



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, October 3, 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. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - Sep 5, 2019 7:00 PM

4. 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. 523 Riverview Drive #19-0323 APN: 035-042-05

Coastal Development Permit to replace an existing retaining wall located within the R-1 (Single-Family Residential) zoning district.

Note: Request to Continue to November 21, 2019.

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

Environmental Determination: Categorical Exemption

Property Owner: Ed Bottorff

Representative: Ed Bottorff, Filed: 07.11.2019

- B. 4025 Brommer Street #19-0343 APN: 034-164-08**
 Sign Permit for a new projecting sign, window sign, and directional sign for Timberworks located within the C-C (Community Commercial) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption
 Property Owner: Stuart Family Trust
 Representative: Rob Stuart, Filed: 07.22.2019

5. 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. 1850 41st Avenue #19-0408 APN: 034-201-44**
 Conditional Use Permit for a new retail cannabis business (Apothecarium), Design Permit for modifications to the exterior of the existing building, and Sign Permit for a new wall sign located within the previous H&R Block office within the C-R (Regional Commercial) zoning district. This project is not in the Coastal Zone and does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption
 Property Owner: C. Richard Deane and Marilyn Ardis Deane Revocable Family Trust
 Representative: Nielsen Studios, Filed: 08.29.2019
- B. 4199 Clares Street #19-0169 APN: 034-222-05**
 Tentative Parcel Map and Conditional Use Permit for a two-lot subdivision that includes a condominium conversion of an existing duplex, and a Design Permit for a new single-family residence toward the front of the property 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
- C. 1600 49th Avenue #19-0260 APN: 034-041-26**
 Appeal of an administrative denial of a tree removal application for a tree 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: Michael & Vickie Oliver
 Representative: Michael & Vickie Oliver, Filed: 05.28.2019

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. 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.



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 5, 2019
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Christiansen, Newman, Routh, Wilk and Chair Welch were all present.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

There were three public comment emails regarding Item 5.A available at the meeting for the public's review.

B. Public Comments – none

C. Commission Comments – none

D. Staff Comments – none

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - Jul 18, 2019 7:00 PM

MOTION: Approve the minutes from the regular meeting of the Planning Commission on July 18, 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mick Routh
SECONDER:	Courtney Christiansen
AYES:	Newman, Welch, Routh, Christiansen
RECUSED:	Peter Wilk

B. Planning Commission - Regular Meeting - Aug 1, 2019 7:00 PM

MOTION: Approve the minutes from the regular meeting of the Planning Commission on August 1, 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mick Routh
SECONDER:	Courtney Christiansen
AYES:	Newman, Welch, Wilk, Routh, Christiansen

4. CONSENT CALENDAR

- A. 523 Riverview Drive #19-0323 APN: 035-042-05**
Coastal Development Permit to replace an existing retaining wall located within the R-1 (Single-Family Residential) zoning district.
Note: Request to Continue to October 3, 2019.

Minutes Acceptance: Minutes of Sep 5, 2019 7:00 PM (Approval of Minutes)

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

Environmental Determination: Categorical Exemption

Property Owner: Ed Bottorff

Representative: Ed Bottorff, Filed: 07.11.2019

MOTION: Continue to the next regular meeting of the Planning Commission on October 3, 2019.

RESULT:	CONTINUED [OCTOBER 3, 2019 MEETING]
MOVER:	Edward Newman, Commissioner
SECONDER:	Courtney Christiansen
AYES:	Newman, Welch, Wilk, Routh, Christiansen

B. 204 Fanmar Way #19-0294 APN: 035-151-11

Design Permit for first-story additions and a new roof on a nonconforming single-family residence located within the RM-LM (Multiple-Family Low-Medium Density) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Eric Miller

Representative: Eric Miller, Filed: 06.19.2019

MOTION: Approve the Design Permit with the following conditions and findings.

CONDITIONS:

1. The project approval consists of construction of 275-square-feet of additions and a new roof on an existing single-family residence. The maximum Floor Area Ratio for the 3,264-square-foot property is 56% (1,828 square feet). The total FAR of the project is 48% with a total of 1,564 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 September 5, 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 #19-0294 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 additions and new roof comply with the development standards of the RM-LM (Multiple-Family Low-Medium Density) 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 additions and new roof. The design of the home with the new roof and siding matching the existing structure will fit in nicely with 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 they addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition. The proposed additions total 275 square feet, which is an increase of 21 percent. No adverse environmental impacts were discovered during review of the proposed project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Courtney Christiansen
SECONDER:	Mick Routh
AYES:	Newman, Welch, Routh, Christiansen
RECUSED:	Peter Wilk

- C. 620 Oak Drive #19-0113 APN: 035-301-06**
Design Permit for first- and second-story additions to a single-family residence 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: Robert Reed
Representative: Roy Horn, Filed: 03.08.19

This item was pulled from the consent calendar and heard before Item 5.A.

Assistant Planner Sesanto presented the staff report.

Commissioner Routh confirmed that the privacy screen is solid, with slats in the top half.

The applicant’s representative, Roy Horn, was present to answer questions. Michael Bertoldo, 622 Oak, spoke of a concern that the construction crew will require parking in the neighborhood and block emergency vehicles from quickly accessing homes of several elderly neighbors.

Chair Welch suggested the applicant enter in a “gentleman’s agreement” to preserve necessary parking and access of neighbors and emergency vehicles.

Minutes Acceptance: Minutes of Sep 5, 2019 7:00 PM (Approval of Minutes)

Mr. Horn agreed that all workers will be as courteous as possible and noted that the applicant's driveway will also be utilized first by the construction crew.

MOTION: Approve the Design Permit with the following conditions and findings.

CONDITIONS:

1. The project approval consists of 1,039-square-feet of first- and second-story additions to an existing single-family residence and an 18-square-foot addition to an existing nonconforming detached garage. The maximum Floor Area Ratio for the 3,994-square-foot property is 54% (2,157 square feet). The total FAR of the project is 52.8% with a total of 2,109 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 September 5, 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, the applicant shall include details for a screen wall at least five-and-a-half-foot tall, measured from the deck floor, along the edge of the rear deck that faces the adjacent property. The site plan and landscape plan shall include additional trees along the property line along 618 Oak Drive to protect the privacy of the adjacent property.
5. 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.
6. 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.
7. 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.
8. Prior to issuance of building permit, all Planning fees associated with permit #19-0113 shall be paid in full.
9. 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.
10. Prior to issuance of 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.
11. 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.

12. Prior to issuance of building permit, downspouts shall be shown with the direction of flow indicated. Pre- and post-project calculations for pervious surfaces and a management plan for winter construction shall be provided.
13. 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).
14. 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.
15. 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.
16. 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
17. 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.
18. 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.
19. 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.
20. 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.
21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
22. 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.

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 additions comply with the development standards of the R-1 (Single-Family Residential) Zoning 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 project. The proposed additions to the existing single-family residence and detached garage, with shiplap siding on the first floor, battened panel siding on the second floor, a raised-seam metal roof, and creative articulation on the second story, will fit nicely with 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.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Edward Newman
SECONDER:	Courtney Christiansen
AYES:	Newman, Welch, Wilk, Routh, Christiansen

5. PUBLIC HEARINGS**A. 115 San Jose Avenue - Pizzeria - Alcohol #19-0332 APN: 035-221-19**

Amendment to a Conditional Use Permit for alcohol sales for La Bufala, a take-out pizza restaurant located within the Mercantile, in 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: Peter Dwares

Representative: Sandro Costanza, Filed: 07.11.2019

Commissioner Newman recused himself due to owning property within 500 feet of the project.

Assistant Planner Sesanto presented the staff report.

Commissioner Routh asked if the alcohol sales permit will allow for on-sale and off-sale alcohol sales. Planning staff explained that this type of permit is what most restaurants have and allows for the re-corking and taking home of any wine bottles that were initially purchased for consumption on restaurant premises. Commissioner Routh commented on other businesses in the Village with alcohol licenses. Director Herlihy pointed out that a previous to-go restaurant in this location had the same type of alcohol sales permit.

The Mercantile Building's property manager, Josh, was present to answer questions and explained that those purchasing alcohol would have to consume it on site, something that would be monitored closely by the restaurant's staff.

MOTION: Approve the Amendment to the Conditional Use Permit to allow for alcohol sales, with the following conditions and findings.

CONDITIONS:

1. The project approval consists of the addition of on-site alcohol sales and consumption to an existing Conditional Use Permit for a 1,001-square-foot take-out restaurant (Pizzeria La Bufala) with six seats or less at 115 San Jose Avenue (Suite 111). No other modifications to the use or size of the restaurant are proposed within the application.
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.
3. The applicant shall receive permission from ABC prior to September 16, 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.

Original Conditions of Approval for Permit #19-0140:

5. 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.
6. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
7. 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.
8. 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.
9. 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.
10. 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.

11. Prior to issuance of building permit, all Planning fees associated with permit #19-0140 shall be paid in full.
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. 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 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.
16. 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.
17. 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.
18. Prior to issuance of a business license and/or building permit, applicant shall provide funding for a new off-site trash receptacle and the installation of the receptacle within the Capitola Village. The type and placement of the new trash receptacle shall be determined by the Director of Public Works.
19. Prior to issuance of a business license and/or building permit, wheel stops shall be installed in the three parking spaces in front of the west entrance to the Capitola Mercantile (spaces 28, 12, and 40 in the approved plan set).

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 to-go 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 project for the sale of alcohol for a previously approved to-go restaurant. 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 the sale of beer and wine for on-site consumption in a previously approved to-go restaurant within the C-V (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RESULT:	APPROVED [3 TO 1]
MOVER:	Peter Wilk, Commissioner
SECONDER:	Courtney Christiansen
AYES:	Welch, Wilk, Christiansen
NAYS:	Mick Routh
RECUSED:	Ed Newman

B. 1440 41st Avenue #19-0369 APN: 034-111-50

Conditional Use Permit to operate and expand Hot Elevation Studios, a fitness studio located within the C-C (Community Commercial) zoning district. This project is in the Coastal Zone and requires a Coastal Development Permit. Environmental Determination: Categorical Exemption
Property Owner: Four Starr Properties
Representative: Fuse Architects, Filed: 08.05.2019

Commissioner Christiansen recused herself as she is an employee of Fuse Architects.

Associate Planner Orbach presented the staff report and emphasized that the parking study condition as written covers the entire shopping center, Four Star Center, not just this specific business.

Commissioner Wilk asked if the building's owner was aware of the additional parking condition, and Associate Planner Orbach confirmed that the owner agreed with the proposed approach.

Commissioner Newman asked about the parking study requirements and expressed belief that any future use of the currently empty building, formerly Outdoor World, will require a parking study before gaining approval for a Conditional Use Permit.

The project's representative, Nia Louis, was available to answer questions.

Commissioner Wilk acknowledged a neighboring business owner's concerns that fitness studio clients and shoppers are utilizing their parking lot to go to fitness classes and shop within Four Star Center and identified this "overflow" parking situation as a problem.

Commissioner Newman announced that he is a client of Hot Elevation Studios and that he is in a business relationship with the gentleman who expressed concern about overflow parking. He also expressed confusion regarding the Kimley Horn parking studies.

Chair Welch asked if directional signs are included in this shopping center's master sign plan. Director Herlihy explained that applications for directional signs are placed under administrative review rather than going before the Planning Commission.

Commissioner Newman suggested an added condition that Hot Elevation Studios agree to monitor and ensure that their customers are not parking in neighboring lots. Commissioner Routh countered

that customers of all businesses in Four Star Center may be utilizing the neighboring lot, so the entire center should have this additional condition. Commissioner Wilk pointed out that signs indicating “office use parking only” are already present in the neighboring lot and questioned if there was any further appropriate action for the Commission to take.

Director Herlihy added that if noncompliance with a conditional use permit’s condition ever becomes an issue, the conditional use permit can be brought before the Planning Commission for review and possible modifications.

Commissioner Newman suggested a mild condition asking the business owner to assert reasonable efforts to ensure their customers do not illegally park in any neighboring lot.

MOTION: Approve the Conditional Use Permit and Coastal Development Permit with the following conditions and findings.

CONDITIONS:

1. The project approval consists of the operation and expansion of a fitness studio (Hot Elevation Studios) within Suites E, G, and H of an existing commercial space (Four Star Center) located at 1440 41st Avenue. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 5, 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. 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.
5. Prior to issuance of building permit, all Planning fees associated with permit #19-0369 shall be paid in full.
6. 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.
7. 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
8. 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.
9. 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.

10. 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.
11. Parking for 1420, 1430, and 1440 41st Avenue is provided in a shared parking lot. To ensure adequate parking for all tenants at 1420, 1430, and 1440 41st Avenue is provided on site, a parking study shall be required for any future tenants or tenant expansions that cause the cumulative total parking demand for the businesses on the site to exceed the 111 parking spaces provided. The owner has indicated future plans to increase onsite parking with eight additional spaces, which would increase the total onsite parking to 119 spaces. The threshold for a parking study shall increase to a cumulative total parking demand greater than 119 spaces if the additional eight spaces are constructed.
12. Applicant shall make reasonable efforts to keep customers parking on-site.

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. With a conditional use permit, the proposed operation and expansion of a fitness studio complies with the development standards of the C-C 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 operation and expansion of a fitness studio. The fitness studio will fit in nicely with the existing commercial center. The project will maintain the character and integrity of the C-C zoning district.
- 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 operation and expansion of a fitness studio within the C-C (Community Commercial) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS:

D. Findings Required.

1. **A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;

- c. A description of the legitimate governmental interest furthered by any access conditioned required;
- d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:

2. Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D)(2)(a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

- a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 1440 41st Avenue. The commercial spaces are not located in an area with coastal access. The operation and expansion of a fitness studio will not have an effect on public trails or beach access.
- b. Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
 - The proposed project is located along 41st Avenue. No portion of the project is located along the shoreline or beach.
- c. Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by

- the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.
- d. Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on 41st Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**
- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
 - The project is not requesting a Public Access Exception, therefore these findings do not apply.
- 4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a commercial area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

- e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
5. **Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**
 - No legal documents to ensure public access rights are required for the proposed project.
 6. **Project complies with visitor-serving and recreational use policies;**

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves the operation and expansion of a fitness studio on a commercial lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves the operation and expansion of a fitness studio on a commercial lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves the operation and expansion of a fitness studio on a commercial lot of record.

7. **Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**
 - The project involves the operation and expansion of a fitness studio. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
8. **Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**
 - The project complies with the design guidelines and standards established by the Municipal Code.
9. **Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;**
 - The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.
10. **Demonstrated availability and adequacy of water and sewer services;**
 - The project is located on a legal lot of record with available water and sewer services.
11. **Provisions of minimum water flow rates and fire response times;**
 - The project is located one mile from the Central Fire Protection District Capitola Station. Water is available at the location.

12. **Project complies with water and energy conservation standards;**
 - The project is for the operation and expansion of a fitness studio. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.
13. **Provision of park dedication, school impact, and other fees as may be required;**
 - The project will be required to pay appropriate fees prior to building permit issuance.
14. **Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;**
 - The project does not involve a condo conversion or mobile homes.
15. **Project complies with natural resource, habitat, and archaeological protection policies;**
 - Conditions of approval have been included to ensure compliance with established policies.
16. **Project complies with Monarch butterfly habitat protection policies;**
 - The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.
17. **Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
 - Conditions of approval have been included to ensure compliance with applicable erosion control measures.
18. **Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;**
 - Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
19. **All other geological, flood and fire hazards are accounted for and mitigated in the project design;**
 - Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.
20. **Project complies with shoreline structure policies;**
 - The proposed project is not located along a shoreline.
21. **The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
 - This use is an allowed use consistent with the C-C (Community Commercial) zoning district.
22. **Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**
 - The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.
23. **Project complies with the Capitola parking permit program as follows:**
 - a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.

- d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
- e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
- f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
- g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
- h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
 - The project site is not located within the area of the Capitola parking permit program.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Edward Newman
SECONDER:	Peter Wilk
AYES:	Newman, Welch, Wilk, Routh
RECUSED:	Courtney Christiansen

6. DIRECTOR'S REPORT

Director Herlihy announced that on Tuesday, August 27, the City received an official application for the Capitola Town Square project, the new development at the current Capitola Mall. City Staff is excited to move forward with a new team including a contract with JHS Planning assigning John Schwarz as project lead. An economic review will be completed by the contract firm Kosmot and Associates and the contract for an environmental review will be voted on at City Council next week. Director Herlihy explained that the goal is to have the project come before the Planning Commission in October or November for a conceptual review, which may require an additional, special, meeting. Proposed dates will be communicated as soon as possible. An RFP for a design reviewer is also pending.

On August 22 City Council reviewed the conceptual review for the proposed Village Hotel and gave similar feedback to what Commissioners provided earlier in the year. The City Manager and Community Development Director will meet with developer, Swenson Builders, to check in on the project’s status.

7. COMMISSION COMMUNICATIONS

Commissioner Wilk confirmed with Director Herlihy that the City will have more information from Swenson Builders soon regarding their proposed hotel.

Chair Welch acknowledged that all current members of the Planning Commission qualifications are compliant with City Code and that a commissioner residency requirement will be discussed by City Council within the next month. He expressed support for all current Planning Commissioners and noted that each member brings special qualifications to the Commission.

8. ADJOURNMENT

The meeting was adjourned at 7:54p.m. to the next regular Planning Commission meeting on October 3, 2019.

Minutes Acceptance: Minutes of Sep 5, 2019 7:00 PM (Approval of Minutes)

Chloé Woodmansee, Clerk to the Commission

Minutes Acceptance: Minutes of Sep 5, 2019 7:00 PM (Approval of Minutes)



STAFF REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT
DATE: OCTOBER 3, 2019
SUBJECT: **523 Riverview Drive #19-0323 APN: 035-042-05**

Coastal Development Permit to replace an existing retaining wall located within the R-1 (Single-Family Residential) zoning district.

Note: Request to Continue to November 21, 2019.

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

Environmental Determination: Categorical Exemption

Property Owner: Ed Bottorff

Representative: Ed Bottorff, Filed: 07.11.2019

RECOMMENDATION

Staff recommends that the Planning Commission **continue** application #19-0323 to the November 21, 2019, Planning Commission meeting.

Prepared By: Matt Orbach
Associate Planner



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 3, 2019
 SUBJECT: **4025 Brommer Street** **#19-0343** **APN: 034-164-08**

Sign Permit for a new projecting sign, window sign, and directional sign for Timberworks located within the C-C (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Stuart Family Trust

Representative: Rob Stuart, Filed: 07.22.2019

APPLICANT PROPOSAL

The applicant is proposing a new projecting sign, window sign, and directional sign for Timberworks located at 4025 Brommer Street in the CC (Community Commercial) zoning district. A new projecting sign requires Planning Commission approval.

HISTORY

On March 2, 2017, the Planning Commission approved a design permit and conditional use permit for a three-story mixed-use building with a variance to decrease minimum floor height and parking dimension standards. On August 7, 2019, the owner passed the final building inspection and was granted occupancy.

DISCUSSION

The mixed use building at 4025 Brommer Street is occupied by the Timberworks construction office on the first floor with residential above. The applicant is proposing new signs to better identify the commercial use and the location of parking in the back.

Projecting Sign

The application includes installing a diamond-shaped projecting sign to be suspended over the front entryway. The sign includes the Timberworks logo and is made of wood with raised lettering and a thin metal border. The sign area is approximately one square foot with a letter height of six inches. No illumination is proposed.

Pursuant to Section 17.57.070(C), projecting signs are required to comply with the following underlined standards:

1. No such sign shall exceed sixteen square feet in area, except in residential zoning districts a projecting sign shall not exceed five square feet in area.

Staff Analysis: The sign area is one square foot.

2. No such sign shall extend above the top level of the wall upon which it is situated.

Staff Analysis: The sign is suspended from the first floor.

3. No such sign shall project more than two feet over any public property or pedestrian and vehicular easement.

Staff Analysis: The sign hangs over private property above the front entrance.

4. Each business shall be permitted one projecting sign.

Staff Analysis: The application includes three signs for the property including one projecting sign, one window sign, and one directional sign. There are no other signs on the property.

5. An encroachment permit must be obtained for all signs projecting over a public right-of-way.

Staff Analysis: The sign does not encroach over a public right-of-way.

6. Any such sign that is suspended or projects over any public walkway or walk area shall have an overhead clearance of at least eight feet.

Staff analysis: The sign is located over the entryway which will be accessed by the public. The clearance from the ground to the bottom of the sign is eight feet. This complies with the minimum clearance of eight feet.

7. No such sign shall list the products to be sold or the services to be provided.

Staff Analysis: The sign includes the Timberworks logo.

In conclusion, the proposed projecting sign complies with all the required sign standards.

Window Sign

The applicant is also proposing a window sign within the front door window. Pursuant to 17.57.020.B.3, the area of a window sign shall be less than twenty percent of the total area of the window. The total area of the window is twelve-and-a-half square feet. The sign area is approximately two-and-a-half square feet in area and occupies twenty percent of the front door window. The sign is a white decal with company logo and business information.

Directional Sign

The applicant is proposing a direction sign to be suspended over the driveway facing Brommer Street. The sign has two sections; the company logo above and the traffic guidance hanging below. For identification purposes the logo section utilizes the Timberworks logo with materials and dimensions matching that of the front projecting sign. The lower section indicates "Parking in rear" for vehicle traffic.

Pursuant to Section 17.57.030(E), on-site directional signs are exempt as long as they guide traffic and parking on private property but bear no advertising matter and have a display area of less than six square feet. The total sign area is less than one-and-a-half square feet. Although the code specifies no advertising, the owner is requesting allowance of the logo to identify that the parking in the rear of the property is for Timberworks customers.

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

project involves new signage for a commercial use on a mixed-use property in the CC (Community 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 that the Planning Commission approve the sign permit for application #19-0343 based on the following findings and conditions of approval.

CONDITIONS OF APPROVAL

1. The project approval consists of a one-square-foot projecting sign, a window sign that is less than twenty percent of the window area, and directional signage at 4025 Brommer Street. 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 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.
3. A building permit shall be secured for the signs authorized by this permit within 60 days. Final building plans shall be consistent with the plans approved by the Planning Commission.
4. Prior to issuance of building permit, all Planning fees associated with permit #19-0343 shall be paid in full.
5. During construction, any construction activity shall be subject to a construction noise curfew, except as 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 the 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 two years 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. This 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**1. 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 signs will secure the purpose of the zoning ordinance and general plan.

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

Community Development Department Staff and the Planning Commission have reviewed the signs and determined that the signs maintain the character and integrity of the Community Commercial zoning district.

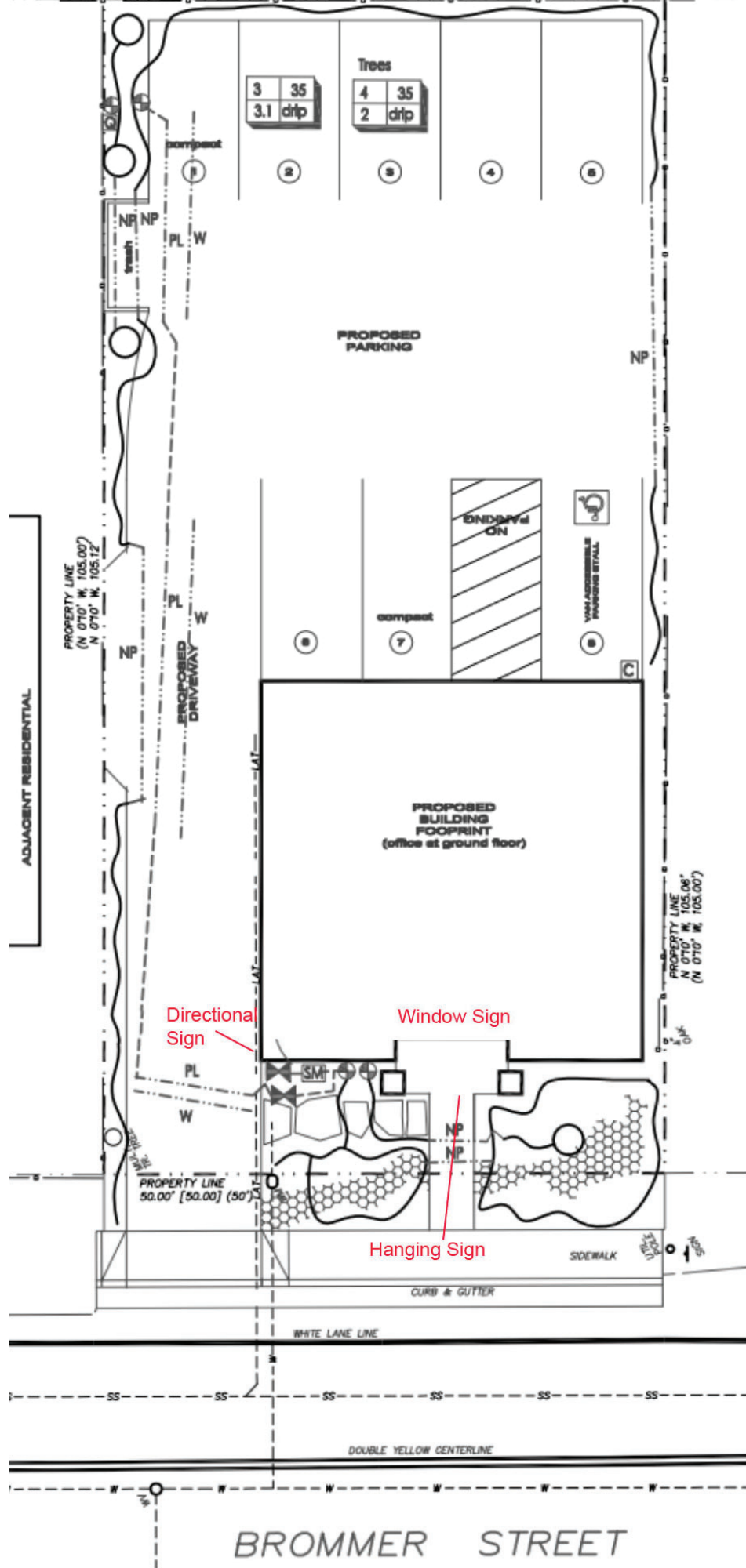
3. This project is categorically exempt under Section 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations

The signs are proposed on an existing mixed-use building in the Community Commercial zoning district. The signs are for commercial purposes. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS:

1. 4025 Brommer Street - Plan Set

Prepared By: Sean Sesanto



4025 Brommer St



Attachment: 4025 Brommer Street - Plan Set (4025 Brommer Street)

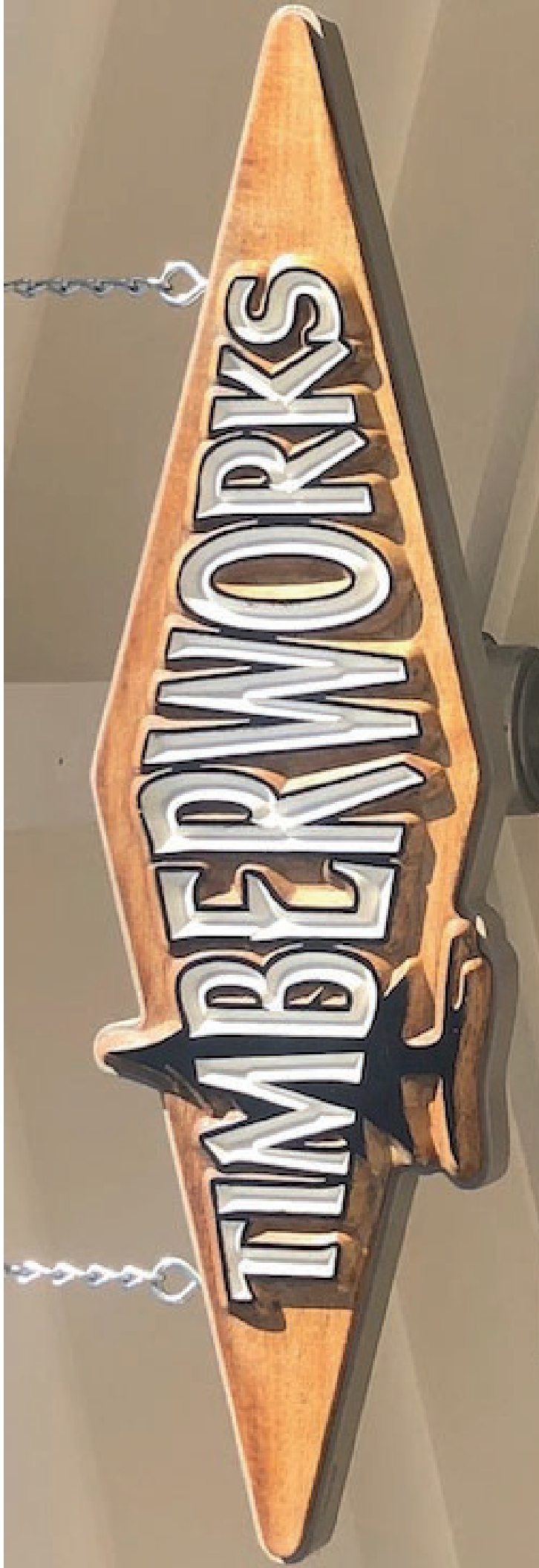


BUILDING CONTRACTORS

**R & K
PROPERTIES**

831-438-6030

23 in



TW sign is 10" tall x 28" wide. Letters are 3" -6" tall



4.B.1

Attachment: 4025 Brommer Street - Plan Set (4025 Brommer Street)



PARKING IN REAR

TW sign is 10" tall x 28" wide, letters are 3" to 6" tall. Parking sign is 3"x 18" and letters are 1 7/8" tall



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 3, 2019
 SUBJECT: **1850 41st Avenue** **#19-0408** **APN: 034-201-44**

Conditional Use Permit for a new retail cannabis business (Apothecarium), Design Permit for modifications to the exterior of the existing building, and Sign Permit for a new wall sign located within the previous H&R Block office within the C-R (Regional Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: C. Richard Deane and Marilyn Ardis Deane Revocable Family Trust

Representative: Nielsen Studios, Filed: 08.29.2019

APPLICANT PROPOSAL

The applicant is proposing to convert 3,945 square feet of professional office space into a retail cannabis establishment within the C-R (Regional Commercial) zoning district. The project includes a design permit, sign permit, and conditional use permit (CUP) for the change of use and modifications to the exterior of the structure.

