	
			Total Living Area 988.0



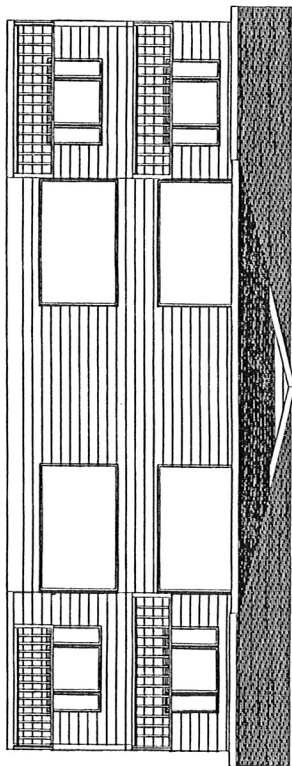
North Elevation



East Elevation



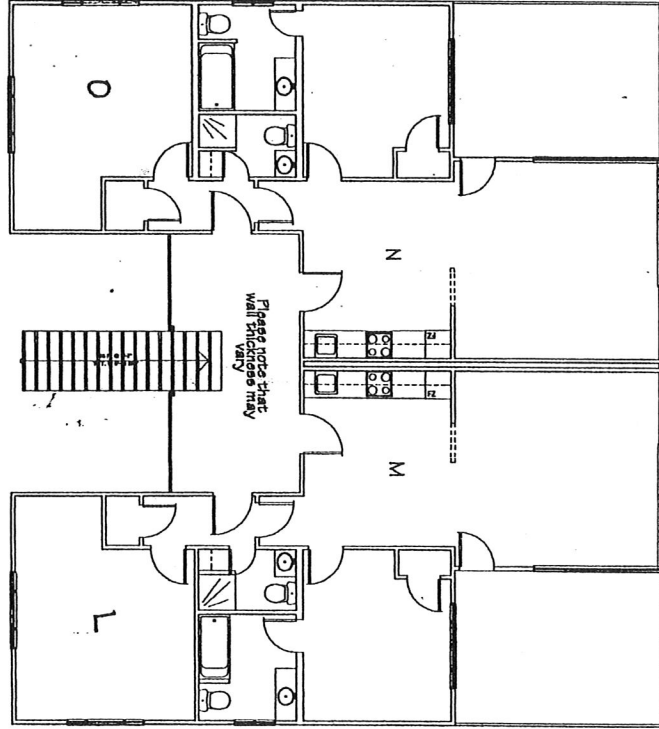
West Elevation



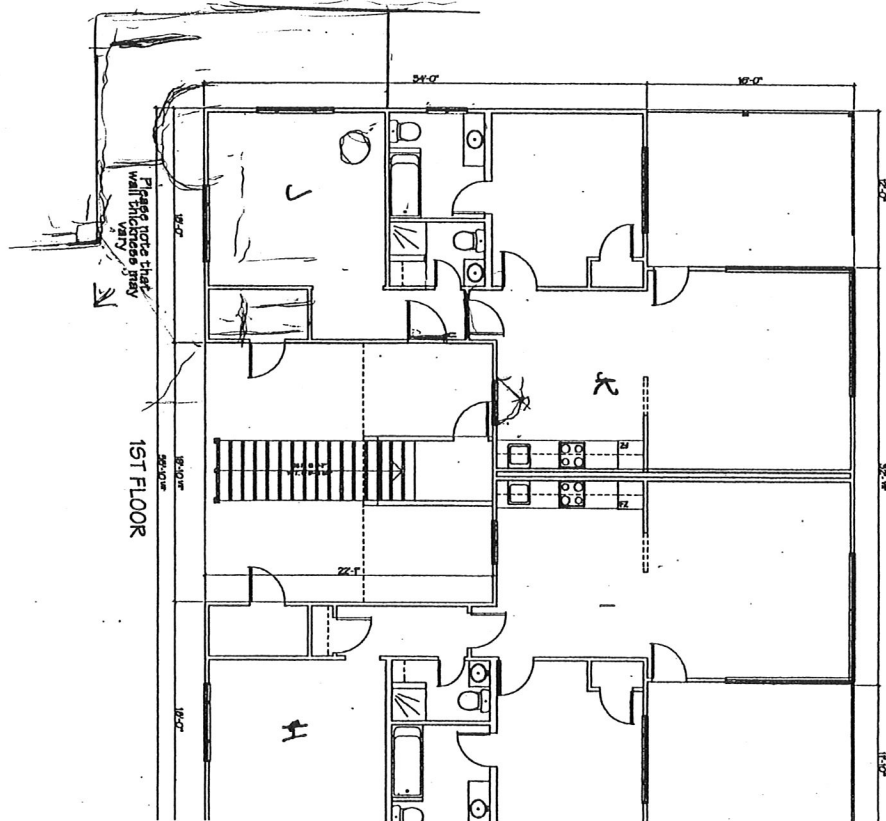
South Elevation

<p>EL SALTO</p>		<p>ELEVATIONS</p>		<p>DATE: _____</p>	
<p>NO. _____</p>	<p>SCALE: _____</p>	<p>DATE: _____</p>	<p>SCALE: _____</p>	<p>DATE: _____</p>	<p>SCALE: _____</p>

2ND FLOOR



1ST FLOOR



MOTION PASSED 4-0, CHAIRPERSON ORTIZ RECUSED.

