



AGENDA
CAPITOLA PLANNING COMMISSION
THURSDAY, FEBRUARY 2, 2012
7:00 P.M. – CITY HALL COUNCIL CHAMBERS

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Staff: Interim Community Development Director Susan Westman
Senior Planner Ryan Bane
Minute Clerk Danielle Uharriet

2. NEW BUSINESS

A. Election of Chair and Vice-Chair

3. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

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

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

C. Commission Comments

D. Staff Comments

4. APPROVAL OF MINUTES

A. December 1, 2011 Regular Planning Commission Meeting

5. CONSENT CALENDAR

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

A. 4510 CAPITOLA ROAD

#12-005

APN: 034-031-31

Sign Permit to install a wall sign and a monument sign in the CR (Commercial/Residential) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Richard Talmadge, owner/filed: 1/17/12

Representative: Steve Hosmer/Stokes Signs

6. PUBLIC HEARINGS

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

A. 115 SAN JOSE AVENUE #11-100 APN: 035-221-27

Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol in the CV (Central Village) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Peter Dwares, owner/filed: 9/15/11
Representative: Dennis Norton Designs

B. 612 GILROY AVENUE #11-112 APN: 035-073-15

Design Permit for a first and second floor addition to an existing one-story single-family residence in the R-1 (Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Brian Grocott, filed 10/20/11
Representative: Dennis Norton

**C. 835 BAY AVENUE #12-001 APN: 035-011-03,
035-381-01**

Conditional Use Permit to install a model manufactured home in conjunction with an existing manufactured home sales business (Ideal Homes) in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Redtree Properties, owner/filed: 1/3/12
Representative: Richard Emigh

7. DIRECTOR'S REPORT

8. COMMISSION COMMUNICATIONS

9. ADJOURNMENT

Adjourn to a Regular Meeting of the Planning Commission to be held on Thursday, March 1, 2012 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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

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

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

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

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

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

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.ci.capitola.ca.us by clicking on the Home Page link "**View Capitola Meeting Live On-Line.**" Archived meetings can be viewed from the website at anytime.



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, DECEMBER 1, 2011
6:00 P.M. – CITY HALL COMMUNITY ROOM**

Chairperson Ortiz called the Regular Meeting of the Capitola Planning Commission to order at 6:00 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Staff: Interim Community Development Director Susan Westman
City Attorney John Barisone
Administrative Services Director Lisa Murphy
Senior Planner Ryan Bane
Minute Clerk Danielle Uharriet

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda - NONE

B. Public Comments -NONE

C. Commission Comments - NONE

D. Staff Comments - NONE

3. APPROVAL OF MINUTES

A. November 3, 2011 Regular Planning Commission Meeting

A MOTION WAS MADE BY COMMISSIONER SMITH AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE THE NOVEMBER 3, 2011 MINUTES.

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

4. CONSENT CALENDAR

A. 904 SIR FRANCIS AVENUE

#06-061

APN: 036-222-07

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

Environmental Determination: Categorical Exemption

Property Owner: Justin & Lisa Maffia, filed: 11/7/11

Chairperson Ortiz recognized a member of the public to speak.

Ethan Berman, spoke with concerns about second story windows affecting adjacent yards.

Senior Planner Bane explained that the project had been previously approved and the applicant was requesting a time extension for the existing permit. The design is not the subject of the extension.

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER ROUTH TO APPROVE THE PROJECT APPLICATION #06-061 TIME EXTENSION WITH THE FOLLOWING FINDING:

- A. A substantial change of circumstances has not occurred since Planning Commission approval of the permit on December 7, 2006. An additional one-year extension of the permit to December 7, 2012, would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.

The Planning Commission finds that neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit on December 7, 2006. Therefore, (a fourth) one-year extension (to December 7, 2012) of said permit is appropriate.

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

5. PUBLIC HEARINGS

A. 426 CAPITOLA AVENUE

#11-114

APN: 035-141-33

Consider an application regarding a Coastal Development Permit and Relocation Impact Report (RIR) for the closure of the Pacific Cove Mobile Home Park including the removal of all coaches, gas, electrical and cable utilities. The proposed project retains the public restroom on-site. No grading or earthwork is proposed. This project requires a Coastal Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: City of Capitola, owner/filed: 10/27/11

Chairperson Ortiz invoked the Rule of Necessity. Commissioners Graves, Newman and Chairperson Ortiz drew straws. Commissioner Graves drew the short straw. Interim Community Development Director Westman announced she had a conflict of interest. Commissioner Newman stated his need to leave the meeting early and would not be returning for the two agenda public hearing items. City Attorney John Barisone will serve as the Community Development Director for this hearing item. Commissioner Newman, Chairperson Ortiz and Interim Community Development Director Westman recused themselves and left the Council Chambers. Vice-Chairperson Graves chaired this item.

Senior Planner Bane presented the staff report.

Commissioner Routh asked if there are any residents at Castle Mobile Home Park that own their space, what legal method are the homes at Castle reserved for the tenants at Pacific Cove, and are there any homes available now for Pacific Cove tenants.

Commissioner Smith requested clarification about rents on the rental roll and rents including utilities, and the conflicting resolution terminology between pre-park purchase and post-park purchase. She confirmed that the Commission is to make a recommendation to the City Council that the RIR is either sufficient or insufficient.

City Attorney Barisone explained the details of the regulatory agreement that would assist Pacific Cove tenants interested in purchasing a home at Castle Mobile Home Park.

Chad Wakefield, representative from Overland Pacific & Cutler, Inc., stated that if a waiting list is established at Castle Mobile Home Park, then Pacific Cove tenants could be placed on the waiting list.

Commissioner Graves stated that the Commission had not had time to review and consider the additional material presented by staff at the meeting. He was not supportive of making a recommendation to the City Council without consideration of the new material. He asked if a space became available in Castle Mobile Home Park would the Pacific Cove tenant be paying the same space rents as other Castle tenants.

City Attorney Barisone responded that rents would be the same for Pacific Cove tenants. He suggested that any recommendation by the Commission to the City Council could include a statement that additional material submitted at the meeting was not considered in a timely manner.

The public hearing was opened.

Chris Flynn, Pacific Cove tenant, spoke with concerns that the Planning Commission resolutions are not included in the RIR.

Sidney Jackson, Pacific Cove tenant, stated that Castle Mobile Home Park is not the same type of park as Pacific Cove. He commented that the staff report does not list an intended use for the park property, but that he was previously approached by city staff to move his home to a different location for parking project. The appraisal does not reflect the true value of the homes at Pacific Cove.

Carol Lerno, Pacific Cove tenant, stated that the city has a conflict owning the park.

Ann Schrodell, Pacific Cove tenant, spoke with concerns that the additional letters and comments were not reviewed by the Commission and should be taken into consideration prior to a decision. The appraisals are low, as they do not take into consideration the in-place value, but uses a value similar to a Kelly blue book price to set the value. She stated that the Mello Act requires new replacement housing, but the proposed replacement homes are existing low income homes in Castle.

Jeanne Roddy, Pacific Cove tenant, spoke with concerns regarding the relocation plan.

John Hannon, Pacific Cove tenant, stated the RIR is inadequate for the following reasons: the relocation benefits are not legal under California law; there is no compensation for long term tenants, the city has performed little or no maintenance or upkeep of the park in return for the rents paid. Castle is not a comparable mobile home park.

Rick Halterman, spoke with concerns that the replacement housing proposed. The homes and spaces at Castle Mobile Home Park are currently low income. There are no new low income units proposed for replacement housing as required by the Mello Act.

Sue and Douglas Reynolds, Pacific Cove tenants, stated that Pacific Cove has allowed for independence, safety, community, a beautiful location, and the ability to pay affordable rent on a very limited income. Mr. Reynolds is very long term resident of the park. The RIR discusses the benefits of relocation, but the benefit is diluted due to the current low income status, but the home appraisal is so low it will be very difficult to find a comparable home.

Wendelyn Wells, Pacific Cove tenant, stated that the values and process need to be re-evaluated. There are no homes available for the dollar values recommended.

The public hearing was closed.

Commissioner Routh stated that there will be a net loss of low income units if Pacific Cove is closed and tenants move to Castle. He asked if a Pacific Cove tenant was forced to move to an assisted living situation what accommodation is made for the tenant, and how many coaches are currently available for purchase in Castle. He stated that a low income tenant at Pacific Cove could sell their home for any price the market will bear and buy a home at Castle at a restricted purchase price and sale price. Commissioner Routh supported the CEQA exemption, recommending approval of the Coastal Development Permit for the closure of Pacific Cove Mobile Home Park, subject to specific findings and conditions, and recommending that the RIR is sufficient, but noted that it is the City's obligation to uphold the 1984 agreement to grant tenancy to the Pacific Cove tenants until the end of the agreement.

Commissioner Smith reiterated that the Commission's action is only to recommend to the City Council that the RIR is either sufficient or insufficient. The Commission is not evaluating the details of the report, such as home values and relocation benefits. She suggested once the details and specifics of the park closure are confirmed, the City Council should establish a policy that would assess the current available inventory at Castle Mobile Home Park. She stated in addition to the materials submitted this evening there are four letters the Commission has not been able to review prior to the hearing. Commissioner Smith supported the CEQA exemption, recommending approval of the Coastal Development Permit for the closure of Pacific Cove Mobile Home Park, subject to specific findings and conditions, and recommending that the RIR is sufficient, but noted that there were letters and additional materials submitted which were not reviewed by the Commission prior to the meeting.

Vice-Chairperson Graves stated that there will be a loss of 19 low income units without creating new low income housing stock at Castle. He supported the CEQA exemption, recommending approval of the Coastal Development Permit for the closure of Pacific Cove Mobile Home Park, subject to specific findings and conditions, but stated that the RIR is insufficient, noting that there were letters and additional materials submitted which were not reviewed or considered by the Commission prior to the meeting. He agreed with Commissioner Routh that it is the City's obligation to uphold the 1984 agreement to grant tenancy to the Pacific Cove tenants until the end of the agreement.

In response to the Commission's questions, City Attorney John Barisone stated that the units at Castle are not currently restricted, but could become low income units under the Regulatory Agreement. Any available units would be available to low income households. He clarified that the Mello Act specifies low income units, not low income households. Under the Regulatory Agreement, the units at Castle would become low income units.

A MOTION WAS MADE BY COMMISSIONER ROUTH AND SECONDED BY COMMISSIONER SMITH FOR THE FOLLOWING ACTION:

- 1. FIND THE PROJECT IS EXEMPT FROM CEQA AS IT DOES NOT INVOLVE AN INCREASE IN THE INTENSITY OF USE OR NEW DEVELOPMENT (CEQA GUIDELINES 15301 EXISTING FACILITIES).**

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

A MOTION WAS MADE BY COMMISSIONER ROUTH AND SECONDED BY COMMISSIONER SMITH FOR THE FOLLOWING ACTION:

- 2. ADOPT THE PROPOSED RESOLUTION RECOMMENDING APPROVAL OF THE COASTAL DEVELOPMENT PERMIT FOR THE CLOSURE OF PACIFIC COVE MOBILE HOME PARK, SUBJECT TO SPECIFIC FINDINGS AND CONDITIONS.**

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

A MOTION WAS MADE BY COMMISSIONER ROUTH AND SECONDED BY COMMISSIONER SMITH FOR THE FOLLOWING ACTION:

- 3. ADOPT THE PROPOSED RESOLUTION WITH CONDITIONS RECOMMENDING THAT CITY COUNCIL FINDS THE RIR IS SUFFICIENT PENDING THE APPLICATION OF MEASURES NOT EXCEEDING THE REASONABLE COSTS OF RELOCATION TO MITIGATE THE ADVERSE IMPACTS OF THE CHANGE OF USE ON ELIGIBLE MOBILE HOME RESIDENTS.**

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

B. 403 LOMA AVENUE

#11-105

APN: 036-092-17

Conditional Certificate of Compliance to re-establish a previously existing lot line, including partial demolition of a single-family residence and construction of a new single-car garage and parking in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Gayle Clemson, filed 10/5/11

Representative: Richard Emigh

Senior Planner Bane presented the staff report.