BACKGROUND

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

Public Works, Kailash Mozumder: recommended that the applicant provide a trash enclosure to limit access to the refuse area and rebuild the driveway access from 41st Avenue to prevent vehicles from bottoming out.

Building Official, Robin Woodman: had no comments.

Local Architect, Frank Phanton: provided positive comments about the new roof design and lighting.

City Planner, Matt Orbach: informed the applicant that the City of Capitola had recently received an application for redevelopment of the Capitola Mall, which includes realigning the mall entrance off 41st Avenue. The property at 1850 41st Avenue currently aligns with the mall entrance and traffic signal. The proposed modification to the mall entrance will have future

impacts on access to 1850 41st Avenue. Planner Orbach also requested additional information on the proposed sign.

Following the Architecture and Site Review Committee meeting, the applicant submitted updated plans showing the location and dimensions of the new wall sign.

ZONING SUMMARY

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

C-R (Regional Commercial) Zoning District

Development Standards			
Building Height			
C-R Regulation		Existing	Proposed
40 ft.		24 ft. 9 in.	24 ft. 9 in.
Floor Area Ratio			
Lot Size		16,710 sq. ft.	
C-R Regulation		Existing	Proposed
1.5 (25,065 sq. ft.)		0.32 (5,398 sq. ft.)	0.32 (5,398 sq. ft.)
Setbacks			
	C-R Regulation	Existing	Proposed
Front and Street Side Setbacks	Buildings shall be set back from the front and street side property line so that: 1. The building is at least fifteen feet from the curb or street edge; 2. Building placement allows for a minimum ten-foot sidewalk along the property frontage. See Figure 17.24-2.	Front: 20 ft. 9 in. Street Side: N/A	Front: 20 ft. 9 in. Street Side: N/A
Rear	0 ft. unless adjacent to a residential zoning district (see Section 17.24.030(E))	35 ft.	35 ft.
Interior Side	0 ft. unless adjacent to a residential zoning district (see Section 17.24.030(E))	3 ft. 6 in. north side 19 ft. south side	3 ft. 6 in. north side 19 ft. south side

DISCUSSION

The existing structure at 1850 41st Avenue is one story along 41st Avenue and two stories at the rear of the building. The lot is surrounded by one- and two-story commercial structures and an electric substation and is across the street from the main entrance to the Capitola Mall.

Retail Cannabis License

Capitola Municipal Code (CMC) Chapter 5.36 titled Retail Cannabis Licenses contains the licensing requirements for retail cannabis businesses. Chapter 5.36 sets the maximum number of retail licenses at two and outlines specific instructions for application preparation and filing, the competitive merit-based license review conducted by the Capitola Police Department (CPD), the selection process, and other requirements and limitations. The CPD review includes consideration of the applicant’s background, experience in retail sales and legal cannabis sales,

residency, site plan, operations plan, and security plan. All retail cannabis licenses are required to be renewed annually for full compliance. A condition has been added to the conditional use permit requiring full compliance with the retail cannabis license.

On May 28, 2019, the proposed retail cannabis business, The Apothecarium, was one of the two businesses selected as a potential retail cannabis license holders. Potential retail cannabis license holders have six months to obtain a conditional use permit from the Planning Commission for a specific location and appropriate state licenses. If the potential retail cannabis license holder is unable to obtain either of those requirements, the selection will expire immediately, and the retail cannabis license will be made available and publicly noticed. Once the business has an approved conditional use permit and appropriate state licenses for retail sales of cannabis, the retail cannabis license will be issued.

The awarding of the two retail cannabis licenses was appealed by a third party. The appeal was denied by the City Council on July 25, 2019, so the start date for the six-month timeline to attain a conditional use permit from the Planning Commission was changed to August 2, 2019 (Attachment 2). The six-month period will now end on February 2, 2020.

Conditional Use Permit

Under Capitola Municipal Code (CMC) §17.24.020(D)(1)(b), Retail Cannabis in the C-R Zoning District requires a conditional use permit. In order for the Planning Commission to approve a conditional use permit application for a retail cannabis establishment, the project must meet the following standards:

1. Distance from Schools and Churches. Retail cannabis establishments are not permitted within a path of travel of one thousand feet from any schools and churches. The path of travel shall be measured following the shortest path of travel along a public right-of-way from the property line of the proposed retail cannabis establishment parcel to the church or school.

Staff Analysis: 1850 41st Avenue is not within a path of travel of one thousand feet from any schools or churches.

2. Distance between Retail Cannabis Establishments. A retail cannabis establishment shall not be located within a path of travel of five hundred feet of another retail cannabis establishment. Path of travel is measured from the retail establishment suite on a multi-tenant property or the structure for a single-tenant property.

Staff Analysis: 1850 41st Avenue is not within a path of travel of five hundred feet of another retail cannabis establishment.

3. Independent Access. A retail cannabis establishment shall have an independent exterior entrance that is not shared with any other business or residence.

Staff Analysis: 1850 41st Avenue has an independent exterior entrance that is not shared with any other business or residence.

4. Signs. Notwithstanding other sections of the code for signs, a retail cannabis establishment shall be limited to one exterior building sign per business location to identify the business as a retail cannabis establishment in compliance with the following standards:
 - A. Sign may include only the name of business and one green cross.

- B. Sign area maximum of twenty square feet, or one square foot per linear frontage of the business; whichever is less.
- C. Sign may not have any reference, through symbols or language, to cannabis with the exception of one green cross.
- D. Sign shall not be directly illuminated except during operating hours.
- E. Sign shall otherwise be subject to planning commission review through a sign permit application in accordance with Chapter 17.132.

Staff Analysis: The proposed sign at 1850 41st Avenue complies with the standards above. See analysis in sign permit section below for details.

The proposed retail cannabis business meets all of the required standards.

Design Permit

The applicant is proposing to remodel the front portion of the building, removing the existing roof and covered walkway around the west and south elevations and adding a parapet wall and a covered entryway. The parapet wall extends to a height of sixteen feet two inches from existing grade. The proposed remodel will include new horizontal siding on the one-story front section of the building with awnings above the windows. The shingles on the roof and paint on the stucco siding of the two-story rear portion of the building will be upgraded to compliment the color and style of the remodeled front portion of the building.

Parking

With the addition of the retail cannabis business, the uses occupying the 5,398-square-foot structure are required to have 16 on-site parking spaces. There are 20 parking spaces provided on the site.

Suite #	Use	Floor Area	Parking Requirement	Required Spaces
1	Retail Cannabis	3,945 sq. ft.	1 space per 300 feet	13
2	Browmorphosis	490 sq. ft.	1 space per 300 feet	1.6
3	Noland Builders, Inc.	524 sq. ft.	1 space per 300 feet	1.7
Total Required Spaces				16.3

Sign Permit

The applicant is proposing one 14-square-foot wall sign with the words “THE APOTHECARIUM” on the building frontage facing 41st Avenue (Attachment 3). The sign is eight feet by one foot nine inches and is made up of powder coated metal lettering and linework pin mounted on the wall. The maximum letter height is nine-and-one-half inches. The sign will be illuminated by a down-directed light above.

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 a retail use occupying an existing commercial space previously occupied by a professional office. The project includes no additional floor area and the use has the same parking requirement (1 parking space per 300 square feet of floor area) as the previous tenant. No adverse environmental impacts were discovered during project review by Planning Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission approve application #19-0408, 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 new retail cannabis business (The Apothecarium), design permit for modifications to the exterior of the existing building, and a sign permit for a new wall sign. 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 #19-0408 shall be paid in full.
8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Santa Cruz Water District, and Central Fire Protection District.
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 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.
15. 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 and Chief of Police. Upon evidence of non-compliance with conditions of approval of the Conditional Use permit and/or the retail cannabis license, or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director and Chief of Police. Failure to remedy a non-compliance in a timely manner may result in conditional use permit revocation and retail cannabis license revocation.
16. This permit shall expire on February 2, 2020, if the applicant has not obtained the appropriate state license(s) for retail sales of cannabis as required under Capitola Municipal Code §5.36.030(A)(7)(e). The applicant shall have an approved building permit and construction underway within 24 months of the Conditional Use approval date to prevent permit expiration.
17. The Cannabis License is subject to the Capitola Municipal Code Section 5.36.030(A)(9) License Transfer to New Owner.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

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 conditional use permit for a new retail cannabis business, design permit for structural modifications, and sign permit for a new wall sign comply with the development standards of the C-R zoning 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 conditional use permit for a new retail cannabis business, design permit for structural modifications, and sign permit for a new wall sign. 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 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 a retail use occupying an existing commercial space previously occupied by a professional office. The project includes no additional floor area and the use has the same parking requirement (1 parking space per 300 square feet of floor area) as the previous tenant. No adverse environmental impacts were discovered during project review by Planning Staff or the Planning Commission.

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 conditional use permit for a new retail cannabis business, design permit for structural modifications, and sign permit for a new wall sign 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 design permit for structural modifications complies with all applicable design review criteria in Section 17.120.070.

F. The proposed signs are consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.

Community Development Staff and the Planning Commission have reviewed the sign permit application. The proposed wall sign is consistent with the general plan and zoning code.

G. The proposed signs comply with all applicable standards in Chapter 17.80 (Signs).

Community Development Staff and the Planning Commission have reviewed the sign permit application. The proposed wall sign complies with all applicable standards in Chapter 17.80 (Signs).

H. The proposed sign will not adversely impact the public health, safety, or general welfare.

Community Development Staff and the Planning Commission have reviewed the sign permit application. The proposed wall sign will not adversely impact the public health, safety, or general welfare.

I. The number, size, placement, design, and material of the proposed signs are compatible with the architectural design of buildings on the site.

Community Development Staff and the Planning Commission have reviewed the sign permit application. The number, size, placement, design, and material of the proposed wall sign are compatible with the architectural design of the buildings on the site.

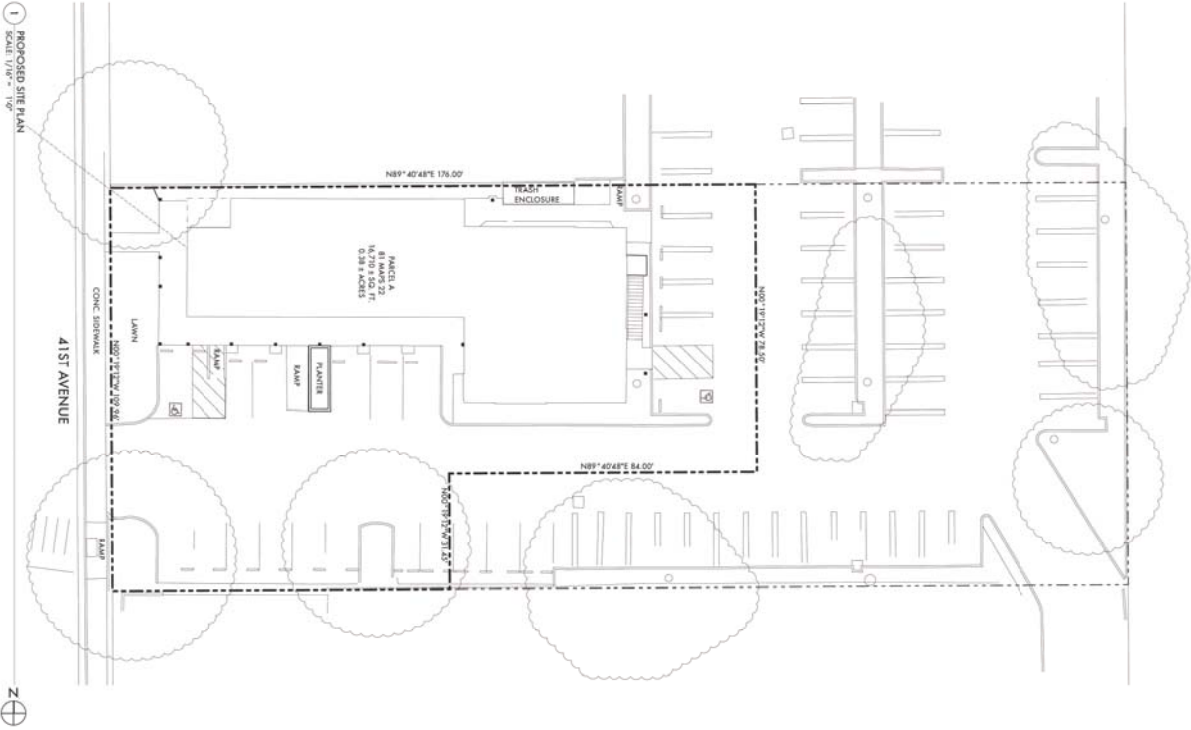
J. The proposed signs are restrained in character and no larger than necessary for adequate identification.

Community Development Staff and the Planning Commission have reviewed the sign permit application. The proposed wall sign is restrained in character and no larger than necessary for adequate identification.

ATTACHMENTS:

1. 1850 41st Avenue - Full Plan Set - 08.29.2019
2. Apothecarium - CPD Post-Appeal Six Month Start Date Letter
3. 1850 41st Avenue - Sign Details

Prepared By: Matt Orbach
Associate Planner



PROPOSED SITE PLAN
SCALE 1/8\"/>

1850 41ST AVENUE
CAPITOLA, CA 95010

CLIENT: CAPITOLA CARING PROJECT LLC
ADDRESS: 1850 41ST AVENUE
CAPITOLA, CA 95010
APN: 03420144

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SITE PLAN LEGEND

- REMAINING
- IMPROVEMENT

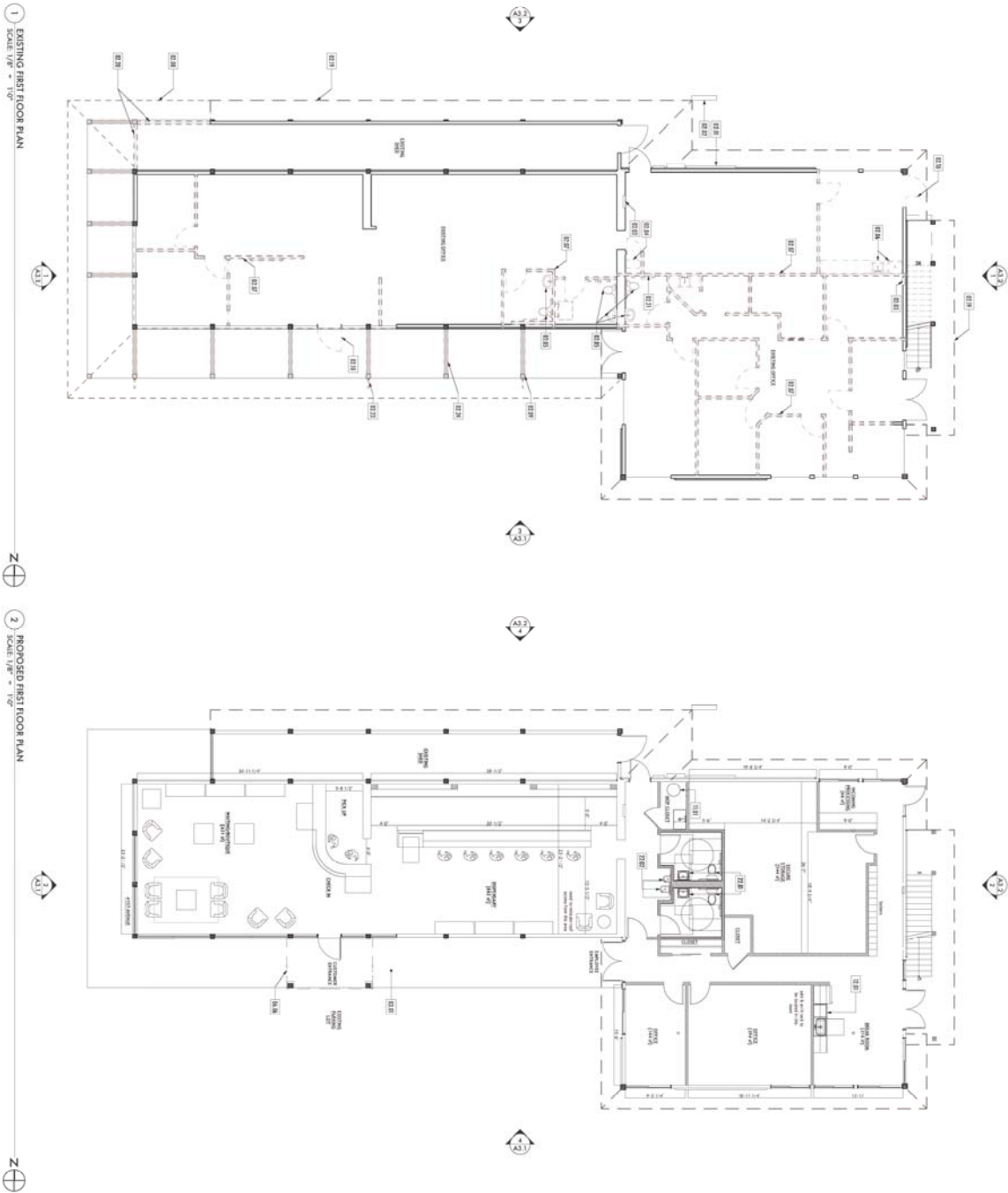
SITE PLAN NOTES

- FOR EXISTING/REMOVE AND PROPOSED PLANTS, REFER TO SHEETS A.1.1 AND A.1.2.
- FOR EXISTING/REMOVE AND PROPOSED PLANTS, REFER TO SHEETS A.1.1 AND A.1.2.
- FOR EXISTING/REMOVE AND PROPOSED PLANTS, REFER TO SHEETS A.1.1 AND A.1.2.

NO.	DATE	DESCRIPTION
1	12/27/19	ISSUED FOR PERMIT
2	01/08/20	ISSUED FOR PERMIT
3	01/08/20	ISSUED FOR PERMIT
4	01/08/20	ISSUED FOR PERMIT
5	01/08/20	ISSUED FOR PERMIT

A.1.1
SHEET NO. 1/27/19

SITE PLAN



EXIST-DEMO FLOOR PLAN KEYNOTES

- E201 EXISTING WALLS AND PARTS TO REMAIN
- E202 EXISTING WALLS TO BE DEMOLISHED
- E203 EXISTING WALLS TO BE REPAIRED
- E204 EXISTING WALLS TO BE REFINISHED
- E205 EXISTING WALLS TO BE REPAIRED AND REFINISHED
- E206 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES
- E207 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E208 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E209 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E210 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E211 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E212 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E213 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E214 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E215 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E216 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E217 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E218 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E219 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- E220 EXISTING WALLS TO BE REPAIRED AND REFINISHED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED

PROPOSED FLOOR PLAN KEYNOTES

- P201 NEW WALLS TO BE CONSTRUCTED
- P202 NEW WALLS TO BE CONSTRUCTED WITH NEW FINISHES
- P203 NEW WALLS TO BE CONSTRUCTED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- P204 NEW WALLS TO BE CONSTRUCTED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- P205 NEW WALLS TO BE CONSTRUCTED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
- P206 NEW WALLS TO BE CONSTRUCTED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED
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- P220 NEW WALLS TO BE CONSTRUCTED WITH NEW FINISHES AND PARTS TO BE DEMOLISHED

FLOOR PLAN LEGEND

- (---) WALLS TO BE DEMOLISHED
- (---) WALLS TO REMAIN
- (---) NEW WALLS
- (---) KEY NOTES

JOB NAME: 1850 41ST AVENUE

CLIENT: CAPITOLA CARING PROJECT LLC

ADDRESS: 1850 41ST AVENUE
CAPITOLA, CA 95010

APN: 03420144

FOR DISCRETIONARY REVIEW ONLY

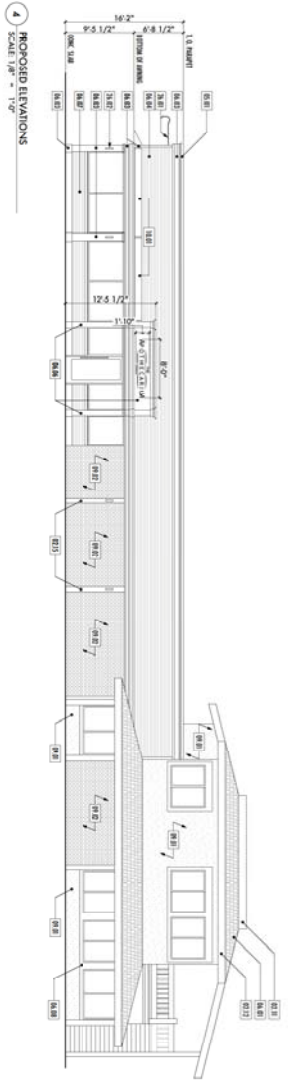
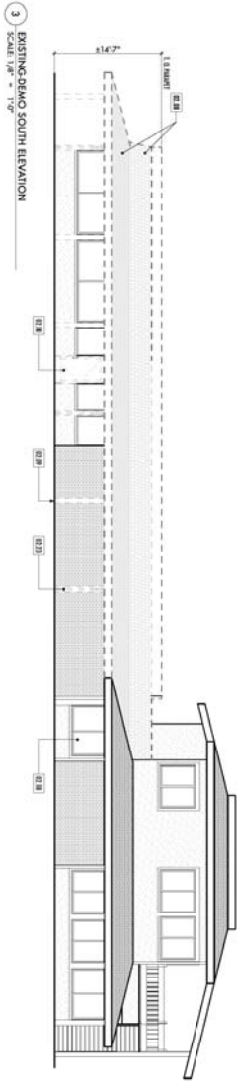
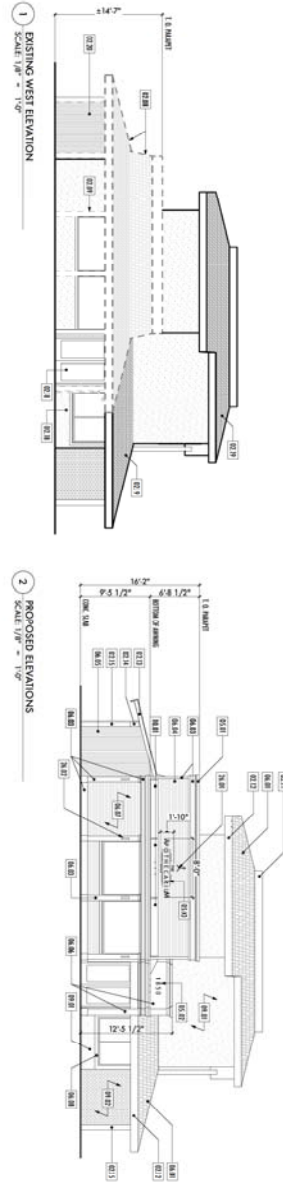
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EXISTING/ DEMO AND PROPOSED FIRST FLOOR PLANS

A2.1

DATE: 06/29/19
SCALE: AS SHOWN
SCALE: 1/8" = 1'-0"



EXISTING DEMO ELEVATION KEYNOTES

- 0201 EXISTING WINDOW FRAME
- 0202 EXISTING WINDOW SILL
- 0203 EXISTING WINDOW CASE
- 0204 EXISTING WINDOW HEAD
- 0205 EXISTING WINDOW PANEL
- 0206 EXISTING WINDOW GLASS
- 0207 EXISTING WINDOW LINEN
- 0208 EXISTING WINDOW MULLION
- 0209 EXISTING WINDOW RAKE
- 0210 EXISTING WINDOW SASH
- 0211 EXISTING WINDOW STILE
- 0212 EXISTING WINDOW THRESHOLD
- 0213 EXISTING WINDOW TRACK
- 0214 EXISTING WINDOW WEIGHT
- 0215 EXISTING WINDOW WOOD
- 0216 EXISTING WINDOW ZINC
- 0217 EXISTING WINDOW BRASS
- 0218 EXISTING WINDOW COPPER
- 0219 EXISTING WINDOW ALUMINUM
- 0220 EXISTING WINDOW STEEL
- 0221 EXISTING WINDOW CONCRETE
- 0222 EXISTING WINDOW MASONRY
- 0223 EXISTING WINDOW CURTAIN WALL
- 0224 EXISTING WINDOW GLAZING
- 0225 EXISTING WINDOW GASKET
- 0226 EXISTING WINDOW SEALANT
- 0227 EXISTING WINDOW INSULATION
- 0228 EXISTING WINDOW VENT
- 0229 EXISTING WINDOW SHIELD
- 0230 EXISTING WINDOW PROTECTIVE
- 0231 EXISTING WINDOW FINISH
- 0232 EXISTING WINDOW PAINT
- 0233 EXISTING WINDOW STAIN
- 0234 EXISTING WINDOW POLISH
- 0235 EXISTING WINDOW CLEANING
- 0236 EXISTING WINDOW MAINTENANCE
- 0237 EXISTING WINDOW REPAIR
- 0238 EXISTING WINDOW REPLACEMENT
- 0239 EXISTING WINDOW REMOVAL
- 0240 EXISTING WINDOW DEMOLITION

PROPOSED ELEVATION KEYNOTES

- 0301 PROPOSED WINDOW FRAME
- 0302 PROPOSED WINDOW SILL
- 0303 PROPOSED WINDOW CASE
- 0304 PROPOSED WINDOW HEAD
- 0305 PROPOSED WINDOW PANEL
- 0306 PROPOSED WINDOW GLASS
- 0307 PROPOSED WINDOW LINEN
- 0308 PROPOSED WINDOW MULLION
- 0309 PROPOSED WINDOW RAKE
- 0310 PROPOSED WINDOW SASH
- 0311 PROPOSED WINDOW STILE
- 0312 PROPOSED WINDOW THRESHOLD
- 0313 PROPOSED WINDOW TRACK
- 0314 PROPOSED WINDOW WEIGHT
- 0315 PROPOSED WINDOW WOOD
- 0316 PROPOSED WINDOW ZINC
- 0317 PROPOSED WINDOW BRASS
- 0318 PROPOSED WINDOW COPPER
- 0319 PROPOSED WINDOW ALUMINUM
- 0320 PROPOSED WINDOW STEEL
- 0321 PROPOSED WINDOW CONCRETE
- 0322 PROPOSED WINDOW MASONRY
- 0323 PROPOSED WINDOW CURTAIN WALL
- 0324 PROPOSED WINDOW GLAZING
- 0325 PROPOSED WINDOW GASKET
- 0326 PROPOSED WINDOW SEALANT
- 0327 PROPOSED WINDOW INSULATION
- 0328 PROPOSED WINDOW VENT
- 0329 PROPOSED WINDOW SHIELD
- 0330 PROPOSED WINDOW PROTECTIVE
- 0331 PROPOSED WINDOW FINISH
- 0332 PROPOSED WINDOW PAINT
- 0333 PROPOSED WINDOW STAIN
- 0334 PROPOSED WINDOW POLISH
- 0335 PROPOSED WINDOW CLEANING
- 0336 PROPOSED WINDOW MAINTENANCE
- 0337 PROPOSED WINDOW REPAIR
- 0338 PROPOSED WINDOW REPLACEMENT
- 0339 PROPOSED WINDOW REMOVAL
- 0340 PROPOSED WINDOW DEMOLITION

ELEVATION LEGEND



THE PROVISION OF A BUILDING PERMIT SHALL NOT BE CONSIDERED AS A GUARANTEE THAT ALL CODE REQUIREMENTS ARE REFLECTED IN THE DOCUMENT. THE GENERAL CONTRACTOR FOR THE PROJECT SHALL BE RESPONSIBLE FOR ENSURING THAT THE PROPOSED PROJECT COMPLIES WITH ALL REGULATIONS, LAWS AND CODE REQUIREMENTS.