B. 723 EL SALTO DRIVE #10-082 APN: 036-143-35

Minor land division to convert four apartment units to condominiums in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Doug Dodds, filed: 10/5/10

Chairperson Ortiz removed this item from the consent agenda.

Senior Planner Bane presented the staff report.

Chairperson Ortiz questioned the allowable rental period and requirement for inclusionary housing.

Senior Planner Bane responded that the property is not located in the vacation rental zone and therefore the units cannot be rented for a period less than 30 days. The inclusionary in-lieu fees apply to this project.

The public hearing opened. No one spoke in support or opposition to the application. The public hearing was closed.

Chairperson Ortiz suggested an additional condition to ensure that there be no rentals for less than 30 days.

Commissioner Graves supported the motion but stated that the VS/R-1 zoning was very complicated with the various overlay zones and incorrect parcel numbers in the ordinance. He was concerned about this proposal where the condos will be sharing utilities.

A MOTION WAS MADE BY CHAIRPERSON ORTIZ AND SECONDED BY COMMISSIONER ROUTH TO APPROVE PROJECT APPLICATION #10-082 WITH THE FOLLOWING AMENDED CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a tentative parcel map converting an existing four-unit apartment complex into four condominium units at 723 El Salto Drive.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The subdivider shall comply with all of the provisions of the approved Tentative Map and all pertinent provisions of the Municipal Code.
4. The proposed condo conversion Final Map shall not be approved for recordation until the Final Map and associated conditions of approval for Application (#08-041) are completed, approved, and recorded.
5. A Homeowner's Association CC&R document shall be prepared by the developer and subject to the approval of the Community Development Director, Public Works Director, and City Attorney. The CC&Rs shall be prepared and approved prior to recordation of the Parcel Map

and all costs associated with the creation of the documents will be the responsibility of the applicant.

6. The owner/applicant shall comply with the Inclusionary Housing Ordinance.
7. The condo units shall not be permitted to be used as vacation rentals (rental of the unit for a period of less than thirty consecutive calendar days).

FINDINGS

- A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Staff and the Planning Commission have reviewed the project and determined that the project is consistent with the development standards of the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

- B. The application will maintain the character and integrity of the neighborhood.**

Community Development Staff and the Planning Commission have reviewed the project and determined that the proposed project will maintain the character and integrity of the neighborhood. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. The application is consistent with the Subdivision Map Act and local Subdivision Ordinance.**

The subdivision was designed in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto. Per the Subdivision Map Act, the proposed map is consistent with the General Plan, is physically suited for the proposed type and density of development, will not cause substantial environmental damage, or substantially and avoidably injure fish, wildlife or their habitats, will not cause serious public health problems, and will not conflict with public easements for access through, or use of, property within the proposed subdivision.

- D. This project is categorically exempt under Section 15315 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15315 of the CEQA Guidelines exempts minor land divisions in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning.

MOTION PASSED 4-0, COMMISSIONER NEWMAN RECUSED.

6. PUBLIC HEARINGS

- A. 100-200 KENNEDY DRIVE #10-104 APN: 036-031-01**

Master Use Permit for an existing industrial property in the IP (Industrial Park) Zoning District.
Environmental Determination: Categorical Exemption

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JANUARY 17, 2013

SUBJECT: **1900 41ST AVENUE #12-155 APN 034-201-10**
 Amendment to an existing restaurant Conditional Use Permit (*Capitola Diner*) to incorporate a bar use and allow live entertainment in the CC (Community Commercial) Zoning District.
 Environmental Determination: Categorical Exemption
 Property Owner: R. Deane, filed: 11/21/12
 Representative: Pedro Salazar

APPLICANT'S PROPOSAL

The applicant is requesting an amendment to an existing restaurant (*Capitola Diner*) Conditional Use Permit to incorporate a bar use and allow live entertainment at 1900 41st Avenue in the CC (Community Commercial) Zoning District. The use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

BACKGROUND

What had been a *Lions* restaurant for many years has changed ownership several times over the past few years. The *Capitola Diner* has continued to be a restaurant with a small bar area that has had fairly standard operating hours (8am-10pm). Over the past two years the police department has responded to at least three incidents within the restaurant where live entertainment was being provided without a valid entertainment permit. These incidents generally involved a disc jockey (DJ) playing music, large crowds, and other live entertainment such as strippers. A memo from City Police Chief Rudy Escalante (Attachment C) summarizes some of these events, and states that they cannot support the proposed amendment to the Conditional Use Permit.

DISCUSSION

As part of the amendment to the existing restaurant conditional use permit, the applicant is requesting to extend the business hours to stay open until 12:30am on Fridays and Saturdays. The restaurant would continue to serve food, but the bar would also be open for customers. They are also requesting permission to have live entertainment, such as a DJ. This would be to provide music for normal customers, as well as to celebrate special events such as birthdays, anniversaries, etc. A dance floor is not being proposed.

The restaurant has had a small bar for many years which was recently updated, but not enlarged (Attachment B). It is approximately 5'x15' in size, and is still a small percentage of the

PLANNING COMMISSION AGENDA REPORT: January 17, 2013 1900 41st Avenue

overall square footage of the restaurant. The interior of the restaurant consists mostly of fixed bench seating and tables. No changes are proposed to the interior or exterior of the building as part of this application.

