



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, March 5, 2020 – 7:00 PM

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

Short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - Jan 16, 2020 7:00 PM

B. Planning Commission - Regular Meeting - Feb 6, 2020 7:00 PM

4. CONSENT CALENDAR

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

A. 1530 49th Avenue

#19-0665

APN: 034-042-07

Design Permit for demolition of an existing one-story single-family residence and construction of a new two-story single-family residence and accessory dwelling unit 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 not appealable to the California Coastal Commission after all possible appeals are exhausted.

Environmental Determination: Categorical Exemption

Property Owner: Rodger Shaheen

Representative: Francisco Torres, Filed: 12.02.2019

- B. 115 San Jose Avenue #19-0186 APN: 035-221-17&18**
REQUEST TO CONTINUE Master Use Permit including designated shared seating areas with onsite consumption of beer and wine for the Capitola Mercantile 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: Peter Dwares
 Representative: Dennis Norton, Filed: 04.19.2019

5. PUBLIC HEARINGS

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

- A. 2163 Francesco Circle #19-0661 APN: 034-541-15**
 Tree Removal Permit to remove three healthy palm trees and plant six trees within the PD (Planned Development) zoning district. This project is outside the Coastal Zone.
 Environmental Determination: Categorical Exemption
 Property Owner: Satu Larson
 Representative: Satu Larson, Filed: 11.25.19
- B. 1115 41st Avenue #19-0534 APN: 034-163-02**
 Amendment to a Master Sign Program for O'Neill Surf Shop located within the CC (Community Commercial) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: O'Neill Surf Shop
 Representative: Mike Terron, Filed: 10.15.19
- C. 201 Capitola Avenue #19-0375 APN: 035-231-09**
 Design Permit and Conditional Use Permit for modifications to an historic structure introducing new windows and doors along the San Jose Avenue façade and converting a second story office to a residential unit 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: WRR CA Properties LLC
 Representative: Dennis Norton, Filed: 08.12.2019

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

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

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

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

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

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

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

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



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, JANUARY 16, 2020
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. NEW BUSINESS

A. Election of Chair and Vice Chair

MOTION: Appoint Ed Newman as Chair of the Planning Commission.

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

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

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

3. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda – none

B. Public Comments

Cherrie McCoy spoke against Merlone Geier's plans to redevelop the Capitola Mall and encouraged a commercial-only approach at the site.

C. Commission Comments

Chair Newman asked for an update on Mattress Firm's sign violations. Associate Planner Orbach replied that the business has received courtesy notices in the past about violations and that Staff will either send a new courtesy notice or issue a citation if the previous violation was less than a year ago.

D. Staff Comments

Community Development Director Herlihy announced that the City has been pre-approved for an SB2 Grant and said that an application from Merlone Geier for their Mall redevelopment project is expected within the next two weeks.

4. APPROVAL OF MINUTES

Minutes Acceptance: Minutes of Jan 16, 2020 7:00 PM (Approval of Minutes)

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

MOTION: Approve the minutes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Wilk, Commissioner
SECONDER:	TJ Welch, Chairperson
AYES:	Newman, Welch, Wilk, Routh, Christiansen

5. PUBLIC HEARINGS**A. 1591 Prospect Avenue #19-0576 APN: 034-044-12**

Fence Permit with a location exception and Major Revocable Encroachment Permit for a wall in the public right of way located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Eva Carpenter Trust, Attn: Nancy Yu

Representative: Pedro Rosado, Filed: 10.24.19

Assistant Planner Sesanto presented the staff report and Staff clarified questions regarding the report's attachments.

Pedro Rosado, the project representative, was available to answer questions.

Commissioner Newman stated that he is against giving citizens exclusive rights to public land in this manner.

MOTION: Approve the Fence Permit with a location exemption and Major Revocable Encroachment Permit with the following conditions and findings.

CONDITIONS:

1. The project approval consists of a fence permit for the construction of a new wall and three privacy screens with a fence location exception for a fence in the required side setback area, and a major revocable encroachment permit for the portions of the wall and privacy screens located within the public right of way, and the removal of two flowering plum trees in the public right of way. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on January 16, 2020, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. at time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.

6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #-19-0576 shall be paid in full.
8. 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.
9. 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).
10. 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.
11. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
12. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
13. Prior to 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.
14. Preconstruction root exploration is necessary prior to trenching adjacent to the oak tree and its root zone. This shall be done using non-invasive procedures, such as with a probe, by hand, using small tools or an air spade. If encountered roots should be handled in the following methods:
 15. a. Roots less than two inches in diameter can be pruned cleanly with hand-pruners, loppers, or saws. The severed ends shall be covered with moist burlap or similar material.
 - b. Roots larger than two inches in diameter shall be preserved, protected, and bridged.
16. Prior to project final, 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. Prior to building permit issuance, the applicant shall provide a signed hold harmless agreement form for any revocable encroachment permit included in the application.

FINDINGS:

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

Community Development Staff and the Planning Commission have reviewed the project. The proposed wall and privacy screens comply with the development standards of the R-1 District with Planning Commission approval. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff and the Planning Commission have reviewed the application for an encroaching wall and privacy screens. The design of the new structures, with wood and stucco material, 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 15303(e) of the CEQA Guidelines exempts new accessory structures including garages, carports, patios, swimming pools, and fences. No adverse environmental impacts were discovered during review of the proposed project.