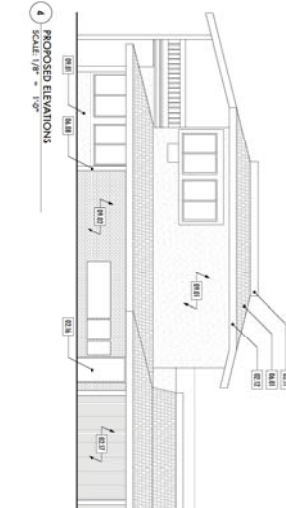
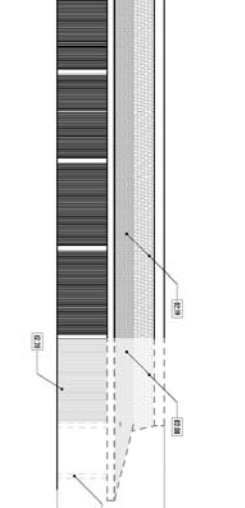
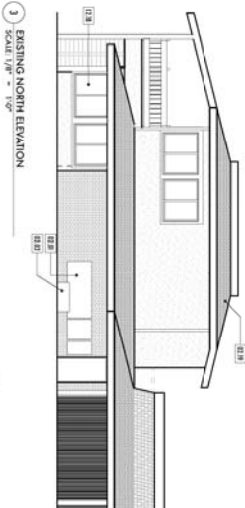
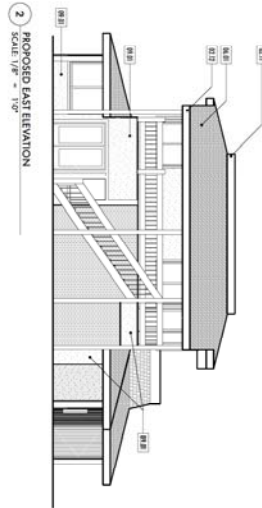
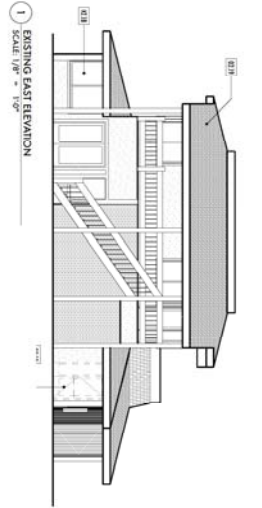
IF THE EXISTING DEMONSTRATION AND REVISIONS ARE NOT TO BE CONSIDERED AS A GUARANTEE THAT ALL CODE REQUIREMENTS ARE REFLECTED IN THE DOCUMENT. THE GENERAL CONTRACTOR FOR THE PROJECT SHALL BE RESPONSIBLE FOR ENSURING THAT THE PROPOSED PROJECT COMPLIES WITH ALL REGULATIONS, LAWS AND CODE REQUIREMENTS.

NO.	DATE	DESCRIPTION
1	8/29/19	EXISTING DEMO AND PROPOSED ELEVATIONS
2	8/29/19	EXISTING DEMO AND PROPOSED ELEVATIONS
3	8/29/19	EXISTING DEMO AND PROPOSED ELEVATIONS
4	8/29/19	EXISTING DEMO AND PROPOSED ELEVATIONS
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100	8/29/19	EXISTING DEMO AND PROPOSED ELEVATIONS

A3.1
 Project No. 185019

FOR DISCRETIONARY REVIEW ONLY

nielsenstudios
 ARCHITECTURE + DESIGN
 225-D Fern Street, Santa Cruz, CA 95060
 1727 64th Street, Emeryville, CA 94608
 408.426.4600
 www.nielsenstudios.com



- EXIST-DEMO ELEVATION KEYNOTES**
- E001 EXISTING EXTERIOR FINISH
 - E002 EXISTING WINDOW FRAME
 - E003 EXISTING WINDOW GLASS
 - E004 EXISTING WINDOW SILL
 - E005 EXISTING WINDOW CASING
 - E006 EXISTING WINDOW SHUTTER
 - E007 EXISTING WINDOW LATCH
 - E008 EXISTING WINDOW LOCK
 - E009 EXISTING WINDOW HANDLE
 - E010 EXISTING WINDOW COORDINATOR
 - E011 EXISTING WINDOW COORDINATOR
 - E012 EXISTING WINDOW COORDINATOR
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 - E019 EXISTING WINDOW COORDINATOR
 - E020 EXISTING WINDOW COORDINATOR

- PROPOSED ELEVATION KEYNOTES**
- P001 PROPOSED EXTERIOR FINISH
 - P002 PROPOSED WINDOW FRAME
 - P003 PROPOSED WINDOW GLASS
 - P004 PROPOSED WINDOW SILL
 - P005 PROPOSED WINDOW CASING
 - P006 PROPOSED WINDOW SHUTTER
 - P007 PROPOSED WINDOW LATCH
 - P008 PROPOSED WINDOW LOCK
 - P009 PROPOSED WINDOW HANDLE
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 - P019 PROPOSED WINDOW COORDINATOR
 - P020 PROPOSED WINDOW COORDINATOR

ELEVATION LEGEND

KEYNOTES	DESCRIPTION
E001	EXISTING EXTERIOR FINISH
E002	EXISTING WINDOW FRAME
E003	EXISTING WINDOW GLASS
E004	EXISTING WINDOW SILL
E005	EXISTING WINDOW CASING
E006	EXISTING WINDOW SHUTTER
E007	EXISTING WINDOW LATCH
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E018	EXISTING WINDOW COORDINATOR
E019	EXISTING WINDOW COORDINATOR
E020	EXISTING WINDOW COORDINATOR

THE EXISTENCE OF A BUILDING HEIGHT SHALL NOT BE CONSIDERED AS A REQUIREMENT THAT ALL CODE REQUIREMENTS ARE REFLECTED IN THE SCHEDULE. THE GENERAL CONTRACTOR FOR THE PROJECT SHALL BE RESPONSIBLE FOR ENSURING THAT THE PROPOSED PROJECT COMPLES WITH ALL REGULATIONS, LAWS AND CODE REQUIREMENTS.

NO.	DATE	DESCRIPTION
1	8/29/19	ISSUED FOR PERMIT REVIEW
2	9/10/19	REVISED PER PERMIT REVIEW COMMENTS
3	9/10/19	REVISED PER PERMIT REVIEW COMMENTS
4	9/10/19	REVISED PER PERMIT REVIEW COMMENTS

A3.2

EXISTING/ DEMO AND PROPOSED ELEVATIONS

nielsenstudios
ARCHITECTURE + DESIGN

228-D Fern Street, Santa Cruz, CA 95060
1727 64th Street, Emeryville, CA 94608
www.nielsenstudios.com

FOR DISCRETIONARY REVIEW ONLY

Packet Pg. 46


JOB NAME: 1850 41ST AVENUE

CLIENT: CAPITOLA CARING PROJECT LLC

ADDRESS: 1850 41ST AVENUE
CAPITOLA, CA 95010


APN: 034201-44

LIGHT FIXTURES




SCENE AT PLASTER
MAKE SHOWN FOR STILL ONLY,
NOT FOR FINISH. SEE DRAWING FOR STILL ONLY,
FINISH: BLACK

ACCESSORIES AND EQUIPMENT




BLACK FABRIC LINING
MAKE SHOWN FOR MATERIAL ONLY, REFER TO
DRAWINGS FOR LINING PROFILE AND SHAPE




LARGE ROLL AT EXTERIOR DOOR
48" LONG

SIDING




TYPICAL LAP SIDING

COLORS AND FINISHES




Silver Hair Door
21-1-10

EXTERIOR PAINT AT SIDING, SATIN FINISH




Shingly White
12-1-01


EXTERIOR PAINT AT TRIM AND AT EXISTING
BUILDING STOCK, SATIN FINISH



SATIN BRASS FINISH FOR DOOR PULLS & SCHEDULE




EXISTING STAIRS/FINISH (OAK) BRONZED




Natural Brass Powder
14-07


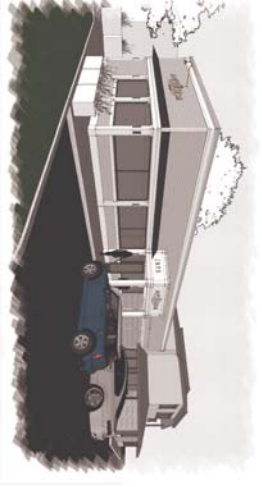



FINISH FOR SIGN LIGHTS



Asphalt Shingle roof



Exterior Paint at Existing Wood Elements,
SATIN FINISH

nielsenstudios
ARCHITECTURE + DESIGN

228-B Fern Street, Santa Cruz, CA 95060
1727 64th Street, Emeryville, CA 94608
info@nielsenstudios.com
www.nielsenstudios.com

FOR DISCRETIONARY REVIEW ONLY

Packet Pg. 47

JOB NAME: 1850 41ST AVENUE

CLIENT: CAPITOLA CARING PROJECT LLC

ADDRESS: 1850 41ST AVENUE
CAPITOLA, CA 95010

APN: 03420144

DATE: 10/29/19

SCALE: AS SHOWN

DATE: 10/19/19

A4.1

Model No. 10/19/19

COLOR AND MATERIALS BOARD

NOTES:

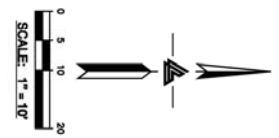
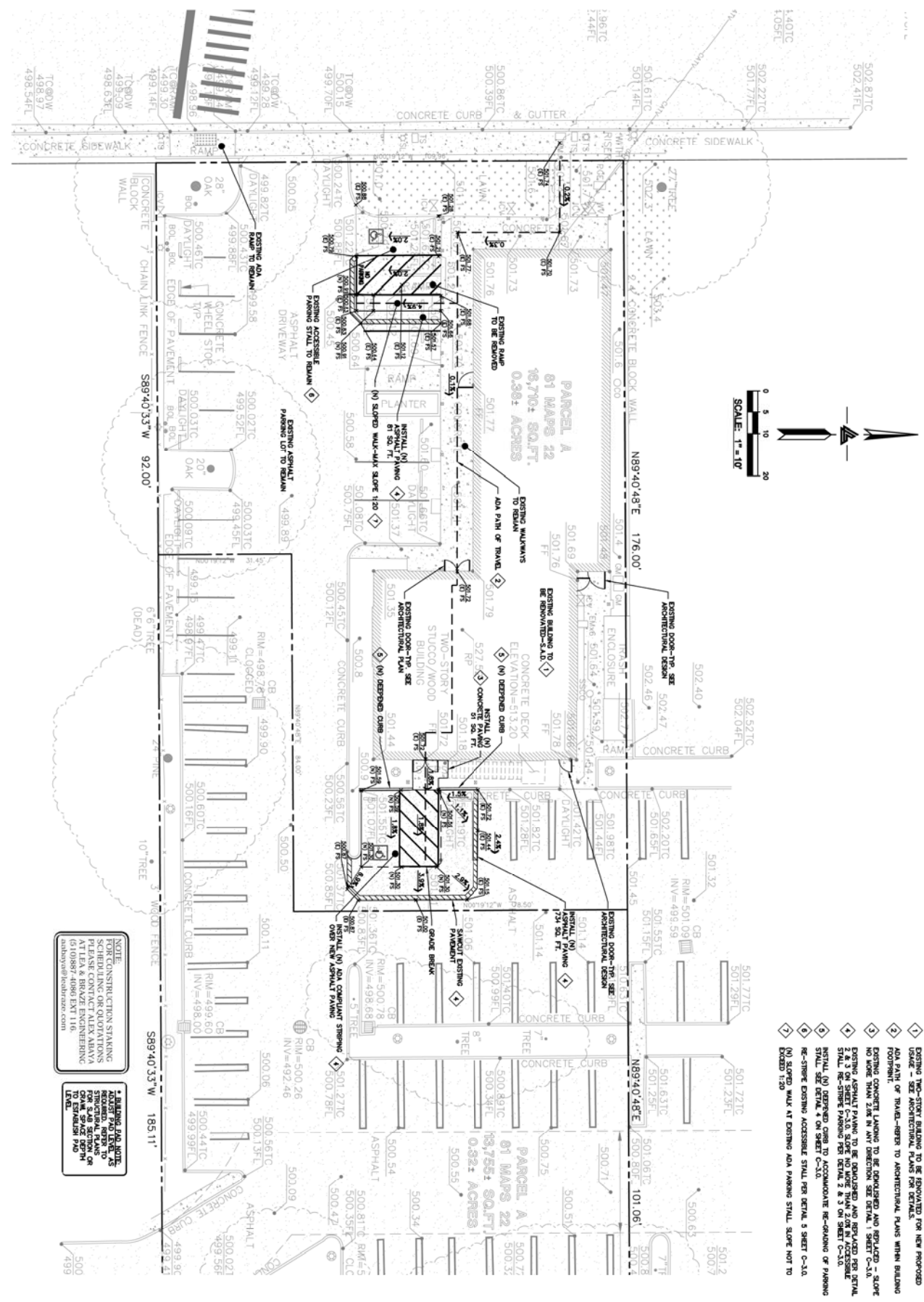
IF THE OWNER DETERMINES THAT THE BOARD IS NOT ACCURATE, THE ARCHITECT SHALL BE RESPONSIBLE FOR REVISIONS AND ALL ASSOCIATED COSTS.

BY: [Signature]

DATE: [Date]

DISCLAIMER:

THE PRESENCE OF A BUILDING PERMIT SHALL NOT BE CONSIDERED AS A GUARANTEE THAT ALL CODE REQUIREMENTS ARE REFLECTED IN THE DOCUMENT. THE GENERAL CONTRACTOR FOR THE PROJECT SHALL BE SOLELY RESPONSIBLE FOR ENSURING THAT THE PROJECT COMPLETION MEETS ALL REGULATORY, LAW, AND CODE REQUIREMENTS.



- SITE DEVELOPMENT**
- 1 EXISTING TWO-STORY BUILDING TO BE RENOVATED FOR NEW PROPOSED USAGE - SEE ARCHITECTURAL PLANS FOR DETAILS
 - 2 ADA PATH OF TRAVEL - REFER TO ARCHITECTURAL PLANS WITHIN BUILDING FOOTPRINT
 - 3 EXISTING CONCRETE LANDING TO BE DEMOLISHED AND REPLACED - A SLOPE NO GREATER THAN 1:20 IN ANY DIRECTION SEE DETAIL 1 SHEET C-3.0
 - 4 EXISTING SIDEWALK PAVEMENT TO BE DEMOLISHED AND REPLACED PER DETAIL 1 SHEET C-3.0
 - 5 EXISTING SIDEWALK PAVEMENT TO BE DEMOLISHED AND REPLACED PER DETAIL 1 SHEET C-3.0
 - 6 RE-SLOPE EXISTING SIDEWALK PER DETAIL 2 & 3 ON SHEET C-3.0
 - 7 RE-SLOPE EXISTING SIDEWALK PER DETAIL 2 & 3 ON SHEET C-3.0
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 - 20 RE-SLOPE EXISTING SIDEWALK PER DETAIL 2 & 3 ON SHEET C-3.0

NOTE:
FOR CONSTRUCTION STAKING SCHEDULING OR QUOTATIONS
CONTACT LEA & BRAZE ENGINEERING
AT LEA & BRAZE ENGINEERING
6100887-4086 EXT 116
leabrazeh@leabrazeh.com

BLDG. PLAN:
ARCHITECTURAL PLANS
FOR CONSTRUCTION STAKING
CONTACT LEA & BRAZE ENGINEERING
AT LEA & BRAZE ENGINEERING
6100887-4086 EXT 116
leabrazeh@leabrazeh.com

NO.	REVISIONS	BY
1	ISSUED	LEA & BRAZE
2	REVISED	LEA & BRAZE
3	REVISED	LEA & BRAZE
4	REVISED	LEA & BRAZE
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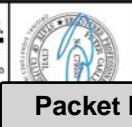
PROPOSED SITE DEVELOPMENT PLAN

CAPITOLA CARING PROJECT
1850 41ST AVENUE
CAPITOLA, CALIFORNIA

SANTA CRUZ COUNTY APN: 034-201-44

LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS • LAND SURVEYORS
BAY AREA REGION
2400 INDUSTRIAL PKWY WEST
HAYWARD, CALIFORNIA 94545
(925) 887-4200
(925) 887-3019
WWW.LEABRAZE.COM

SACRAMENTO REGION
3017 DOUGLAS BLVD
ROSEVILLE, CA 95661
(916) 486-8888
(916) 486-7363



PURPOSE:

The purpose of this plan is to stabilize the site to prevent erosion of graded areas and to prevent sedimentation from leaving the project site. The plan shall include measures to prevent erosion and sedimentation from any area that may be affected by the project. All measures shown on the plan shall be considered permanent unless otherwise noted. The contractor shall be responsible for the design, construction, and maintenance of all erosion control measures. The contractor shall be responsible for the design, construction, and maintenance of all erosion control measures. The contractor shall be responsible for the design, construction, and maintenance of all erosion control measures.

EROSION CONTROL NOTES:

1. THE OWNER/CONTRACTOR RESPONSIBILITY TO MAINTAIN EROSION CONTROL MEASURES SHALL BE THROUGHOUT THE ENTIRE SITE IN COMPLIANCE WITH THIS EROSION CONTROL PLAN.
2. THE INTENTION OF THIS PLAN IS TO PREVENT EROSION AND SEDIMENTATION FROM ANY AREA THAT MAY BE AFFECTED BY THE PROJECT. ALL MEASURES SHOWN ON THE PLAN SHALL BE CONSIDERED PERMANENT UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF ALL EROSION CONTROL MEASURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF ALL EROSION CONTROL MEASURES.
3. OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO, DURING, AND AFTER STORM EVENTS. LOCAL WEATHER REPORTS AND NOT APPROPRIATE TO MAKE SURE ALL NECESSARY MEASURES ARE IN PLACE.
4. DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAN OF DIRT, SAND, AND OTHER DEBRIS. THE SITE SHALL BE MAINTAINED TO PREVENT EROSION AND SEDIMENTATION FROM ANY AREA THAT MAY BE AFFECTED BY THE PROJECT. ALL MEASURES SHOWN ON THE PLAN SHALL BE CONSIDERED PERMANENT UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF ALL EROSION CONTROL MEASURES.
5. ALL MATERIALS NECESSARY FOR THE APPROVED EROSION CONTROL MEASURES SHALL BE IN PLACE BY OCTOBER 15TH.
6. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
13. MEASURES SHALL BE TAKEN TO COLLECT OR CLEAN ANY ACCUMULATION OF DIRT, SAND, GRAVEL, ROCKS, OR OTHER DEBRIS ON ANY PAVED OR UNPAVED SURFACE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
14. EROSION CONTROL MEASURES SHALL BE ON-SITE FROM SEPTEMBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
15. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
16. PLANS SHALL BE DESIGNED TO MEET CS REQUIREMENTS OF THE MUNICIPAL STORMWATER REGIONAL PERMITTING AGENCIES PERMIT DMS 012008.
17. THE CONTRACTOR TO VERIFY NATIONAL POLLUTION DISCHARGE ELIMINATION ACT (NPDES) PERMITTING AGENCIES PERMIT DMS 012008.
18. THE CONTRACTOR MUST INSTALL ALL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION AND MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
19. THE CONTRACTOR SHALL MAINTAIN ADJACENT STREETS IN A NEAT, CLEAN, AND SAFE CONDITION AT ALL TIMES AND TO THE SATISFACTION OF ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
20. SEDIMENTS AND OTHER MATERIALS SHALL NOT BE TRACKED FROM THE SITE BY VEHICLES. THE CONTRACTOR SHALL INSTALL A STABILIZED DRIVEWAY AND MAINTAIN IT FOR THE DURATION OF THE CONSTRUCTION PROCESS SO AS TO PREVENT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC RIGHT-OF-WAY.
21. THE CONTRACTOR SHALL PROVIDE TEMPORARY EROSION CONTROL MEASURES, SILT FENCES, AND EARTH PILES IN CONJUNCTION OF ALL CONSTRUCTION.
22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL MEASURES AS NECESSARY TO MAINTAIN THEM THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.
23. EXCESS OR WASTE CONCRETE MUST NOT BE WASHED INTO THE PUBLIC RIGHT-OF-WAY. EXCESS OR WASTE CONCRETE MUST NOT BE WASHED INTO THE PUBLIC RIGHT-OF-WAY. EXCESS OR WASTE CONCRETE MUST NOT BE WASHED INTO THE PUBLIC RIGHT-OF-WAY.
24. TRASH AND CONSTRUCTION RELATED SOLID WASTES MUST BE DEPOSITED IN AN APPROPRIATE MANNER TO PREVENT CONTAMINATION AND DISORDER.

EROSION CONTROL NOTES CONTINUED:

24. PILES, GUS, SANDPITS AND OTHER TRAP MATERIALS MUST BE STORED IN AN APPROPRIATE MANNER TO PREVENT CONTAMINATION AND DISORDER. PILES, GUS, SANDPITS AND OTHER TRAP MATERIALS MUST BE STORED IN AN APPROPRIATE MANNER TO PREVENT CONTAMINATION AND DISORDER.
25. DUST CONTROL SHALL BE DONE BY WASHING AND AS ORDERED BY THE LOCAL AGENCY.
26. SILT FENCES AND OTHER TRAP MATERIALS SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE RAINY SEASON OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LATER.

EROSION CONTROL MEASURES:

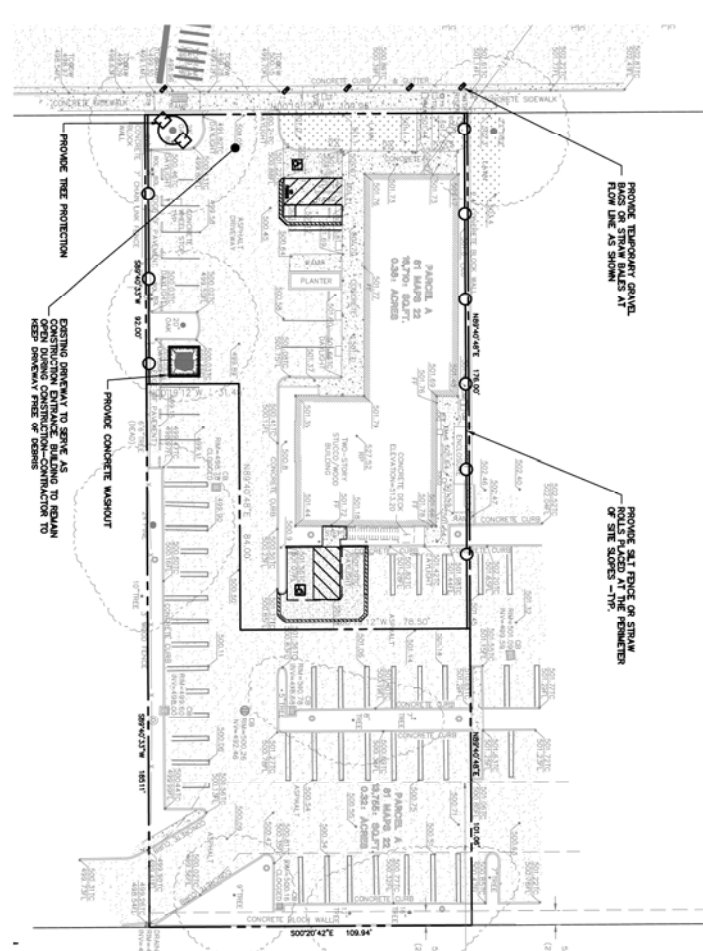
1. THE MEASURES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENTATION FROM ANY AREA THAT MAY BE AFFECTED BY THE PROJECT. ALL MEASURES SHOWN ON THE PLAN SHALL BE CONSIDERED PERMANENT UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF ALL EROSION CONTROL MEASURES.
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REFERENCES:

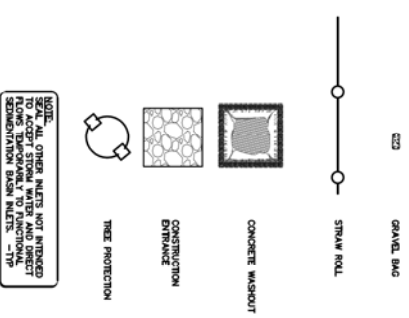
1. CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD'S FIELD MANUAL FOR EROSION AND SEDIMENTATION CONTROL.
2. CALIFORNIA REGIONAL WATER QUALITY ASSOCIATION BEST MANAGEMENT PRACTICES HANDBOOK FOR CONSTRUCTION.