RECOMMENDATION

The Community Development staff shares some of the same concerns expressed by the Police Department. But with appropriate conditions of approval incorporated into the Conditional Use Permit, staff could support some aspects of the requested amendment. While no complaints have been received from the neighboring residents, we want to make sure that allowing these amendments would not create a nuisance. Keeping the neighboring residents in mind, staff could support the restaurant/bar to remain open until possibly midnight, but would limit the entertainment to a DJ only, not permitting live bands or any other type of live entertainment. Also, an annual entertainment permit will be required to be obtained through the Police Department, who will enforce such issues such as security, noise, etc. If, the Planning Commission can support the requested CUP amendments, it is recommended that they be approved subject to the following conditions and based upon the following findings:

CONDITIONS

1. The project approval consists of an amendment to an existing restaurant (*Capitola Diner*) Conditional Use Permit to incorporate a bar use and allow live entertainment at 1900 41st Avenue.
2. The permitted hours of operation shall be Sunday – Thursday, 7am – 10pm, and Friday – Saturday, 7am – midnight.
3. Entertainment shall be limited to a disc jockey (DJ). No live bands or any other type of live entertainment (exotic dancing, strippers, etc.) shall be permitted.
4. An entertainment permit shall be obtained through the Capitola Police Department on an annual basis.
5. Air-conditioning equipment and other roof top equipment shall be screened from view and fall within the city permitted decibel levels.
6. Lighting shall be shielded to prevent light from shining on to neighboring properties.
7. Sandwich board and other movable freestanding signs are prohibited.
8. All landscaping must be maintained, and non-maintenance will be a basis for review by the Planning Commission.
9. Any significant modifications to the site or restaurant building must be approved by the Planning Commission. Similarly, any significant change to the use itself, must be approved by the Planning Commission.
10. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

PLANNING COMMISSION AGENDA REPORT: January 17, 2013 1900 41st Avenue

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Department Staff and the Planning Commission have reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

Planning Department Staff and the Planning Commission have reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

- C. **This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The proposed project involves an amendment to an existing use permit with no expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS

- A. Letter from the applicant Pedro Salazar, dated November 4, 2012
- B. Photos and a floor plan of the existing bar
- C. Memo from Capitola Police Chief Rudy Escalante, dated January 9, 2013

**Report Prepared By: Ryan Bane
Senior Planner**

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November 4, 2012

To whom it may concern;

My name is Pedro Salazar my business is:

Capitola Diner Bar & Grill at 41st Ave, Capitola CA 95010

Phone # (831)477-9076

I am requesting a permission for extending my business hours Friday's and Saturday's to stay open till 12:30am I will be serving food and having the bar open till that time. I want to extend the hours because during the weekends people are looking for a place that's open late to

get some food and also a drink. *My location has a full bar that I want it to be use for what will bring me*
I am also requesting permission for a "noise permit" to be able to have *more* customers

a DJ play at my business location the reason being I have lost a lot a business because people want to celebrate special events such as a birthday, anniversary est... They want to be able to have a DJ at such events.

By you letting me extend my hours of business and also be able to have a DJ at my business will help my business a lot especially with this hard times with the economy.

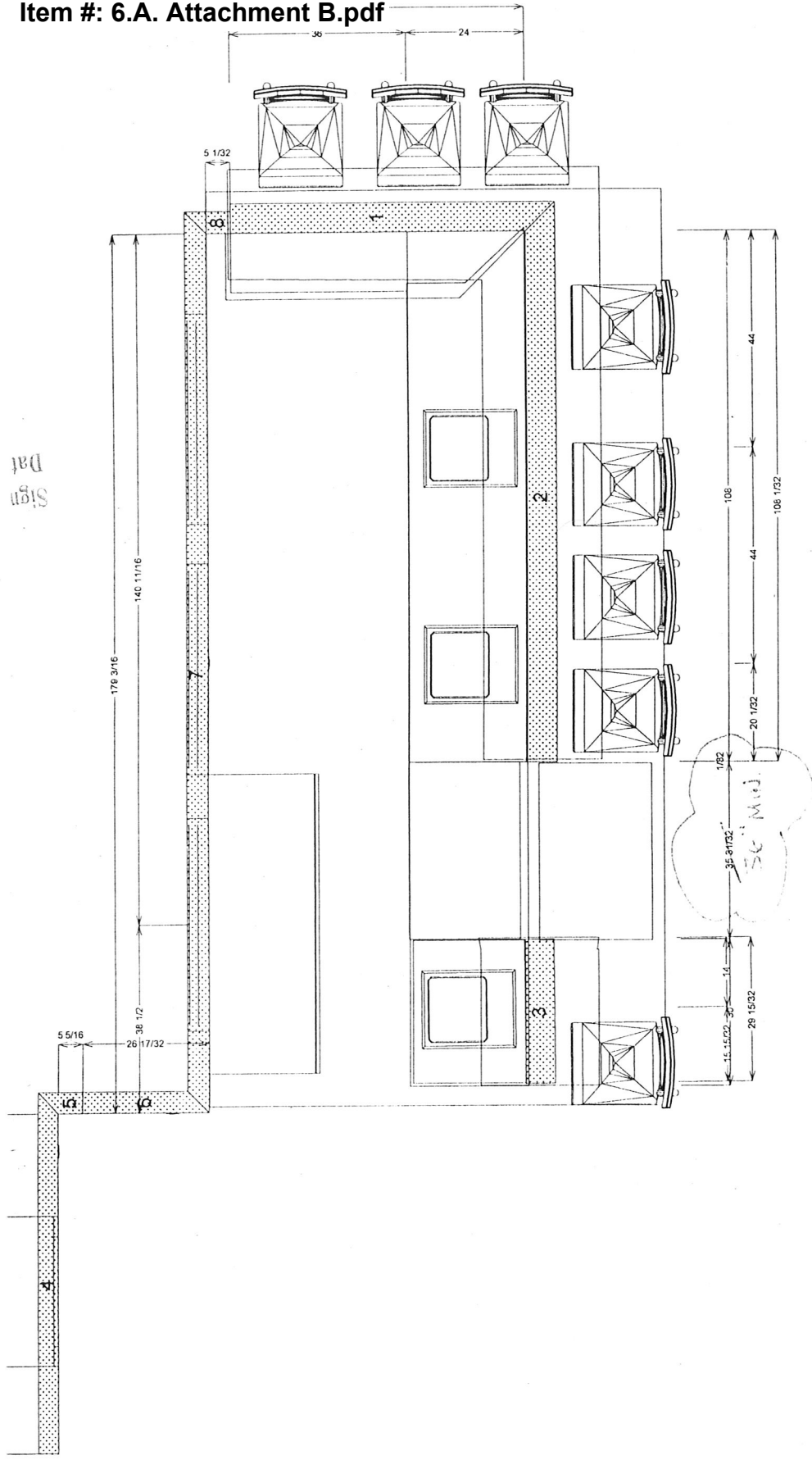
Thanks for taking your time to read this.