RESULT:	APPROVED [3 TO 2]
MOVER:	Peter Wilk
SECONDER:	Mick Routh
AYES:	Welch, Wilk, Routh
NAYS:	Newman, Christiansen

B. Brommer Street Improvements #19-0740 APN: N/A

Coastal Development Permit for roadway improvements on Brommer Street between 41st Avenue and 38th Avenue in the C-C, RM-H, PF-F, and PD Zoning Districts. The improvements include a new sidewalk on the north side of Brommer Street, new striping with Class 2 bike lanes, and roadway repaving.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: City of Capitola

Representative: Kailash Mozumder, Filed: 12.17.2019

Assistant Planner Sesanto presented the staff report.

Commissioner Routh confirmed that the project plans propose extending the median strip, and that this would not conflict with the Timberworks building's driveway.

Minutes Acceptance: Minutes of Jan 16, 2020 7:00 PM (Approval of Minutes)

City staff member and project representative, Kailash Mozumder, was present to answer questions. He said that public outreach has been done regarding this project and that most people agree that improvements are needed along Brommer Street. In response to a question from Commissioner Routh, Mr. Mozumder discussed the project timeline with bids being accepted in Winter and construction starting in early Summer to be completed by Fall, 2020.

Bart Hoogstede, resident of north Brommer, spoke about his significant safety concerns about Brommer Street due to heavy traffic and the speed of drivers regularly reaching 60 miles an hour.

Mark and Christa Bertetta, residents of Windward Lane for forty-five years, recommended speed tables be installed along Brommer Street as they have been effective on Jade Street. The Bertettas spoke about safety concerns along Brommer Street due to speeding drivers and an increase of traffic over time. Christa asked that a red parking zone be repainted to its original size, as a member of the public had painted over and shortened it. She also asked that the street's "keep clear" message be repainted for clarity since it has faded overtime.

Commissioner Routh supported the street improvements, as did Commissioner Wilk.

Commissioner Welch supported the improvement project and recommended that Staff work with the Police Department to address the public's traffic and safety concerns.

Chair Newman acknowledged the public's concerns and said that this project has brought many issues to the surface, though none of them directly relate to the specific project's approval.

Director Herlihy clarified that the Planning Commission is approving the Coastal Development Permit at this stage and that the City Council will also be hearing this project at a future meeting to approve the funding and contract.

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

CONDITIONS:

1. The project approval consists of a coastal development permit for roadway and sidewalk improvements on Brommer Street between 41st Avenue and 38th Avenue in the C-C, RM-H, PF-F, and PD Zoning Districts. The improvements include a new sidewalk on the north side of Brommer Street, new striping with Class 2 bike lanes, and roadway repaving. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on January 16, 2020, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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 hours shall be limited between the hours of 8:00 a.m. and 5:00 p.m. on weekdays. Construction shall be prohibited on weekends or legal holidays except in case of an emergency work approved by the Public Works Director.

FINDINGS:

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

Community Development Department Staff and the Planning Commission have reviewed the project. The coastal development permit for the Brommer Street sidewalk and roadway improvements conform to the requirements of the Local Coastal Program and conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan, and Local Coastal Plan.

B. This project is categorically exempt under Section 15332 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15332 of the CEQA Guidelines exempts in-fill development projects. Specifically, 15332 exempts projects meeting the following conditions:

- (a) 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.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare, or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

The project meets all of these criteria, 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 along Brommer Street between 41st Avenue and 38th Avenue. The project is not located in an area with coastal access. The project will, however, increase the public's access to public trails and locations with 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 Brommer Street between 41st Avenue and 38th Avenue. No portion of the project is located along the shoreline or beach.
- c. Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is a history of public use in the proposed project area. The project involves the public right-of-way for Brommer Street, which currently has a public street and bike lanes. The project is designed to increase the safety and accessibility of public streets and sidewalks along Brommer Street.
- 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 in the public right of way along Brommer Street. 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. The project will increase the ability of the public to get to those areas.
- 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 in the public right of way along Brommer Street and will increase the public's access to coastal areas and recreational opportunities. 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:**
- 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;
 - 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;
 - 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:**
- 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 an urban area without sensitive habitat areas.
 - Topographic constraints of the development site;
 - The project is in the public right of way along Brommer Street with no significant topographic constraints.
 - Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - 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;
 - The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - 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 a new sidewalk on the north side of Brommer Street and road repaving and restriping in the public right of way along Brommer Street. The new striping will include Class 2 bike lines.

SEC. 30223

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

- The project involves a new sidewalk on the north side and road repaving and restriping in the public right of way along Brommer Street.

