



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, March 4, 2021 – 7:00 PM

Chairperson Ed Newman
Commissioners Courtney Christiansen
 Mick Routh
 Susan Westman
 Peter Wilk

NOTICE OF REMOTE ACCESS ONLY:

In accordance with the current Order from Santa Cruz County Health Services and Executive Order regarding social distancing, the Planning Commission meeting will not be physically open to the public and in person attendance cannot be accommodated.

To watch:

1. Online <http://capitolaca.igmp.com/Citizens/Default.aspx>
2. Spectrum Cable Television channel 8
3. Zoom Meeting (link and phone numbers below)

To participate remotely and make public comment:

1. Send email:
 - a. As always, send additional materials to the Planning Commission via planningcommission@ci.capitola.ca.us by 5 p.m. the Wednesday before the meeting and they will be distributed to agenda recipients.
 - b. During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
 - Identify the item you wish to comment on in your email's subject line. Emailed comments will be accepted during the Public Comments meeting item and for General Government / Public Hearing items.
 - Emailed comments on each General Government/ Public Hearing item will be accepted after the start of the meeting until the Chairman announces that public comment for that item is closed.
 - Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
 - Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.
 - Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.
2. Zoom Meeting (Via Computer or Phone)
 - a. Please click the link below to join the meeting:
 - <https://us02web.zoom.us/j/88318584080?pwd=WFZvVGdxRStBTVRzR2RYcjZlV2Zndz09> (link is external)
 - If prompted for a password, enter 507348
 - Use participant option to "raise hand" during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak

- b. Dial in with phone:
- Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one
 - **1 669 900 6833**
 - **1 408 638 0968**
 - **1 346 248 7799**
 - **1 253 215 8782**
 - **1 301 715 8592**
 - **1 312 626 6799**
 - **1 646 876 9923**
 - Enter the meeting ID number: **883 1858 4080**
 - When prompted for a Participant ID, press #
 - Press *6 on your phone to “raise your hand” when the Chairman calls for public comment. It will be your turn to speak when the Chairman unmutes you. You will hear an announcement that you have been unmuted. The timer will then be set to 3 minutes.

REGULAR MEETING OF THE PLANNING COMMISSION - 7 PM

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Planning Commission Meeting will be distributed to Commissioners to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Commissioners, nor be read by them prior to consideration of an item.

All matters listed on the Regular Meeting of the Capitola Planning Commission Agenda shall be considered as Public Hearings.

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 - Jan 21, 2021 7:00 PM

B. Planning Commission - Regular Meeting - Feb 4, 2021 7:00 PM

4. PUBLIC HEARINGS

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

A. 205 El Salto Drive

#20-0506

APN: 036-131-19

Design Permit for first- and second-story additions and a new basement for an existing nonconforming single-family residence with variances for the required parking space dimensions, landscape strip in the front setback, and to exceed the nonconforming structural alteration limit located within the R-1 (Single-Family Residential) zoning district. 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: Kim & Kevin Menninger

Representative: Kim & Kevin Menninger, Filed: 12.08.2020

B. 201 Capitola Avenue #20-0444 APN: 035-231-09

Design Permit and Conditional Use Permit Amendments for a new entryway, windows, and an awning for an historic commercial structure located within the C-V (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: Rick Avia

Representative: Frank Phanton, Architect, Filed: 10.28.2020

C. 835 Bay Avenue #21-0017 APN: 035-381-01

Conditional Use Permit for the storage of vehicles for the Toyota dealership located within the C-C (Community 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: Redtree Partners LP

Representative: Sven Davis, Filed: 01.15.2021

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

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

All appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

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

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.cityofcapitola.org. Need more information? Contact the Community Development Department at (831) 475-7300.

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

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

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: www.cityofcapitola.org.



FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
Thursday, January 21, 2021
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Routh, Westman, Wilk and Chair Newman were remote. Commissioner Christiansen began participating remotely at 7:10 P.M.

2. NEW BUSINESS

A. Swearing in of New Commissioner

B. Nomination of Chair and Vice Chair

MOTION: Appoint Commissioner Mick Routh as Chair of the Planning Commission.

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Susan Westman
SECONDER:	Ed Newman
AYES:	Ed Newman, Mick Routh, Susan Westman, Peter Wilk
ABSENT:	Courtney Christiansen

MOTION: Appoint Commissioner Wilk as Vice Chair of the Planning Commission.

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Mick Routh
SECONDER:	Susan Westman
AYES:	Ed Newman, Mick Routh, Susan Westman, Peter Wilk
ABSENT:	Courtney Christiansen

C. Commission Appointments

1. Art & Cultural Commission

MOTION: Appoint Commissioner Christiansen as Commissioner to the Art & Cultural Commission.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Newman
SECONDER:	Peter Wilk
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk

3. ORAL COMMUNICATIONS

Minutes Acceptance: Minutes of Jan 21, 2021 7:00 PM (Approval of Minutes)

A. Additions and Deletions to Agenda**B. Public Comments****C. Commission Comments**

Commissioner Newman asked staff if the Grimes Property had a change of use.

Director Herlihy informed the Commission the Grimes Property was granted a conditional use permit that is due to expire in March 2021. They submitted a new application to extend the permit.

D. Staff Comments

Director Herlihy introduced the new Deputy City Clerk, Edna Basa.

Director Herlihy stated that the City Council extended outdoor dining permits through May 31, 2021.

In addition, the City of Capitola received funds through the CARES Act. The City Council will discuss the allocation of funds at the next City Council meeting.

Director Herlihy provided updates on 401 Capitola Avenue's building permit and the tree on Cherry Avenue. Lastly, Capitola Mall's manager is working with the Planning Department to obtain a conditional use permit for the food trucks operating at its property.

4. APPROVAL OF MINUTES**A. Planning Commission - Regular Meeting - Dec 3, 2020 7:00 PM**

MOTION: Approve the minutes.

RESULT:	APPROVED [4 to 0]
MOVER:	Ed Newman
SECONDER:	Peter Wilk
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Peter Wilk
ABSTAINS:	Susan Westman

5. CONSENT CALENDAR**A. 114A Stockton Avenue #20-0461 APN: 035-231-13**

Design Permit for a residential lift for a mixed-use structure located within the C-V (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: Rickey Feldner

Representative: Frank Phanton, Architect, Filed: 11.09.2020

Commissioners Newman and Wilk recused themselves due to proximity.

Associate Planner Orbach presented the staff report.

MOTION: Approve the design permit with the following conditions and findings.

CONDITIONS

1. The project approval consists of construction of a 58-square-foot residential lift for an existing mixed-use structure. The maximum Floor Area Ratio (FAR) for the 5,706-square-foot property is 2.0 (11,412 square feet). The total FAR of the project is 0.68 with a total of 3,890 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 January 21, 2021, 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 #20-0461 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.

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

DESIGN PERMIT 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 residential lift for an existing mixed-use structure complies with the development standards of the C-V (Central

Village) 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 a residential lift for an existing mixed-use structure. The design of the residential lift 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 the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition. The proposed project adds 58 square feet (1.5%) to the total floor area of the lot. No adverse environmental impacts were discovered during review of the proposed project.

RESULT:	APPROVED [3 to 0]
MOVER:	Courtney Christiansen.
SECONDER:	Susan Westman
AYES:	Courtney Christiansen, Mick Routh, Susan Westman
RECUSED:	Ed Newman, Peter Wilk

6. PUBLIC HEARINGS

A. 4630 Capitola Road #20-0500 APN: 034-031-28

Appeal of an administrative denial of a tree removal application located within the CR (Commercial Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Mark Vincent

Representative: Mark Vincent, Filed: 12.02.20

Chair Routh and Commissioner Newman recused themselves due to proximity. Vice-Chair Wilk assumed Chair duties.

Assistant Planner Sesanto presented the staff report.

Mark Vincent, the applicant and property owner, stated the tree has caused significant damage to his property and the neighboring property over time despite proper maintenance. He is concerned about the potential for a future limb failure that could endanger lives and cause additional property damage.

Don Enos, Mr. Vincent's neighbor, stated that the tree has caused significant damage to his property on multiple occasions and that he feels unsafe in his house due to the tree. He requested that the Commission consider the dangers the tree poses.

Commissioner Christiansen expressed support for the homeowner's assessment that the tree is dangerous and stated that she would be uncomfortable denying the appeal and preventing the homeowner from removing a tree he believes is unsafe.

Commissioner Westman stated that trees are difficult, but she considers the tree an asset to the community and supports the arborist's assessment that the danger of limb failure can be minimized if the recommended mitigation measures are followed.

Vice Chair Wilk stated that he had reviewed the City ordinances and prior decisions. In previous rulings, he found that the City Council unanimously supported removal of trees when they posed a significant risk to public safety. He supported upholding the appeal with modifications, including limiting the replanting requirement to one tree instead of two.

MOTION: Uphold the appeal with the following conditions and findings.

CONDITIONS

1. The approval consists of the reversal of the administrative denial of a tree removal permit for a deodar cedar tree. The Planning Commission heard the appeal on January 21, 2021, and upheld the appeal, allowing the removal of the deodar cedar tree.
2. Prior to removal of the deodar cedar tree, the applicant shall submit a \$500 tree replacement deposit and a tree replanting plan indicating the proposed size, species, and location of the replacement tree. The applicant shall replace the tree at a 1:1 ratio.

FINDINGS

A. The tree is in need of removal due to condition, with respect to danger of falling limbs.

The arborist studied the deodar cedar tree and found it to be in a good state of health and growth. The root zone and trunk appears stable with very low risk of total failure. The tree has numerous large limbs with poor attachments with high risk of failure.

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

The arborist identified that the deodar cedar tree was vulnerable to continued limb failures without mitigating action.

C. The tree has the potential to cause unreasonable property damage if mitigating action is not taken.

The deodar cedar tree has caused property damage in the past. The arborist identified that, without mitigating action, the tree may continue to experience limb failures and cause property damage.

D. There are no feasible alternatives to tree removal that secure the purposes of the Community Tree and Forest Management Ordinance.

The Planning Commission reviewed the application and arborist report and found that there are no feasible alternatives to tree removal that secure the purposes of the Community Tree and Forest Management Ordinance.

RESULT:	APPROVED AS AMENDED [2 TO 1]
MOVER:	Courtney Christiansen
SECONDER:	Peter Wilk
AYES:	Courtney Christiansen, Peter Wilk
NAYS:	Susan Westman
RECUSED:	Ed Newman, Mick Routh

7. DIRECTOR'S REPORT

8. COMMISSION COMMUNICATIONS

9. ADJOURNMENT

The meeting was adjourned at 7:53 P.M. to the next regular meeting of the Planning Commission on February 4, 2021.

Edna Basa, Clerk to the Commission



FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
Thursday, February 4, 2021
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Routh called the meeting at 7 P.M. Commissioners Christiansen, Newman, Westman, Wilk and Chair Routh were present remotely.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

C. Commission Comments

D. Staff Comments

3. PUBLIC HEARINGS

A. 1855 41st Avenue #21-0023 APN: 034-261-07, -37, -38, -40, & -52

Conditional Use Permit for Mobile Food Vendors located 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: Merlone Geier Management, LLC

Representative: Brian Kirk, Merlone Geier Management, LLC, Filed: 01.21.2021

Associate Planner Orbach presented the staff report.

Commissioner Wilk asked staff whether COVID precautions that were imposed on businesses in the Village would apply here. Associate Planner Orbach answered that the outdoor seating requirements would be applicable, but the applicant is not proposing seating at this time.

Commissioner Westman stated that she would like to include a condition of approval describing where the food trucks will be permitted to operate.

Commissioner Newman asked staff for specific enforcement mechanisms in place to enforce the conditions. Director Herlihy answered that the City's Municipal Code provides authority to the Planning Commission to review violations. She added that precedent exists, where conditional use permits are new, for the Planning Commission to bring the permit back for review within a year.

Commissioners Wilk and Christiansen stated that they would like a six-month review of the permit.

Chair Routh asked staff if design controls were applied to the barriers. Director Herlihy answered that design controls on the barriers can be included in the conditions. Chair Routh also asked if designated parking spaces were provided for this specific use. Associate Planner Orbach answered that dedicated parking spaces are not included in the plan but there is ample parking on the property.

Brian Kirk, the mall manager, informed the Commission that vendors have a separate agreement with the mall to ensure compliance with the conditions.

Commissioner Wilk would like emphasis on enforcement of Municipal Code § 8.36.040. Associate Planner Orbach stated that compliance with Capitola Municipal Code §8.36.040 is mandatory, but suggested that the mall owners provide vendors with information on applicable laws prior to operation at the site.

MOTION: Approve the conditional use permit with the following conditions and findings.

CONDITIONS

1. The project approval consists of the approval of a conditional use permit for the operation of up to three mobile food vendors seven days a week in the locations indicated on the approved site plan. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 4, 2021, 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 site plan or expansion of the proposed use shall require Planning Commission approval.
3. Prior to exercising the conditional use permit, the applicant must provide documentation of plan approval by the Central Fire Protection District.
4. Mobile food vendors shall obtain a Capitola Business License and any required county and state licenses prior to commencing business in Capitola.
5. Placement of food vendor vehicles or trailers shall not obstruct fire lane access.
6. Placement of food vendor vehicles or trailers shall not obstruct vehicular right of way.
7. Mobile food vendor customers shall utilize parking spaces located on parcels owned by the Capitola Mall.
8. Mobile food vendors shall supply their own bird deterrent trash receptacles and empty them in the Capitola Mall refuse collection areas when full and upon leaving the premises daily.
9. Mobile food vendor lighting shall be limited to lighting located on the food vendor vehicle or trailer. Lighting shall be in compliance with the Capitola Municipal Code.
10. Mobile vendor may not discharge any liquids including wash water onto the ground.
11. Mobile vendor must clean up any spills caused by their operation or customers.
12. Mobile food vendors shall be responsible for maintaining ADA access to the vendor vehicle or trailer.

13. Mobile food vendors shall provide a physical barrier (e.g. stanchions and ropes, retractable belt barriers) between the vehicular right of way in the parking lot and the queue for customers waiting to order food during hours of operation.
14. Mobile food vendors shall comply with all sign standards in CMC Chapter 17.80. Specifically, mobile food vendors shall comply with the prohibition of portable signs in CMC §17.80.060(A)(2) and flag signs in CMC §17.80.060(A)(5). Signs will be limited to signage on the mobile food vendor vehicle and/or trailer.
15. Mobile food vendors shall not put out seating or tables for customers.
16. Mobile food vendors shall not utilize a loudspeaker or other amplified sound.
17. This permit shall expire 24 months from the date of issuance. The applicant shall exercise the permit before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Capitola Municipal Code §17.156.080.
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. Mobile food vendors shall comply with the biodegradable and compostable disposable food service ware requirements under Capitola Municipal Code §8.36.040.
20. Mobile food vending uses shall be limited to the locations identified in the site plan approved by Planning Commission on February 4, 2021. Locations include: the parking spaces along 41st Avenue north of the main eastern mall entrance and along the north side of the entrance driveway; the parking spaces along 41st Avenue south of the main eastern mall entrance and along the south side of the entrance driveway; the parking spaces along Capitola Road between the main southern mall entrance and the Bank of America parcel; and the parking spaces along Clares Street south of the main western mall entrance.
21. Conditional use permit #21-0023 shall be scheduled for a Planning Commission review in six months (August 19, 2021) to ensure all impacts of the new use are adequately mitigated. The Planning Commission may modify the conditions of the conditional use permit during the six-month review to improve the overall operations of the mobile food vendor use.
22. The physical barriers shall be of high quality and add to the aesthetics and visitor experience within the food vending area. City staff shall review and approve the design of physical barriers (e.g. stanchions and ropes, retractable belt barriers) between the vehicular right of way in the parking lot and the customer queue prior to initial mobile food vending operations for each vendor.
23. Prior to issuance of a Capitola Business License, a fire safety inspection of each truck must be conducted to ensure that portable fire extinguishers or fixed fire suppression systems have been inspected, tested, and are in good working order. Applicant must provide proof of fire safety inspection approval from Central Fire Protection District with Business License application.