PERIODIC MAINTENANCE:

1. MAINTENANCE IS TO BE PERFORMED AS FOLLOWS:
 - A. DRAINAGE CHANNELS SHALL BE KEPT CLEAR OF OBSTRUCTIONS.
 - B. SLOPES SHALL BE INSPECTED FREQUENTLY AND MAINTAINED AS NEEDED.
 - C. SEDIMENT TRAPS, SPILLS, AND SLOPES ARE TO BE INSPECTED AFTER EACH STORM AND REPAIRS MADE AS NEEDED.
 - D. SEDIMENT SHALL BE REMOVED AND SEDIMENT TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT HAS ACCUMULATED TO A DEPTH OF 1 FOOT.
 - E. SEDIMENT REMOVED FROM TRAP SHALL BE DEPOSITED IN A SUITABLE AREA AND NOT IN THE PUBLIC RIGHT-OF-WAY.
 - F. RILLS AND GULLIES MUST BE REPAIRED.
2. GRAVEL, SILT AND SLOPE PROTECTION SHALL BE CLEANED OUT WEEKLY.
3. SEDIMENT TRAPS SHALL BE INSPECTED AND MAINTAINED AS NEEDED.
4. SILT FENCE SHALL BE PERSONALLY CHECKED TO ASSURE PROPER FUNCTION AND CLEANED OUT AS NEEDED.
5. CONSTRUCTION DRAINAGE SHALL BE REPAIRED AS NECESSARY FOLLOWING EACH STORM.
6. ANY OTHER EROSION CONTROL MEASURES SHOULD BE CHECKED AT REGULAR INTERVALS TO ASSURE PROPER FUNCTION.



EROSION CONTROL LEGEND



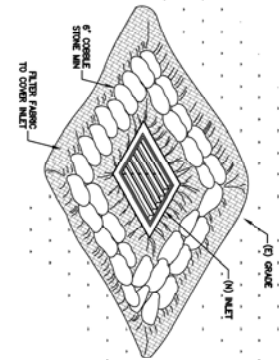
EROSION CONTROL PLAN

CAPITOLA CARING PROJECT
 1850 41ST AVENUE
 CAPITOLA, CALIFORNIA

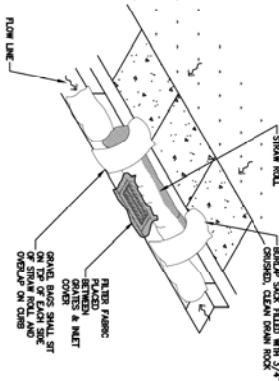
LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 BAY AREA REGION: 1015 COLLEGE AVE SUITE 200, SAN FRANCISCO, CA 94116
 SACRAMENTO REGION: 1015 COLLEGE AVE SUITE 200, SACRAMENTO, CA 95811
 (415) 778-1111 (F) (916) 797-7363
 WWW.LEABRAZE.COM



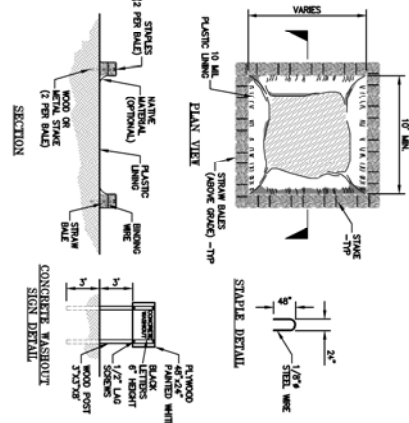
DATE	08-29-19
SCALE	AS NOTED
CHECKED BY	AI
DESIGNED BY	AI
REVISIONS	BY
NO. NO.	2190891



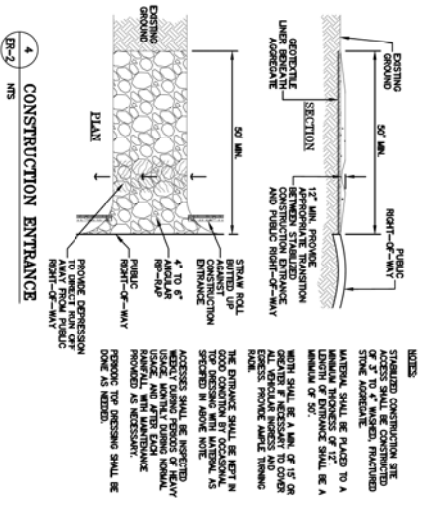
1
ER-2
N/S
INLET PROTECTION



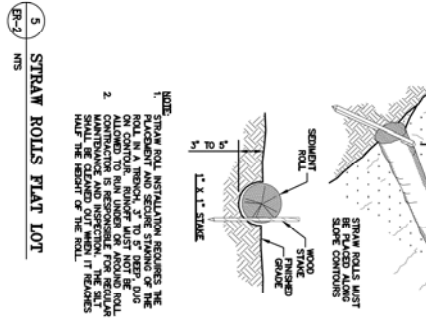
2
ER-2
N/S
STREET INLET PROTECTION



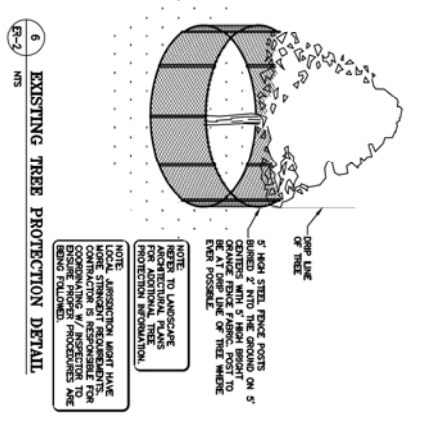
3
ER-2
N/S
CONCRETE WASHOUT



4
ER-2
N/S
CONSTRUCTION ENTRANCE



5
ER-2
N/S
STRAW ROLLS FLAT LOT



6
ER-2
N/S
EXISTING TREE PROTECTION DETAIL

NOTES:
STABILIZED CONSTRUCTION SITE ACCESS SHALL BE CONSTRUCTED TO THE PROPERTY LINE, UNLESS OTHERWISE SPECIFIED.
MATERIAL SHALL BE PLACED TO A MINIMUM OF 12\"/>

NOTES:
1. STRAW ROLL INSTALLATION REQUIRES THE ROLL IN A TRENCH, 3\"/>

NOTE:
LOCAL JURISDICTION MUST HAVE APPROVED ANY PROTECTION FROM EROSION AND SEDIMENTATION PROTECTION INSTALLATION.
NOTE:
LOCAL JURISDICTION MUST HAVE APPROVED ANY PROTECTION FROM EROSION AND SEDIMENTATION PROTECTION INSTALLATION.

NO. OF SHEETS	01
DATE	08-29-19
SCALE	AS NOTED
CHECKED BY	AM
DESIGNED BY	AM
REVISED BY	
DATE	
NO. OF SHEETS	01

EROSION CONTROL DETAILS

CAPITOLA CARING PROJECT
1850 41ST AVENUE
CAPITOLA, CALIFORNIA

LEA & BRAZE ENGINEERING, INC.
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Packet Pg. 52



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

TERRY MCMANUS
CHIEF OF POLICE

August 2, 2019

Jason Sweatt – General Manager
Capitola Caring Project LLC -The Apothecarium Capitola
2827 S. Rodeo Gulch Drive #5
Soquel, California 95073

RE: Capitola Retail Cannabis License

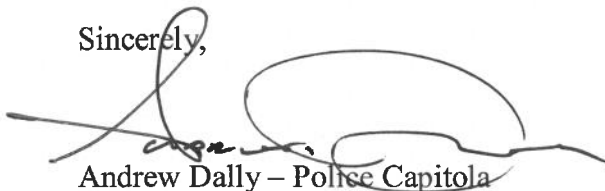
Dear Mr Sweatt,

On July 25, 2019, that Capitola City Council voted unanimously to uphold staff's decision to award two retail cannabis licenses, based on a competitive, merit-based selection process.

As the recipient of one of these licenses, The Apothecarium Capitola, has now been identified as a potential retail cannabis license holder pursuant to Capitola Municipal Code 5.36.030(6). Accordingly, in conformance with the Capitola Municipal Code, your business has six months from the date of this letter to obtain the appropriate land use permits and state license.

Congratulations, and we wish you every success. If I can be of any assistance, do not hesitate to call me.

Sincerely,



Andrew Dally – Police Capitola

Attachment: Apothecarium - CPD Post-Appeal Six Month Start Date Letter (1850 41st Avenue)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 3, 2019
 SUBJECT: **4199 Clares Street #19-0169 APN: 034-222-05**

Tentative Parcel Map and Conditional Use Permit for a two-lot subdivision that includes a condominium conversion of an existing duplex, and a Design Permit for a new single-family residence toward the front of the property 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 and conditional use permit for a two-lot subdivision that includes a condominium conversion of an existing duplex, and a design permit for a new single-family residence toward the front of the property, located within the RM-L (Residential Multifamily – Low Density) zoning district.

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 convert the duplex on the rear lot into two condominiums. 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 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, convert the existing duplex to a condominium, 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	n/a	4,400 sq. ft. per unit. 8,800 sq. ft. minimum for 2 units	N/A	N/A

Lot 2 Proposed	10,000 sq. ft.	8,800 sq. ft.	59 ft. 3 in.	118 ft. 6 in.
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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 size requirement of the R-1 zone. Within the RM-LM zone, there are no standards for minimum parcel area, width, or depth. There is a minimum parcel area per unit size of 4,400 square feet. Lot 2 complies with the 4,400-square-foot minimum parcel 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.

Condominium Conversion and Conditional Use Permit

Under CMC §16.68.040(A), a condominium conversion shall only be permitted if “a conditional use permit and subsequent final map have been applied for and granted pursuant to this chapter and other applicable state and local ordinances regulating use permit and subdivision approvals.” The applicant is requesting approval of a tentative parcel map and conditional use permit to convert the existing duplex to a condominium so that each unit may be owned individually. The tentative parcel map (Attachment 1) and condominium map (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.

CMC §16.68.060 lists all of the required contents of an application for a tentative map for a condominium conversion. The majority of these items have been submitted, including: the boundary map, property report, structural pest control report, building history report, and proposed annual operating budget containing a sinking fund. The application to the Department of Real Estate of the state for issuance of a final public report for the project proposed for conversion and the Supplemental Questionnaire for Apartments Converted to Condominium Projects are not required because the conversion involves less than four units. A copy of the warranty to be made against defects to provide a minimum coverage of two years from sale of unit has been deferred (Condition #33).

A condominium conversion is required to comply with the development standards of section 16.68.110 through 16.68.190 of the municipal code. The application complies with the standards as follows:

16.68.110 Off-street parking

Staff Analysis: The project will include one covered parking space and one uncovered space for each of the two duplex units, as shown on Sheet C4 – Paving and Parking Plan.

16.68.120 Meters and control valves

Staff Analysis: Each of the two duplex units has individual gas meters, electric meters, cable boxes and water meters. Each unit shall have private access to the meters with the exception that the two electric meters serving the duplex are located on the exterior wall of Unit B, as shown on Sheet C6, Utility Plan. An exception is requested for the electric meters for the duplex.

16.68.130 Overcurrent protection

Staff Analysis: Each of the two duplex units have individual panel boards for all electrical circuits which serve the unit as shown on Sheets A4 and A5.

16.68.140 Impact sound insulation

Staff Analysis: The common wall between Units 1 and 2 conform to and exceed CAC Title 25 requirements. The common wall consists of two separate unattached wood frame walls, filled with batt insulation and covered with acoustic-rated sound deadening drywall. There are no farced air furnaces or air conditioner units in the duplexes. Both operate on a hydronic heat system which is silent. Washing and drying machines are located in the respective garages.

16.68.150 Compliance with building and housing codes

Staff Analysis: The duplex meets or exceeds the building and fire requirements in place at the time of construction (circa 1978) and will have all upgraded smoke detectors and carbon dioxide detectors meeting current building codes as shown on Sheets A4 and A5.

16.68.160 Storage facilities

Staff Analysis: Each unit has an existing separate storage facility in the form of a locked storage room off the rear deck. Each storage room is 137.8 cubic feet in size. In addition to this space, each garage is a total of 311.7 square feet, which is 111.7 square feet over the required 10-foot by 20-foot parking space, thus providing an additional 111.7 square feet (893.60 cubic feet) that can be used for storage.

16.68.170 Open spaces

Staff Analysis: Each duplex unit has a private fenced-in yard that is 1,185 square feet plus a private exterior deck that is 242 square feet, far exceeding the 48-square-foot minimum required for multi-family units. These areas are called out on the Tentative Map as "Private Recreational Space."

16.68.80 Condition of equipment and appliances

Staff Analysis: Waiver requested. However, new appliances are included in the active building permits for the remodel of the two duplex units.

16.68.190 Waiver of Requirements

Staff Analysis: The provisions of Sections 16.68.110 through 16.68.180 may be waived by the Planning Commission if the existing circumstances warrant waiver and the proposed conversion substantially conforms to the intent of this section. There is only one waiver requested, for §16.68.180, and the proposed conversion substantially conforms to the intent of Section 16.68.190.

CMC §16.68.080 lists all of the required provisions of the covenants, conditions and restrictions (CC&Rs) for a condominium conversion. The applicant requested that this be deferred and included as a condition of approval for the project. 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 1st Story		15 ft.		N/A
Side Yard 1st 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 1st 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		4,999 sq. ft./unit
Maximum FAR		No Maximum		1,858 sq. ft./unit
First Story Floor Area		N/A		929 sq. ft.
Second Story Floor		N/A		929 sq. ft.

Area				
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. 17 ft. 10 in. min.	36 ft.	36 ft.
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 two-unit condominium conversion that 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, condominium conversion of an existing duplex, and 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. Prior to the recordation of the parcel map, the applicant shall submit the covenants, conditions, and restrictions (CC&Rs) for the condominium conversion for review by the Community Development Director. The CC&Rs shall contain the following provisions:
 - a. The specific assignment of parking spaces;
 - b. Provisions for management and maintenance of common areas and facilities within the project;
 - c. Provisions making the city a party in title to enforce maintenance requirements contained in the covenants, conditions and restrictions and to compensate the city for reasonable attorney's fees and costs in so enforcing;
 - d. Provisions that, in the event of default in payment of annual assessments, members of the association shall be subjected to penalties for late payment and reasonable attorney's fees and costs incurred in collection of the assessments;
 - e. Provisions allowing the association to terminate the contract of any person or organization engaged by the developer;
 - f. Wall and floor-ceiling assemblies shall conform to Title 25, California Administrative Code, Section 1092, or its successor, or permanent mechanical equipment, including domestic appliances, which is determined by the director of building and zoning to be a potential source of vibration or noise, shall be shock-mounted, isolated from the floor and ceiling, or otherwise installed in a manner approved by the director of building and zoning to lessen the transmission of vibration and noise. Floor covering may only be replaced by another floor covering that provides the same or greater insulation;
 - g. Restrict RVs or provide separate screened area.
34. Prior to recordation of the parcel map, applicant shall submit a copy of warranty to be made against defects to provide a minimum coverage of two years from sale of unit for review by the Community Development Director.

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, condominium conversion of an existing duplex, 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, condominium conversion of an existing duplex, 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 condominium conversion 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 two-unit condominium conversion 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, condominium conversion of an existing duplex, 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, condominium conversion of an existing duplex, 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.

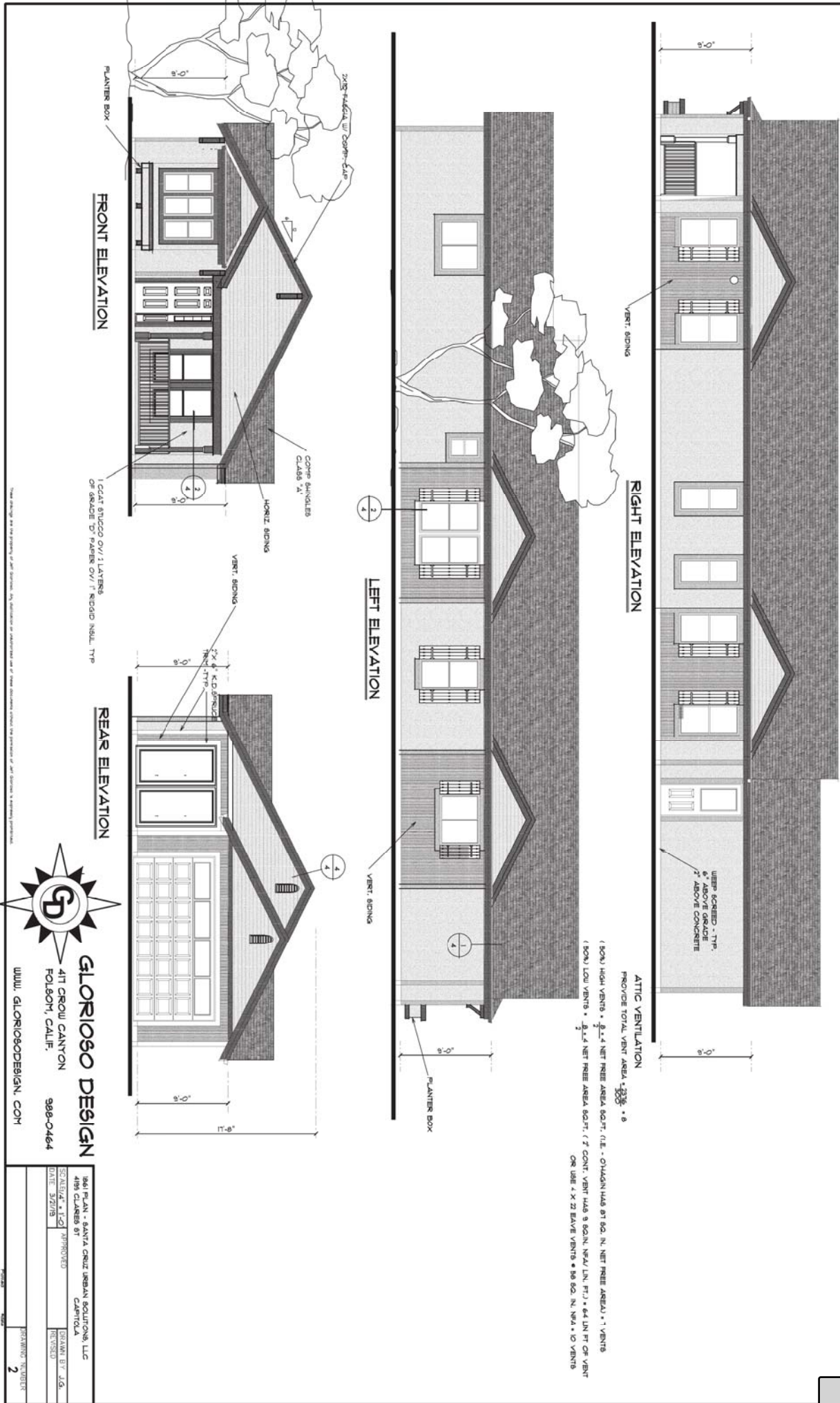
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the tentative parcel map for a two-lot subdivision, condominium conversion of an existing duplex, and design permit for a new single-family residence. The design 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.

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 - Project Narrative
4. 4199 Clares Street - Description of Provisions for Meeting Standards
5. 4199 Clares Street - Building Report
6. 4199 Clares Street - Preliminary HOA budget
7. 4199 Clares Street - Property Report
8. 4199 Clares Street - Pest Control Report
9. 4199 Clares Street - SC County Sanitation - Sewer Availability
10. 4199 Clares Street - SCWD Water Service Letter
11. 4199 Clares Street - Central Fire Protection District - Service Confirmation

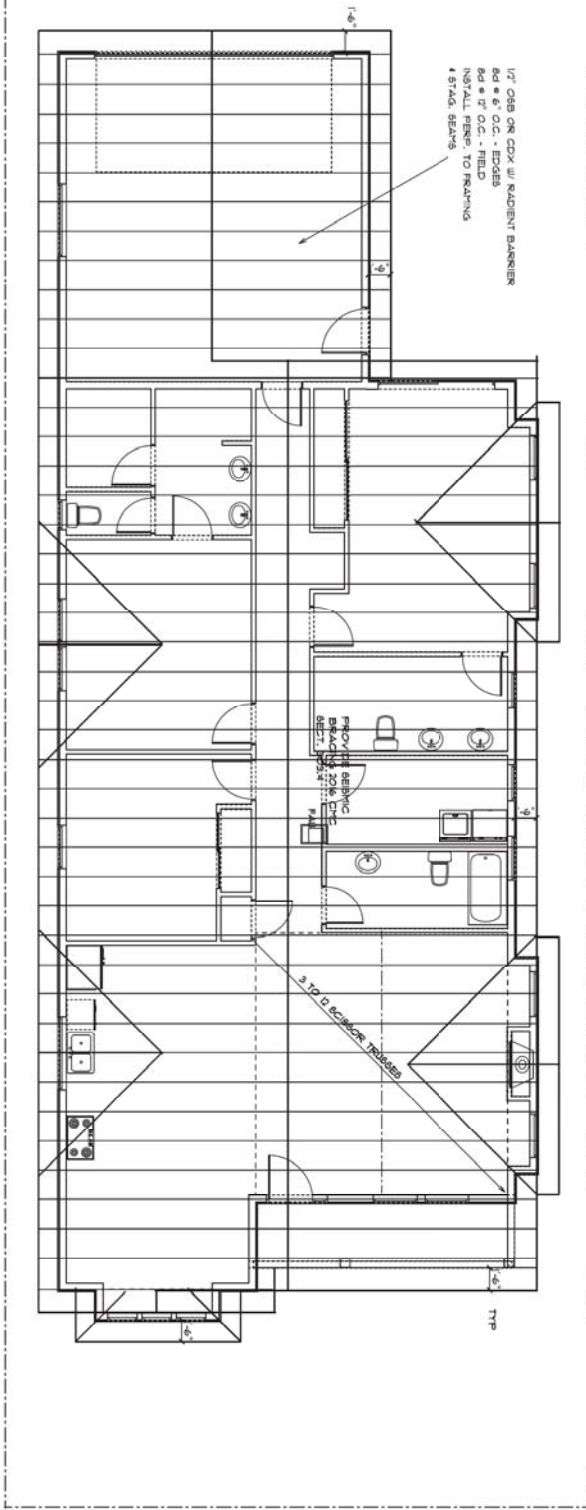
Prepared By: Matt Orbach
Associate Planner



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

1861 PLAN - BAYTA CRUZ JERMAN SOLUTIONS, LLC	DATE	APPROVED	DESIGNED BY
4199 CLARES ST	07/05/19	[Signature]	J.G.
CAPITOLA		REVIEWED	
			2

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



ROOF FRAMING PLAN

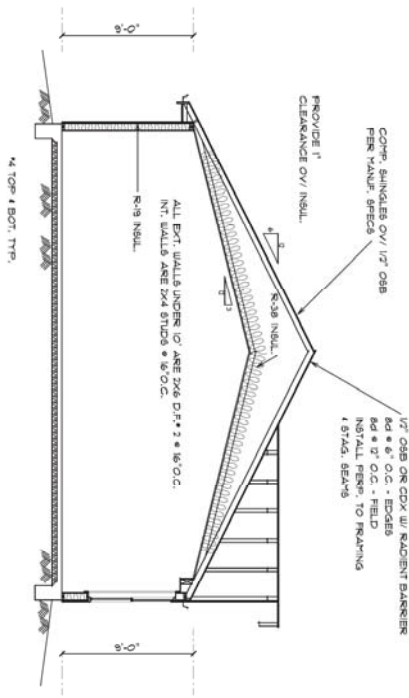


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 417 CROW CANYON
 FOLSOM, CALIF. 95604-464
 WWW.GLORIOSODESIGN.COM

PRELIMINARY PLANS

303 PLAN - HOUSE	CAPITOLA
419 CLARES ST	DRAWN BY J.G.
SCALE: 1/8" = 1'-0"	REVISION
DATE: 3/27/19	
DRAWN NUMBER	6

1	EAVE DETAIL	2	SILL DETAIL	3	RECESSED WINDOW	4	GABLE END DET.				

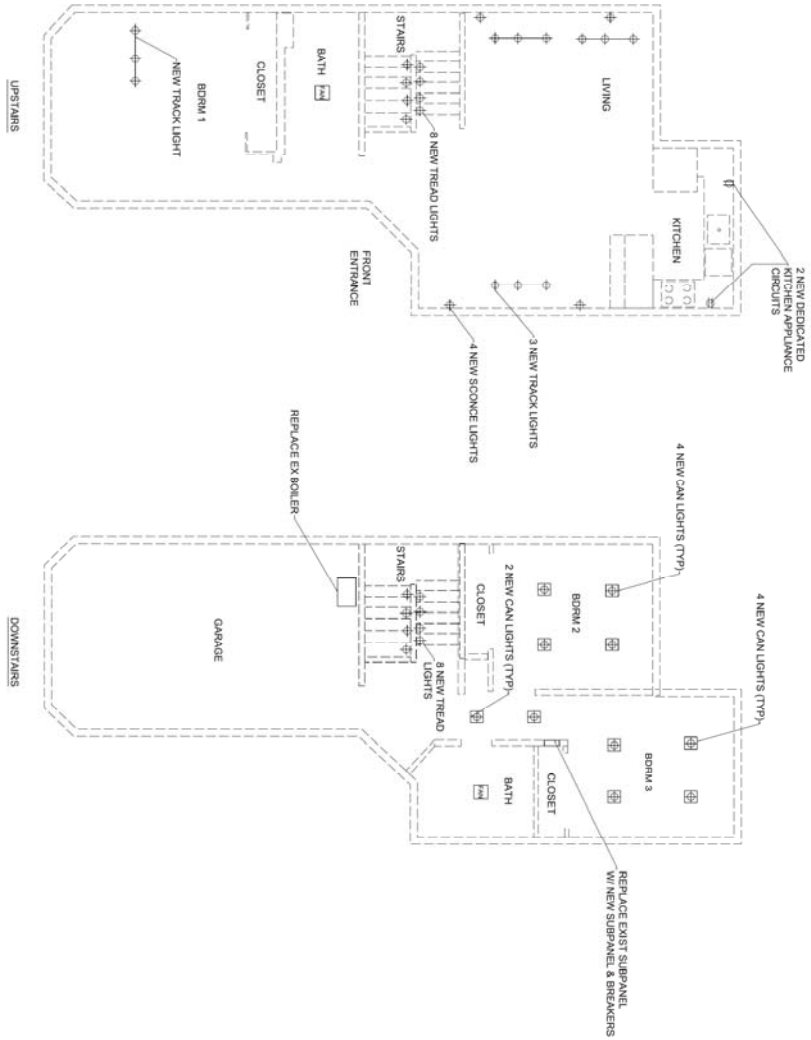


SECTION A-A



GLORIOSO DESIGN
 411 CROW CANYON
 FOLSOM, CALIF. 95602
 916-944-6464

3611 PLAN - SANTA CRUZ URBAN SOLUTIONS, LLC	DESIGNED BY	DATE	REVISION
4199 CLARES ST	APPROVED	3/27/19	REVISED
CARROLLA	DESIGNER		
	REVISOR		



GENERAL NOTES

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

SCOPE OF WORK

1. REPLACE ALL OUTLETS & SWITCHES W/ CODE COMPLIANT DEVICES.
2. INSTALL NEW LIGHTING AS NOTED IN PLAN.
3. REPLACE LIGHT FIXTURES AS NEEDED.
4. ADD 2 NEW BATH FANS.
5. REPLACE EXISTING BATH VENTILATORS.
6. REPLACE EX BOILER W/ GAS BURNER/HEATERS.
7. REPLACE APPLIANCES.
8. REPLACE GARAGE DOORS.
9. INSTALL GAS LINE TO STOVE & STUB TO BACK YARD FIRE PIT.
10. REPLACE EXISTING SUMP PUMP.
11. RETROFIT SINGLE PANE WINDOWS W/ DOUBLE PANE WINDOWS - SAME SIZES.
12. REPLACE EXISTING SUBPANEL W/ NEW PANEL & BREAKERS.