- 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 a new sidewalk on the north side and road repaving and restriping in the public right of way along Brommer Street.
- 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 a new sidewalk on the north side of Brommer Street and road repaving and restriping. The project complies with applicable standards and requirements for provision of 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 in the public right of way along Brommer Street.
 - 11. Provisions of minimum water flow rates and fire response times;**
 - The project is located 1.2 miles from the Central Fire Protection District Live Oak Station. Water is available at the location.
 - 12. Project complies with water and energy conservation standards;**
 - The project is for a new sidewalk on the north side of Brommer Street and road repaving and restriping. The GHG emissions for the project are projected at less than significant impact.
 - 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;**
- Not applicable.
- 22. Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**
- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.
- 23. Project complies with the Capitola parking permit program as follows:**
- a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.
 - d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
 - f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
 - g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
 - The project site is not located within the area of the Capitola parking permit program.

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

C. Update to Zoning Ordinance/Local Coastal Plan Implementation Plan

Update to the City of Capitola Zoning Code including Chapter 17.74 Accessory Dwelling Units, density limits in Chapter 17.25 Commercial and Industrial Zoning Districts, and temporary sign standards and non-commercial messaging in Chapter 17.80 Signs. The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Matt Orbach, Associate Planner, City of Capitola

Associate Planner Orbach presented the staff report. Staff sought guidance from the Planning Commission on how to approach writing a new accessory dwelling unit ordinance that complies with the six new California state bills regarding Accessory Dwelling Units. Due to these bills going into effect January 1, 2020, Capitola Municipal Code chapter 17.74 is now null and void.

After a few questions, Chair Newman asked Staff for general direction on how the Planning Commission should approach the draft ordinance. Director Herlihy confirmed that the same presentation will be heard by City Council and the City Council could provide direction regarding how strict versus how lenient the City wants to be in the new ordinance. Commissioners agreed that with Council direction, they would then review Staff's ordinance and provide detailed specific recommendations to ensure the draft follows the Council's recommendations.

RESULT:	ACCEPTED REPORT, PROVIDED DIRECTION
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6. DIRECTOR'S REPORT – NONE

7. COMMISSION COMMUNICATIONS

Commissioner Welch asked about the business at the OSH site, now Outdoor Supply Hardware, which Director Herlihy explained is now open. He also asked for an update on the Coastal Commission approval, and Director Herlihy said there would be more information at the next Planning Commission meeting.

8. ADJOURNMENT

The meeting was adjourned at 8:57pm to the next regular meeting of the Planning Commission on February 6, 2020.

The minutes were approved at the regular meeting of the Planning Commission on March 5, 2020.

Chloé Woodmansee, Clerk to the Commission



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 6, 2020
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

C. Commission Comments

D. Staff Comments

3. CONSENT CALENDAR

A. 511 Escalona Drive #20-0002 APN: 036-125-02

Design Permit for a second-story addition to an existing single-family residence, an Accessory Dwelling Unit (ADU), and a Major Revocable Encroachment Permit for a wall in the public right of way located within the R-1 (Single-Family) zoning district. Permit is a revision to increase size of ADU from previous 2019 approval.

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: Christine Meserve

Representative: Valerie Hart, Filed: 01.02.2020

This item was pulled off the Consent Calendar and heard third, prior to Item 3.B.

Associate Planner Orbach presented the staff report.

Chair Newman asked about the parking requirement, which has changed because of new California State Bills regarding Accessory Dwelling Units. The Property owner Christine Meserve was present and answered Chair Newman's questions.

MOTION: Approve the Design Permit, the Major Revocable Encroachment Permit, and the Coastal Development Permit with the following conditions and findings.

CONDITIONS:

- The project approval consists of construction of a second-story addition and a 761-square-foot Accessory Dwelling Unit (approved ministerially under Government Code §65852.2(e)(1)(A)). The maximum Floor Area Ratio for the 5,513-square-foot property with an Accessory Dwelling Unit is 60% (3,312 square feet). The total FAR of the project is 59.9% with a total of 3,305 square feet, compliant with the maximum FAR within the zone. The 761-square-foot accessory dwelling unit is located on first story of the home adjacent to the garage. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 6, 2020, 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 final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #20-0002 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B

15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. The food preparation area within the second-story living space above garage is limited to a mini-bar/convenience area. The mini-bar/convenience area is limited to a small refrigerator, a microwave oven, and a small sink with a drain size less than one and one-half inches. No gas line or two hundred twenty electric service is permitted within this area. Only one such area is permitted within a dwelling in addition to the kitchen, and internal access within the dwelling must be maintained. The internal access must be maintained between the conditioned space of the main home and the mini-bar/convenience area. The staircase to the garage from the second story is not considered internal access within the dwelling, as the garage is unconditioned space.
21. At time of submittal for building permit review, a water will serve letter for the second dwelling unit must be submitted to the City.
22. Before obtaining a building permit for a secondary dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The accessory dwelling unit may not be used for vacation rentals; and
 - b. The secondary dwelling unit shall not be sold separately from the primary dwelling.

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 second-story addition and Accessory Dwelling Unit comply with the development standards of the R-1 District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the second-story addition and Accessory Dwelling Unit. The design of the addition, with board and batten siding and composition shingle roof, 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% of the existing structure or more than 2,500 square feet, whichever is less. This project involves an addition and the removal of several covered outdoor open spaces that result in a reduction of the floor area by 3%. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS:

D. Findings Required.

- **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 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;
 - 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;
 - A description of the legitimate governmental interest furthered by any access conditioned required;
 - 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:
- **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.**
 - 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 511 Escalona 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.

