



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, October 17, 2019 – 7:00 PM

Chairperson TJ Welch
Commissioners Courtney Christiansen
Ed Newman
Mick Routh
Peter Wilk

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. 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

3. 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. 605 Capitola Avenue #19-0360 APN: 035-301-16

Sign Permit for a monument sign for a real estate office located within the CN (Neighborhood Commercial) zoning district.
This project is in the Coastal Zone but does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Jim Black
Representative: Maaret Forst, Filed: 07.31.19

B. 216 Elinor Street #19-0128 APN: 036-192-32

Design Permit for first-story (stairway) and second-story additions including a second-story deck to an existing single-family home located within the R-1 (Single-Family Residential) zoning district.
This project is in the Coastal Zone but does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Zachery & Birgit Calhoun
Representative: Dennis Norton, Filed: 03.18.19

C. 4595 Emerald Street #19-0216 APN: 034-032-15

Design Permit to remodel an existing single-family residence with first- and second-story additions and the removal of a second-story deck within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Chrisman Clum

Representative: Maximilian Brandt, Filed: 05.06.19

4. 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. 4199 Clares Street #19-0169 APN: 034-222-05

Tentative Parcel Map for a two-lot subdivision, Minor Land Division creating two condominium units, and Design Permit for a new single-family residence located within the RM-L (Residential Multifamily – Low Density) zoning district.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Larry Andrews

Representative: Larry Andrews, Filed: 04.12.2019

B. 115 San Jose Avenue #19-0484 APN: 035-221-17

Conditional Use Permit for a take-out restaurant (coffee shop) with alcohol sales (onsite beer and wine) located within the CV (Central Village) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Capitola Associates LLC

Representative: Dennis Norton, Filed: 09.19.2019

C. 211 Monterey Avenue #19-0313 APN: 035-185-19

Design Permit for a second-story addition to an existing duplex with a variance for the off-site parking and open space requirements located within the C-V (Central Village) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit, which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Maor Katz

Representative: Joshua Bauman, Filed: 07.02.2019

5. DIRECTOR'S REPORT**6. COMMISSION COMMUNICATIONS****7. ADJOURNMENT**

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 Design Permit 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 five hundred dollar (\$500) 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 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.cityofcapitola.org. 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 on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: www.cityofcapitola.org.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 17, 2019

SUBJECT: **605 Capitola Avenue #19-0360 APN: 035-301-16**

Sign Permit for a monument sign for a real estate office located within the CN (Neighborhood Commercial) zoning district.
 This project is in the Coastal Zone but does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: Jim Black
 Representative: Maaret Forst, Filed: 07.31.19

APPLICANT PROPOSAL

The applicant is requesting a sign permit for a new monument sign for a real estate office located at 605 Capitola Avenue in the CN (Neighborhood Commercial) zoning district. New monument signs require Planning Commission approval.

DISCUSSION

Room Real Estate is currently located at 605 Capitola Avenue. The business is located in a mixed use neighborhood north of the Capitola Village. Businesses occupy many of the properties along Capitola Avenue, including the properties immediately north and south. There are single-family homes behind 605 Capitola Avenue and across the street. The site does not currently have a permanent sign.

The property at 605 Capitola Avenue is listed on the 1986 Capitola Architectural Survey. It features a compact offset-rectangular form, recessed porch, shingled siding with no corner boards, "L" shaped gabled-hip roof, exposed rafter tails on all sides, front focal windows, and flat board-board trim.

Monument Sign

The applicant is proposing a new monument sign. The proposed sign is three feet tall by six feet wide with a sign area of 18 square feet. The sign will be made with vinyl face and an aluminum frame. The sign will include the business name and logo. The maximum letter height is four-and-a-half inches. The logo is approximately 20 inches wide by 22 inches tall. The proposal does not include sign illumination.

Pursuant to 17.57.070.A, a monument sign must comply with the following standards:

1. No such sign shall exceed eight feet above ground, except where the existing main building, or proposed building, is closer than twenty-five feet from the front property line adjoining a public street, no such sign shall exceed four feet in height. The height shall be determined as measured from the sidewalk or as assessed by the community development director.
Staff analysis: The main building is located closer than twenty-five feet from the front property line, so the monument sign is subject to the maximum height of four feet. The sign is four feet tall measured from the sidewalk.
2. The maximum area of any such sign shall be sixty square feet in the CC and IP zoning districts and thirty-five square feet in all other districts.
Staff analysis: The property is located in the CN zone and is subject to the thirty-five-square-foot maximum sign area. The proposed sign is three feet tall by six feet wide for a total sign area of 18 square feet.
3. There may be no more than one such sign for each building frontage.
Staff analysis: Only one monument sign is proposed.
4. A maximum of four tenants may be named on a monument sign.
Staff analysis: Only one tenant is named on the monument sign.
5. In the case of a corner parcel, a monument sign may be allowed for each frontage; provided, however, that each sign be placed at least two hundred feet from the actual intersection corner.
Staff analysis: The project site is not a corner parcel.
6. The area surrounding the base of a monument sign shall be landscaped in accordance with the provisions of Chapter 17.63.
Staff analysis: The site is currently landscaped with woodchips and drought-resistant plants. The applicant is proposing to maintain the current landscape theme around the monument sign.
7. The use of wood materials shall be encouraged with provisions for indirect lighting permitted. Internally lighted signs shall be limited to the use of individually lighted letters with opaque or wood background materials.
Staff analysis: The sign utilizes a vinyl face with aluminum framing. No illumination is proposed.
8. No other sign(s) advertising the business(es) shall be permitted on the premises, with the exception of a wall sign, located so as not to be visible from the street frontage used for the monument and appropriate directional signs.
Staff analysis: No other signs are proposed.
9. No such sign shall list the products to be sold or the services to be provided.
Staff Analysis: The sign displays the business logo and name.
10. Monument signs shall be designed to be related to the design, building materials and architectural theme of the building on the same property, an integral part of a landscaped area or raised planter and used for identification purposes only.
Staff Analysis: The monument sign, with its white background, wide frame, and traditional rectangular shape relates to the historic structure's rectangular form and flat-board trim. The sign is integrated into the landscaped area and complements the white brick retaining wall. The sign will be used for identification purposes.

CEQA

This project is categorically exempt under 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. The proposed project involves a new monument sign on a commercial property in the CN (Neighborhood Commercial) zoning district. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission approve project application #19-0360 based on the following Conditions of Approval and Findings.

CONDITIONS OF APPROVAL

1. The project approval consists of a three-foot-tall by six-foot-wide monument sign at 605 Capitola Avenue with a total sign area of 18 square feet. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 17, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the sign shall require Planning Commission approval.
3. Prior to issuance of building permit, all Planning fees associated with permit #19-0360 shall be paid in full.
4. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
5. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official.
§9.12.010B
6. Compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
7. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
8. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the

applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

9. The monument sign, together with all supports, braces, and anchors shall be free from excessive deterioration, rot, rust, and loosening and shall be maintained in safe condition. The display surface of all signs shall be kept neatly painted or posted at all times.

FINDINGS

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

Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposed sign will secure the purpose of the zoning ordinance and general plan.

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

Community Development Department Staff and the Planning Commission have reviewed the sign and determined that the sign maintains the character and integrity of the neighborhood. The sign is located in a mixed-use area with commercial and residential in the immediate vicinity. The proposed sign is smaller than the allowed maximum in an effort to fit within the character and scale of the neighborhood and historic property.

C. The sign has been designed with regard to effect on the existing surroundings and will prevent visual blight. Reasonable conditions may be imposed in approving applications which would otherwise be disapproved.

The application has been designed to complement the mixed-use neighborhood along Capitola Avenue. A condition has been added to ensure ongoing maintenance to prevent blight.

D. This project is categorically exempt under 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.

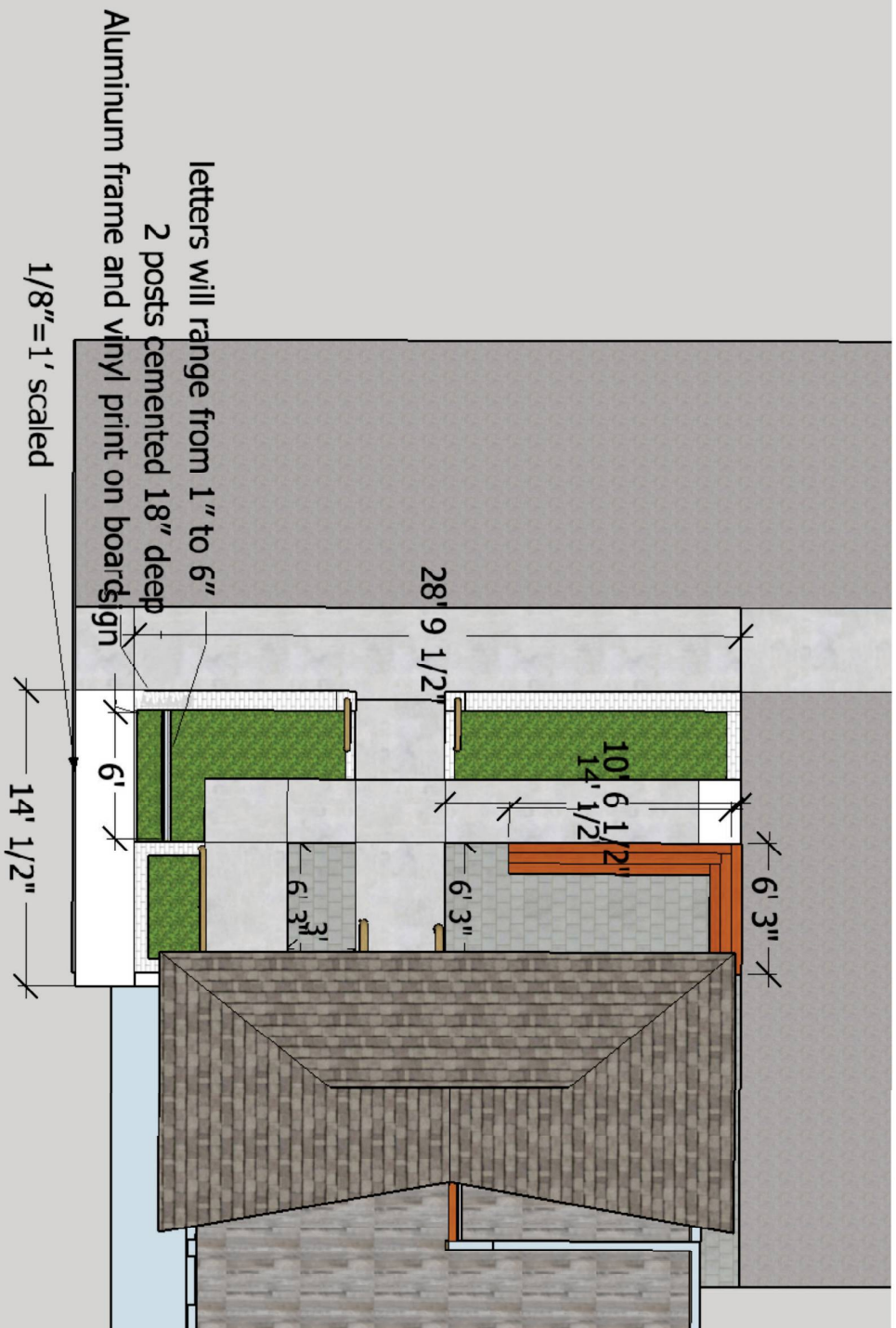
The on-premise monument sign is proposed for a parcel with an existing commercial building on Capitola Avenue. The sign is appurtenant to the existing commercial building. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

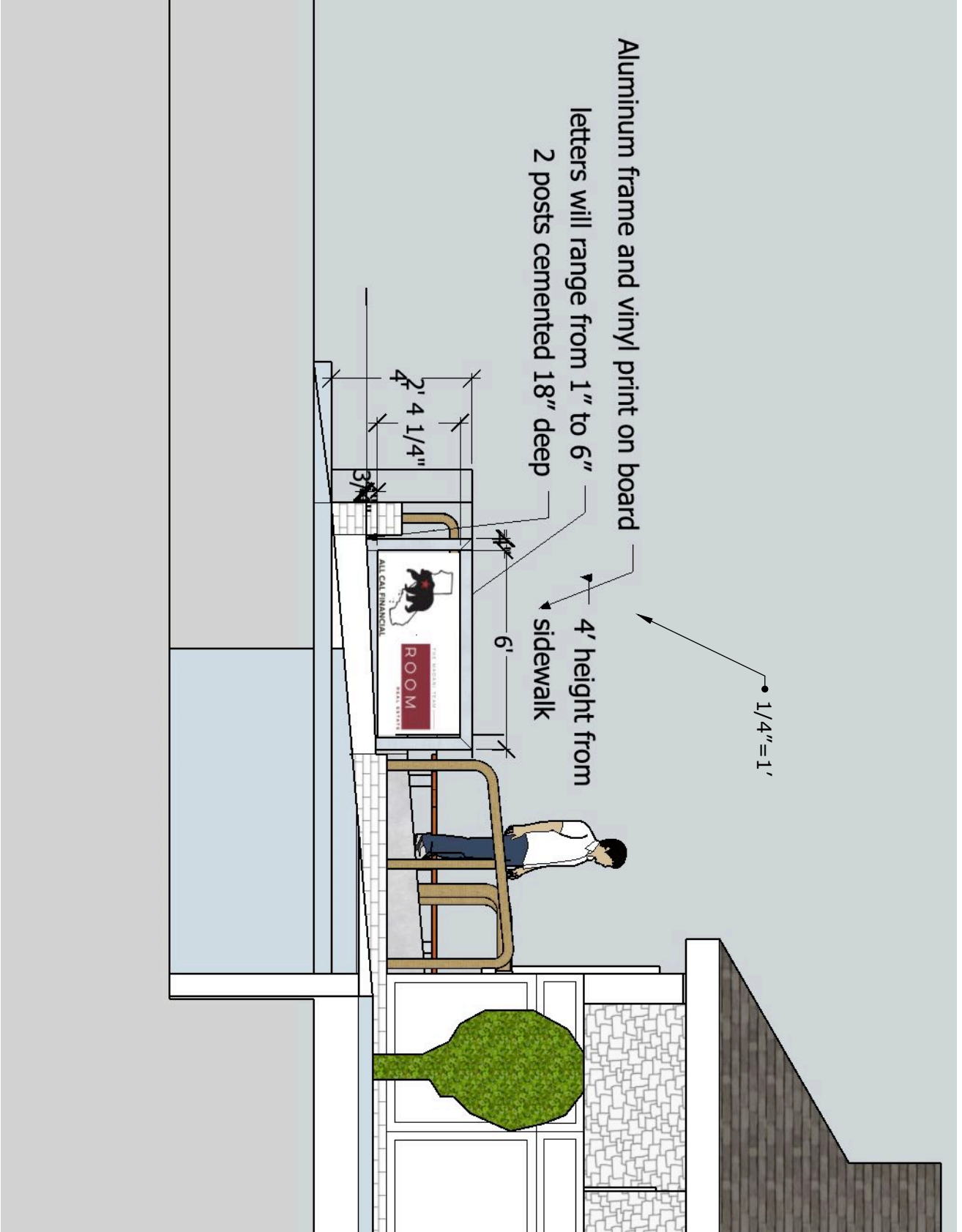
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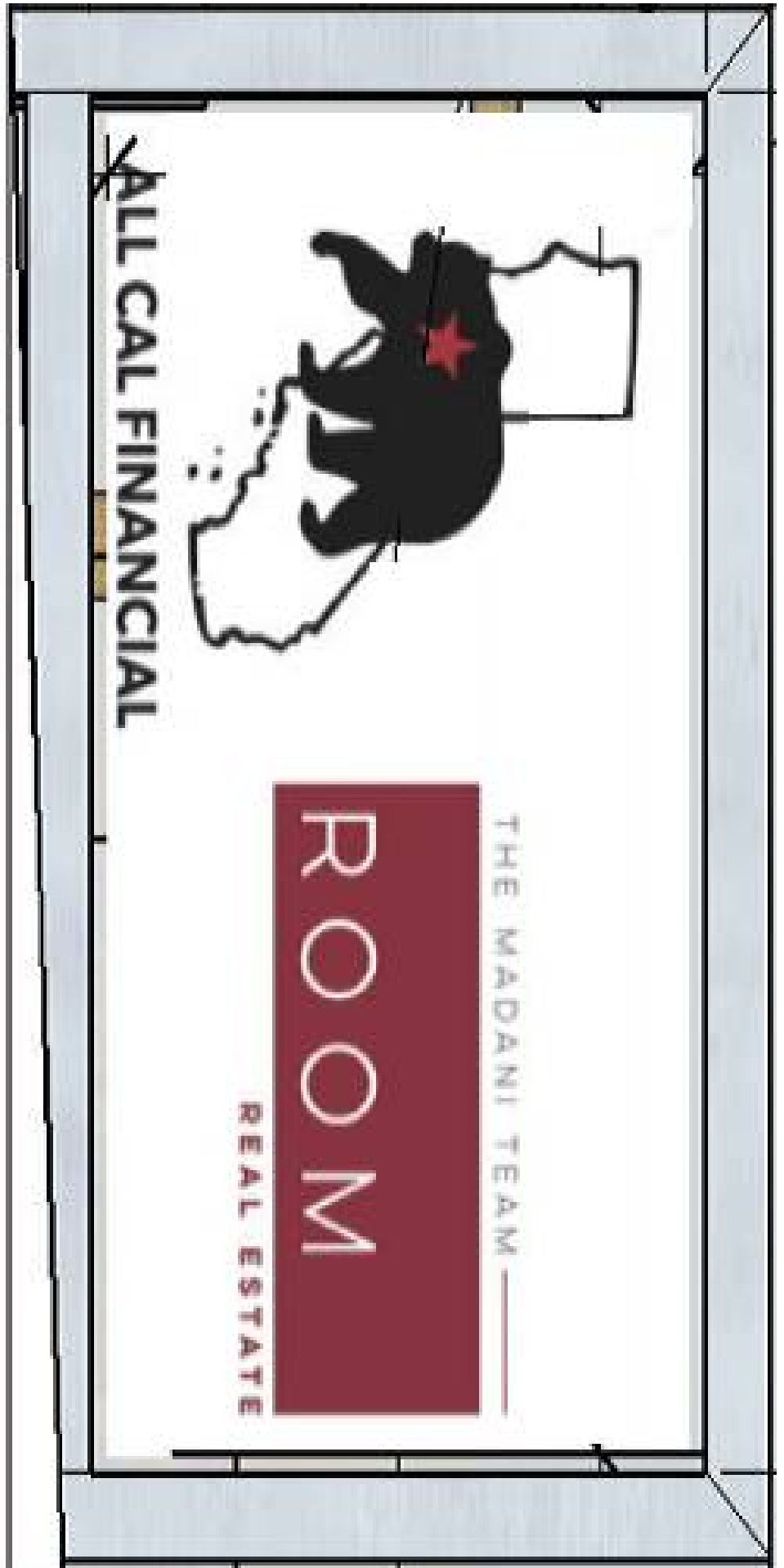
1. 605 Capitola Avenue - Plan Set

Prepared By: Sean Sesanto

Sign Face 24 sq/ft









STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 17, 2019

SUBJECT: **216 Elinor Street** **#19-0128** **APN: 036-192-32**

Design Permit for first-story (stairway) and second-story additions including a second-story deck to an existing single-family home located within the R-1 (Single-Family Residential) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: Zachery & Birgit Calhoun
 Representative: Dennis Norton, Filed: 03.18.19

APPLICANT PROPOSAL

The applicant is proposing a second-story addition to an existing 1,965-square-foot single-family residence located at 216 Elinor Street within the R-1 (Single-Family Residential) zoning district. The project includes a second-story deck with an external stairway. The application complies with all development standards of the R-1 zone.

BACKGROUND

On September 25, 2019, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: requested more details for the side driveway approach and stated that approach wings cannot extend in front neighboring properties. He recommended the applicant consider alternative surface cover for the rear parking space such as brick, gravel, or decomposed granite, adding that it is encouraged but not required to be permeable. Mr. Mozumder informed the applicant that the plan set calculations do not match the stormwater application and will need to be corrected. Mr. Mozumder requested additional details showing slope and water flow indicators to demonstrate that stormwater will not flow into the adjacent property at 212 Elinor Street.

Building Department Representative, Robin Woodman: did not find any outstanding issues with the proposal, but she identified qualities on the second-story addition that indicated the possibility of a future secondary dwelling unit (SDU). Ms. Woodman informed the applicant that a second-story SDU would require one-hour fireproofing on common walls separating dwelling units and would also require one-hour fire rating on any supporting beams or structural elements necessary for the second unit. She stated that, if the applicant wanted an SDU, they

should consider incorporating it into the remodel. The applicant clarified that they do not intend to convert the living space on the second story to a secondary dwelling unit at this time

Local Architect, Frank Phanton: thought the second-story massing away from the neighbor at 212 Elinor Street was respectful. Mr. Phanton thought that the second-story deck and stairway posed a privacy concern for the neighbor immediately behind the applicant. He suggested a privacy screen on the deck and stairway and fast-growing trees along the east lot line to limit visibility into the neighbor's backyard at 221 Magellan Street. He also gave the applicant input for alternative siding materials and design.

Assistant Planner, Sean Sesanto: called out the second-story living area with a sink and separate exterior access and asked the applicants if a secondary dwelling unit (SDU) was being considered. Planning Staff indicated that, although changes would be required to the current proposal, an SDU is possible. Mr. Sesanto stated that the maximum floor area for an SDU on a lot less than 7,501 square feet is 500 square feet. He concurred with Building Official Robin Woodman that the applicant should consider amending the proposal if the applicant wanted an SDU. Mr. Sesanto informed the applicant that, if the application moves forward with the proposed design, conditions of approval would be included with the permit to prevent the second-story addition from being used as an unpermitted SDU.

Following the Architecture and Site Review Committee meeting, the applicant submitted updated plans with a permeable turf block surface in the side parking area. The applicant confirmed they do not intend to convert the living space within the second story to a secondary dwelling unit. Conditions #21 and 22 were added to the conditions of approval to prevent conversion of living space to a secondary dwelling unit without proper permits.

ZONING OVERVIEW

The following table outlines the zoning code requirements for development in the R-1 Zoning District.

R-1 (Single Family Residential) Zoning District

Development Standards				
Building Height				
R-1 Regulation		Existing		Proposed
25 ft.		13 ft. 6 in.		23 ft. 3 in.
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot Size	7,013 sq. ft.		7,013 sq. ft.	
Maximum Floor Area Ratio	48% (Max 3,372 sq. ft.)		48% (Max 3,372 sq. ft.)	
First Story Floor Area	1,965 sq. ft.		2,076 sq. ft.	
Second Story Floor Area	0 sq. ft.		868 sq. ft.	
TOTAL FAR	28% (1,965 sq. ft.)		41.98% (2,944 sq. ft.)	
Yards				
Corner lot				Yes
	R-1 Regulation		Existing	Proposed
Front Yard 1 st Story	15 ft.		21 ft. 6 in.	21 ft. 6 in.
Front Yard 2 nd Story & Garage	20 ft.		21 ft. 6 in.	21 ft. 6 in.
Side Yard - 1 st Story Exterior Side Yard along Columbus Drive	10% lot width	Lot width 63 ft. 10 in.	10 ft. 6 in.	10 ft. 6 in.

		10 ft. min.		
Side Yard - 2nd Story <i>Exterior Side Yard along Columbus Drive</i>	15% of width	Lot width 63 ft. 10 in. 10 ft. min	N/A	10 ft. 10 in.
Side Yard - 1st Story <i>Interior Side Yard</i>	10% lot width	Lot width 63 ft. 10 in. 6 ft. 3 in. min.	5 ft.	5 ft. Existing nonconforming
Side Yard - 2nd Story <i>Inner Side</i>	15% of width	Lot width 63 ft. 10 in. 9 ft. 5 in. min.	N/A	23 ft. 9 in.
Rear Yard 1st and 2nd Story	20% of lot depth	Lot depth 104 ft. 7 ft. 8 ½ in. min.	30 ft. 3 in.	22 ft. 6 in.
Encroachments (list all)				Existing residence in inner-side setback
Parking				
	Required	Existing	Proposed	
Residential (from 2,601 up to 4,000 sq. ft.)	4 spaces total 1 covered 3 uncovered	3 spaces total 1 covered 2 uncovered	4 spaces total 1 covered 3 uncovered	
Garage and Accessory Bldg.	Complies with Standards?			List non-compliance
Garage	Yes			
Underground Utilities: required with 25% increase in area				Required

DISCUSSION

The existing residence at 216 Elinor Street is a nonconforming, single-story, single-family residence. The lot is located in the Cliffwood Heights residential neighborhood on the corner of Elinor Street and Columbus Drive. It is surrounded by one- and two-story single-family homes.

The applicant is proposing an 868-square-foot second-story addition with a deck and an external staircase in the rear that leads to a new second-story deck. The proposed remodel will utilize stucco siding on the first floor and retain the metal awning over the front living room windows. The second story is proposed with board and batten siding. The second story deck is accessed from the residence through either French doors from a bedroom, a sliding door from the living room, or the new external staircase. The roof on the addition will match the composite shingles of the first-story roof.

Parking

The residence currently has three onsite parking spaces, one space within the garage and two spaces within the existing driveway accessed off Elinor Street. On additional uncovered space is required. The project adds a second driveway access off of Columbus Drive to provide a third uncovered parking space and comply with minimum parking requirements. The driveway access will include a new curb cut along Columbus Drive for a maximum width of 12 feet and two inches. The driveway is existing pavement and the new 10-foot by 20-foot uncovered parking space will utilize turf block and semi-permeable pavers.

Nonconforming Structures

The existing residence is nonconforming because the south elevation of the structure encroaches into the required side setback. The applicant submitted the required 80 percent nonconforming calculation, which demonstrates that the proposed alterations are at 54 percent and do not exceed 80 percent of the present fair market value of the structure, so the alterations are permissible (Attachment 2).

Potential Second Unit

Staff has concerns regarding the upstairs addition, which includes two bedrooms, one bathroom, a separate living room with a sink and counter space, and an independent exterior access from the deck stairway. The property is eligible for a secondary dwelling unit with the appropriate City permits.

To prevent an unpermitted second unit, conditions of approval have been added to ensure that the sink and counter in the second-story living area is limited to a “mini-bar/convenience area.” Under Capitola Municipal Code Section §17.03.340: “Such an area is limited to a small refrigerator, a microwave oven and a small sink with a drain size less than one and one-half inches. No gas line or two hundred twenty electric service is permitted within this area. Only one such area is permitted within a dwelling in addition to the kitchen, and internal access within the dwelling must be maintained.” Condition of approval #21 reflects these restrictions. Condition of approval #22 reinforces that permits are required for a future conversion, as follows: “No part of the residence shall be used as a secondary dwelling unit (SDU) unless permitted under a separate application.”

CEQA

This project is categorically exempt under Section 15332 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 additions to a single-family home in a residential neighborhood. No adverse environmental impacts were discovered during project review by either Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project #19-0128 based on the following Conditions of Approval and Findings.

CONDITIONS OF APPROVAL

1. The project approval consists of 979 square-feet of first-story (stairway) and second-story additions to an existing nonconforming single-family residence. The maximum Floor Area Ratio for the 7,013 square foot property is 48% (3,372 square feet). The total FAR of the project is 42% with a total of 2,944 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 17, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.

4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0128 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B

15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
21. Food preparation area within the second-story living space is limited to a mini-bar/convenience area:
 - a. The mini-bar/convenience area is limited to a small refrigerator, a microwave oven, and a small sink with a drain size less than one and one-half inches.
 - b. No gas line or two hundred twenty electric service is permitted within this area.
 - c. Only one such area is permitted within a dwelling in addition to the kitchen, and internal access within the dwelling must be maintained.
 - d. The internal access must be maintained between the conditioned space of the main home and the mini-bar/convenience area.
22. No part of the residence shall be used as a secondary dwelling unit (SDU) unless permitted under a separate application.

FINDINGS

A. The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed remodel complies with the development standards of the R-1 (Single-Family Residential) District and secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application. The proposed remodel of the home, with stucco siding on the first floor, a new second story with board and batten siding, and new second-story deck will fit nicely within the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15332 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15332 of the CEQA Guidelines exempts projects characterized as in-fill development when: the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The proposed project is consistent with the in-fill development exemption and no adverse environmental impacts were discovered by Planning Staff during review of the proposed project.

ATTACHMENTS:

1. 216 Elinor Street - Plan Set
2. 216 Elinor Street - Construction Cost Breakdown

Prepared By: Sean Sesanto

INDEX	TITLE
1A	COVER SHEET (COVER TWO)
2	GENERAL NOTES
3	SITE PLAN
4	PROPOSED CONCRETE
5	PROPOSED LOWER FLOOR PLAN
6	PROPOSED UPPER FLOOR PLAN
7	ROOF PLAN
8	ELEVATIONS
9	SITE PLANNING DETAILS
10	CONSTRUCTION PRACTICES
11	NOTES
12	END

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GENERAL:

- [illegible]

FRAMING, FINISHES, ETC.

- [illegible]

PLUMBING CONTINUED

- [illegible]

FIRE DEPARTMENT REQUIREMENTS

- [illegible]

REVISIONS:	BY:

OWNER:
ZACHARY CALHOUN
228 DEL MONTE AV
LOS ALTOS, CA 94022
650-941-0541

CALHOUN RESIDENCE
216 ELINOR ST.
CAPITOLA, CA 95010
APN 036-192-32

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

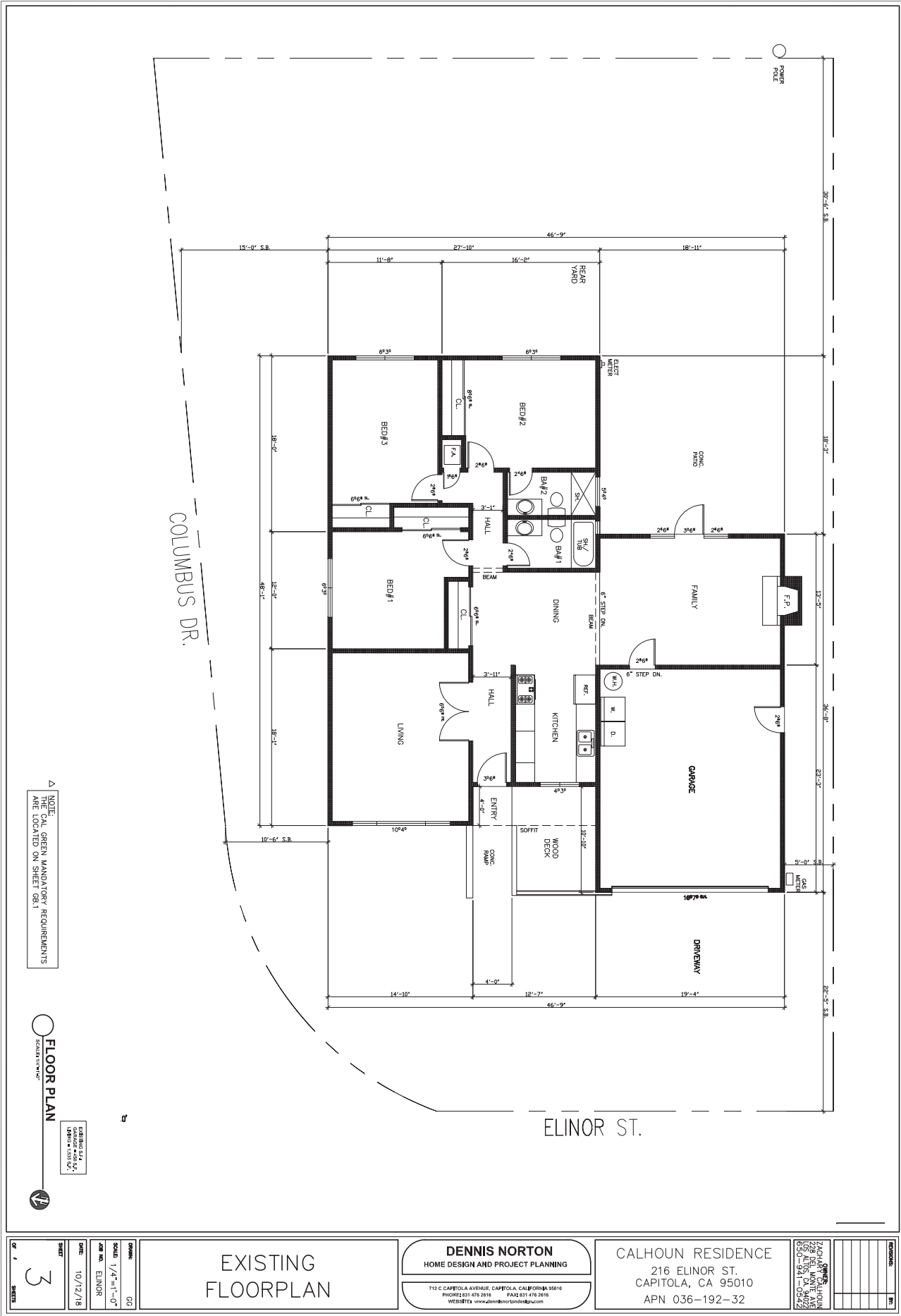
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831 476 2616 FAX: 831 476 2616
WEBSITE: www.dennisnortondesign.com

GENERAL NOTES

DATE:	07/16/19
JOB NO.	ELINOR
SCALE:	NONE
DRAWN:	GC

SHEET 1A OF 4 SHEETS









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

EXISTING S.F.:
LIVING ■ 1,025 S.F.
GARAGE ■ 450 S.F.