Pedro Salazar

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Item #: 6.A. Attachment B.pdf



Code Compus
 Signed.....
 Date..... 6/11
 Permit No. 2



INTEROFFICE MEMORANDUM

TO: RYAN BANE, SENIOR PLANNER
FROM: RUDY ESCALANTE, CHIEF OF POLICE
SUBJECT: 1900 41ST AVENUE PROJECT APPLICATION, #12-155
CAPITOLA PLANNING COMMISSION MEETING
JANUARY 17, 2013
DATE: JANUARY 9, 2013

I am writing in response to the proposed amendment to an existing restaurant Conditional Use Permit (Capitola Diner) to incorporate a bar use and allow live entertainment at 1900 41st Avenue. After reviewing the proposed application coupled with concerns over [public safety and](#) repetitive entertainment use violations by the applicant, the police department is unable to support the proposed amendment for this type of use.

Over the past two years the police department has responded to at least three incidents within the restaurant where live entertainment was being provided without a valid entertainment permit.

On July 10, 2011, at approximately 1:08 a.m., officers responded to a cell phone caller from inside the business who was reporting that he was a customer and employees were not allowing him to leave. The reporting party indicated the employees were getting lap dances from strippers and they were intoxicated. When officers arrived, they found several cars in the rear parking lot and scantily clad women leaving the business. The windows were covered with plastic and people could not see inside.

While contacting the reporting party, officer(s) discovered a dance area set up inside the business as if entertainment was being provided. A disc jockey was inside the business but no music was playing at the time the officer(s) arrived.

On March 18th, 2012, at approximately 1:09 a.m., officer(s) found music being played by a disc jockey inside the business. There was a large crowd inside and several cars parked in the parking lot. Officer(s) made contact with the applicant and through translation informed him that an entertainment permit was required before he could have the type of entertainment he was providing.

Capitola Police Department, 422 Capitola Avenue, Capitola, CA 95010

On December 21, 2012, at approximately 11:30 p.m. officer(s) again discovered entertainment (disc jockey music) being provided inside the business. A notification letter was sent to the owner outlining the entertainment and use permit requirements under 5.24 of the Capitola Municipal Code. (Letter Attached)

After reviewing the current application for the proposed amendment, the Police Department has significant concerns. There is no mention of a dance floor which typically occurs when live entertainment is being proposed. This would require a sketch outlining where the proposed entertainment would reside and how the change in occupancy would affect the business and surrounding areas.

Additionally, there is no mention of the presence of security, LEADS training for staff, lighting concerns, signage, drink specials, and how they would address additional noise concerns from the impacts of the proposed use.

Lastly and more significantly, we are unable to support the applicant's request when they continue to have non-permitted activity even after they have been notified both verbally and in writing to cease the activity.

As a licensed business in the City of Capitola, it is the responsibility of the licensee to conduct business that is not injurious to the public morals, health, convenience, or safety. We feel it is important that all businesses within the City of Capitola continue to provide successful and professional service.

It is for these reasons that we are unable to support the proposed entertainment by the applicant at the requested location.

Respectfully Submitted,

Rudy Escalante
Chief of Police



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JANUARY 17, 2013

SUBJECT: **3555 CLARES STREET, SUITE G #12-159 APN 034-201-10**
Amendment to an existing restaurant Conditional Use Permit (Crown Cafe) to allow an outdoor barbeque in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Bob Rivers, Brown Ranch Properties, filed: 12/13/12
Representative: Ron Clements Jr.

APPLICANT'S PROPOSAL

The applicant is requesting an amendment to an existing restaurant (*Crown Café Deli & Catering*) Conditional Use Permit to allow the installation of an outdoor barbeque at 3555 Clares Street within the Brown Ranch Marketplace in the CC (Community Commercial) Zoning District. The use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

BACKGROUND

In November of 2012 the city received a complaint regarding a portable barbeque being located in the parking lot at Brown Ranch Marketplace. His main concern was regarding the barbeque being a possible tripping hazard to pedestrians walking through the parking lot. The property management was contacted by the Community Development Department, and they followed up with an application to gain approvals for the outdoor barbeque as part of the *Crown Café Deli & Catering* business.