CONDITIONAL USE PERMIT FINDINGS

- A. The proposed use is allowed in the applicable zoning district.**
 Mobile food vending is allowed in the C-R (Regional Commercial) zoning district with Planning Commission approval of a conditional use permit.
- B. The proposed use is consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**
 The mobile food vending use is consistent with the general plan, local coastal program, and zoning code.
- C. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.**
 The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.
- D. The proposed use will not be detrimental to the public health, safety, and welfare.**
 Community Development Department Staff, Public Works Staff, Police Department, Central Fire Protection District, and the Planning Commission have reviewed the project and determined that it will not be detrimental to the public health, safety, and welfare.
- E. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.**
 The proposed use is located within the City of Capitola and is adequately served by existing services and infrastructure.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Courtney Christiansen
AYES:	Courtney Christiansen, Ed Newman, Susan Westman, Peter Wilk, Mick Routh

B. Study Session to Introduce Objective Standards for Mixed Use and Multifamily Development Projects

Introduction to Objective Standards for Mixed Use and Multifamily Development Applications

The future standards will be applicable in all zoning districts which allow multi-family and mixed-use development. The future ordinance adding objective standards will require certification by the California Coastal Commission prior to taking effect in the Coastal Zone.
 Representative: Ben Noble, Ben Noble City and Regional Planning
 Applicant: Katie Herlihy, City of Capitola

Ben Noble of Ben Noble Planning presented the staff report.

Commissioner Newman asked staff about the scope of the grant and how much is allocated to this project. Director Herlihy responded that Capitola received \$160,000.00 from the SB2 grant program. The grant must be used for projects that will expedite housing production. Approximately \$115,000.00 is allocated towards ADU development, while

Minutes Acceptance: Minutes of Feb 4, 2021 7:00 PM (Approval of Minutes)

\$45,000.00 is allocated to the objective design project.

Commissioner Newman raised his concern that SB35 may not be economically feasible for builders since the prevailing wage rate applies, but 50% of the units must be reserved for low-income housing. Commissioner Westman and Director Herlihy believe it is possible for SB35 projects to come to Capitola. Mr. Noble added that the presentation should be viewed in the larger context of state housing law and its direction in the future.

Chair Routh believes strict design standards are necessary to protect and maintain Capitola's character.

Commissioner Wilk believes creating objective standards, while minimizing subjective standards, is a great idea.

Commissioner Newman stated that he would like the new standards integrated into the existing code in a user-friendly manner. Commissioner Christiansen concurred with Commissioner Newman.

Commissioner Westman looks forward to the proposed design guidelines in the multi-family zone.

<p>RESULT: The presentation was a study session only. No action was required.</p>
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4. DIRECTOR'S REPORT

Director Herlihy updated the Commission on eviction protections and SB91.

She also informed the Commission that Santa Cruz County received \$8.1 million for rental assistance, and that the State of California will match those dollars.

Lastly, Director Herlihy updated the Commission on CDBG-CV2 grant money.

5. COMMISSION COMMUNICATIONS

6. ADJOURNMENT

The meeting was adjourned at 8:47 P.M. to the next regular meeting of the Planning Commission on March 4, 2021.

Edna Basa, Clerk to the Commission



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MARCH 4, 2021
 SUBJECT: **205 El Salto Drive** **#20-0506** **APN: 036-131-19**

Design Permit for first- and second-story additions and a new basement for an existing nonconforming single-family residence with variances for the required parking space dimensions, landscape strip in the front setback, and to exceed the nonconforming structural alteration limit located within the R-1 (Single-Family Residential) zoning district.

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: Kim & Kevin Menninger

Representative: Kim & Kevin Menninger, Filed: 12.08.2020

APPLICANT PROPOSAL

The applicant is proposing an 896-square-foot two story addition with a new basement to an existing 675-square-foot, one-story, nonconforming, single-family residence located at 205 El Salto Drive within the R-1 (Single-Family Residential) zoning district.

BACKGROUND

On February 10, 2021, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: had no comments.

Building Official, Robin Woodman: stated that a soils report will be required for the basement area, asked where the window openings in the basement were located in relation to the ground level, and pointed out that window wells could be required for the basement windows.

Local Architect, Frank Phanton: stated that the project conforms nicely with the development standards, the privacy of adjacent properties was protected, and the massing of the addition is acceptable. He pointed out that the design could be improved by having the horizontal siding on the rear addition go up higher, possibly to the level of the second-story window sills.

Local Historian, Carolyn Swift: stated that the design of the project is consistent with other structures in the neighborhood built around the same time period and is compatible with the historic structures on the adjacent properties in terms of materials, size, scale, and massing.

Associate Planner, Matt Orbach: informed the applicant that the second story setback measurements are incorrect. Measurements should match the first story setbacks.

Following the Architecture & Site Review Committee Meeting, the applicant submitted a revised site plan with corrected setback measurements and horizontal siding on the rear addition going up to the level of the second-story window sills.

Development Standards

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

R-1 (Single Family Residential) Zoning District

Development Standards			
Building Height			
R-1 Regulation	Existing		Proposed
25 ft.	13 ft. 9 in.		22 ft. 6 in.
Floor Area Ratio (FAR)			
	Existing		Proposed
Lot Size	2,439 sq. ft.		2,439 sq. ft.
Maximum Floor Area Ratio	58% (Max 1,415 sq. ft.)		58% (Max 1,415 sq. ft.)
First Story Floor Area	675 sq. ft.		959 sq. ft.
Second Story Floor Area	-		314 sq. ft.
Basement	-		48 sq. ft. (250 sq. ft. exempt from FAR)
TOTAL FAR	28% (675 sq. ft.)		54% (1,321 sq. ft.)
Yards (setbacks are measured from the edge of the public right-of-way)			
	R-1 Regulation	Existing	Proposed
Front Yard 1st Story	15 ft.	0 ft. 2 in. Existing Nonconforming	0 ft. 2 in. Existing Nonconforming
Front Yard 2nd Story	20 ft.	N/A	34 ft. 6 in.
Side Yard 1st Story	10% lot width	Lot width: 30 ft. 3 ft. min. Existing Nonconforming	East Side: 0 ft. 10 in. West Side: 7 ft. 3 in. Existing Nonconforming
Side Yard 2nd Story	15% of width	Lot width: 30 ft. 4 ft. 6 in min.	N/A East Side: 5 ft. 5 in. West Side: 8 ft. 9 in.
Rear Yard 1st Story	20% of lot depth	Lot depth: 80 ft. 16 ft. min.	37 ft. 9 in. 25 ft. 5 in.
Rear Yard 2nd Story	20%	Lot depth:	

	of lot depth	80 ft. 16 ft. min.	N/A	25 ft. 5 in.
Encroachments (list all)	First-story front and side setbacks			Existing nonconforming
Parking				
	Required	Existing	Proposed	
Residential (under 1,500 sq. ft.)	2 spaces total 0 covered 2 uncovered	0 spaces total 0 covered 0 uncovered	2 spaces total* 0 covered 2 uncovered *2 substandard parking spaces provided. Variance Requested.	
Underground Utilities: Required with 25% increase in area				Required

DISCUSSION

The existing residence at 205 El Salto Drive is a nonconforming, one-story, single-family residence. The lot is in the Depot Hill neighborhood and is surrounded by one- and two-story single-family homes. The home is located two inches from the front property line. Similar to most properties in Depot Hill, there is ten-foot-wide section of unutilized right-of-way between the home and the paved street, which the owner has landscaped.

The applicant is proposing 896-square-feet of first- and second-story additions and a new basement (Attachment 1). The proposed additions will utilize horizontal siding on the first story which will match the existing home. Shingle siding is proposed on the second story with a composition shingle roof. The project also includes a small rear deck with a trellis.

Historic Review

The property is listed on the 2005 City of Capitola Historic Structures List and was included in the 2004 Depot Hill Feasibility Study. As a result, a preliminary historic evaluation (Phase One Report) was conducted by architectural historian Leslie Dill to determine whether the structure at 205 El Salto Drive is a significant historic resource (Attachment 2). The report concluded that the property is not eligible as a historic resource. However, because the structure is located within the proposed boundaries of a potential historic district neighborhood between two identified contributing properties, the architectural historian recommended that the design of any additions should be "in accordance with the significance of the neighborhood, based on the materials, size, scale, and massing of the surrounding contributing buildings." Ms. Dill also recommended the Architecture and Site Review Committee take this into consideration when reviewing the proposed project design and providing feedback on the project for the Planning Commission. As stated previously, local historian Carolyn Swift found the design of the project to be consistent with other structures in the neighborhood built around the same time period and compatible with the historic structures on the adjacent properties in terms of materials, size, scale, and massing.

Variance Requests

The applicant has requested variances for the required parking space dimensions, the landscape strip requirement in the front setback, and the nonconforming structural alteration limit. Each variance request is analyzed below.

Pursuant to §17.66.090, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a variance permit when it finds:

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

Required Parking Space Dimensions

Capitola Municipal Code (CMC) §17.51.130(A)(10) requires the proposed structure to have two on-site parking spaces that are nine feet wide by 18 feet deep. Due to the location of the existing structure, the applicant can only fit two parking spaces in the side yard if one parking space is eight feet wide by 16 feet deep and the other is seven feet wide by 16 feet deep.

In relation to variance finding A, the subject property is relatively small by Capitola standards (2,439 square feet) with a narrow street frontage (30 feet). The typical front property width on Depot Hill is 40 feet. The existing driveway's substandard dimensions are common within the neighborhood. Due to the property size and the width along the street frontage, the strict application of parking standards would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

In relation to variance finding B, staff reviewed characteristics of adjacent properties on the same block of El Salto Drive. The majority of properties on the block have either no onsite parking or substandard onsite parking. Therefore, the approval of a variance would not be a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

Required Landscaping Adjacent to Side Property Line

CMC §17.51.130(A)(10) requires onsite parking to include two feet of landscaping adjacent to the side property line. Due to the location of the existing structure, the applicant can fit the two required onsite parking spaces (with a variance for substandard dimensions) but not the required landscaped area adjacent to the side property line.

In relation to variance finding A, the subject property is relatively small by Capitola standards (2,439 square feet) with a narrow street frontage (30 feet), while the typical front property width on Depot Hill is 40 feet. In addition, the nonconforming structure is located at the front lot line, taking up the majority of the street frontage. The existing driveway's lack of a landscaping strip is common within the neighborhood. Due to the property size and the width along the street frontage, the strict application of the landscaping requirement would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

In relation to variance finding B, staff reviewed characteristics of adjacent properties on the same block of El Salto Drive. The majority of the properties do not provide two feet of landscaping between required parking spaces in the front setback and the side lot line. Therefore, the approval of a variance would not be a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property the property is situated.

Nonconforming Structural Alteration Limit

The existing residence is nonconforming because the existing structure encroaches into the required front and side setbacks. Pursuant to code section 17.72.070, an existing nonconforming structure that will be improved beyond 80% of the present fair market value of the structure may not be made unless the structure is brought into compliance with the current zoning regulations. The applicant submitted the required 80 percent nonconforming calculation, which demonstrates that the proposed alterations are 132 percent of the present fair market value of the structure, so the alterations are not permissible.

Generally, the larger a nonconforming structure is, the more likely it is that a significant addition will comply with the nonconforming structural alteration limit because the present fair market value is based on existing square footage. In this case, the small square footage of the existing structure makes it difficult to do any significant additions under the nonconforming alteration limit. Therefore, the applicant submitted a request for a variance to exceed the nonconforming structural alteration limit.

In relation to variance finding A, the subject property is relatively small by Capitola standards (2,439 square feet) with a narrow street frontage (30 feet), while the average front property width on Depot Hill is 40 feet. In addition, the nonconforming structure, while not itself historic, was built in 1947 in a location that was previously occupied by a similarly sized outbuilding since at least 1905 and is located within a potential Depot Hill Historic District (Attachment 2). The existing structure is small in size at 675 square feet. The small home on the relatively small lot limits the size of an addition which complies with the nonconforming structural alteration limit to well below the maximum allowable floor area for the lot size. Therefore, the strict application of the nonconforming structural alteration limit would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

In relation to variance finding B, staff reviewed characteristics of adjacent properties on the same block of El Salto Drive. The majority of the properties do not comply with required front or side setbacks. Therefore, the approval of a variance would not be a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property the property is situated.

CEQA

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. This project involves first- and second-story additions and a new basement for an existing home within the R-1 (Single-Family Residential) zoning district. The proposed project is consistent with the in-fill development exemption and no adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review and approve project application #20-0506 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of the construction first- and second-story additions and a new basement for an existing nonconforming single-family residence. The approval includes variances for substandard parking space dimensions, no landscape strip in the front setback, and to exceed the nonconforming structural alteration limit. The total FAR of the project is 54% with a total of 1,321 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 March 4, 2021, 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 #20-0506 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements

all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).

12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code §17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.

DESIGN PERMIT 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 first- and second-

story additions and a new basement for an existing nonconforming single-family residence comply with the development standards of the R-1 (Single-Family Residential) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for first- and second-story additions and a new basement for an existing nonconforming single-family residence. The design of the home with a mix of horizontal and shingle siding and the second-story massing located at the rear of the existing nonconforming single-family residence will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

VARIANCE FINDINGS

A. Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;

The subject property is relatively small by Capitola standards (2,439 square feet) with a narrow street frontage (30 feet), while the average front property width on Depot Hill is 40 feet. Due to the property size and the width along the street frontage, the strict application of the parking standards and landscaping requirement would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

The nonconforming structure, while not itself historic, was built in 1947 in a location that was previously occupied by a similarly sized outbuilding since at least 1905 and is located within a potential Depot Hill Historic District. The small size of the structure (675 square feet) is consistent with other structures in the neighborhood built around the same time period, but it would limit the size of an addition which complies with the nonconforming structural alteration limit to well below the maximum floor area for the lot size. Therefore, the strict application of the nonconforming structural alteration limit would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

B. The grant of a variance would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.

The majority of properties on the block have either no onsite parking or substandard onsite parking and do not provide two feet of landscaping between required parking spaces in the front setback and the side lot line. Therefore, the approval of a variance for the parking standards and landscaping requirement would not be a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property the property is situated.

The majority of structures in the neighborhood built around the same time period are small and do not comply with required front or side setbacks and many of these properties have received variances to exceed the nonconforming structural alteration limit. Therefore, the approval of a variance for the nonconforming structural alteration

limit would not be a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property the property is situated.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

A. 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. This project involves first- and second-story additions and a new basement for an existing home within the R-1 (Single-Family Residential) zoning district. The proposed project is consistent with the in-fill development exemption and 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 205 El Salto Drive. The home is not located in an area with coastal access. The home 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 El Salto Drive. 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 El Salto Drive. 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 residential 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 first- and second-story additions and a new basement on a residential lot of record.