NO.	DATE	BY	CHK	DATE	REVISIONS
1	07/05/16				
2					
3					
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5					

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CSI Engineering
77 Spaulo Square #283
Burbank, CA 91510
(707) 563-9812
www.csieng.com



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DEC 1, 2016			

4199 CLARES STREET, CAPITOLA, CA 95010
RENOVATION OF EXISTING DUPLEX UNIT C

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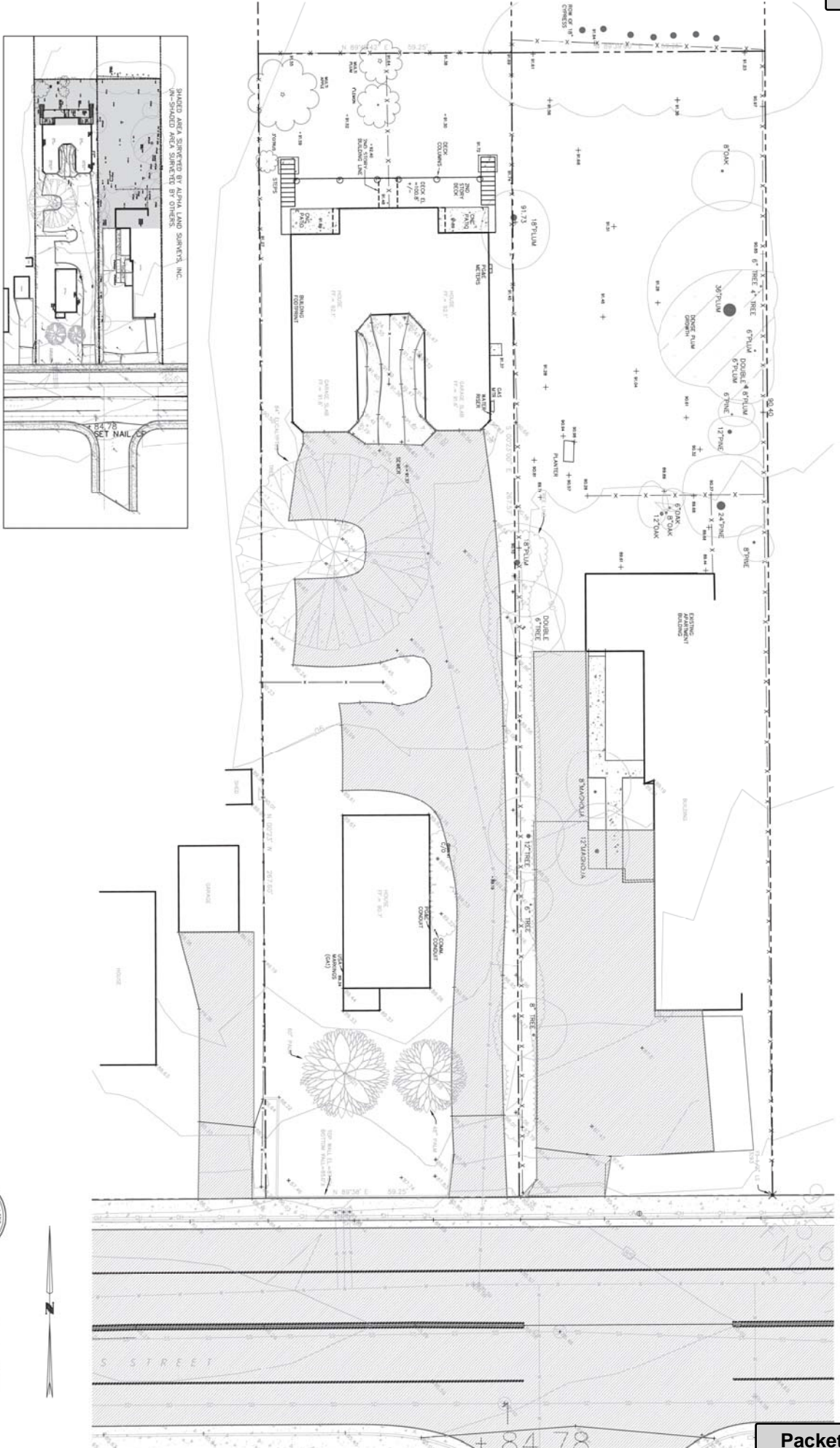
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ELECTRICAL SYMBOLS	
	BARE WALL OUTLET
	120V SWITCHED OUTLET
	120V NON-SWITCHED OUTLET
	220V NON-SWITCHED OUTLET
	GROUND FAULT CIRCUIT INTERRUPTER
	ARC FAULT CIRCUIT INTERRUPTER
	SWITCHED OUTLET
	COMBINATION ARC FAULT CIRCUIT INTERRUPTER
	SINGLE POLE SWITCH
	THREE WAY SWITCH
	TRANSFER SWITCH
	ROCKER SWITCH
	DIMMER SWITCH
	VACUUM BREAKER
	RECIPROCATING LIGHT FIXTURE
	RECIPROCATING LIGHT FIXTURE WITH MOTION SENSOR
	RECIPROCATING LIGHT FIXTURE WITH OCCUPANCY SENSOR
	RECIPROCATING LIGHT FIXTURE WITH DAYLIGHT SENSOR
	RECIPROCATING LIGHT FIXTURE WITH MOTION SENSOR AND OCCUPANCY SENSOR
	RECIPROCATING LIGHT FIXTURE WITH MOTION SENSOR AND DAYLIGHT SENSOR
	RECIPROCATING LIGHT FIXTURE WITH OCCUPANCY SENSOR AND DAYLIGHT SENSOR
	RECIPROCATING LIGHT FIXTURE WITH MOTION SENSOR, OCCUPANCY SENSOR, AND DAYLIGHT SENSOR
	UNDER CABINET FLUORESCENT STRIP FIXTURE
	JUNCTION BOX, CEILING OR WALL MOUNTED
	JUNCTION BOX, FLOOR MOUNTED
	RACEWAY
	RACEWAY WITH FLUORESCENT LIGHT
	EXHAUST FAN
	EXHAUST FAN WITH FLUORESCENT LIGHT
	COMBINATION SMOKE DETECTOR AND CARBON MONOXIDE DETECTOR
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR
	DOOR CHIME
	DIMMER A NON-EFFICIENT FIXTURE
	DIMMER B NON-EFFICIENT FIXTURE
	CEILING FAN WITH NON-EFFICIENT FIXTURE

- ELECTRICAL NOTES**
1. VERIFY THE LOCATION OF ALL FIXTURES WITH THE ARCHITECTURAL DRAWINGS.
 2. THESE DRAWINGS ARE DIMENSIONAL AND MAY NOT BE USED FOR CONSTRUCTION UNLESS ALL DIMENSIONS ARE SHOWN AND APPROVED.
 3. PROVIDE ELECTRICAL SYMBOLS AS REQUIRED TO ALL ARCHITECTURAL PLANS AND APPROVED.
 4. IDENTIFY ALL LIGHTS AND APPLIANCES.
 5. IDENTIFY ALL SWITCHES AND OUTLETS.
 6. IDENTIFY ALL OUTLETS IN 100% WITH BATTERY BACKUP OUTLET IN BATHROOMS AND KITCHENS.
 7. ALL 120V, 15 AMP AND 20 AMP RECEPTACLES SHALL BE INSTALLED WITH 15 AMP BREAKERS.
 8. ALL 240V RECEPTACLES SHALL BE INSTALLED WITH 30 AMP BREAKERS.
 9. ALL SWITCHES SHALL BE INSTALLED WITH 15 AMP BREAKERS.
 10. ALL SWITCHES SHALL BE INSTALLED WITH 15 AMP BREAKERS.
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 22. ALL SWITCHES SHALL BE INSTALLED WITH 15 AMP BREAKERS.
 23. ALL SWITCHES SHALL BE INSTALLED WITH 15 AMP BREAKERS.



REFERENCES & NOTES

- (A) 23-PM-18
- (B) DEED SERIAL NO. 2015-0024079
- (C) 67-4-2

BASIS OF BEARINGS

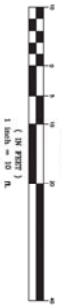
BEARINGS ARE BASED UPON A CALCULATED MIDDLE POINT OF THE CURVE OF THE SOUTHWEST CORNER OF SECTION AND AS SHOWN ON THAT CERTAIN PACE MAP AT PAGE 18, SANTA CRUZ COUNTY RECORDS.

SOUTH 35° 36' 11" EAST

NOTES

A TITLE REPORT WAS NOT PROVIDED FOR THIS SURVEY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE RECORD MAPS AND THE CURRENT DEED FOR THE PROPERTY. THERE MAY BE ADDITIONAL EASEMENTS OR INTERESTS THAT WOULD ONLY BE REVEALED ON A TITLE REPORT.

SCALE



JEAN-PAUL HAPPEL, PLS 8807

ALPHA LAND SURVEYS, INC.

444 SOUTH VALLEY DRIVE, SUITE 100, SAN JOSE, CA 95128 (408) 438-1433 (408) 438-1433 2008 2009-2017 1000 MARINE WAY, SUITE 1450, CITY OF CAROLINA, SANTE CRUZ COUNTY

DATE: 7/7/19 SHEET 1 OF ONE



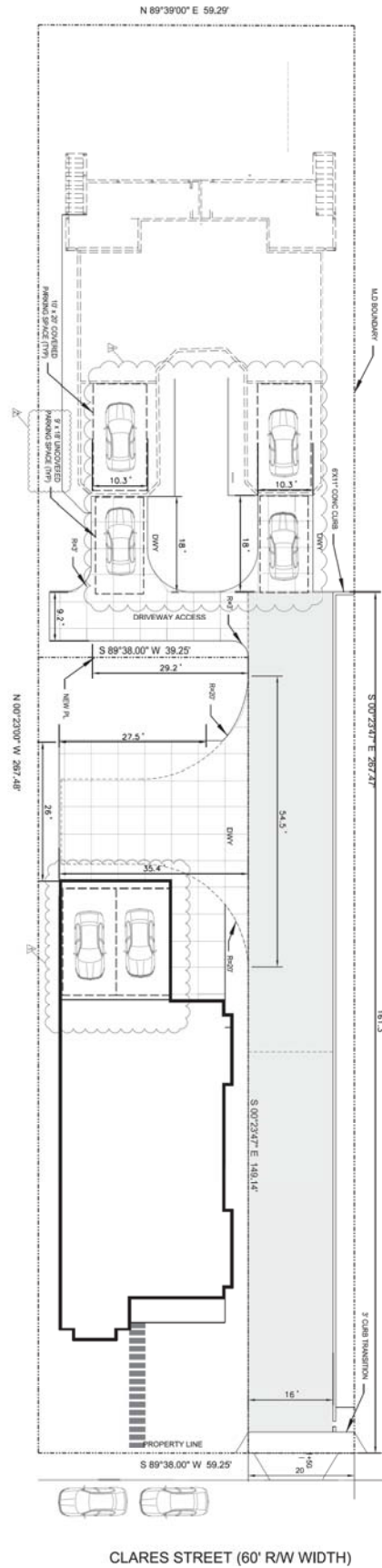
GENERAL NOTES

1. PUBLIC SAFETY AND TRAFFIC CONTROL SHALL BE PROVIDED IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATION AND THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS. ACCESS SHALL BE PROVIDED AT ALL TIMES DURING CONSTRUCTION. THE CONTRACTOR SHALL SUBMIT TRAFFIC CONTROL PLAN TO CITY ENGINEER FOR APPROVAL PRIOR TO BEGINNING ANY WORK ON CLARES STREET.
2. THE COUNTY OF SANTA CRUZ IS A MEMBER OF THE UNDERGROUND SERVICES SUBCONTRACTOR FOR THIS CONTRACT. SHALL NOTIFY MEMBERS OF U.S.A. 48 HOURS IN ADVANCE OF PERFORMING EXCAVATION WORK BY CALLING THE MORE INCHES DEPTH BELOW THE EXISTING SURFACE.
3. THE ENGINEER CANNOT BE RESPONSIBLE FOR EITHER THE GROUND UTILITY OR ACCURACY OF THE EXISTING UTILITY INFORMATION AND PROVISION OF VERIFICATION OF UTILITY COMPANIES FOR FINAL DESIGN INFORMATION AND LOCATION.
4. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO MAKE ALL NECESSARY SITE INSPECTIONS AND DETERMINATION OF ITEMS OF WORK NOT SHOWN ON DRAWINGS AS NOT ITEMS OF OTHER WORK SHOWN TO BE COMPLETED AND ACCEPTABLE JOB HAVE BEEN TAKEN INTO CONSIDERATION.
5. PRIOR TO ANY CORRECTIVE ACTION BY THE CONTRACTOR WHICH IS NECESSARY DUE TO STAKING ERROR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER FOR RESTORATION AND VERIFICATION OF PREVIOUS STAKING INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ENGINEER ASSUMES NO LIABILITY FOR THE COSTS INCURRED FOR THIS WORK.
6. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ACQUIRE SOLE AND COMPLETE CONSTRUCTION OF THE PROJECT, INCLUDING SOLE AND COMPLETE AND PROPERTY THAT THE REQUIREMENT SHALL BE MADE TO APPLY AND HOLD RESUME PROFESSIONAL LIABILITY FROM ANY AND ALL LIABILITY ARISING FROM THE SOLE INCULCANCE OF CONSTRUCTION.
7. CLARES STREET TRAFFIC SHALL BE OPEN IN EACH DIRECTION DURING THE MINIMUM ONE HOURS LANE OPEN AT ALL TIMES.
8. PLAN SHOWN IS THE CITY ENGINEER SHALL BE IN THE CONTRACTOR'S POSSESSION PRIOR TO BEGINNING ANY WORK ON PUBLIC IMPROVEMENTS ON ANY CITY INSPECTED WORK.
9. THE CONTRACTOR SHALL CONDUCT OPERATIONS IN ACCORDANCE WITH REQUIREMENTS IN REGARD TO MOORE CONCRETE & HOUSING OPERATION.
10. CONCRETE PATIOS SHALL BE CONSTRUCTED FROM 2,000 PSI MINIMUM 28 DAY STRENGTH CONCRETE PER THE REQUIREMENTS OF THE SOILS ENGINEER. THE MINIMUM SECTION SHALL BE 6 INCHES OF CONCRETE SECTION SHALL BE TYPED OVER THE OUTER FEET OF ANY FREE PAYMENT EDGE SUCH THAT THE TOTAL THICKNESS AT THE EDGE IS A MINIMUM OF 6 INCHES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING JOINT WHERE LOAD TRANSFER TO ADJACENT AREAS IS NOT PROVIDED. SUCH AS JOINTS TO LANDSCAPING OR AT TRANSITIONS TO PATIOS.
11. ALL WORK PERFORMED IN THIS CONTRACT SHALL CONFORM TO
 - A. 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 CANTOULA BEFORE CONSTRUCTION BEGINS. CONTRACTOR SHALL SECURE AND PAY FOR ANY RESULTS INCLUDING UTILITY CONNECTIONS REQUIRED PRIOR TO CONSTRUCTION.
14. THE GEOTECHNICAL ENGINEER IS TO APPROVE THE KEY OR BOTTOM GRADING BEGINS AND FOR BOTTOM INSPECTION BEFORE FILL IS GRADDED. THE CITY INSPECTOR IS TO BE NOTIFIED BEFORE ANY FILL CAN NOT BE PLACED WITH/OUT APPROVAL OF THE CITY INSPECTOR.
15. REGISTERED GEOTECHNICAL ENGINEER IS REQUIRED ON GRADING AND FOUNDATION EARTHWORK WHERE CUT OR FILL SLOPES EXCEED 2:1 CUTS EXCEED 40 FT IN HEIGHT AND WITHIN 20 FT OF A PROPERTY LINE. OR PROJECTS THAT INVOLVE DRAINAGE HAZARDS.
16. ALL GRADING SLOPES SHALL BE PLANTED AND SPRINKLERED.
17. MAKEUP FILL SHALL BE COMPACTED TO A MINIMUM RELATIVE DENSITY OF 95% FOR ALL FILL DEPTH LESS THAN 15% FILLER THAN 0.075" REQUIRE 90% COMPACTATION.
18. TYPICAL EROSION CONTROL TO BE INSTALLED BETWEEN OCTOBER AND NOVEMBER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PUBLIC WORKS APPROVAL OF PROPOSED PROCEDURES.

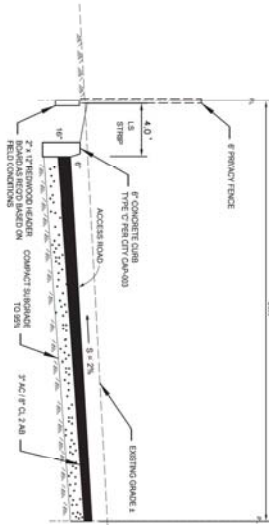
TABLE 1
ROUTINE MAINTENANCE ACTIVITIES FROM PROTECTION AREA

NO.	DESCRIPTION	FREQUENCY OF TASK
1	REMOVE OBSTRUCTIONS, WEEDS, SPRINGS AND PROTRUSIONS FROM THE SURFACE AND UNDER AND SURROUND OF PROPERTY.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
2	INSPECT AND MAINTAIN THE STAKING CENTER OF STAKING MARKS TO BE QUARTERLY, OR AS NEEDED AFTER STORM EVENTS	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
3	CHECK UNDERPAVEMENT FOR CROOKING, USE THE CROOKING RINGS TO CLAMP ANY QUARTERLY, OR AS NEEDED	QUARTERLY, OR AS NEEDED
4	MAINTAIN THE RESIDUAL SYSTEM AND INSURE THAT FLAKES ARE RECEIVED QUARTERLY	QUARTERLY
5	THE CONTRACTOR SHALL MAINTAIN THE UTILITY LOCATIONS TO BE QUARTERLY, OR AS NEEDED	QUARTERLY, OR AS NEEDED
6	THE TRENCH AND PROTECT SOIL FROM ROOTS, TRUNKS AND WEEDS THE QUARTERLY, OR AS NEEDED	QUARTERLY, OR AS NEEDED
7	INSPECT AND MAINTAIN THE UTILITY LOCATIONS TO BE QUARTERLY, OR AS NEEDED	QUARTERLY, OR AS NEEDED
8	INSPECT THE EROSION DISBURSMENT AT THE PAINT TO INSURE IT IS STRETCHING QUARTERLY, OR AS NEEDED	QUARTERLY, OR AS NEEDED
9	INSPECT FOR LOW PAVEMENT TO INSURE THAT IT COME UP TO COUNTY STANDARDS QUARTERLY, OR AS NEEDED	QUARTERLY, OR AS NEEDED
10	INSPECT FOR CRACKING AND WEAR AND TEAR TO INSURE THAT IT COME UP TO COUNTY STANDARDS QUARTERLY, OR AS NEEDED	QUARTERLY, OR AS NEEDED
11	INSPECT PROTECTION AND LABELING THE ATTACHED PROTECTION CHECKLIST	QUARTERLY, OR AS NEEDED

BY DATE	COG	DATE				Title: JLS S. 3108 Designer: LA Checker: LA Pkg. Engr: LA Date: 1/24/24		CSJ Engineering 77 Soano Square #283 Benika, CA 94510 (707) 563-9612 www.csjeng.com	4199 CLARES STREET, CANTOLA, CA 95010 GENERAL NOTES	SHEET C2 PLAN REVIEW APPROVES ONLY APR 03/22/26
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PLAN
SCALE: 1" = 10'



- NOTES**
1. PARKING PROVIDED: 2 SPACES PER RESIDENCE. PARKING PROVIDED: 2 SPACES PER RESIDENCE.
 2. MINIMUM SLOPE FOR CONCRETE SURFACES: 0.5% MINIMUM SLOPE FOR AC SURFACES: 1.5%.



NO.	DATE	BY	CHKD	DATE	REVISIONS
1	07/15/19	LA			ASPECT SCALE TO PARKING BOXES
2	07/15/19	LA			
3					
4					
5					
6					
7					
8					
9					
10					



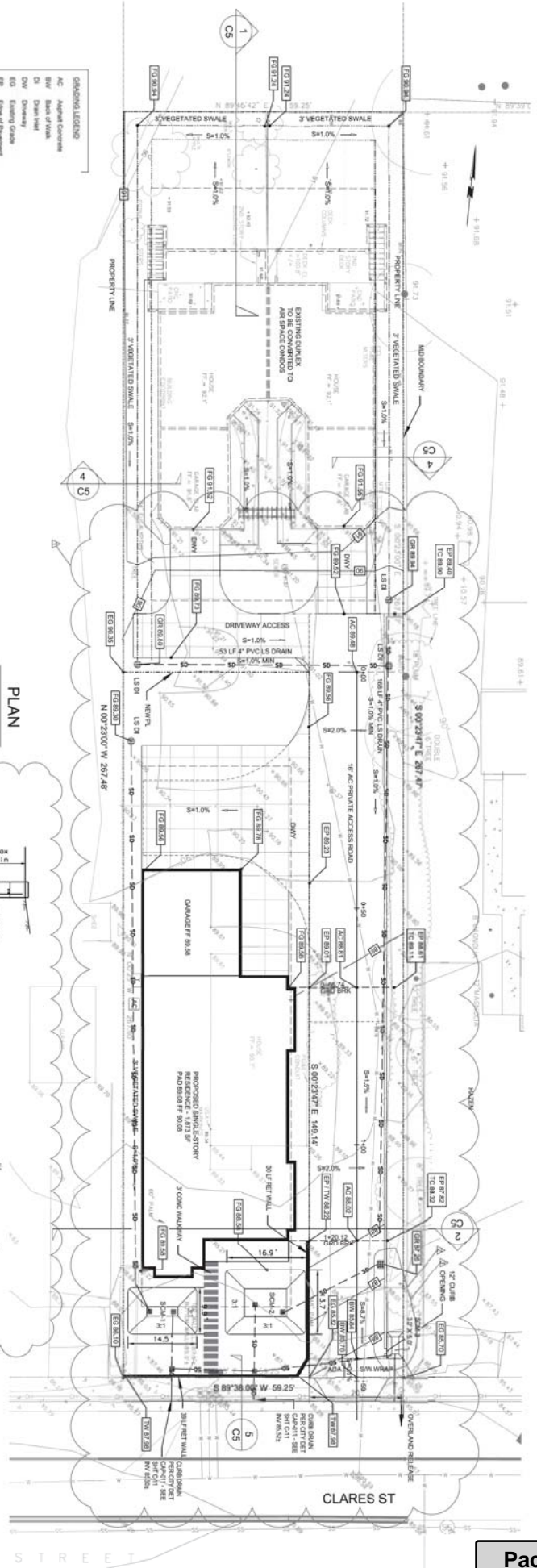
DATE	SCALE	NO.	BY	CHKD	DATE
07/15/19	1" = 10'	1	LA		
07/15/19	1" = 10'	2	LA		

CSI Engineering
77 Salinas Square #283
Berkeley, CA 94710
(707) 563-9812
www.csieng.com



4199 CLARES STREET, CAPTOLA, CA 95010
PAVEMENT & PARKING PLAN

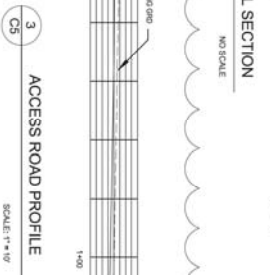
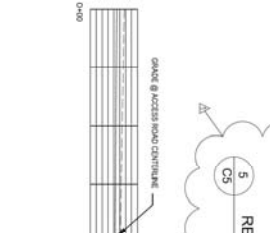
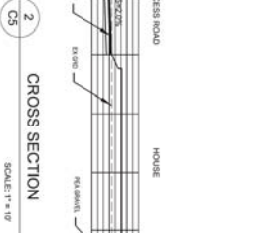
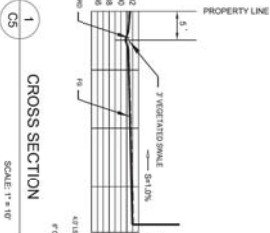
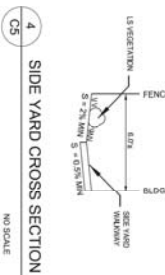
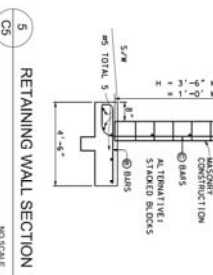
SHEET	C1
DATE	07/15/2019



GRADING LEGEND

- AC Asphalt Concrete
- BW Bids of Work
- DI Drain Inlet
- OW Overlay
- EO Existing Grade
- EP Edge of Pavement
- FR Finish Floor
- FG Finish of Grade
- FC Finish of Concrete
- GL Gravel
- HL Hilly Land Drainage
- S Storm Drain
- TV Top of Wall

PLAN
SCALE: 1" = 10'

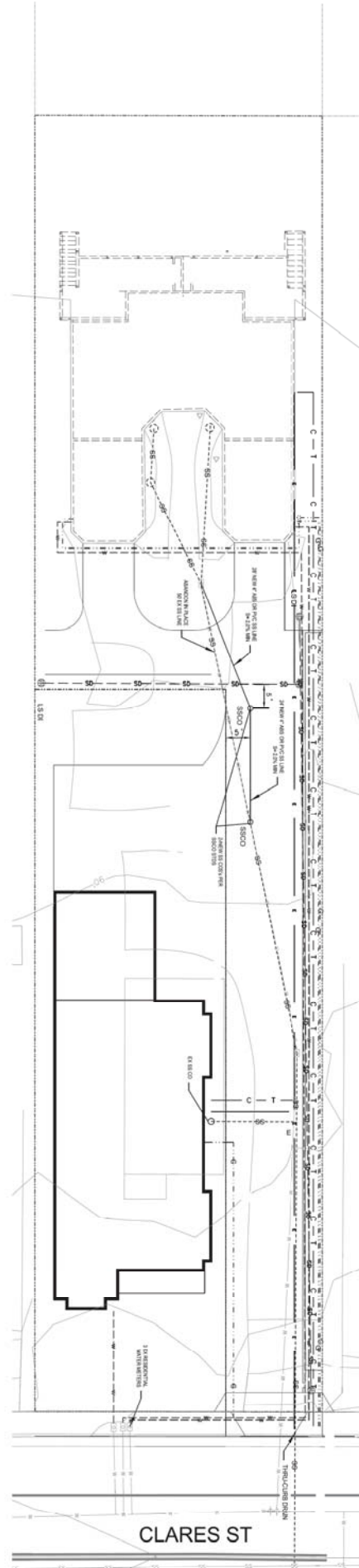


PROFILES & SECTIONS
SCALE: 1" = 10'

NOTES:
1. ALL GRADING TO BE IN COMPLIANCE WITH PROJECT TECHNICAL REPORT TO BE FORWARDED TO THE CITY OF SAN ANTONIO FOR REVIEW AND APPROVAL.
2. ALL GRADING SHALL ACCORD TO THE CITY OF SAN ANTONIO GRADING MANUAL.