DISCUSSION

Crown Café Deli & Catering has been operating since 2011 when it took over the space (Suite G) formerly occupied by *Quizno's*. The business features hot and cold sandwiches, soups, salads, desserts, and catering services and is open from 11am-7pm daily. Previously, all food preparation had been contained within the building. The applicant is requesting an amendment to their Conditional Use Permit to allow an outdoor barbeque for the purpose of preparing food for sale at *Crown Café Deli & Catering*. No food service is proposed at the barbeque area.

The small portable barbeque is located on a 12.5' x 9.5' concrete pad within the existing parking lot area. The barbeque itself is 60" x 94" and 7' in height. In recent weeks a wood fence has been constructed around the area to better designate the area. Staff has observed the barbeque in use, and the smoke did not appear to be a nuisance as it is located far enough from the neighboring businesses.

RECOMMENDATION

Staff recommends that the Planning Commission approve application #12-159, subject to the following conditions and based upon the following findings:

CONDITIONS

1. The project approval consists of an amendment to an existing restaurant (*Crown Café Deli & Catering*) Conditional Use Permit to allow the installation of an outdoor barbeque at 3555 Clares Street within the Brown Ranch Marketplace.
2. The barbeque shall be used for food preparation only. No food shall be served from the barbeque location.
3. The barbeque area shall be kept clean and orderly.
4. Any significant modifications to the size or exterior appearance of the barbeque area must be approved by the Planning Commission. Similarly, any significant change to the use itself, or the site, must be approved by the Planning Commission.
5. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**

Community Development Staff and the Planning Commission have reviewed the project and determined that the proposed use is permitted in the CC (Community Commercial) Zoning District with a Conditional Use Permit. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

Community Development Staff and the Planning Commission have reviewed the project and determined that the addition of the outdoor barbeque will not have a negative impact on the character and integrity of the commercial area. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

- C. **This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The proposed project involves an amendment to an existing use permit with no expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

PLANNING COMMISSION AGENDA REPORT: January 17, 2013 3555 Clares Street, Suite G

ATTACHMENTS

- A. Letter from the applicant Bob Rivers, including a letter from the merchant, a petition supporting the barbeque, site plan, and project photos - dated December 10, 2012
- B. Photos of the existing barbeque area

**Report Prepared By: Ryan Bane
Senior Planner**

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BROWN RANCH
MARKETPLACE

3555 Clares Street, Ste. L
Capitola, California 95010

831 475-0500
Fax: 831 475-9525

December 10, 2012

Planning Department
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

RE: Crown Cafe • Brown Ranch Marketplace

Dear Planning Department:

Brown Properties is requesting that Crown Café Deli & Catering be allowed to use part of the shopping center common area to install an outdoor barbeque. This barbeque will be used for food preparation for the deli.

Crown Café Deli & Catering features delicious hot and cold sandwiches, soups, salads, desserts, catering services and more. This use is consistent with the Brown Ranch Marketplace Master Use Permit (#MUP/91-84). I have included a site plan showing the exact location and the owner has provided the attached letter describing the use in detail.

Please contact me at the number above if you have any other questions.

Sincerely,

A handwritten signature in black ink that reads "BOB RIVERS". The signature is stylized with a large, sweeping initial "B" and "R".

Bob Rivers
General Manager

Enclosed:

Letter from Merchant
Site Plan
CUP Application Forms



December 10, 2012

Planning Department

City of Capitola

420 Capitola Avenue

Capitola, CA 95010

Dear Sir or Madam,

Crown Cafe Deli & Catering opened at Brown Ranch Marketplace, Suite G in May of 2011. Our deli is located between Capitola Hobbies and GameStop. Crown Cafe Deli & Catering is a cafe that strives to serve the best sandwiches, fresh salads and soups.

We are requesting a conditional use permit to operate an outdoor barbeque that would be used to prepare food for the café. No food service will occur at the barbeque area, per Health Department requirements. We already have the approval of the Health Department for this use.

We are hereby submitting the attached petition in support of the barbeque so that the City may see that many of our customers really like the food and they enjoy the atmosphere created by the outdoor barbeque. We also own and operate the Scotts Valley Market where we have operated a similar outdoor barbeque successfully for many years.

If you have any questions, please do not hesitate to contact me at

438-4324.

Sincerely

A handwritten signature in black ink that reads "Ron Clements Jr." with a stylized flourish at the end.

Ron Clements Jr.

Owner

14 Victor Square. Scotts Valley. Ca. 95066
831-566-1425 or 831-438-4324



3555 Clares Street. Capitola, Ca. 95010
www.crowncafecatering.com

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Crown Cafe
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Crown Cafe • 3555 Clares St., Ste. G, Capitola • Locally Owned & Operated

	Print Name	Signature	Zip Code
1	AARON QUARESMIA		95736
2	Josh Salvage		95073
3	Robin Reyes		95060
4	Linda Lepstra		95073
5	TERESA TERESTRA		95073
6	Mary Lopez		95062
7	Robert Lopez JR		95062
8	Kathleen Harley		95076
9	Jennifer Chisholm		95062
10	Emilio Palacios		95062
11	Miguel Palacios		95062
12	Wanda Wells		95073
13	David Volkland		95062
14	Tim Gregg		95062
15	Greg Sage		95120
16	Chris Kenney		95062
17	Laurie Gossel		95010
18	EMMA KENNEDY		95003
19	Tymrie Johnson		95010
20	ANTHONY TOSCHI		95062
21	Jason Iwatsun		95062
22	Steve Roberson		95073
23	DEVON ROBERSON		95073
24	Nikki Roberson		95073
25	Alana Cheney		95003
26	Robert Cheney		95003
27	Sam Stivers		95062
28	RYAN OZOG		95062
29	JANE SIEBURA		95010
30	LAVERNE GRIFFIN		95010
31	Jake Littlefield		95003
32	David Johnson		95073
33	Lisa F. Corelli		95003
34	Daniel Hale		95062
35	Christina Ortega		95010