PROPOSED S.F.:
1ST FLOOR LIVING (NO CHANGE) ■ 1,535 S.F.
2ND FLOOR LIVING ■ 695 S.F.
TOTAL LIVING ■ 2,230 S.F.
TOTAL LIVING ADDITION ■ 605 S.F.
2ND FLOOR DECK ■ 157 S.F.
GARAGE (NO CHANGE) ■ 450 S.F.

5 OF 1 SHEETS

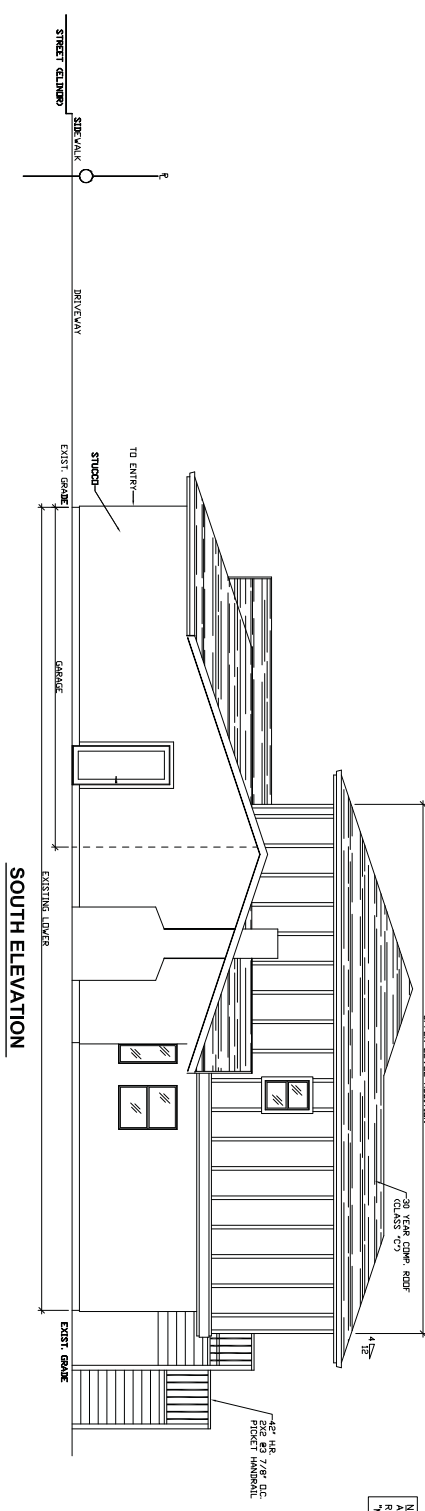
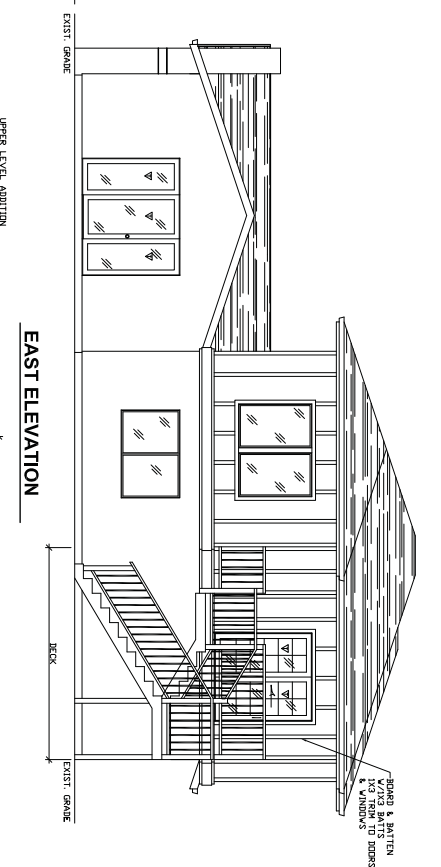
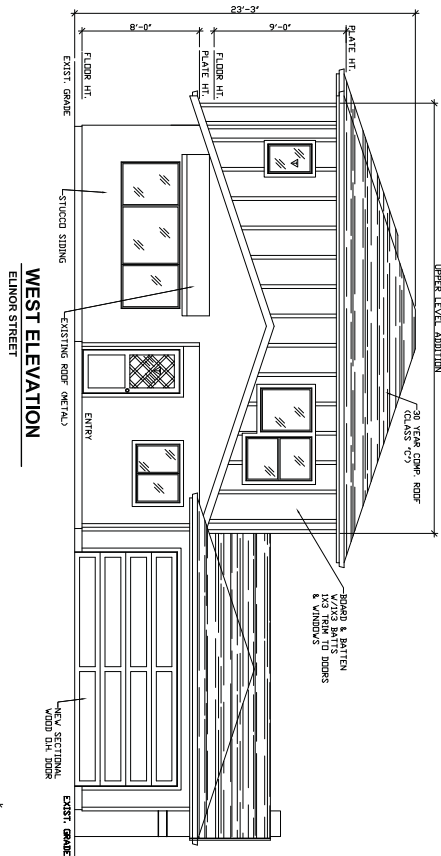
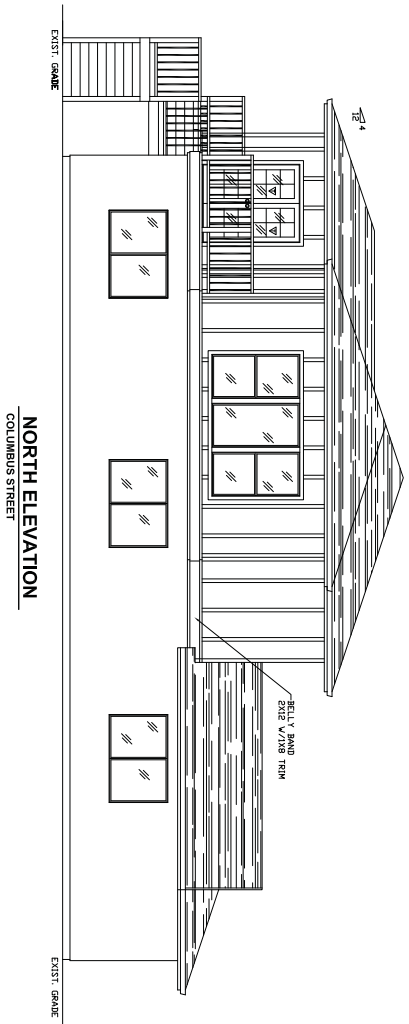
PROPOSED UPPER FLOORPLAN

712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831 476 2616 FAX: 831 476 2616
WEBSITE: www.dennisnortondesign.com

CALHOUN RESIDENCE
216 ELINOR ST.
CAPITOLA, CA 95010
APN 036-192-32

ZACHARY CALHOUN
228 DEL MONTE AVE
LOS ALTOS, CA. 94022
650-941-0542

RESPONSE:	BY:



NOTE: ALL WINDOWS TO BE REPLACED W/ NEW "MILQUART" VINYL

4\"/>

NOTE:  = TEMPERED GLASS
SCALE: 1/4\"/>

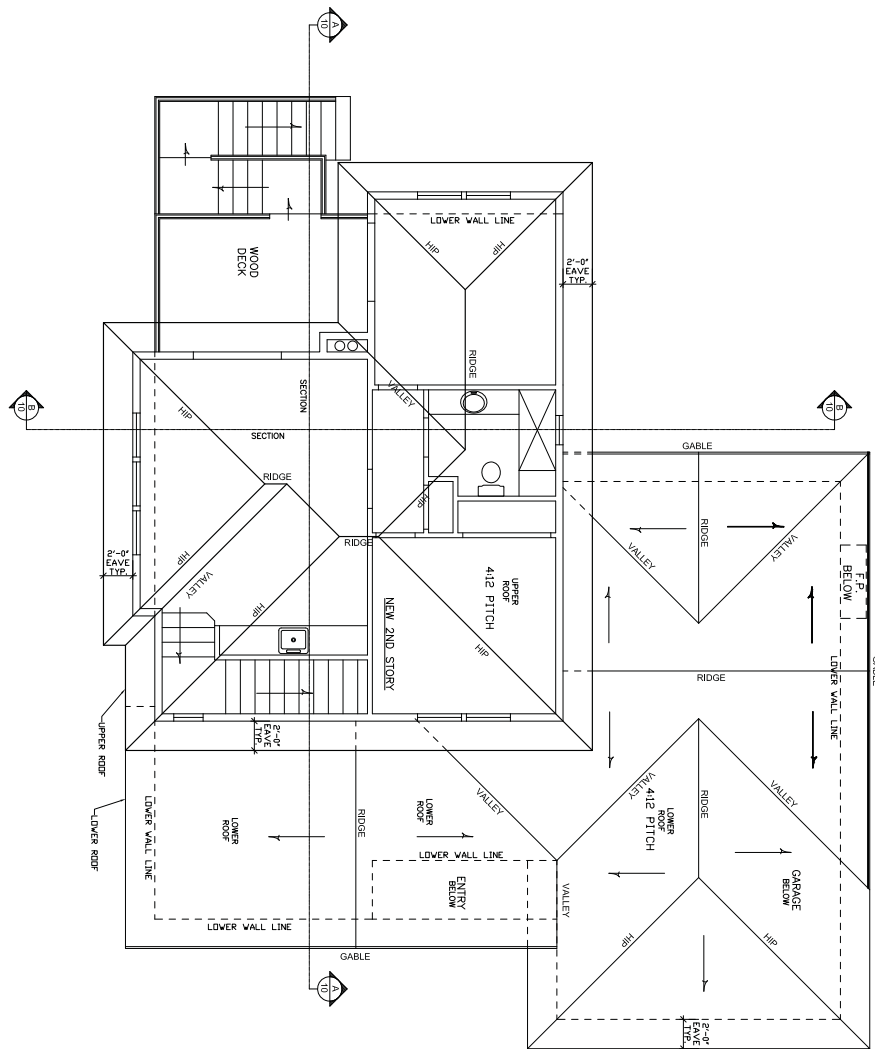
REVISIONS	
1	10/06/19
2	
3	
4	
5	

CALHOUN RESIDENCE
216 ELINOR ST.
CAPITOLA, CA 95010
APN 036-192-32

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
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ELEVATIONS

DATE	02/22/19
JOB NO.	ELINOR
SCALE	1/4\"/>
DRWN	OG
SHEET	6
OF	6 SHEETS



SCALE 1/4"=1'-0"
ROOF PLAN

SHEET	OF	SHEETS
8	1	8

DATE	02/21/19
DRAWN	CG
SCALE	1/4"=1'-0"
JOB NO.	ELINOR

ROOF
PLAN

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831 476 2616 FAX: 831 476 2616
WEBSITE: www.dennishortondesign.com

CALHOUN RESIDENCE
216 ELINOR ST.
CAPITOLA, CA 95010
APN 036-192-32

ZACHARY CALHOUN
228 DEL MONTE AVE
LOS ALTO, CA 94022
650 951-0572

REVISIONS	DATE	BY	DESCRIPTION
1	02/21/19	CG	ISSUED FOR PERMIT

1 SEMI-PERMEABLE PAVERS (DRIVEWAY)

2 SEMI-PERMEABLE PAVERS (PATIOS & WALKWAYS)

3 FIBER ROLL

4 ENTRANCE DRIVEWAY DETAIL

5 TREE PROTECTION PLAN

6 BIOSWALE

7 STORM DRAIN INLET PROTECTION

8 SITE HOUSEKEEPING REQUIREMENTS: CONSTRUCTION MATERIALS

ALL LOOSE STOCKED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. BRICKS, BLOCKS, AGGREGATE, FILL, SOIL, STONE, HOLLOW BLOCK, ETC.) SHALL BE COVERED AND PROTECTED TO PREVENT SPILLAGE OR LEAKAGE ON A STORMWATER COLLECTION SYSTEM. CONSTRUCTION MATERIALS TO BE STOCKED SHALL BE COVERED AND PROTECTED TO PREVENT SPILLAGE OR LEAKAGE ON A STORMWATER COLLECTION SYSTEM. CONSTRUCTION MATERIALS TO BE STOCKED SHALL BE COVERED AND PROTECTED TO PREVENT SPILLAGE OR LEAKAGE ON A STORMWATER COLLECTION SYSTEM. CONSTRUCTION MATERIALS TO BE STOCKED SHALL BE COVERED AND PROTECTED TO PREVENT SPILLAGE OR LEAKAGE ON A STORMWATER COLLECTION SYSTEM.

9 SITE HOUSEKEEPING REQUIREMENTS: WASTE MANAGEMENT

WASTE MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9). WASTE MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9). WASTE MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9). WASTE MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9).

10 SITE HOUSEKEEPING REQUIREMENTS: VEHICLE STORAGE & MAINTENANCE AND LANDSCAPE MATERIALS

VEHICLE STORAGE AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9). LANDSCAPE MATERIALS SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9). VEHICLE STORAGE AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9). LANDSCAPE MATERIALS SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOLID WASTE MANAGEMENT ACT (CALIF. PUBLIC RESOURCES CODE, CHAPTER 4, DIVISION 9).

11 TYPICAL DRIVEWAY

SITE PLANNING DETAILS

DATE: 07/16/19

SHEET: 9

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

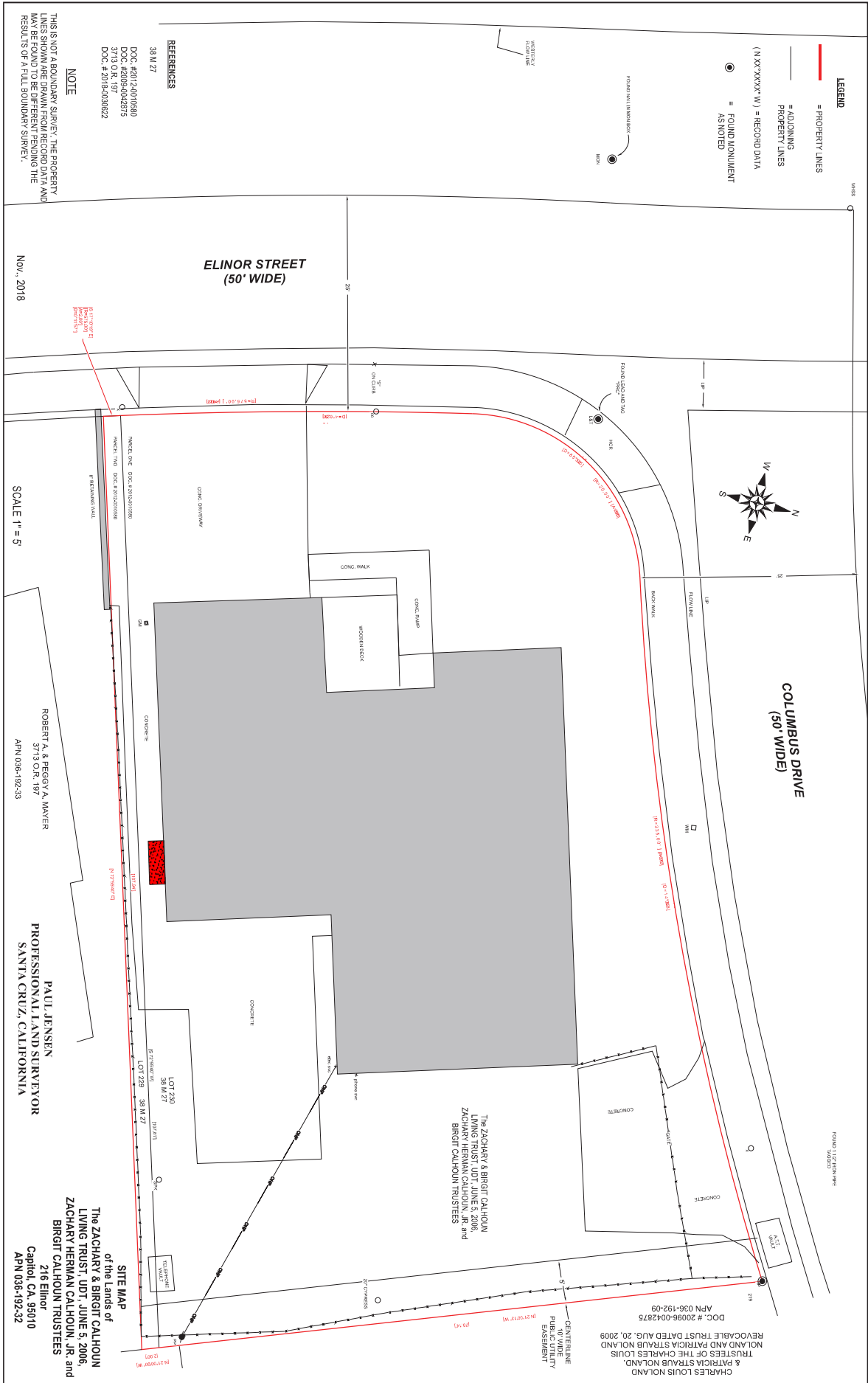
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 408-333-1300
WEBSITE: www.dennisonortondesign.com

CALHOUN RESIDENCE
216 ELINOR ST.
CAPITOLA, CA 95010
APN 036-192-32

REVISIONS

NO.	DATE	DESCRIPTION
1	07/26/19	ISSUED FOR PERMIT

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CONSTRUCTION COST BREAKDOWN PER Section 17.72.070

Existing Building Costs:

PLANNING STAFF

Existing Residence:	1535 square feet	=	\$ 307,000.00
	\$ 200.00 square foot		
Existing Garage:	450 square feet	=	\$ 40,500.00
	\$ 90.00 square foot		
Existing Deck:	0 square feet	=	\$ -
	\$ 25.00 square foot		
Total Existing Value:			<u>\$ 347,500.00</u>
80% of Total Existing Value			<u>\$ 278,000.00</u>

New Construction Costs:

New Conditioned Space:	868 square feet	=	\$ 173,600.00
	\$ 200.00 square foot		
New Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
New deck/porch:	231 square feet	=	\$ 5,775.00
	\$ 25.00 square foot		
Total New Construction Value:			<u>\$ 179,375.00</u>

Remodel Costs: (50% of "new construction" costs)

Remodel Conditioned Space:	72 square feet	=	\$ 7,200.00
	\$ 100.00 square foot		
Remodel Garage:	0 square feet	=	\$ -
	\$ 45.00 square foot		
Remodel Deck:	0 square feet	=	\$ -
	\$ 12.50 square foot		
Total Remodel Value:			<u>\$ 7,200.00</u>
Total Construction/Remodel Cost			<u>\$ 186,575.00</u>
% of Existing Value			<u>53.6906%</u>



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 17, 2019
 SUBJECT: **4595 Emerald Street #19-0216 APN: 034-032-15**

Design Permit to remodel an existing single-family residence with first- and second-story additions and the removal of a second-story deck within the R-1 (Single-Family Residential) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: Chrisman Clum
 Representative: Maximilian Brandt, Filed: 05.06.19

APPLICANT PROPOSAL

The applicant is proposing first- and second-story additions to an existing 1,797-square-foot single-family residence located at 4595 Emerald Street within the R-1 (Single-Family Residential) zoning district. The remodel also removes a second-story deck. The application complies with all development standards of the R-1 zone.

BACKGROUND

On September 11, 2019, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: informed the applicant that prior to building permit issuance Best Management Practices for stormwater control must be shown. Public Works noted that the adjacent street does not have a sidewalk and asked if the project included the construction of sidewalk along the front property line. Public Works stated that the damaged street gutter pan will need to be repaired in front of the property. Public Works informed the architect that driveway approach wings may not extend into the front of adjacent properties.

Building Department Representative, Robin Woodman: had no comments.

Local Architect, Frank Phantom: provided feedback on alternative entryways. Mr. Phantom supported the overall design.

Assistant Planner, Sean Sesanto: informed the applicant that the proposed front deck/landing in front of the new double-door entry may extend no more than four feet into the required front setback.

Following the Architecture and Site Review Committee meeting, the applicant submitted updated plans that include a reduced front deck that only extends four feet into the front setback, french doors centered under the gabled roof, one additional window, and a trellis over the front deck. Following the meeting, staff also added Condition #15 to the conditions of approval to ensure the damaged street gutter pan will be repaired. The property is located in a sidewalk exempt area and is not required to construct a sidewalk in front of the property.

ZONING SUMMARY

The following table outlines the zoning code requirements for development in the R-1 Zoning District.

Development Standards				
Building Height				
R-1 Regulation		Existing		Proposed
25 ft.		22 ft. 2 in.		23 ft.
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot Size	3,200 sq. ft.		3,200 sq. ft.	
Maximum Floor Area Ratio	57% (Max 1,824 sq. ft.)		57% (Max 1,824 sq. ft.)	
First Story Floor Area	1,283 sq. ft.		1,240 sq. ft.	
Second Story Floor Area	514.4 sq. ft.		486 sq. ft.	
TOTAL FAR	56% (1,797.4 sq. ft.)		54% (1,726 sq. ft.)	
Yards				
	R-1 Regulation		Existing	Proposed
Front Yard 1 st Story	15 ft.		15 ft. 3 in.	15 ft. 3 in.
Front Yard 2 nd Story & Garage	20 ft.		43 ft. 5 in.	37 ft. 10 in.
Side Yard 1 st Story (West)	10% lot width	Lot width: 40 ft. 4 ft. ft. min.	3 ft. 7 in. (west) 3 ft. 10 in. (east)	3 ft. 7 in. (west) 3 ft. 10 in. (east) Existing Nonconforming
Side Yard 2 nd Story (West)	15% of width	Lot width: 40 ft. 6 ft. ft. min	3 ft. 7 in. (west) 3 ft. 10 in. (east)	3 ft. 7 in. (west) 3 ft. 10 in. (east) Existing Nonconforming
Rear Yard 1 st Story	20% of lot depth	Lot depth: 80 ft. 16 ft. min.	16 ft. 7 in.	16 ft. 7 in.
Rear Yard 2 nd Story	20% of lot depth	Lot depth: 80 ft. 16 ft. min	16 ft. 10 in.	16 ft. 7 in.
Encroachments (list all)	Existing residence in both side setbacks on the first and second floor			New front porch extends 4 feet into front yard setback
Parking				
	Required		Existing	Proposed
Residential (from <u>1,501</u> up to <u>2,000</u> sq. ft.)	2 spaces total 1 covered		1 spaces total 0 covered	2 spaces total 1 covered

	1 uncovered	1 uncovered	1 uncovered
Garage and Accessory Bldg.	Complies with Standards?		List non-compliance
Garage	Yes		
Accessory Structure	Yes		Existing structure in side setback
Underground Utilities: required with 25% increase in area			Not Required

DISCUSSION

The existing residence at 4595 Emerald Street is a nonconforming, two-story, single-family home. The lot is surrounded by one- and two-story single-family homes along Emerald Street and in the greater Jewel Box neighborhood.

The applicant is proposing to remove a chimney and flanking windows on the front elevation and the front entrance on the west elevation and replace them with two front entries that open onto a front porch. The area of the chimney will be replaced with a new gable roof. Two trellises are proposed, one over the front entries and a second in front of the garage. The proposed remodel will utilize stucco siding on the first story, board and batten second-story siding, and a composite shingle roof. The applicant is also proposing to add a bedroom on the second story and replace an existing nonconforming second-story deck with a first-story pitched roof. Although the project increases conditioned space, the total floor area of the residence will decrease by 71 square feet because of the removal of the second-story deck. The project also modifies the garage to comply with required interior dimensions for covered parking.

Nonconforming Structures

The existing residence is nonconforming because the east and west elevations of the structure encroach into the required setbacks. The applicant submitted the required nonconforming calculation, which demonstrates that the proposed alterations are at 48 percent and do not exceed 80 percent of the present fair market value of the structure, so the alterations are permissible (Attachment 2).

Adjacent Properties

The Community Development Department received a public comment regarding privacy concerns over the second-story bedroom window facing the rear of the property (Attachment 3). Several neighbors signed a letter expressing concerns over the privacy of their backyards and requested the window be replaced with a window with a sill height of 5 feet. The Planning Commission has conditioned previous projects to ensure that the privacy of adjoining properties is preserved through modifications to windows or required landscaping.

Pursuant to Section 17.63.090(D) of the Capitola Municipal Code, the Planning Commission may condition a project approval under the following consideration:

- 1. The orientation and location of buildings, decks or balconies, and open spaces in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the buildings with adjacent development such that privacy of adjacent properties is maintained;*

The rear bedroom window is designed to serve as an emergency egress window. Egress windows cannot have a finished sill height greater than 44 inches above the floor and must have a minimum opening height of 24 inches. The bedroom would not comply with fire egress if the rear window were modified to a height of five feet above the finished floor.

CEQA

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. This project involves additions to an existing 1,797-square-foot single-family home and removal of a nonconforming second-story deck within the R-1 (Single-Family Residence) zoning district that will decrease the floor area by two percent. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project #19-0216 based on the following Conditions of Approval and Findings.

CONDITIONS OF APPROVAL

1. The project approval consists of the construction of first- and second-story additions and the removal of a second story deck that decrease the floor area by 71 square feet. The maximum Floor Area Ratio for the 3,200 square-foot property is 56% (1,824 square feet). The total FAR of the project is 54% with a total of 1,726 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 17, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0216 shall be paid in full.

8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the

applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

A. The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed remodel complies with the development standards of the R-1 (Single-Family Residential) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application. The proposed remodel of the home, with a new front entry, stucco siding on the first floor, board and batten siding on the second floor, and the removal of a nonconforming second-story deck will fit well within the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15301(e) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition. The proposed remodel decreases the total floor area by 71 square feet, which is a decrease of two percent. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 4595 Emerald - Full Plan Set - Resized
2. Emerald Street - 4595 - 80% Cost Calculation
3. 3. 4595 Emerald Street - Public Comment 09.27.19

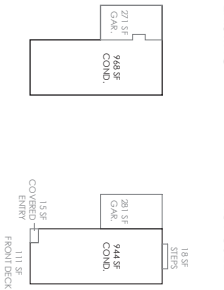
Prepared By: Sean Sesanto



GENERAL NOTES:

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL LOCAL, COUNTY, STATE AND FEDERAL CODES, LAWS, ORDINANCES AND REGULATIONS APPLICABLE AS FOLLOWS:
 - 2019 CALIFORNIA BUILDING CODE
 - 2019 CALIFORNIA RESIDENTIAL CODE
 - 2019 CALIFORNIA MECHANICAL CODE
 - 2019 CALIFORNIA PLUMBING CODE
 - 2019 CALIFORNIA ELECTRICAL CODE
 - 2019 CALIFORNIA ENERGY CODE
 - 2019 CALIFORNIA GREEN BUILDING CODE
 - 2019 CALIFORNIA FIRE CODE AS ADOPTED BY THE STATE OF CALIFORNIA
 - AND THE LOCAL FIRE PROTECTION DISTRICT
- NOTHING IN THE CONTRACT DOCUMENTS IS TO BE CONSTRUED TO REPEAL OR CONTRADICT ANY OF THE ABOVE CODES, LAWS, ORDINANCES AND REGULATIONS.
- ALL WORK SHALL BE SHOWN, OR BASED ON ANY CONSTRUCTION DOCUMENT SHALL BE SHOWN AND INSTALLED BY THE CONTRACTOR IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPLICABLE CODES, LAWS, ORDINANCES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
- CONTRACTOR SHALL FIELD VERIFY EXISTING SITE CONDITIONS PRIOR TO COMMENCING WITH COST ESTIMATE. ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED ON PROJECT SITE BY THE CONTRACTOR AND ARCHITECT PRIOR TO COMMENCING CONSTRUCTION.
- ALL ITEMS ARE NEW UNLESS SPECIFICALLY NOTED OR NOTED AS EXISTING.
- ALL DIMENSIONS ARE FROM FACE OF STUD OR CENTERLINE OF COLUMN OR CENTERLINE OF DOOR OR OTHER SCHEDULED OPENING.
- COORDINATION:
 - THE CONTRACTOR SHALL COORDINATE ALL UTILITIES INDICATED ON THE LANDSCAPE, STRUCTURAL, AND MECHANICAL, ELECTRICAL, PLUMBING, AND HVAC DRAWINGS. ALL SCHEDULED UTILITIES SHALL BE RELOCATED TO THE ARCHITECT'S PROPOSED LOCATION PRIOR TO THE WORK.
 - SEE ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS, ELEVATIONS, DEPRESSIONS IN SLAB, OPENINGS IN WALLS AND FLOOR, FLOOR SLOPE, CROCKERS, AND FLOOR DRAINS.
 - IN THE EVENT GENERAL FEATURES OF THE CONSTRUCTION ARE NOT FULLY SHOWN ON THE CONSTRUCTION DOCUMENTS, THEN THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAME CHARACTER AS FOR SIMILAR CONDITIONS THAT ARE SHOWN.
- THE CONTRACTOR SHALL VERIFY ALL ELECTRICAL, MECHANICAL, TELEPHONE AND SECURITY REQUIREMENTS BEFORE COMMENCING CONSTRUCTION.
- THE CONTRACTOR SHALL COORDINATE THE LOCATION OF LIGHT, HVAC, CABLE, AND NETWORKING, AND SMOKE DETECTOR LOCATIONS WHERE CONSTRUCTION INVOLVES MORE THAN ONE MATERIAL, FINISH OR MATERIAL THICKNESS, ALONG WITH THE ARCHITECT.
- THE CONTRACTOR SHALL REPLACE OR REPAIR, AT CONTRACTOR'S EXPENSE, ALL DAMAGED, REMOVED OR CHANGED EXISTING UTILITIES, LANDSCAPE OR FEATURES OF WHATEVER NATURE TO THEIR ORIGINAL CONDITION WHENEVER SHOWN ON THE DRAWING OR NOT.
- VERIFY ALL EXISTING UTILITIES, MECHANICAL, ELECTRICAL, PLUMBING, AND SECURITY REQUIREMENTS WITH THE ARCHITECT PRIOR TO COMMENCING CONSTRUCTION.
- BEFORE THE WORK COMMENCES, THE CONTRACTOR SHALL SUBMIT A CONSTRUCTION SCHEDULE TO THE ARCHITECT FOR REVIEW AND APPROVAL. THE SCHEDULE SHALL BE A GANTT CHART SHOWING THE SEQUENCE OF WORK, START AND FINISH DATES, AND THE DURATION OF EACH TASK. THE SCHEDULE SHALL BE UPDATED AS NEEDED DURING THE COURSE OF THE PROJECT.
- THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND CORRECT SET OF CONSTRUCTION DOCUMENTS ON THE JOB SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES, AND SHALL PROVIDE ALL SUBCONTRACTORS WITH CURRENT CONSTRUCTION DOCUMENTS AS REQUIRED.