Commissioner Smith verified the minimum clear site distance is 20 feet per the standard Public Works requirements.

Chairperson Ortiz questioned the continuation of a legal non-conforming side yard setback.

Commissioner Graves clarified that the carport is not proposed to be demolished.

Senior Planner Bane stated that the original setbacks for the residence are legal non-conforming and the side yard setback can continue the non-conforming distance as long as it does not become more non-conforming. He suggested an additional condition to ensure any new additions will meet the current standard setbacks.

The public hearing was opened.

Richard Emigh, applicant's representative, spoke in support of the application.

Gayle Clemson, property owner, spoke in support of the opposition.

Commissioner Routh questioned the runoff potential created by parking plan Alternative C.

Chairperson Ortiz suggested an alternative driveway plan.

Commissioner Graves supported parking plan Alternative C with suggested changes that would move the parking spaces six feet to the left and create two standard spaces. He was not supportive of the proposed hedge height.

Commissioner Routh suggested that the parking area utilize pervious paving material.

The public hearing was closed.

Chairperson Ortiz stated that there is although the parking plan removes street parking because of the driveway, the development application requires parking to be located on-site.

Interim Community Development Director Westman stated that the ordinance has always required parking for private use to be located on-site. The Public Works standards keep the site distance clear and consistently require off-street parking be provided with applicable development applications.

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER ROUTH TO APPROVE THE PROJECT APPLICATION #11-105 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project consists of a Conditional Certificate of Compliance to re-establish a previously existing lot line, including partial demolition of a single-family residence and construction of a new single-car garage and parking at 403 Loma Avenue.
2. Prior to the recordation of the Conditional Certificate of Compliance, the applicant shall submit new/revised legal descriptions for the two lots for review by the Community Development Director.
3. The portion of the existing house that straddles the lot line to be reestablished shall be removed prior to the recordation of the Certificate of Compliance.
4. Any significant modifications to the size or exterior appearance of the main house or garage structure must be approved by the Planning Commission.
5. Utilities shall be underground.
6. The hedge at the intersection of Loma and Younger Avenue shall be cut to city standards, 30" in height.
7. Hours of construction shall be Monday to Friday 7:30AM – 9:00PM, and Saturday 9:00AM – 4:00PM, per city ordinance.
8. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.
9. All new development proposed for the subject properties shall meet the zoning development standards in place at that time.

10. The two uncovered off-street parking spaces shall be located in front of the house, accessed off of Loma Avenue (Alternative C of submitted plans). The driveway shall be made up of two side by side standard spaces (9' x 18') and may extend approximately 3'-6" into the side yard beyond the southern wall of the house.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project to separate existing lots of record conforms to applicable provisions of the Subdivision Map Act and of local ordinances enacted pursuant thereto. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

- B. **The application identifies two legal lots of record consistent with the Subdivision Map Act.**

The Planning Commission finds that the three lots located at 403 Loma Avenue (currently Assessor's Parcel Number 036-092-17) were each created, in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto.

- C. **This project is categorically exempt under Section 15305 and 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15305 of the CEQA Guidelines exempts minor alterations to land use limitations which do not change the density or land use of the subject site. This project involves a Certificate of Compliance for three legal lots of record consistent with the City's requirement that only one residence be permitted per lot in the R-1 zone district. Section 15301 of the CEQA Guidelines exempts construction of accessory structures that are less than 10,000 square feet. This project involves construction of a detached garage in an urban area and is considered infill development. No adverse environmental impacts were discovered during the review of the proposed project.

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

C. 115 SAN JOSE AVENUE

#11-100

APN: 035-221-27

Reconsideration of a Planning Commission denial for Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol in the CV (Central Village) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares, owner/filed: 9/15/11

Representative: Dennis Norton Designs

Interim Community Development Director Westman explained the application is before the Commission because the project circumstances have changed. The City Attorney's legal recommendation is for the Commission to reconsider this item the Commission must vote to suspend Rosenberg's Rules of Order and then reconsider the application.

Commissioner Smith stated that although she is not favorable to changing rules, she would uphold the legal recommendation given to the Commission.

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER SMITH TO SUSPEND ROSENBERG'S RULES AND RECONSIDER PROJECT APPLICATION #11-100.

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

Senior Planner Bane presented the staff report.

Commissioner Graves suggested condition #1 be modified to include dine-in and take-out restaurant.

Chairperson Ortiz questioned if the potential tenant had submitted a sign proposal with the application.

Senior Planner Bane stated that there is an approved sign program for the Mercantile tenants and the new tenant will be required to submit a sign in compliance with the sign program.

The public hearing was opened.

Mike McCreery, business owner, spoke in support of the application.

Commissioner Graves inquired about the location of any rooftop equipment.

Mr. McCreery stated that there will be beer tasting, a high end meat market and deli, but no fried food thus, no requirement for rooftop equipment. He explained that he is currently applying for a Type 47 liquor license, which requires food service accompany the liquor portion of the business.

Carin Hanna, Village business owner, stated that there are numerous tenant spaces that need to be filled in the Village. She encouraged the Commission to view the application positively and support new businesses.

Mike Herbert, business owner, stated that he is supportive of businesses in the Village and was not in opposition to the project. However, he was not supportive of another alcohol outlet in the Village. The proposal is a bar selling food. He spoke with concerns about parking, smoking and a proposed second entrance on San Jose Avenue.

The public hearing was closed.

Commissioner Graves suggested limiting the liquor license to a Type 40 license, and if the business were to grow the applicant could return for a Type 47 license.

Commissioner Routh stated that the application is very conceptual and the interior plan is not well defined. He suggested that applicant finalize the plans and return to the Planning Commission when plans are complete and clearly define the space as a restaurant or a bar.

Commissioner Smith questioned how the proposed use is not considered an intensification of the previous retail use; what the parking requirement is for the Mercantile, and clarified that there is only one public bathroom in the Mercantile for all the businesses on the property. She also asked if the

ABC had a maximum number of liquor licenses for the Village area and requested the current status of the liquor licenses in the area. She supported a Type 40 license rather than a Type 47. Due to the proximity to the hotel, she suggested business hours be 11:00 a.m. to 9:00 p.m., and delivery hours from 8:00 a.m. to 8:00 p.m. She suggested additional conditions prohibiting bar stools to ensure the seating will not exceed six seats, and require the building official evaluate the uses in the Mercantile to determine if additional restroom facilities are required.

Commissioner Graves spoke with concerns about the second entrance to the business and recommended the applicant consult the fire department; the seating plan of six seats did not seem adequate for the type of business proposed. He supported a Type 40 liquor license and more defined and detailed plans, including additional restrooms.

Chairperson Ortiz stated the application should reflect the name of the business owner, not just the property owner or the owner's representative. She supported a Type 40 liquor license and a revised floor plan eliminating one door and no bar stools. She suggested staff consult the ABC regarding the status of alcohol outlets within the Village area and suggested the hours of operation be limited to 11:00 a.m. to 9:00 p.m.

Senior Planner Bane explained that the Mercantile uses are limited due to the existing parking and no use intensification is permitted without additional parking.

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER ROUTH TO CONTINUE PROJECT APPLICATION #11-100 TO THE JANUARY 19, 2012 MEETING.

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

6. DIRECTOR'S REPORT

Community Development Director Westman discussed the status of the proposed village sign ordinance. She commented that revisions may propose one wall sign and one projecting sign.

7. COMMISSION COMMUNICATIONS

Commissioner Routh requested the staff provide a status report of the home under construction at Wharf Road and Capitola Road.

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 9:13 p.m., in memory of Bob Begun, former mayor and advocate for Capitola, to a Regular Meeting of the Planning Commission to be held on Thursday, January 19, 2012 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on February 2, 2012

Danielle Uharriet, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JANUARY 25, 2012 (AGENDA: FEBRUARY 2, 2012)

SUBJECT: **4510 CAPITOLA ROAD #12-005 APN: 034-031-31**
Sign Permit to install a wall sign and a monument sign in the CR (Commercial/Residential) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Richard Talmadge, owner/filed: 1/17/12
Representative: Steve Hosmer/Stokes Signs

PROJECT SUMMARY

The applicant is requesting a sign permit for a new wall sign and monument sign for an office building located at 4510 Capitola Road, in the CR (Commercial/Residential) zoning district.

PROPOSAL & DISCUSSION

The subject property is located on the corner of 45th Avenue and Capitola Road. Per the Sign Ordinance, businesses which are located adjacent to two streets (corner) are permitted signage to face each street. For this particular case there are two tenants within the building, and the applicant is proposing a wall sign to face 45th Avenue (*RPM Mortgage*), and a monument sign along Capitola Road (*RE831 Real Estate Eight Three One*).

For the wall sign, the Sign Ordinance requires that the size of wall signs be no greater than one square foot of sign area for each foot of linear business frontage. With approximately 41 feet of business frontage along 45th Avenue, the 18 square foot sign (1.5' x 12') falls within the permitted sign area. The sign will be an internally illuminated sign cabinet with white plastic letter and a black exterior sign cabinet, and will be located above the main entry door.

The monument sign is being proposed in the planter area fronting Capitola Road, adjacent to a new office entry door. The sign will be setback approximately 4' from the sidewalk, and will be oriented perpendicular to the building so as to be visible while driving along Capitola Road. The Sign Ordinance requires that the height of a monument sign be no greater than four (4) feet, and that the sign area not exceed 35 square feet. The proposed sign will be four (4) feet in height and will have a sign area of 32 square feet (4'x8'), meeting the ordinance requirements. The internally illuminated sign cabinet will sit atop a concrete slab. The cabinet portion of the sign will be black with white plastic letters, in addition to raised metal letters that will be pin mounted to the concrete slab.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** project application #12-005, subject to the following conditions and based on the following findings:

CONDITIONS

1. The project approval consists of a sign permit for a new wall sign and monument sign for an office building located at 4510 Capitola Road.
2. If minor modifications to the signs are desired by the applicant (i.e. lettering, materials, colors, illumination, etc.), the changes may be approved by the Community Development Department. Any significant changes shall require Planning Commission approval.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Prior to building permit sign off, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

The Planning Commission finds that the proposed wall and monument sign complies with the Sign Ordinance regulations in terms of size and design.

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

The Community Development Department Staff and Planning Commission have reviewed the plans to ensure that the sign maintains the character and integrity of the neighborhood.