SCALE: 1" = 10'
IF PHYSICAL DISTANCE ACROSS SCALE IS SHOWN, IT SHALL BE USED TO DETERMINE THE SCALE OF THE DRAWING.
FOR REVIEW AND APPROVAL ONLY

LA 1 (2019)	ISSUED FOR REVIEW & APPROVAL	DATE: JUL 2, 2019	CSi Engineering	4199 CLARES STREET, CAPITOLA, CA 95010	SHEET 05
LA 1 (2019)	APPROVED	SCALE: 1" = 10'	77 Sdano Square #283 Berkeley, CA 94510 (707) 563-8612 www.csieng.com	GRADING PLAN	
LA 1 (2019)	REVISIONS	DATE: 11/17/17	Checked: LA		AM 18-02-2018
LA 1 (2019)	REVISIONS	DATE: 11/17/17	Drawn: LA		
LA 1 (2019)	REVISIONS	DATE: 11/17/17	Checked: LA		
LA 1 (2019)	REVISIONS	DATE: 11/17/17	Drawn: LA		
BY: DATE: DDC: DAV: 11/17/17	REVISIONS	DATE: 11/17/17	Checked: LA		
BY: DATE: DDC: DAV: 11/17/17	REVISIONS	DATE: 11/17/17	Drawn: LA		



PLAN
SCALE 1" = 10'

LEGEND

EX CABLE TV	— C — T —
EX GAS	— G —
EX WTR	— W —
EX SEWER	— S —
EX ELEC	— E —
EX SAN SEWER	— SS —
NEW GAS	— G —
NEW WTR	— W —
NEW SEWER	— S —
NEW ELEC	— E —
NEW SAN SEWER	— SS —

- NOTES**
1. ALL NEW GAS LINES ARE ALUMINUM INSTALLED IN PLACE.
 2. NO NEW WTR LINES ARE REQUIRED.
 3. ALL EXISTING WTR LINES ARE TO BE REMOVED AND REPLACED WITH NEW 4" PVC LINED WITH 1.5" WALL TO BE INSTALLED SEE GROUND PLAN.
 4. ALL EXISTING SEWER LINES ARE TO BE REMOVED AND REPLACED WITH NEW 4" PVC LINED WITH 1.5" WALL TO BE INSTALLED SEE GROUND PLAN.
 5. ALL EXISTING ELEC LINES ARE TO BE REMOVED AND REPLACED WITH NEW 4" PVC LINED WITH 1.5" WALL TO BE INSTALLED SEE GROUND PLAN.
 6. ALL EXISTING SAN SEWER LINES ARE TO BE REMOVED AND REPLACED WITH NEW 4" PVC LINED WITH 1.5" WALL TO BE INSTALLED SEE GROUND PLAN.



PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

DATE	BY	DATE	BY	DATE	BY	DATE	BY
REVISIONS							
OWNER	DATE	PROJECT	LOCATION	CITY	STATE	ZIP	SCALE
CSI Engineering	JAN 5, 2019	77 Solano Square #283	Berkeley	CA	94710	94710	1" = 10'
77 Solano Square #283		Berkeley, CA 94710					
(707) 563-8612		www.csieng.com					
4199 CLARES STREET, CAPITOLA, CA 95010							
UTILITY PLAN							
SHEET							
08							
APN 034-222-05							

POST CONSTRUCTION STORMWATER REQUIREMENTS

The City of Clatsop requires that all new construction projects that require a building permit and a stormwater management plan (SWMP) be subject to the following stormwater management plan (SWMP) requirements. The City of Clatsop is not responsible for the design or construction of the SWMP. The SWMP must be approved by the City of Clatsop before construction begins.

Table with 4 columns: Item, Description, Quantity, and Unit. Includes items for 'Checkered Flag' (1,000 sq ft), 'Permeable Paving' (1,000 sq ft), 'Bioswale' (100 ft), and 'Rain Garden' (100 sq ft).

Stormwater Prevention and Protection for Construction Projects

The City of Clatsop requires that all new construction projects that require a building permit and a stormwater management plan (SWMP) be subject to the following stormwater management plan (SWMP) requirements. The SWMP must be approved by the City of Clatsop before construction begins.

Table with 4 columns: Item, Description, Quantity, and Unit. Includes items for 'Checkered Flag' (1,000 sq ft), 'Permeable Paving' (1,000 sq ft), 'Bioswale' (100 ft), and 'Rain Garden' (100 sq ft).

Construction Methods and Materials

The City of Clatsop requires that all new construction projects that require a building permit and a stormwater management plan (SWMP) be subject to the following stormwater management plan (SWMP) requirements. The SWMP must be approved by the City of Clatsop before construction begins.

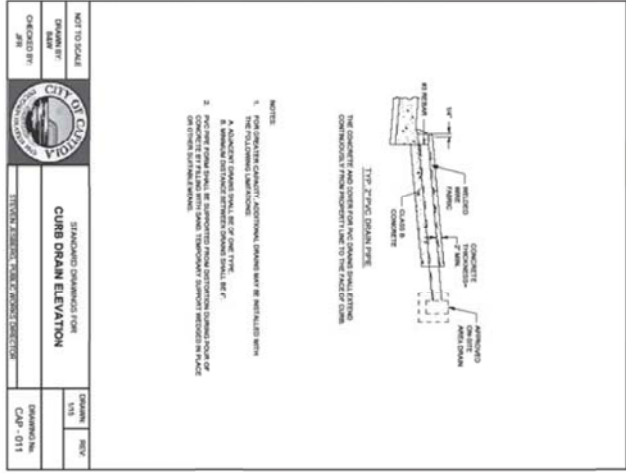
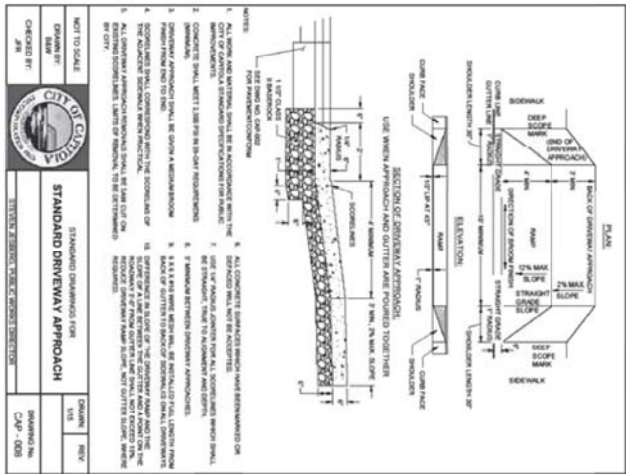
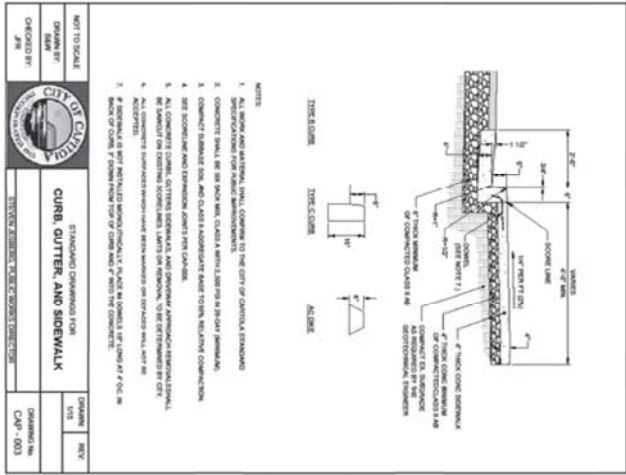
Table with 4 columns: Item, Description, Quantity, and Unit. Includes items for 'Checkered Flag' (1,000 sq ft), 'Permeable Paving' (1,000 sq ft), 'Bioswale' (100 ft), and 'Rain Garden' (100 sq ft).

Table with 4 columns: Item, Description, Quantity, and Unit. Includes items for 'Checkered Flag' (1,000 sq ft), 'Permeable Paving' (1,000 sq ft), 'Bioswale' (100 ft), and 'Rain Garden' (100 sq ft).

Table with 4 columns: Item, Description, Quantity, and Unit. Includes items for 'Checkered Flag' (1,000 sq ft), 'Permeable Paving' (1,000 sq ft), 'Bioswale' (100 ft), and 'Rain Garden' (100 sq ft).

Table with 4 columns: Item, Description, Quantity, and Unit. Includes items for 'Checkered Flag' (1,000 sq ft), 'Permeable Paving' (1,000 sq ft), 'Bioswale' (100 ft), and 'Rain Garden' (100 sq ft).

Project information section including City of Clatsop logo, project name '4199 CLARES STREET, CAPITOLA, CA 95010', SWPPP notes, and various administrative fields like 'DATE', 'BY', and 'REVISIONS'.



CURB DETAILS
NO SCALE

DRIVEWAY
NO SCALE

CURB DRAINS
NO SCALE

DATE	2019.07.05	PROJECT	1999 CLARES STREET, CAPITOLA, CA 95010
DESIGNED BY	LA	CHECKED BY	LA
DATE	07/05/2019	PROJECT	1999 CLARES STREET, CAPITOLA, CA 95010
DESIGNED BY	LA	CHECKED BY	LA
DATE	07/05/2019	PROJECT	1999 CLARES STREET, CAPITOLA, CA 95010
DESIGNED BY	LA	CHECKED BY	LA
DATE	07/05/2019	PROJECT	1999 CLARES STREET, CAPITOLA, CA 95010
DESIGNED BY	LA	CHECKED BY	LA
DATE	07/05/2019	PROJECT	1999 CLARES STREET, CAPITOLA, CA 95010
DESIGNED BY	LA	CHECKED BY	LA

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

4199 CLARES STREET, CAPITOLA, CA 95010

DETAILS

SHEET C11

APR 03-2025

PLANTING NOTES

ALL PLANT MATERIAL TO BE RETIRED EXCEPT THOSE MARKED EXISTING ON PLANS. PLANT DETAIL TO BE DONE WITH ROUNDUP OR OTHER BROAD SPECTRUM SYSTEMIC HERBICIDE. ALL EXISTING PLANT MATERIAL TO BE PROTECTED. ANY DAMAGE CAUSED BY CONTRACTORS WORK TO BE REPLACED AT CONTRACTORS EXPENSE. F TOPSOIL 5 INCHES OF VEGN RECYCLING YARD COMPOST OVER SOIL SURFACE AND F TOPSOIL HAS BEEN SCARED OR STORED. FKI 100% COMPOST TO 3 CIRC. YARDS TOPSOIL BEFORE RE-SPREADING. GRADE ALL SOIL SURFACES SMOOTH WITH NO LOCALIZED DEPRESSIONS EXCEEDING .05". QUANTITIES ARE FOR AROUND IN BIDDING ONLY. CONTRACTORS 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 ARRANGED WITH LANDSCAPE DESIGNER. ANY PLANT SUBSTITUTIONS TO BE APPROVED BY LANDSCAPE DESIGNER PRIOR TO PURCHASE. CONTRACTOR TO LAY OUT PLANT MATERIAL AS PER PLAN UNLESS HUNG LANDSCAPE DESIGNER FOR LAYOUT. ALL PLANTS TO BE PLANTED WITH ROOTBALLS IN DRY CONDITION. ALL PLANTS TO BE INSTALLED IN STAINLESS STEEL Gopher BASKETS UNLESS OTHERWISE SPECIFIED. PLANTING HOLES TO HAVE ADEQUATE 20-30% SLOPE HELD-FERTILIZER TABLETS (OR STYLAK) NO FERTILIZER TO BE USED WITH PROTECTOR GEL. ALL NEW PLANTED MATERIAL TO BE WATERED BY DEEP SOAKING WITH THREE HOURS OF PLANTING. ALL PLANTED AREAS TO BE DRESSED WITH 3" VEGN HUMICAN KODORSHILUUNLESS OTHERWISE SPECIFIED. CONTRACTOR RESPONSIBLE FOR IRRIGATING PROJECT UNTIL COMPLETED AND APPROVED BY OWNER. CONTRACTOR TO RESTRAINE AND STRAIGHTEN ALL TREES THIRTY DAYS AFTER INSTALLATION.

Qty	Botanical Name	Common Name	Size/Condition
3	<i>Casahuate</i>	GOLD MEDALLION TREE	2 1/2" box
5	<i>Chromolaena odorata</i>	BLUE TIEDERRANEAN FAN PALM	2 1/2" box
87	<i>Albizia leonensis</i>	RED-YELLOW KANGAROO PAW	5-gal
6	<i>Ficus japonica</i>	JAPANESE ARALIA	5-gal
6	<i>Impatiens oliveri</i>	POOR MANS RHODODENDRON	5-gal
25	<i>Leucadendron Wilsonii</i>	ALSONS WANDER CONEBUSH	5-gal
96	<i>Lomandra longifolia</i>	DWARF PANT RUSH	1-gal
32	<i>Asparagus densiflorus 'Hysteria'</i>	FOXTAL FERN	5-gal
4	<i>Geranium x carolinense</i>	BOKOVO CRANESBILL	1-gal
8	<i>Woodwardia floribunda</i>	GANTT CHAN FERN	5-gal
3	<i>Agave attenuata</i>	FOXTAL AGAVE	5-gal
350 sq. ft.	<i>Lippia nodiflora</i>	KURAPPA	50 FT

BOARD ON BOARD 6 FENCE

3 HORIZONTAL FENCE

STONE STAMPED CONCRETE, MED. GREY

FIXED SIZE RIVER CORBLE BORETENTION AREAS

750SF KURAPPA

24-36" DIA EGG BOLLERS

3 FOX TAL AGAVE

8 GANTT CHAN FERN

4 BOKOVO CRANESBILL

6 JAPANESE ARALIA

87 RED-YELLOW KANGAROO PAW

6 POOR MANS RHODODENDRON

25 ALSONS WANDER CONEBUSH

32 FOX TAL FERN

3 DWARF PANT RUSH

3 FOX TAL FERN

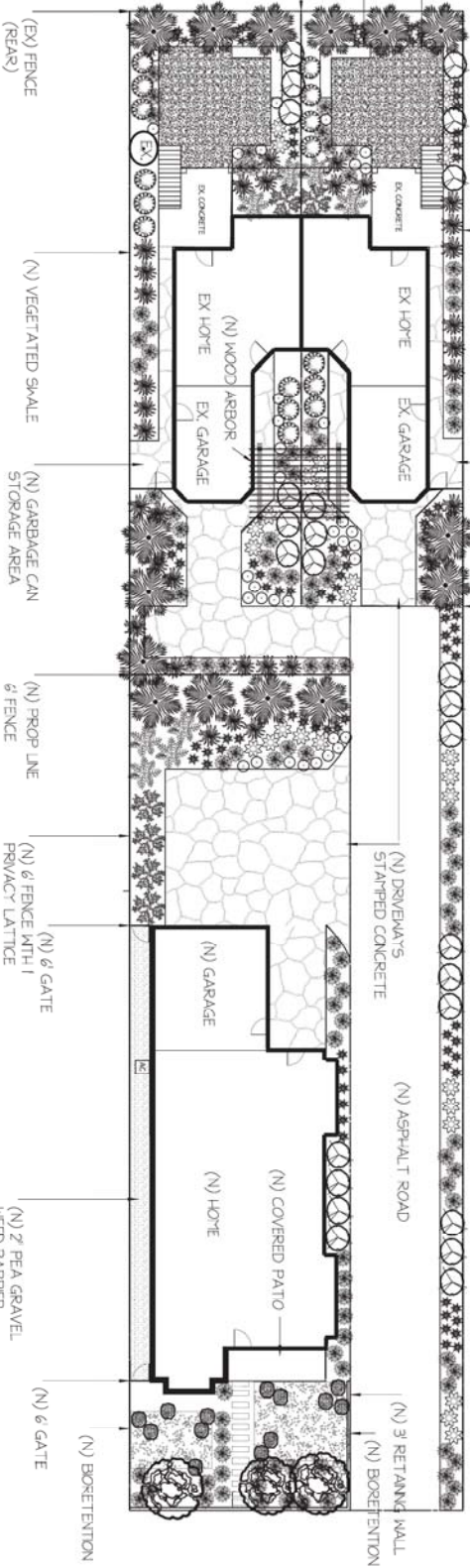
32 FOX TAL FERN

3 DWARF PANT RUSH

3 FOX TAL FERN

3 DWARF PANT RUSH

3 FOX TAL FERN



SCALE: 1"=10'
DESIGNED BY:
Nicole W. Douglas
DATE: 6/22/09

4199 CLARES STREET
CARTOLA CA 9500
707.372.6634
LANDREWS33@YAHOO.COM

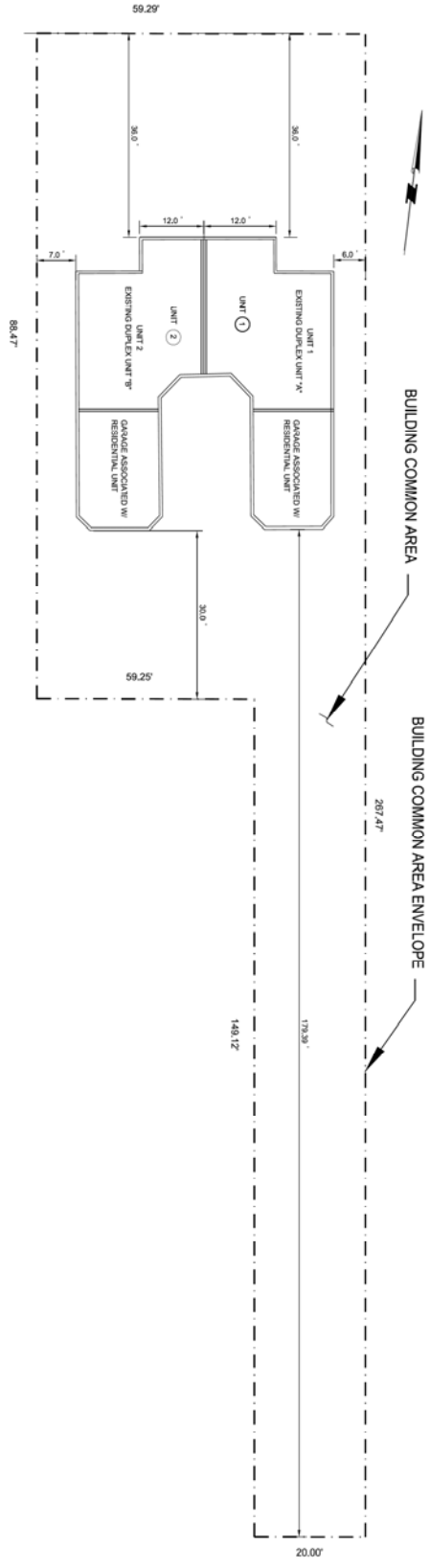
SANTA CRUZ URBAN SOLUTIONS, LLC
LARRY ANDREWS

LANDSCAPE DESIGN

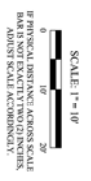
PLEASE NOTE: THESE DRAWINGS TO BE CONSIDERED ONLY A LANSCAPE CONCEPT AND NOT A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

DOUGLAS LANDSCAPE DESIGN
NICOLE W. DOUGLAS
Owner and Designer
WaterWise Garden Design
Horticultural Consultation
douglaslandscapedesign@gmail.com
douglaslandscapedesign.com
831.359.3773

WENDY & SCOTT HAZEN



NOTE:
SEE SHEET C-04 FOR UNIT DIMENSIONS



PRELIMINARY PLANS
FOR REVIEW PURPOSES ONLY

DATE	CONC	DATE	REVISIONS	DATE	SCALE	DATE	CSJ Engineering 77 Sclano Square #283 Berinda, CA 94510 (707) 563-9612 www.csjeng.com		<p>4199 CLARES STREET, CAPITOLA, CA 95010</p> <p>CONDOMINIUM PLAN</p>	<p>SHEET CP1</p> <p>APR 04-22-06</p>
APR 04-22-06					1" = 10'	2019	<p>Drawn: LA</p> <p>Checked: LA</p> <p>Proj. Engr: LA</p> <p>Per: 1504</p>			

4199 Clares Street, Capitola, CA 95010

Project Narrative

Santa Cruz Urban Solutions, LLC purchased the property at 4199 Clares from Clares Street Partners, LLC in January 2019. The property is 15,851 square feet (0.36 acres) and has a 3,080 sq. ft. duplex. The prior owner demolished the house at the front of the property to make room for 3 townhouses.

Our vision for the property is to put back a single-family home at the front of the property and renovate the duplex at the rear of the property. The application includes a tentative map that will split the parcel into two lots, and a condominium map that will create 2 condominium units. This project does not have any connection with adjacent properties.

The project includes the removal of two palm trees at the front of the property. These two non-native trees are unsightly and out of scale at this location. They will be replaced with new street trees. This proposal includes a total of 18 new trees. Four trees are to provide mitigation for the removal of the two palms. An additional 14 trees are to fulfill a promise reportedly made by the prior owner.

The design of the new house is proposed to take its architectural cues from the California Craftsman style evident throughout Capitola.

Other proposed improvements include regrading the site to improve drainage, paving an access road to the rear units, replacing fencing with 5' – 6' redwood 1" x 8" fencing, landscaping, and repairing or replacing the retaining wall at the front of the property.



Santa Cruz Urban Solutions, LLC

4545 Clares Street, Capitola, CA 95010
(707) 372-6634

4199 CLARES STREET, CAPITOLA, CA

DETAILED DESCRIPTION OF PROJECT PROPOSAL INCLUDING PROVISIONS FOR MEETING
THE STANDARDS SET FORTH IN CITY OF CAPITOLA CONDOMINIUM AND COMMUNITY
APARTMENT CONVERSIONS, SECTIONS 10.68.100 THROUGH 16.68.190

16.68.100 Residential condominium and community apartment conversion development standards –
Generally

- Project will conform to Sections 10.68.110 through 16.68.190

16.68.110 Off-street parking

- The project will include one covered parking space and one uncovered space for each of the two duplex units plus two covered parking spaces for the new single-family residence. (6 total) as shown on Sheet C4 – Paving and Parking Plan.

16.68.120 Meters and control valves

- Each of the two duplex units, as well as the single-family residence has individual gas meters, electric meters, cable boxes and water meters. Each unit shall have private access to the meters with the exception that the two electric meters serving the duplex are located on the exterior wall of Unit B, as shown on Sheet C6, Utility Plan. An exception is requested for the electric meters for the duplex.

16.68.130 Overcurrent protection

- Each of the two duplex units and the single-family residence have individual panel boards for all electrical circuits which serve the unit as shown on Sheets A4 and A5.

16.68.140 Impact sound insulation

- The common wall between Units C and D conform to and exceed CAC Title 25 requirements. The common wall consists of two separate unattached wood frame walls, filled with batt insulation and covered with acoustic-rated sound deadening drywall.
- There are no farced air furnaces or air conditioner units in the duplexes. Both operate on a hydronic heat system which is silent. Washing and drying machines are located in the respective garages.

16.68.150 Compliance with building and housing codes

- The duplex meets or exceeds the building and fire requirements in place at the time of construction (circa 1978).
- The duplex will have all upgraded smoke detectors and CO2 detectors meeting current building codes as shown on Sheets A4 and A5.
- The new single-family residence will be required to meet the current building and fire code at the time the building permit is approved, including smoke and CO2 detectors.

16.68.160 Storage facilities

- Each of the two duplex units has an existing separate storage facility in the form of a locked storage room off the rear deck. Each storage room is 137.8 cubic feet in size. In addition to this space, each garage is a total of 311.7 sq. ft., which is 111.7 sq. ft. over the required 10x20 parking space, thus providing an additional 111.7 sq. ft. (893.60 cubic ft.) that can be used for storage.

16.68.170 Open spaces

- Each duplex unit has a private fenced-in yard that is 1,185 sq. ft plus a private exterior deck that is 242 sq. ft., far exceeding the minimum required for multi-family units. These areas are called out on the Tentative Map as “Private Recreational Space.”

16.68.80 Condition of equipment and appliances

- Waived

16.68.190

- The proposed conversion substantially conforms to the intent of Section 16.68.190.

4199 Clares Street, Capitola, CA

BUILDING HISTORY REPORT

1. Summary of the date of construction of all elements of the project.

There are two elements to the project:

A single-family home – date of construction unknown but estimate 1935. (Unit “A”)

A duplex – date of construction: 1978. (Units “B” and “C”).

2. Major uses of the project since construction

The sole uses of the project have been for residential habitation.