AREA DIAGRAM



PROJECT SCOPE

RESIDENTIAL RENOVATION INCLUDING THE REMOVAL OF THE EXISTING DECK OVER THE CONDOMINIUM SPACE ON THE SECOND FLOOR.

PROJECT DATA

DATE: 03-03-2019
DRAWN BY: R1
CHECKED BY: R1
CONSTRUCTION TYPE: NB
SPRINKLED: NO
LOT SIZE: 3,200 SF
HOOR AREA: 1,348 SF
TOTAL CONDO: 1,348 SF
TOTAL CONDO: 1,348 SF
TOTAL CONDO: 1,348 SF

CONTACTS

OWNER

3401 WINDLE AVENUE
106 CAPITOL STREET
SANTA CRUZ, CA 95062
PHONE: (831) 466-9798
OFFICE: (831) 466-9798

DESIGN

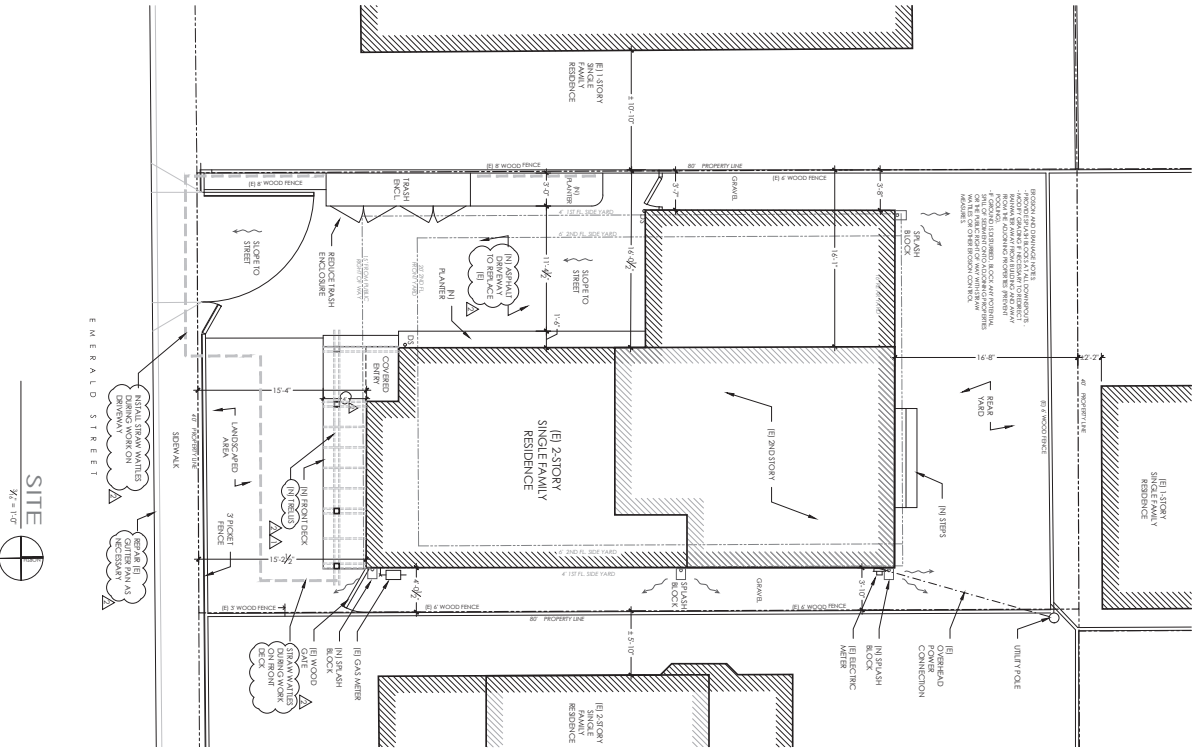
MAXIMILIAN BRADT
3401 WINDLE AVENUE
106 CAPITOL STREET
SANTA CRUZ, CA 95062
PHONE: (831) 466-9798
OFFICE: (831) 466-9798

STRUCTURAL ENGINEER

PATRICIA WHITE ENGINEERING
106 CAPITOL STREET
SANTA CRUZ, CA 95062
PHONE: (831) 466-9798
OFFICE: (831) 466-9798

SHEET INDEX

- ARCHITECTURAL
 - A1 VICINITY MAP PROJECT SCOPE SITE PLAN SHEET INDEX GENERAL NOTES
 - A2 EXISTING CONDITIONS
 - A3 PROPOSED 1ST AND 2ND FLOOR
 - A4 SECTIONS
 - A5 TYPICAL WALL DETAILS
- LANDSCAPE
 - L1 LANDSCAPE PLAN
 - L2 SWEEPERS MAP



SITE
1/4" = 1'-0"

4595 EMERALD STREET

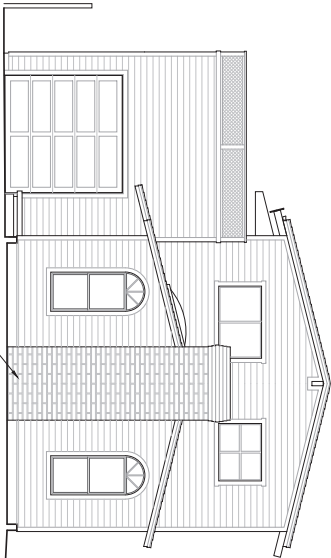
RESIDENTIAL REMODEL

4595 EMERALD STREET
CAPITOL AVENUE

DATE: 11.06.2019
DRAWING: 2019
SHEET: 11
PROJECT: 4595 EMERALD STREET
RESIDENTIAL REMODEL

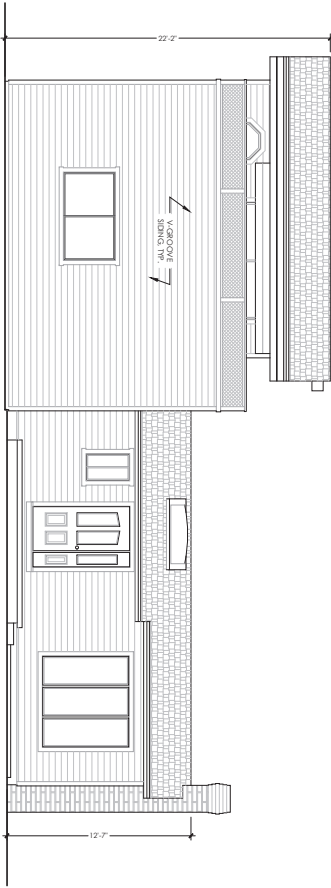


Attachment: 4595 Emerald - Full Plan Set - Resized (4595 Emerald Street)



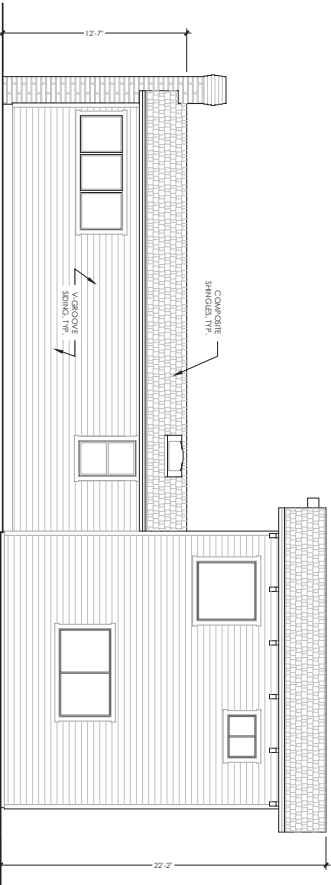
SOUTH

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



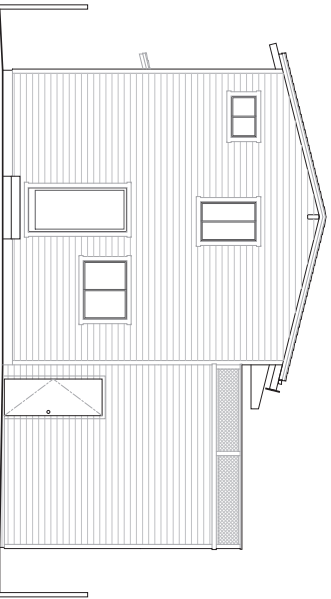
WEST

SCALE $Y_1' = 1.0'$



EAST

SCALE: $\frac{1}{4}'' = 1'-0''$



NORTH
SCALE $Y_1 = 1.0$

4595 EMERALD STREET

RESIDENTIAL REMODEL

RESIDENTIAL REMODEL

4595 EMERALD STREET
CAPITOLA
APN: [REDACTED]

(MILL
AND
DRAFTING & DESIGN
3401 WINKLE
SANTA CRUZ, CALIF.
TEL. 831.466.5555

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EXISTING
ELEVATIONS

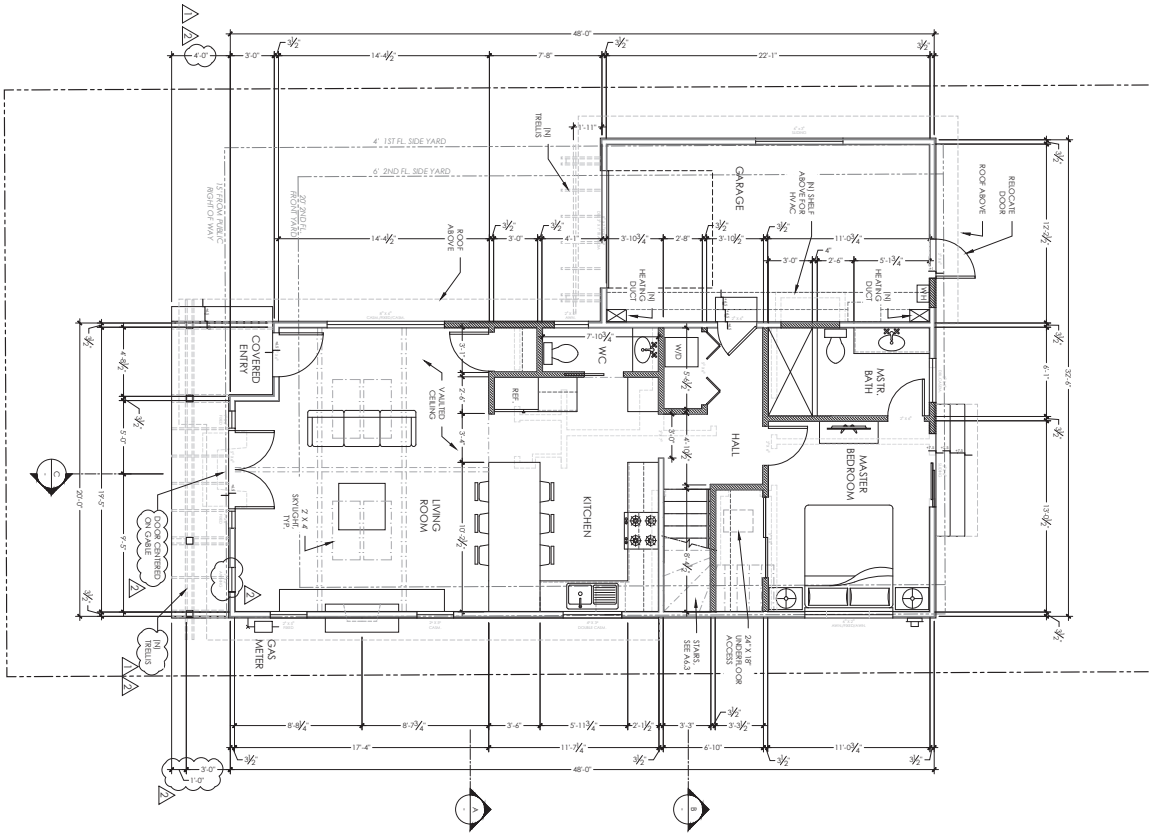
SCALE $Y_4 = 1.0$
DATE 28. MAY 2019

1	11. JUNE 2019
2	21. SEPT. 2019

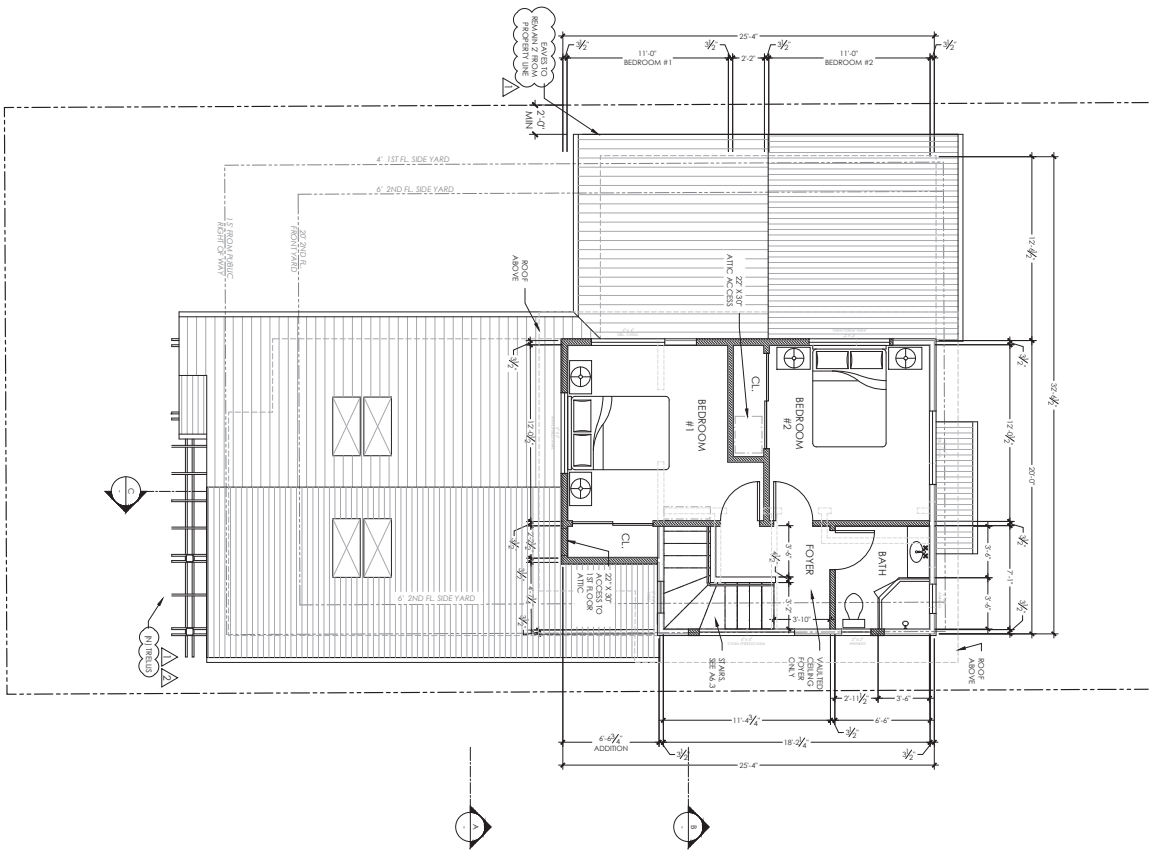
A2.2

WALL LEGEND
 [Hatched Box] N1 2x4 @ 16" O.C. WALL
 [Dashed Box] E1 2x4 WALL
 [Dotted Box] WALL TO BE REMOVED
 [Solid Line] ABOVE

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



2ND FLOOR
 SCALE: 1/8" = 1'-0"

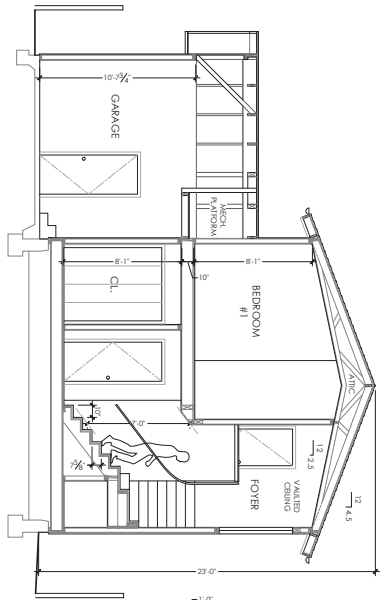


A3

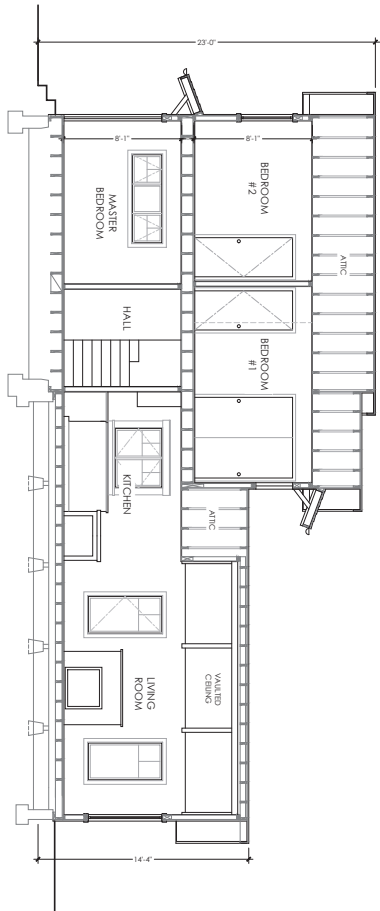
PROPOSED FLOORPLANS
 SCALE: 1/8" = 1'-0"
 DATE: 28 MAY 2019
 REVISIONS:
 11. JUNE 2019
 21. SEP 2019

4595 EMERALD STREET
 RESIDENTIAL REMODEL

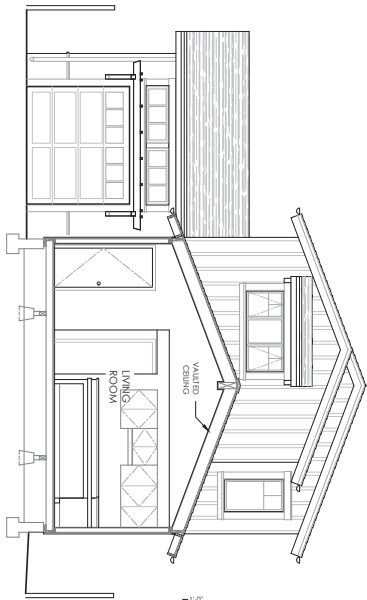
4595 EMERALD STREET
 CAPITOL APN



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



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



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



RESIDENTIAL REMODEL

4595 EMERALD STREET
CAPITOLA
APN

Packet Pg. 41

DRAFTING & DESIGN
3401 WINKLE
SANTA CRUZ, CALIF.
TEL. 831.466.1111

ELEVATIONS

SCALE	$\chi^2 = 1.0$
DATE	28. MAY 2019

1	11. JUNE 2015
2	21. SEPT. 2015

A5

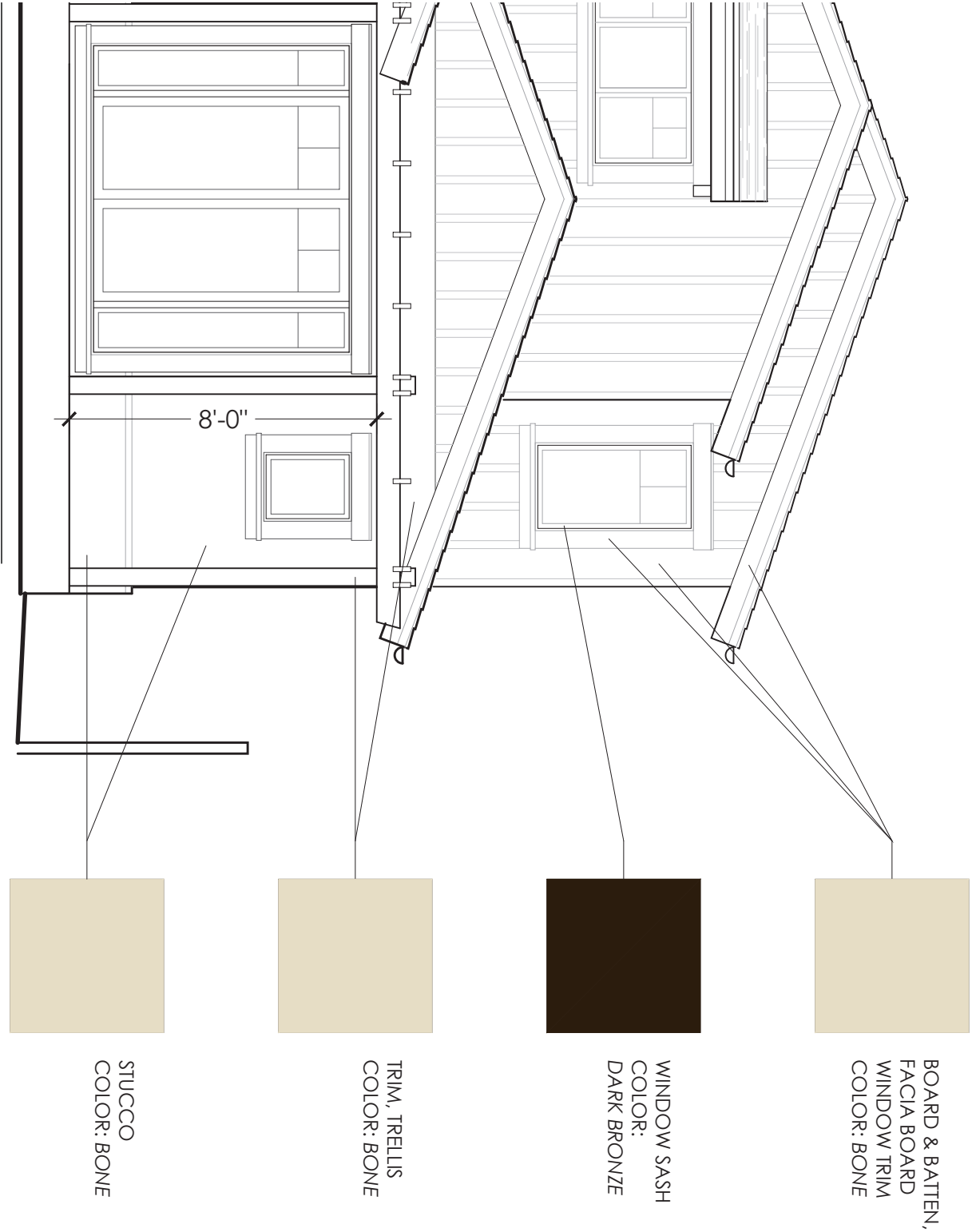


4595 EMERALD STREET

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1	11. JUNE 2019
2	21. SEPT. 2019

A6.1



Attachment: 4595 Emerald - Full Plan Set - Resized (4595 Emerald Street)

4595 EMERALD STREET

RESIDENTIAL REMODEL

4595 EMERALD STREET
CAPITOLA, CA 95010
APN: 034-03-215

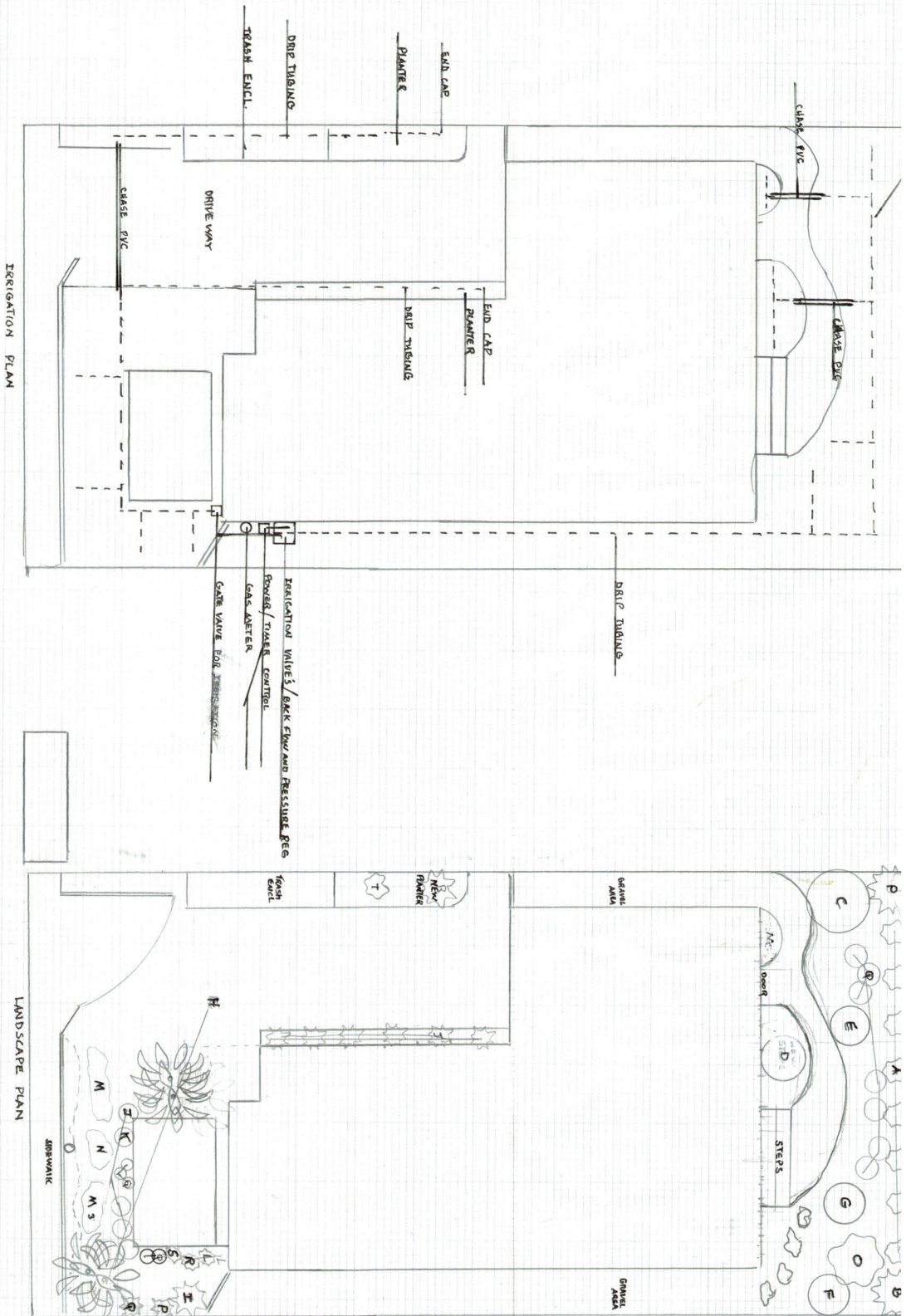
Brandt

BRANDT
AN
DRAFTING & DESIGN
3401 WINKLE AVE
SANTA CRUZ, CA 95065
TEL: 520.466.5078

**COLOR
BOARD**

SCALE AS NOTED
DATE 21. SEPT. 2019

COLOR BOARD

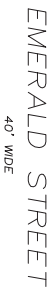


JOB SITE		OWNER	
4595 EMERALD STREET		CHRISTMAN CLARA	
CARLETON, CALIFORNIA			
95010			
HOWIE DESIGN		LANDSCAPE DESIGNER	
HOWARD ATTORNEY, LANDSCAPE DESIGNER			
3522 KINGSBURT DR.			
ARIZONA, CALIFORNIA			
95003			
CELL PHONE 831-566-4124			
E-MAIL: HOWIE@HOWIE.COM			

NOTES: LANDSCAPE PLAN

A	15 GAL. ENGLISH LAUREL	8
B	15 GAL. CARWISSA CRAFT WYATTE	1
C	15 GAL. BUTTERFLY BUSH BLUE CHIFF	1
D	15 GAL. LILAC SYRINGTON CLONY	1
E	15 GAL. HYDRANGEA SLIDE	1
F	15 GAL. GUTTERFLY BUSH MISS MARY	1
G	15 GAL. HYDRANGEA RED	1
H	24" BOX MULTIPLE BARK KIDG BLM	2
I	15 GAL. CHINESE LANTRENS PHYCALIS	1
J	15 GAL. DIVARDE BIRD OF PARADISE	1
K	15 GAL. GIANT BIRD OF PARADISE	1
L	15 GAL. MAJOR WHEELER	1
M	15 GAL. MAJOR WHEELER	1
N	15 GAL. MAJOR WHEELER	1
O	15 GAL. MAJOR WHEELER	1
P	15 GAL. MAJOR WHEELER	1
Q	15 GAL. MAJOR WHEELER	1
R	15 GAL. MAJOR WHEELER	1
S	15 GAL. MAJOR WHEELER	1
T	15 GAL. MAJOR WHEELER	1

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CONSTRUCTION COST BREAKDOWN PER Section 17.72.070

Existing Building Costs:

PLANNING STAFF

Existing Residence:	1500 square feet	=	\$ 300,000.00
	\$ 200.00 square foot		
Existing Garage:	297 square feet	=	\$ 26,730.00
	\$ 90.00 square foot		
Existing Deck:	0 square feet	=	\$ -
	\$ 25.00 square foot		
Total Existing Value:			\$ 326,730.00
80% of Total Existing Value			\$ 261,384.00

New Construction Costs:

New Conditioned Space:	101 square feet	=	\$ 20,200.00
	\$ 200.00 square foot		
New Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
New deck/porch:	120 square feet	=	\$ 3,000.00
	\$ 25.00 square foot		
Total New Construction Value:			\$ 23,200.00

Remodel Costs: (50% of "new construction" costs)

Remodel Conditioned Space:	1282 square feet	=	\$ 128,200.00
	\$ 100.00 square foot		
Remodel Garage:	60 square feet	=	\$ 2,700.00
	\$ 45.00 square foot		
Remodel Deck:	280 square feet	=	\$ 3,500.00
	\$ 12.50 square foot		
Total Remodel Value:			\$ 134,400.00
Total Construction/Remodel Cost			\$ 157,600.00
% of Existing Value			48.2355%

Attachment: Emerald Street - 4595 - 80% Cost Calculation (4595 Emerald Street)

To: Members of the Planning Commission
 From: Property Owners of 4570, 4590, 4610, 4630 Crystal St.
 Date: 9/30/19

Re: 4595 Emerald St

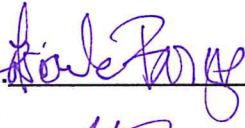
We are property owners and residents of 4570, 4590, 4610, and 4630 Crystal St. in Capitola. Our homes are just north of 4595 Emerald St. We value the privacy that our rear yards currently afford us. The application for 4595 Emerald in its current configuration will deprive us of the privacy we now enjoy..