- 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 Escalona Drive. No portion of the project is located along the shoreline or beach.
- 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.
- 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 Escalona 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.
- 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.
- **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:**
 - 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;

- 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;
- 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.
- **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:**
 - 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.
 - Topographic constraints of the development site;
 - The project is located on a flat lot.
 - Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - 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;
 - The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
- **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.
- **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 construction of a second-story addition and an Accessory Dwelling Unit 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 construction of a second-story addition and an Accessory Dwelling Unit 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 construction of a second-story addition and an Accessory Dwelling Unit on a residential lot of record.

- **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 a second-story addition and an Accessory Dwelling Unit. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
- **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.
- **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.
- **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.
- **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.
- **Project complies with water and energy conservation standards;**
 - The project is for a second-story addition and an Accessory Dwelling Unit. 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.
- **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.
- **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.
- **Project complies with natural resource, habitat, and archaeological protection policies;**
 - Conditions of approval have been included to ensure compliance with established policies.
- **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.
- **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.
- **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.

- **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.
- **Project complies with shoreline structure policies;**
 - The proposed project is not located along a shoreline.
- **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 zoning district.
- **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.
- **Project complies with the Capitola parking permit program as follows:**
 - 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.
 - The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - The village area preferential parking program shall be limited to three hundred fifty permits.
 - Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - § The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - § The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
 - 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.
 - A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
 - The project site is not located within the area of the Capitola parking permit program.

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

B. 1500 Park Avenue #17-0097 APN: 036-201-01
 Coastal Development Permit to replace an existing storm water drain culvert underneath New Brighton State Beach parking lot, located in the PF-P/VS (Public Facility-Parks/Visitor Serving) zoning district.

Minutes Acceptance: Minutes of Feb 6, 2020 7:00 PM (Approval of Minutes)

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

Environmental Determination: Categorical Exemption

Property Owner: California Department of Parks and Recreation

Representative: Ryan Diller, filed: 06.22.16

This item was pulled of the Consent Calendar and heard fourth, prior to Item 4.B.

Assistant Planner Sesanto presented the staff report.

Commissioner Wilk asked about language in the conditions regarding nesting birds, and suggested the wording is changed to specify active “endangered or threatened species” nests in order to only delay construction for threatened or endangered birds rather than all birds that may be present at a job site.

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

CONDITIONS:

1. The project approval consists of replacement of a storm drain culvert at the New Brighton State Beach day-use parking lot. The storm drain culvert replacement will also result in a replacement of the existing parking lot with a parking lot of similar size and capacity.
2. Pre-construction surveys for bird nests shall be conducted if work is to occur during the nesting season (February 1 – August 31). If active endangered or threatened species nests are found, work will be redirected to provide at least a 50-foot buffer and construction noise levels will not exceed ambient levels until chicks have fledged.
3. A state approved archaeologist shall monitor all ground disturbing activities. If intact cultural remains are uncovered during construction by anyone, the state representative will put work on hold at that specific location, and contractors will be redirected to other tasks. A DPR archaeologist or cultural specialist will record and evaluate the find and implement avoidance, preservation or recovery measures as appropriate compliance with environmental law and department resource directives prior to State’s Representative directing resumption of work at that specific location.
4. The applicant shall be responsible for obtaining any necessary approvals from public agencies such as the California Department of Fish and Game, US Army Corps of Engineers, State Lands Commission, etc.
5. Prior to the commencement of construction, the Project Engineer of Record shall provide Capitola Public Works Department one set signed and wet sealed final approved documents dated December 2019:
 - a. New Brighton State Beach Day Use Parking Replacement drawings
 - b. Stormwater Control Plan “SWCP”
 - c. Stormwater Facilities Operation and Maintenance Plan
6. At project completion the Engineer of Record shall inspect the construction of stormwater management improvements and certify in writing that the construction meets the intent of the approved design drawings, Stormwater Control Plan and the City’s Post Construction Requirements.
7. At project completion California State Parks shall provide Capitola Public Works Department one set of record drawings of the constructed improvements.

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

Community Development Department Staff and the Planning Commission have reviewed the project. The Coastal Development Permit for the replacement of a storm drain culvert conforms to the requirements of the Local Coastal Program and conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Section 15301 of the CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Specifically, 15301 exempts projects such as:

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).