SEC. 30223

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

- The project involves first- and second-story additions and a new basement on a residential 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 first- and second-story additions and a new basement on a residential 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 construction of first- and second-story additions and a new basement. 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 0.4 miles 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 first- and second-story additions and a new basement. 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;**

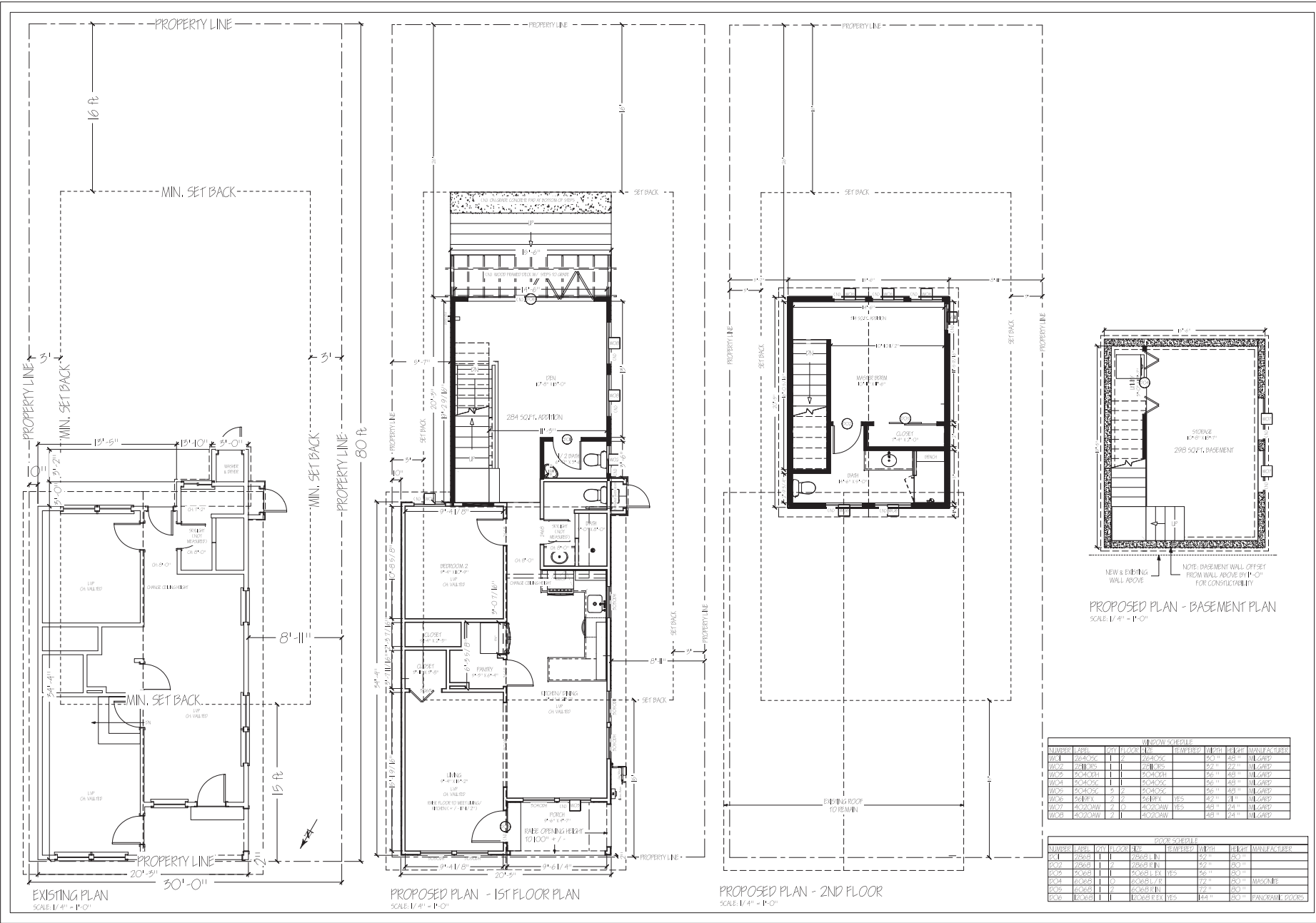
- Conditions of approval have been included to ensure compliance with established policies.
- 16. Project complies with Monarch butterfly habitat protection policies;**
- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified 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 R-1 (Single-Family Residential) 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.

ATTACHMENTS:

1. 205 El Salto Drive - Full Plan Set - 02.25.2021
2. 205 El Salto Drive - Preliminary Historic Evaluation - 06.11.2020

Prepared By: Matt Orbach
Associate Planner



WINDOW SCHEDULE

NUMBER	LABEL	FLOOR	TYPE	EMERGENCY	WIDTH	HEIGHT	MANUFACTURER
W01	POUCH	1	POUCH	YES	63"	68"	ML CAB
W02	POUCH	1	POUCH	YES	62"	27"	ML CAB
W03	POUCH	1	POUCH	YES	26"	48"	ML CAB
W04	POUCH	1	POUCH	YES	26"	48"	ML CAB
W05	POUCH	2	POUCH	YES	26"	48"	ML CAB
W06	POUCH	2	POUCH	YES	42"	21"	ML CAB
W07	POUCH	2	POUCH	YES	48"	24"	ML CAB
W08	POUCH	2	POUCH	YES	48"	24"	ML CAB

DOOR SCHEDULE

NUMBER	LABEL	FLOOR	TYPE	EMERGENCY	WIDTH	HEIGHT	MANUFACTURER
D01	DOOR	1	DOOR	NO	32"	80"	
D02	DOOR	2	DOOR	NO	32"	80"	
D03	DOOR	1	DOOR	YES	26"	80"	
D04	DOOR	1	DOOR	NO	22"	80"	MASLINE
D05	DOOR	2	DOOR	NO	22"	80"	
D06	DOOR	1	DOOR	YES	34"	80"	PANORAMA DOORS

Attachment: 205 El Salto Drive - Full Plan Set - 02.25.2021 (205 El Salto Drive)



Eric A. Galt, Designer
 Certified Interior Designer
 eric@aldesigns.com
 831.540.0282
 www.aldesigns.com



DOOR & WINDOW SCHEDULES
 MASTER BATH ELEVATIONS, DETAILS

407 EL SALTO DRIVE
 CAPITOLA, CA 95010
 APN: 036-131-19

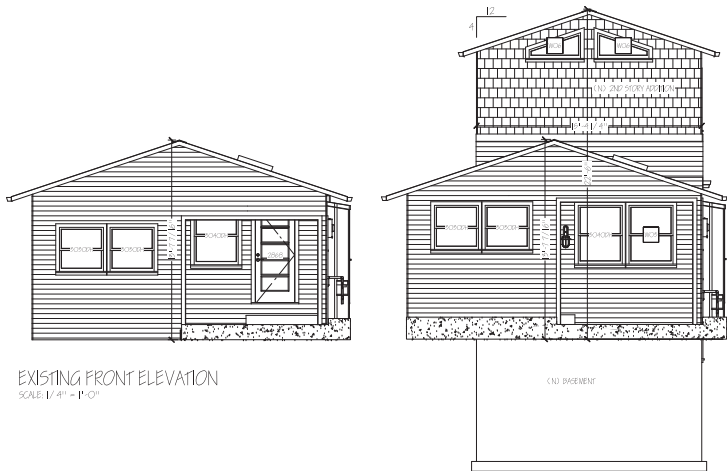
REVISIONS

NO.	DESCRIPTION

NOTED

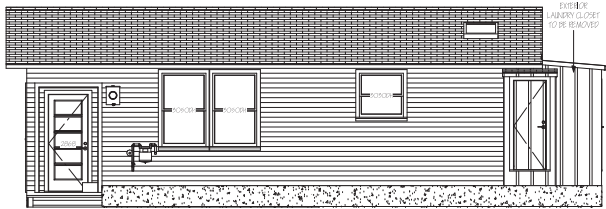
19/21

1-2

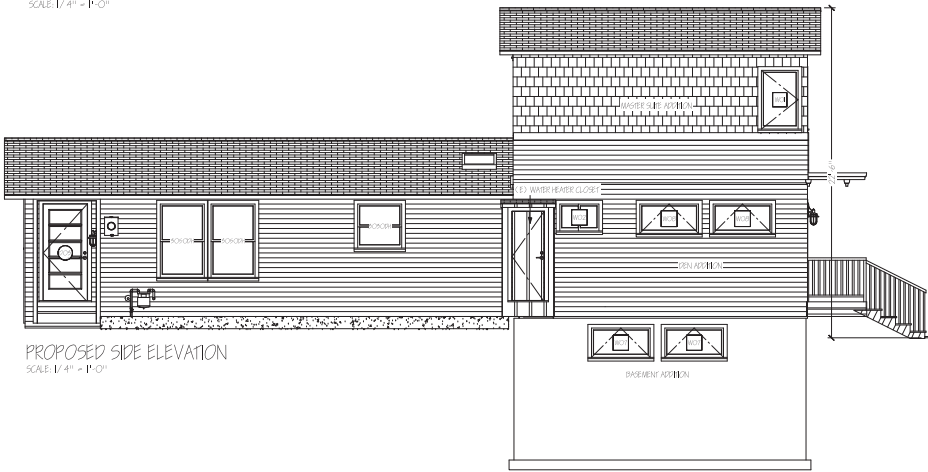


EXISTING FRONT ELEVATION
SCALE: 1/4" = 1'-0"

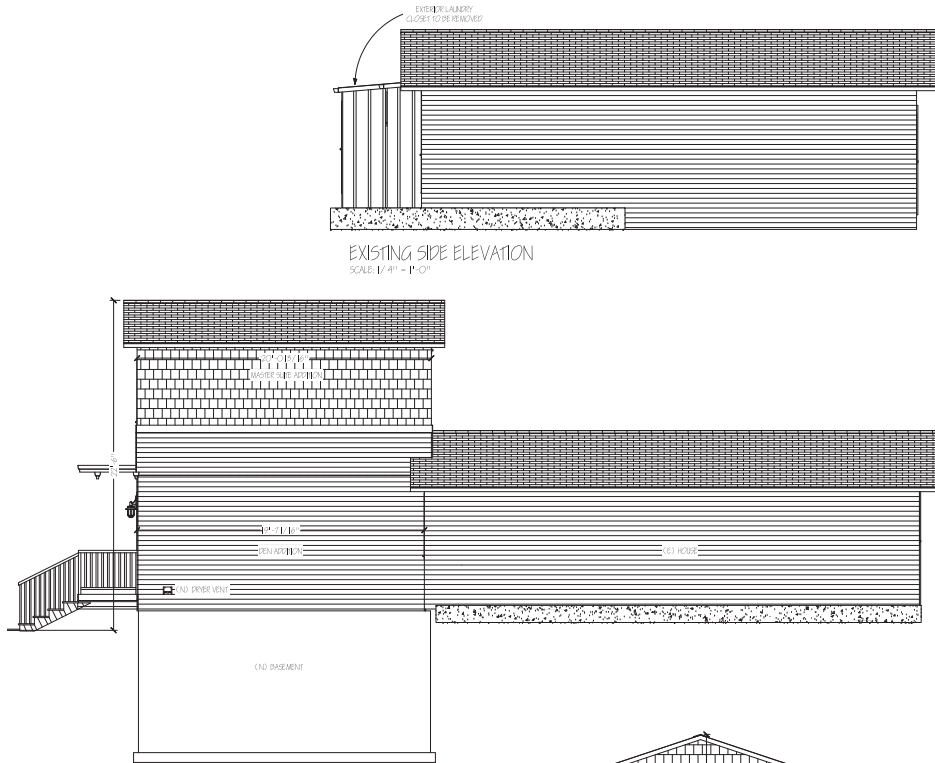
PROPOSED FRONT ELEVATION
SCALE: 1/4" = 1'-0"



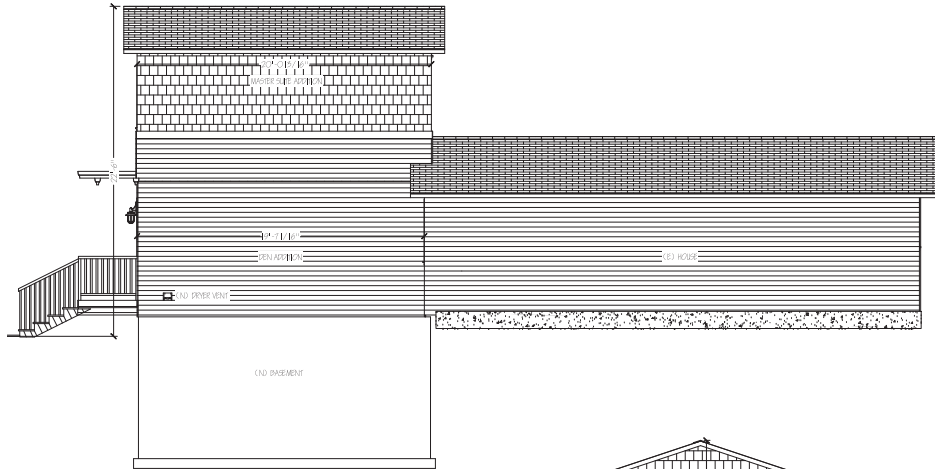
EXISTING SIDE ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED SIDE ELEVATION
SCALE: 1/4" = 1'-0"



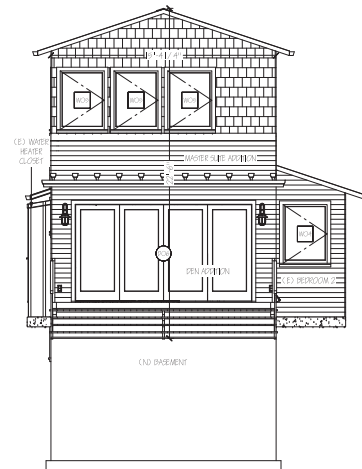
EXISTING SIDE ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED SIDE ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING REAR ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED REAR ELEVATION
SCALE: 1/4" = 1'-0"



Eric A. Elden, Architect
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EXTERIOR ELEVATIONS