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

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

Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Sign Plans



Ground Sign

Wall Sign



12

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CITY OF CAPITOLA

STOKES SIGNS
303 Potrero Street #9
Santa Cruz Calif 95060
831-426-1570

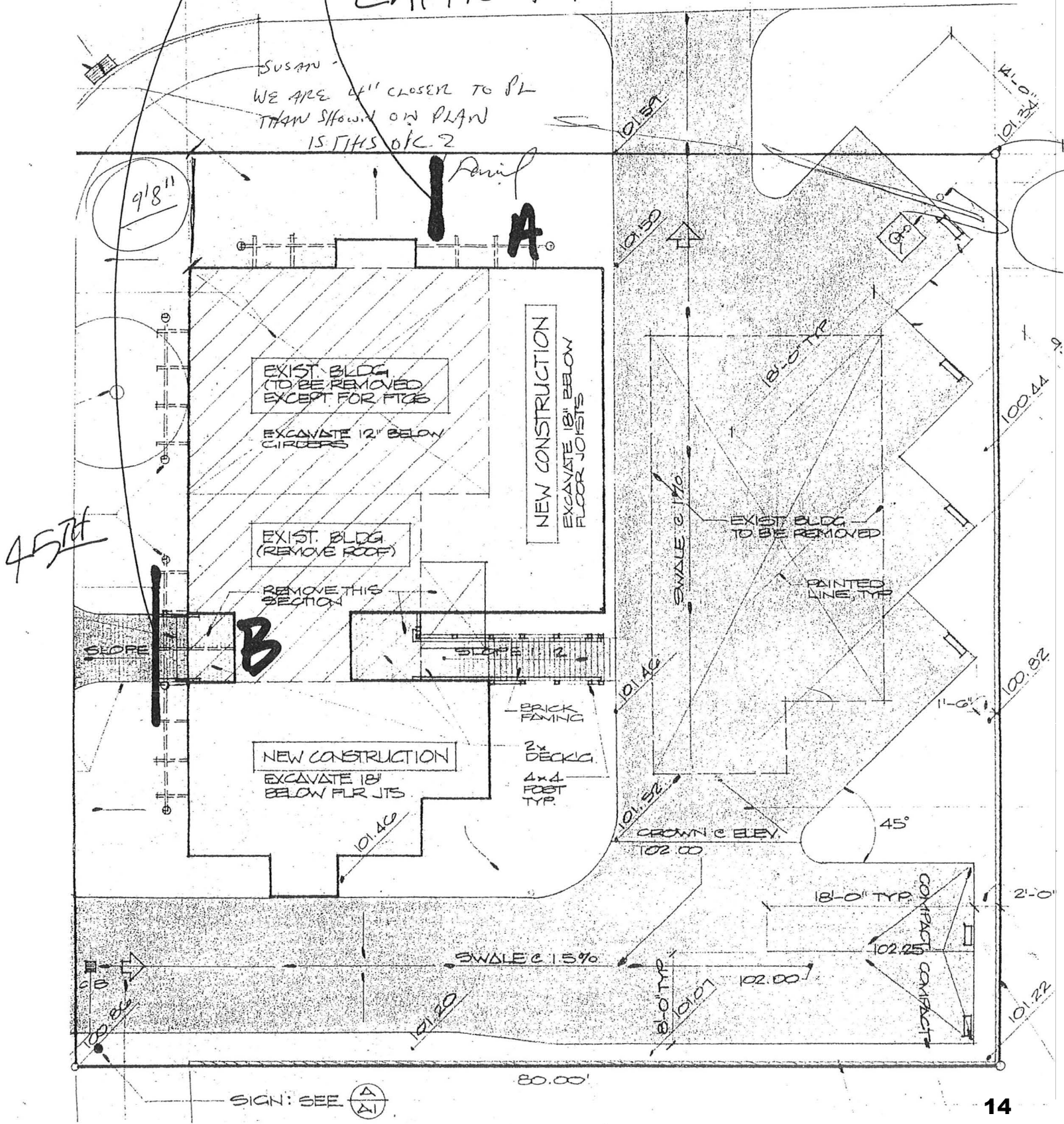


STOKES SIGNS
303 Potrero Street #9
Santa Cruz Calif 95060
831-426-1570

B WALL SIGN

A MONUMENT SIGN
CAPITOLA RD

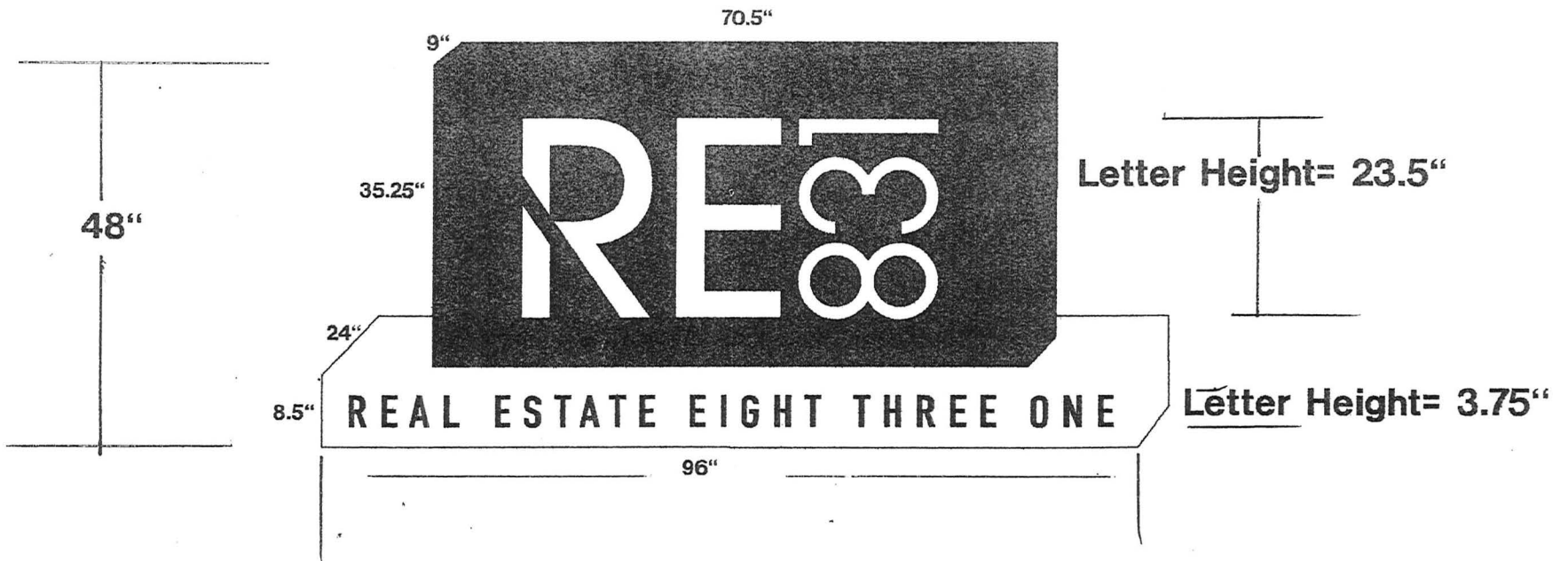
STOKES SIGNS
303 Potrero Street #9
Santa Cruz Calif 95060
831-426-1570





Internally illuminated sign cabinet with white plastic letters.
The sign cabinet exterior will be painted black.

STOKES SIGNS
303 Potrero Street #9
Santa Cruz Calif 95060
831-426-1570



Internally illuminated sign cabinet with white plastic letters
 Sign cabinet is painted black
 Sign cabinet is sitting on top of a concrete slab.
 Raised metal letters are pin mounted to the concrete slab.

STOKES SIGNS
 303 Potrero Street #9
 Santa Cruz Calif 95060
 831-426-1570



STAFF REPORT

TO: PLANNING COMMISSION

FROM: PLANNING DEPARTMENT

DATE: JANUARY 26, 2012 (AGENDA: FEBRUARY 2, 2012)

SUBJECT: **115 SAN JOSE AVENUE #11-100 APN: 035-221-27**
Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol
in the CV (Central Village) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Peter Dwares, owner/filed: 9/15/11
Representative: Dennis Norton Designs

This item was continued from the December 1, 2011 Planning Commission meeting, with direction to provide additional information. This information has not yet been submitted, therefore it is requested that the application be continued to the March 1, 2012 public hearing.

Report Prepared By: Ryan Bane
Senior Planner



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JANUARY 25, 2012 (AGENDA: FEBRUARY 2, 2012)

SUBJECT: **612 GILROY DRIVE #11-112 APN: 035-073-15**
 Design Permit for a first and second floor addition to an existing one-story single-family residence in the R-1 (Single-Family Residence) Zoning District.
 Environmental Determination: Categorical Exemption
 Property Owner: Brian Grocott, filed 10/20/11
 Representative: Dennis Norton

APPLICANT'S PROPOSAL

The applicant is proposing a remodel to an existing one-story single-family residence at 612 Gilroy, including a first and second floor addition. The parcel is located in the R-1 (Single Family Residence) zoning district. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

<u>STRUCTURAL DATA</u>					
<u>SETBACKS</u>		Required	Existing	Proposed	
Front Yard					
	Driveway	18'	8'	18'	
	1 st Story	15' or average of neighboring structures	18'	15'	
	2 nd Story	20'	N/A	20'	
Rear Yard					
	1 st Story	14'	14'	14'	
	2 nd Story	14'	N/A	35'	
Side Yard					
	1 st Story	4' (l) & (r)	4' (l) & 4'-4" (r)	4' (l) & 4'-4" (r)	
	2 nd Story	6' (l) & (r)	N/A	6' (l) & 16' (r)	
<u>HEIGHT</u>		25'	15'	21'-11"	
<u>FLOOR AREA RATIO</u>		Lot Size	MAX (57%)	Existing (59%)	Proposed (54%)
		2,800 sq. ft	1,596 sq. ft.	1,347 sq. ft	1,490 sq. ft.

	Habitable Space	Garage		Total
Existing First Story	1,002 sq. ft.	345 sq. ft.	-	1,347 sq. ft.
Proposed First Story	1,077 sq. ft.	154 sq. ft.	-	1,231 sq. ft.
Proposed Second Story	259 sq. ft.	-	-	259 sq. ft.
Proposed TOTAL	1,336 sq. ft.	154 sq. ft.	-	1,490 sq. ft.
<u>PARKING</u>	Required	Existing		Proposed
	2 uncovered space	1 covered space		2 uncovered space
Total	2 spaces	1 space		2 spaces

ARCHITECTURAL AND SITE REVIEW COMMITTEE

The Architectural and Site Review Committee reviewed the application on both December 14, 2011 as well as on January 11, 2012. The first review revealed issues with both the proposed square footage as well as parking design. Based on those comments and concerns, the applicant revised the drawings and resubmitted for Architectural and Site Review Committee review. The following are comments based on the latest set of plans reviewed on January 11, 2012:

- City Architect Frank Phanton supported the proposal based on the revisions.
- Building Official Mark Wheeler described the building permit process, including green building, and survey requirements.
- Senior Planner Bane appreciated the effort to resolve the parking design issues and supported the project.
- Public Works Director Steve Jesberg indicated that the sidewalk will need to be replaced and encouraged the use of impervious pavers for the front yard.
- Landscape Architect Susan Suddjian suggested the addition a seat wall along the low 2' wall proposed adjacent to the sidewalk. She also recommended additional shrubs in the landscape strip to the left of the driveway.

DISCUSSION

The project consists of a remodel of an existing single story structure, including a 40 square foot first floor addition, a new 259 square foot second floor addition, and removal of approximately 182 square feet of existing garage area. The resulting house consists of three bedrooms and three baths bathrooms, with a total square footage of 1,490 square feet. New exterior materials include a mix of stucco, horizontal siding, stone veneer, new windows with wood trim, and asphalt shingle roof. All new additions to the house conform to the R-1 district development standards, including height, setback, parking and FAR requirements.