The project consists of the repair, replacement, and minor alternation of existing structures and involves a negligible expansion of use. 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 project area is adjacent to the final segment of Grand Avenue, the lateral access pathway that runs along the coastal edge of Depot Hill from Central Avenue to Hollister Avenue and provides public access to beautiful scenic views of the coastline. The pathway is situated the edge of the coastal bluff, approximately 90 feet above a small strip of beach along the Monterey Bay.
 - Grand Avenue, which was formerly a city street with a walking path known as Lover's Lane on the seaward side (until the 1930's), has been utilized as a public walking path only from Central Avenue to Hollister Avenue for many years due to the precarious location of the road along the edge of the cliff.
 - The section of the Grand Avenue pathway between Oakland Avenue and Hollister Avenue was closed in 2017 due to geologic instability to ensure public safety.
 - Due to significant rainfall in December 2019, the bluff below the Grand Avenue pathway between Hollister and Oakland Avenues failed, resulting in complete loss of the pathway.
 - The project directs stormwater away from the area where the bluff failed to slow down erosion in the area.
 - The project is supported by the following sections of the Local Coastal Program:
 - Policy II-1
 - § It shall be the policy of the City of Capitola to provide safe and adequate pedestrian access to and along the shoreline as designated in the Shoreline Access Plan.
 - SEC. 30253
 1. Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
 2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along cliffs and bluffs.
- 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 project area is adjacent to the final segment of Grand Avenue, the lateral access pathway that runs along the coastal edge of Depot Hill from Central Avenue to Hollister Avenue and provides public access to beautiful scenic views of the coastline. The pathway is situated the edge of the coastal bluff, approximately 90 feet above a small strip of beach along the Monterey Bay.
 - The project directs stormwater away from the area where the bluff failed to slow down erosion in the area.
 - The project will not result in significant changes to shoreline processes.
- 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);
- The project area is adjacent to the final segment of Grand Avenue, the lateral access pathway that runs along the coastal edge of Depot Hill from Central Avenue to Hollister Avenue and provides public access to beautiful scenic views of the coastline from the blufftop.
- 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 public property at the end of Hollister Avenue near the Grand Avenue Pathway. 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 public 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 blufftop.
 - 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 construction of drainage improvements in the public right-of-way on Hollister Avenue near the Grand Avenue Pathway.

SEC. 30223

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

- The project involves construction of drainage improvements in the public right-of-way on Hollister Avenue near the Grand Avenue Pathway.

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 construction of drainage improvements in the public right-of-way on Hollister Avenue near the Grand Avenue Pathway.

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 drainage improvements in the public right-of-way on Hollister Avenue. 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;**
 - Not Applicable
11. **Provisions of minimum water flow rates and fire response times;**
 - Not Applicable
12. **Project complies with water and energy conservation standards;**
 - Not Applicable
13. **Provision of park dedication, school impact, and other fees as may be required;**
 - Not Applicable
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.
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 complies with shoreline structure policies.

- 21. **The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
 - Not Applicable

- 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.
 - Not Applicable

RESULT:	APPROVED [2 TO 0]
MOVER:	Mick Routh
SECONDER:	Peter Wilk
AYES:	Wilk, Routh
ABSTAIN:	Newman
ABSENT:	Christiansen, Welch

C. Grand Avenue Pathway Drainage Improvements

#20-0014

Coastal Development Permit (CDP) for drainage improvements on Hollister Avenue near the Grand Avenue Pathway in the R-1 (Single-Family Residential) Zoning District. The improvements include a new drainage inlet on the west side of Hollister Avenue.

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. Work was completed under an Emergency CDP.

Minutes Acceptance: Minutes of Feb 6, 2020 7:00 PM (Approval of Minutes)

Environmental Determination: Categorical Exemption
 Property Owner: City of Capitola
 Representative: Steve Jesberg, Filed: 01.17.2020

This item was pulled off the Consent Calendar and heard first, prior to Item 4.A.

Commissioner Wilk asked the project representative and City staff member Public Works Director Jesberg a question about the newly installed black corrugated pipe used to redirect water off the bluff.

Member of the public Mary Lynne Bernald, 406 Grand Avenue, raised concerns about too much water being directed off the bluff and contributing to erosion.

John Hart, 404 Grand Avenue, presented his beliefs about the type of erosion that is damaging the bluff.

Director Jesberg responded to the public concerns and stated that the City Council formed an ad-hoc committee within the past two years to address bluff erosion issues, and that funding for a new drainage system could cost one or two million dollars.

Further public comment addressed concern that the City will not help prevent future bluff damage.

Commissioner Routh discussed the City's history with bluff repair on Depot Hill and recommended that the concerned citizens consider forming a special assessment district to fund drainage improvements.

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

CONDITIONS:

1. The project approval consists of construction of drainage improvements on Hollister Avenue near the Grand Avenue Pathway. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 6, 2020, except as modified through conditions imposed by the Planning Commission during the hearing.
2. To the extent safely possible, applicant shall attempt to remove any non-plant materials from the top of the bluff and along the bluff (e.g.: asphalt, plastic, sandbags, and fencing) to prevent these materials from falling onto the beach area and into the ocean.
3. Applicant shall submit the following information to the Coastal Commission:
 - a. The level of storm the existing drainage inlets can accommodate; and
 - b. A preliminary analysis of additional possible drainage improvements to prevent runoff down the bluff and any other measures that may be suitable to prevent/reduce erosion in the area.