407 EL SALTO DRIVE
CAPITOLA, CA 95010
APN: 036-131-19

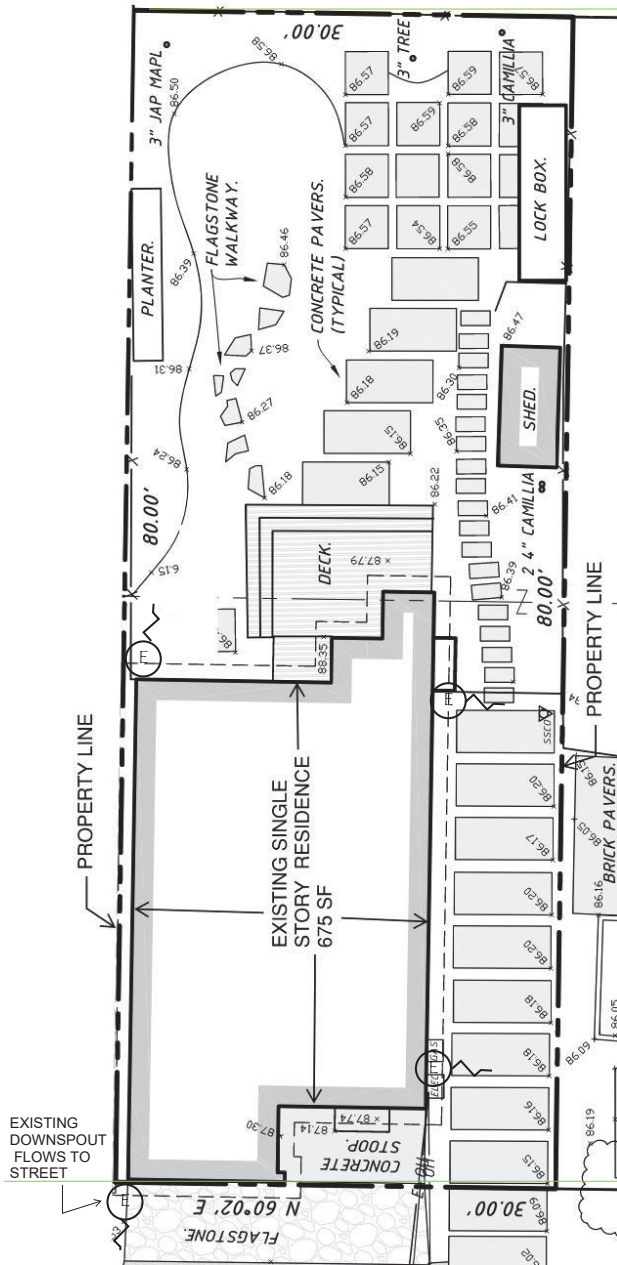
REVISION	
NO.	REVISION

NOTED

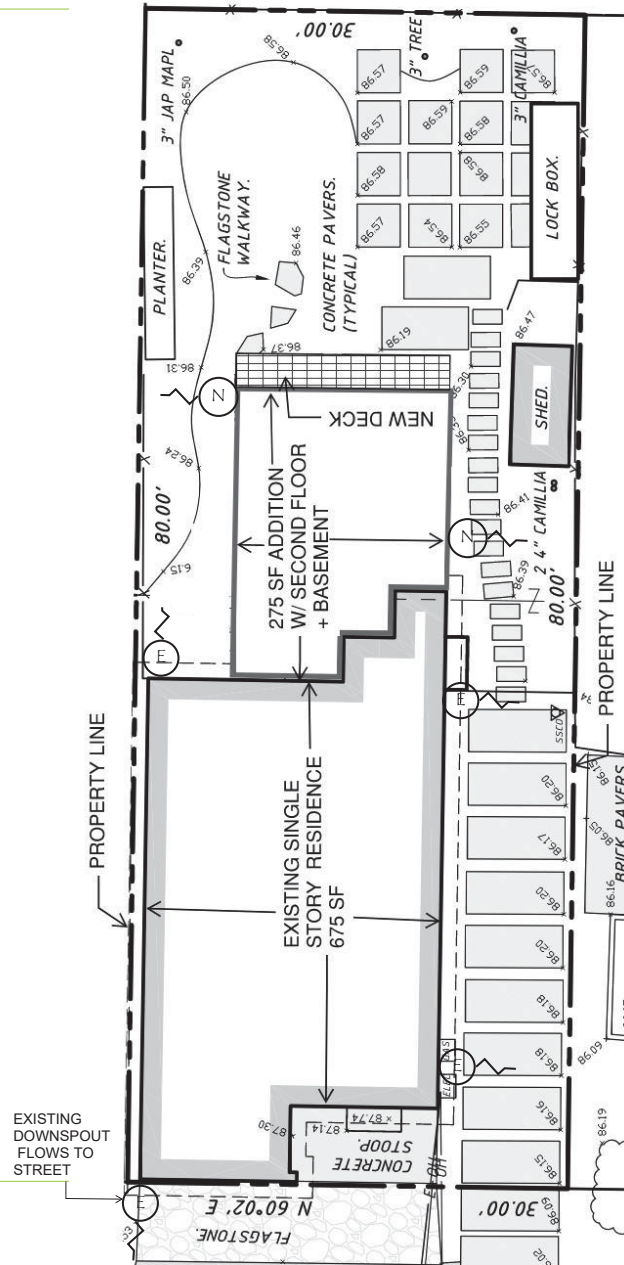
19 / 21

A-4

Attachment: 205 El Salto Drive - Full Plan Set - 02.25.2021 (205 El Salto Drive)



DRAINAGE PLAN- EXISTING CONDITION



DRAINAGE PLAN- PROPOSED CONDITION

DRAINAGE PLAN NOTES
 THE EXISTING AND PROPOSED GRADING IS GENERALLY FLAT AS IS THE REST OF DEPOT HILL
 EXISTING DOWNSPOUTS FLOW INTO PERVIOUS LANDSCAPE EXCEPT AS NOTED
 NEW DOWNSPOUTS ON ADDITION WILL FLOW INTO PERVIOUS LANDSCAPE AREAS AT REAR YARD

LEGEND

- EXISTING DOWNSPOUT
- NEW DOWNSPOUT
- CONCRETE PAD
- GRAVEL OVER DIRT (PERVIOUS COVER) OR LANDSCAPE



E.L. DESIGNS
 E.L. DeSantis
 Licensed Professional Engineer #6532
 erling@eldesignsco.com
 831.840.0282

Chris L. Serrano

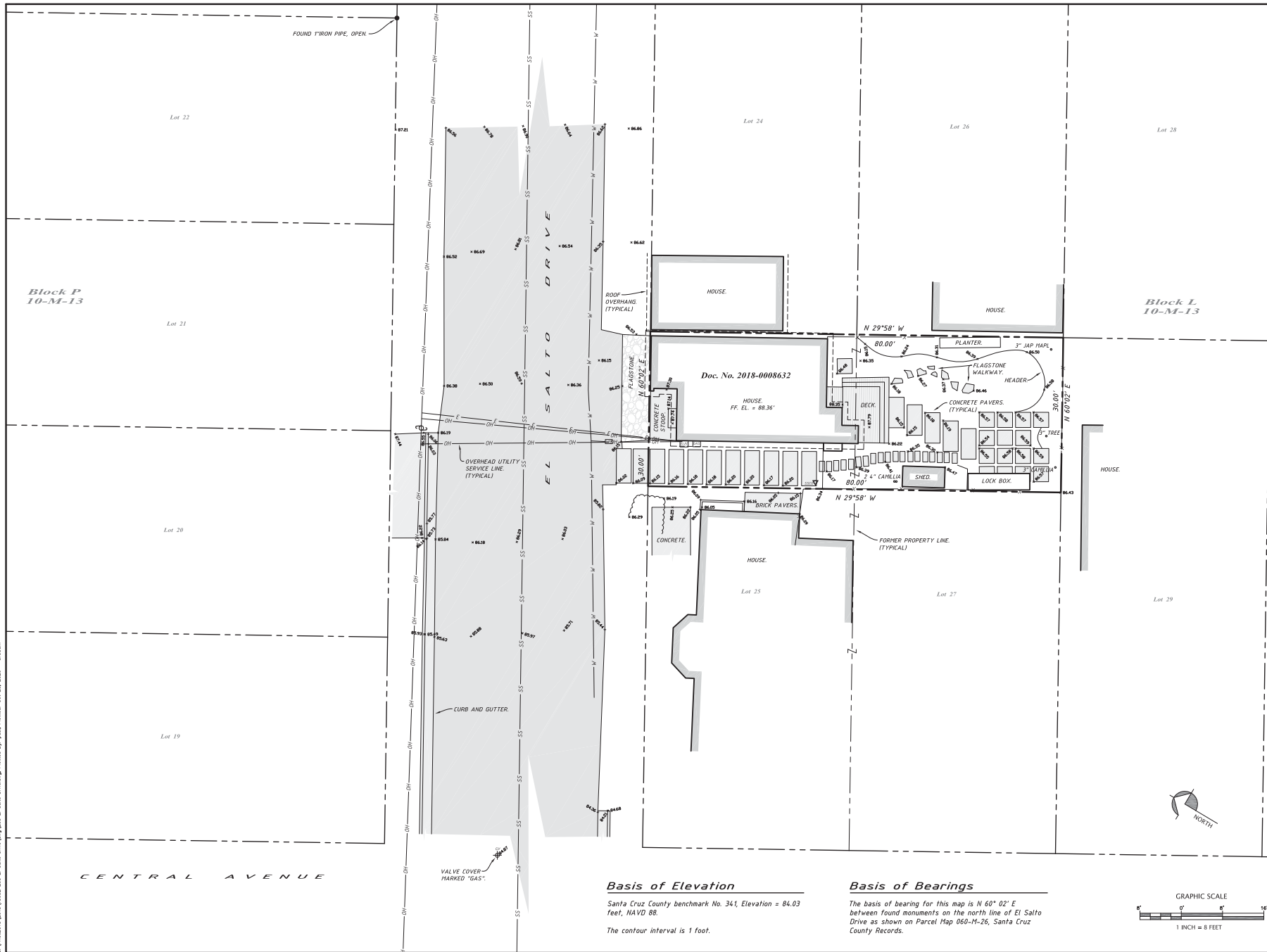
DRAINAGE PLAN

MENINGER RESIDENCE
 205 EL SALTO DRIVE
 CAPITOLA, CA 95010

REVISED	DATE	BY

SCALE: AS NOTED
 DATE: 1/18/2021
 PAGE: C-1

San Diego County... 2025 El Salto Drive... 060-M-26... 10/25/2025... 8:30am



HANAGAN LAND SURVEYING

Topographic Map, The Lands Of:

San Diego County
A.P.N. 036-131-10

SHEET C
OF 1
JOB N

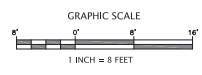
Attachment: 205 El Salto Drive - Full Plan Set - 02.25.2021 (205 El Salto Drive)

Basis of Elevation

Santa Cruz County benchmark No. 341, Elevation = 84.03 feet, NAVD 88.
The contour interval is 1 foot.

Basis of Bearings

The basis of bearing for this map is N 60° 02' E between found monuments on the north line of El Salto Drive as shown on Parcel Map 060-M-26, Santa Cruz County Records.





ARCHIVES
ARCHITECTURE

PO BOX 1332
SAN JOSE CA 95109

June 11, 2020

Attn: Matt Orbach, Associate Planner
City of Capitola
420 Capitola Avenue
Capitola, CA 95010
(Via email)

RE: Preliminary Historical Evaluation – 205 El Salto Drive, Capitola, CA
APN# 034-13-119

Dear Matt:

This letter constitutes a preliminary historic resource evaluation (Phase One Report) for the property located in the City of Capitola, County of Santa Cruz, at 205 El Salto Drive. The property contains one residential building.

Executive Summary

The residential property at 205 El Salto Drive was not identified as significant during the 1986 *City of Capitola Historic Structures List* that resulted in the listing of many of its neighbors. In 2005, prompted by the *Depot Hill Historic District Feasibility Study*, the property was listed on *City of Capitola Historic Structures List*. Its designation as “7N” indicates that additional evaluation is required. This letter is intended to provide that evaluation.

In the following preliminary historical evaluation, the property was not found to meet the criteria for designation as a Historic Feature utilizing the City of Capitola Historic Feature Ordinance, and it was not found to meet the criteria for placement on the California Register of Historic Resources.

The property is sited within the boundaries of the potential Depot Hill Historic District identified during the feasibility study conducted in 2004 by Archives & Architecture Historic Resource Partners. The property is shown in that study as non-contributing. Properties within districts or identified potential districts should prompt “design review by the architectural and site review committee, community development department, and/or planning commission [to] include... protection of historic features.” Any proposed project should undergo design review conducted in accordance with the character of the Depot Hill neighborhood, based on preserving the significance and historic integrity of the surrounding contributing buildings, their setting, feeling, and associations.

Intent of this Memorandum

An historical resource evaluation is often required in the State of California to accompany a project submittal when a city such as Capitola determines that extant structures on the property are at least 50 years old. This property is listed on the City of Capitola 2005 *Historic Structures List*, referencing the *Depot Hill Historic District Feasibility Study* of 2004; however, a property does not have to be listed on a historic resource inventory or historic property register to warrant this type of evaluation as a part of the development review process. Depending on the findings of the review,

further formal documentation could subsequently be required by the City of Capitola Community Development Department, including preparation of Department of Parks and Recreation (DPR)523 series recording forms, a more detailed assessment under the Guidelines of the California Environmental Quality Act, other types of documentation, or other reviews.

The 2005 listing indicates that the property was identified as 7N. This designation, according to the State of California Historical Resource Status Codes, indicates that the property “needs to be reevaluated.” To make significance determinations, the City of Capitola requires that the investigation be done by a qualified historical consultant who conducts the initial investigation and prepares the preliminary evaluation. The qualified preparer of this report reviewed the subject property under local and state criteria, to analyze eligibility for listing or designation as a significant property.

Policy and Regulatory Background

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

A preliminary historic evaluation, as presented in this letter, can be used to determine the potential for historical significance of a building, structure, site, and/or improvement.

Previous Property Evaluation Status

The property was surveyed as a part of the 1986 City of Capitola Architectural Survey by Rowe & Associates. It was not identified as a significant property in that survey.

The parcel at 205 El Salto Drive is listed on the 2005 City of Capitola Historic Structures List. The property was first identified as part of the Depot Hill Historic District Feasibility Study (indicated by the designation “E” on the Historic Structures List).

The property is shown in the 2004 Depot Hill Historic District Feasibility Study as within the boundaries of the potential historic district, but not a contributor to the Depot Hill neighborhood.

The property at 205 El Salto Drive has not been previously evaluated locally at an intensive level. The property is not listed or designated as a part of any state or national survey of historic resources.

Qualifications

Archives & Architecture, LLC, is a cultural resource management firm located in San Jose, California. Leslie Dill, partner in the firm and the author of this letter, meets the Secretary of the Interior’s qualifications within the fields of historic architecture and architectural history to perform identification, evaluation, registration, and treatment activities in compliance with state and federal environmental laws, and is listed with the California Historical Resource Information System (CHRIS). The standards for listing are outlined in 36 CFR Part 61.

Methodology

The methodology used for this historic evaluation were limited in some ways due to travel and work restrictions during the Coronavirus Pandemic of 2020. The preliminary investigation into the history of the property and its associations was conducted remotely, utilizing both online and written sources, and the evaluation of the property was based on the context of the development of

the local area and early development in what is now the City of Capitola. The usual on-site visual inspection of the extant building was conducted by City Staff and conveyed to the evaluator electronically. Access to some commonly used sources at the County of Santa Cruz was not available. It is the belief of the evaluator that adequate research was able to be conducted to reach the conclusions presented in this letter for the purposes presented.

Property Description

The property addressed as 205 El Salto Drive consists of a rectangular property of just over 2,400 square feet on the south side of El Salto Drive, between Central and Saxon Avenues. The subject parcel was formed from rear portions of lots that are currently addressed in one parcel as 116 Central Avenue. El Salto Drive was formerly known as Prospect Avenue.



GIS Map of 205 El Salto Drive, Capitola. County of Santa Cruz Office of the Assessor.

Proposed Project

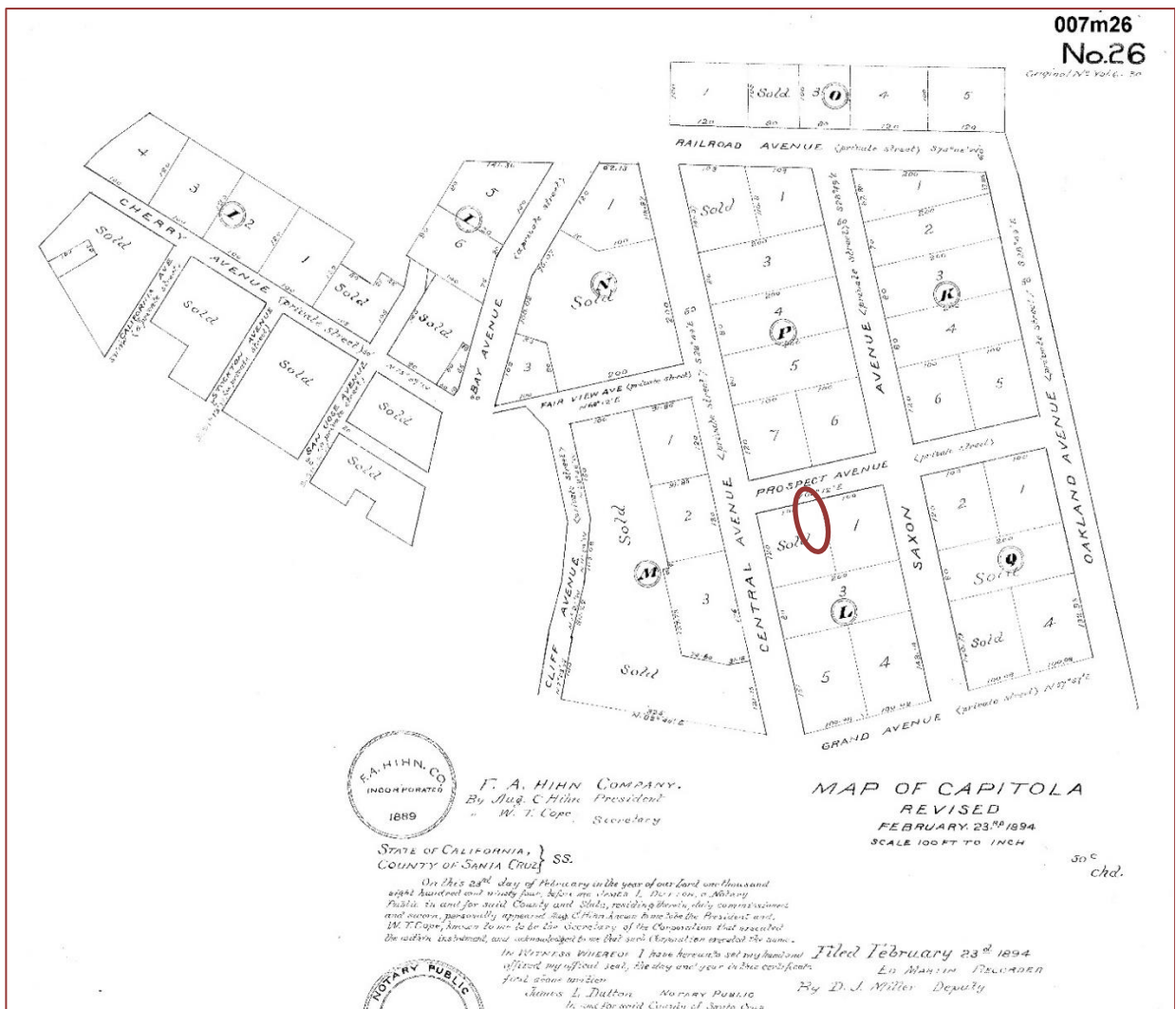
There is the potential for a two-story addition project at the property. The design of the future project is not reviewed in this preliminary evaluation.