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	Print Name	Signature	Zip Code
1	Kerih Deming		95062
2	Sydney Hernandez		95062
3	Roland Myrba		95010
4	CANDY DIAZ		95010
5	Rolanda gowns		95062
6	Bob Jay		95001
7	Grigori Klipennishnikov		95003
8	Ignatius Walter-Gemetz		95065
9	TONI WILBURN		95062
10	Mike Stetler		11-28-12
11	Nellie Vng		11-28-12
12	Debbie King		95003
13	Valerie J. Fiddment		95076
14	Michelle Pressel		95065
15	Sarah Vogel		95005
16	Cody Halman		95062
17	Rebecca Flynn		95062
18	Alonzo Ngal		95062
19	Gene Liang		95060
20	TOM WERT		95073
21	Wes Baughman		95006
22	Dylan Haile		95060
23	Paul Sellman		95062
24	Justin Rocchio		95010
25	Jeffrey Murphy		95076
26	Demian Dillenbeck		95060
27	James Loland		95076
28	AJ VERSAW		95003
29	Dustin Britske		95062
30	Joe Hicker		95060
31	MIKE PHILLIPS		95062
32	MARK MARTINEZ		95018
33	LEANNE MARTINEZ		95018
34	Leah Flagg-Wilson		95073
35	Matthew Langley		95065

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	Print Name	Signature	Zip Code
1	Andrew Burns	<i>Andrew Burns</i>	95066
2	RYAN CHAPATTE	<i>Ryan Chapatte</i>	95073
3	DAVID RAMSEY	<i>David Ramsey</i>	95065
4	CANDY DIAZ	<i>Candy Diaz</i>	95010
5	LINDSEY RAMIREZ	<i>Lindsey Ramirez</i>	95066
6	M. NAHLL	<i>M. Nahll</i>	95066
7	Christopher Leow (from Crane Stop)	<i>Christopher Leow</i>	95062
8	Zachery Dogherra	<i>Zachery Dogherra</i>	95062
9	CASEY FERRERA	<i>Casey Ferrera</i>	95065
10	Jessy Blahn	<i>Jessy Blahn</i>	95066
11	Aaron Garms	<i>Aaron Garms</i>	95124
12	GARY SHANEY	<i>Gary Shaney</i>	95060
13	Rafael Vance	<i>Rafael Vance</i>	95060
14	Andrew Silva	<i>Andrew Silva</i>	95060
15	Shirley Shandrew	<i>Shirley Shandrew</i>	95062
16	WOLQUAMARCO	<i>Wolquamarco</i>	95060
17	KATIE GREER	<i>Katie Greer</i>	95003
18	TANNER BECKETT	<i>Tanner Beckett</i>	95076
19	Michael Gairnie	<i>Michael Gairnie</i>	95064
20	Ryan Dougherty	<i>Ryan Dougherty</i>	95062
21	Kalia Prince	<i>Kalia Prince</i>	95062
22	NECK BOGNER	<i>Neck Bogner</i>	95010
23	Jennifer Bogner	<i>Jennifer Bogner</i>	95010
24	Diane August	<i>Diane August</i>	95062
25	Daryl van Houshater	<i>Daryl van Houshater</i>	95062
26	Aaron Alden	<i>Aaron Alden</i>	95064
27	Jacob R Agnew	<i>Jacob R Agnew</i>	95010
28	BARBARA OLSEN	<i>Barbara Olsen</i>	95010
29	Lynn Steele	<i>Lynn Steele</i>	95003
30	mickey Phelps	<i>Mickey Phelps</i>	95003
31	Monica Combs	<i>Monica Combs</i>	95062
32	Gary Combs	<i>Gary Combs</i>	95062
33	Heen Gchner	<i>Heen Gchner</i>	95062
34	Michael Githner	<i>Michael Githner</i>	95062
35	MICHAEL K. RAABE	<i>Michael K. Raabe</i>	95003