We wish to request the plan for 4595 Emerald be modified as follows:

Replace the 4x4 bedroom window on the north 2nd story wall with a 2h x 4w or similar window with an interior bottom sill height of 5'.

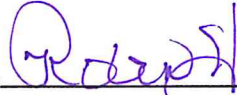
Since there are west facing windows in that bedroom, the light and air will not be affected. Also, since this is a spec house and unoccupied, it will not have any impact on current residents.

The Commission recently took an action to protect the privacy of an adjacent home at its September 2019 meeting on an application for a home on Oak St. The most recently constructed homes on Emerald St. at 4605 and 4625 were designed to protect the privacy of the homes on Crystal St. We request the same consideration.

Owner 4570 Crystal St.  FRANK BORGES

Owner 4590 Crystal St.  MICHAEL REUTH

Owner 4610 Crystal St.  William McBride

Owner 4630 Crystal St.  Robin Hubert



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 17, 2019

SUBJECT: **4199 Clares Street** **#19-0169** **APN: 034-222-05**

Tentative Parcel Map for a two-lot subdivision, Minor Land Division creating two condominium units, and Design Permit for a new single-family residence located within the RM-L (Residential Multifamily – Low Density) zoning district.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Larry Andrews

Representative: Larry Andrews, Filed: 04.12.2019

APPLICANT PROPOSAL

The applicant is requesting approval of a tentative parcel map for a two-lot subdivision, a minor land division creating two condominium units, and a design permit for a new single-family residence located within the RM-L (Residential Multifamily – Low Density) zoning district. The property is located outside the Coastal Zone; therefore, the new zoning code applies.

BACKGROUND

On January 25, 2018, the City Council approved a combined application for ten-unit density bonus application at 4199 and 4205 Clares Street. The developer of 4199 Clares Street decided not to construct the project and sold the property to the current applicant. As part of the 2018 approval, a single-family home on the front half of the property was demolished and multiple trees on the two sites were removed in preparation for the new units.

The applicant also has active building permits for an interior and exterior remodel of the duplex that includes electrical and plumbing upgrades, new fixtures and appliances, hydronic heaters, insulation, drywall, fireplace inserts, doors, tubs, showers, fans, garage doors, and siding. The new property owner is seeking to subdivide the property into two lots, build one new single-family home on the front lot, and divide the duplex on the rear lot into two condominium units. 4205 Clares Street remains under the original ownership and does not plan to further develop the site at this time.

The Architectural and Site Review Committee reviewed the application on August 28, 2019, and provided the applicant with the following direction:

Public Works, Kailash Mozumder: informed the applicant that the limits of the sidewalk ADA ramp approach to the driveway would require work within the adjacent property, which is not allowed without the adjacent property owner's consent, and recommended that a depressed driveway approach be used. Mr. Mozumder informed the applicant that a modified driveway approach with the sidewalk ADA ramp within the property lines would be required prior to building permit issuance. He also emphasized that any cracked or broken curbs, gutters, or sidewalks must be repaired and shared the Tier 2 Stormwater conditions of approval with the applicant.

Building Official, Robin Woodman: requested verification that there is a one-hour fire separation between the condominium units.

Local Architect, Frank Phanton: questioned the use of heavy fascia boards on the gables of the single-family home and recommended using a depressed driveway approach for the shared driveway. Mr. Phanton approved of the overall project design.

City Planner, Matt Orbach: had no comments. Following the meeting, he requested verification of preliminary approval from the water, sanitation, and fire districts for the proposed subdivision.

Following the Architecture and Site Review Committee meeting, the applicant verified that there is a one-hour fire separation between the proposed condominium units. The applicant also submitted documentation of preliminary approval from the Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District. Condition #12 was added to the conditions of approval to ensure that the driveway approach is modified prior to building permit issuance.

DISCUSSION

4199 Clares Street is located in the Multi-Family Low Density (RM-LM) zoning district. The street has a mix of housing types including single-family homes, secondary dwelling units, and multi-family developments. The proposed subdivision application will complement the existing land uses along the street, with a tri-plex to the east and a single-family home to the west. The property is located approximately 500 feet from the 41st Avenue commercial corridor.

The existing lot at 4199 Clares Street contains a duplex at the rear of the lot. The owner is proposing to subdivide the one existing lot into two new lots, create two condominium units with a minor land division of the rear lot with the duplex, and construct a new single-family residence on the lot adjacent to Clares Street.

Subdivision

The application includes a tentative parcel map dividing one lot into two. The proposal includes a single-family home on Lot 1 and the existing duplex on Lot 2. Pursuant to Capitola Municipal Code (CMC) §17.16.030(C)(1), single-family dwellings in the RM zoning district are required to comply with the development standards that apply to the R-1 district. The following table outlines the minimum area and dimension standards relative to the proposed development:

	Lot Area	Min Area per Unit	Lot Width	Lot Depth
R-1 Standards	5,000	N/A	30 ft.	80 ft.
Lot 1 Proposed	5,853 sq. ft.	N/A	39 ft. 3 in.	149 ft. 2 in.
RM-LM Standards	No minimum.	4,400 sq. ft. per unit. 8,800 sq. ft. minimum	No minimum.	No minimum.

		for 2 units		
Lot 2 Proposed	10,000 sq. ft.	5,000 sq. ft. per unit	59 ft. 3 in.	118 ft. 6 in.

The application complies with the lot design requirements from CMC Title 16 – Subdivisions, Chapter 16.24 – Design Standards, as follows:

16.24.170 Lot design.

A. The size and shape of lots shall be in conformance to any zoning regulations effective in the area of the proposed subdivision unless an exception is granted by the planning commission pursuant to subsection H of this section.

Staff Analysis: The size and shape of the two lots are in conformance with the zoning regulations. Lot 1 complies with the 5,000-square-foot minimum lot area requirement of the R-1 zone. Within the RM-LM zone, there are no standards for minimum lot area, width, or depth. There is a minimum area per unit size of 4,400 square feet. Lot 2 complies with the 4,400-square-foot minimum area per unit requirement of the RM-L zone.

B. The side lines of all lots, so far as possible, shall be at right angles to the street which the lot faces, or radial or approximately radial if the street is curved.

Staff Analysis: The side lines of all lots are at right angles to the street which the lots face.

C. The Planning Commission may require that building setback lines shall be indicated by dotted lines on the subdivision map.

Staff Analysis: Building setback lines are not currently indicated by dotted lines on the tentative parcel map. The proposed structures comply with the required setbacks of the relative zone.

D. No lot shall be divided by a city boundary line.

Staff Analysis: The two new lots are not divided by any city boundary lines.

E. Lots without twenty feet or more of frontage on a street will not be permitted. Frontage requirements for flag lots may be satisfied by a driveway or private road accessing a street of twenty feet in width or more.

Staff Analysis: Lot 1 has 39 feet of frontage on Clares Street and Lot 2 is a flag lot accessing Clares Street by a 20-foot-wide driveway.

F. Lots other than corner lots may front on more than one street where necessitated by topographic or other unusual conditions.

Staff Analysis: Neither of the lots are corner lots.

G. In riparian corridors no lots may be created which do not contain adequate building area outside the riparian or stream setback. (See Chapter 17.95 of this code.)

Staff Analysis: The two lots are not located in riparian corridors.

H. With the exception of minimum lot size requirements or subsections D and G of this section, the Planning Commission or the City Council may grant an exception to one or more of the design standards if they find that strict conformance is impractical due to the site's physical, topographic, or geometric conditions or if it would result in an undesirable or inferior subdivision design.

Staff Analysis: The two lots comply with all subdivision design standards.

Minor Land Division

Capitola Municipal Code Title 16 - Subdivisions 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 creating only two units, the condo conversion ordinance does not apply and the conversion of the duplex units to individually owned condominium units requires only a minor land division.

Under CMC §16.16.090, the planning commission is authorized to conditionally approve or disapprove applications for minor land divisions.

The tentative parcel map and condominium map (Attachment 1) and the condominium plan (Attachment 2) identify the individual unit area and exclusive use common area allocations for each unit. The individual unit area assigned to each condo unit is the internal living space (1,541 square feet) and garage space (317 square feet). The exclusive use area is the exterior space around each unit and, as the name suggests, this open space will be exclusively utilized by the individual unit. The exclusive use area is 2,517 square feet for Unit 1 and 2,657 square feet for Unit 2. There is also a shared 4,826 square foot common area for joint use for Units 1 and 2 that includes all of the 20-foot-wide driveway that extends to Clares Street.

The minor land division will create legal boundaries for each unit within the duplex allowing separate ownership opportunities. The Declaration of Covenants, Conditions, and Restrictions (CC&Rs) will govern the condominium establishing the role of the homeowner's association and the limits and rules placed on the exclusive use common areas and common areas. The applicant requested that the CC&Rs be deferred and included as a condition of approval prior to condominium map recordation. This requirement is included as Condition #32.

Development Standards

Lot 1 is being developed as a single-family residence and is subject to the R-1 development standards. Lot 2 includes the duplex and is subject to the RM-LM zone development standards. The proposed development on each lot complies with all development standards, as identified in the following tables:

LOT 1: R-1 (Single Family Residential) Development Standards		
Building Height		
R-1 Regulation	Standard	Proposed
25 ft.	25 ft.	17 ft. 8 in.
Floor Area Ratio (FAR)		
	Standard	Proposed
Lot Size	5,000 sq. ft.	5,853 sq. ft.
Maximum FAR	49 % (2,868 sq. ft.)	40% (2,335 sq. ft.)

First Story Floor Area	N/A		2,335 sq. ft.	
Yards				
	R-1 Regulation		Existing	Proposed
Front Yard 1 st Story	15 ft.		N/A	21 ft.
Side Yard 1 st Story	10% lot width	Lot width: 39 ft. 3 in. 3 ft. 11 in. min.	N/A	4 ft. 3 in. (east side) 4 ft. (west side)
Rear Yard 1 st Story	20% lot depth	Lot depth: 149 ft. 29 ft. 10 in. min.	N/A	42 ft.
Encroachments (list all)	None			None
Parking				
	Required		Existing	Proposed
Residential (from 1,501 up to 2,000 sq. ft.)	2 spaces total 1 covered 1 uncovered	2 spaces total 1 covered 1 uncovered		2 spaces total 1 covered 1 uncovered
Garage and Accessory Bldg.	Complies with Standards?			List non-compliance
Garage	Yes			
Underground Utilities: required with 25% increase in area				Required

LOT 2: Multi-Family Low Density (RM-LM) Development Standards				
Building Height				
RM-L Regulation		Existing		Proposed
30 ft.		24 ft.		24 ft.
Floor Area Ratio (FAR)				
	RM-L Regulation		Proposed	
Parcel Area per Unit, Minimum	4,400 sq. ft./unit		5,000 sq. ft./unit	
Maximum FAR	No Maximum		1,858 sq. ft./unit	
First Story Floor Area	N/A		929 sq. ft.	
Second Story Floor Area	N/A		929 sq. ft.	
Yards				
	RM-L Regulation		Existing	Proposed
Front Yard 1 st Story	15 ft.		30 ft.	30 ft.
Front Yard 2 nd Story	20 ft.		30 ft.	30 ft.
Side Yard 1 st Story	10% lot width	Lot width: 59 ft. 5 ft. 11 in. min.	5 ft. 11 in. east side 6 ft. 9 in. west side	5 ft. 11 in. east side 6 ft. 9 in. west side
Side Yard 2 nd Story	10% lot width	Lot width: 59 ft. 5 ft. 11 in. min.	5 ft. 11 in. east side 6 ft. 9 in. west side	5 ft. 11 in. east side 6 ft. 9 in. west side
Rear Yard 1 st & 2 nd Story	15% lot depth	Lot depth: 119 ft.	36 ft.	36 ft.

		17 ft. 10 in. min.		
Encroachments (list all)	None			None
Parking				
	Required	Existing		Proposed
Duplex Homes	2 spaces total 1 covered 1 uncovered	2 spaces total 1 covered 1 uncovered		2 spaces total 1 covered 1 uncovered
Garage and Accessory Bldg.	Required	Existing		Proposed
Garage	5 ft. behind front building wall of primary structure	Same as primary structure: 30 ft.		Same as primary structure: 30 ft. Existing Nonconforming
Underground Utilities				Required

Design Permit

The proposed single-family residence is a one-story residence with a small front porch oriented toward Clares Street. The exterior finishes include stucco siding with horizontal siding at the gable ends. The windows on the east and west elevations have wood shutters. The driveway is accessed off the shared driveway with the garage on the north side of the home.

The applicant has already completed an exterior upgrade of the existing duplex under a separate building permit, replacing the horizontal redwood siding with new horizontal siding on the first floor, board and batten siding on the second story, upgraded windows with white trim, and new garage doors, which reflects design elements popular in the Capitola area. The horizontal siding at the gable ends on the new single-family residence compliments the use of horizontal siding on the first story of the duplex.

Tree Removal

The applicant is proposing to remove the two queen palms on the front portion of the property and replace them with four new trees. In addition, the applicant is required to plant an additional 14 new trees, which are required as part of the previous tree removal.

CEQA

Section 15303(a) of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone. This project involves construction of a new single-family residence subject to the RM-L (Residential Multifamily – Low Density) zoning district.

Section 15315 of the CEQA Guidelines exempts Minor Land Divisions in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning. This project involves a minor land division that creates two condominium units, which is in compliance with zoning and the General Plan. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission approve application #19-0169, subject to the following conditions and based upon the following findings:

CONDITIONS OF APPROVAL

1. The project approval consists of a tentative parcel map for a two-lot subdivision, a minor land division creating two condominium units, and a design permit for a new single-family residence. The maximum Floor Area Ratio for the 5,853-square-foot property with the new single-family residence is 49% (2,868 square feet). The total FAR of the project is 40% with a total of 2,335 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 3, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0169 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan (Temporary Construction BMPs) shall be submitted to the City and approved by the Public Works Director. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16.100 Construction Site Storm Water Runoff Control. All improvements shall be installed prior to the start of construction and shall be maintained throughout project duration.

11. Prior to issuance of building permits, the applicant shall submit a Stormwater Control Plan, Bioretention Construction Checklist, and detailed draft Stormwater Operation and Maintenance Plan prepared and certified by a Registered Civil Engineer in accordance with the current Post Construction Requirements (PCRs) for a Tier 2 project for review and approval by the Public Works Director.
12. Prior to the issuance of the building permit the applicant shall submit plans detailing all improvements or modifications that impact or interface with the public right of way. At a minimum these details will include the limits of any existing or proposed curb drains, ADA compliant driveway approach, or any other modification to the curb/gutter/sidewalk. The extent of all improvements or modifications shall be limited to those areas fronting the property boundary and shall not impact the frontage of any adjacent parcels.
13. Prior to any land disturbance, applicant shall notify the Public Works Department 24 hours in advance for a pre-site inspection to be conducted by the grading official to verify compliance with the approved erosion and sediment control plan. All temporary sediment and erosion control best management practices (BMPs) shall be maintained throughout the project duration.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. The driveway approach shall be replaced to meet ADA standards along Clares Street.
17. Engineer of Record to inspect construction of stormwater management improvements and certify to the City that the construction meets the intent of the approved design drawings, Stormwater Control Plan, and City Post Construction Requirements.
18. Engineer of Record to provide record drawings of the constructed improvements.
19. Prior to final occupancy approval the applicant shall submit a final Operation and Maintenance Plan including any revisions resulting from changes made during construction for review, approval and recorded in the Office of the County Recorder by the Public Works Director.
20. Prior to final occupancy approval the applicant shall enter into and record in the Office of the County Recorder, any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership, right-of-entry for inspection or abatement, and/or long-term maintenance of the stormwater treatment BMPs.

21. Prior to issuance of a Certificate of Occupancy, the applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 2 palm trees to be removed from the property. Replacement trees shall be planted at a 2:1 ratio. In addition, the applicant shall plant 14 new trees, which were required as part of a previous tree removal permit for a joint development project at 4199 and 4201 Clares Street. Required replacement trees shall be of the same size, species and planted on the site as shown on the approved plans.
22. Trees approved for removal within this development application may not be removed prior to issuance of a building permit.
23. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
24. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
25. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
26. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
27. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
28. The Applicant shall prepare and submit a parcel map showing the original parcel and the parcels being created by the lot division with pertinent supporting data. Said map shall be filed with the Public Works Department with the appropriate review fees for review by the City Surveyor. Said parcel map shall be prepared by a licensed land surveyor who shall be responsible for responding to comments until the map is acceptable to the Public Works Department.
29. All plans and profiles of improvements shall be approved by the Public Works Director prior to issuance of the building permit, and the construction of said improvements shall be in accordance with the City Specifications and shall be inspected by the Public Works Director or his authorized agent, subject to fees appropriate for the services.
30. Prior to recording of the parcel map, either all street and utility improvements, as required by the Public Works Department (i.e. curbs, gutters, sidewalks, paving, etc.) shall be completed or the developer must enter into a subdivision agreement with the Public Works Department which will include bonding for street and utility improvements.

31. Prior to the recordation of the parcel map, the applicant shall submit new legal descriptions for each lot for review by the Community Development Director.
32. Available and necessary utilities, including CATV (cable television service) hookup facilities, with connections to each lot within the subdivision, shall be constructed in accordance with the utility's requirements. All utilities shall be underground.
33. 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.

FINDINGS

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed tentative parcel map for a two-lot subdivision, minor land division creating two condominium units, and design permit for a new single-family residence comply with the development standards of the RM-L District. The project secures the purpose of the General Plan and design policies and regulations adopted by the City Council.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for a tentative parcel map for a two-lot subdivision, minor land division creating two condominium units, and design permit for a new single-family residence. The project complies with all applicable provisions of the zoning code and municipal code.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

This construction of a new single-family residence is categorically exempt under Section 15303(a) of the CEQA Guidelines, which exempts the construction of a single-family residence in a residential zone.

The subdivision and minor land division are categorically exempt under Section 15315 of the CEQA Guidelines, which exempts Minor Land Divisions in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning. This project involves a two-lot subdivision and a minor land division creating two condominium units that are in compliance with zoning and the General Plan. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed tentative parcel map for a two-lot subdivision, minor land division creating two condominium units, and design

permit for a new single-family residence will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

The Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application. The proposed tentative parcel map for a two-lot subdivision, minor land division creating two condominium units, and design permit for a new single-family residence complies with all applicable design review criteria in Section 17.120.070.

F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the tentative parcel map for a two-lot subdivision, minor land division creating two condominium units, and design permit for a new single-family residence. The design of the home with small front porch and stucco siding with horizontal siding at the gable ends will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

G. The application is consistent with the Subdivision Map Act and local Subdivision Ordinance.

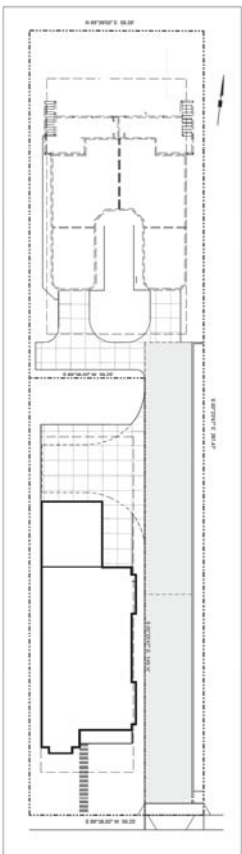
The subdivision was designed in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto. Per the Subdivision Map Act, the proposed map is consistent with the General Plan and Local Coastal Plan, is physically suited for the proposed type and density of development, will not likely 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.

ATTACHMENTS:

1. 4199 Clares Street - #19-0169 - Full Plan Set - 07.05.2019
2. 4199 Clares Street - Condominium Plan - 09.26.2019
3. 4199 Clares Street - Central Fire Protection District - Service Confirmation
4. 4199 Clares Street - SC County Sanitation - Sewer Availability
5. 4199 Clares Street - SCWD Water Service Letter

Prepared By: Matt Orbach
Associate Planner

APN: 034-222-05



PROJECT LOCATION:	4196 CLARES STREET CANTOIA, CA 95019
ADJACENT PARCEL NUMBER:	034-222-05
OWNER:	DANTA CHINESE URBAN SOLUTIONS, LLC 441 CLARES STREET CANTOIA, CA 95019
LOT AREA:	11,544.1 SQ FT
ZONING:	RM-1.5A

PROJECT DESCRIPTION:
THIS IS A REQUEST FOR A TENTATIVE PACE, MAP FOR A TWOLOT SLEWISVILLE, A DESIGN PERMIT FOR A NEW SINGLE-FAMILY RESIDENCE, AND A CONDITIONAL USE PERMIT FOR A COMMERCIAL CONVERSION OF AN EXISTING DUPLEX LOCATED WITHIN THE RAIL RESIDENTIAL, MULTIFAMILY - LOW DENSITY ZONING DISTRICT.

BEARINGS FOR THIS SURVEY WERE CALCULATED BASED ON THE USE BETWEEN TWO FOUND MONUMENTS, A 2" IRON PIPE & NAL PER 22-PUL-16 AND A 1/2" IRON PIPE LS 3293 PER 67-44-2

AN ASSUMED ELEVATION OF 100.00 FEET WAS USED ON A 7'x10'x12' BION PBE, L.S. 323, STANDING AT THE NORTHEAST CORNER OF THIS PROPERTY.

[illegible]

CUT: 111 CY
FILL: 0 CY
EXPORT: 111 CY
IMPORT: 0 CY
DISTURBED AREA: 11,510 SF

NOTE: EARTHWORK QUANTITIES SHOWN ARE APPROXIMATE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INDEPENDENTLY ESTIMATE QUANTITIES FOR BIDDING PURPOSES. DOES NOT

INCLUDE ROAD PAYMENT, UTILITY SPECIALS, DRAINAGE OR SELL. EXCESS EARTH SPECIALS SHALL BE EXPORTED TO SANTA CRUZ COUNTY LANDFILL OR OTHER APPROVED SITE.

4199 CLARES STREET, CAPITOLA, CA 95010

NPN 006-222-01

[illegible][illegible]

4.106.2 A PLAN MUST BE DEVELOPED AND IMPLEMENTED TO MANAGE STORM WATER DRAINAGE DURING CONSTRUCTION.

4.106.3 THE SITE SHALL BE GRADED TO KEEP WATER AWAY FROM BUILDINGS.

GRADING PLAN SHALL INDICATE HOW GRADING OR A DRAINAGE SYSTEM WILL MANAGE ALL SURFACE WATER FLOWS.

4.303.1 WATER CONSERVING PLUMBING FIXTURES AND FITTINGS SHALL

COMPLETELY WITHIN THE FOLLOWING:
4.30.3.1.1 WATER CLOSET: THE EFFECTIVE FLUSH VOLUME OF ALL W.C. SHALL NOT EXCEED 1.9 GAL. PER FLUSH. TANK-TYPE W.C. SHALL BE CERTIFIED U.S.E.P.A. WATERSEALING SPECIFICATIONS. 4.30.3.1.2 SINGLE SHOWERS: SHOWERS SHALL HAVE A MAX. FLOW RATE OF 1.5 GAL. PER MIN. ± 50 PSI WHICH ALSO APPLIES TO MULTIPLE SHOWERS. 4.30.3.1.3 LAVS: MAX. IS 1.2 GPM.

4.304.1 AUTOMATIC IRRIGATION SYSTEMS CONTROLLERS INSTALLED AT THE TIME OF FINAL INSPECTION SHALL BE WEATHER-BASED.

ENHANCED DURABILITY AND REDUCED MAINT.
440A-1 Joints and openings, annular spaces around pipes, electric cables, conduits or other openings in plates at exterior walls shall be protected against the passage of rodents by closing such openings with cement mortar, concrete, masonry or similar method acceptable to the engineering agency."

4,408.1 A MIN. OF 65% OF THE CONSTRUCTION WASTE GENERATED AT THE SITE IS
DIVERTED TO RECYCLE OR SALVAGE.

4.408.2 WHERE A LOCAL JURISDICTION DOES NOT PROVIDE A CONSTRUCTION AND WASTE MANAGEMENT ORDINANCE, A CONSTRUCTION WASTE MANAGEMENT PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE ENFORCING AGENCY.

THE BUILDING OCCUPANT OR OWNER.

4.803.1 ANY INSTALLED GAS FIREPLACE SHALL BE A DIRECT-VENT SEALED COMBUSTION TYPE, ANY INSTALLED WOOD STOVE OR PELLET STOVE SHALL

COMPLY WITH EPA PHASE II EMISSION UNITS WHERE APPLICABLE, LODGE PELLET STOVE, AND FIREPLACES SHALL ALSO COMPLY WITH APPLICABLE LOCAL CODES.

4.304.2.1 ADHESIVES, SEALANTS AND CHALKS SHALL COMPLY WITH VOC AND

TOXIC COMPOUND LIMITS.

WITH VOC LIMITS OF:
4.804.23 AEROSOL PANTS AND COATINGS SHALL BE COMPLIANT
WITH PRODUCT WEIGHTED MFG LIMITS FOR VOC AND OTHER TOXIC COM

4.504.2.4 DOCUMENTATION SHALL BE PROVIDED TO VERIFY THAT COMPLAINT VOC LIMIT FINISH MATERIALS HAVE BEEN USED.
4.504.3 CASING AND CANNED SYSTEMS SHALL BE COMPLAINT WITH VOC LIMIT.
4.504.3 RESILIENT FLOORING SHALL, WHERE INSTALLED, 80% OF THE AREA SHALL COMPLY WITH ONE OR MORE OF THE FOLLOWING:

4. MEET THE DEPT. OF PUBLIC HEALTH, STD. METHOD FOR THE TESTING AND ELAV. OF VOLATILE

ORGANIC CHEMICAL EMISSIONS FROM INDOOR SOURCES USING ENVIRONMENTAL CHALLENGERS¹ 450-5. COMPOSITE UP PRODUCTS, UNBONDING FLOOR, PARTICULATE, FIBERGLASS COMPOSITE AND PRODUCTS USED ON THE INT. OR EXT. OF THE BUILDING SHALL MEET THE REQ. FOR FORMALDEHYDE AS SPEC'D IN AREA'S AIR TOXICS CONTROL. FLOORING FOR COMPOSITE ID. 17 COR. 3/10 57 625.0, BY OR BEFORE THE DATES SPEC'D IN THOSE SECTIONS, AS SHOWN I TABLE PLUYGOD USED IN INTERIOR FINISH SYSTEMS SHALL COMPLY WITH LOW FORMALD-

4.505.2 VAPOR RETARDER AND CAPILLARY BREAK IS INSTALLED A SLAB ON GRADE FOUNDATIONS.

4.505.3 MOISTURE CONTENT OF BUILDING MATERIALS USED IN WALL AND FLOOR FRAMING IS CHECKED BEFORE ENCLOSURE.

PROVIDED IN EVERY BATHROOM.
ENVIRONMENTAL COMFORT

4.5012 HEATING AND AIR-CONDITIONING SYS. DESIGN. HEATING AND A/C SYSTEMS SHALL

1. THE HEAT LOSS AND HEAT GAIN IS ESTABLISHED ACCORDING TO ANSI/ACCA MANUAL J - 2011 (RESIDENTIAL LOAD CALC), ASHRAE HANDBOOKS OR OTHER EQUIV

DESIGN SOFTWARE OR METHOD.
2. SIZE DUCT SYSTEMS ACCORDING TO ANSI/ACCA 3 MANUAL D-2014 OR EQUIV

QUALIFICATIONS

7021 HVAC SYSTEM INSTALLERS ARE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION

OF HVAC SYSTEMS.
7023 SPECIAL INSPECTORS EMPLOYED BY THE ENFORCING AGENCY MUST BE QUALIFIED AND
ABLE TO DEMONSTRATE COMPETENCE IN THE DISCIPLINE THEY ARE INSPECTING.

PLANS, SPECIFICATIONS, BUILDER OR INSTALLER CERTIFICATION, INSPECTIONS, REPORTS, OR OTHER METHODS ACCEPTABLE TO THE ENGINEERING AGENCY (WHICH SHALL BE INSTANT COMPLIANCE

GENERAL CONTRACTOR OR OWNER/BUILDER WILL SUBMIT ALL DOCUMENTS REQUIRED BY THE GREEN CODE.

RECOMMENDED SUBCONTRACTORS:

REUTER, BOB - 946-791-0333 - FLEMING
CAPITAL CITY BUCKO - 744-60 - 683-809
ADVANCE HEAT & AIR - RICK - 946-253-3663
CA-CONCRETE - BOB - 946-24-4993
BRYAN GREEN CONST. - FRANKIE/ FOND - 946-636-7253
HOLLAND FIRE & FLUME - JEFF - 946-214-1051
JOHNNY GUNLAN - TILL - 946-424-4443
DOLARCO, INC. - CHRISTIAN - 877-271-7666
DAVID CRYSTALIAN FLEMING - 550-671-0778

AO, COVER

A1. FLOOR PLAN
A2. ELEVATIONS
A3. SECTION AA
A4. FOUNDATION
A5. ROOF

GLORIOSO DESIGN
BY JEFF GLORIOSO

417 CROW CANYON
FOLSOM, CALIF.

988-0464

APN: 032-222-05

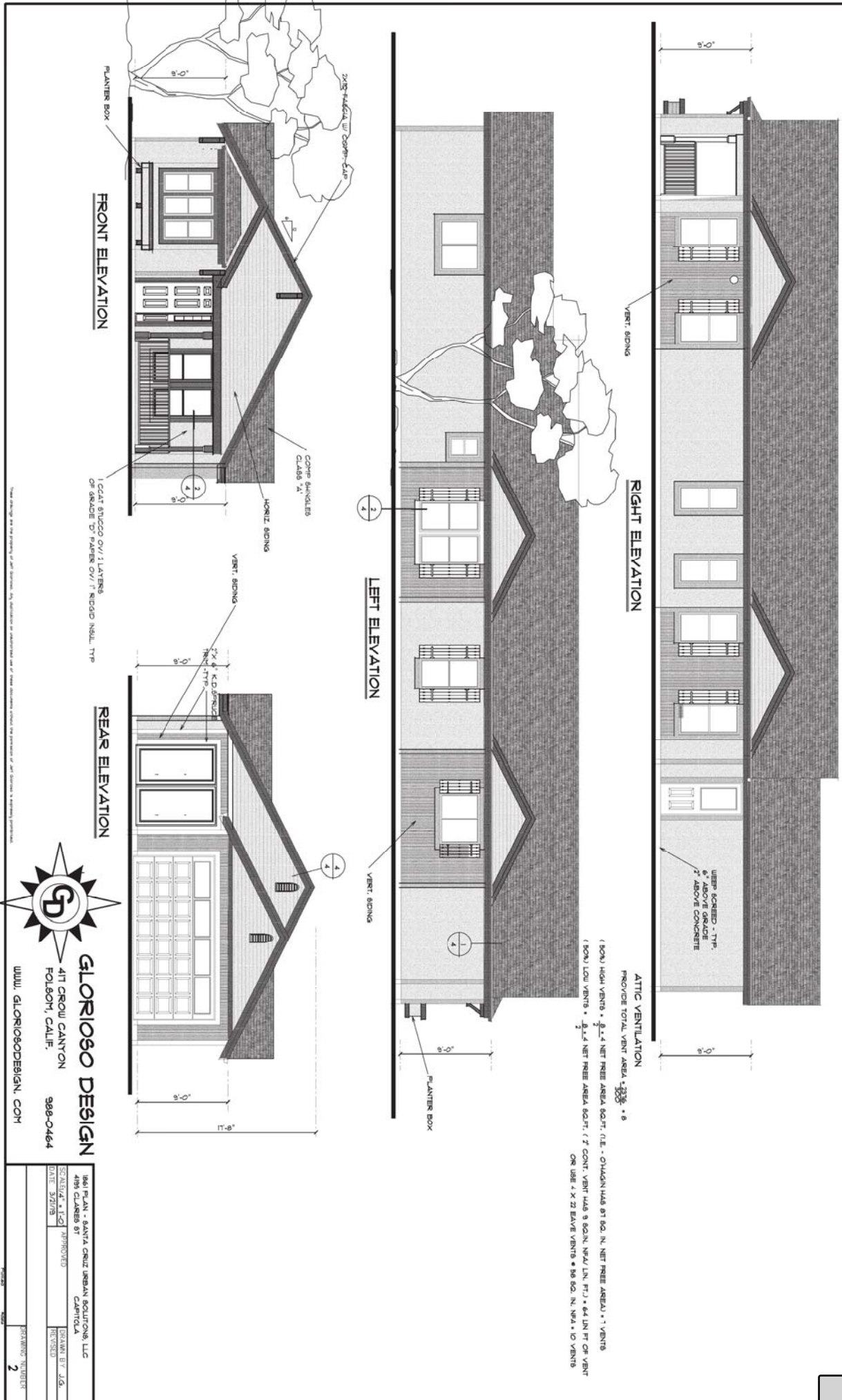
SINGLE FAMILY RESIDENCE

DO NOT SCALE DRAWINGS!