Property History

In the Mexican era, this small piece of property was located within the greater Shoquel Rancho, an area of 1,668 acres owned by Martina Castro, granddaughter of Joaquin Isidro (Ysidro) Castro who came to Spanish California as part of the Anza colonialization party in 1776. The rancho was confirmed to her and her Irish second husband, Michael Lodge, soon after California became part of the United States. This rancho was bordered by Soquel Creek on the west, spanned the coastline to Borregas Creek (present-day New Brighton area), and extended north into the foothills. Castro ran

cattle and, with Lodge and others, opened a sawmill near the location of Soquel when the couple extended their holdings farther into the wooded mountains.

As Castro aged, her lands were distributed to her children and their families, and parts were sold, some under conditions that were not considered fair. The subject parcel was included in her lands sold to Augustus Noble, and ultimately Frederick A. Hihn acquired this portion of the Shoquel Rancho. Hihn was a prominent American-era developer in Santa Cruz County, with many commercial and industrial interests including railroads and landholding. From the mid-1800s until just after the turn of the century, Hihn was the primary landholder and developer of Capitola. His Hihn Company, intent on expanding the development of Camp Capitola as a tourist resort, acquired the lands on top of the cliffs overlooking the beach and river. The company built the resort hotel at the base of the cliffs, which included stairs that linked the hotel with an "observatory" tower on the bluff.



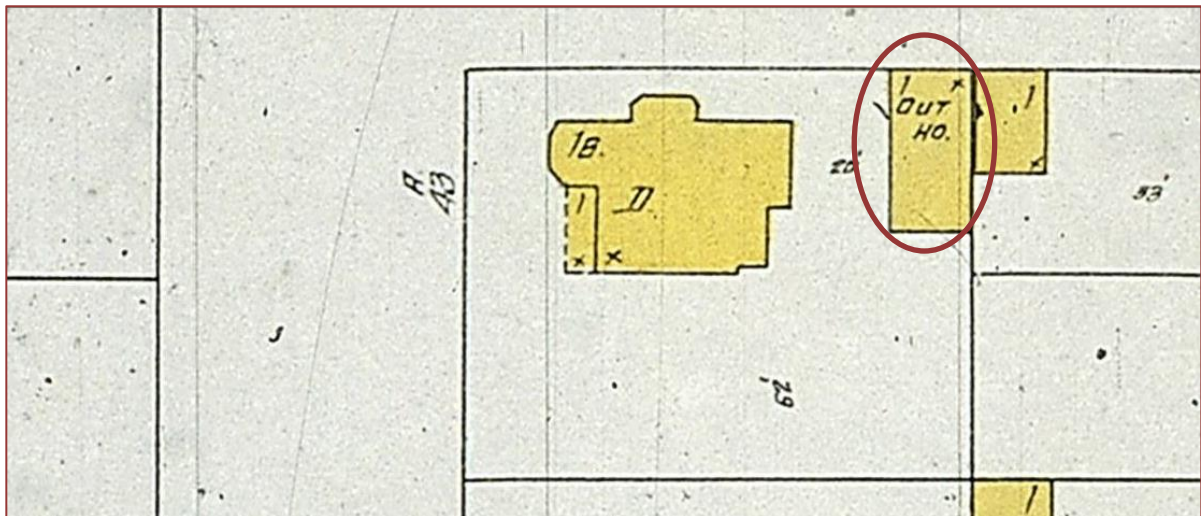
Detail of 1894 Map of Capitola No. 26. Courtesy County of Santa Cruz Assessor's Office.

After 1884, the area was subdivided into residential lots and sold by the Hihn development company. The current parcel takes up a corner of a 12,000-square-foot parcel made up of a pair of smaller lots. This larger parcel was marked as "sold" in 1894, known to be developed by the

Steinbuhler family of San Francisco. The Victorian-era house at 116 Central Avenue was their summer home. Per the Depot Hill Feasibility Study:

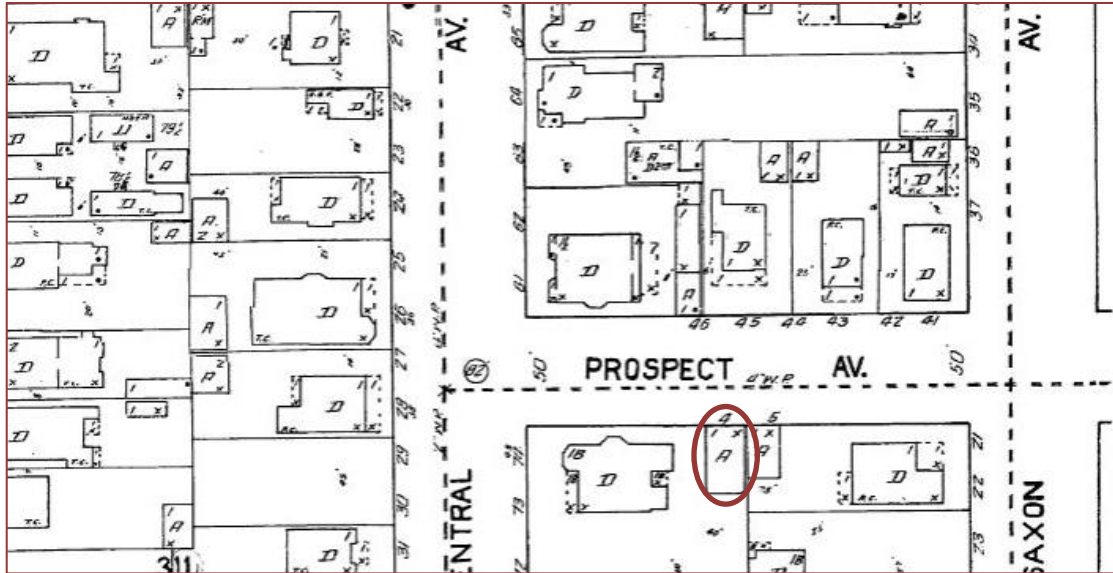
During this period (1884-1919), the local ethnic German American community is most closely associated with the neighborhood. The Hihn Company sold resort properties to residents from throughout Central California, many of the affluent German Americans from the Santa Clara Valley and elsewhere who were members of the Germania Verein, a social and athletic organization that helped maintain the old ways of life and provided opportunities for exercise.

The 1905 and 1917 Sanborn Fire Insurance Maps of the area illustrate the Steinbuhler home on its double-wide parcel with a one-story frame building at the northeast (rear) corner of the parcel, labeled "Out Ho[use]." The footprint of this building is a large rectangle approximately in the location of the current house at 205 El Salto. Due to its size, it may be interpreted that the building may not have been used (solely) as a privy and was also likely used for storage. It is clearly not, however, labeled as a stable. This outbuilding is set at the eastern property line, and is immediately adjacent to an outbuilding at the rear of the property to the east (117 Saxon Ave.)



Detail from 1905 Sanborn Fire Insurance Map, illustrating the one-story wood-frame "Out Ho[use]" footprint in the location of the subject house, at the back of the property facing Central Avenue. Courtesy of the Digital Map Collection, UCSC Library.

By 1927 the Sanborn Insurance Map illustrated that the outbuilding had been replaced with, or more likely relabeled as, a detached automobile garage, also shown in 1933. Its footprint remained a rectangle of approximately the same size as in earlier maps, and the building continued to be immediately adjacent to an outbuilding at the rear of the parcel to the east, also now identified as a garage on these two maps. The current cottage on the subject site has a different footprint from the garage; the existing house is wider and deeper on the parcel than the early twentieth-century outbuilding.



Detail of 1933 Sanborn Fire Insurance Map. Showing the footprint of the outbuilding/automobile garage on El Salto Drive that preceded the subject house (previously known as Prospect Avenue). The 1927 Sanborn Map is similar. Courtesy of the Digital Map Collection, UCSC Library.



Detail of Santa Cruz County Assessor Map 36-13, showing the parcel split and combination of original lots 25 and 27 (unknown date). (Courtesy of the Santa Cruz County Assessor)

The Santa Cruz County Assessor online record reports that the house was built in 1947. Although assessor building dates for older houses, such as those built in the nineteenth or early twentieth centuries are not fully reliable, a mid-century date is more probable because the files were compiled within recent memory of the 1940s. Combined with the original physical appearance of the house as documented online and outlined later in this report, the assessor's date of construction appears credible and likely. Because of the lack of access to historic records at the County of Santa Cruz (due to the coronavirus pandemic), the lot line split and combination dates of parcels could not be discovered. This might have helped confirm the date of construction of the house.

The property and surrounding neighborhood were included in the incorporation of the City of Capitola in 1949.

Neighborhood Context

The area surrounding the subject property was surveyed by Rowe & Associates in 1986 during the *City of Capitola Architectural Survey*. Within the neighborhood, 62 properties were identified in the report as significant. This property was not included on the inventory, indicating that it was not considered to meet the criteria for listing.

The area was further studied in the *Depot Hill: Historic District Feasibility Study* in June 2004, by Archives & Architecture. On the map that indicates “Properties in the initial study area that appear to be consistent with the period of significance or are individually significant,” the subject parcel is shown between two contributors. Per the 2004 feasibility report, “...the Depot Hill neighborhood is significant for:

- *its representation of a comprehensive pattern of development of [sic] within the historic community of Capitola;*
- *its association with the Hihn “Camp Capitola” period of development; and*
- *the breadth of architecture and vernacular building types embodied within the extant structures that lie within the boundaries of the neighborhood.*

The neighborhood, as a place, presents a unique and distinct experience of the visual aspects of neighborhood life in a resort community for most of the historic period, extending from 1884 to 1919, and even to recent times. The district maintains a high level of physical integrity to its evolution around the turn of the 20th century. Although there have been a number of contemporary structures inserted into the neighborhood fabric, as property owners continue to build in the area, most of these buildings have not been intrusive to the historic fabric, and have actually helped to stabilize the area with an infusion of investment and continued use, unlike many historic areas that have been subject to physical decline.

The house at 205 El Salto Drive, built in approximately 1947, was not constructed during the Period of Significance of the potential district from 1884 to 1919 (the Hihn years). The house is a vernacular cottage of modest size and with modest form and detailing, so, although it is not a contributor to the significance of the potential district, it is also “not... intrusive” per the significance statement.

Per the 2004 Draft *Historic Context Statement of the City of Capitola* (Context Statement) by Carolyn Swift, Depot Hill is associated with the Frederick A. Hihn resort-development years, identified as part of the Phase I Residential Period of Significance of Economic Development of Capitola, dating from 1884 to 1913. Per the Context Statement:

Capitola has always been a residential community, whether its inhabitants were summer visitors or lived in Capitola full time. A substantial number of the city’s residential properties were developed prior to World War II and constitute the bulk of the historically significant resources in the city. The earliest were simple vernacular style, like the small houses on Stockton, San Jose, and California Avenues in the earliest subdivision; Lawn Way in the central village; farmhouses on Hill and Pine Streets; cottages in the Riverview Avenue tract and on Central Avenue on Depot Hill, and Camp Fairview houses in the Jewel Box...

The Context Statement defines Significance as follows: “Properties associated with the context of architectural development include single-family homes, apartments, vacation cottages and

cabins...” The Context Statement notes that “Significance of single-family residences are those directly related to Capitola’s architectural chronology as described above.” Vernacular residential construction in the post-World-War-II years are not identified as part of the significant architectural chronology in the Depot Hill area nor in the city at large.

Architectural Description

The original house form and detailing—prior to a recent house remodeling project—were photographed by Google Streetview and still available in real estate listings. The Santa Cruz County Assessor records indicate that the house was built around 1947, and the design and detailing visible in the pre-renovation online documentation serves to confirm the original age of the cottage. The low overall form, with its gabled roof and recessed concrete stoop, along with the now-removed horizontal-lite French doors and wide double-hung windows with dog-eared upper sash, as well as its V-groove siding are representative of a vernacular Minimal Traditional House of the 1940s or 1950s. Minimal Traditional designs are an early-to-mid-twentieth-century transition between the revival styles of the 1920s and 30s and post-war Ranch-style design. They generally feature compact footprints with moderately sloped gabled or hipped roofs; they are set low on their foundations with limited trim or decorative elements.

The house at 205 El Salto Drive is set relatively close to the roadside with no city sidewalk. Half of the northern planting area, in front of the main portion of the house, is filled with recently planted succulents. The remaining north setback area is infilled with new flagstone set in gravel. There is a wood fence and gate at the back of the driveway. The east side is set at the property line, as is the cottage to the east. The rear yard features a new deck set into a river-rock background.

The house appears to have its original footprint and roof form. It has a full-width gabled roof above a compact rectangular footprint. At the northwest corner is a recessed stoop entrance. The concrete porch floor is one step above grade, and there are two doors that open onto the porch; one is reached by a step; the other is set lower to the porch level. The house is set on a concrete perimeter foundation, punctuated by small crawl-space vent openings, indicating a mid-century foundation.

The roof slope is moderate, in keeping with a 1940s construction date. The eaves are shallow in depth, with exposed rafter tails at the sides and shallow overhangs at the gable ends. The front rake eave is sheathed in plywood or a similar smooth material; the rear gable eave has booth smooth sheathing and narrow v-groove sheathing, likely original. The roof is topped by composition shingles, and there are applied metal gutters in a fascia profile. Recent skylights punctuate the roof. The walls are clad in horizontal wood v-groove siding. The corner moldings are narrow flat-board trim. At the front gable is an extremely small formed-metal attic vent. The windows are 1/1 replacement sash placed in pairs and individually around the house. The front paired focal window is surrounded by new siding that is offset in pattern from the historic siding, but the older photographs show the same siding treatment. The other windows visible from the street are set into the original openings. The top and side casings of the windows are flat board, as are the aprons below the sill. There are two entry doors at the front porch; both are replacement three-light translucent-glazed doors with horizontal lites that indicate twenty-first-century design trends. There are is a back door opening onto the deck; it features a single viewing lite above a single flat panel.