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 and the Planning Commission have reviewed the project. The proposed construction of drainage improvements on Hollister Avenue near the Grand Avenue Pathway secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. The project will maintain the character and integrity of the neighborhood.**
 Community Development Staff and the Planning Commission have reviewed the application for construction of drainage improvements on Hollister Avenue near the Grand Avenue Pathway. The project will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15304(f) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15304(f) of the CEQA Guidelines exempts minor trenching and backfilling where the surface is restored. This project involves construction of drainage improvements on Hollister Avenue near the Grand Avenue Pathway. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS:

D. Findings Required.

- 24. 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:**
- e. 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;
 - f. 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;
 - g. A description of the legitimate governmental interest furthered by any access conditioned required;
 - h. 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:
- 25. 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.**
- f. **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 project area is adjacent to the final segment of Grand Avenue, the lateral access pathway that runs along the coastal edge of Depot Hill from Central Avenue to Hollister Avenue and provides public access to beautiful scenic views of the

- coastline. The pathway is situated the edge of the coastal bluff, approximately 90 feet above a small strip of beach along the Monterey Bay.
- Grand Avenue, which was formerly a city street with a walking path known as Lover's Lane on the seaward side (until the 1930's), has been utilized as a public walking path only from Central Avenue to Hollister Avenue for many years due to the precarious location of the road along the edge of the cliff.
 - The section of the Grand Avenue pathway between Oakland Avenue and Hollister Avenue was closed in 2017 due to geologic instability to ensure public safety.
 - Due to significant rainfall in December 2019, the bluff below the Grand Avenue pathway between Hollister and Oakland Avenues failed, resulting in complete loss of the pathway.
 - The project directs stormwater away from the area where the bluff failed to slow down erosion in the area.
 - The project is supported by the following sections of the Local Coastal Program:
 - Policy II-1
 - § It shall be the policy of the City of Capitola to provide safe and adequate pedestrian access to and along the shoreline as designated in the Shoreline Access Plan.
 - SEC. 30253
 3. Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
 4. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along cliffs and bluffs.
- g. 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 project area is adjacent to the final segment of Grand Avenue, the lateral access pathway that runs along the coastal edge of Depot Hill from Central Avenue to Hollister Avenue and provides public access to beautiful scenic views of the coastline. The pathway is situated the edge of the coastal bluff, approximately 90 feet above a small strip of beach along the Monterey Bay.
 - The project directs stormwater away from the area where the bluff failed to slow down erosion in the area.
 - The project will not result in significant changes to shoreline processes.
- h. 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);

- The project area is adjacent to the final segment of Grand Avenue, the lateral access pathway that runs along the coastal edge of Depot Hill from Central Avenue to Hollister Avenue and provides public access to beautiful scenic views of the coastline from the blufftop.

- i. 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 public property at the end of Hollister Avenue near the Grand Avenue Pathway. 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.
- j. 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 public 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.

26. 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:

- d. 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;
- e. 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;
- f. 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.

27. 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:

- g. 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.
- h. Topographic constraints of the development site;
 - The project is located on a blufftop.
- i. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.

- j. 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;
 - k. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - l. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
28. **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.
29. **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 construction of drainage improvements in the public right-of-way on Hollister Avenue near the Grand Avenue Pathway.
- SEC. 30223**
Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
- The project involves construction of drainage improvements in the public right-of-way on Hollister Avenue near the Grand Avenue Pathway.
- 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 construction of drainage improvements in the public right-of-way on Hollister Avenue near the Grand Avenue Pathway.
30. **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 drainage improvements in the public right-of-way on Hollister Avenue. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
31. **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.
32. **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.
33. **Demonstrated availability and adequacy of water and sewer services;**

- Not Applicable
34. **Provisions of minimum water flow rates and fire response times;**
 - Not Applicable
 35. **Project complies with water and energy conservation standards;**
 - Not Applicable
 36. **Provision of park dedication, school impact, and other fees as may be required;**
 - Not Applicable
 37. **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.
 38. **Project complies with natural resource, habitat, and archaeological protection policies;**
 - Conditions of approval have been included to ensure compliance with established policies.
 39. **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.
 40. **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.
 41. **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.
 42. **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.
 43. **Project complies with shoreline structure policies;**
 - The proposed project complies with shoreline structure policies.
 44. **The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
 - Not Applicable
 45. **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.
 46. **Project complies with the Capitola parking permit program as follows:**

- i. 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.
- j. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
- k. The village area preferential parking program shall be limited to three hundred fifty permits.
- l. 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.”
- m. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
- n. 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.
- o. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
- p. 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.
 - Not Applicable

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

4. PUBLIC HEARINGS

A. 3775 Capitola Road #19-0732 APN: 034-261-39

Conditional Use Permit for a Community Assembly use for a commercial structure located within the C-R (Regional Commercial) zoning district. This project is not located in the Coastal Zone and does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Owner: MGP XI Capitola, LLC
 Representative: Jesse West, Filed: 12.10.2019

This item was heard second, after the pulled item 3.C and before pulled item 3.A.

Assistant Planner Sean Sesanto presented the staff report.

The project representative confirmed that they would soon apply for a sign permit in response to Commissioner Routh’s question.

MOTION: Approve the Conditional Use Permit for Community Assembly Use within the C-R zoning District with the following conditions and findings.