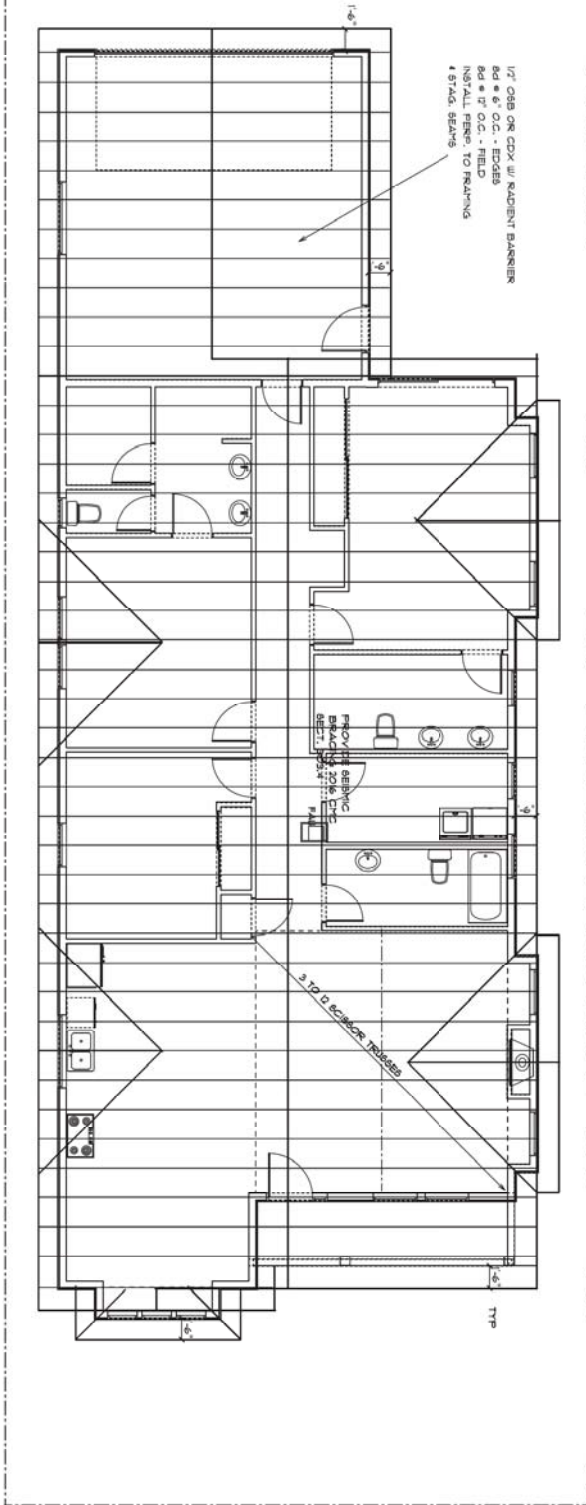
ADDRESS -

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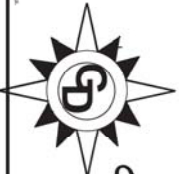




APPROVED ONLY FOR TRUSS LAYOUT
BY WEEKS LUMBER - PH, 714-5230



ROOF FRAMING PLAN

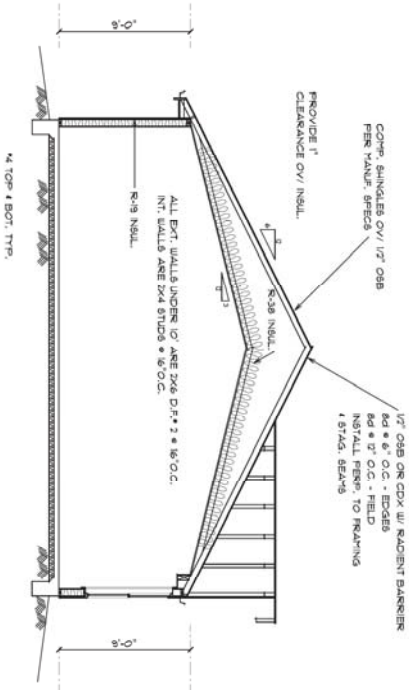


GLORIOSO DESIGN
417 CROW CANYON
FOLSOM, CALIF.
956-0464
WWW.GLORIOSODESIGN.COM

PRELIMINARY PLANS

A19 PLAN - HOUSE		CAPTOLA	
419 CLARES ST		DRAWN BY J.S.	
SCALE - 1/8"	APPROVED	REVISD	
DATE 3/27/19			
PROJECT NUMBER		6	

1	EAVE DETAIL	2	SILL DETAIL	3	RECESSED WINDOW	4	GABLE END DET.	5	EAVE DETAIL	6	ROOF TO WALL



GLORIOSO DESIGN
411 CROW CANYON
FOLSOM, CALIF. 95604-64
WWW.GLORIOSODESIGN.COM

361 PLAN - SANTA CRUZ URBAN SOLUTIONS, LLC	DESIGN NUMBER
4199 CLARES ST	3
SCALE: 1/8" = 1'-0"	
DATE: 3/27/19	
DESIGNED BY: J.G.	
CHECKED BY: J.G.	

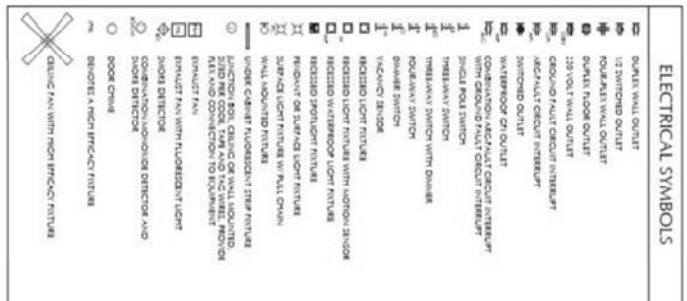
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TABLE 1.50.0-A CLASSIFICATION OF HIGH EFFICACY LIGHT SOURCES

[illegible]PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

1. ALL BATH, KITCHEN AND OUTDOOR OUTLETS TO BE PROTECTED BY GFI
2. REPLACE BEDROOM OUTLETS W/ AFCI BREAKER OUTLETS.
3. OCCUPANCY & MOISTURE DETECTION REQUIRED IN BATHROOMS.
4. EXISTING ROUGH WIRING TO REMAIN.

1. REPLACE ALL OUTLETS & SWITCHES W/ CODE COMPLIANT DEVICES.
2. INSTALL NEW LIGHTING AS NOTED IN PLAN.
3. ADD NEW BATH FAN, AS NEEDED.
4. ADD ISLAND COUNTER IN KITCHEN.
5. REPLACE BASEBOARD HEATERS.
6. REPLACE APPLIANCES.
7. REPLACE ALL DOORS.
8. INSTALL GAS LINE TO STOVE & STUB TO BACK YARD FIRE PIT.
9. TO REMOVE & REPLACE INSULATION AND DRYWALL, AS NEEDED.
11. REFINISH SINGLE PANE WINDOWS W/ DOUBLE PANE WINDOWS - SAME SIZES.
12. REPLACE EXISTING SUBFLOOR W/ NEW PANELED & BREAKERS.

[illegible]



GENERAL NOTES

1. REPLACE ALL OUTLETS & SWITCHES W/ CODE COMPLIANT DEVICES.
2. INSTALL NEW LIGHTING AS NOTED IN PLAN.

3. REPLACE BUILT IN FIXTURES AS NEEDED.
4. ADD 2 NEW BATH FANS.
5. ADD ISLAND COUNTER IN KITCHEN.
6. REPLACE BOILER & BASEBOARD HEATERS.
7. REPLACE APPLIANCES.
8. REPLACE GARAGE DOORS.
9. INSTALL GAS LINE TO STOVE & STUB TO BACK YARD FIRE PIT.
10. REMOVE & REPLACE INSULATION AND DRYWALL AS NEEDED.
11. RELOCATE SINGLE PANE WINDOWS W/ DOUBLE PANE WINDOWS - SAME SIZES
12. REPLACE EXISTING SUBFLOOR W/ DOUBLE PANE & BREAKERS.

ELECTRICAL SYMBOLS

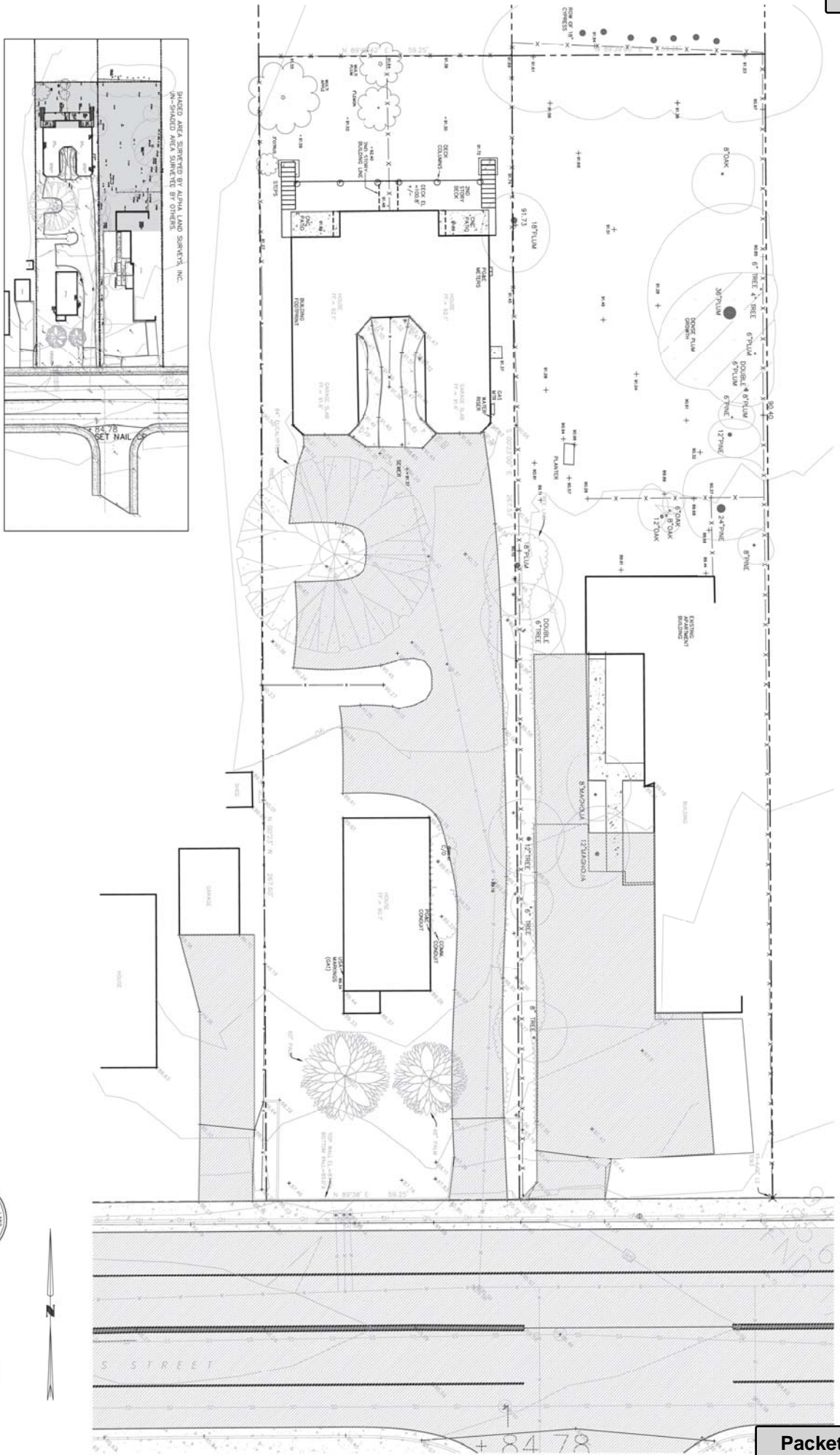
	DUPLEX WALL OUTLET
	1/2 SWITCHED OUTLET
	ROMEX WALL OUTLET
	DUPLEX FLOOR OUTLET
	10/10V WALL OUTLET
	GROUND FAULT CIRCUIT INTERRUPTER
	ARC FAULT CIRCUIT INTERRUPTER
	SWITCHED OUTLET
	COMBINATION ARC FAULT CIRCUIT INTERRUPTER WITH GROUND FAULT CIRCUIT INTERRUPTER
	SINGLE POLE SWITCH
	THREE-WAY SWITCH
	BREAKAWAY SWITCH WITH DOUBLE BREAKAWAY SYMBOL
	VACUUM SWITCH
	RECIRCULATED LIGHT FIXTURE
	RECIRCULATED LIGHT FIXTURE WITH MOTION SENSOR
	RECIRCULATED WATERPROOF LIGHT FIXTURE
	RECIRCULATED NIGHTLIGHT FIXTURE
	PLUG-IN OR HARD-WIRED LIGHT FIXTURE
	SELF-CONTAINED NIGHTLIGHT WITH FULL ON/OFF WALL-CONTROLLED SWITCH
	UNDER CABINET FLOODLIGHTING TYPE LIGHT FIXTURE
	RECESSED LED CEILING OR WALL MOUNTED SIZE 60mm x 150mm and 150mm x 60mm, REMOTE CONTROL AND CONNECTION TO EQUIPMENT
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR
	DOOR CHIME
	DENOTE A HIGH-EFFICACY FIXTURE

CEILING FAN WITH MOTION EFFICACY FIXTURE

[illegible]

LUMINAIRE INSTALLED WITH ONLY THE LIGHTING TECHNOLOGIES IN THIS TABLE WILL BE CLASSIFIED AS HIGH EFFICIENCY DOWNLIGHT SOURCE	
<p>LIGHT SOURCES IN THIS CATEGORY OTHER THAN DOWNLIGHT SOURCES IN THIS CATEGORY ARE NOT ELIGIBLE FOR ENERGY STAR CERTIFICATION. DOWNLIGHT SOURCES ARE CLASSIFIED AS HIGH EFFICIENCY AND ARE NOT ELIGIBLE FOR ENERGY STAR CERTIFICATION IF THEY ARE:</p> <ol style="list-style-type: none"> 1. FLEXIBLE BEAMS OF DOWNLIGHT FLUORESCENT LIGHT SOURCES 2. NON-RECYCLED ALUMINUM DOWNLIGHT SOURCES 3. ALLY SOURCE TYPE DOWNLIGHT SOURCES 4. DOWNLIGHTS WITH A DOWNLIGHT FLUORESCENT LIGHT SOURCE 5. DOWNLIGHTS WITH A DOWNLIGHT FLUORESCENT LIGHT SOURCE 6. DOWNLIGHTS WITH A DOWNLIGHT FLUORESCENT LIGHT SOURCE 7. DOWNLIGHTS WITH A DOWNLIGHT FLUORESCENT LIGHT SOURCE 8. DOWNLIGHTS WITH A DOWNLIGHT FLUORESCENT LIGHT SOURCE 9. DOWNLIGHTS WITH A DOWNLIGHT FLUORESCENT LIGHT SOURCE 10. DOWNLIGHTS WITH A DOWNLIGHT FLUORESCENT LIGHT SOURCE 	<p>LIGHT SOURCES IN THIS CATEGORY SHALL BE CERTIFIED TO THE COMMISSION AS HIGH EFFICIENCY DOWNLIGHT SOURCES AND BE MARKED AS MEETING ALL APPLICABLE REQUIREMENTS.</p>
<p>LIGHT SOURCES IN THIS CATEGORY SHALL BE CERTIFIED TO THE COMMISSION AS HIGH EFFICIENCY DOWNLIGHT SOURCES AND BE MARKED AS MEETING ALL APPLICABLE REQUIREMENTS.</p>	<p>LIGHT SOURCES IN THIS CATEGORY SHALL BE CERTIFIED TO THE COMMISSION AS HIGH EFFICIENCY DOWNLIGHT SOURCES AND BE MARKED AS MEETING ALL APPLICABLE REQUIREMENTS.</p>

[illegible]



REFERENCES & NOTES

- (A) 23-PM-18
- (B) DEED SERIAL NO. 2015-0024079
- (C) 67-M-2

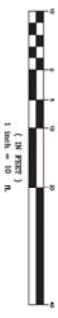
BASE OF BEARINGS

BEARINGS ARE BASED UPON A CALCULATED BEARING FROM THE SURVEYED POINTS TO THE POINT OF BEGINNING SHOWN HEREON AND AS SHOWN ON THAT CERTAIN PLAT MAP OF THE CITY OF SANTA CRUZ COUNTY, CALIFORNIA, THAT WOULD ONLY BE REVEALED ON A TITLE REPORT.

NOTES

A TITLE REPORT WAS NOT PROVIDED FOR THIS SURVEY. THE BEARINGS AND DISTANCES SHOWN HEREON ARE BASED UPON THE RECORD MAPS AND THE CURRENT DEED FOR THE PROPERTY. THERE MAY BE ADDITIONAL EASEMENTS OR INTERESTS IN THE PROPERTY THAT WOULD ONLY BE REVEALED ON A TITLE REPORT.

SCALE



JAN-PHIL HAPPEL, PLS 8807

ALPHA LAND SURVEYS, INC.

444 SOUTH VALLEY ROAD, SUITE 100, SAN JOSE, CA 95131	15000 MARINE WAY, SUITE 100, SAN JOSE, CA 95131
(408) 288-1433	(408) 288-1433
DATE: 12/17/19	2019 2019-07
SANTA CRUZ COUNTY	SANTA CRUZ COUNTY
SHEET 1	OF ONE

Packet Pg. 69

GENERAL NOTES

6. CONSTRUCTION CONTRACTOR SHALL BE RESPONSIBLE THAT A LICENSED PROFESSIONAL ENGINEER SHALL BE REQUIRED TO ASSIST WITH THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FOR THE PROTECTION OF ALL EXISTING STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FOR THE PROTECTION OF ALL EXISTING STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
7. CLARE STREET TRAFFIC SHALL BE OPEN IN EACH DIRECTION DURING THE PEAK TRAFFIC HOUR OF 7:00 AM TO 3:00 PM TO 3:00 PM TO 5:00 PM. THE MINIMUM ONE LANE OPEN AT ALL TIMES.
8. PLANS SIGNED BY THE CITY ENGINEER SHALL BE IN THE CONTRACTOR'S POSSESSION PRIOR TO BEGINNING ANY WORK ON PUBLIC IMPROVEMENTS ON ANY CITY-CONTROLLED ROAD.
9. THE CONTRACTOR SHALL CONDUCT OPERATIONS IN ACCORDANCE WITH THE REQUIREMENTS IN REGARD TO NOISE CONTROL, A NOISE OPERATION PLAN, AND A CONSTRUCTION SCHEDULING PLAN.
10. CONCRETE PAVEMENT SHALL BE CONSTRUCTED FROM 2,000 PSI MINIMUM 8" DOWNSIDE CONCRETE PER THE REQUIREMENTS OF THE SOils SECTION. THE CONCRETE SHALL BE PLACED IN A MINIMUM OF 12 INCHES OVER 6 INCHES OF COMPACTED CLASS 2 AGGREGATE BASE. THE EDGE SECTION SHALL BE FINISHED OVER THE OTHER SIDE OF THE ROAD. THE MINIMUM OF 12 INCHES, A FREE PAVEMENT EDGE IS DEFINED AS ANY PAVEMENT DOWNSIDE WHERE LOAD TRANSFER TO ADJACENT AREAS IS NOT POSSIBLE. SUCH ADJACENT TO DOWNSIDE ON ALL TRANSITIONS TO PAVED.
11. ALL WORK PERFORMED IN THE CONTRACT SHALL CONFORM TO THE COUNTY OF SANTA CRUZ:
 - A. THE LATEST STANDARD PLANS AND SPECIFICATIONS OF THE COUNTY OF SANTA CRUZ.
 - B. PROJECT SPECIFICATIONS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF PUBLIC AND PRIVATE PROPERTY ADJACENT TO THE WORK.
13. ALL WORK IN THE PUBLIC RIGHT-OF-WAY REQUIRES APPROVAL BY THE CITY OF SANTA CRUZ. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FOR THE PROTECTION OF ALL EXISTING STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
14. THE GEOTECHNICAL ENGINEER IS TO APPROVE THE KEY OR BOTTOM OF EXCAVATION AND LEAVE A CERTIFICATE ON THE SITE FOR THE CITY INSPECTOR. THE CITY INSPECTOR SHALL BE NOTIFIED BEFORE ANY EXCAVATION. THE CITY INSPECTOR SHALL BE NOTIFIED BEFORE ANY EXCAVATION. THE CITY INSPECTOR SHALL BE NOTIFIED BEFORE ANY EXCAVATION.
15. REGISTERED DENSITY GRADING INSPECTOR IS REQUIRED ON GRADING AND FOUNDATION EARTHWORK WHERE CUT OR FILL SLOPES EXCEEDS 3:1. THE INSPECTOR SHALL BE REQUIRED TO SIGN A CERTIFICATE OF FOUNDATION EXCAVATION BELOW A 1" PLANE FROM PROPERTY LINE. OR PROJECTS THAT INVOLVE UNUSUAL HAZARDS.
16. ALL GRADING SLOPES SHALL BE PLANTED AND SPRINKLERED.
17. HAZARDOUS FILL SHALL BE COMPACTED TO A MINIMUM RELATIVE COMPACTION OF 90% CHRONSELS-SOILS WITH LESS THAN 15% FINER THAN 0.075 mm REFINER 95% COMPACTION.
18. TEMPORARY EROSION CONTROL TO BE INSTALLED BEFORE CUTTING AND FILLING. EROSION CONTROL TO BE INSTALLED BEFORE CUTTING AND FILLING. EROSION CONTROL TO BE INSTALLED BEFORE CUTTING AND FILLING.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF PUBLIC WORKS APPROVAL OF PROPOSED PROCEDURES.

PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

SITE PLAN NOTES

1. LAND IS SITED IN AREA 11, STANISLAUS COUNTY, TO BE BUILT FAMILY HOME
2. APN 314-322-015 LOT 1661 1/4 AC. 51'
3. LOT CORNER
4. PLYING
5. LOT 1 - 46%
6. LOT 2 - 31%
7. LOT CORNER
8. LOT 1 - 2 SPACED IN CORNER
9. LOT 2 - 2 SPACED IN CORNER 2 PLACES IN CORNERS
10. OWNER: SANTA CRUZ LAND DEVELOPMENTS, LLC
CARPENA, CA 95010
11. PROJECT DESCRIPTION:
A. MAJOR LAND DIVISION INTO TWO FEASIBLE PARCELS
B. CONSTRUCT SINGLE FAMILY HOME ON LOT 1
C. CREATE TWO CONDOMINIUM UNITS ON LOT 2

LEGEND

	FLOORLIGHT
	UNLIGHT
	EXT. WALL SCONCE
T	VISTA 300 WATT MT SERIES TRANSFORMER
	DOWNSPOUT & SPLASH BLOCK

SCALE: 1" = 10'

0 10 20

IF PHYSICAL DISTANCE ACROSS SCALE BAR IS NOT EXACTLY TWO (2) INCHES ADJUST SCALE ACCORDINGLY.

PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

[illegible]

SCALE: 1" = 10'

 $\Delta t = 10$

6" DECORATIVE STAMPED, COLORED CONCRETE
OVER 4" SAND OR CL. 2 AS W/ #3 REBAR @ 18" EN
PROVIDE 12" THICK SECTION AT ALL PAVEMENT EDGES

1. PARKING REQUIRED: 2 SPACES PER RESIDENCE. PARKING PROVIDED. 2 SPACES PER RESIDENCE.
2. MINIMUM SLOPE FOR CONCRETE SURFACES: 0.5%
MINIMUM SLOPE FOR AC SURFACES: 1.0%

NO SCALES

SCALE: 1" = 10'



0 10' 20'

IF PHYSICAL DISTANCE ACROSS SCALE BAR IS NOT EXACTLY TWO (2) INCHES, ADJUST SCALE ACCORDINGLY.

BY	DATE	DOC	DATE	REVISIONS		<p>CS1 Engineering 77 Salano Square #283 Berthia CA 94510 (707) 565-8612 www.cs1eng.com</p>		<p>4199 CLARES STREET, CAPITOLA, CA 95010</p>	<p>PAVEMENT & PARKING PLAN</p>	<p>SHEET C4</p>	<p>APN:034-224-06</p>
LA	12/19/18			ADDED ROAD PAVING NOTES							
LA	12/19/18										
LA	12/19/18										
LA	12/19/18										



4
C5

SIDE YARD CROSS SECTION

NO SCALE

SCALE: 1" = 1'



PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY.

PRELIMINARY PLANS
FOR PREVIEW PURPOSES ONLY

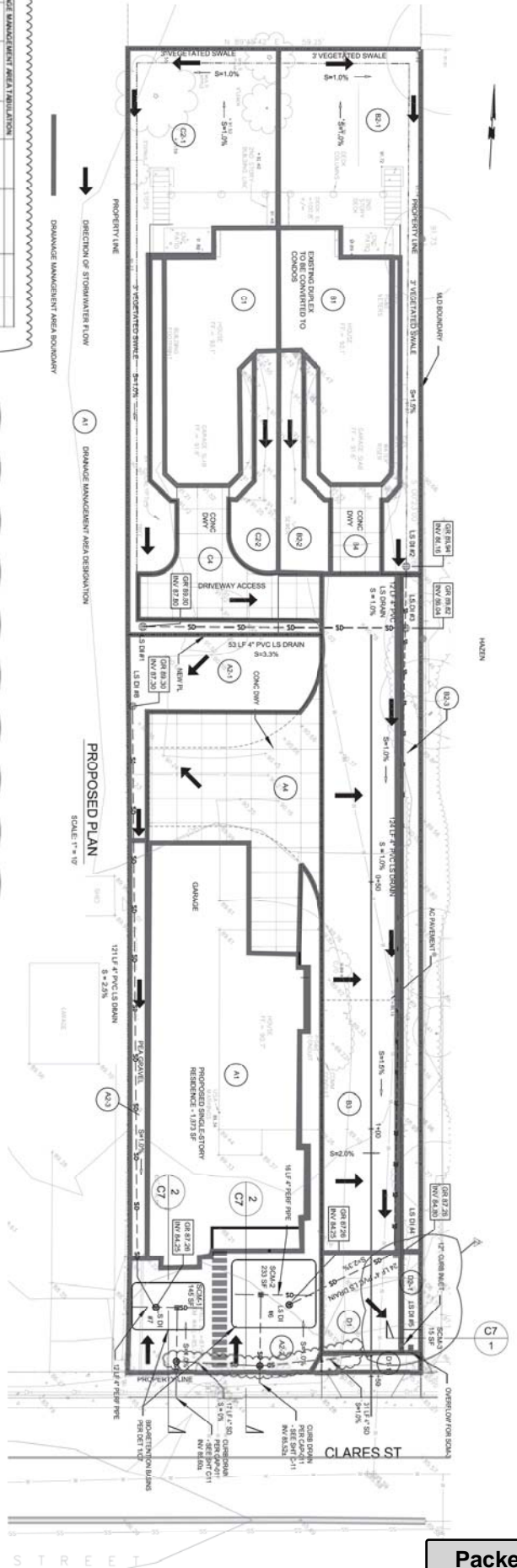


UTILITY NOTES

1. ALL PUBLIC UTILITIES ARE ALREADY INSTALLED IN PLACE
2. NO NEW PUBLIC UTILITIES ARE REQUIRED
3. ONE NEW PRIVATE UTILITY IS REQUIRED, SEE BEP, ACID
4. NEW 4" PVC LANDSCAPE DRAIN TO BE INSTALLED, SEE GRADING PLAN
5. UTILITY LOCATIONS SHOWN ARE ESTIMATE. CONTRACTOR TO FIELD VERIFY ALL UNDERGROUND UTILITIES PRIOR TO GRADING.

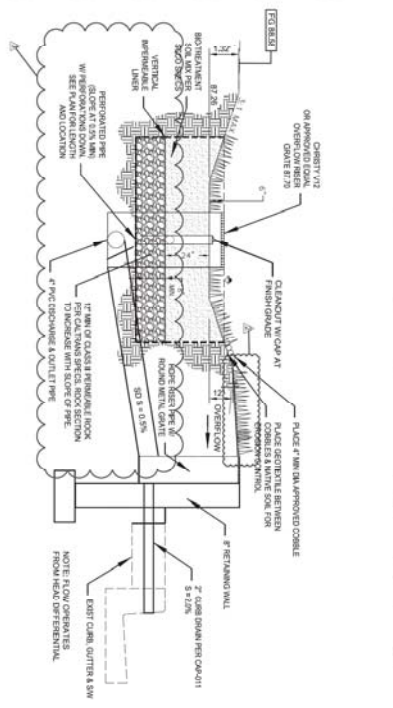
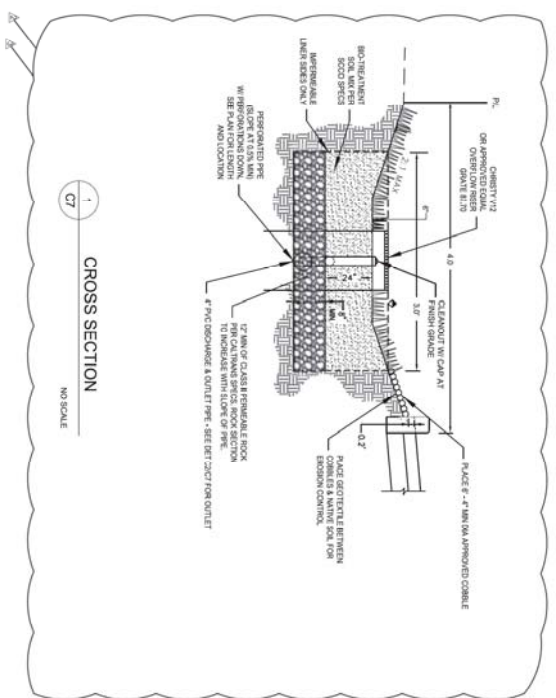
PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

CSI Engineering
Solano Square #283
Benicia, CA 94510
(707) 563-8612
www.csieng.com

[illegible]

POSSIBLE PLANTER NOTES

1. SET GRADING PLAN FOR BASIN FOOTING AND DESIGN ELEVATIONS.
2. PLACE LINES OF COMPOSTED, NON-FLAMMABLE EMULSION ASSETS BETWEEN STORMWATER ANTONS.
3. SEE LANDSCAPE PLAN FOR MULCH, PLANT MATERIALS AND PROPORTION REQUIREMENTS
4. A MINIMUM OF 20% OF THE STORM WATER INFLOW INTO AND AROUND LANDSCAPE FINISH GRADE.
5. DO NOT COMPACT NATIVE SOIL / SUBGRADE AT BOTTOM OF BASIN, LOGS/ROOTS, TO 12" DEPTH.