Front Façade. Viewed facing south. May 2020. (Photo by Matthew Orbach, City of Capitola)



Front Façade prior to renovations. Viewed facing south. Documenting original house details. (Photo taken from Google Streetview, Accessed May 2020)

The front (north) façade features a paired focal window unit at the front wall; there is a single, wide window set beneath the porch roof, adjacent to the north-facing front door. The second front door faces west, into the porch area. The west side façade features a paired window unit near the recessed front porch opening and a single, smaller window near the back corner. The southwest corner of the house has been extended with three small bump-outs. Each of these is clad in T1-11 vertical siding and has a flat roof supported on joists with exposed tails. One of these additions is used for utilities and includes a door, facing west, fashioned from siding; one of the additions has a sliding window that indicates living space or interior storage, and the third small space is a storage locker that opens onto the rear deck. The main rear façade features a slightly off-center door and a paired window unit near the east corner. The east façade is not visible because this house and the adjacent building are sited too closely.

In Capitola, small cottages are sometimes determined to be relocated nineteenth-century Camp Capitola cabins. These cabins are historically significant to the development of the City. The limited photographic and related documentation of this house do not indicate that this might be the case here. The footprint is a different size than the historic cottages, and the recessed porch is not in keeping with the historic rectangular footprints of the camp buildings. The roof features exposed rafter tails. The walls appear to have thickness, rather than being board-construction. The exterior materials are fully representative of the projected mid-century construction date, whereas, the historic cottages were board-and-batten, with different window designs. If it is an early cabin, it would seem to have lost its historic integrity. Additional site investigation is recommended if the cottage were ever to be proposed for demolition.



Detail of Front Porch Corner. Viewed facing southeast. Illustrating horizontal lites on west-facing door and dog ears on upper window sash prior to renovations. (Google Streetview, accessed May 2020)



*Detail of Front of House. Viewed facing south. Showing proximity to neighboring cottage. May 2020.
(Photo by Matthew Orbach, City of Capitola)*



*Detail of Front Porch and West Elevation. Viewed facing east. Showing concrete porch floor, exposed rafter tails, v-groove siding and altered door and windows. May 2020.
(Photo by Matthew Orbach, City of Capitola)*

Attachment: 205 El Salto Drive - Preliminary Historic Evaluation - 06.11.2020 (205 El Salto Drive)



West Façade. Viewed facing northeast. May 2020. (Photo by Matthew Orbach, City of Capitola)



Utility Addition to Southwest Corner of House. Viewed facing east. May 2020. (Photo by Matthew Orbach, City of Capitola)



Rear Elevation. Viewed facing north. Indicates utility addition and altered paired window unit. May 2020. (Photo by Matthew Orbach, City of Capitola)

Integrity

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

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

Although the historic integrity of the current residential property at 205 El Salto Drive is somewhat intact, aspects of its historic integrity have been compromised over time. The location of the house has remained constant since its presumed construction date of 1947. The development of Depot Hill had occurred relatively early within the history of Capitola, and the residential neighborhood, although altered over time with remodeling and some infill, would be substantially consistent with the original setting of the house at the time it was built. The house, with its recent alterations, evokes very little of its original feeling of a mid-twentieth-century vernacular residence. Because of the simplicity of the house, the window and door replacements have obscured much of the key recognizable elements of the original design. These changes have also reduced the integrity of the historic materials although the eaves, siding, trim, and attic vents provide some historic continuity. There were few elements that embodied artisanship, so this aspect of integrity is not applicable.

The house has no known significant associations with the historic patterns of development of Depot Hill, and has not been associated with significant personages, architectural development, or historical events, so its associations are not applicable to its integrity.

California Register of Historic Resources Evaluation

The California Office of Historic Preservation describes the California Register as a "...program [that] encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act." There are four criteria for designation, evaluated for 1410 Prospect Avenue as follows:

(1) Historic Events and Patterns

The house has been on the subject property for approximately 73 years, and it has undergone recent alterations. Built after the period of significance of the surrounding neighborhood, it is not representative of the localized historical patterns of development of the city and was determined in 2004 not to contribute to the historic significance of the potential Depot Hill Historic District. It is not associated with the themes of importance to the community as presented within the 2004 draft *Historic Context Statement*. The property would therefore not appear to be eligible for the California Register based on significant events or patterns of history under California Register Criterion (1).

(2) Personages

Remote preliminary research could not identify any significant families associated with the property. The property cannot be found eligible for the California Register under Criterion (2)

(3) Architecture

Although altered, the cottage remains substantially recognizable as an older vernacular house from the mid-twentieth century, the house is not a distinguished example among buildings from this period. The remaining historic materials are relatively common and used in a vernacular manner, so do not embody exceptional significance for their quality or workmanship. The replacement of the doors and windows has caused a loss of integrity of design. The designer of the house could not be discovered during the research for this preliminary study, so there are no identifiable associations with a particular designer or architect. The property would therefore not qualify for the California Register under Criterion (3).

Potential to Provide Information

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

Capitola Historic Features Ordinance Evaluation

The Capitola Historic Features Ordinance (Municipal Code 17.87.030) allows for the designation of local historic resources, known as historic features. The designation requires that a property must "evidence one or more" of 11 qualities. The property at 205 El Salto Drive cannot be found to meet any of these criteria. The house is not "...particularly representative of a distinct historic period, type, style, or way of life," "...an example of a type of building once common in Capitola but now rare," "...of greater age than most other features serving the same function," or "...connected with a business or use which was once common but is now rare." Its architect or builder is not known so cannot be found to be "historically important." The property is not identified as "...the location of an important historic event," or "...identified with historic persons or important events in local, state, or national history." "The architecture, the materials

used in construction, or the difficulty or ingenuity of construction associated with the proposed feature” cannot be found “...significantly unusual or remarkable.” The property does not “...materially contribute[s] to the historic character of the city.” It is not “...a long-established feature of the city,” nor “...a prominent and identifying feature of the landscape and is of sufficient aesthetic importance to be preserved.”

Conclusion

The property is not eligible as a historic resource, as the property does not meet any criterion of the California Register of Historical Resources and does not meet any City of Capitola Criteria for the Designation of Historic Features.

Although not labeled as a contributor to the potential historic district neighborhood of Depot Hill, the property is located within the proposed boundaries of the district, and it is sited between two identified contributing properties. It would be expected that this location would prompt “design review by the architectural and site review committee, community development department, and/or planning commission [to] include... protection of historic features.” The design review should in accordance with the significance of the neighborhood, based on the materials, size, scale, and massing of the surrounding contributing buildings.

References:

Archives & Architecture, Heritage Resource Partners. *Depot Hill: Historic District Feasibility Study*. June 2004.

Capitola, City of.

Historic Feature Ordinance. Accessed May 2020.

Historic Structures List. 2005

Google Maps Streetview. Accessed May 2020.

Rowe & Associates. *City of Capitola Architectural Survey*. 1986.

Sanborn Fire Insurance Maps. 1905, 1917, 1927, and 1933.

Santa Cruz County Assessor. Accessed May and June 2020.

Santa Cruz County Recorder. Accessed May and June 2020.

Adopted Map of Capitola. 1888.

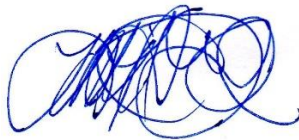
Map of Capitola Revised. 1894.

Swift, Carolyn. *Historic Context Statement for the City of Capitola*. Draft 2004.

Wallace, J., U.S. Surveyor General. *Plat of the Shoquel Rancho finally confirmed to Martina Castro*. 1859.

<https://www.estate.com/listings/info/205-el-salto-dr#gallery>

Sincerely:



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



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 4, 2021

SUBJECT: **201 Capitola Avenue #20-0444 APN: 035-231-09**

Design Permit and Conditional Use Permit Amendments for a new entryway, windows, and an awning for an historic commercial structure located within the C-V (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: Rick Avia
 Representative: Frank Phanton, Architect, Filed: 10.28.2020

APPLICANT PROPOSAL

The applicant is proposing exterior modifications to a 4,958-square-foot historic structure that includes a new second entryway, windows, and an awning along San Jose Avenue within the CV (Central Village) zoning district.

BACKGROUND

On March 5, 2020, the Planning Commission approved a Conditional Use Permit and Design Permit for 201 Capitola Avenue under permit #19-0375, which included an interior remodel of the historic structure, a new recessed entryway along San Jose Avenue, and the conversion of existing second-story commercial space into a new residential unit.

On October 28, 2020, the city received a new application modifying the design and entrances along San Jose Avenue. The proposed modifications require approval of a conditional use permit and design permit by the Planning Commission.

On January 11, 2021, Architectural Historian Leslie Dill provided a supplemental review memo with an analysis of the changes proposed under Project #20-0444 in relation to the *Secretary of the Interior's Standards for Rehabilitation*.

Architecture & Site Review Committee

The Architectural and Site Review Committee reviewed the application on January 27, 2021, and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: had no comments.

Building Official, Robin Woodman: had no comments.

Local Architect, Dan Townsend: made positive comments about the proposed improvements. Mr. Townsend stated that the improvements would be a benefit to the San Jose Avenue elevation of the building.

Local Historian, Carolyn Swift: stated that she agreed with the findings in the supplemental review memo provided by architectural historian Leslie Dill.

Associate Planner, Matt Orbach: had no comments.

Following the Architecture & Site Review Committee meeting, the applicant did not make any changes to the plan set.

Development Standards

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

C-V (Central Village) Zoning District

Development Standards			
Lot Size			
5,140 sq. ft.			
Building Height			
CV Regulation	Existing	Proposed	
27 ft.	20 ft. 6 in.	20 ft. 6 in.	
Maximum Floor Area			
General Plan Maximum	Existing	Proposed	
2.0	0.96	0.93	
Floor Area	Existing	Proposed	
First Story Floor Area	4,345 sq. ft.	4,345 sq. ft.	
Second Story Floor Area	613 sq. ft.	451 sq. ft.	
Total Floor Area	4,958 sq. ft.	4,796 sq. ft.	
Lot Coverage			
Sufficient space for required parking		Existing Nonconforming	
Yards			
10% of lot area shall be developed as landscaped open area, at least partially fronting on, and open to, the street. No portion of this landscaped area shall be used for off-street parking.	Required Open Space: 10% of Lot 514 sq. ft.	Existing Open Space: 0% of Lot 0 sq. ft.	Proposed Open Space: 0% of Lot 0 sq. ft. Existing Nonconforming
Parking			
	Required	Existing	Proposed
Retail Use	21 spaces total	0 spaces total	0 spaces total Existing Nonconforming
Underground Utilities – required with 25% increase in floor area	Not Required		

DISCUSSION

The existing commercial structure at 201 Capitola Avenue is an historic two-story building on the southwest corner of Capitola Avenue and San Jose Avenue. The 5,140 square foot lot is adjacent to the Capitola Mercantile to the south and Capitola Candy Company to the west. The structure currently contains three commercial suites. Capitola Avenue contains one- and two-story structures with retail uses on the first story. The project requires amendments to the Design Permit and Conditional Use Permit approved by the Planning Commission under permit #19-0375 on March 5, 2020.

Design Permit

The applicant is proposing exterior modifications to the historic structure that include modifications to the second entryway for Suite #1 and a new entryway for Suite #2 along San Jose Avenue. The building façade along San Jose Avenue currently has one low window with an awning adjacent to the corner of San Jose Avenue and Capitola Avenue and one second-story height window in the middle segment of the five wall sections.

The applicant is proposing to replace the previously approved recessed entryway with an entryway to Suite #1 that is flush with the building façade and add a new entrance to Suite #2 that is flush with the building facade with an additional awning and three-pane second-story window to the south (Attachment 1). The modifications are designed to maximize the visibility of the entrances to the two suites. The proposed design will maintain the sharply arched, fluted square, streamlined columns of the historic structure.

Conditional Use Permit

The proposed project includes a significant alteration to the historic structure at 201 Capitola Avenue. Significant alterations to a historic structure require approval of a Conditional Use Permit by the Planning Commission. Also, historic resources are identified as environmental resources within the California Environmental Quality Act (CEQA). Any modification to a historic resource must comply with the Secretary of Interior Standards to qualify for a CEQA exemption.

Architectural Historian Leslie Dill reviewed the project for compatibility with the *Secretary of the Interior's Standards for Rehabilitation* and found that the proposed plan amendments comply with the *Secretary of the Interior's Standards for Rehabilitation* (Attachment 2).

In considering an application for a conditional use involving a material change of an historic feature the Planning Commission shall weigh the benefits of the proposed change against the detriment to the public welfare caused by a change in the feature. In approving any such change, the commission shall make one of the following findings:

1. The action proposed will not be significantly detrimental to the historic feature in which the change in use is to occur; or
2. The applicant has demonstrated that denial of the application would result in hardship that is so substantial as to outweigh the corresponding benefit to the public of maintenance to the historic feature or structure.

Based on the review by architectural historian Leslie Dill, the proposed modifications will not be significantly detrimental to the historic structure at 201 Capitola Avenue.

CEQA

Section 15331 of the CEQA Guidelines exempts rehabilitation projects of historic resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic

Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic buildings. The proposed project is consistent with the Secretary of the Interior's Standards and no adverse environmental impacts were discovered by Planning Staff during the review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project application #20-0444.

CONDITIONS OF APPROVAL

1. The project approval consists of design permit and conditional use permit amendments for a new entryway, windows, and an awning for an historic commercial structure. The maximum Floor Area Ratio for the 5,140-square-foot property is 2.0 (10,280 square feet). The total FAR of the project is 0.93 with a total of 4,796 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 March 4, 2021, 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, all Planning fees associated with permit #20-0444 shall be paid in full.
7. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
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, Soquel Creek 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. 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. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
19. At time of building plan submittal, the plans shall include language on the cover sheet referring to the property as an "Historic Resource", requiring review of all design revisions, and that the project should include notes that the existing historic elements are to be protected during construction.

20. New commercial display windows, transom windows, and entrance doors shall have anodized aluminum frames.
21. New commercial display windows and transom windows shall be sized so that they have bullnose stucco on both sides as well as at the top.
22. Exterior display-window sills and aprons shall be traditional forms of wood or of anodized aluminum, or the stucco bullnose shall wrap the base of the window frames.
23. Note for windows to “match existing” shall apply only to the upstairs windows, not to the display windows.
24. Material of the apartment door shall be differentiated from the historic building.
25. New awning above the apartment door shall be differentiated from the recent awnings used on the historic building (e.g., by matching the color and/or the form of the awning at the storefront at 121 San Jose Avenue).
26. Prior to Planning final, existing awnings adjacent to San Jose Avenue and Capitola Avenue that were painted over shall be replaced in kind.

DESIGN PERMIT 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 design permit and conditional use permit amendments for a new entryway, windows, and an awning for an historic commercial structure comply with the development standards of the C-V (Central Village) 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 application for design permit and conditional use permit amendments for a new entryway, windows, and an awning for an historic commercial structure. The remodel, which retains the historic integrity of the building and adds a second new store frontage along San Jose Avenue, will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

A. This project is categorically exempt under Section 15331 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15331 of the CEQA Guidelines exempts rehabilitation projects of historic resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic buildings. The proposed project is consistent with the Secretary of the Interior’s Standards and no adverse environmental impacts were discovered by Planning Staff during the review of the proposed project.

CONDITIONAL USE PERMIT FINDINGS**A. The action proposed will not be significantly detrimental to the historic feature in which the change in use is to occur.**

Architectural Historian Leslie Dill reviewed the project for compatibility with the *Secretary of the Interior's Standards for Rehabilitation* and found that the proposed plan amendments comply with the *Secretary of the Interior's Standards for Rehabilitation*.

The project will not be significantly detrimental to the historic feature in which the change in use is to occur.

ATTACHMENTS:

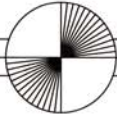
1. 201 Capitola Avenue - Full Plan Set - 12.31.2020
2. 201 Capitola Avenue - Historic Supplemental Review Memo - 01.11.2021

Prepared By: Matt Orbach
Associate Planner

MODIFICATION OF CONDITIONAL USE PERMIT FOR: 201 CAPITOLA AVE

GENERAL INFORMATION:	
SITE AREA:	ZONE:
3,149 SQ. FT.	CV
BUILDING:	
Existing	2,915 SQ. FT.