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	Print Name	Signature	Zip Code
1	Melody Alcantar	M. Alcantar	95062
2	Chandra Callans	[Signature]	95003
3	ERIC STOKER	[Signature]	95012
4	DANNY BRANTLEY	[Signature]	95062
5	KATHY SHAW	[Signature]	95060
6	Mardelly Carman →	Mardell Carman	95060
7	[Signature]	[Signature]	95066
8	ANA HERNANDEZ	[Signature]	95010
9	BRYAN HASKINS	[Signature]	95018
10	Tim Bunn	Tim Bunn	95062
11	Rebecca Flynn	Rebecca Flynn	95062
12	Maryann K. Laguerre	[Signature]	95003
13	Mary Florence Chapman	[Signature]	95010
14	LAURA PERMISANO	Laura Permisano	95060
15	Sheila Reiss	SHEILA REISS	95060
16	[Signature]	Kari Crinley	95018
17	Arthur Bous	[Signature]	95066
18	LAURA VOLAN	[Signature]	95010
19	[Signature] Tim Bunn	[Signature]	95003
20	Margie Schwarz	MARGIE SCHWARZ	95010
21	Budd Sage	Budd Sage	95736
22	Wendell Vega	[Signature]	95062
23	Sandra Erickson	Sandra Erickson	95010
24	Colin Kunk	[Signature]	95073
25	Patti Calhoun	Patti Calhoun	95003
26	Centari Monse	Centari Monse	95004
27	John H. DAVIDSON	[Signature]	95062
28	Dale Davis	[Signature]	95010
29	MARK WELKER	Mark Welker	95005
30	LAWRENCE CHAP	[Signature]	95048
31	Laura Songreal	[Signature]	95060
32	Franco Fortina	[Signature]	95025
33	Tom Scott	[Signature]	95060
34	Bob Potts	[Signature]	95060
35	Amie Mucilli	[Signature]	95062

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	Print Name	Signature	Zip Code
1	Liz Eberhart	Liz Eberhart	95003
2	Courtney Tomafsky	Courtney Tomafsky	95003
3	Tanya Herb ermand	Tanya Herb ermand	95065
4	MARCUS GONZALES	Marcus Gonzales	95010
5	Tammy Hall	Tammy Hall	95073
6	Pat King	Pat King	15347
7	Lauren Mitchell	Lauren Mitchell	95062
8	Chris O'Brien	Chris O'Brien	95062
9	Abraham Lincoln	Abraham Lincoln	01602
10	Astra Noland	Astra Noland	95003
11	Brian Wood	Brian Wood	95076
12	CARL HAFSTROM	Carl Hafstrom	95062
13	Liao Yun Chiong	廖雲強	95062
14	Janie Blosser	Janie Blosser	95065
15	Michael Trethowon	Michael Trethowon	95062
16	PAUL BAKER	Paul Baker	95062
17	Dale Whyte	Dale Whyte	95062
18	Mark Folsch	Mark Folsch	95062
19	Ashley Barss Ashley Barss	Ashley Barss	95062
20	JOHN BARSS	John Barss	95062
21	James McIn	James McIn	95062
22	JEREMY FINESTONE	Jeremy Finestone	95060
23	Suz Kelsen	Suz Kelsen	95005
24	Thomas Newman	Thomas Newman	95010
25	Maria Newman	Maria Newman	
26	Kendra Scott	Kendra Scott	15015
27	Nina Hernandez	Nina Hernandez	95020
28	NICOLE CRIVILLI	Nicole Crivilli	95076
29	Erin Kue	Erin Kue	95076
30	RAY ZACHAU	Ray Zachau	95076
31	SUSAN FORREST	Susan Forrest	95060
32	LORE ANN SHARP	Lore Ann Sharp	95033
33	Thomas Macredovich	Thomas Macredovich	95062
34	ERIN KRETCHMAN	Erin Kretchman	95062
35	Mike Hines	Mike Hines	95010

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#	Print Name	Signature	Zip Code
1	Donato Garcia	Donato Garcia	95010
2	Eli Arciniega	Eli Arciniega	95010
3	PAUL HERMAN	Paul Herman	95062
4	Maggie Caldwell	Maggie Caldwell	95003
5	Julie Dan	Julie Dan	95003
6	Carole-Anne Bych	Carole-Anne Bych	95019
7	JANICE SMITH	Janice Smith	95062
8	Robert Doyle	Robert Doyle	95065
9	Brian Ward	Brian Ward	95010
10	Teet Hardy	Teet Hardy	95010
11	Vivianny Costa	Vivianny Costa	95062
12	Brandon Dummerman	Brandon Dummerman	95065
13	Janette Mitchell	Janette Mitchell	95010
14	CHRISTINE STEPHENSON	Christine Stephenson	95010
15	Ben Inber	Ben Inber	95020
16	Max Wernberg	Max Wernberg	95007
17	Tyler Latorre	Tyler Latorre	95065
18	Lori Angb	Lori Angb	95065
19	Alicia Anata	Alicia Anata	95060
20	Yerra Hamilton	Yerra Hamilton	95065
21	Travis Swanson	Travis Swanson	94044
22	Jeffrey Gordon	Jeffrey Gordon	95065
23	ERNEST BOYMAN	Ernest Boyman	95076
24	Christopher Van Coops	Christopher Van Coops	95066
25	Greg Mark	Greg Mark	95010
26	Conner Benson	Conner Benson	95010
27	Bond Benson	Bond Benson	95010
28	Esther Boyman	Esther Boyman	95010
29	Rolando DONATO	Rolando Donato	95010
30	David Siobury	David Siobury	95010
31	Ricky Pearce	Ricky Pearce	95062
32	Shelly Roberson	Shelly Roberson	95073
33	Bill JAWORSKI	Bill Jaworski	95010
34	Justin Stack	Justin Stack	95062
35	Michelle Hughes	Michelle Hughes	95003

(2)