SCALE: 1" = 10'

0 10' 20'

IF PHYSICAL DISTANCE ACROSS SCALE BAR IS NOT EXACTLY TWO (2) INCHES, ADJUST SCALE ACCORDINGLY.

[illegible]



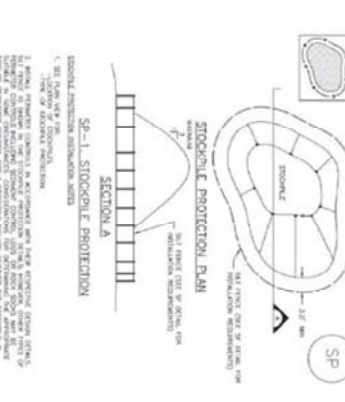
1. The work processes shall be designed so that the workers do direct work.
2. All work shall be executed in a safe manner.
3. All work shall be planned and organized so that the workers are not overworked.
4. All work shall be planned and organized so that the workers are not overworked.
5. All work shall be planned and organized so that the workers are not overworked.
6. All work shall be planned and organized so that the workers are not overworked.
7. All work shall be planned and organized so that the workers are not overworked.
8. All work shall be planned and organized so that the workers are not overworked.
9. All work shall be planned and organized so that the workers are not overworked.
10. All work shall be planned and organized so that the workers are not overworked.
11. All work shall be planned and organized so that the workers are not overworked.



4199 CLARES STREET, CAPITOLA, CA 95010

EROSION CONTROL PLAN

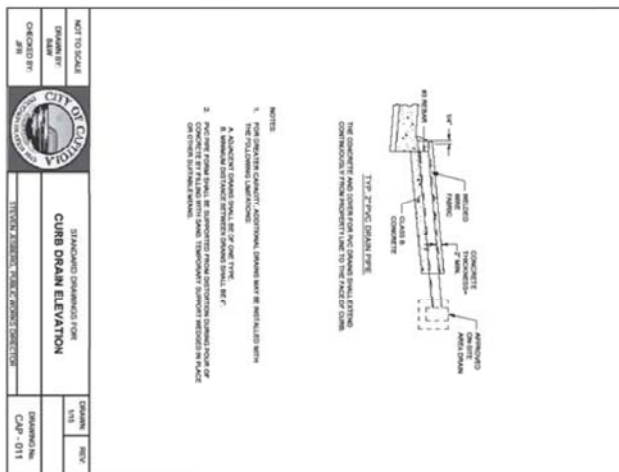
MMI-2

[illegible]

573

NO SCALE

4199 CLARES STREET, CAPITOLA, CA 95010	SHEET C9



NO SCALE

[illegible]

ALL PLANT MATING TO BE REMOVED EXCEPT THE PLANTED EXISTING ON PLANS. PLANT DEMO TO BE DONE WITH ROUNDER OR OTHER BROAD SPECTRUM SYSTEMS. HERBICIDE, ALL EXISTING PLANT MATERIAL, TO BE PROTECTED. ANY DAMAGE CAUSED BY CONTRACTORS WORK TO BE REPAIRED AT CONTRACTORS EXPENSE.

F TOPSOIL, 5 INCHES, 24 INCHES OF VIBRON SPEC'ING, VIBRON CORP OVER SOIL SURFACE AND BEFORE RESEEDING, HAS BEEN SOAKED OR STORED, IN 1 CUBIC YARD COMPOST TO 1 CUBIC YARDS TO 20%.

GRADE ALL SOIL SURFACES SMOOTH WITH NO LOCALIZED DEPRESSIONS EXCEEDING .05".

ALL AREAS SHALL SURFACE BROWN WITH INHIBIT SLOPE AWAY FROM ALL STRUCTURES AND PAVING. QUANTITIES ARE FOR AROUND BODING ONLY. CONTRACTOR TO VERIFY ALL QUANTITIES BEFORE CONSTRUCTION.

ALL PLANTING AREAS TO RECEIVE APPLICATION OF SELECTIVE PRE-EMERGENT HERBICIDE AFTER PLANTING.

CONTRACTOR TO PURCHASE ALL PLANTS UNLESS OTHERWISE ASSIGNED WITH LANDSCAPE DESIGNER.

ANY PLANT SUBSTITUTIONS TO BE APPROVED BY LANDSCAPE DESIGNER PRIOR TO PURCHASE.

CONTRACTOR TO LAY OUT PLANT MATERIAL, AS PER PLANS UNLESS HAVING LANDSCAPE DESIGNER FOR LAYOUT.

NO PLANTS TO BE PLANTED WITH ROOTBALLS NARYER THAN 18".

ALL PLANTS TO BE INSTALLED IN STAINLESS STEEL TUBES UNLESS OTHERWISE SPECIFIED.

PLANTING HOLES TO HAVE APPROX 20-25 GALLON-SLOW-RELEASE FERTILIZER TABLETS (OR STYLAR), NO FERTILIZER TO BE USED WITH ROOTBALLS AND GALS.

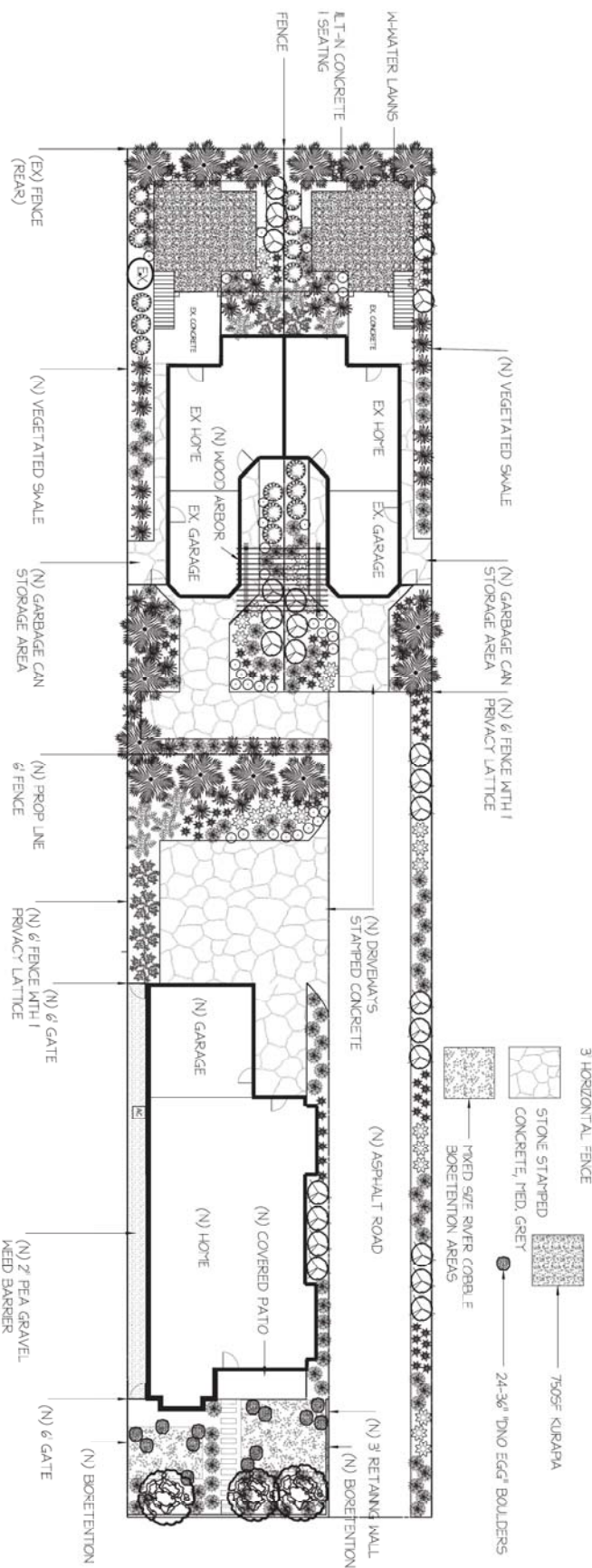
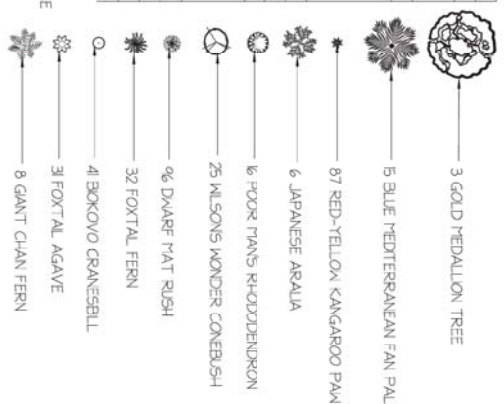
ALL NEWLY PLANTED MATERIAL, TO BE WATERED BY DEEP SOAKING WITH THREE HOURS OF PLANTING.

ALL PLANTED AREAS TO BE DRESSED WITH 3 VIBRON MAGNAMENT MONDELLTOLUNLESS OTHERWISE SPECIFIED.

CONTRACTOR RESPONSIBLE FOR SPREADING PROJECT, NOT COMPLETED AND APPROVED BY OWNER.

CONTRACTOR TO RESTING AND STRAIGHTEN ALL TREES, THIRTY DAYS AFTER INSTALLATION.

Qty	Botanical Name	Common Name	Size/Condition
Trees			
3	<i>Cassia leptophylla</i>	GOLD TRELLISON TREE	2 1/2" box
5	<i>Crotonos luteus</i> var. <i>argenteus</i>	BLUE MEDITERRANEAN FAN PALM	2 1/2" box
Shrubs			
87	<i>Argentanthus 'Yellow Gem'</i>	RED-YELLOW KANCAPOD PALM	5-gal
6	<i>Fatsia japonica</i>	JAPANESE ARALIA	5-gal
6	<i>Myrsine oliveri</i>	POOR MAN'S RHODODENDRON	5-gal
25	<i>Leucodendron 'Wendell's Wonder'</i>	W. SON'S WONDER CORNERSH	5-gal
Ornamental Grasses			
46	<i>Lomandra longifolia</i> 'Breeze'	DWARF PALT RUSH	1-gal
Perennials and Annuals			
32	<i>Acrocalyx confertus</i> 'Myers'	FORTAL FERN	5-gal
41	<i>Garcinia x caribbea</i> 'Bigelow'	BOCKOVO CRANESEAL	1-gal
8	<i>Modiola frondifera</i>	GIANT CHAIN FERN	5-gal
Succulents			
3	<i>Agave attenuata</i>	FORTAL AGAVE	5-gal
Groundcovers			
350 sq. ft.	<i>Lepido nodiflora</i>	KIRAPAPA	50 FT

[illegible]

Anna's Hummingbird
west coast native

DOUGLAS LANDSCAPE DESIGN
NICOLE W. DOUGLAS
Owner and Designer

Water/Wine Garden Design
Horticultural Consultation

douglaslandscapeesign@gmail.com
douglaslandscapeesign.com

831.359.3773

Packet Pg. 79

LANDSCAPE DESIGN

LARRY ANDREWS
SANTA CRUZ URBAN SOLUTIONS, LLC

4199 CLARES STREET
CAPTOLA CA 9500
707.372.6634
LANDREMS33@YAHOO.COM

DESIGNED BY:	Nicole W. Douglas
DATE:	6/12/2019

1 OF 1

LEGEND

111

IN BOOK 3174 UNL FMSL 013

LOT 1

PUBL. PROGRESS & COURSES.


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LAND DIVISION BOUNDARY

© 2004 Blackwell Publishing Ltd *Journal of Internal Medicine* 255: 101–108

EX UTILITY LINE

4199 CLARE



TENTATIVE PARCEL MAP

T1

11

PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

IF PHYSICAL DISTANCE ACROSS SCALE BAR IS NOT EXACTLY TWO (2) INCHES, ADJUST SCALE ACCORDINGLY.

SCALE: 1" = 10'

ICAL DISTANCE ACROSS SCALE
NOT EXACTLY TWO (2) INCHES,
LIST SCALE ACORDINGLY.

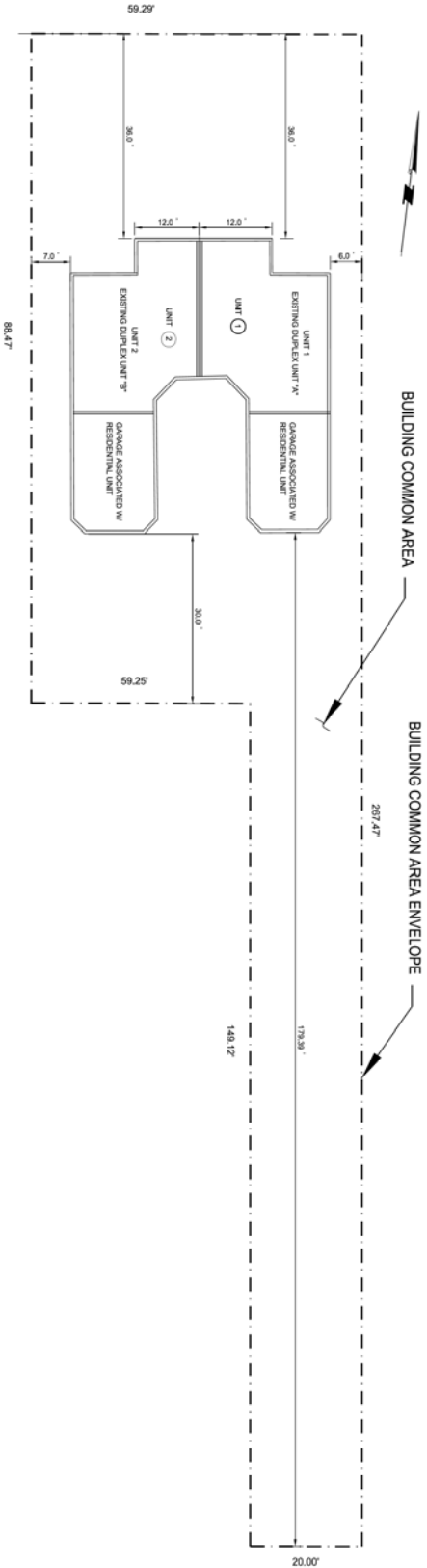
PROTEINASES
FROM BACTERIAL
CELLS

7.000 MILLIARDE 8.000

8572 • J. Neurosci., September 24, 2008 • 28(39):8567–8572

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WENDY & SCOTT HAZEN



NOTE:
SEE SHEET C-04 FOR UNIT DIMENSIONS

SCALE: 1" = 10'
0' 10' 20'
IF PHYSICAL DISTANCE ACROSS SCALE
BAR IS NOT EXACTLY TWO (2) INCHES,
ADJUST SCALE ACCORDINGLY.

PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

4199 CLARES STREET, CAPITOLA, CA 95010

CONDOMINIUM PLAN

CSJ Engineering
77 Sclero Square #283
Berinda, CA 94510
(707) 563-8612
www.csjeng.com



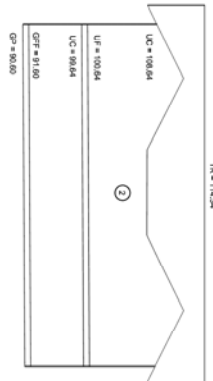
Drawn	JAN 17 2019
Scale	1" = 10'
Checked	LA
Designed	LA
Project Eng	LA
File	15-04

REVISIONS

REV	DATE	DESC	DATE
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SHEET
CP1

APR 03-2020



SECTION



1. SEE CONDOMINIUM PLAN, SHEET CP 1 FOR BUILDING COMMON AREA DIMENSIONS
2. THE UPPER COMMON AREA IS SITUATED ABOVE THE ENTIRETY OF LOT 2, AS SHOWN IN THE SUBDIVISION MAP "1199 CLARES STREET, CAPITOLA, CA" EXCLUDING THE EXCLUSION FROM THE UPPER COMMON AREA AS SHOWN ON SHEET CP 2, CONDOMINIUM PLAN.

[illegible]

Orbach, Matthew (morbach@ci.capitola.ca.us)

From: Karen Miller <KarenM@centralfpd.com>
Sent: Wednesday, September 25, 2019 11:52 AM
To: Orbach, Matthew (morbach@ci.capitola.ca.us)
Cc: Mike DeMars
Subject: 4199 Clares Street

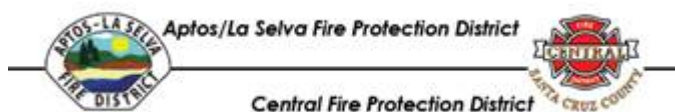
Mr. Orbach,

I am emailing you regarding 4199 Clares Street, Capitola which is in the Central Fire Protection District of Santa Cruz County's jurisdiction, we are the local Fire District for that location.

For future reference, Central Fire Protection District is the local fire agency for all occupancies and vacant lots within the City of Capitola's jurisdiction.

If you have any questions regarding this please feel free to contact me at the information below.

Regards,



KAREN MILLER
FIRE PREVENTION COORDINATOR
 Aptos/La Selva Fire Protection District &
 Central Fire Protection District of Santa Cruz County
 6934 Soquel Drive • Aptos, CA 95003
 (831) 685-6698 • (831) 685-6699 FAX • (831) XXX-XXXX CELL
www.aptosfire.com • www.centralfpd.com

Attachment: 4199 Clares Street - Central Fire Protection District - Service Confirmation (4199 Clares Street)



Santa Cruz County Sanitation District

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060-4073
(831) 454-2160 FAX (831) 454-2089 TDD: (831) 454-2123

MATT MACHADO, DISTRICT ENGINEER

LARRY ANDREWS
SANTA CRUZ URBAN SOLUTIONS
4545 CLARES ST.
CAPITOLA, CA 95010

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE
FOR THE FOLLOWING PROPOSED DEVELOPMENT

APN: 034-222-05

APPLICATION NO.: N/A

PARCEL ADDRESS: 4199 CLARES STREET, CAPITOLA

PROJECT DESCRIPTION: DEMOLISH ONE EXISTING RESIDENCE, BUILD ONE
NEW REPLACEMENT RESIDENCE; DIVIDE THE PROPERTY INTO SEPARATE
PARCELS FOR EACH RESIDENCE.

Dear Mr. Andrews:

We've received your inquiry regarding sewer service availability for the subject parcel(s).
Sewer service is available in Clares Street for the subject development. Connection fees will
be due and will be calculated and collected prior to issuance of the building permits.

No downstream capacity problem or other issue is known at this time. However, downstream
sewer requirements will again be studied at time of Planning Permit review, at which time the
District reserves the right to add or modify downstream sewer requirements.

This notice is valid for one year from the date of this letter. If, after this time frame, this project
has not yet received approval from the Planning Department, then this determination of
availability will be considered to have expired and will no longer be valid.

Also, for your reference, we have attached a list of common items required during the review of
sanitation projects.

Thank you for your inquiry. If you have any questions, please call Robert Hambelton at (831)
454-2783.

Yours truly,

MATT MACHADO
District Engineer

By:

Kent Edler
Assistant District Engineer

BH/arg:055.docx

Attachment: 4199 Clares Street - SC County Sanitation - Sewer Availability (4199 Clares Street)

Common Items Required During the Review of Sanitation Projects

What to show on the drawings: When you begin the design process, please show:

On the plot/site/utility plan:

1. location of any **existing** on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer on the site (plot) plan.
2. location of any **proposed** on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer on the site (plot) plan.

Place a note, "*Existing*" or "*(E)*", on each existing item that is to be removed.

Place a note, "*To be removed*", on each existing item that is to be removed.

Place a note, "*New*" or "*(N)*", on each item that is to be new.

On a floor plan:

1. all plumbing fixtures both existing and new (label "*(E)*" or "*(N)*") on a floor plan of the entire building. Completely describe all plumbing fixtures according to table T-702.1 of the California Plumbing Code.

(Sanitation District Code sections 7.04.040 and 7.04.430)

Design and Construction Standards

The project sewer design and connection of the project to the Santa Cruz County Sanitation District system will be required to conform to the County of Santa Cruz Design Criteria (CDC) Part 4, Sanitary Sewer Design, June 2006 edition.

Reference for County Design Criteria: <http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.PDF>

Demolition and sewer abandonment

If the proposed plans will involve some demolition, the existing sewer lateral(s) must be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure. An abandonment permit (either temporary or permanent) for disconnection work must be obtained from the District. This process is often overlooked until the last minute and can result in unnecessary delays, and you are encouraged to plan for the relatively short time and small expense to fulfill this requirement. There is no charge for either permit or inspection.

(Sanitation District Code section 7.04.410)

New Connection

If the proposed plans will involve one or more new sewer connections, we must issue a new sewer connection permit for each new connection. The final connection charges can be determined only after the District and, as needed, other Department of Public Works divisions have reviewed and approved the final engineered sewer improvement plans. (Sanitation District Code section 7.04.410)

Increase in the number of plumbing fixtures

If the proposed plans will involve an increase in the fixture unit count for the existing sewer connection, additional fixture unit fees may be due. The exact amount will be calculated at the time a Sewer Connection Permit is issued. (Sanitation District Code section 7.04.040)

Tentative, parcel, or final map required

When any new *tentative, parcel, or final* map is required, please show the following on the improvement plans:

1. All adjacent or impacted roads and easements,
 2. All on- and off-site sewer improvements needed to provide service to each lot or unit proposed.
- The plans must conform to the County's "Design Criteria."

If a tentative, parcel, or final map is NOT required, please provide to the District written proof of recordation (in the form of copies of the recorded documents) of any and all existing or proposed easement(s).

Multi-unit development with a private collector line

If the development will require a private collector line serving several separate units or parcels, which will be individually and separately owned, prior to any land split or building permit, the applicant must form a homeowners' association with ownership and maintenance responsibilities for all on-site sewers for this project. Please reference this homeowner's association directly on the *tentative map* and *final map*, as well as in the Association's recorded CC&R's. Please record those CC&Rs, and provide a copy of the recorded documents, with proof of recordation, to the District prior to the filing of the final map.

Backflow prevention device

A backflow preventive device may be required. While this determination is often made "in the field" at the time of installation, if you are engaging a surveyor, civil engineer, or knowledgeable contractor, there is nothing to prevent you from making that determination while in the design process. (Sanitation District Code section 7.04.100 and 7.04.375.A.4)

Pre-escrow or Pre-transfer Cleanout and Overflow devices

If approved cleanout and overflow devices have not yet been installed, then prior to close of escrow, an approved cleanout and overflow devices must be installed at the owners sole cost and be inspected by the District Inspector. (Sanitation District Code section 7.04.375.A.4.c)

Pre-escrow plumber's inspection of existing lateral

If the development will involve the reuse of an existing sewer lateral for a residential use, if the existing buildings or structures on this parcel that are connected to a sewer main were constructed more than 20 years before the date of sale, and if the private sewer system has not been inspected within the past twenty years, then, before the close of escrow, the property seller shall have the sanitary sewer system inspected and certified by a licensed plumber to be in good working order and free of obstructions and breaks. The testing and any repair shall be the responsibility of the seller, nontransferable to the owner. Repairs shall be made to any damaged or deteriorated pipe, misalignment of pipe segments, leaking pipes, root intrusion, open joints, cracks or breaks, sags, damaged or defective cleanout, inflow and infiltration of extraneous water, older pipe materials that are known to be inadequate, inadequate lift or pump stations, inadequate alarm systems for overflows, and inadequate maintenance of lift stations. You must obtain a sewer repair permit (no charge) from the District and shall have repairs inspected by the District inspector (no charge) prior to backfilling of pipe or structure.

(Sanitation District Code section 7.04.375.A.3 Private Sanitary Sewer System Repair)



WATER SERVICE INFORMATION FORM



September 18, 2019

Owner: Clares Street Partners Llc
Site Address: 4199 Clares St # B, Capitola
Site APN: 034-222-05
Project Description: Minor Land Division

Your project is located within the City of Santa Cruz Water Service area. The subject parcel is currently a developed lot, with an existing water service, and is subject to the following conditions:

1. No water service work is required for the proposed minor land division. If building permits are applied for in the future, the water services for Units "B" & "C" may be required to be relocated to front the parcel they serve.

If you have any questions, please contact the Water Department Engineering Division at (831) 420-5210

Sincerely,

BJ Dericco
 City of Santa Cruz | Water Dept., Engineering
 212 Locust Street, Suite C
 Santa Cruz, CA 95060

Attachment: 4199 Clares Street - SCWD Water Service Letter (4199 Clares Street)



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 17, 2019

SUBJECT: **115 San Jose Avenue** **#19-0484** **APN: 035-221-17**

Conditional Use Permit for a take-out restaurant (coffee shop) with alcohol sales (onsite beer and wine) located within the CV (Central Village) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Capitola Associates LLC

Representative: Dennis Norton, Filed: 09.19.2019

APPLICANT PROPOSAL

The applicant submitted a request for a Conditional Use Permit (CUP) for a take-out restaurant (The Daily Grind) with alcohol sales (Type 41 – On Sale Beer & Wine – Eating Place). The property is located within the Capitola Mercantile at 115 San Jose Avenue in the CV (Central Village) zoning district. The proposed use is consistent with the General Plan, Local Coastal Program, and Zoning Ordinance with the issuance of a Conditional Use Permit.

BACKGROUND

The property is located in the Central Village zoning district along the Esplanade and San Jose Avenue within the Capitola Mercantile. The Capitola Mercantile contains 11 commercial tenant spaces, totaling 8,735 square feet. The occupied spaces in the Capitola Mercantile are currently a mix of retail and restaurant establishments. The proposed coffee shop will be located in Suite 107, centrally located within the Capitola Mercantile.

DISCUSSION

The applicant is requesting approval of a conditional use permit (CUP) for a take-out restaurant with six seats or less. The proposed take-out restaurant is a coffee shop and bar called “The Daily Grind.” The proposed business plan includes hours of operation from 8:00 a.m. to 10:00 p.m. daily, with the business functioning “as an outlet for coffee and tea and small pastries” as well as “selling beer” (Attachment 2).

Conditional Use Permit – Take-Out Restaurant

Under Capitola Municipal Code §17.21.060(A), take-out restaurants are listed as a conditional use, therefore a conditional use permit is required for this project.

In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures. The municipal code lists additional requirements and review criteria for some uses within the CUP consideration (§17.60.030), but there are no additional requirements for a take-out restaurant within the ordinance. In issuing the CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of the adjacent properties and in the public interest. The project has been conditioned to limit the take-out restaurant to six seats to ensure that the use of the site is not intensified and parking demand is not increased.

Conditional Use Permit - Alcohol

Under Capitola Municipal Code §17.21.060(D), business establishments that sell or dispense alcoholic beverages are listed as a conditional use, therefore a conditional use permit is required for this project.

The applicant is requesting a Type 41 alcohol license (Attachment 4). A Type 41 On Sale Beer & Wine Eating Place license from the Department of Alcoholic Beverage Control (ABC) authorizes the sale of beer and wine for consumption on or off the premises where sold with minors allowed on the premises. No distilled spirits may be on the premises. The business must also operate and maintain the licensed premises as a bona fide eating place, which means that they must maintain suitable kitchen facilities and must make actual and substantial sales of meals for consumption on the premises.

Chief of Police Terry McManus has reviewed the application, conducted a site visit, and made findings that support the approval of the CUP for a Type 41 alcohol license at 115 San Jose Avenue Suite 107. Chief McManus also provided a letter of necessity and convenience for the project, which is required by the ABC for a location in a high crime area and/or a census tract with an overconcentration of alcohol outlets (Attachment 3).

Alcohol in Limited-Seating Establishments

The Planning Commission has approved several applications for alcohol within establishments that provide six seats or less, including Manicomio (in the restaurant space in the Mercantile that is now Caruso's) in 1998, Armida Winery in 2002 (no seating provided), and Pizzeria La Bufala in 2019 (six seats or less).

Parking

The site shares parking with other tenants of the Mercantile. Suite 107 was included in the parking analysis done for project #19-0134 and parking requirements for the space were calculated using the one space per 240 sq. ft. parking requirement, which is the same for retail and for take-out restaurants with six seats or less (Attachment 5).

Capitola Mercantile – Uses and Parking Requirements				
Space #	Current Use	Sq. Ft.	Parking Requirement	Spaces Required
101	To-Go Restaurant	324	1 per 240 sq. ft.	1.4
102	Vacant (Formerly Retail)	634	1 per 240 sq. ft.	2.6
103	Vacant (Formerly Retail)	189	1 per 240 sq. ft.	0.8
104	Vacant (Formerly Retail)	313	1 per 240 sq. ft.	1.3
105	Retail	974	1 per 240 sq. ft.	4.0
106	Vacant (Formerly Retail)	451	1 per 240 sq. ft.	1.9
107	Vacant	314	1 per 240 sq. ft.	1.3

108	Retail	768	1 per 240 sq. ft.	3.2
109	Restaurant	578	1 per 60 sq. ft.	9.6
110	Restaurant	877	1 per 60 sq. ft.	14.6
111	Vacant (Proposed To-Go Restaurant)	1,001	1 per 240 sq. ft.	4.2
Apartment	Residential	-	2 spaces	2
Total		8,735		43.7

The proposed CUP will not intensify the parking requirements for the site. However, parking for the Mercantile is at capacity and any future applications for increased seating would require additional on-site parking.

CEQA

The 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 approval of a commercial use in an existing commercial space and the sale of alcohol for on-site consumption in an existing commercial space. No adverse environmental impacts were discovered during project review by either Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #19-0484 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit for a 314-square-foot take-out restaurant (The Daily Grind) with six seats or less and on-site alcohol sales and consumption at 115 San Jose Avenue (Suite 107). The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 17, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. A copy of the approved Department of Alcoholic Beverage Control (ABC) Permit must be filed with the Community Development Department prior to initiating on-site beer and wine sales. The Conditional Use Permit is limited to a Type 41 license through the ABC. A proposed change in the type of liquor licensed issued by ABC will necessitate approval of an amendment to the Conditional Use Permit.
3. The applicant shall receive permission from ABC prior to October 28, 2021. The conditional use permit will expire in the case where the conditionally permitted use has not been exercised within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall be deemed to have been "used" when actual substantial, continuous activity has taken place upon the land pursuant to the permit. Applications for extension may be submitted by the applicant prior to permit expiration, pursuant to Municipal Code section 17.81.160.
4. Compliance with all conditions of approval and the ABC license requirements and conditions shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a

permit amendment for Planning Commission consideration. Failure to remedy a non-compliance issue in a timely manner may result in permit revocation.

5. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
6. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
7. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
8. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
10. Prior to issuance of building permit, all Planning fees associated with permit #19-0484 shall be paid in full.
11. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
12. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
13. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
14. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

15. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

FINDINGS

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

Community Development Staff and the Planning Commission have reviewed the project. The proposed take-out restaurant with a Type 41 alcohol license complies with the development standards of the C-V District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff and the Planning Commission have reviewed the application for the take-out restaurant with a Type 41 alcohol license. The use will fit with the surrounding commercial uses. The project will maintain the character and integrity of the neighborhood.