The front yard will have new landscaping, including a new driveway, outdoor patio, and a low stucco wall with stone caps fronting the sidewalk. The existing avocado tree will be retained. Curb and gutter that is currently deteriorated or is damaged during construction will be repaired or replaced.

Parking

The existing house is currently nonconforming to parking, providing only one garage space, with the driveway being too shallow to meet the minimum parking space dimensions. Per Zoning Code Section 17.51.135(B), "If the (residential) structure is enlarged by more than ten percent of the existing gross floor area, parking requirements must be met". With the proposed addition being greater than ten percent, the Zoning Code requires that single-family residential units up to 1,500 square feet provide a minimum of two uncovered spaces. Due to the current configuration of the house, meeting this parking requirement prompted the removal of a portion of the garage in order to provide the two uncovered driveway spaces. With the two off-street spaces meeting the standard 9'x18' space dimensions, the parking requirements are being met.

Nonconforming

The structure is legal nonconforming due to not meeting current setbacks and parking requirements. Per 17.72.070, structural alterations to nonconforming structures are limited to 80% of the present fair market value of the structure. The applicant has provided a construction cost breakdown (Attachment B) that demonstrates how the proposed project will not exceed 80% of the present fair market value of the structure. The Building Official has reviewed the calculations and determined them to be accurate. It should be noted that all new additions to the structure meet the current R-1 district development standards.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #11-112 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of a remodel to an existing one-story single-family residence at 612 Gilroy, including a first and second floor addition. .
2. The Planning Commission must approve any significant modifications to the size or exterior appearance of the structure.
3. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
4. Construction hours shall be limited to Monday through Friday 7:30am to 9pm., Saturday 9:00am to 4:00pm, and prohibited on Sundays.
5. The existing curb and sidewalk shall be replaced to the satisfaction of the Public Works Director.
6. An encroachment permit shall be acquired for any work performed in the right-of-way.
7. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.

FINDINGS

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

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

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

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

- C. **This project is categorically exempt under Section 15301(e)(2) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15301(e)(2) of the CEQA Guidelines exempts additions to structures that are less than 10,000 square feet if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves an addition to a one-story single-family residence that is considered infill development. No adverse environmental impacts were discovered during review of the proposed project

Report Prepared By: Ryan Bane
Senior Planner

Attachment A - Project Plans
Attachment B – Construction Cost Breakdown

COVER SHEET & LEGEND OF SHEETS

01/04/12
GILROY
DRN

DENNIS NORTON
MOORE DESIGN AND
PROJECT PLANNING

GROGOTT RESIDENCE
612 GILROY DR.
CAPITOLA, CA 95010
APN 035-073-15

BRIAN GROGOTT
517 GILROY DR.
CAPITOLA, CA 95010

G R O G O T T
R e s i d e n c e

LEGEND OF SHEETS table with columns: NAME, SCALE, PROJECT NO.

GENERAL INFORMATION table with fields: SITE AREA, BUILDING AREA, EXISTING RESIDENCE, PROPOSED ADDITION, TOTAL ADDITION, PROPOSED RESIDENCE, TOTAL.



NOTES

- 1. THE USE OF... 2. CONTRACTOR SHALL... 3. ALL WORK SHALL BE... 4. ALL EXTERIOR... 5. ALL INTERIOR... 6. ALL FINISHES... 7. ALL STRUCTURAL... 8. ALL MECHANICAL... 9. ALL ELECTRICAL... 10. ALL PLUMBING... 11. ALL PAINTING... 12. ALL LANDSCAPING... 13. ALL UTILITIES... 14. ALL DEMOLITION... 15. ALL EXISTING... 16. ALL NEW... 17. ALL FOUNDATION... 18. ALL ROOFING... 19. ALL SITES... 20. ALL UTILITIES... 21. ALL EXISTING... 22. ALL NEW... 23. ALL FOUNDATION... 24. ALL ROOFING... 25. ALL SITES... 26. ALL UTILITIES... 27. ALL EXISTING... 28. ALL NEW... 29. ALL FOUNDATION... 30. ALL ROOFING... 31. ALL SITES... 32. ALL UTILITIES... 33. ALL EXISTING... 34. ALL NEW... 35. ALL FOUNDATION... 36. ALL ROOFING... 37. ALL SITES... 38. ALL UTILITIES... 39. ALL EXISTING... 40. ALL NEW... 41. ALL FOUNDATION... 42. ALL ROOFING... 43. ALL SITES... 44. ALL UTILITIES... 45. ALL EXISTING... 46. ALL NEW... 47. ALL FOUNDATION... 48. ALL ROOFING... 49. ALL SITES... 50. ALL UTILITIES...

RECEIVED
JAN 05 2012
CITY OF CAPITOLA

FIRE DEPARTMENT REQUIREMENTS

OCCUPANCY CLASSIFICATION R-3
 BUILDING CONSTRUCTION TYPE V-N
 UNSPRINKLED
 FIRE FLOW REQUIREMENTS FOR SUBJECT PROPERTY ARE A MINIMUM 1000
 GALLONS PER MINUTE FROM ONE HYDRANT LOCATED WITHIN 250 FEET.
 EXISTING HYDRANT 1580 GPM

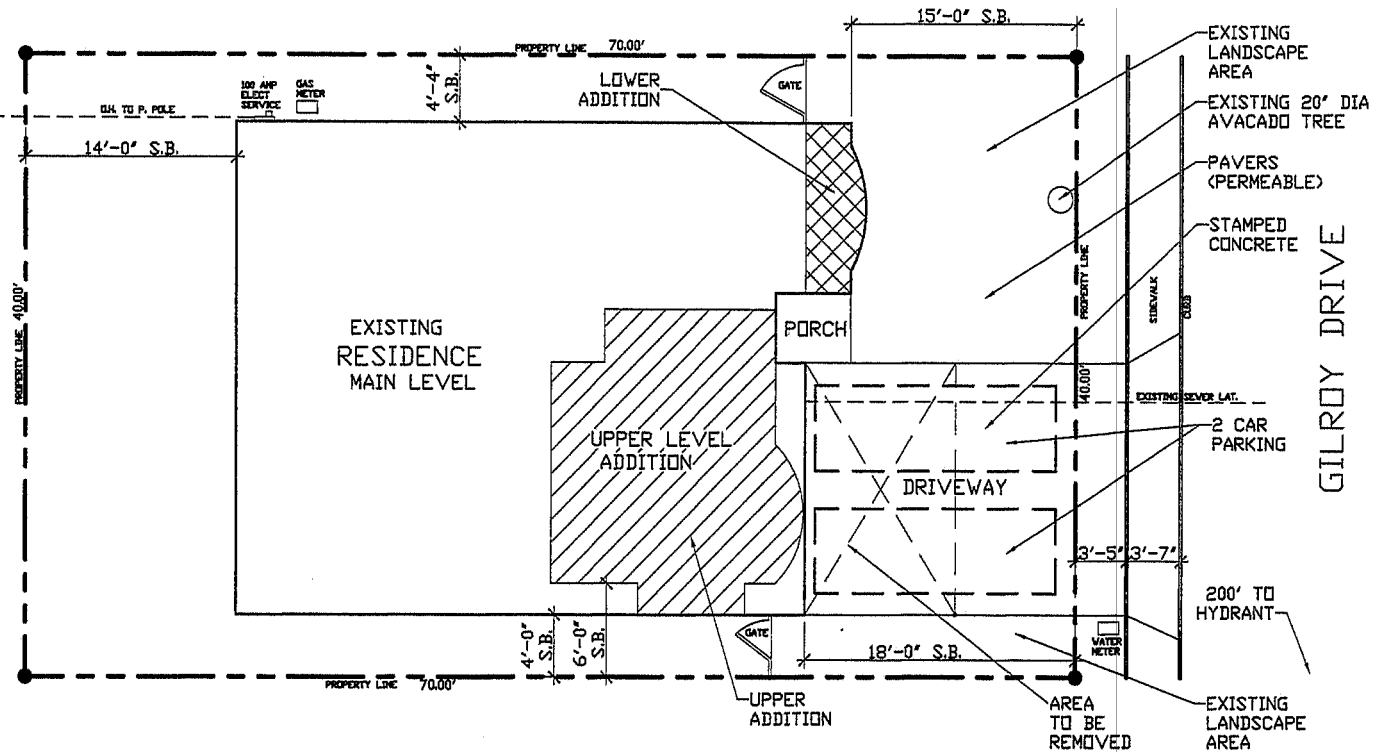
THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (1990)
 AND DISTRICT AMENDMENTS.
 DESIGNER/INSTALLER SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR
 THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM
 TO FIRE FOR APPROVAL.
 SMOKE DETECTORS ARE TO BE INSTALLED ACCORDING TO CALIFORNIA BUILDING CODE
 AND APPROVED BY FIRE AGENCY.
 BUILDING PERMITS SHALL BE PROVIDED. NUMBERS SHALL BE A MINIMUM OF FOUR
 INCHES IN HEIGHT ON A CONTRASTING BACKGROUND AND VISIBLE FROM THE STREET.
 INSTALL AN APPROVED SPARK ARRESTER ON THE TOP OF CHIMNEYS. THE WIRE MESH
 SHALL NOT EXCEED 1/2 INCH.
 ROOF COVER SHALL BE NO LESS THAN CLASS "C" RATED ROOF.
 A 30-FOOT CLEARANCE SHALL BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION
 AROUND ALL STRUCTURES OR TO THE PROPERTY LINE WHICHEVER IS A SHORTER
 DISTANCE.
 THE SET COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST BE
 ON SITE DURING INSPECTIONS.
 FIRE HYDRANT SHALL BE PAINTED IN ACCORDANCE WITH THE STATE OF CALIFORNIA
 HEALTH AND SAFETY CODE. SEE JURISDICTION REQUIREMENTS.
 DRIVEWAY SHALL HAVE IN PLACE (ALL WEATHER SURFING) PRIOR TO ANY FRAMING
 CONSTRUCTION.
 THE DRIVEWAY SHALL HAVE AN OVERHEAD CLEARANCE OF 14 FEET VERTICAL DISTANCE
 FOR ITS ENTIRE WIDTH.
 AS A CONDITION OF SUBMITTAL OF THESE PLANS, THE OWNER AND INSTALLER CERTIFY
 THAT THESE PLANS ARE DETAILS COMPLY WITH APPLICABLE SPECIFICATIONS, STANDARDS,
 CODES AND ORDINANCES. AGREE THAT THEY ARE SOLELY RESPONSIBLE FOR COMPLIANCE
 WITH SPECIFICATIONS, STANDARDS, CODES AND ORDINANCES, AND FURTHER AGREE TO
 CORRECT ANY DEFICIENCIES NOTED BY THIS REVIEW, SUBSEQUENT REVISION INSPECTION
 OR OTHER SOURCE, AND TO HOLD HARMLESS AND WITHOUT PREJUDICE, THE REVIEWER
 AND REVIEWING AGENCY.
 DRIVEWAY SHALL BE 14 FEET WIDE WITH A MAXIMUM SLOPE OF 6% WITH A SOL
 COMPACTION OF 95%. DRIVEWAY SHALL BE 4-INCH CONCRETE SURFACE.
 SEE SITE PLANS FOR DRIVEWAY.