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Crown Cafe
DELI & CATERING

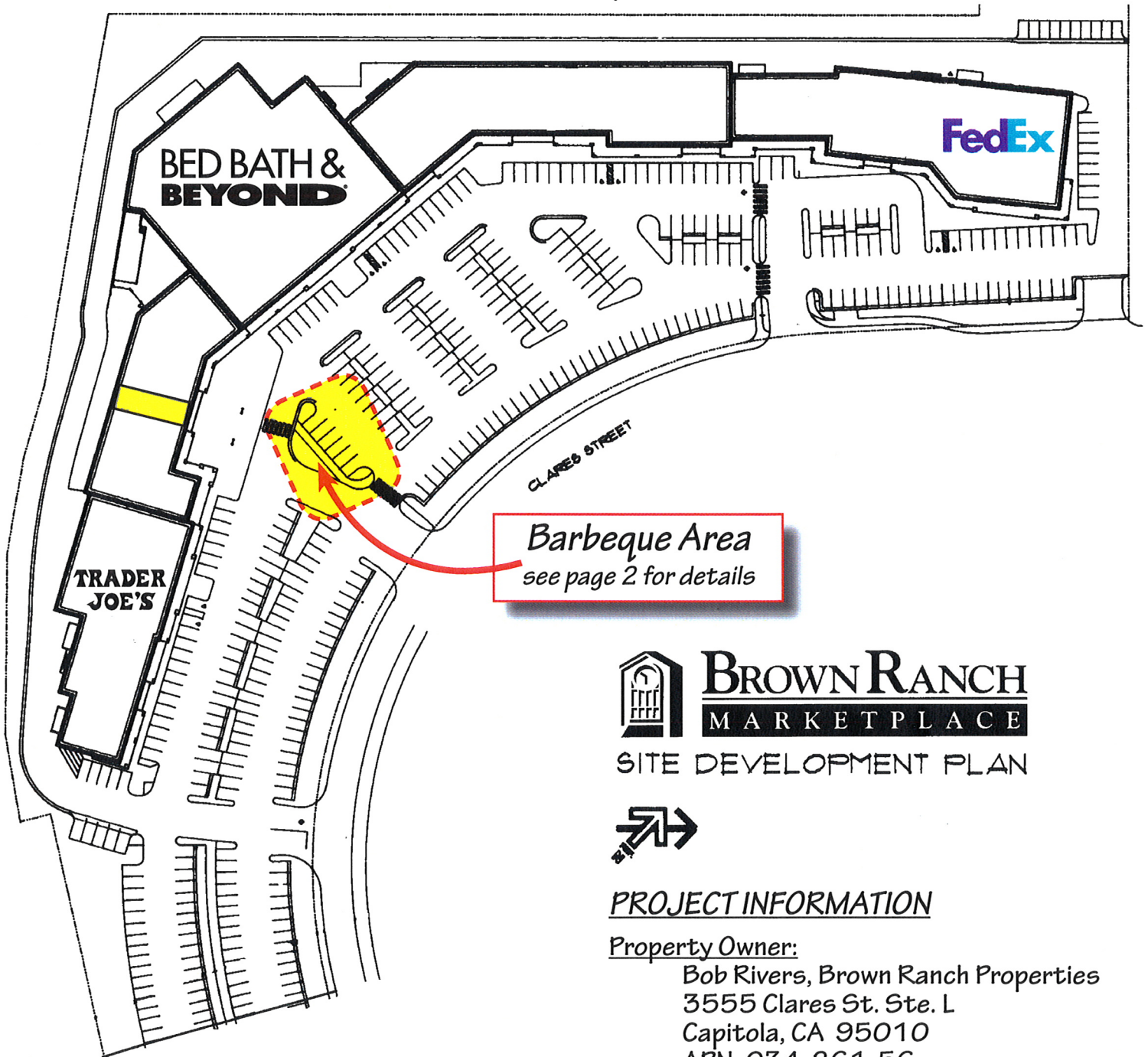
Crown Cafe • 3555 Clares St., Ste. G, Capitola • Locally Owned & Operated

	Print Name	Signature	Zip Code
1	Kristi Zuniga	Kristi E Zuniga	95010
2	Robert Zuniga	R Zuniga	95010
3	Kathy Mann	Kathy Mann	95076
4	Sam L. Mann	SAM L. MANN	95076
5	Josie Teresi	J Teresi	95062
6	Corey Drivan	Corey Drivan	95010
7	Yvonne Pedraza	Yvonne Pedraza	95062
8	Lourdes Cisneros	Lourdes Cisneros	95062
9	Daniel Leones	Daniel Leones	95062
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Crown Cafe

DELI & CATERING

3555 Clares St., Ste. G • Capitola, CA 95010



Barbeque Area
see page 2 for details

BROWN RANCH **MARKETPLACE**

SITE DEVELOPMENT PLAN



PROJECT INFORMATION

Property Owner:

Bob Rivers, Brown Ranch Properties
3555 Clares St. Ste. L
Capitola, CA 95010
APN: 034-261-56

Crown Cafe:

Ron Clements, Jr.
3555 Clares St., Ste G
Capitola, CA 95010

PROJECT PROPOSAL

Outdoor barbeque for Crown Cafe.
This area to be used for food prep only.

Crown Cafe

DELI & CATERING

3555 Clares St., Ste. G • Capitola, CA 95010



PROJECT INFORMATION

Applicant:

Ron Clements, Jr.
3555 Clares St., Ste G
Capitola, CA 95010

Property Owner:

Bob Rivers, Brown Ranch Properties
3555 Clares St. Ste. L
Capitola, CA 95010
APN: 034-261-56

PROJECT PROPOSAL

Outdoor barbeque for Crown Cafe.
This area to be used for food prep only.

pad dimensions:

approximately 12.5' x 9.5' (avg.)

bbq dimensions:

approximately 60" x 94" x 7' height



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