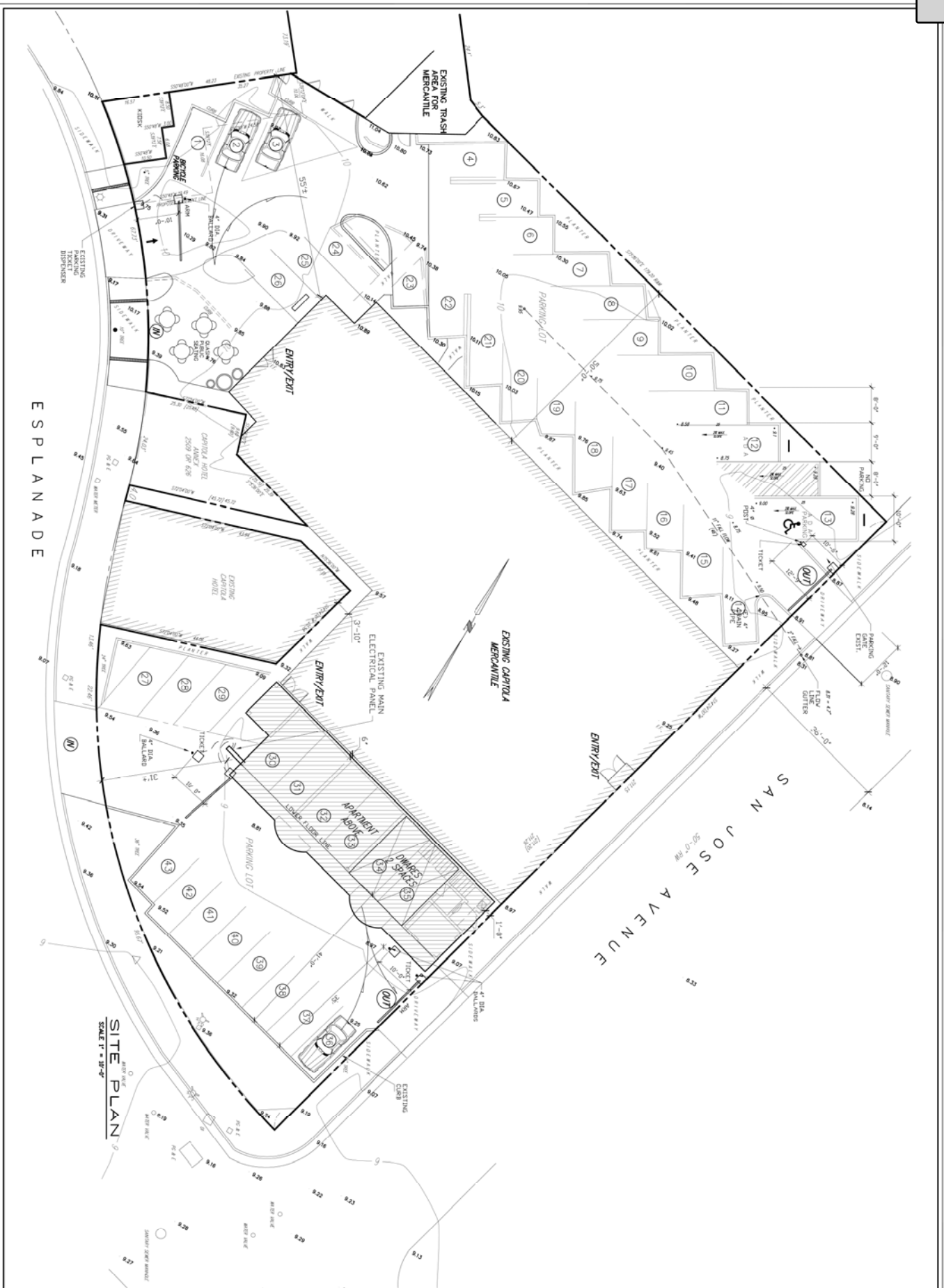
C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301 of the CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This project involves a take-out restaurant with a Type 41 alcohol license for the sale of beer and wine for on-site consumption within the C-V (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 115 San Jose Avenue - #19-0484 - The Daily Grind - Full Plan Set
2. 115 San Jose Avenue - #19-0484 - Coffee Shop Business Plan - Owner Signed
3. 115 San Jose Avenue - #19-0484 - PCN Letter for ABC - Signed
4. ABC License Type List
5. 115 San Jose Avenue - Arcade - PC Staff Report - 05.02.2019

Prepared By: Matt Orbach
Associate Planner



<p>2</p>	<p>DATE: 07/25/19</p>	<p>SCALE: 1"=10'-0"</p>	<p>JOE M. MERCUSI</p>	<p>SITE PLAN</p>	<p>DENNIS NORTON HOME DESIGN AND PROJECT PLANNING</p> <p>712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010 PHONE: 831 476 2616 FAX: 831 476 2616 WEBSITE: www.dennisonnorton.com</p>	<p>CAPITOLA MERCANTILE 115 SAN JOSE AVE. CAPITOLA, CA 95010 APN 035-221-27</p>	<p>OWNER: DAVIS ESPLANADE CAPITOLA, CA 95010</p>
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September 23, 2019

City of Capitola

Planning and Building Department

420 Capitola Avenue, Capitola

Re: Conditional Use permit, 115 San Jose Avenue

Space 107, Existing Coffee Shop, Application # 1900484

Business Plan

To whom it may concern:

The purpose of this letter is to outline a business plan for a coffee shop of approximately 314 square foot in the Capitola Mercantile. The business shall be run as a coffee shop within the interior of the Capitola Mercantile. It will function as an outlet for coffee and tea and small pastries and complimentary items.

We are also requesting an alcohol permit to be able to sell wine and beer from coffee shop, to be used on premises.

The hours of operation will be 7:00 AM to 11:00 PM.

Thank you for your consideration.

Sincerely,



Peter Dwares,
Capitola Associates, LLC
Member Manager



TERRY MCMANUS
CHIEF OF POLICE

422 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA 95010
TELEPHONE (831) 475-4242
FAX (831) 479-8881

October 8, 2019

District Administrator
California Department of Alcoholic Beverage Control
1137 Westridge Parkway
Salinas, CA 93907

Reference: The Daily Grind
115 San Jose Avenue, Capitola, CA 95010 (Proposed location)
Type 41- On Sale Beer & Wine – Eating Place

Dear Administrator:

The applicant, The Daily Grind, applied to the City of Capitola on October 1, 2019, for a use permit to conduct business at 115 San Jose Avenue, Space 107, Capitola, California. Their letter indicates The Daily Grind will be offering beer and wine for sale under a Type 41 alcohol beverage license.

The proposed business is located in police responsibility area 4401 and U.S. census tract number 1218.00. The site is in a high crime area and the census tract is over-concentrated (8 licenses authorized and 23 currently existing) with “on sale” alcohol outlets, thus requiring a letter of necessity and convenience.

The Local Governing Body has determined, pursuant to §23958.4 of the Business and Professions Code, that the applicant serves the public convenience (§23958.4 b(2) B & P) and California Department of Alcoholic Beverage Control (A.B.C.) should approve an alcohol license Type 41, On Sale Beer & Wine – Eating Place (Restaurant) to the above captioned applicant.

This letter is being issued with the understanding that conditions placed by the City of Capitola on the businesses’ special use permit, be incorporated in the On Sale – Beer & Wine – Eating Place license issued by ABC.

In 1994, the California legislature provided amendments to the law that allowed for local control of some alcohol licenses. The purpose of this legislation is to help fight blighted and crime-impacted areas. The City Council appointed the Chief of Police as

the local governing body in decisions related to public convenience or necessity in the issuance of certain alcohol licenses as required by section §23958.4 B. & P.

In the several years that we have been working with these new laws, we have applied the law of undue concentration and high crime areas as defined by the legislation. As part of our review, we look at all the circumstances that could be negative or positive about the determination of convenience or necessity.

We also weigh both sides as it applies to specific location in the City and the specific applicant. Does the proposed establishment fit the goals of the city? Does the proposed establishment promote rather than detract from economic goals, plans, or redevelopment of the city? Does the proposed establishment pose a law enforcement or public health problem? Does the establishment help alleviate blight or a crime affected area?

In making the decision of public convenience or necessity in the aforementioned application, the following facts were considered and weighed;

1. The business has committed to operating in a successful relationship with the City of Capitola and staff to avoid any police related issues.
2. The business has agreed to participate in an employee training program, with curriculum that includes not only business-related activities but also a section on ABC Laws. The business is committed to training people and has agreed to take part in future ABC LEADS (Licensee Education on Alcohol and Drugs) workshops.
3. The Capitola Police Department has conducted a site visit of the proposed location and found it to be a professional looking, clean, well-run business, which fits with the types of businesses the City supports in our community.

In summary, The Daily Grind has the potential to become a successful business in the Village area of the City of Capitola and will most likely enjoy success and provide positive economic vitality to the City with very few public safety concerns.

Sincerely,



Terry McManus
Chief of Police

COMMON ABC LICENSE TYPES AND THEIR BASIC PRIVILEGES

LICENSE TYPE	DESCRIPTION
01	BEER MANUFACTURER - (Large Brewery) Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer's licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer's licensed premises or at a bona fide eating place contiguous to the manufacturer's licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.
02	WINEGROWER - (Winery) Authorizes the sale of wine and brandy to any person holding a license authorizing the sale of wine and brandy, and to consumers for consumption off the premises where sold. Authorizes the sale of all wines and brandies, regardless of source, to consumers for consumption on the premises in a bona fide eating place that is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and operated by and for the licensee. May possess wine and brandy for use in the preparation of food and beverage to be consumed at the bona fide eating place. May conduct winetastings under prescribed conditions (Section 23356.1; Rule 53). Minors are allowed on the premises.
20	OFF SALE BEER & WINE - (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.
21	OFF SALE GENERAL - (Package Store) Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.
23	SMALL BEER MANUFACTURER - (Brew Pub or Micro-brewery) Authorizes the same privileges and restrictions as a Type 01. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small-scale brewery operation that typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.
40	ON SALE BEER - (Bar, Tavern) Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.
41	ON SALE BEER & WINE – EATING PLACE - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
42	ON SALE BEER & WINE – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may be on the premises. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
47	ON SALE GENERAL – EATING PLACE - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
48	ON SALE GENERAL – PUBLIC PREMISES - (Bar, Night Club) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
49	ON SALE GENERAL – SEASONAL - Authorizes the same privileges and restrictions as provided for a Type 47 license except it is issued for a specific season. Inclusive dates of operation are listed on the license certificate.





STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MAY 2, 2019

SUBJECT: **115 San Jose Avenue** **#19-0134** **APN: 035-221-18**

Conditional Use Permit for a gaming arcade located within the C-V (Central Village) zoning district.

This project is in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares

Representative: Dennis Norton, Filed: 03.22.2019

APPLICANT PROPOSAL

The applicant is proposing to convert three commercial spaces (102, 104, & 106), totaling 1,390 square feet, in the Capitola Mercantile into a gaming arcade with approximately 20-30 game machines.

BACKGROUND

The property is centrally located within the Central Village. The Capitola Mercantile contains 11 commercial tenant spaces, totaling 8,735 square feet, along San Jose Avenue and Esplanade. The occupied spaces in the Capitola Mercantile are currently a mix of retail and restaurant establishments.

DISCUSSION

The three commercial spaces were previously occupied by retail shops. The proposal is for an arcade with 20-30 games and a card machine. The games will take pre-loaded cards, not coins or bills, provided by the card machine. The arcade will be overseen by an on-site manager who will repair games and answer questions. The proposed business hours are 10:00 a.m. to 6:00 p.m. in the winter and 10:00 a.m. to 9:00 p.m. in the summer, seven days a week.

Conditional Use Permit

The applicant is requesting approval of a conditional use permit (CUP) for a gaming arcade. In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures. The municipal code lists additional requirements and review criteria for some uses within the CUP consideration (§17.60.030). There are no additional requirements for a gaming arcade within the ordinance. In issuing the CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the

protection of the adjacent properties and in the public interest and to ensure that the use of the site is not intensified and parking demand is not increased.

Parking Analysis

The following table includes the current uses in the Capitola Mercantile and the required parking. Six tenant spaces are currently vacant. Staff assumed the vacant spaces in the building are to be used for retail, bakeries, or restaurants/take-out food establishments with the requirement of one parking space per 240 square feet. In total, the parking requirement for the Capitola Mercantile is 44 parking spaces.

Capitola Mercantile – Uses and Parking Requirements				
Space #	Current Use	Sq. Ft.	Parking Requirement	Spaces Required
101	To-Go Restaurant	324	1 per 240 sq. ft.	1.4
102	Vacant (Formerly Retail)	634	1 per 240 sq. ft.	2.6
103	Vacant (Formerly Retail)	189	1 per 240 sq. ft.	0.8
104	Vacant (Formerly Retail)	313	1 per 240 sq. ft.	1.3
105	Retail	974	1 per 240 sq. ft.	4.0
106	Vacant (Formerly Retail)	451	1 per 240 sq. ft.	1.9
107	Vacant	314	1 per 240 sq. ft.	1.3
108	Retail	768	1 per 240 sq. ft.	3.2
109	Restaurant	578	1 per 60 sq. ft.	9.6
110	Restaurant	877	1 per 60 sq. ft.	14.6
111	Vacant (Proposed To-Go Restaurant)	1,001	1 per 240 sq. ft.	4.2
Apartment	Residential	-	2 spaces	2
Total		8,735		43.7

A parking analysis for the proposed project was conducted by Kimley-Horn (Attachment 2). According to their technical memorandum, the proposed video arcade use is expected to generate less net vehicle trips than the existing retail component that would be replaced. Since the proposed arcade use would be less intense than the existing retail use, it is anticipated that the project would not significantly impact the existing parking condition.

The site plan submitted with the application shows 41 parking spaces on the site plus two that are not numbered, for a total of 43 parking spaces (Attachment 1). However, a site visit revealed that eight of those spaces are non-existent (spaces 1, 2, 41, 28, 12, 40, 37, and 38), which brings the number of existing spaces down to 35. Staff has determined that some spaces were removed in order to create outdoor seating areas (spaces 1, 2, 41, 28, 12, and 40), but the removal/conversion of those parking spaces was never approved as part of a planning permit. In addition, two of the parking spaces (37 and 38) were not constructed.

The last conditional use permit for a business in the Capitola Mercantile, which permitted the conversion of Caruso's restaurant from a take-out restaurant with six seats or less into a full restaurant use (Permit #05-035), was approved in 2005 based on the existence of 41 on-site parking spaces. That use change should have required an additional four parking spaces (45 total) to be provided on-site, but the Planning Commission determined that the uses in the Capitola Mercantile had different peak times in terms of parking usage, and therefore made findings that the 41 existing on-site parking spaces were adequate.

Staff recommends requiring the owner to provide 41 onsite parking spaces prior to issuance of a building permit and/or business license for the proposed project. This will bring the existing CUP for Caruso's restaurant into compliance and allow the proposed gaming arcade. The requirement to provide 41 onsite parking spaces is included as Condition #2 of the Conditions of Approval.

CEQA

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 arcade use occupying an existing commercial retail space. No adverse environmental impacts were discovered during project review by Planning Staff.

RECOMMENDATION

Staff recommends the Planning Commission approve application #19-0134, subject to the following conditions and based upon the following findings:

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit for a 1,390-square-foot gaming arcade with 20-30 machines. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 2, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to issuance of a building permit, business license, and/or Certificate of Occupancy for the to-go restaurant, the site shall have 41 on-site parking spaces. A parking plan must be submitted to the City for approval by the Public Works Director and Community Development Director.
3. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
4. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
5. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
6. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
7. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
8. Prior to issuance of building permit, all Planning fees associated with permit #19-0134 shall be paid in full.

9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
14. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
15. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
16. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

FINDINGS

A. The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed gaming arcade complies with the development standards of the C-V District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the gaming arcade. The use will fit in nicely with the surrounding commercial uses. The project will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301 of the CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This project involves the conversion of existing retail space into a gaming arcade within the C-V (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 115 San Jose Avenue - Arcade - Full Plan Set - 03.22.2019
2. 115 San Jose Avenue - Arcade Parking Requirement Determination Memo - Kimley-Horn

Prepared By: Matt Orbach
Associate Planner



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: OCTOBER 17, 2019

SUBJECT: **211 Monterey Avenue** **#19-0313** **APN: 035-185-19**

Design Permit for a second-story addition to an existing duplex with a variance for the off-site parking and open space requirements located within the C-V (Central Village) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit, which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Maor Katz

Representative: Joshua Bauman, Filed: 07.02.2019

APPLICANT PROPOSAL

The applicant is requesting a design permit for a 590-square-foot second-story addition with 419 square feet of second-story decks to an existing 1,419-square-foot duplex at 211 Monterey Avenue in the C-V (Central Village) zoning district. The proposed project requires a variance for the open space and off-site parking requirements.

BACKGROUND

On September 9, 2015, the property owner submitted a fence application which ultimately was decided upon appeal to the City Council. City Council recommended staff approve a fence located within two feet nine inches parallel to the front façade of the home to maintain the width of the pedestrian path of travel.

On November 9, 2015, the property owner submitted an application for a determination of historic significance. The property is listed on the 2005 List of Historic Structures with a status indicating the property needs to be reevaluated. The address is also included on the 1986 Capitola Historic Structures List, but its presence appears to have been a typographical error. Archives and Architecture reviewed the history of the existing triplex and determined that the structure is not historic (Attachment 4).

On January 21, 2016, the property owner submitted a design review application for a 142-square-foot addition to include living space within a second story addition and a second story deck over the sidewalk. The application did not comply with the zoning code and was determined to be incomplete. On December 3, 2018, the application was withdrawn.

On March 31, 2016, the property owner submitted a building application to convert the existing triplex at 211 Monterey Avenue into a duplex. The improvements were entirely internal and

reviewed as a building permit. The project was finalized by the Building Department on July 27, 2016.

On December 21, 2018, the property owner submitted a conceptual review for the demolition of the existing duplex and construction a three-story 3,720 square-foot duplex with parking provided on the site. In the initial review of the project, Public Works recommended no new curb cuts into the sidewalk and removal of the proposed second-story deck encroachment above the sidewalk based on safety concerns.

On February 7, 2019, the Planning Commission reviewed the conceptual review application and provided the applicant with feedback on several aspects of the project, including decreasing the massing, eliminating the proposed curb cut, and eliminating the front deck overhanging the sidewalk. Several commissioners mentioned the possibility of supporting an open space variance request and parking variance request with the right design. Following the discussion, the applicant's representative indicated that the on-site parking and curb cut would likely be removed from the project and the massing reduced prior to bringing in an application for a design permit.

On July 2, 2019, the applicant submitted the current application in response to the guidance provided from Planning Commission. The application includes a design permit for a 590-square-foot second-story addition with 419 square feet of second-story decks to an existing 1,419-square-structure at 211 Monterey Avenue in the C-V (Central Village) zoning district. The land use remains a duplex. The proposed project requires a variance for the open space and off-site parking requirements

ARCHITECTURAL AND SITE REVIEW

The Architectural and Site Review Committee reviewed the application on September 11, 2019, and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: acknowledged that the site has limited options for managing stormwater and requested that the applicant limit the site's reliance on the one shared drain at the rear of the property by making the site drain to the front of property.

Building Official, Robin Woodman: informed the applicant that replacement windows on the first floor on the north side of the building will need to be one-hour fire-rated windows.

Local Architect, Frank Phanton: recommended that the applicant show and second- and third-story window locations on the adjacent properties so that the Planning Commission can gauge the impacts of the proposed rear deck on those properties. He supported the design and choice of materials.

Associate Planner, Matt Orbach: reviewed the information and recommendations that will be included in the staff report for Planning Commission consideration of the variance requests, including the recent history of other properties in the vicinity that are nonconforming in terms of parking reducing the size of their additions to comply with the 10% addition limit, the inability of staff to make variance findings, the feedback the applicant received on the previous project they submitted for conceptual review, and the potential staff recommendation that the project be modified from a duplex to one unit so that it would only require the minimum parking requirement of two spaces.

Following the Architecture and Site Review Committee meeting, the applicant did not make any changes to the plans.

DISCUSSION

The Central Village neighborhood is one of Capitola's original settlement areas. Monterey Avenue transitions when approaching the village from residential to commercial with small shops and a limited number of residences fronting the sidewalk. 211 Monterey sits along a busy sidewalk used by pedestrians travelling between the Pacific Cove parking lots to the Village and beach. The properties south of 211 Monterey Avenue are primarily mixed-use and commercial, with commercial on the first floor and residential above. The exception being the lawn way residences and six sisters, which are within a defined residential overlay.

The existing single-story residence is 1,419 square feet and includes two units. Unit A fronts Monterey Avenue and Unit B is accessed via a separate rear entrance on the south side of the building. Unit A is 1,044 square feet and unit B is 375 square feet. The simple exterior includes stucco on the front facade and tri-bevel drop siding along the sides.

The applicant is proposing to expand Unit A by constructing a 590-square-foot second-story addition with 419 square feet of second-story decks. The proposed second story contains two bedrooms, a bathroom, a family room, and front and rear decks.

DEVELOPMENT STANDARDS

The following table outlines the zoning code requirements for development in the CV Zoning District.

Development Standards		
Floor Area Ratio		
General Plan	Existing	Proposed
2.0	0.72 (1,419 sq. ft.)	1.26 (2,470 sq. ft.)
Building Height		
CV Regulation	Existing	Proposed
27'-0"	18'	26'-10"
Lot Coverage		
Sufficient space for required parking	Does not comply	
Open Space requirement:	Required Open Space: <u>10%</u> of lot 196 sq. ft.	Proposed Open Space: <u>1.6%</u> of lot 31 sq. ft. (Planter boxes) Does not comply
Yards		
10% of lot area shall be developed as landscaped open area, at least partially fronting on, and open to, the street. No portion of this landscaped area shall be used for off-street parking.	Required Open Space: <u>10%</u> of lot	Proposed Open Space: <u>0%</u> of lot Does not comply
Parking		
	Required	Proposed
Duplex – residence (2 spaces for each unit)	<u>4</u> spaces total <u>2</u> covered <u>2</u> uncovered	<u>0</u> spaces total <u>0</u> covered <u>0</u> uncovered Does not comply

Underground Utilities – required with 25% increase area		Required
--	--	----------

Design Permit

The exterior design of the proposed structure features contemporary finishes with a mix of stucco, stacked stone veneer, and horizontal cedar with a standing seam metal roof. The second story addition features large aluminum windows with a vertical emphasis. The second story front deck continues this theme with three large glass panels framed by an aluminum railing. The second story front deck is cantilevered over the first story front patio. The deck is nine and a half feet wide and therefore the second story is setback from the front elevation. The second story addition is approximately half the size of the first story, maintaining 23 feet of clearance from the rear lot line.

The front façade of the building has a relationship to the street with a front patio area of 258-square-feet that extends three feet toward the sidewalk. The patio is enclosed by a three-and-a-half-foot-tall cement wall with a formboard finish. There is a front door that accesses the patio area, but no external access into the patio area from the sidewalk.

The entry doors to the two units will remain recessed in the south elevation twenty-seven and forty-five feet back from the building frontage. Access from the street is provided through a four-foot-wide by five-and-a-half-foot-high gate. There is also a backlit steel panel with cutouts at the southeast corner of the building facing the entry walkway on the south side of the building. In lieu of landscaped open space, there are planter boxes on the front patio and the second-story rear deck. The planters within the front patio include an aluminum planter box on the interior of the concrete wall a 28-square-foot raised planter that will be built into the south side of the patio.

Variance - Parking

The main constraint on development in the Central Village zoning district is parking. There are two parking-related restrictions that are applicable to the proposed project at 211 Monterey Avenue: the allowance of an additional 10% of floor area to structures with nonconforming parking and the requirement that parking for non-historic structures in the commercial area of the central village be provided off-site.

Nonconforming Parking

Pursuant to Capitola Municipal Code (CMC) Section §17.51.015(D), "In the case of residential structures in any district, no additional parking shall be required for reconstruction or structural alteration of existing residential structures, so long as the habitable floor space of the structure is not increased by more than ten percent. If the structure is enlarged by more than ten percent, the minimum parking requirements according to Sections 17.15.130 and 17.51.130 shall be required." The existing 1,419 square foot structure may be enlarged up to 141 square feet without providing the four onsite parking spaces required for a duplex. Any increase in habitable floor space beyond ten percent requires the property owner to bring parking into compliance.

The property owner is proposing to construct a 590-square-foot second-story addition and 419 square feet of second-story decks. The additions represent a total floor area of 901 square feet; a sixty-three percent increase in floor area, which is beyond the ten percent maximum. Therefore, the current parking requirement for the proposed structure must be met. A duplex requires four parking spaces, two of which must be covered.

Off-Site Parking Requirement

The Village Residential Overlay Zones map (Attachment 2), was adopted by the City of Capitola as Ordinance No. 622 on February 12, 1987, as an addendum to the Zoning Ordinance Map. The map is referenced in Policy I-1(b) of the City of Capitola Land Use Plan (LUP) as "Exhibit B," which requires parking in certain areas to be provided outside of the Capitola Village:

- b) Require adequate parking for new users, such parking to be provided at sites outside the Village area within walking distance or remote and served by shuttle system; exceptions to on-site parking may be made for (1) non-historic structures in residential areas bounding the central commercial district of the Village as shown on Exhibit B attached; (2) for the Capitola Theatre site and the Mercantile site as shown on Exhibit B attached, and providing that site designs shall provide for minimizing driveway cuts and for ground floor street frontage commercial development with parking areas/structures on the interior of the sites; (3) if mandated under Federal Emergency Agency regulations and as consistent with the certified LCP.

Section 17.21.120(C) of the Capitola Municipal Code (CMC) outlines that required parking for new users shall be provided at sites outside the village, but within walking distance or shuttle site:

- c) Required parking for new users shall be provided at sites outside the village area, but within walking distance or at remote sites served by a shuttle system; exceptions to permit on-site parking may be made for:
 - 1. Non-historic structures in residential areas bounding the central commercial district of the village; and
 - 2. For the Capitola Theater site and mercantile site as shown on the village residential overlay zone addendum map and providing that site designs shall provide for minimizing driveway cuts and for ground floor street frontage commercial development with parking areas/structures on the interior of the sites; and
 - 3. If mandated under Federal Emergency Management Agency regulations and as consistent with the certified LCP. (Ord. 941 § 1, 2009; Ord. 677 § 6(D), 1989; Ord. 622 Exhibit A (part), 1987)

The Village Residential Overlay Zones map, which is referenced in both LUP Policy I-1(b) and CMC §17.21.120(C), states that Residential Areas 1, 3, and 4 are the only areas that are permitted to have on-site parking. The map also shows that 211 Monterey Avenue is not located in one of the three residential areas that are permitted to have on-site parking. Therefore, parking must be provided off-site.

Variance Request

The applicant is seeking a variance to allow an addition of more than 10% without providing the four required off-site parking spaces.

To approve a variance, the Planning Commission must make the following findings:

- A. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
- B. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

In relation to variance finding A, the subject property is relatively large by Capitola Village standards (1,960 square feet), regularly shaped, and flat. There are no special circumstances applicable to the subject property that would cause the strict application of this title to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

To analyze whether or not the approval of a variance would be a grant of special privilege inconsistent with the limitation upon other properties and zone in which the subject property is situated (variance finding B), staff reviewed relatively recent applications in the surrounding area under identical zoning. The property at 211 Monterey Avenue is located in the Central Village neighborhood, an area with a long-standing parking deficiency. Many structures in the Village have had to limit additions due to the City's requirement that parking must come into compliance when the habitable floor space of a structure is increased by more than ten percent. The adjacent property at 207 Monterey recently redeveloped, but they were able to provide onsite parking through a shared driveway access off San Jose Avenue.

Several other recent residential additions in the Central Village zoning district that were approved by the Planning Commission were subject to the 10% floor area limit for additions to nonconforming structures because they could not provide parking. Those projects include:

1. 212 Monterey Avenue – 9.8% addition (304 square feet) to a 3,082-square-foot fourplex (2017);
2. 332 Riverview Avenue a 10% addition (214 square feet) to a 2,140-square-foot single-family residence (2018); and
3. 110 Monterey Avenue a 9.9% addition (93.5 square feet) to the 994-square-foot residential unit above Britannia Arms (2018).

All of these projects had originally proposed larger additions but were required to reduce the size of their additions to comply with the 10% limit because they could not bring their nonconforming parking into compliance.

At the April 4, 2019, Planning Commission meeting, the Planning Commission approved a variance for two off-site parking spaces for a new, 1,999-square-foot, two-story, single-family residence located on a vacant lot at 322 Capitola Avenue. Prior to submitting an application, staff met with the developer and designer and advised them to limit the square footage of the structure to 2,000 square feet, because that is the maximum size single-family home that can be developed with the lowest parking requirement (2 spaces).

The special circumstance findings for the variance for 322 Capitola Avenue included: the fact that the lot was the only vacant lot within the central commercial district without of the City of Capitola Central Village zoning district without existing onsite parking or an existing curb cut; that a curb cut would have a negative impact on the pedestrian experience; that the site was located in close proximity to a known archaeological site, and therefore minimal excavation should occur on the property; and that there was a change of grade from the street onto the property and excavation for a driveway onto the site would be substantial and could have a significant impact. The findings that the grant of the variance would not constitute a grant of a special privilege included: the fact that there are many developments in the central commercial district of the Central Village that were established without parking; that the lot was the last vacant lot in the central commercial district of the village with no onsite parking; and that any future modification to the structure would be required to comply with the standards for intensification of use or expansion of structure.

211 Monterey Avenue has an existing 1,419-square-foot structure and includes a duplex which is a more intensive use. The findings for existing conditions made for 322 Capitola Avenue are not relative to 211 Monterey.

Staff cannot make the required findings to support approval of a variance.

Staff is also concerned about the precedent that would be set if the requested parking variance is approved without specific findings regarding the special circumstances applicable to the subject property and how the grant of a variance would not constitute a grant of special privilege. For example, if the Planning Commission were to approve the project with the conditions that it be reduced to one unit and stay under 2,000 square feet (similar to what was allowed on the vacant lot at 322 Capitola Avenue) without specific variance findings limiting the approval to 211 Monterey Avenue, that could open the door for every other property in the CV zoning district that does not meet the parking requirements to expand their residential units up to 2,000 square feet.

Variance – Open Space

The applicant is also requesting a variance for the required open space. There are no yard requirements in the C-V zone, except that ten percent of lot area must be developed as landscaped open area, at least partially fronting on, and open to, the street. The lot at 211 Monterey Avenue is entirely paved, and the only areas not in the building footprint provide access to the units or function as an entryway at the front of the building. The only landscaped areas provided in the proposed plans are the two planter boxes on the first-story patio, which total 31 square feet (1.6%). Most buildings in the Central Village zoning district, however, do not have landscaped open space.

There are no special circumstances applicable to the subject property that would make the strict application of the code deprive 211 Monterey of privileges enjoyed by other properties in the vicinity. However, if the applicant received a variance to open space it would not be considered a grant of special privilege due to the numerous other properties within the block and the rest of the Village that lack landscaping.

Flood Zone

Because 211 Monterey Avenue is located in the flood zone, under the National Flood Insurance Program, structural alterations must be limited to less than “50 percent of the market value of the structure before the ‘start of construction.’” or else the structure must be brought into compliance with the current floodplain development standards. As a residential structure, that would mean raising the home out of the flood plain. The applicant submitted a construction cost breakdown that shows the total remodel/construction cost is 49.8% of the present fair market value of the structure (Attachment 3). The Building Official reviewed and approved the construction cost breakdown.

CEQA

Section 15332 of the CEQA Guidelines exempts project characterized as in-fill development when: the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The proposed project is consistent with the in-fill development

exemption and no adverse environmental impacts were discovered by Planning Staff during review of the proposed project.