EROSION CONTROL NOTES

- No land clearing, grading, or excavation shall be done between October 15th and April 15th. Any deviation from this condition requires review and approval of a separate winter erosion control plan by Building/Planning prior to beginning such construction. The developer shall be responsible for implementing and maintaining site erosion control at all times.
- Unnecessary grading and distributing of soil shall be avoided.
- Between October 15th and April 15th exposed soil shall be protected from erosion at all times. Hay bales, fiber berms, silt fences or other means shall be employed to prevent sediment from leaving the site or entering any watercourses.
- During construction, no turbid water shall be permitted to enter the channel or storm drain system. Use of silt and grease traps, silt berms, hay bales or silt fences shall be used to prevent such discharges.
- All areas on- and off-site exposed during construction activities, if not permanently landscaped per plan, shall be protected by mulching and/or planting of the following SCS approved erosion control mix at a rate of 35 lbs per acre.
 Blondo Brown
 Rose Clover (soil stabilized) 30%
 Creeping Red Fescue 15%
 Zarro Annual Fescue 10%
 Wildflowers 20%
- All excavated materials shall be removed to an approved S.C. County disposal site or disposed of on-site in a manner that will not cause erosion.
- Any material stockpiled on-site shall be covered with plastic, especially during the winter months or during periods of rain.
- Upon completion of construction, all remaining exposed soils shall be permanently revegetated per landscaping plan.
- Exposed soil on slopes greater than 20% shall be seeded, covered with 2 inches of straw, and an erosion control blanket. The erosion control blanket shall be staked in place.
- It is the developer's responsibility to see that additional measures, necessary to control site erosion and prevent sediment transport off-site are implemented.
- All drainage to street. (roof & surface)

SITE NOTES

- AN ENCROACHMENT PERMIT IS REQUIRED FOR ANY WORK WITHIN PUBLIC RIGHT OF WAY.
- NO STORAGE OF MATERIALS IN PUBLIC RIGHT OF WAY.



SITE PLAN



BRIAN GROCOTT
 612 GILROY DR.
 CAPITOLA, CA 95010
 530-448-2226

GROCOTT RESIDENCE
 612 GILROY DR.
 CAPITOLA, CA 95010
 APN 035-073-15

DENNIS NORTON
 CIVIL ENGINEER
 1000 GILROY DR. #100
 GILROY, CA 95020
 408-845-1111

SITE PLAN

GG
1/4"=1'-0"
GILROY
01/04/12

2

3

11/12/11
GURDY
1/4" = 1'-0"

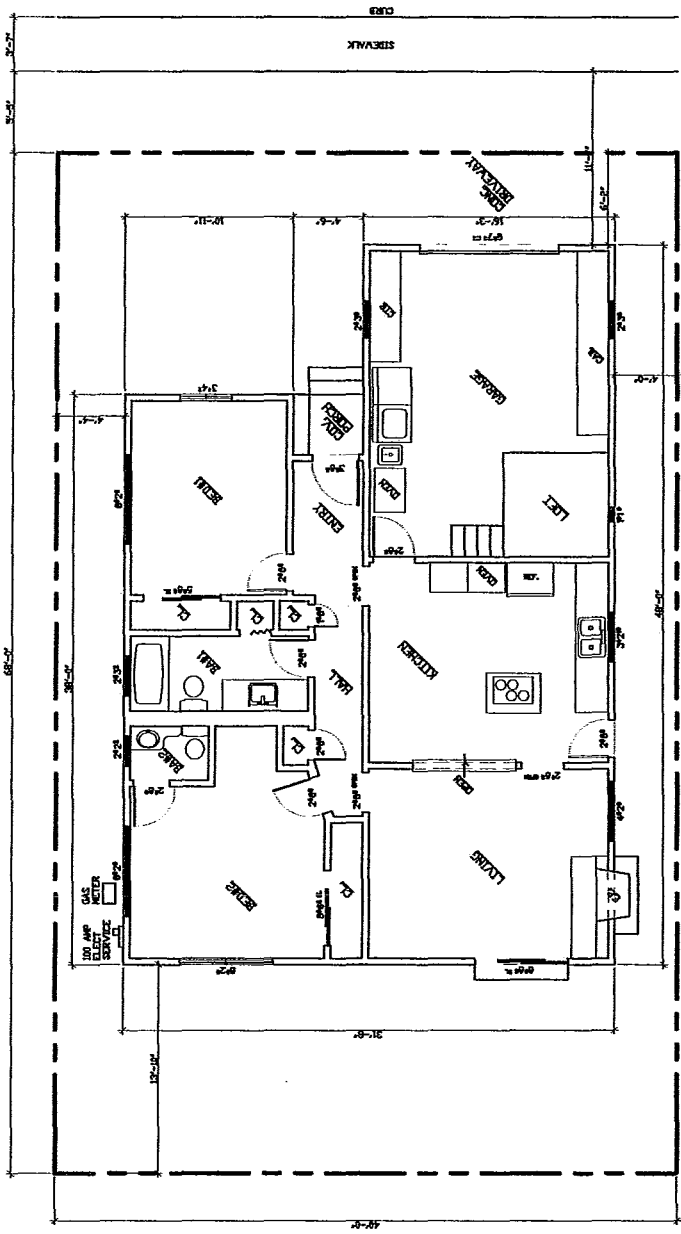
EXISTING FLOOR PLAN

DENNIS NORTON
PROJECT MANAGER
THE GURDY ARCHITECTS, INC. 222 4TH ST. SUITE 200
SAN FRANCISCO, CA 94103
415.774.8888

GROCCOTT RESIDENCE
612 GILROY DR.
CAPITOLA, CA 95010
APN 035-073-15

BRIAN GROCCOTT
612 GILROY DR.
CAPITOLA, CA 95010
408.433.2208

FLOORPLAN
1/4" = 1'-0"



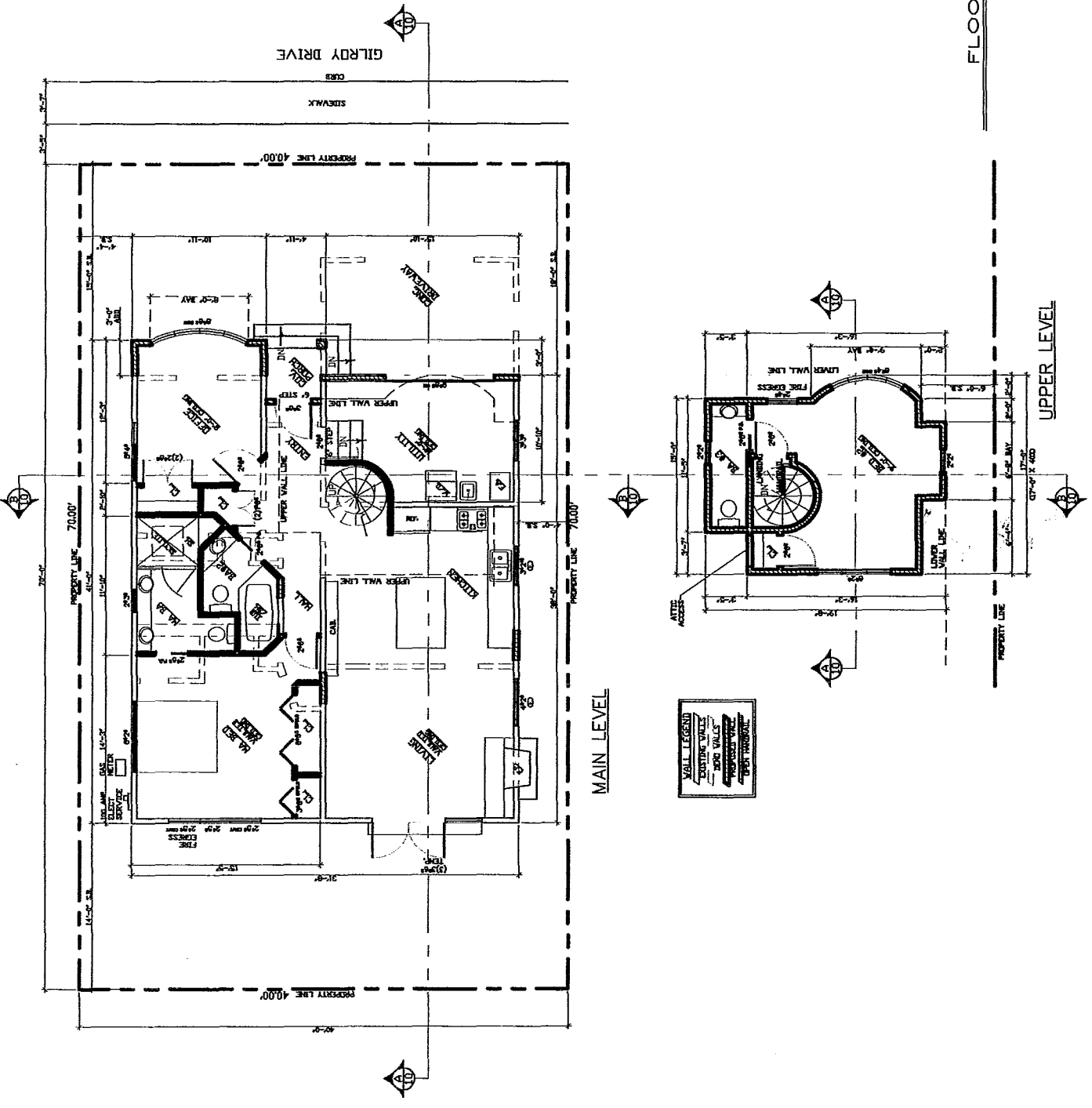
PROPOSED FLOOR PLAN

DENNIS NORTON
FIELD DESIGN AND
PROJECT PLANNING
1000 S. GILROY AVE. SUITE 200
GILROY, CA 95020
408.842.8888

GROCCOTT RESIDENCE
612 GILROY DR.
CAPITOLA, CA 95010
APN 035-073-15

BRIAN GROCCOTT
612 GILROY DR.
CAPITOLA, CA 95010
408.842.8888

FLOORPLAN
1/4"=1'-0"

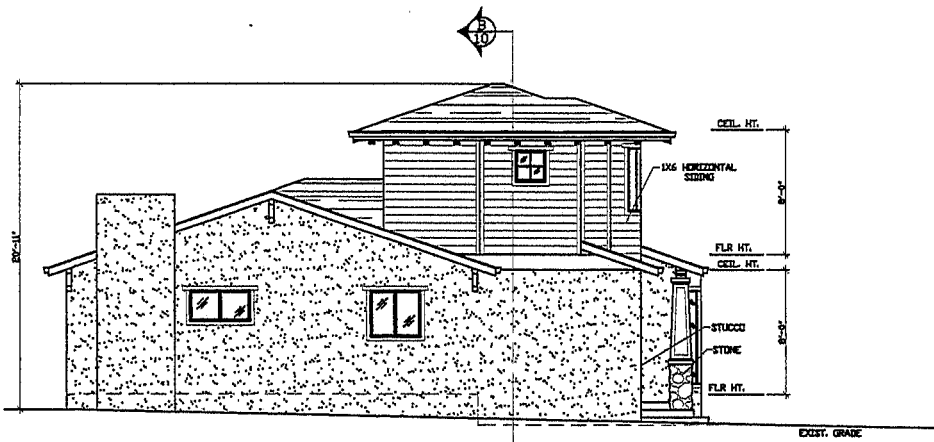


MAIN LEVEL

UPPER LEVEL

WALL LEGEND

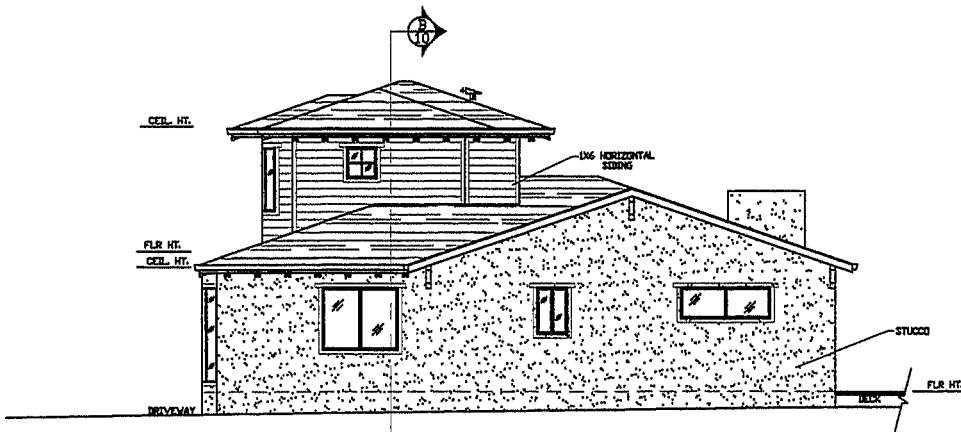
- EXISTING WALLS
- NEW WALLS
- PROPOSED FIRE EGRESS WALLS
- EXISTING WINDOWS
- NEW WINDOWS