CONDITIONS:

Minutes Acceptance: Minutes of Feb 6, 2020 7:00 PM (Approval of Minutes)

1. The project approval consists of the conversion of 5,587 square-feet of commercial space for a community assembly use. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 6, 2020, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The project approval does not include signage. A sign permit is required for any signage not otherwise exempted by the zoning code.
3. 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
4. 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.
5. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
6. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
7. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
8. Prior to issuance of building permit, all Planning fees associated with permit #19-0732 shall be paid in full.
9. 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.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Santa Cruz Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building 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).
13. 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.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.

15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. 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.
18. 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 17.156.080.
19. 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.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS:

- A. The proposed use is allowed in the applicable zoning district.**
The proposed community assembly use is allowed within the C-R (Regional Commercial) zoning district with the approval of a Conditional Use Permit by the Planning Commission. The project complies with the development standards of the C-R zoning district
- 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 Community Development Department and the Planning Commission have reviewed the application and determined that the proposed community assembly use will secure the purposes of the zoning ordinance, design standards, and general plan. The property is outside the coastal zone therefore the Local Coastal Program does not apply.
- 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 Community Development Department and the Planning Commission have reviewed the application and determined that the proposal is compatible with the existing and planned land uses within the vicinity of the property.
- D. The proposed use will not be detrimental to the public health, safety, and welfare.**
The Community Development Department and the Planning Commission have reviewed the application and determined that the proposed community assembly use will not have adverse impacts on public health, safety, or general welfare.
- E. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.**

The Community Development Department and the Planning Commission have reviewed the application and determined that the use is properly located within the city and adequately served by existing services and infrastructure. The proposal is within an existing building.

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

The proposed project involves religious services in an existing commercial building. Section 15301 of CEQA Guidelines exempts minor changes to structures involving negligible or no expansion of use. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

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

B. Update to Zoning Ordinance/Local Coastal Plan Implementation Plan

Update to the City of Capitola Zoning Code including Chapter 17.74 Accessory Dwelling Units, Chapter 17.15 Single-Family Residence District, Chapter 17.16 Residential Zoning Districts, and Chapter 17.80 Signs.

The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Matt Orbach, Associate Planner, City of Capitola

Director Herlihy introduced Eric Phillips, a representative from the City Attorney's office with expertise in Accessory Dwelling Unit laws, who was available to answer questions. Associate Planner Orbach presented the staff report, focusing on changes to the Capitola Municipal Code necessary to follow state law while not offering additional leniency, consistent with City Council guidance.

Associate Planner Orbach requested Planning Commission direction regarding parking requirements for accessory dwelling units inside the Coastal Zone, since the new accessory dwelling unit law cannot supersede or lessen the effect or application of the Coastal Act. Chair Newman agreed that compliance with the Coastal Act and protecting visitor/public access to the coast is more significant than that of strict compliance with the new accessory dwelling unit law. Planning Commissioners supported the inclusion of Capitola Municipal Code §17.74.080(C)(3), requiring on-site parking for accessory dwelling units and replacement of parking spaces displaced by garages converted to accessory dwelling units for all parcels within the Coastal Zone, but recommended that City staff include an exception for the Cliffwood Heights neighborhood due to availability of street parking in that area.

Chair Newman asked that the wording be changed in Section 17.73.030.81 to remove any redundancies. He also asked that Staff research outside agencies that can assist in upholding short-term rental restrictions and to do proactive code-enforcement to ensure the City receives all owed Transient Occupancy Tax.

Updates to the Sign chapter of Municipal Code were approved by the Planning Commission after confirming that the updates were recommended by the City Attorney.

Recommended Planning Commission changes:

Code Section	Page #	Change
17.74.030(A)(1)	74-2	Add “by this chapter”
17.74.030(A)(1)(b) & 17.74.030(D)	74-2 & 74-3	Verify whether these two sections are redundant, and if so, whether they could be combined
17.74.080(C)(3)	74-11	Exclude single-family dwellings in Cliffwood Heights

MOTION: Recommend for adoption by the City Council with minor changes as discussed.

RESULT:	RECOMMENDED TO CITY COUNCIL FOR ADOPTION WITH MINOR CHANGES AS DISCUSSED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Mick Routh
AYES:	Newman, Wilk, Routh
ABSENT:	Christiansen, Welch

5. DIRECTOR'S REPORT

Community Development Director Herlihy announced that the City has been approved for an SB2 grant. Plans for grant allotment include creating designs available for the public for pre-approved Accessory Dwelling Units.

Commissioner Routh asked about the status of work at 401 Capitola Avenue. Director Herlihy said the project has been red-tagged and that any unpermitted construction at the site will be removed.

6. COMMISSION COMMUNICATIONS – NONE

7. ADJOURNMENT

The meeting was adjourned at 8:45pm to the next regular meeting of the Planning Commission on March 5, 2020.

Approved by the Planning Commission at the regular meeting on March 5, 2020.

Chloé Woodmansee, Clerk to the Commission

Minutes Acceptance: Minutes of Feb 6, 2020 7:00 PM (Approval of Minutes)



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 5, 2020

SUBJECT: **1530 49th Avenue** **#19-0665** **APN: 034-042-07**

Design Permit for demolition of an existing one-story single-family residence and construction of a new two-story single-family residence and accessory dwelling unit 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 not appealable to the California Coastal Commission after all possible appeals are exhausted.