RECOMMENDATION

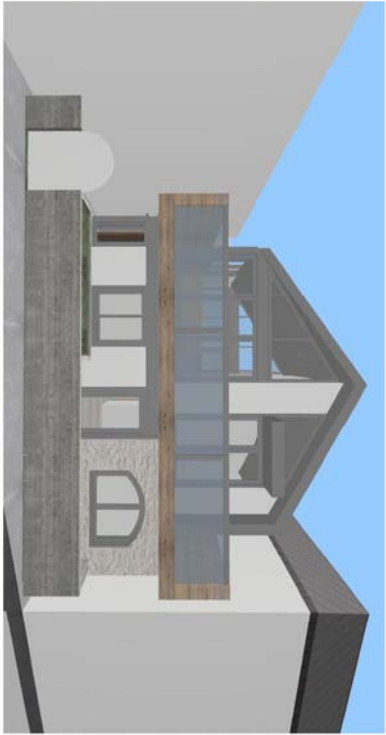
Staff recommends the Planning Commission **deny** project application #19-0313 and direct the applicant to either reduce the proposed addition to 141 square feet or less or to provide off-site parking for the proposed development at 211 Monterey Avenue.

ATTACHMENTS:

1. 211 Monterey Avenue - Full Plan Set - 08.13.2019
2. 211 Monterey Avenue - CDD Memo - Village Residential Overlay Zone Map - 02.07.2019
3. 211 Monterey Avenue - #19-0313 - 50 Percent Flood Plain Calculation
4. 211 Monterey Avenue - Historic Evaluation and Determination

Prepared By: Matt Orbach
Associate Planner

KATZ FAMILY RESIDENCE



PROPOSED FRONT PERSPECTIVE

7



VICINITY MAP

6



EXISTING FLOOR PLAN

5

EXISTING FLOOR AREA			
(E) FLOOR AREA:	1419 + 42	1461	0.72
	1960	1860	
			72%
PROPOSED FLOOR AREA			
PROPOSED FLOOR AREA:	1419 + 42 + 590 + 419	3470	1.26
	1960	1860	
			126%
FLOOR AREA CALCULATIONS			
LOT SIZE:	1960 SQ. FT.		
1ST FLOOR REMODEL:			
(E) DECK SPACE:	1419 SQ. FT.		
REMODEL SQ. FT.	42 SQ. FT.		
2ND FLOOR ADDITION:			
(N) CONDITIONED LIVING SPACE:	590 SQ. FT.		
(N) DECK SPACE:	419 SQ. FT.		

PROJECT SQUARE FOOTAGE:

3

PROJECT DESCRIPTION

2

SHEET INDEX

1

KATZ FAMILY RESIDENCE
211 MONTEREY AVENUE
CARMEL, CA 95008

fuse
ARCHITECTS
1411 COLUMBIA AVE.
CARMEL, CA 95008
TEL: 831.927.1000
FAX: 831.927.1005



Project Name
Katz Family Residence
Project Number
A00.0
Date
08/09/2019
Revision
Title Sheet
Scale
As Indicated
© 2019 Fuse

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[illegible]

fuse

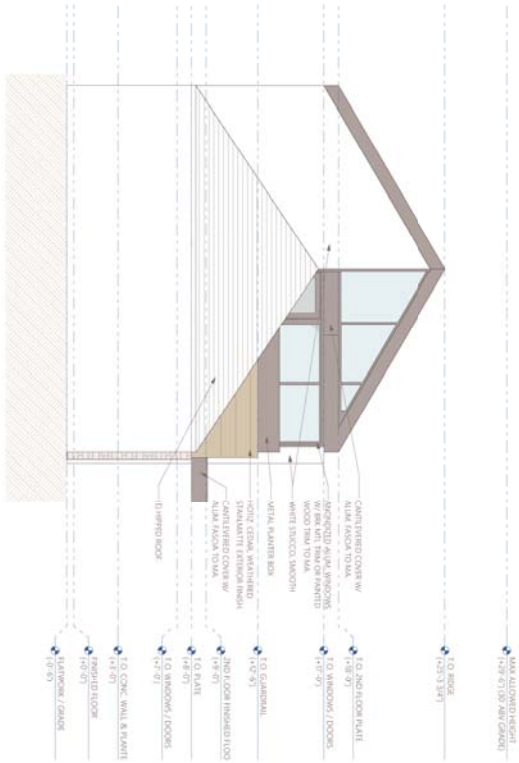
211 MONTEREY AVENUE
CAPITOLA, CA 95010

Tel 877-479-9265
Fax 877-479-9265

Issue	Date	Issue Description

Self-Signature _____





PROPOSED WEST ELEVATION

4



PERSPECTIVE - SIDE

4



PERSPECTIVE @ FRONT

3

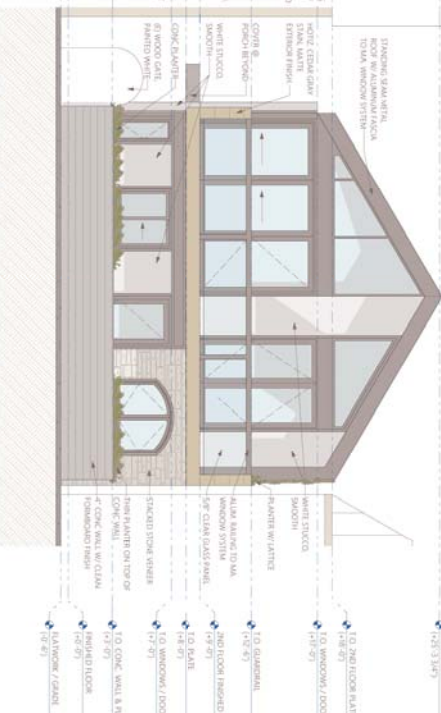
PERSPECTIVE - SIDE

5



PROPOSED SOUTH ELEVATION

2



PROPOSED EAST ELEVATION - MONTEREY AVE.

1

KATZ FAMILY
RESIDENCE
211 MONTEREY AVE
CAPITOLA, CA 95026

fuse
ARCHITECTS
1111 COLUMBIA AVE
CARMEL, CA 95008
TEL: 831.427.3398
FAX: 831.427.3325



Project Name
Katz Family Residence
APN # 035-185-19
Description
Proposed Elevations and
Perspectives
Scale
As Indicated
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A2.1

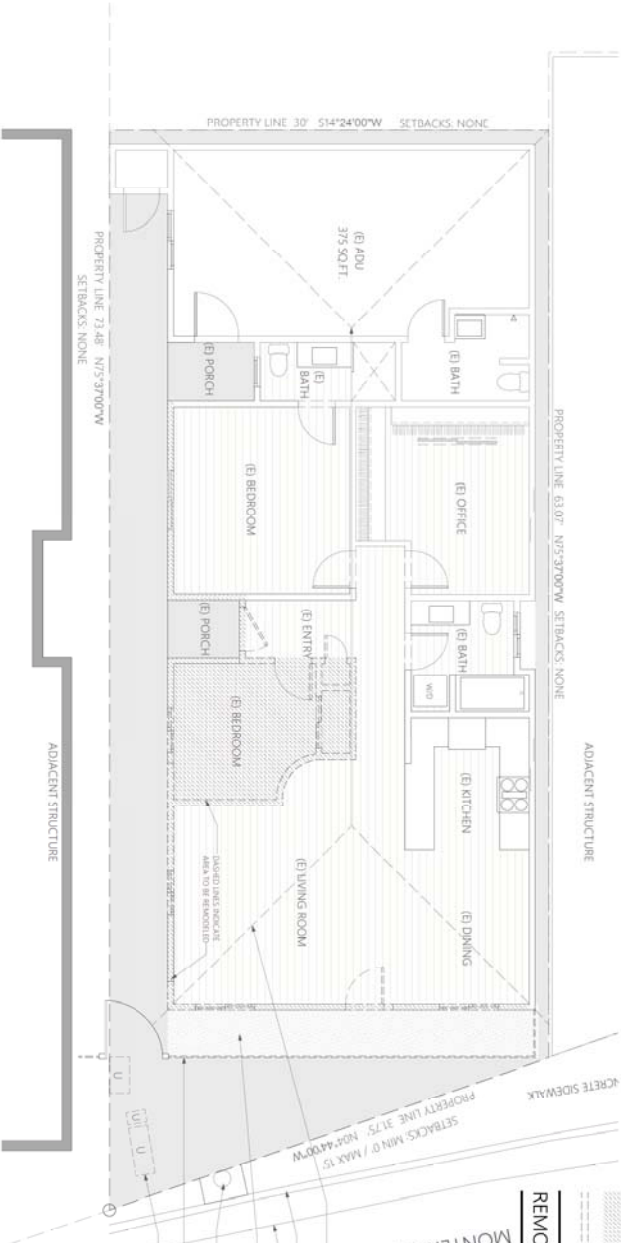




EXISTING & PROPOSED SQUARE FOOTAGE	
1ST FLOOR REMODEL	
(E) CONDITIONED SPACE	1419 SQ. FT.
(E) DECK SPACE	42 SQ. FT.
REMODEL SQ. FT.	134 SQ. FT.
2ND FLOOR ADDITION	
(N) CONDITIONED LIVING SPACE	590 SQ. FT.
(N) DECK SPACE	419 SQ. FT.
CONSTRUCTION COST BREAKDOWN	
EXISTING BUILDING COSTS	
EXISTING RESIDENCE	1419 SQ. FT. @ \$200 = \$283,800
EXISTING DECK SPACE	42 SQ. FT. @ \$25 = \$1,050
TOTAL EXISTING VALUE	\$284,850
80% OF TOTAL EXISTING VALUE	\$227,880
50% OF TOTAL EXISTING VALUE	\$142,425
NEW CONSTRUCTION COSTS	
NEW CONDITIONED SPACE	590 SQ. FT. @ \$200 = \$118,000
NEW DECK SPACE	419 SQ. FT. @ \$25 = \$10,475
REMODELLED CONDITIONED SPACE	134 SQ. FT. @ \$100 = \$13,400
TOTAL CONSTRUCTION / REMODEL COST	\$141,875 (69.8%)

PROPOSED 2ND FLOOR ADDITION SQUARE FOOTAGE BREAKDOWN

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



SQUARE FOOTAGE & VALUATION	
(N) CONDITIONED SPACE	
(N) DECK	
REMODEL AREA	
WALLS / FIXTURES TO BE REMOVED	

EXISTING RESIDENCE [PROPOSED SQUARE FOOTAGE BREAKDOWN]

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

A2.3

KATZ FAMILY
RESIDENCE
211 MONTEREY AVENUE
CAPITOLA, CA 95026

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1411 CENTRAL AVENUE
CAPITOLA, CA 95026
TEL: 831.339.1000
FAX: 831.439.1025



WOOD SIDING



WINDOW SYSTEM /
TRIM / FASCIA



BACKLIT ACCENT WALL



STONE VENEER WALLS

STUCCO WALLS

WESTERN RED CEDAR, TIGHT KNOT,
DRIFTWOOD STAIN, MATTE FINISH

BLACK OR DARK GRAY ANODIZED ALUMINUM

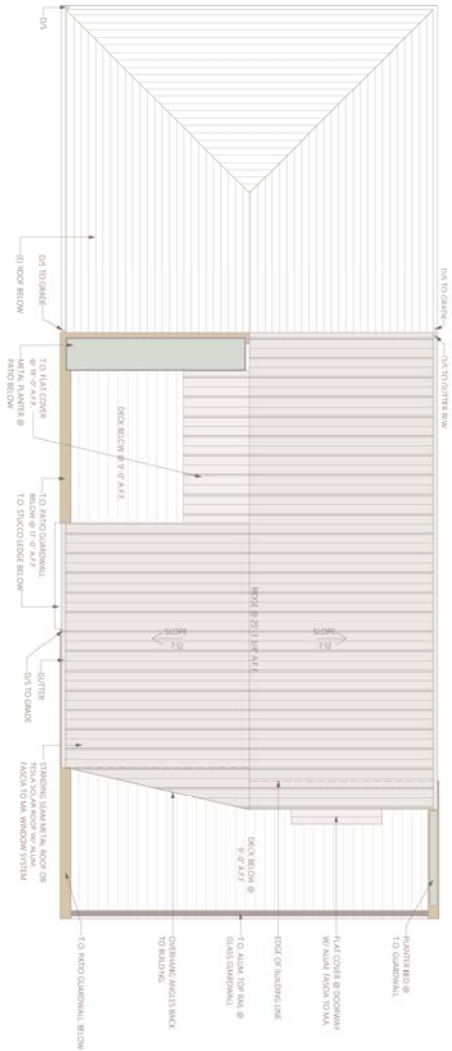
CORTEN STEEL FLAT PANEL

HORIZONTAL ORIENTED STACKED STONE, OFF-WHITE OR LIGHT TAN, NO GROUT SHOWN

SMOOTH STUCCO, WHITE OR OFF-WHITE

PROPOSED MATERIALS
SCALE: NO SCALE

SCALE: NO SCALE



PROPOSED ROOF PLAN

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



A4.4.0

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**KATZ FAMILY
RESIDENCE**
211 MONTEREY AVE
CAPITOLA, CA 95006

fuse
fuse architects inc.

4111 Capistrano Ave.
Capistrano, CA 92610

Tel 831.473.8295
Fax 831.473.8325



COMMUNITY DEVELOPMENT DEPARTMENT

Memo

To: Planning Commission
 From: Community Development Department
 Date: February 7, 2019
 Re: 211 Monterey Avenue

On Thursday, February 7, 2019, Planning staff received a copy of the Village Residential Overlay Zones map ("Exhibit B"), which was adopted by the City of Capitola as Ordinance No. 622 on February 12, 1987, as an addendum to the Zoning Ordinance Map, from the California Coastal Commission. Exhibit B is referenced in Policy I-1(b) of the City of Capitola Land Use Plan (LUP):

- b) Require adequate parking for new users, such parking to be provided at sites outside the Village area within walking distance or remote and served by shuttle system; exceptions to on-site parking may be made for (1) non-historic structures in residential areas bounding the central commercial district of the Village as shown on Exhibit B attached; (2) for the Capitola Theatre site and the Mercantile site as shown on Exhibit B attached, and providing that site designs shall provide for minimizing driveway cuts and for ground floor street frontage commercial development with parking areas/structures on the interior of the sites; (3) if mandated under Federal Emergency Agency regulations and as consistent with the certified LCP.*

Section 17.21.120(C) of the Capitola Municipal Code (CMC) includes the same language from LUP Policy I-1(b):

- C) Required parking for new users shall be provided at sites outside the village area, but within walking distance or at remote sites served by a shuttle system; exceptions to permit on site parking may be made for:*
- 1. Nonhistoric structures in residential areas bounding the central commercial district of the village; and*
 - 2. For the Capitola Theater site and mercantile site as shown on the village residential overlay zone addendum map and providing that site designs shall provide for minimizing driveway cuts and for ground floor street frontage commercial development with parking areas/structures on the interior of the sites; and*
 - 3. If mandated under Federal Emergency Management Agency regulations and as consistent with the certified LCP. (Ord. 941 § 1, 2009; Ord. 677 § 6(D), 1989; Ord. 622 Exhibit A (part), 1987)*

The map in Exhibit B, which is referenced in both LUP Policy I-1(b) and CMC §17.21.120(C), states that Residential Areas 1, 3, and 4 are the only areas that are permitted to have on-site parking. The map also shows that 211 Monterey Avenue is not located in one of the three residential areas that are permitted to have on-site parking.

Additional Materials: Item 6A
Village Residential Overlay Zone Map

Attachment: 211 Monterey Avenue - CDD Memo - Village Residential Overlay Zone Map - 02.07.2019 (211 Monterey Avenue)



CONSTRUCTION COST BREAKDOWN PER Section 17.72.070**Existing Building Costs:**

Existing residence:	1419 square feet @ \$200.00/square foot	\$283,800.00
Existing garage:	0 square feet @ \$90/square foot	n/a
Existing deck:	42 square feet @ \$25.00/square foot	\$1,050.00
<u>Total Existing Value:</u>		<u>\$284,850.00</u>
80% of Total Existing Value		\$227,880.00

New Construction Costs:

New conditioned space:	590 square feet @ \$200.00/square foot	\$118,000.00
New garage:	0 @ \$90.00/square foot	n/a
New deck/porch:	419 square feet @ \$25.00/square foot	\$10,475.00

Remodel Costs: (50% of "new construction" costs)

Remodel conditioned space:	134 square feet @ \$100.00/square foot	\$13,400.00
Remodel garage:	0 @ \$45.00/square foot	n/a
Remodel deck:	0 @ \$12.50/square foot	n/a

Total Construction/Remodel Cost: \$141,875.00 (49.8%)



ARCHIVES
ARCHITECTURE
PO BOX 1332
SAN JOSE CA 95109

December 15, 2015

Attn: Katie Cattan, AICP, Senior Planner
City of Capitola
420 Capitola Avenue
Capitola, CA 95010
(Via email)

RE: Preliminary Historical Evaluation – 211 Monterey Avenue, Capitola, CA
APN# 035-18-519

Dear Katie:

This letter constitutes a preliminary historic resource evaluation (Sometimes referred to as a “Phase One Report”) for the property located in the City of Capitola, County of Santa Cruz, at 211 Monterey Avenue.

Executive Summary

Although portions of the buildings on the parcel are over 90 years old, the property at 211 Monterey Avenue does not appear to be a historic resource within the criteria of the California Register of Historical Resources or the City of Capitola Criteria for Designation of Historic Features. The proposed alterations of the building would not, therefore, have a significant effect on the environment under CEQA. Note that the property address is listed on the Capitola Historic Structures List; however, that appears to be a typographical error. This letter is intended to provide the evaluation for these conclusions.

Introduction

An historical resource evaluation is often required in the State of California to accompany a project submittal when a city such as Capitola determines that extant structures on the property are at least 50 years old. A property does not have to be listed on the *City of Capitola Historic Structures List*, on an historic resource inventory, or on an historic property register to warrant this type of evaluation as a part of the development review process. Depending on the findings of the review, further formal documentation could subsequently be required by the City of Capitola Community Development Department, including preparation of Department of Parks and Recreation (DPR) 523 series recording forms, a more detailed assessment under the Guidelines of the California Environmental Quality Act, or other types of documentation.

In order to make significance determinations, the City of Capitola commonly requires that the investigation be done by a qualified historical consultant who then conducts the initial investigation and prepares the preliminary evaluation.

Policy and Regulatory Background

The City's historic preservation policies recognize older buildings for their historical and architectural significance as well as their contributions to the identity, diversity, and economic welfare of communities. The historic buildings of Capitola highlight the City's unique heritage and enable residents to better understand its identity through these links with the past. When a project has the potential to affect a historic resource which is either listed, or eligible for listing, on the California Register of Historical Resources, or is eligible for designation as a Historic Feature under City of Capitola's criteria, the City considers the impact of the project on this significance. Each of these listing or designation processes is based on specific historic evaluation criteria. A preliminary historic evaluation, as presented in this letter, can be used to determine the potential for historical significance of a building, structure, site, and/or improvement.

Property Development History

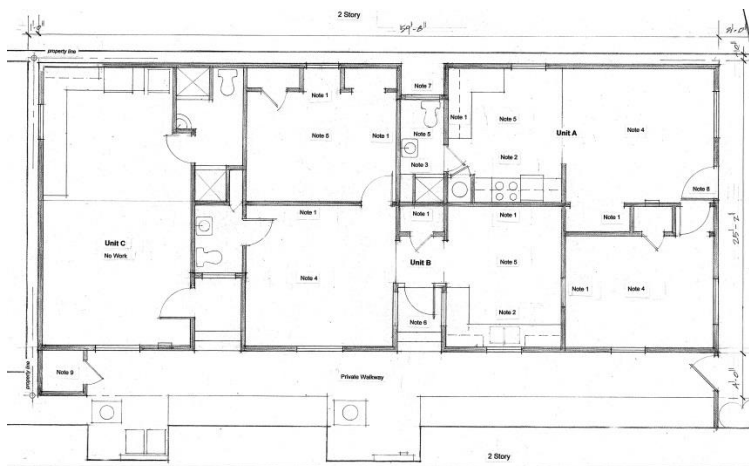
The subject property currently consists of a compact rectangular parcel in the village of Capitola. The property is currently listed as a triplex. The historic development of the parcel indicates that the existing building was built as a duplex rental residence at the front of the property with a separate residential rental cottage (four units) to the rear, sometime between 1919 and 1927. These buildings have been joined and altered over time and are currently spanned by a single hipped roof. The once-separate buildings now comprise a rectangular multi-family dwelling with a single unit at the front and two units at the rear with access from the south side. The original sides of the building exhibit tri-bevel drop siding and wood 1/1 double-hung windows. These materials were widespread from around 1900 into the mid-1920s, and they were commonly associated with Neoclassical Bungalows of the era, including vernacular structures with bungalow influences. The front (east) façade has been altered to have stucco siding, to have only one entrance, and to be stripped of almost all trim, in keeping with a minimal-traditional design style, popularized in the late 1930s through the 1950s. The proposed design project includes an existing floor plan that documents the physical configuration of the existing building (See below).

The Capitola Company Map from 1922 shows the city divided into rectangular parcels forming a regular pattern; however, historically there were houses and buildings, at the subject site and elsewhere, which spanned these proposed property alignments.

Both before and after 1922, as shown in the 1892 through 1927 Sanborn insurance maps of Capitola, the parcel at 211 Monterey Avenue was configured as an "L", joined with a parcel facing Park Place (105 Park Pl.).

As late as 1917 (also shown in 1892 and 1905 maps), the

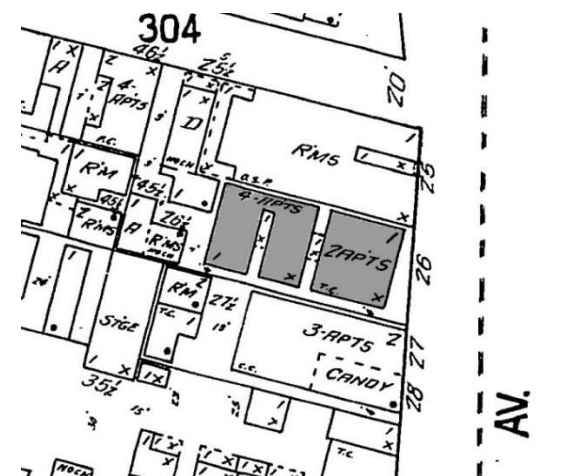
Sanborn Fire Insurance Map shows a long, "L"-shaped, single-family dwelling at the portion of the parcel facing what was then Bay Avenue (now Monterey Avenue). The house footprint and its location on the site indicate that this past house is not related to, nor encapsulated into, the



*Existing House Plan - House Interior Renovation 211 Monterey Avenue, Capitola, CA (Sheet A2 - Undated)
by Robert Burkhart, Architect*

residential building complex that is there now. In 1917, the house had a rear addition that extended into the rear corner of the parcel, and there were other outbuildings shown in subsequent maps on the portion of the parcel now addressed on Park Place.

After 1917 and before 1927, the single-family house was demolished or removed, and a small duplex and separate “U”-shaped building had been placed on the subject site. The duplex had a square footprint and was at the front (east) of the parcel. The “U”-shaped building was labeled as four dwelling units, and was at the back of the parcel, with the opening of the “U” to the south. There were porches between the buildings. This date range is commensurate with the construction materials and style of the visible original building elements. The final establishment of the rear property line was not determined for this evaluation.



Sanborn Insurance Map
Capitola 5 Nov 1927

According to the *Historic Context Study for the City of Capitola* (Carolyn Swift, 2004), the period of significance that spans this time range can be referred to as **Modernism** (1919-1926), a part of the **Rispin Era** (1919-1936). Allen Rispin was a capitalist/developer who purchased significant pieces of land in Capitola in 1919 and planned to “expand Capitola on both sides of the creek and sell subdivision tract sites quickly. Rispin’s chosen market was the upper-middle-income vacationer from the San Francisco Bay Area.” Prior to Rispin’s development plans, F.A. Hihn, the primary original developer spanning approximately 1882 to 1913 “...had promoted Capitola as an affordable vacation site... Rispin advertised homes for ‘the interest of families of the better class.’” Rispin “...envisioned for Capitola... Spanish Colonial Revival and Mediterranean” designs and sold commercial and residential parcels for others to develop economically. Although developed during a time when Capitola “...expanded and prospered,” the original duplex and fourplex dwellings on the parcel are not representatives of the “better class” of design, and do not embody the Spanish Colonial Revival or Mediterranean designs being touted in that era. Therefore, the remaining historic elements do not have contextual associations with the significant historical patterns of the Village of Capitola.

Preliminary Evaluation Status

The parcel at 211 Monterey Avenue is listed by address on the 2005 *City of Capitola Historic Structures List* with the status of 7N. This designation, according to the State of California Historical Resource Status Codes, indicates that the property “needs to be reevaluated.” The property address was first identified as part of the *Capitola Architectural Survey* published in 1986, indicated by the designation “D” on the Historic Structures List, and as shown in the *Capitola Architectural Survey*.

The address of 211 Monterey Avenue, although included, as noted above, on the 1986 *City of Capitola Historic Structures List*, clearly appears to have been a typographical error in the place of 215 Monterey Avenue, a house near the subject property. The photograph accompanying the address on the Historic Structures List is one of 215 Monterey Avenue, and the description of the resource is also a description of 215 Monterey Avenue, a “c. 1900 vernacular/Victorian residence”, not the subject property. It can be assumed that this might cause some technical challenges in the planning application process; however, it seems from the evidence that the subject property was not intended to be included in the original Survey. It must be evaluated separately from this identification.

The property at 211 Monterey Ave. has not been previously evaluated locally at an intensive level. The property is not listed or designated as a part of any state or national survey of historic resources. The preparers of this preliminary historical evaluation letter reviewed the subject property under local, state and national criteria, to analyze eligibility for listing or designation as a historic property.

California Register of Historical Resources

The California Office of Historic Preservation describes the California Register as a “...program [that] encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act.” There are four criteria for designation, evaluated for 211 Monterey Avenue as follows:

Historic Events and Patterns

211 Monterey Ave., although at least 75 years old, is not individually representative of any larger historical patterns of development, and not identified as a contributor to a potential historic neighborhood, within the greater boundaries of the present-day City of Capitola, according to the *Historic Context Statement*. The village area has a diverse pattern of development, with many specifically identified historic buildings and districts; however, this building does not meet the criteria of the identified resource context. It was not built within the larger context of the Modernism phase of Capitola, and has been further altered, reducing its connections even more. The building at 211 Monterey Ave. is not a part of any identified historic area, and is not associated with significant events, under Criterion (1) of the California Register of Historic Resources.

Personages

No original owner/builder has been previously identified for this property, and during this initial evaluation, no locally significant personages were discovered to be associated with this property. The property would therefore not appear to be eligible for the California Register based on personages under California Register Criterion (2).

Architecture

Although the visible sides of the building include materials recognizable as common in the early-to-mid-twentieth century, the floor plan and front façade of the residential structure(s) were heavily altered over time, and the remaining fragments of the building do not adequately represent a complete example of a design from this historic period, let alone represent a distinguished composition of the original style. The materials are relatively common and used in a vernacular manner, so do not embody exceptional significance for their quality or workmanship. The façade is likely over 50 years old, but has not gained historic significance in its own right over time. The façade is in the Minimal Traditional style. Minimal Traditional buildings are an early-to-mid-twentieth-century transition between the revival styles of the 1920s and 30s and post-war Ranch-style design. They are modest by definition, and can capture the feelings and association of an austere and family-oriented era; however, this example, as an alteration of an earlier structure, and having been altered itself in the recent past, is not an exceptional representation of the use of materials or composition from that era. The designer of the historic apartment units was not discovered during the research for this preliminary study, so there are no identifiable associations with a particular designer or architect. The property would therefore not qualify for the California Register under Criterion 3.

Potential to Provide Information

The property has no known associations or identified materials that indicate that it might lead to the discovery of significant information. The property would therefore not qualify for the California Register under Criterion 4.

Integrity

According to the Office of Historic Preservation *Technical Assistance Series #6*

Integrity is the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance described above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been rehabilitated or restored may be evaluated for listing. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance.

The historic integrity of the current residential property at 211 Monterey Avenue has been generally compromised over time. The location and setting in Capitola Village have remained reasonably constant; however, the feeling of the majority of the visible structure does not evoke an early-twentieth-century vernacular rental bungalow/cottage. The current configuration represents an alteration to the original dual-cottage footprint. The stucco alterations at the front façade, the alterations to the roofline, and the removal of one of the duplex's front doors have altered the associations with the original 1920's design and use. These changes have also reduced the integrity of the historic materials and workmanship. Even had the property been found to have significant historic associations (i.e., meet historic significance criteria as noted above), the property's historic integrity would not be considered adequate to sustain a significant historic resource.

Capitola Historic Features Ordinance

The Capitola Historic Features Ordinance allows for the designation of local historic resources, known as historic features. The designation requires that a property must "evidence one or more" of 11 qualities, including being representative of an era or style, a rare type of building, is older than most similar buildings, is associated with a rare use, the architect builder is significant, is long-established as a landmark, or that the materials are significantly unusual or remarkable, etc.

In considering the significance of the subject property based on the City of Capitola's Historic Feature Ordinance, the property was not found to have individually significant architectural character, associations with identified historic patterns or events, associations with important personages, or the use of materials that could be considered significant; the property type and its use are not rare, and the building is not prominent within the city, not a commonly held landmark, and is not a contributor to the city's larger historic character. Within the City of Capitola's Historic Feature Ordinance adopted by the City in 1982, the property would not meet the eligibility requirements for designation as a Historic Feature.

Qualifications

Archives & Architecture, LLC, is a cultural resource management firm located in San Jose, California. Leslie Dill, a partner in the firm and the author of this letter, is a licensed architect in the State of

California and meets the Secretary of the Interior's qualifications within the fields of Historic Architecture and Architectural History to perform identification, evaluation, registration, and treatment activities in compliance with state and federal environmental laws, and is listed with the California Historical Resource Information System (CHRIS). The standards are outlined in 36 CFR Part 61.

Methodology

The methodology used for this historic evaluation included an off-site observation of the extant structure via photographs, aerials, previous documentation reports, and current architectural submittal information, a preliminary investigation into the history of the property and its associations, and an evaluation of the property within the context of the development of the local area and early development in what is now the City of Capitola.

Conclusion

Although portions of the subject residential property were built prior to 1927, making it over 90 years old, the units at 211 Monterey Avenue have been heavily altered over time. The subject property does not meet the criteria for listing on the California Register of Historical Resources nor meet any of the eleven criteria for designation as a Historic Feature utilizing the City of Capitola Historic Feature Ordinance. The property has lost historic integrity to its original design, materials, workmanship, feelings, and associations. The address listed on the *City of Capitola Historic Structures List* appears to be a typo, requiring some form of clarification during the planning process.

Because the property does not meet state or local criteria for significance, it would not be considered a historic resource under the California Environmental Quality Act (CEQA). Major alterations of the building, such as those currently proposed, therefore, would not have a significant effect on the environment under CEQA.

Sincerely:



Leslie A.G. Dill, Architectural Historian and Historic Architect
Archives & Architecture, LLC

Location Map



Attachment: 211 Monterey Avenue - Historic Evaluation and Determination (211 Monterey Avenue)



*Front of property, viewed facing west
November 2015, from Maor Katz*



*Historic Siding, windows, trim and door at inset entrance, viewed facing north
November 2015, from Maor Katz*



*Historic Siding, window, trim and door at inset entrance, viewed facing north
November 2015, from Maor Katz*