3. Date and description of each major repair and/or renovation of any element since the date of construction

11/14/78	Permit to re-roof Unit A
12/20/78	Permit to construct duplex, units B and C
2/25/80	Permit to install underground utilities to units B and C
12/4/98	Permit to replace exterior deck, units B and C
1/25/01	Permit to re-roof Unit A
4/30/12	Permit to replace stairs to current code units B and C
8/9/16	Permit to R/R existing comp roofing w/ a new Class A comp roof and flashing, units B and C
4/24/18	Permit to demo existing SFD unit A
2/15/19	Permit to remodel and update electrical Unit B (ongoing)
2/15/19	Permit to remodel and update electrical Unit C (ongoing)
3/25/19	Permit to remodel upgrade plumbing, appliances, hydronic heater, insulation, drywall, fireplace insert, doors, tubs, showers, fans, and garage door Unit B (ongoing)
3/25/19	Permit to remodel upgrade plumbing, appliances, hydronic heater, insulation, drywall, fireplace insert, doors, tubs, showers, fans, and garage door C (ongoing)
4/18/19	Permit to replace fence, all units

4. Current project ownership:

Santa Cruz Urban Solutions, LLC
4545 Clares Street
Capitola, CA 95010

Prepared by: Larry Andrews
July 5, 2019

4199 Clares Street, Capitola, CA 95010

PRELIMINARY

Annual Common Area Maintenance Reserve Budget

Annual Common Area Maintenance

1 Landscaping Estimated budget: \$200 per month (\$2,400 annual) \$ 200.00

Annual capital improvement reserves:

	Life Expectancy (yrs)	Replacement Cost, current dollars	Replacement Cost, future dollars*	Annualized Cost
1 Asphalt concrete	20	25,000.00	45,250.00	\$ 2,262.50
2 Concrete curb and apron	50	3,000.00	13,140.00	\$ 262.80
3 Concrete driveways	50	2,750.00	12,045.00	\$ 240.90
4 Landscape drain	50	2,000.00	8,760.00	\$ 175.20
5 Sanitary sewer	50	2,000.00	8,760.00	\$ 175.20
Total annual budget for reserves				\$ 3,116.60
Monthly charge				\$ 259.72
Total proposed first year monthly assessment				\$ 459.72

Attachment: 4199 Clares Street - Preliminary HOA budget (4199 Clares Street)

4199 Clares Street, Capitola, CA 95010

Condominium Conversion

PROPERTY REPORT

The condition and estimated remaining useful life of each of the following elements of each structure situated within the project proposed for conversion is as follows. The estimated remaining life of individual items was determined using the International Association of Certified Home Inspectors (NACHI) Standard Chart.

1. Roof – The roof was inspected, and minor repairs were made in February 2019 by Hardy Roof Inspections. The estimated remaining life of the roof is 25 – 30 years.
2. Foundation – the concrete mat slab foundation was observed after all floor coverings were removed. There were no visible signs of cracking or other deterioration. Estimated remaining life is 60 years.
3. Exterior Paint – The buildings will be repainted as part of conversion. Estimated life of exterior paint is 7 – 10 years.
4. Paved Surfaces – All paved surfaces will be replaced with new concrete or asphalt. Estimated remaining life for asphalt pavement is 15 – 20 years and for concrete hardscape 40 – 50 years.
5. Mechanical Systems – All radiant baseboard heaters will be replaced. Estimated remaining life is 20 years. The boiler in Unit C will be replaced. Estimated remaining life is 40 years. The boiler in Unit B will be serviced. Estimated remaining life is 20 years.
6. Electric Systems – All electric systems will be updated and modernized to current Building Code. Estimated remaining life is 50 years.
7. Plumbing Systems – Rough plumbing will be repaired and brought up to current Building Code. Estimated remaining life is 50 years All fixtures, tubs, showers, sinks and faucets will be replaced with new ones. Estimated remaining life 20 – 50 years.

In addition to the above items, each unit will receive:

- a. All windows will be replaced with new energy efficient windows
- b. All doors will be replaced including the garage door.
- c. Each fireplace will be replaced with an energy efficient model.
- d. All cabinets, countertops and appliances will be replaced.
- e. All plumbing fixture will be replaced with low-flow fixtures.
- f. All showers and tile will be replaced.

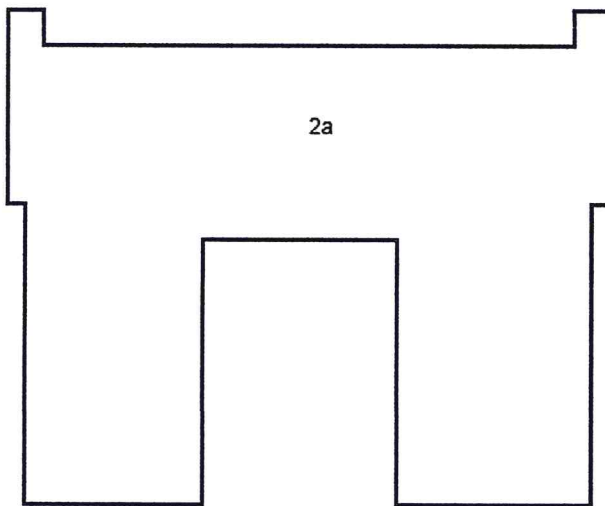
Prepared by: Larry Andrews, P.E.
RCE #47013
April 13, 2019

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No. 4199	Street Clares Street	City Santa Cruz	ZIP 95010	Date of Inspection 02/22/2019	Number of Pages 4
Cardiff Pest Control 2701 Soquel Avenue Santa Cruz CA CA 95062 (831) 475-4214 cardiff@cruzio.com Fax (831) 475-1756				Report # : 11196 Registration # : PR0174 Escrow # : <input type="checkbox"/> CORRECTED REPORT	
Ordered by: Larry Andrews 4199 clares Street Santa Cruz CA 95010 United States HOME: (707) 372-6634 landrews33@yahoo.com		Property Owner and/or Party of Interest: Larry Andrews 4199 Clares Street Santa Cruz CA 95010 United States		Report sent to: Larry Andrews 4199 Clares Street Santa Cruz CA 95010 United States	
COMPLETE REPORT <input type="checkbox"/> LIMITED REPORT <input checked="" type="checkbox"/> SUPPLEMENTAL REPORT <input type="checkbox"/> REINSPECTION REPORT <input type="checkbox"/>			GENERAL DESCRIPTION: Two Story, Slab Foundation, Attached Garages and deck. Composition Roof.		
			Inspection Tag Posted: Garage Other Tags Posted: Outdated.		
An inspection has been made of the structure(s) shown on the diagram in accordance with the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.					
Subterranean Termites <input type="checkbox"/> Drywood Termites <input checked="" type="checkbox"/> Fungus / Dryrot <input type="checkbox"/> Other Findings <input type="checkbox"/> Further Inspection <input checked="" type="checkbox"/>					
If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items.					

Diagram Not To Scale

54M



Attachment: 4199 Clares Street - Pest Control Report (4199 Clares Street)

Inspected By: Ryan Caves State License No. FR 48435 Signature: *Ryan Caves*

You are entitled to obtain copies of all reports and completion notices on this property reported to the Structural Pest Control Board during the preceding two years. To obtain copies contact: Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, California, 95815-3831.

NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708, (800) 737-8188 or www.pestboard.ca.gov. 43M-44 (Rev. 04/2015)

CARDIFF PEST CONTROL

Page 2 of 4 inspection report

4199	Clares Street	Santa Cruz	CA	95010
Address of Property Inspected		City	State	ZIP
02/22/2019	11196			
Date of Inspection	Corresponding Report No.		Escrow No.	

WHAT IS A WOOD DESTROYING PEST & ORGANISM INSPECTION REPORT? READ THIS DOCUMENT. IT EXPLAINS THE SCOPE AND LIMITATIONS OF A STRUCTURAL PEST CONTROL INSPECTION AND A WOOD DESTROYING PEST & ORGANISM INSPECTION REPORT.

A Wood Destroying Pest & Organism Inspection Report contains findings as to the presence or absence of evidence of wood destroying pests and organisms in visible and accessible areas and contains recommendations for correcting any infestations or infections found. The contents of Wood Destroying Pest & Organism Inspection Reports are governed by the Structural Pest Control Act and regulations.

Some structures do not comply with building code requirements or may have structural, plumbing, electrical, mechanical, heating, air conditioning or other defects that do not pertain to wood destroying organisms. A Wood Destroying Pest & Organism Inspection Report does not contain information on such defects, if any, as they are not within the scope of the licenses of either this company, or it's employees.

The Structural Pest Control Act requires inspection of only those areas which are visible and accessible at the time of inspection. Some areas of the structure are not accessible to inspection, such as the interior of hollow walls, spaces between floors, areas concealed by carpeting, appliances, furniture or cabinets. Infestations or infections may be active in these areas without visible and accessible evidence. If you desire information about areas that were not inspected, a further inspection may be performed at an additional cost. Carpets, furniture or appliances are not moved and windows are not opened during a routine inspection.

The exterior Surface of the roof was not inspected. If you want the water tightness of the roof determined, you should contact a roofing contractor who is licensed by the Contractor's State License Board.

This company does not certify or guarantee against any leakage, such as (but not limited to) plumbing, appliances, walls, doors, windows, any type of seepage, roof or deck coverings. This company renders no guarantee, whatsoever, against any infection, infestation or any other adverse condition which may exist in such areas or may become visibly evident in such area after this date. Upon request, further inspection of these areas would be performed at an additional charge.

In the event damage or infestation described herein is later found to extend further than anticipated, our bid will not include such repairs. OWNER SHOULD BE AWARE OF THIS CLOSED BID WHEN CONTRACTING WITH OTHERS OR UNDERTAKING THE WORK HIMSELF/HERSELF.

If requested by the person ordering this report, a re-inspection of the structure will be performed. Such requests must be within four (4) months of the date of this inspection. Every re-inspection fee amount shall not exceed the original inspection fee.

Wall paper, stain, or interior painting are excluded from our contract. New wood exposed to the weather will be prime painted, only upon request at an additional expense.

This company will reinspect repairs done by others within four months of the original inspection. A charge, if any, can be no greater than the original inspection fee for each reinspection. The reinspection must be done within ten (10) working days of request. The reinspection is a visual inspection and if inspection of concealed areas is desired, inspection of work in progress will be necessary. Any guarantees must be received from parties performing repairs.

NOTICE: Reports on this structure prepared by various registered companies should list the same findings (i.e. termite infestations, termite damage, fungus damage, etc.). However, recommendations to correct these findings may vary from company to company. You have a right to seek a second opinion from another company.

This Wood Destroying Pest & Organisms Report DOES NOT INCLUDE MOLD or any mold like conditions. No reference will be made to mold or mold-like conditions. Mold is not a Wood Destroying Organism and is outside the scope of this report as defined by the Structural Pest Control Act. If you wish your property to be inspected for mold or mold like conditions, please contact the appropriate mold professional.

CARDIFF PEST CONTROL

Page 3 of 4 inspection report 4199	Clares Street	Santa Cruz	CA	95010
Address of Property Inspected		City	State	ZIP
02/22/2019	11196			
Date of Inspection	Corresponding Report No.		Escrow No.	

Thank you for selecting Cardiff Pest Control Inc. to perform a structural pest control inspection on your property. Cardiff Pest Control is a locally-owned, community involved business proudly serving Santa Cruz County since 1938. Cardiff Pest Control offers additional pest control service for your home, yard or business.

ITEMS IN THIS REPORT ARE CATEGORIZED AS FOLLOWS:

1. SUBTERRANEAN TERMITES
2. DRYWOOD TERMITES
3. FUNGUS/DRYROT
4. OTHER FINDINGS
5. FURTHER INSPECTION

SECTION I CONTAINS ITEMS WHERE THERE IS EVIDENCE OF ACTIVE INFESTATION, INFECTION OR CONDITIONS THAT HAVE RESULTED IN OR FROM INFESTATION OR INFECTION.

SECTION II ITEMS ARE CONDITIONS DEEMED LIKELY TO LEAD TO INFESTATION OR INFECTION BUT WHERE NO VISIBLE EVIDENCE OF SUCH WAS FOUND.

SECTION III / FURTHER INSPECTION ITEMS ARE DEFINED AS RECOMMENDATIONS TO INSPECT AREA(S) WHICH DURING THE ORIGINAL INSPECTION DID NOT ALLOW THE INSPECTOR ACCESS TO COMPLETE HIS INSPECTION AND CANNOT BE DEFINED AS SECTION I OR II.

AT THE REQUEST OF LARRY ANDREWS THIS REPORT IS LIMITED TO THE IDENTIFICATION OF DRYWOOD TERMITES EVIDENCE AND RECOMMENDATIONS.

2. DRYWOOD TERMITES:

2A - Section II

FINDING: Evidence of Drywood Termites found IN THE STRUCTURE , Structure was fumigated IN 2015 using SULFURYL FLUORIDE and evidence may be from prior infestation.

RECOMMENDATION: Remove all evidence of Drywood Termites and periodically inspect for activity.
SECTION II.

NOTE: COST TO FUMIGATE "2019" WILL BE \$2,544.00

2B - Section I

FINDING: Drywood Termite fecal pellets.

RECOMMENDATION: Remove, cover or mask all fecal pellets after fumigation/treatment as an aid in future inspections.

5. FURTHER INSPECTION:

5A - Section I

FINDING: Further inspect.

RECOMMENDATION: We recommend a Wood-Destroying Pest & Organisms Inspection Report of the entire structure and that all accessible evidence of Wood-Destroying Pests be removed or covered.

Thank you again for selecting Cardiff Pest Control to perform a structural pest control inspection on your building(s). Should you have any questions regarding this report, please call us directly by the contact information provided on the first page of the inspection report.

CARDIFF PEST CONTROL

Page 4 of 4 inspection report

4199	Clares Street	Santa Cruz	CA	95010
Address of Property Inspected		City	State	ZIP
02/22/2019	11196			
Date of Inspection	Corresponding Report No.		Escrow No.	

Financial Responsibility: Monies owed Cardiff Pest Control for services performed, are the sole responsibility of whomever ordered said services. Inspection Fee/Treatment/Fumigation fee(s) are due within ten days of the completion of the service.

Guarantee/Warranty:

Cardiff Pest Control warranty's Drywood Termite fumigation for a period of five years.

Cardiff Pest Control warranty's Wood-Boring Beetle fumigation for a period of two years.

Cardiff Pest Control warranty's Drywood Termite local treatment for a period of ninety days.

Treatment Notes: Our inspectors have determined that your property will benefit from a safe application of chemicals commonly used for structural pest control. In accordance with the laws and regulations of the State of California, we are required to provide you and your occupants with the following information prior to any application of chemicals to such property. Please take a few moments to read and become familiar with the content. State law requires that you be given the following information:

CAUTION - PESTICIDES ARE TOXIC CHEMICALS. Structural pest control companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Food and Agriculture and the United States Environmental Protection Agency. Registration is granted when the state finds that based on scientific evidence, there are no appreciable risks weighted by the benefits. The degree of risk depends on the degree of exposure, so exposure should be minimized.

If within 24 hours following application, you experience symptoms similar to common seasonal illness comparable to the flu, contact your physician or poison control center and your pest control operator immediately.

For further information, contact any of the following agencies in your area:

Poison Control Center	(800) 222-1222
Agricultural Department	(831) 454-2620
Health Department	(831) 454-7529
Structural Pest Control Board	(916) 561-8700
	2005 Evergreen Street, Ste. 1500. Sacramento, CA 95815

Attachment: 4199 Clares Street - Pest Control Report (4199 Clares Street)

Cardiff Pest Control
2701 Soquel Avenue Santa Cruz
 CA CA 95062
 (831) 475-4214
 cardiff@cruzio.com Fax (831) 475-1756

WORK AUTHORIZATION

Report #: 11196

No work will be performed until a signed copy of this agreement has been received.

Address of Property : 4199 Clares Street
 City: Santa Cruz
 State/ZIP: CA 95010

The inspection report of the company dated, **02/22/2019** is incorporated herein by reference as though fully set forth. The company is authorized to proceed with the work outlined in the items circled below from the Termite Inspection Report for the property inspected, for a total sum of \$ _____. This total amount is due and payable within 10 days from completion repair work and/or chemical application.

THE COMPANY AGREES

To guarantee all repair completed by this company for one year from date of completion except for caulking, grouting, or plumbing, which is guaranteed for a period of **ninety (90) days**. We assume no responsibility for work performed by others, to be bound to perform this work for the price quoted in our cost breakdown for a period not to exceed 30 days, to use reasonable care in the performance of our work but to assume no responsibility for damage to any hidden pipes, wiring, or other facilities or to any shrubs, plants, or roof.

THE OWNER OR OWNER'S AGENT AGREES

To pay for services rendered in any additional services requested upon completion of work to pay a service charge of one and one-half percent (1 1/2%) interest per month, or portion of any month, annual interest rate of eighteen percent (18%) on accounts exceeding the ten (10) day full payment schedule. The Owner grants to The Company a security interest in the property to secure payment sum for work and inspection fee completed. In case of non-payment by The owner, reasonable attorney fees and costs of collection shall be paid by owner, whether suit be filed or not.

ALL PARTIES AGREE

If any additional work is deemed necessary by the local building inspector, said work will not be performed without additional authorization from owner or owner's agent. This contract price does not include the charge of any Inspection Report fees. Circle the items you wish performed by The Company, below and enter total amount above:

NOTICE TO OWNER

Under the California Mechanics Lien Law, any structural pest control company which contracts to do work for you, any contractor, subcontractor, laborer, supplier or other person who helps to improve your property, but is not paid for his or her work or supplies, has a right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your structural pest control company in full if the subcontractor, laborers or suppliers remain unpaid.

To preserve their right to file a claim or lien against your property, certain claimants such as subcontractors or material suppliers are required to provide you with a document entitled "Preliminary Notice." Prime contractors and laborers for wages do not have to provide this notice. A Preliminary Notice is not a lien against your property. Its purpose is to notify you of persons who may have a right to file a lien against your property if they are not paid.

ITEMS

Prefix	Section I	Section II	Further Inspection	Other
2A	0.00	OWNER	0.00	0.00
2B	OWNER	0.00	0.00	0.00
5A	UPON REQUEST	0.00	0.00	0.00
Total:	0.00	0.00	0.00	0.00

GRAND TOTAL: 0.00

Property Owner: _____ Date: _____ Inspected By: _____ Date: _____
 Owner's Agent: _____ Date: _____

Attachment: 4199 Clares Street - Pest Control Report (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)

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

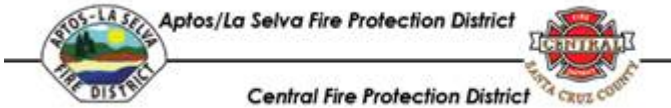
Mr. Orbach,

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)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 3, 2019
 SUBJECT: **1600 49th Avenue #19-0260 APN: 034-041-26**

Appeal of an administrative denial of a tree removal application for a tree 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: Michael & Vickie Oliver

Representative: Michael & Vickie Oliver, Filed: 05.28.2019

APPLICANT PROPOSAL

The applicants are appealing an administrative denial of a Tree Removal Permit for a coastal redwood tree at 1600 49th Avenue in the R-1 (Single-Family Residential) zoning district.

BACKGROUND

On March 13, 2019, the applicants submitted a preliminary review for a tree removal permit for a coastal redwood tree located in the front yard of 1600 49th Avenue.

On March 15, 2019, City Maintenance Superintendent Ed Morrison visited the site and observed the tree. Mr. Morrison could not make the required findings to administratively allow the tree's removal. He recommended that a city-contracted arborist review the tree.

On April 3, 2019, the applicants provided a letter from registered forester, Michael Jani. (Attachment 2). Mr. Jani recommended the removal of the tree. Mr. Jani's letter was accompanied by a letter from the applicant and another letter from the adjacent property owner at 4910 Capitola Road (Attachment 1).

On April 12, 2019, Arborist James Allen was contracted by the City to assess the tree's condition and review the forester's letter. On May 3, 2019, Mr. Allen drafted an arborist report which concluded that the required findings for removal could not be made and recommended alternative actions be taken (Attachment 3).

On May 16, 2019, the City sent a letter to the applicant denying the tree removal request for the coastal redwood, stating that findings to approve the tree removal could not be made. The letter included approval for tree pruning as described in the arborist report.

On May 28, 2019, the applicant submitted an appeal of the denial (Attachment 4). The applicant requested that the appeal be scheduled on the October Planning Commission meeting due to scheduling conflicts throughout the summer months.

DISCUSSION

The appellants are requesting to remove one large Coastal Redwood tree located at 1600 49th Avenue. The appellants and their adjacent neighbor at 4910 Capitola Road outlined the reasons for the removal request in a letter relating to the safety of the tree over their home (Attachment 1). The letters indicate that the tree has lost large branches on two occasions in 2019 between the properties at 1600 49th Avenue and 4910 Capitola Road.

The coastal redwood tree is located in the front yard of 1600 49th Avenue approximately five feet from the side property line. The tree is several feet in diameter at breast height, with a large canopy. The lower canopy extends over the northwest corner of the appellants' residence at 1600 49th Avenue. The canopy extends into the adjacent property at 4910 Capitola Road, but is not over the residence. The tree is not located in an environmentally sensitive habitat area.

Community Tree and Forest Management Ordinance

Under the City's Community Tree and Forest Management Ordinance, Section 12.12.180(C) allows public works department staff to approve the removal of a non-heritage tree if the findings in subsections (C)(1) through (c)(4) can be made. If after conducting the complimentary inspection public works staff cannot make the required findings, the application is reviewed by Planning and the city may require the applicant to pay for an arborist under contract to the city, to provide a report regarding the tree. Based on the City's evaluation report, the Community Development Director makes a decision as to whether or not the tree removal should be approved in compliance with the required findings. Where the director denies an application, the decision may be appealed in writing within ten working days of denial. The Planning Commission may grant or deny the appeal based on the findings of Section 12.12.180(C)(1) through (C)(4).

C. Findings and Conditions

- a. *The tree removal is in the public interest based on one of the following:*
 - i. *Because of the health or condition of the tree, with respect to disease infestation, or danger of falling;*
 - ii. *Safety considerations; or*
 - iii. *In situations where a tree has caused, or has the potential to cause, unreasonable property damage and/or interference with existing utility services.*
- b. *All possible and feasible alternatives to tree removal have been evaluated, including, but not limited to undergrounding of utilities, selective root cutting, trimming and relocation.*
- c. *The type, size and schedule for planting replacement trees is specified and shall be concurrent with the tree removal or prior to it, in accordance with Section 12.12.190(F) and (G).*
- d. *The removal of the tree would not be contrary to the purposes of this chapter and Chapter 17.95.*

Review by Registered Forester

As previously mentioned, the appellants submitted a letter from Michael Jani, a registered forester (Attachment 2). Mr. Jani assessed the tree as fast-growing and healthy other than salt burn on the branch tips from the coastal environment. He identified that the tree has relatively long and thick branches which show signs of past pruning and that the crown appears to have

been topped. His assessment was that the recent breakages were caused by prior pruning which had weakened branch stability against windy conditions. Mr. Jani stated these breakages have created an opening in the canopy, further weakening it and increasing the likelihood of future breakages. Mr. Jani concluded that the tree posed a hazard to both properties and recommended removal.

City Arborist Review

On May 3, 2019, Arborist James Allen prepared a report assessing the tree's conditions relative to Capitola's tree ordinance and reviewing the letter provided by the registered forester (Attachment 4). Mr. Allen concurred that the tree was in favorable health with some salt burn and that the recent breakages were due to a combination of prior pruning, topping, and windy conditions. Although he agreed that the weighted branches are likely to continue breaking, he disputed the forester's conclusion that the tree had outgrown the area or that the risk of breakage was beyond mitigation. Mr. Allen stated that the tree did not show any signs of proper maintenance or pruning. He recommended branch length reduction to prune the branches to lateral growth. He stated that this treatment had had been previously successful on similarly isolated coastal redwoods in Santa Cruz County.

In reviewing James Allen's arborist report with the standards for tree removal established in Section 12.12.180(C) of the Capitola Municipal Code, the findings for tree removal could not be made; therefore, the application was denied.

C(1)(a). Because of the health or condition of the tree, with respect to disease infestation, or danger of falling.

Arborist Analysis: This tree is in a good state of vigor with long, weighted branches that are prone to continued breakage. The supporting roots and trunk appear solid and are not expected to fail in the foreseeable future.

C(1)(b). Safety considerations

Arborist Analysis: All trees create some level of risk that can only be managed, not eliminated unless the subject trees are removed. With proper maintenance pruning, the subject tree can stand for generations to come with minimal risk of failure.

C(1)(c). In situations where a tree has caused, or has the potential to cause, unreasonable property damage and/or interference with existing utility services.

Arborist Analysis: There are risk mitigation treatments available for the subject tree other than tree removal that will reduce risk to a tolerable threshold and diminish future branch failure potential.

C(2). All possible and feasible alternatives to tree removal have been evaluated, including, but not limited to undergrounding of utilities, selective root cutting, trimming and relocation.

Arborist Analysis: Branch length reduction is a pruning technique where each branch is shortened to lateral growth lessening the weight the branch upholds. This treatment has been successful in reducing and in some cases, eliminating branch failure potential.

RECOMMENDATION

Based on the recommendations of the City's contracted certified arborist, staff recommends the Planning Commission deny the appeal and uphold the staff denial of the tree removal and approval of pruning measures established in the arborist report.

The Planning Commission has the ability to uphold or deny tree removal applications on appeal if it can make the findings for removal, pursuant to Section 12.12.180(C)(1) through (C)(2).

FINDINGS FOR DENIAL

The removal of the Coastal Redwood located in the front yard at 1600 39th Avenue is not in the public interest.

A. The tree is not in need of removal due to health or condition, with respect to disease infestation, or danger of falling.

The city-contracted arborist studied the coastal redwood tree and found it to be in a good state of vigor with long, weighted branches that are prone to continued breakage. The supporting roots and trunk appear solid and are not expected to fail in the foreseeable future. The tree is in need of proper maintenance and pruning.

B. The tree does not pose a safety concern if mitigating action is taken.

The city-contracted arborist recommended proper maintenance and pruning to allow the subject tree to stand for generations to come with minimal risk of failure.

C. The tree has not caused, nor has the potential to cause unreasonable property damage and/or interference with existing utility services if mitigating action is taken.

The city-contracted arborist recommended proper maintenance and pruning of the coastal redwood tree to reduce risk to a tolerable threshold and diminish future branch failure potential.

D. There are feasible alternatives to tree removal that secure the purposes of the Community Tree and Forest Management Ordinance.

The city-contracted arborist recommended proper maintenance and pruning. Specifically, branch length reduction is a pruning technique where each branch is shortened to lateral growth lessening the weight the branch upholds. This treatment has been successful in reducing and in some cases, eliminating branch failure potential.

ATTACHMENTS:

1. 1600 49th Avenue - Resident Documentation
2. 1600 49th Avenue - Forester Letter
3. 1600 49th Avenue - Arborist Review
4. 1600 49th Avenue - Appeal Letter

Prepared By: Sean Sesanto

April 3, 2019

RE: 1600 49th Ave. Removal of Redwood Tree

City of Capitola;

The winter storms this year caused three different incidences of branches breaking with the major incidences being January 16 and March 13, 2019. The branches fell both on our property (1600 49th Ave.) and our neighbors (4910 Capitola Road). The fallen "branches" are shown below from our neighbor's yard with our house shown in the background.