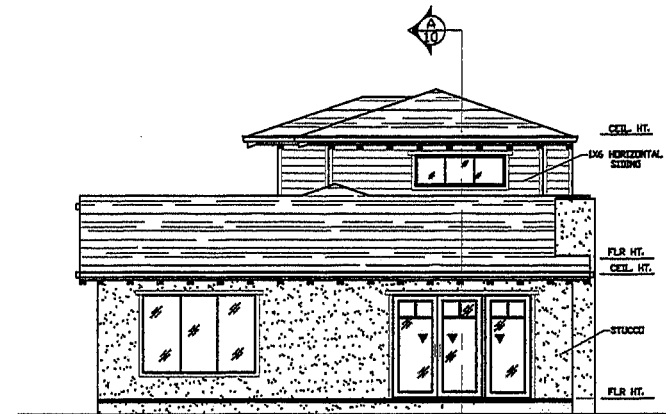
NORTH



WEST



SOUTH



EAST

ELEVATIONS

NOTE: ▽ = TEMPERED GLASS

BRIAN PROCOFF
 812 GILROY DR
 CAPITOLA, CA 95010
 530-448-4298

GROCOFF RESIDENCE
 612 GILROY DR.
 CAPITOLA, CA 95010
 APN 035-073-15

DENNIS NORTON
 PROJECT PLANNER
 ARCHITECT

THE DENNIS NORTON ARCHITECTURE, INC. 1000 S. GILROY AVE. SUITE 1000, GILROY, CA 95020
 TEL: 408.842.1100 FAX: 408.842.1101

ELEVATIONS

GG
 1/4"=1'-0"
 GILROY
 01/04/12

5

ROOF PLAN

DENNIS NORTON
 ARCHITECTURE AND
 INTERIOR DESIGN
 718 O GERRARD AV GERRARD, SU. 2000 - 9404 - 930 2000
 416 461 2222

GROCOTT RESIDENCE
 612 GILROY DR.
 CAPITOLA, CA 95010
 APN 035-073-15

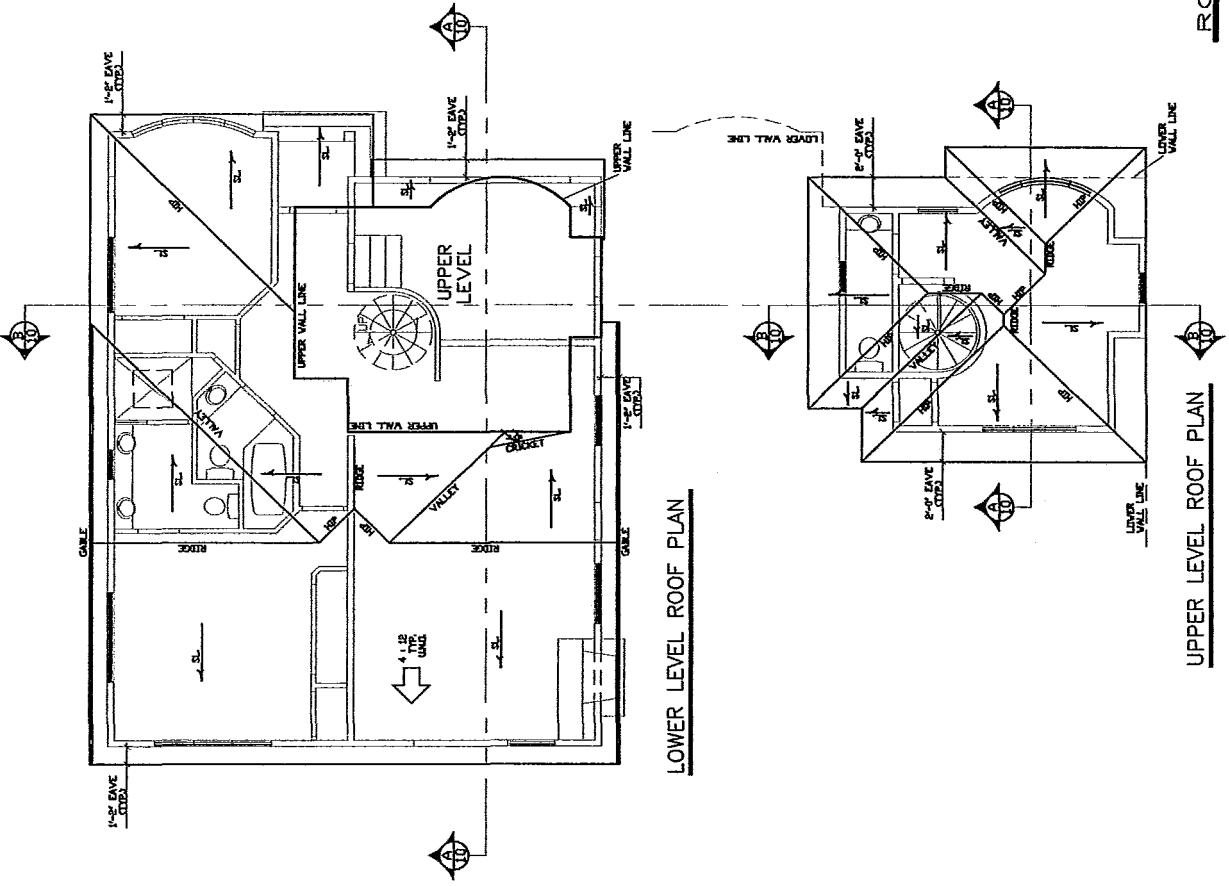
BRANDY GROCOTT
 612 GILROY DR.
 CAPITOLA, CA 95010
 530-448-7288

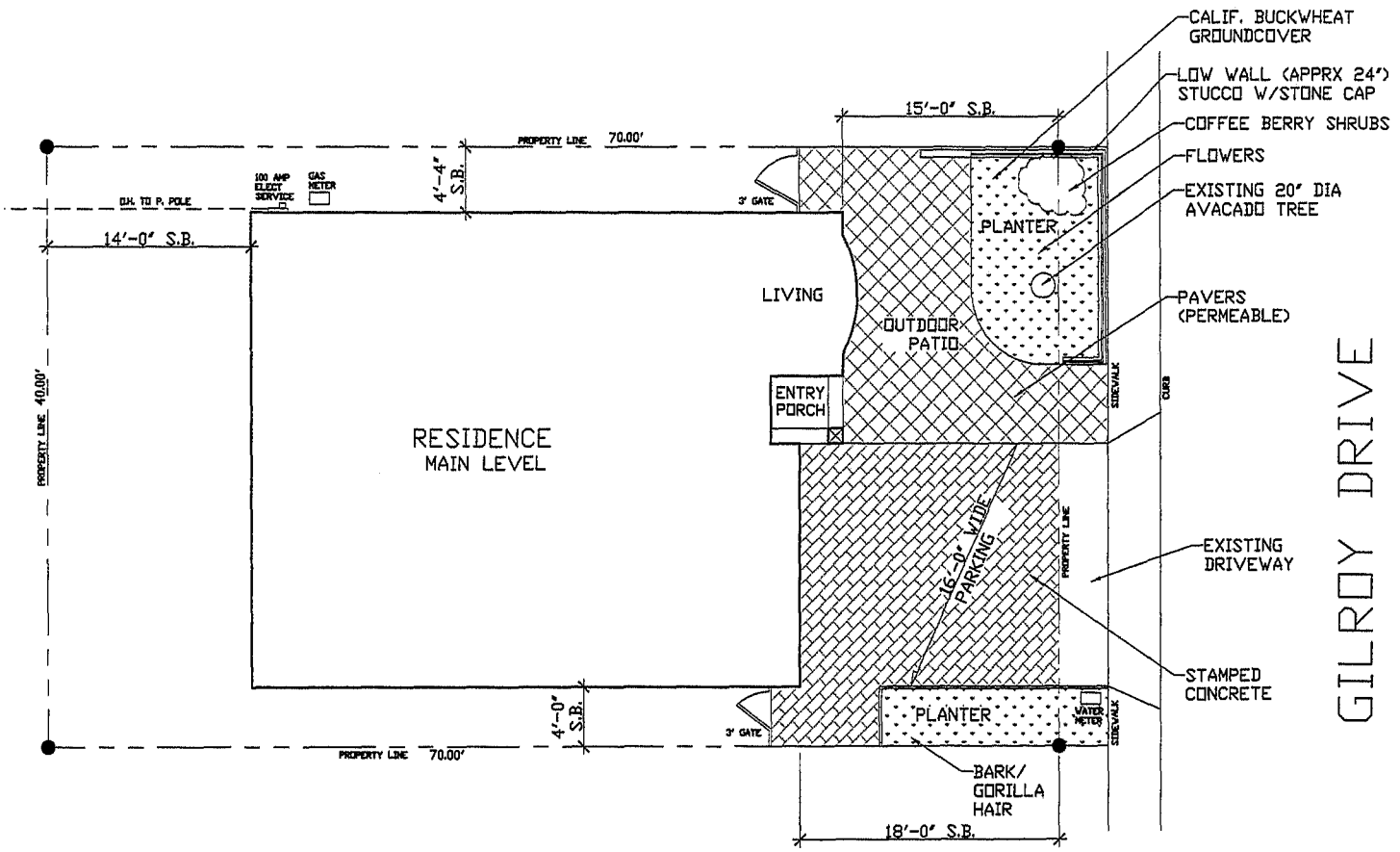
ROOF PLAN



LOWER LEVEL ROOF PLAN

UPPER LEVEL ROOF PLAN





BRIAN GROCOTT
 612 GILROY DR.
 CAPITOLA, CA 95010
 530-448-4288

GROCOTT RESIDENCE
 612 GILROY DR.
 CAPITOLA, CA 95010
 APN 035-073-15

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 700 S CENTRAL AVE. CENTRAL, CA 95007-0848
 TEL: 530-838-4288

LANDSCAPE
 PLAN

GG
 1/4"=1'-0"
 GILROY
 01/04/12

L1

LANDSCAPE PLAN



GILROY DRIVE

Dennis Norton Design

712 Capitola Avenue

Capitola, Ca. 95010

831-476-2616

January 26, 2012

Re: 612 Gilroy Drive, Capitola

Addition and Remodel

Existing Residence	1,012 Sq. Ft. @ \$ 150.00 sq. ft.	= \$ 151,800.00
Existing Garage	338 Sq. Ft. @ \$ 100.00 sq. ft.	= \$ 33,800.00
Total Existing Value		= <u>\$ 185,600.00</u>
80 % of total existing value		= <u>\$ 148,480.00</u>

New Construction

Addition	324 sq. ft. @ \$ 200.00 sq. ft.	= \$ 64,000.00
Kitchen Remodel	116 sq ft. @ \$ 300.00 sq. ft.	= \$ 35,000.00
General Remodel	320 sq.ft @ \$ 100.00 sq. ft.	= \$ 32,000.00
Total Construction Cost		= <u>\$ 131,000.00</u>



STAFF REPORT

TO: PLANNING COMMISSION

FROM: PLANNING DEPARTMENT

DATE: JANUARY 26, 2012 (AGENDA: FEBRUARY 2, 2012)

SUBJECT: **835 BAY AVENUE #12-001 APN: 035-011-03, 035-381-01**
Conditional Use Permit to install a model manufactured home in conjunction with an existing manufactured home sales business (Ideal Homes) in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Redtree Properties, owner/filed: 1/3/12
Representative: Richard Emigh

APPLICANT'S PROPOSAL

The applicant is requesting a Conditional Use Permit to display a model manufactured home on a vacant property located at 835 Bay Avenue (Grimes Property), adjacent to their office (Ideal Homes) at 831 Bay Avenue. The parcel is located in the CC (Community Commercial) zoning district. The use is not listed in the Zoning Code; therefore the City Council will have to determine if the use will be consistent with the general purposes of the CC zoning and the General Plan, subject to a recommendation by the Planning Commission.