LEGEND OF SHEETS	
PAGE	TITLE
A0	COVER SHEET, PROJECT INFO
A1	SITE PLAN
A2	FLOORPLANS
A3	ELEVATIONS & OPENING FRAMING DETAILS



SDRA ANALYSIS:
 THESE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED IN COMPLIANCE WITH THE CALIFORNIA BUILDING AND FIRE CODES (2019).
 OCCUPANCY: M
 BUILDING CONSTRUCTION TYPE: III
 FIRE RATING: NON-SPRINKLERED

THE DESIGNER MUST BE NOTIFIED OF ANY DISCREPANCIES IN DIMENSIONS, FIELD CONDITIONS, OR OTHER INFORMATION THAT IS CONTAINED IN AND/OR DIFFERS FROM THESE DOCUMENTS. THESE DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE USED OR REPRODUCED WITHOUT WRITTEN CONSENT. THE DESIGNER DISCLAIMS ANY RESPONSIBILITY RESULTING FROM THEIR UNAUTHORIZED USE. COPYRIGHT PROTECTION STARTS FROM THE EARLIEST DATE OF THE DESIGN CONTRACT, PRELIMINARY DESIGN WORK, OR THE CONSTRUCTION DOCUMENTS.



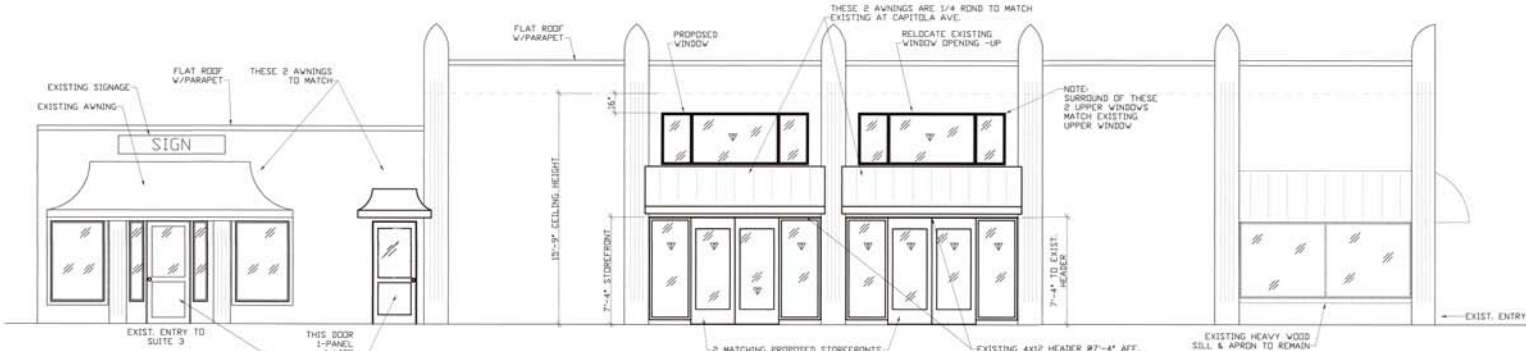
THE EXISTING COMMERCIAL BUILDING AT 201 CAPITOLA AVE IS RECOGNIZED AS AN HISTORIC BUILDING BY SECRETARY OF THE INTERIOR STANDARDS. THIS BUILDING IS IDENTIFIED AS PART OF THE CAPITOLA ARCHITECTURAL SURVEY FOR CAPITOLA, PUBLISHED IN 1986.

THE PROPERTY IS AN "HISTORIC RESOURCE", REQUIRING REVIEW OF ALL DESIGN REVISIONS, AND THAT THE EXISTING HISTORIC ELEMENTS ARE TO BE PROTECTED DURING CONSTRUCTION.

THE CALIFORNIA STATE HISTORICAL BUILDING CODE IS REFERENCED IN THE ARCHITECTURAL NOTES.

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 AND POTENTIALLY A REVIEW BY THE HISTORIC ARCHITECT FOR CONTINUED CONFORMANCE WITH THE SECRETARY OF INTERIOR STANDARDS.

PRIOR TO MAKING ANY CHANGES TO THE HISTORIC STRUCTURE, THE APPLICANT AND/OR CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS OF THE HISTORIC BUILDINGS AND MATCH REPLACEMENT ELEMENTS AND MATERIALS ACCORDING TO THE APPROVED PLANS. ANY DISCREPANCIES FOUND BETWEEN APPROVED PLANS, REPLACEMENT FEATURES AND EXISTING ELEMENTS MUST BE REPORTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT FOR FURTHER DIRECTION, PRIOR TO CONSTRUCTION.



PROPOSED EAST ELEVATION
 F.M. SAN JOSE AVE.

Attachment: 201 Capitola Avenue - Full Plan Set - 12.31.2020 (201 Capitola Avenue)
 & DESIGN PERMIT #19-03/5 FOR
201 CAPITOLA AVE

APN: 035-231-09

CAPITOLA, CA 95010

12-2-20

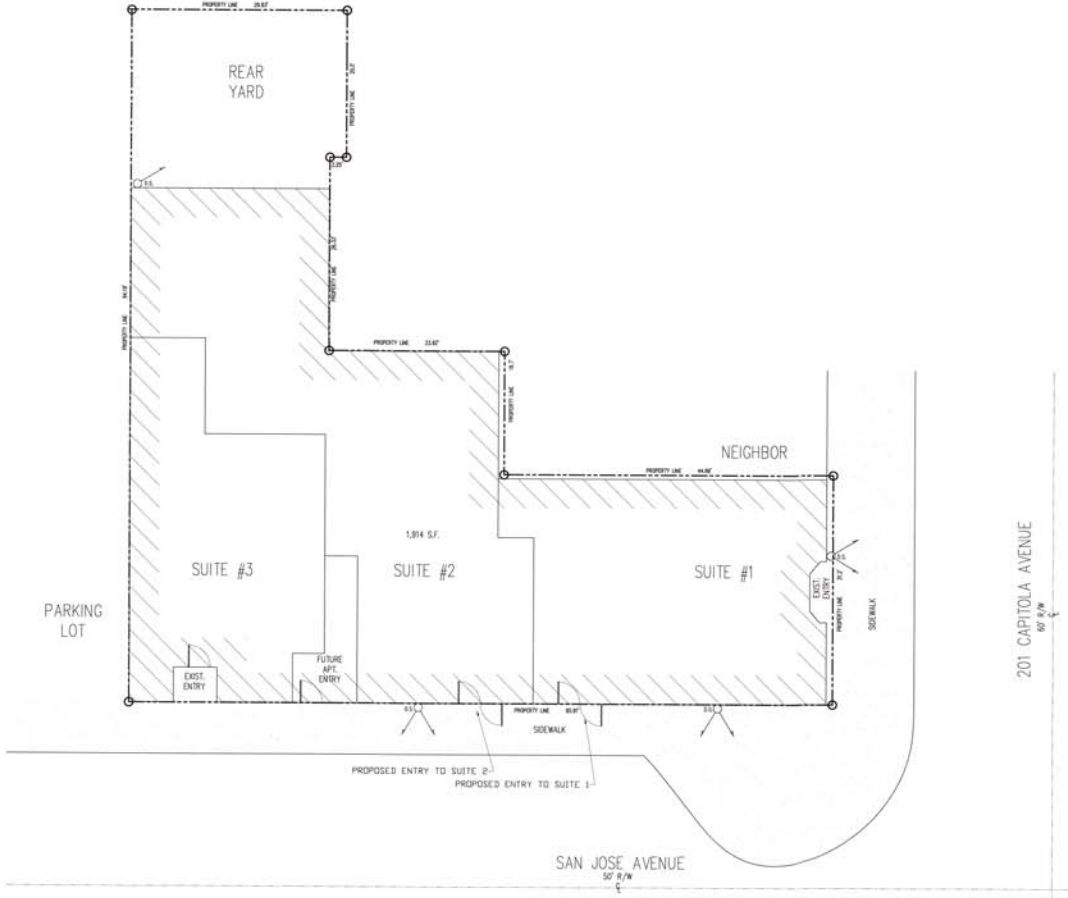
NONE

68

201 CAPITOLA AV

AO

Frank Piantoni, Architect C24515
 1840 41st Ave., Ste. 102 #141, Capitola, CA 95010, (831) 475-5841, frank@frankpiantoni.com



SITE PLAN
SCALE: 1/8"=1'-0"

Attachment: 201 Capitola Avenue - Full Plan Set - 12.31.2020 (201 Capitola Avenue)

MODIFICATION TO CONDITIONAL USE PERMIT
& DESIGN PERMIT #19-0375 FOR:
201 CAPITOLA AVE

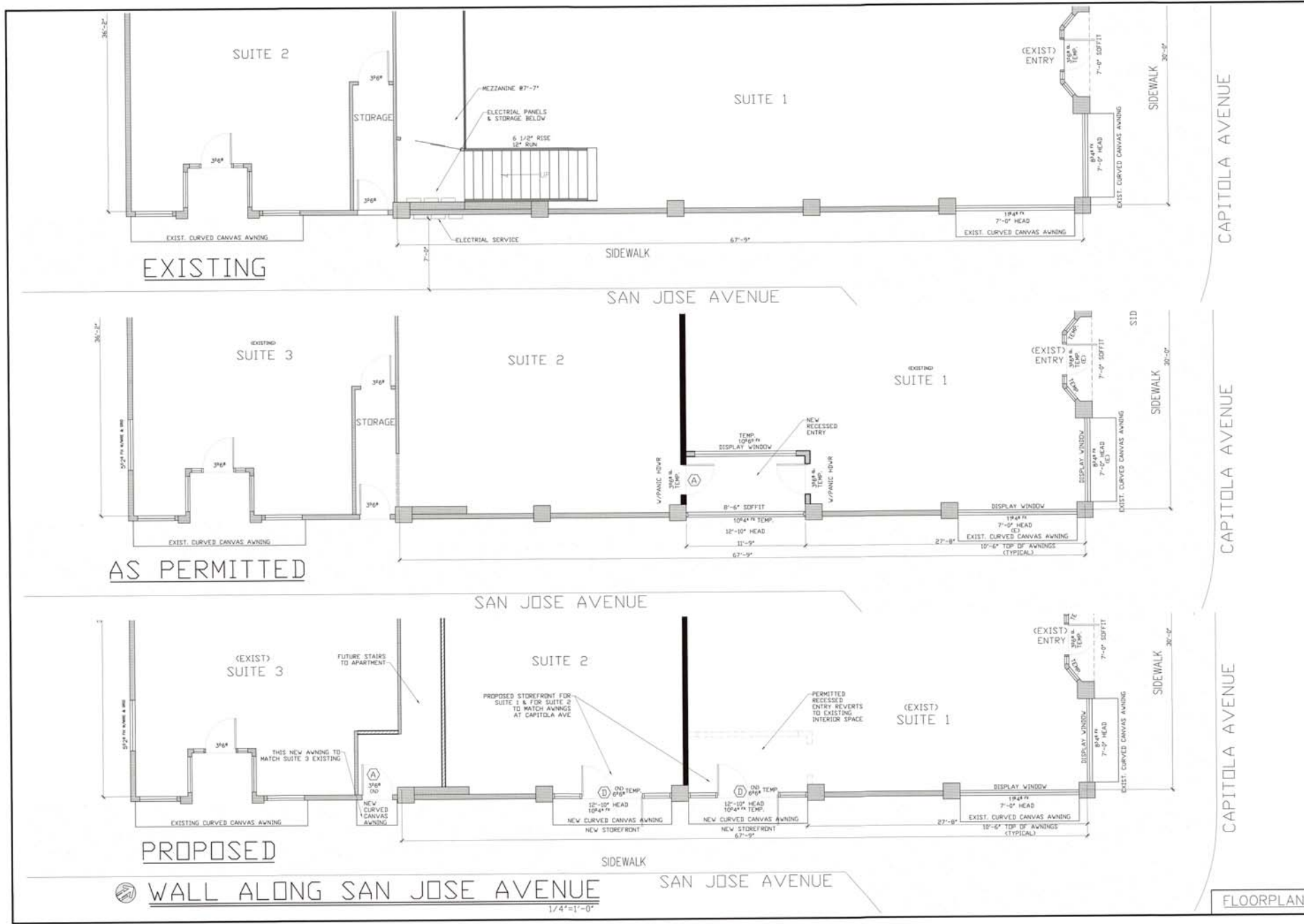
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Drawn	GG
Job	201 CAPITOLA AV
Sheet	

A1
of 2 Sheets

Revisions	By

APN: 035-231-09
CAPITOLA, CA 95010

1849-41st Ave., Ste. 102 #141, Capitola, CA 95010 (831) 475-5641, frank@evntect.com
Frank Phanton, Architect C24515



Attachment: 201 Capitola Avenue - Full Plan Set - 12.31.2020 (201 Capitola Avenue)

Prepared by: **Envirotechs**
 Frank Phanson, Architect (24015)
 1840 41st Ave., Ste. 102 #141, Capitola, CA 95010, (831) 425 5841, frank@envirotechs.com

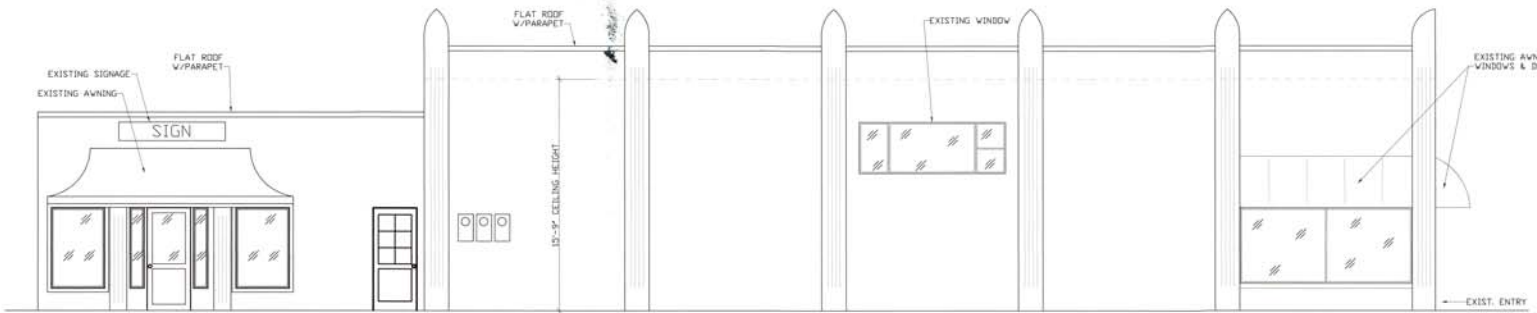
APN: 035-231-09

CAPITOLA, CA 95010

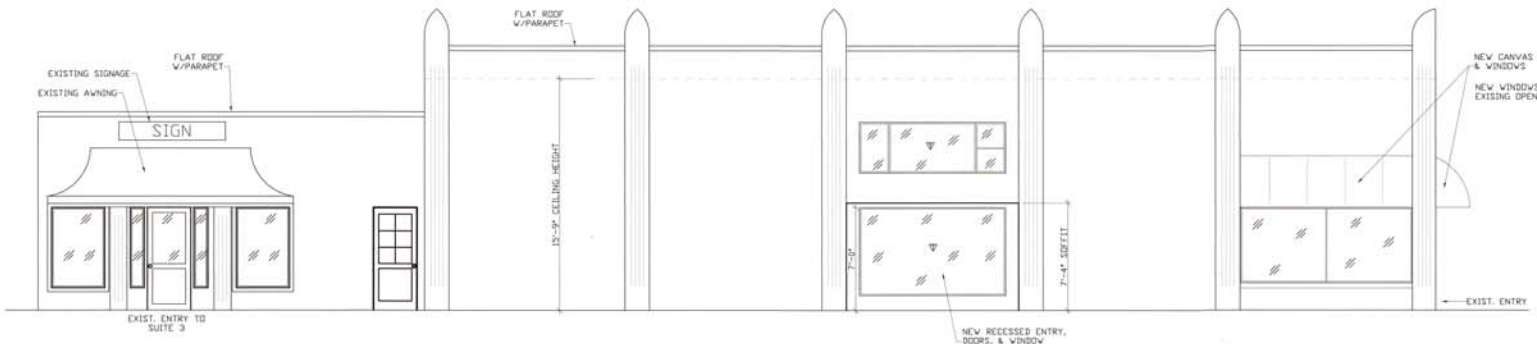
201 CAPITOLA AVE

MODIFICATION TO CONDITIONAL USE PERMIT #19-0375 FOR:

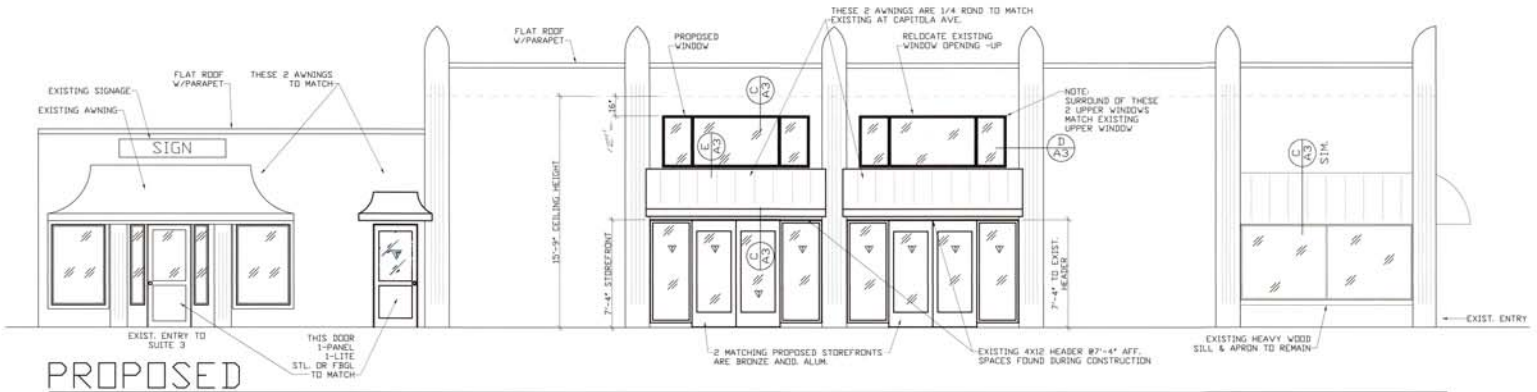
DATE: 12-2-20
 SCALE: 1/4" = 1' - 0"
 DRAWN: RS
 JOB: CAPITOLA AV
 SHEET: A2
 OF: 5



EXISTING



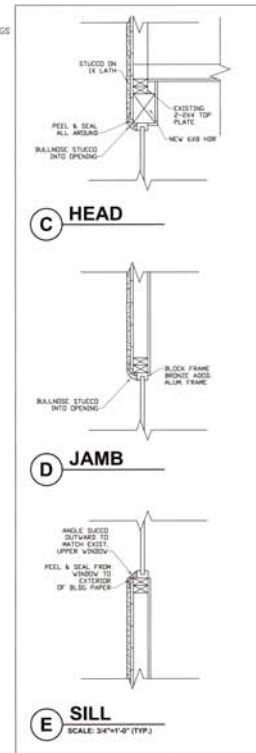
AS PERMITTED



PROPOSED

FACADE AT SAN JOSE AVENUE

1/4"=1'-0"



NOTE: ▽ = TEMPERED GLASS

ELEVATIONS

Attachment: 201 Capitola Avenue - Full Plan Set - 12.31.2020 (201 Capitola Avenue)

Revisions: _____ By: _____

Prepared by: **The Enviroctects**
 Frank Whittier, Architect (CA 6145)
 1840 41st Ave., Ste. 102 #1-1, Capitola, CA 95010 (531) 475 5841; frank@enviroctects.com

APN: 035-231-09
 CAPITOLA, CA 95010

MODIFICATION TO CONDITIONAL USE PERMIT
 & DESIGN PERMIT #19-0375 FOR:
201 CAPITOLA AVE

Date: 12-3-20
 Scale: 1/4" = 1' - 0"
 Drawn: CC
 Job: CAPITOLA AV
 Sheet: **A3**
 Sheets



ARCHIVES
ARCHITECTURE

PO BOX 1332
SAN JOSE CA 95109

MEMORANDUM

DATE: January 11, 2021

TO: Attn: Matt Orbach, Assistant Planner
City of Capitola
420 Capitola Avenue
Capitola, CA 95010
(via email)

RE: Supplemental Secretary of the Interior's Standards Review – East Elevation Revision
Commercial Building and Second-Story Residence – 201 Capitola Avenue, Capitola, CA

FROM: Leslie A.G. Dill, Historic Architect

INTRODUCTION

This memorandum is to demonstrate that Archives & Architecture LLC has reviewed the revised submittal drawing sheets for the proposed mixed-use rehabilitation project at 201 Capitola Ave., Capitola, and concludes that the proposed rehabilitation project can be found compatible with the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards*.

The revised design is presented on a revised cover sheet, site plan, floor plan and exterior elevation (Sheets A0, A1, A2, and A3). The revised design consists of a new storefront and mezzanine window configuration facing San Jose Avenue, along with revised awning designs. The revised design set was prepared by Frank Phanton, Architect, and dated December 2, 2020

The previous project design was reviewed as a whole on September 30, 2019, and the project was approved. The elevations and plans at that time showed a new central recessed storefront beneath a horizontal replacement window. This previous design was analyzed according to the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards* (Standards). The conclusion of the analysis was as follows:

With the incorporation of the clarifications and other minor recommendations within this report, the proposed rehabilitation project could be found to meet the Secretary of the Interior's Standards for Rehabilitation.

The proposed project, as recommended, would preserve the setting, character-defining materials, workmanship, and location of the historic building. The altered design would preserve the feeling of a 1930s commercial building, and would preserve the association of the building with the City's context as a representative of a significant Property Type "...associated with the context of tourism and real estate management (1933-1949) [including] stores..."

Subsequent proposed design revisions were presented to Archives & Architecture, and a set of review comments and suggestions was prepared in memorandum format, dated November 2, 2020, primarily requesting clarification of materials and design details.

The most recent set of drawings shows and notes a revised design that include a pair of new storefronts on the east façade, beneath two replacement window units. The materials and detailing have been clarified, and the awnings revised and illustrated per previous comments.

ANALYSIS

Paragraphs with updated analysis of the revised porch design are copied from the initial report and revised as follows:

Standard 1: *No revised review. The property use continues to require minimal changes to the distinctive features and materials.*

Standard 2: *No revised review. The removal of the east-side upper window continues to be non-character-defining. Its replacement is reviewed in other standards.*

Standard 3 (Updated analysis): The design of the proposed storefronts and upper windows are clarified in the revised drawing set, and they will not be mistaken for original features. All new elements have adequate differentiation (See also Standard 9).

Standard 4: *No revised review, as it has been understood that there are no existing features of the building that represent changes that have acquired historic significance in their own right.*

Standard 5: *No revised review. The “distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.”*

Standard 6 (Updated analysis): The current cover sheet includes a block of general notes identifying the property as historically significant, and the notes indicate that changes in the plans would require additional review.

Standard 7: *No supplemental review necessary. No physical or chemical treatments are proposed in the revised drawing set.*

Standard 8: *No supplemental review included. Archeological resources are not evaluated.*

Standard 9 (Revised analysis): The proposed alterations are substantially compatible with the historic characteristics and compositions of the building and differentiated by their detailing, materials, and form.

The proposed storefronts, upper windows, entrance doors, and awnings will be compatible with the scale of the historic windows and original entrance. The large areas of the single-lite display windows are compatible with the sidelights of the original front entrance on Capitola Avenue, and they are in keeping in visual size and scale with the large original display windows, as well. The paired single-lite entrance doors are compatible with the original recessed front entrance on the north side of the building. The new storefronts are differentiated by their bronze-anodized materials and the doors' simplified single-lite glazing. The design of the quarter-round awnings provides continuity with the Capitola Avenue and existing northern storefront awnings. The similarity in design links the existing and proposed storefronts together within the overall building composition.

The upper window glazing is compatible in area with the original storefront glazing. These proposed mezzanine windows are shown to be differentiated from the original storefront windows by being set in from the pilasters, and, therefore, including side bullnose stucco where the original storefronts/windows span from pilaster to pilaster. The notes indicate that, as per the proposed

storefronts, the windows and entrance framing will be bronze anodized aluminum, differentiating these elements from the painted-wood and frameless existing structures.

The proposed door to the upper apartment has been revised to be more in keeping with the one-panel/one-lite storefront entrance at 121 San Jose Ave., and the proposed concave awning at the apartment door is also designed to be compatible with the awning design of the storefront there. These revisions are appropriate within Standard 9, as they differentiate the buildings from each other and provide continuity of new elements at the adjacent storefront. The upstairs residential windows and deck are not revised in the new design, so there are no supplemental review comments.

Standard 10: *No new review necessary, as the current plans would preserve the essential form and integrity of the historic property.*

INTEGRITY

The proposed project would preserve the setting, character-defining materials, workmanship, and location of the historic building. The altered design would preserve the feeling of a 1930s commercial building, and would preserve the association of the building with the City's context as a representative of a significant Property Type "...associated with the context of tourism and real estate management (1933-1949) [including] stores..."

CONCLUSIONS

The revised façade design is consistent with the Standards as noted above. The proposed design, therefore, continues to meet the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards*.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 4, 2021

SUBJECT: **835 Bay Avenue** **#21-0017** **APN: 035-381-01**

Conditional Use Permit for the storage of vehicles for the Toyota dealership located within the C-C (Community 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: Redtree Partners LP

Representative: Sven Davis, Filed: 01.15.2021

APPLICANT PROPOSAL

Toyota of Santa Cruz is requesting approval of a conditional use permit (CUP) to allow storage of vehicles on the vacant property to the north of the 831 Bay Avenue office. The property is located in the Community Commercial zoning district, outside the coastal zone, and is subject to the updated zoning code.

BACKGROUND

In 2015, the City Council approved a conditional use permit which allowed a car storage area at 831 Bay Avenue during the expansion of the Toyota dealership on Autoplaza Drive. The CUP was extended in 2017 for two years and again in 2019 for two additional years. On March 28, 2021, the CUP is due to expire.

Pursuant to Capitola Municipal Code 17.156.080.C, extensions to a permit may be approved by the review authority which originally approved the permit. The review authority may approve up to two two-year extensions (four years total) to a permit. Since the conditional use permit has received the maximum allowable extension, the permit holder is required to apply for a new conditional use permit to continue the use.

DISCUSSION

A car storage area is not an allowed use within the Community Commercial zoning district. Pursuant to §17.24.020.A, the City Council may approve a land use not listed in the Community Commercial land use table after receiving a recommendation from Planning Commission and finding the use to be consistent with the General Plan and purpose of the zoning district. The current review by Planning Commission is to provide a recommendation to City Council on the car storage area.

The applicant is requesting a five-year temporary conditional use permit for the car storage area at 835 Bay Avenue. The property is a gateway parcel located directly off the Highway One Bay Avenue exit when entering the city. The owner of the property plans to develop the property in the future but would like to continue to extend the lease to Toyota in the interim. The existing storage area is set back 100 feet from Bay Ave. There is a six-foot tall chain link fence surrounding the car storage area. Access in and out of the storage area is through the Nob Hill parking area behind the offices at 831 Bay Avenue.

A conditional use permit is required for land uses that are generally appropriate within a zoning district, but are potentially undesirable on a particular parcel or in large numbers. The Planning Commission review and City Council action enables the City to ensure that the proposed use is consistent with the General Plan and Local Coastal Program Land Use Plan and will not create negative impacts to adjacent properties or the general public.

When evaluating a CUP application, the review authority shall consider the following characteristic of the proposed use:

- A. Operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).
- B. Availability of adequate public services and infrastructure.
- C. Potential impacts to the natural environment.
- D. Physical suitability of the subject site for the proposed use in terms of design, location, operating characteristics, shape, size, topography.

The proposed use is in alignment with considerations A – D above, as car storage does not have incompatible operating characteristics or impacts on public service, infrastructure, or the nature environment. A large vehicle storage area is not compatible with the zoning because it does not add to the vibrancy of a commercial center.

The Planning Commission and City Council may attach conditions of approval to a use permit to achieve consistency with the General Plan, Local Coastal Program, Zoning Code, and any applicable specific plan or area plan adopted by the City Council. Since the use is not consistent with the zoning code and general plan, staff suggests limiting the use to two years, understanding that the applicant can request two two-year extensions.

The previous conditional use permit included the following conditions which the Planning Commission may modify in their recommendation to the City Council. Staff's recommendations are included in strikethrough and underline for Planning Commission review.

CONDITIONS:

1. The project approval consists of a two-year temporary conditional use permit for Toyota of Santa Cruz to store vehicles at 835 Bay Avenue.
2. Any significant modifications to the size or exterior appearance of the storage area beyond the limits incorporated within the City Council review on ~~March 28, 2019~~ March 11, 2021, must be approved by the City Council.
3. The application shall be reviewed by the City Council upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Hours for access to the site will be limited to 8 a.m. to 8 p.m.
5. The fence shall be set back a minimum of 100 feet from the Bay Avenue property line.
6. The temporary conditional use permit shall be permitted for two years from the date of City Council approval (~~March 28, 2019~~ March 11, 2021). On ~~March 28, 2021~~ March 11, 2023, the site must be returned to its original condition, with the cars and fencing removed from the site unless a time extension is approved by the City Council.

7. The site shall be maintained in good condition throughout the duration of the temporary permit including maintenance and upkeep of the screened chain link fence and the Bay Avenue landscape strip.
8. ~~At time of site expansion~~ Upon City Council approval and annually thereafter, the landscape strip along Bay Avenue shall be planted with drought tolerant plants and fresh mulch shall be installed pursuant to a landscape plan approved by the Community Development Director.
9. ~~Within 30 days of the approval of the temporary use permit, the applicant shall provide~~ During the 2019 approval of the car storage area, the city collected a with \$2,000 deposit and a signed landscape agreement to ensure the landscaping along Bay Avenue is installed and maintained. The deposit may be released at the time the use is removed from the site if the landscape is established and the site maintained.

CEQA

Section 15301 of the CEQA Guidelines exempts projects characterized as permitting existing private facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This project involves a car storage area on a property that has been utilized as a car storage area since 2015. The proposed project is consistent with the existing facilities and no adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff suggests the Planning Commission consider the application for a temporary conditional use permit and provide a recommendation to the City Council including limiting the temporary use to two years and the draft conditions included in the analysis section of the staff report.

ATTACHMENTS:

1. Toyota Letter #21-0017 - 01.20.21

Prepared By: Katie Herlihy
Community Development Director



Jan. 19, 2021

Capitola Councilmembers,

Thank you for your review of our zoning permit application #21-0017, extending the use of the rear portion of 835 Bay Avenue for new Toyota vehicle storage.

Later this year we intend to re-develop the parcel at 4400 Auto Plaza Drive to accommodate more vehicles and increase parking, at which time we will no longer require the use of the lot on Bay Avenue. In the meantime, this off-site staging area has been a valuable asset in allowing us to keep all of our business operations in Capitola.

We appreciate your continued support during the unprecedented challenges that we have faced over the last 10 months, and realize the enormous value of our partnership. Please never hesitate to reach out to me personally if I can offer any more assistance in this, or any other matter.

Thank you,

A handwritten signature in blue ink, appearing to read "Jeffrey J. Hodge".

Jeffrey J. Hodge
President/Owner
Santa Cruz Toyota and Santa Cruz Subaru