January 16, 2019



Attachment: 1600 49th Avenue - Resident Documentation (1600 49th Avenue)

March 13, 2019



Attachment: 1600 49th Avenue - Resident Documentation (1600 49th Avenue)

I show you the pictures so that one can get a sense of the size of the branches falling and the potential to injure people and property. The branch shown on January 16 was about 30 feet long and 7 inches in diameter. This limb blew from the west side of the tree, through the tree, broke a number of other branches, and came to rest on our neighbor's yard. I think if you were to honestly assess the size of this branch you would come to the conclusion I have: these are trees falling down, not branches.

The following picture is the canopy hole left when the numerous branches fell on January 16.



The hole in the canopy was described in Mr. Jani's letter and he believes will result in even more branches being exposed to strong winds leading to more breakage.

On the afternoon of March 13, 2019 I went into the City offices and talked to City staff about the situation and my belief that this was an emergency tree removal situation given:

- the number and size of branches falling;
- the number of events of falling branches;

- the branches overhanging the street; and
- the falling branches have travelled to our neighbor's yard endangering them and their property.

It is my understanding that Matt Kotila went by the property while Lewis tree was removing the fallen branches and indicated, through another city staff (Sean) that I needed a report from a certified professional to remove the tree. I feel lucky that no other branches have fallen since March 13.

I had Lewis Tree Service come out and provide a bid to remove the tree and asked them to evaluate the safety of the tree. They declined due to a conflict since they have provided a bid for removal. Fortunately, I met a Registered Professional Forester (RFP) that has been evaluating redwood trees for over 40 years and hired him to evaluate the safety of our redwood tree. Mike Jani has been evaluating and managing redwood trees in Santa Cruz County for 45 years; his qualifications are more stringent than an arborist and his knowledge of redwoods has been gained over 45 years of experience managing them. Mr. Jani provided his analysis of our redwood tree (attached) and concluded several things:

1. The tree is healthy though it has salt burn;
2. The tree has unusually large branches for a costal redwood (genetics and access to water);
3. The past trimming/pruning of the limbs has caused branch instability;
4. The broken branches this year have opened up holes in the tree that may open other large branches to stronger wind forces that will result in more branches breaking; and
5. **The tree is a safety and liability hazard and should be removed.**

In addition to Mr. Jani's analysis, our neighbors, Missy and Robert Bregante, have asked us to remove the tree due to their fear of the branches falling on them, their dog and/or damaging their property (Letter attached).

We started this process because after the March 13th event I believed that there was an emergency issue due to the number and size that fell during a slight change in wind direction. The winds March 13 were not particularly strong; though, they brought down 5 large branches from this redwood tree onto my neighbor's property. For everyone's safety it is time to remove this tree that has outgrown the neighborhood in which it was planted.

Sincerely,


Michael and Vickie Oliver

1600 49th Ave
Capitola, Ca

On the evening of January 16 my husband and I are in the house and through the rain we heard some noises in the driveway and went to go investigate. We threw on rain jackets and flashlights and were standing in the driveway for only a few seconds when suddenly I heard the sound of branches coming down and we ducked behind our trailer for cover. The branches (the size of small trees) had landed just 10 feet from where we were standing.

Then on March 13 in the afternoon shortly after we got home from work we were both in the driveway working on projects. I went into the house to grab something leaving my husband in the driveway and heard that familiar noise again just as I see my husband ducking behind his truck for cover. This time the branches didn't fall out of the tree but left us both fearing any moment they would fall in the wind. The following day two large branches (again the size of small trees) came down near the same area. Luckily no one was home and the dogs were in the house. These branches are falling on our fence and property and causing damage. If the wind bleeds them just a bit further, they could land on our trailer, vehicles or possibly our home. It's terrifying to be in our yard not knowing when the branches could fall. Our windy season is approaching; we have dogs that could be injured if caught under these crashing branches. We know that our neighbors have trimmed the tree but we feel that for our safety the tree should be deemed unsafe for a residential neighborhood and removed.



Missy and Robert Bregante
4910 Capitola Road
Capitola, Ca

Registered Professional Forester Letter

Mr. and Mrs. Michael Oliver
1600 49th Ave.
Capitola, CA.
April 2, 2019

Mr. and Mrs. Oliver,

At your request, I visited your home on 49th Ave. on March 29th and again, with Mr. Oliver on April 1st 2019, to inspect a large Coast Redwood in your front yard. On my first visit, I noticed that several large branches had broken off recently and also saw what I thought to be salt burn along many of the tips of the trees branches. I could also clearly see where efforts to trim limbs from the tree had occurred in the past, as we had discussed prior to my visits. Yesterday, when I returned to look again at the tree with you, I drove throughout your neighborhood looking at other large redwoods that have been planted around there years ago, just so I could confirm my suspicion as to the salt burn. (Which it did as they all exhibited similar signs, which is not uncommon as close to the coast and as exposed the trees are to the coastal winds and marine environment.)

The tree looks quite healthy otherwise. It's a typical specimen of a fast growing, isolated redwood with little or no competition that has had plenty of water and abundant sunshine to grow. This growth, along with some genetics I suspect, has resulted in very large and long limbs. Prior to some of the past thinning out and partial tip removal, these limbs grew in close proximity to one another and provided structural support for adjacent limbs, especially during windy and rainy conditions. The pruning efforts over the years also appear to have at some point resulted in the topping of the tree as well.

When I was able to look at the tree with you from your back yard, it was very clear to me that the most recent limb breakage is related to the previous limb removals and crown thinning and I believe that it will continue and perhaps accelerate now that even more large limbs will be exposed to strong South Easterly winds that are typical during large winter storms. It is also clear to me, having viewed the pictures you shared with me, that this tree poses a very high risk of possible damage to your and your neighbor's property just adjacent to the North. From a safety and liability standpoint alone, I would strongly recommend the removal of this tree. The past topping of the tree has also created what can and will become another high risk situation as the limbs that sprouted from the area of the removed top do not have a firm foundation tied into the trunk of the tree and as they grow larger, will become more likely to peel away under windy conditions. As well, the area of the severed top is likely to undergo some dieback which will result in deterioration and rot of the wood in that general area of the tree.

Having managed our redwood forests in the Santa Cruz Mountains for the last 45 years, I appreciate the difficulty in parting with a tree as large as this one, but keep in mind that the tree is not native to the area in which it was planted and quite simply has just outgrown the neighborhood.

Sincerely,



Michael E. Jani
California Registered Professional Forester
License #1856

Attachment: 1600 49th Avenue - Forester Letter (1600 49th Avenue)



James P. Allen
Associates

Dedicated to the Preservation of Trees

May 2, 2019

City of Capitola Planning Department
 Attention: Sean Sesanto, Assistant Planner
 420 Capitola Avenue
 Capitola, CA 95010

Regarding: Coast redwood (*Sequoia sempervirens*) growing at 1600 49th Avenue

Mr. Sesanto,

At your request I completed the following analysis:

Review:

- *Registered Professional Forester Letter* dated April 4, 2019 submitted by Michael E. Jani, California Registered Professional Forester (RPF)#1856
- Letter from Michael and Vickie Oliver, property/tree owners dated April 3, 2019
- Letter from Missy and Robert Brigante, neighbors at 4910 Capitola Road, not dated

A visual analysis of the subject coast redwood tree from adjacent City streets while standing on the ground.

SUMMARY OF FINDINGS

Letter Review

Three letters have been submitted by a RPF, the property owner and the adjacent neighbor.

The assessment of this tree's condition by Mr. Michael Jani, RPF is accurate:

- This tree is quite healthy with minor influences of salinity burn do to proximity of ocean influences
- This tree has very large, long limbs due to genetics and excellent cultural growing conditions
- Past pruning; thinning, limb removal and topping along with branch breakage has created spaces/voids and opened wind corridors in the tree's canopy resulting in increased branch failure potential during strong wind events that are typical "during large winter storms".

Mr. Jani inaccurately states that this species is not native to the area and has outgrown the neighborhood.

Consulting Arborists

119 Surfside Avenue
 Santa Cruz, CA 95060

831.426.6603 office
 831.234.7739 mobile

jpallen@consultingarborists.com
 www.consultingarborists.com

Attachment: 1600 49th Avenue - Arborist Review (1600 49th Avenue)

The property owner states that he engaged Mr. Jani to evaluate the safety of the subject tree, that his qualifications are more stringent than those of an arborist and that his knowledge has been gained over 45 years of managing redwood trees in Santa Cruz County.

Letters from the property owner and adjacent neighbor describe the recent history of branch failure, state their safety concerns and the necessity for tree removal.

Visual Analysis

This tree is well rooted with stout buttress and trunk components that appear to be solid and free of decay or disease.

I concur with Mr. Janis' assessment of canopy, branch components and overall tree vigor.

There is currently one disconnected branch on the north side of the upper canopy overhanging the neighboring driveway.

CONCLUSIONS

This tree is in a good state of vigor with long, weighted branches that are prone to continued breakage. The supporting roots and trunk appear solid and are not expected to fail in the foreseeable future, Branch failures that occurred during January and March of 2019 may have been triggered by atypical storm events with strong bursts of high velocity wind that increased the load on the large diameter, long branches. Wind load is a dynamic force imposed upon structural components by constantly changing pressure, direction and duration of wind events.

Mr. Jani, the property owner and neighbor bring forward the recommendation and necessity for tree removal as the sole risk management treatment.

Risk is the combination of the likelihood of an event and the severity of the potential consequences. In the context of trees, risk combines the likelihood of a conflict or tree failure occurring and affecting a target with the severity of the associated consequences-personal injury, property damage or disruption of activities (Dunster, 2013). All trees create some level of risk that can only be managed, not eliminated unless the subject trees are removed. Thus, there is no such thing as a "safe" tree nor can this or any other tree be made "safe".

RPFs have extensive education, skills and experience managing forest systems for habitat preservation and managing timber stands to generate the sale of lumber and other forest products as commodities. RPFs are typically not trained to assess risk nor manage trees in urban settings as arborists are.

Professional standards for risk assessment are defined by American National Standards Institute (ANSI) A-300 (Part 9) and the International Society of Arboriculture (ISA) Best Management Practices. These well-known and respected standards were not adhered to by Mr. Jani.

There is no reported history of tree maintenance by the current owner. The subject tree does not appear to have been pruned or managed in a manner that would decrease branch failure potential.

There are risk mitigation treatments available for the subject tree other than tree removal that will reduce risk to a tolerable threshold and diminish future branch failure potential. Branch length reduction is a pruning technique where each branch is shortened to lateral growth lessening the weight the branch upholds. This treatment has been successful in reducing and in some cases, eliminating branch failure potential.

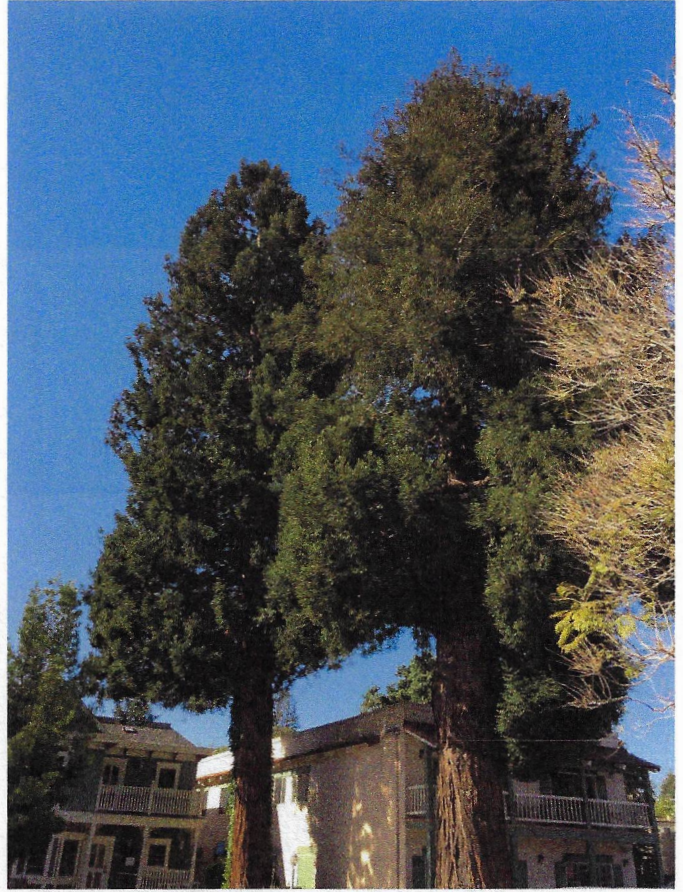
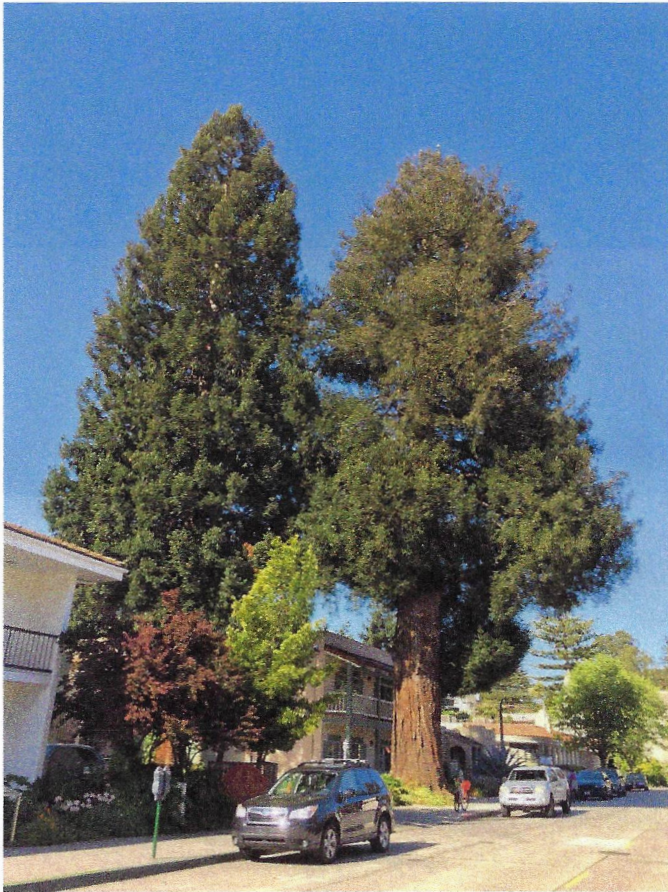
Several coast redwood trees growing in this area with conditions similar to the subject tree have been successfully treated by reducing branch length. Each of these trees had history of branch breakage prior to risk reduction management pruning. Three coast redwood trees pictured below and on the following page were pruned to reduce branch length between 8 and 10 years ago. There has not been any branch failure since they were pruned.

Double trunk coast redwood located on Sylvar Street in Santa Cruz.



Attachment: 1600 49th Avenue - Arborist Review (1600 49th Avenue)

Two coast redwoods growing on Center Street in Santa Cruz.



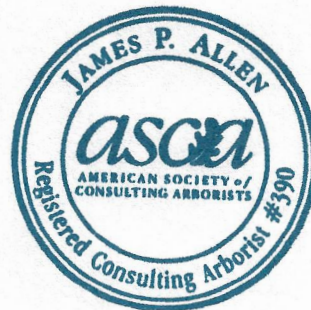
With proper maintenance pruning, the subject tree can stand for generations to come with minimal risk of failure. If maintenance pruning is not performed, branch failure can be expected to continue.

Please contact me with any questions regarding this assessment at 831-426-6603.

Respectfully submitted,

James P. Allen

James P. Allen
Board Certified Master Arborist WE-0625B
Qualified Tree Risk Assessor
Registered Consulting Arborist #390
Certified Urban Forester #120



Attachment: 1600 49th Avenue - Arborist Review (1600 49th Avenue)

**Appeal of findings to Planning Commission of the City of Capitola
Re: Coast redwood (*Sequoia sempervirens*) at 1600 49-th Avenue**

City of Capitola Planning Commission
Attention: Sean Sesanto, Assistant Planner
420 Capitola Avenue Capitola, CA 95010

To Capitola Planning Commission;

We regret that City staff has denied our request to remove this tree for safety reasons a second time. We tried to remove the tree in 2012 for safety reasons due to our neighbors expressing concerns over falling branches but were denied. After the 2012 denial, we hired Lewis Tree Service at a cost of about \$2,000 in late 2012 or early 2013 and worked with their arborist, Mike Hernandez, to prune and tip branches to minimize future branch failures. The fact that we are applying again to remove this tree indicates how ineffectual these strategies are in minimizing branch failure.

We are not asking to remove this tree lightly. We have landscaped to make the tree a focal point of our yard and were not considering removing this tree, even with the branches falling after the tree pruning, until the events of this year. We genuinely appreciate the beauty of the tree. With this said, we do not believe we can ignore any longer that we and our neighbor's face a serious safety issue with falling branches from our tree.

The staff denial for removal is based upon the City's arborist's, Mr. Allen, report that felt further branch pruning to reduce weight would be sufficient to minimize or eliminate branch failure. We feel that Mr. Allen was working at a disadvantage when it came to evaluating our tree. That is, it seems Capitola/staff do not feel that evaluations of trees require the individual doing the evaluation talk to the owners to determine:

1. Past maintenance;
2. Number of events;
3. Conditions during events; and
4. Other critical information (e.g., mold and root removal remedy that may further weaken tree).

I would like to think if Mr. Allen spoken to us and our neighbors that he would have concluded to remove the tree due to the present condition of the tree, our level of risk tolerance and conditions that resulted in branch failures. Even if he came to the same conclusions we would have felt better about the process. How is it possible for anyone to properly evaluate the removal or other strategies of trees without having a complete history? We paid Capitola \$1,000 to have a tree evaluation done that was inadequate due to the process; and we feel cheated out of that money.

In addition to Capitola's poor administrative process for tree removal that we believe handicapped the arborist from obtaining critical evidence, my wife and I have read James Allen letter dated May 2, 2019 and we have some very deep concerns about the letter and conclusions. I will attempt to describe what I believe both the registered professional forester (RFP), Mike Jani, and James Allen agree to about our redwood and the flaws in Mr. Allen's letter and conclusions.

It appears Mr. Allen and Mr. Jani are of like mind in the following areas when Mr. Allen in his letter states that:

The assessment of this tree's condition by Mr. Michael Jani, RPF is accurate:

- This tree is quite healthy with minor influences of salinity burn do to proximity of ocean influences

Attachment: 1600 49th Avenue - Appeal Letter (1600 49th Avenue)

- This tree has very large, long limbs due to genetics and excellent cultural growing conditions
- Past pruning; thinning, limb removal and topping along with branch breakage has created spaces/voids and opened wind corridors in the tree's canopy resulting in increased branch failure potential during strong wind events that are typical "during large winter storms". (Quotation marks added by Mr. Allen and not in Mr. Jani report)

This past year our redwood tree had an estimated 18-20 branch failures, twelve of these branches fell to the ground immediately while 8 others hung up in the tree. One of these branches was suspended over the sidewalk. After the March 13th branch failures I had Lewis Tree Service come out on an emergency call to clean up the fallen branches and remove the other 6-8 broken branches in the canopy at a cost of \$700. It is important to remember that we had pruned and tipped the tree 6 years earlier to prevent branch failures.

There is also agreement between the two tree experts that branch failures will be expected to continue; though, Mr. Allen qualifies this by saying only if proper pruning is not preformed. Unfortunately, this is where most agreement ends. Mr. Allen states that:

Mr. Jani inaccurately states that this species is not native to the area and has outgrown the neighborhood.

Mr. Jani knows the "natural" habitat of redwoods since he has worked 45 years with redwoods in Santa Cruz County, is chief forester over 440,000 acres of redwoods throughout the State and is on the California State Board of Forestry appointed by both Governors Brown and Newsom. It doesn't take much research to find the native habitat of coastal redwoods and, in fact, it is well known that these redwoods have not populated the marine terrace habitat found in Capitola in recent years (perhaps for 10's of millions; See maps (not included) of redwood habitat by Charles Sargent (1881), Madison Grant (1919); Griffin and Critchfield (1972)). It is important that coastal redwoods have not naturally populated the marine terrace in Capitola because it begs the question, Why not?

It seems the reason why redwoods do not naturally occur in Capitola is that:

Although many redwood stands are close to the sea, they do not seem to tolerate ocean winds or salts and so do not grow on exposed hillsides that face the ocean.

(https://ucanr.edu/sites/forestry/California_forests/http__ucanrorg_sites_forestry_California_forests_Tree_Identification_/Coast_Redwood_Sequoia_sempervirens_198/)

The fact that our redwood was planted in an area that can support incredible growth has added to the problem of being exposed to strong coastal winds and salt that results in redwoods failing.

Mr. Allen does not include in his letter the impact of past tree topping, pruning and the open canopy caused by six-seven branches breaking in the same area when assessing risk; though, he acknowledges that these issues increase risk of branch failures. Mr. Jani pointed out that each of these acts (topping done prior to our purchasing the house, pruning done by Lewis Tree Service and canopy opening by multiple branch failures in same location) creates a situation where branch failure can be expected to accelerate. Not one of these issues was dealt with by Mr. Allen specifically; thus, the real risks of branch failures caused by past practices and events that CANNOT be undone are completely ignored in Mr. Allen's letter. (That is, how do you restore a 20 foot hole in the middle of a tree canopy that allows winds to accelerate and cause further branch failures?)

I paid Capitola \$1,000 to have an assessment of the tree as a hazard based upon Mr. Jani's identified issues; what I received was an incomplete assessment that did not:

1. Assess the top of the tree and risk of these branches failing because of lack of structural foundation;
2. Assess the open canopy and the risk of future branch failure caused by the wind increasing velocity/force due to tunneling effect;
3. Assess the enhanced risk of branch failure caused by past pruning of important structural branches that has left the remaining branches with weakened points; and
4. Determine past maintenance or conditions that resulted in branch failure.

It is the above reasons that Mr. Jani concluded that our redwood tree has outgrown the neighborhood. Mr. Allen says Mr. Jani is wrong in this assertion but does nothing in his letter to indicate that these specific risks can be mitigated by branch shortening.

Mr. Allen in his conclusion states:

*This tree is in a good state of vigor with long, weighted branches that are prone to continued breakage. The supporting roots and trunk appear solid and are not expected to fail in the foreseeable future, Branch failures that occurred during January and March of 2019 may have been triggered by **atypical** storm events with strong bursts of high velocity wind that increased the load on the large diameter, long branches. Wind load is a dynamic force imposed upon structural components by constantly changing pressure, direction and duration of wind events.*

It seems apparent to me that Mr. Allen did not fully read our letter submitted in the application to remove our redwood and was not allowed to communicate with us so that he understood the wind conditions. Our concluding paragraph provides the light wind condition on March 13, 2019 during a sunny and warm day.

Mr. Allen's assertion that these branches failed during "**atypical**" storm events is neither accurate or a fair representation of the events that resulted in five large branches (we have all agreed these are **abnormally** large branches) failed on March 13, 2019. Until someone can ascertain exactly why these five branches failed in light wind, there is no way of saying branch shortening will reduce future branch failings.

It should also be noted that Mr. Allen's examples of trees that have undergone branch reduction and not had branch failures are located 4-5 times further from the ocean than our house, are protected by more structures and trees and will not receive the strong storm winds that our tree does on a coastal bluff. Further, these tree examples are not comparable in terms of size or history of branch failure in low winds.

We started this process because after the March 13th event I believed that there was an emergency issue due to the number and size of branches that fell during a slight change in wind direction. The winds March 13 were not particularly strong; though, they brought down 5 large branches from this redwood tree onto my neighbor's property and over the sidewalk. For everyone's safety it is time to remove this tree that has outgrown the neighborhood in which it was planted.

We feel that City staff accepted Mr. Allen's letter because of the working relationship that they have with him. His letter does not refute any of Mr. Jani's findings and, in fact, supports all of them with the exception of removing the tree for safety. The difference between Mr. Jani and Mr. Allen is that Mr. Jani feels that past topping, pruning and recent wind events that opened the canopy make the tree unsafe; therefore, decided the best and safest course forward to protect everyone was tree removal. Mr. Allen does not provide any evidence that the past events with the tree are NOT going to increase branch failure as indicated by Mr. Jani. He does believe that removal is unnecessary and that appropriate pruning can reduce branch failure to a "tolerable threshold".

Mr. Allen goes to great length to point out the difference in his certification and assumes that just because Mr. Jani is not an arborist that he cannot correctly assess risk with trees in which he is extremely knowledgeable. In addition, Mr. Allen states that proper maintenance will reduce risk to a tolerable level—whose risk is at a tolerable level. Certainly not mine, my wife's, our neighbors or those walking on the sidewalk under the tree. I can understand why a person that does not live by this tree, does not walk on the sidewalk under the overhanging branches, or does not have house mold related to organic matter (i.e., redwood tree roots) in the crawl space may seem comfortable with the proposed remedy. However, I think any prudent individual can also see that 30 foot long branches falling from a height of 30-80 feet in heavy or light winds may believe that a more acceptable solution is tree removal.

It is critical to note that Mr. Allen, and all that deal with risk assessment, always put on a caveat that past results (branch shortening) may not predict future events (branches not falling) and nothing short of removal will reduce risk to zero. I find this language convenient, vague and, most likely, developed in response to legal action against arborists that assessed risk incorrectly. If Mr. Allen is so sure of his branch shortening strategy, will he accept liability after branch shortening if branches fail and harm individuals or property? Will Capitola accept liability for denying a second time the application to remove this tree? That is, will Mr. Allen provide analysis about branch shortening that asserts it will **eliminate** future branch failures without adding the caveat of tolerable risk and removal is the only remedy that ensures safety? Will Capitola create a policy that assumes risks of trees that they deny removal for safety reasons?

If the answer to these questions is no, then I believe the risk tolerance reverts to the property owner. My wife and I are not willing to accept the level of risk that Mr. Allen apparently is. Our neighbors are friends and I would feel horrible if something happened to them, their dog or their property because we accepted a risk level of "tolerable" when Mr. Jani, who is extremely knowledgeable of redwoods, said to remove the tree for safety and liability reasons.

Commissioners, I have stated our position, rationale, and level of risk tolerance. We ask that you over-ride the staff recommendation and permit us to remove the tree for safety reasons. I do not feel that I could find a person willing to accept the inherent risk and liability of this tree given its history of past failures. Further, it seems that everything that has been done to our redwood (i.e., topping that was wholly wrong but cannot be undone, past pruning that we thought would help, or the branch failures that opened up the canopy to future failures) has only hurt it. I do not have faith that shortening every branch, pruning every branch to reduce weight, and root undercutting to prevent mold in our house will change the direction of interventions; the tree will end up being worse off and more of a risk – not less.

Thank you for your time, patience and deliberation. It is not easy for us to ask you to do this but the tree possesses risks to us, our neighbors and those walking beneath this redwood. You represent us as a check on government over-reach or inappropriate decisions and we hope that you will see that we do feel the responsibility and obligation of protecting our neighbors.

Sincerely,



Michael and Vickie Oliver
1600 49th Ave.
Capitola, Ca 95010