ARCHITECTURAL AND SITE REVIEW COMMITTEE

On January 11, 2012, the Architectural and Site Review Committee reviewed the application.

- City Landscape Architect Susan Suddjian encouraged more landscaping.
- Public Works Director Steve Jesberg indicated that County drainage impact fees would likely be applied to the project.
- Building Official Mark Wheeler explained that an ADA compliant path of travel would be required to access the model home.
- Senior Planner Bane requested a more complete site plan as well a project description clarifying the proposal.

DISCUSSION

Ideal Homes is a business that sells manufactured homes, mobile homes and real estate. Their primary business is to install new manufactured homes on private property or in mobile home parks throughout the county. The *Ideal Homes* office is located in a multi tenant building at 831 Bay Avenue, facing directly on to Bay Avenue. They are requesting approval to place a 1,500 square foot

display model home on the vacant property just to the north of their office at 835 Bay Avenue, commonly known as the Grimes property.

While this specific type of use is not listed as a permitted or conditional use in the CC zoning district, Conditional Use Section 17.27.060(R) states that a Conditional Use Permit can be granted for:

“Other uses similar to the above, not inconsistent with the general purposes of this chapter and the general plan, subject to approval by the city council upon the recommendation of the planning commission”.

This section can generally be used as a “catch all” for uses that are not specifically listed in the CC zoning section, but would be seen as compatible and appropriate for the zoning district. As it states, the Planning Commission will be making a recommendation to the City Council which will ultimately make the decision on whether to approve or deny the application.

In terms of the general purposes of the CC district, Section 17.27.020 states:

“The purpose of CC districts is to provide at readily accessible locations for a wide variety of retail, service and administrative establishments which are required to serve a large trading area population. Principal uses should be conducted within an enclosed building. No residential uses are anticipated in this district.”

As proposed, the model home would be setback approximately 95’ from the sidewalk and maintain a 27’ setback from the southern property line. The existing wood fence and gate enclosing the property will remain. Access will be gained via a proposed 4’ wide asphalt walkway that will connect the existing office to the model, meeting minimum ADA standards. The model will not have a foundation, but will have side skirting to screen the underside of the structure. Planter boxes are also proposed along the frontage of the model, including two 24” box trees. Planter boxes will be planted with a mix of ornamental grasses and flowering ground cover. In addition, a 2’ section of ground cover is proposed to be planted on both sides of the asphalt walkway.

Access to the model will be limited to foot traffic via the proposed pathway, with clients parking in the adjacent office parking lot. The model home will maintain the same hours of operation as the Ideal Homes office, which is 8:00am-5:00pm daily.

RECOMMENDATION

Staff recommends that the Planning Commission carefully consider if the proposed use is consistent with the general purposes of the CC (Community Commercial) Zoning District, and whether it will be a compatible and appropriate use for the location. Based on Commission discussion, the Planning Commission shall make a recommendation to the City Council. If the Commission votes to recommend approval of application #12-001 to the City Council, it is recommended that the approval be based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of a Conditional Use Permit to display a model manufactured home on a vacant property located at 835 Bay Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.

3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Business hours will be limited to 8:00 a.m. – 8:00 p.m.
5. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Planning Staff and the Planning Commission have reviewed the application and determined that the proposed business is consistent with the purposed of the CC Zoning District and, for reasons indicated in the Staff Report, will meet the requirements of Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

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

Planning Department Staff and the Planning Commission have reviewed the project and determined that the model home use and related improvements maintain the character and integrity of this area of the City. Conditions of approval have been included to carry out these objectives.

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

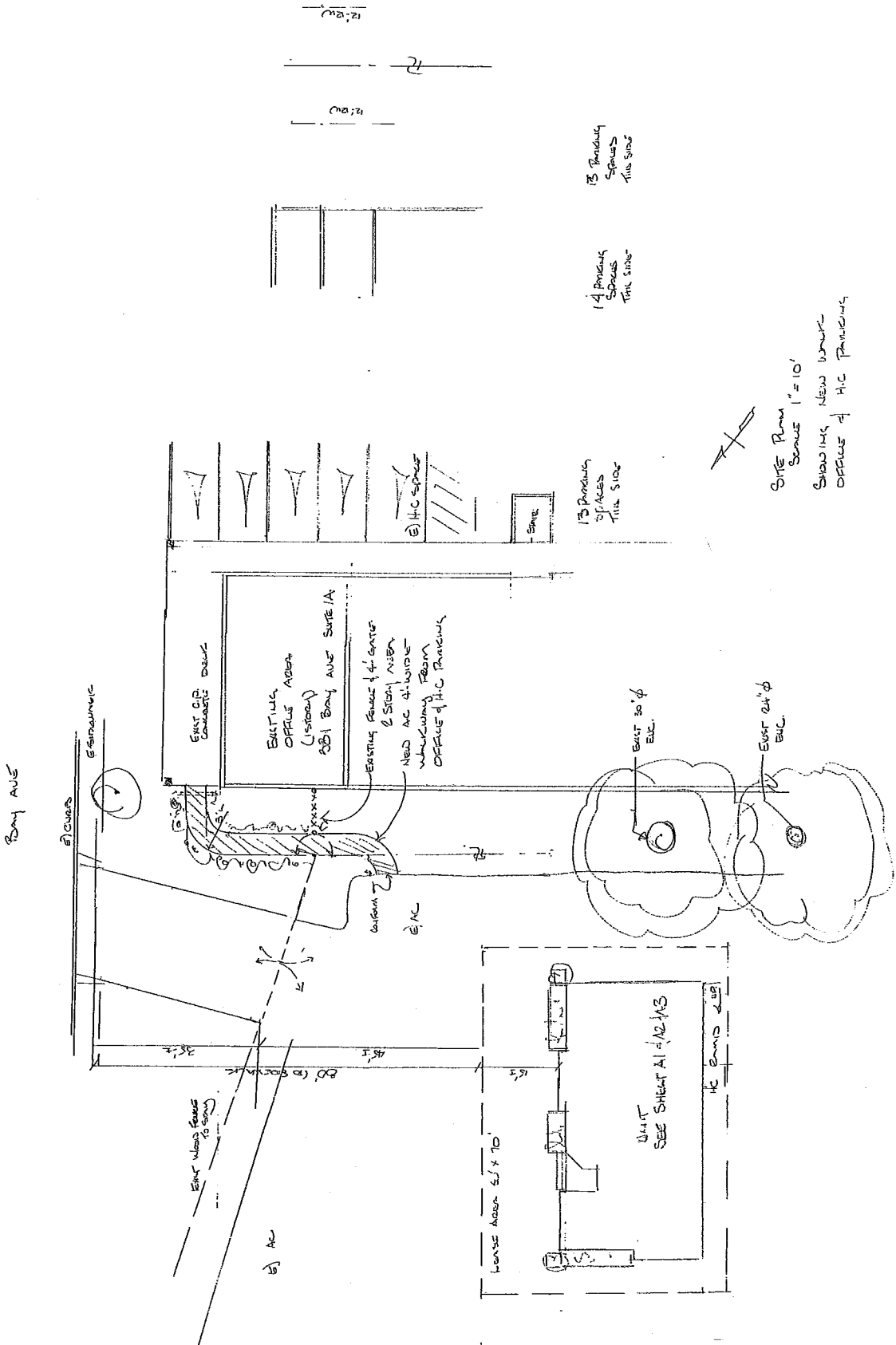
Section 15303(c) of the CEQA Guidelines exempts construction of small facilities or structures not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves locating a 1,500 square foot model home on a vacant parcel within an urban area. No adverse environmental impacts were discovered during review of the proposed project

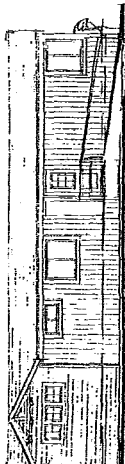
Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Project Plans
Attachment B – Project description letter from the applicant
Attachment C – Photo of the proposed manufactured home

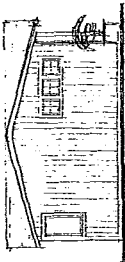
SITE COVER

PROJECT NO.	1000000000
DATE	10/10/2011
PROJECT NAME	DEAN HOME - DISPERSED UNIT
PROJECT LOCATION	LANIS USE AREA/PHASE 2
PROJECT NUMBER	1000000000

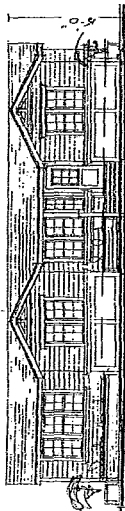




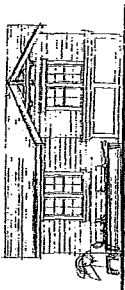
REAR ELEVATION
1/8" = 1'-0"



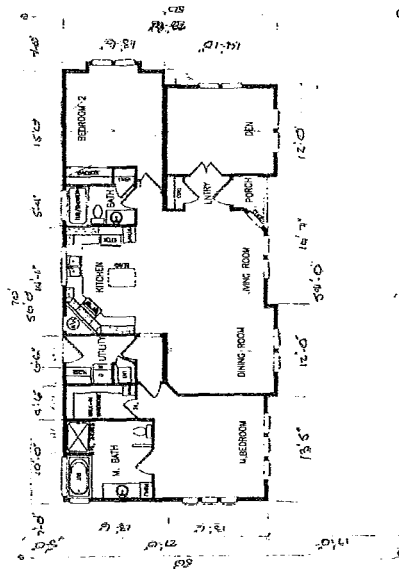
LEFT SIDE ELEVATION
1/8" = 1'-0"



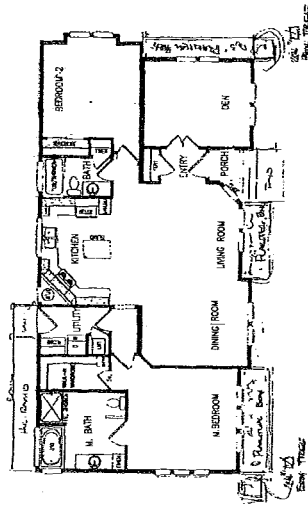
FRONT ELEVATION
1/8" = 1'-0"



RIGHT SIDE ELEVATION
1/8" = 1'-0"



FLOOR PLAN (SHOWING LEASE AREA BEING)
1/8" = 1'-0"



24'7" SECTION 2

ROUTED WITH DOWNSIDE ELEVATION
NEARBY ROOMS TO BE BUILT IN WITH
CONCRETE GED FOUNDATION FOR THE YEAR
PURE FOUNDATION (CONCRETE)

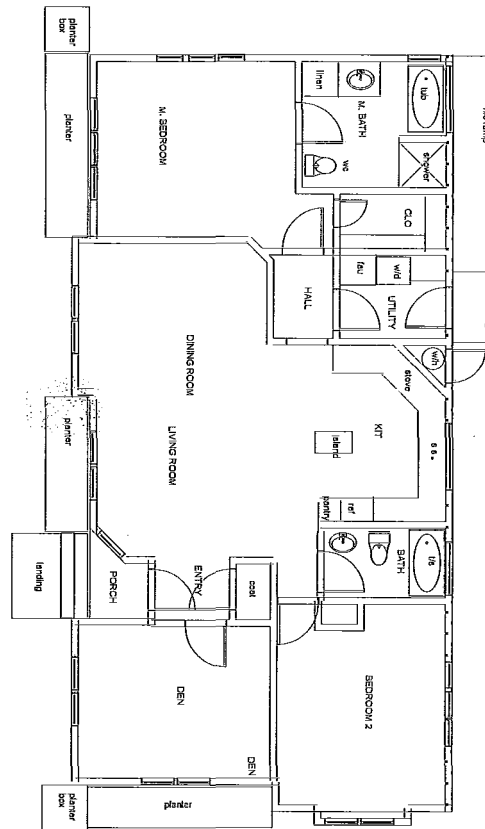
3 NUMBER BOXES WITH MIX OF ORNAMENTAL GRASSES & FLOWERING SHRUBS
WITH AS HEURISTICALLY TEMPERATELY "BUILT ON SPACES"
WELL-SEEN TERRACE "MORE VISIBLE" OR BUILT

2 WIDE TERRACE WITH BUILT IN SEATING FOR 4-6 PEOPLE
EAST SIDE GATE TO CENTRAL QUARTER TERRACE WITH FURNITURE

SHEET A-1

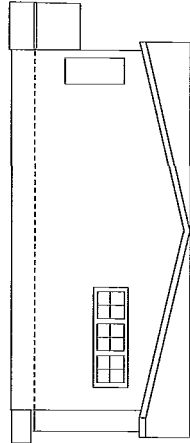


IDEAL HOMES DORING UNIT	
DATE: 10/10/10	PROJECT:
DATE: 10/10/10	OWNER: GLENN
LAND USE: RESIDENTIAL (CUBES)	
DESIGNER: GLENN L. SMITH	ENGINEER: JEFFREY S.
1115 DORING AVE. DORING, PA.	

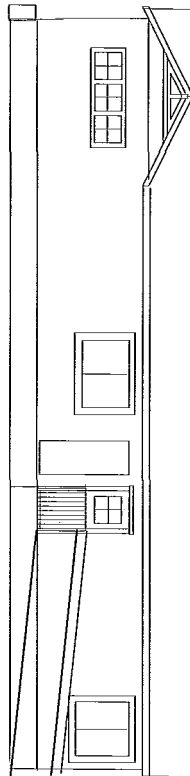


A-2 OF SHEETS	DATE: 10-24-11 DRAWN BY: [illegible] CHECKED BY: [illegible]	MAINTAINING ADDRESS: USE PERMIT PLANS IDEAL HOMES, 831 BAY AVE., CAPITOLA FOR DISPLAY UNIT		RICHARD L. EMIGH A.I.B.D. DRAFTING, DESIGNING & LAND USE ANALYSIS 413 Capitola Avenue Capitola, CA 95010 Phone: 831-479-1452 Fax: 831-479-1476
	FLOOR PLANS			

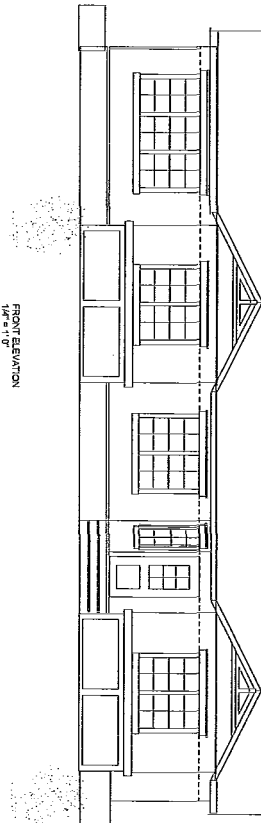
LEFT SIDE ELEVATION
1/4" = 1' 0"



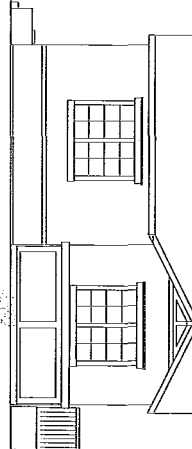
RIGHT ELEVATION WITH RAMP PAIR SHOWN
1/4" = 1' 0"



FRONT ELEVATION
1/4" = 1' 0"



RIGHT SIDE ELEVATION
1/4" = 1' 0"

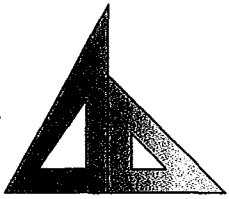


SHEET A-3 OF SHEETS	TITLE ELEVATIONS
	DATE: 02-28-11 DESIGNED BY: [blank] DRAWN BY: [blank]

MAILING ADDRESS
 USE PERMIT PLANS
 IDEAL HOMES, 831 BAY AVE., CAPITOLA
 FOR DISPLAY UNIT



RICHARD L. EMIGH A.I.B.D.
DRAFTING, DESIGNING & LAND USE ANALYSIS
 413 Capitola Avenue Capitola, CA 95010
 Phone: 831-479-1452 Fax: 831-479-1476



RICHARD L. EMIGH A.I.B.D.
DRAFTING, DESIGNING & LAND USE ANALYSIS

413 Capitola Avenue Capitola, CA 95010
Phone: 831-479-1452 Fax: 831-479-1476

January 18, 2012

City of Capitola

RE: Ideal Homes Proposed Display Unit.

Ideal Homes is requesting approval to place a display Model Home just to the North of their Office located at 831 Bay Avenue. Enclosed as **Exhibit A** is a photo of the proposed unit showing the materials and colors to be used if approved.

As proposed the unit is to be placed on a part of the lot owned by Redtree Properties, LP. Enclosed as **Exhibit B** is a aerial photo showing the location of the land to be leased by Ideal Homes from Redtree Properties. The front of the proposed Display Model will be approximately 95' from the back of the sidewalk line (We were able to move the unit to the East as recommended by the review committee)

The Model will have electrical service and no other utilities connected. The proposed unit will have skirting around all sides and will not have a foundation; it will be set on stands installed with the required earthquake anchors to prevent any structural failure. As proposed there will be landscape planter boxes across most of the front and right (north) side.

The Cover sheet shows the Proposed location, New Pathway, Existing office and existing HC parking area

Sheet A-1 shows the floor plan, leased area and elevations at 1/8" = 1' 0"

Sheet A-2 shows the floor plan at 1/4" = 1' 0"

Sheet A-3 shows the elevations at 1/4" = 1' 0"

Ideal Homes requested me to help them through the planning process
Please see **Exhibit C** which is a copy of their letter.

Respectfully Submitted

Richard L Emigh

RECEIVED

JAN 18 2012

CITY OF CAPITOLA



EXHIBIT A PHOTO OF UNIT

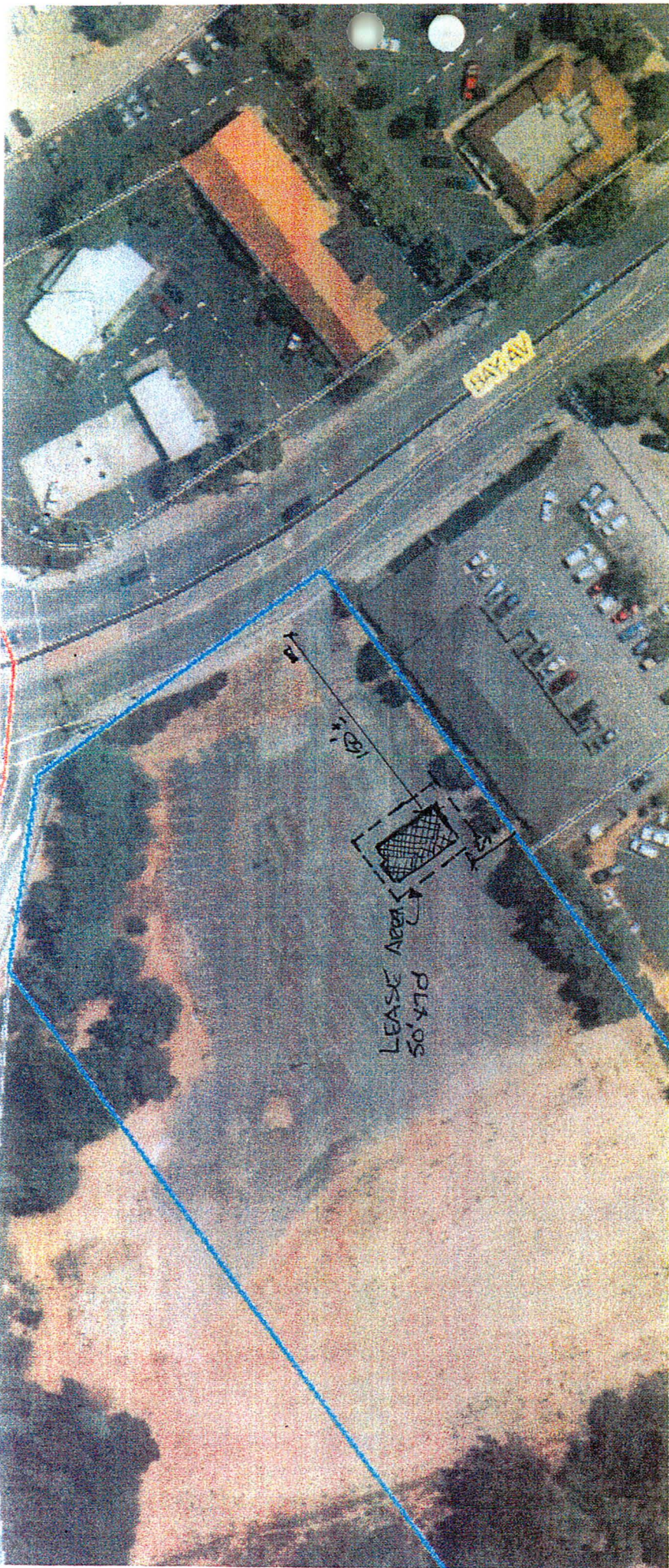


EXHIBIT B Scale 1" = 100'

LOCATION OF LEASE AREA
AND DISPLAY UNIT. (150'± FROM
BACK OF SIDEWALK)



By R.L. EMIGH 12-22-2011