Environmental Determination: Categorical Exemption

Property Owner: Rodger Shaheen

Representative: Francisco Torres, Filed: 12.02.2019

APPLICANT PROPOSAL

The applicant is proposing to demolish an existing one-story, single-family residence and construct a new 3,392-square-foot single-family residence that includes an accessory dwelling unit (ADU) located at 1530 49th Avenue in the R-1 (Single-Family Residential) zoning district. The application complies with all development standards of the R-1 zone.

BACKGROUND

On February 11, 2020, the Architectural and Site Review Committee reviewed the application and provide the applicant with the following direction:

Public Works Representative, Kailash Mozumder: requested that the applicant review and revise the total permeable surface number for the site and suggested that a curb be installed in order to provide drainage exits.

Building Official, Robin Woodman: stated that the area identified as an ADU requires a kitchen to be shown on the plan. Ms. Woodman also informed the applicant that the separation between the ADU and the single family dwelling is required to be 1-hour construction and directed the applicant to provide fire rating details on the building plans with a listed assembly for the door connecting to the primary dwelling.

Local Architect, Frank Phanton: appreciated the choice of design and felt that the uniform siding will give the residence a “tall” appearance. Mr. Phanton also supported the layout with respect to neighbor privacy.

Assistant Planner, Sean Sesanto: informed the applicant that prior to Planning Commission, the plans will need to be updated to show the required kitchen area for the ADU.

Following the meeting, the applicant submitted updated plans incorporating the modifications required by the Building Official and Planner.

Development Standards

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

Development Standards		
Building Height		
R-1 Regulation	Existing	Proposed
25 ft.	20 ft.	22 ft. 6 in.
Floor Area Ratio (FAR)		
	Existing	Proposed
Lot Size	5,663 sq. ft.	5,663 sq. ft.
Max. Floor Area Ratio	49% (Max 2,775 sq. ft.)	60% (Max 3,398 sq. ft.)
First Story Floor Area	619 sq. ft.	1,879 sq. ft.
Second Story Floor Area	0 sq. ft.	1,513 sq. ft.
TOTAL FAR	619 sq. ft. (10.9%)	3,392 sq. ft. (59.9%)
Yards (setbacks are measured from the edge of the public right-of-way)		
	R-1 Regulation	Proposed
Front Yard 1st Story	15 ft.	15 ft. 1 in.
Front Yard 2nd Story & Garage	20 ft.	20 ft.
Side Yard 1st Story		Lot width: 69 ft. 3 in.
Inner Side	10% lot width	6 ft. 11 in. min.
Street Side	10 ft.	10 ft. min.
Side Yard 2nd Story		Lot width: 69 ft. 3 in.
Inner Side	15% or 10 ft.	10 ft. min.
Street Side	10 ft.	10 ft. min.
Rear Yard 1st Story	Adjacent side yard setback	Lot depth: 81 ft. 7 in.
		4 ft. min.
		4 ft.
Rear Yard 2nd Story	Adjacent side yard setback	Lot depth: 81 ft. 7 in.
		4 ft. min.
		4 ft.
Encroachments		Landscaping, driveway, walkway as part of revocable encroachment permit
Parking		
	Required	Proposed
Residential (from 2,601 up to 4,000 sq. ft.)	<u>4</u> spaces total <u>1</u> covered <u>2</u> uncovered	<u>4</u> spaces total <u>2</u> covered <u>2</u> uncovered
Underground Utilities: required with 25% increase in area		Required

DISCUSSION

The existing residence at 1530 49th Avenue is a single-story, single-family residence. The applicant is proposing to demolish the existing residence and construct a new, 3,392-square-foot, two-story, single-family residence with a 499-square-foot attached accessory dwelling unit. The lot is surrounded by one- and two-story single-family homes within the Jewel Box neighborhood. The proposal features first- and second-story board and batten siding and a hipped roof with composition shingles. The residence includes a balcony overlooking Garnet Street and a second-story exterior access to the proposed ADU at the rear.

The proposed 3,392-square-foot residence is required to have four on-site parking spaces, one of which must be covered. The proposal includes four parking spaces, two of which are covered.

Accessory Dwelling Unit

The City of Capitola ADU ordinance is currently out of compliance with new state law and therefore applications for ADUs are subject to Government Code 65852.2. The proposed project includes a 499-square-foot, second-story, accessory dwelling unit. With the recordation of deed restrictions prohibiting vacation rental and separate sale as listed in Condition of Approval #22, the unit complies with the requirements of Government Code 65852.2.

Revocable Encroachment Permit

The application includes a minor revocable encroachment permit for improvements in the public right of way. The proposed improvements include a gravel area for parking, pervious driveway, walkway, and landscaping. Pursuant to Section 12.56.060(A) of the Capitola Municipal Code, the City may issue permits for private improvements in the public right of way, to be installed and maintained by the applicant. Minor encroachment permits are issued by the Public Works Director. The Public Works Department has reviewed the application, determined that it meets the requirements for a minor revocable encroachment permit, and will issue the permit once the project is approved. The private improvements will preserve street parking. The two gravel spaces along 49th Avenue are in the public right-of-way and considered existing public parking.

Tree Plantings

The applicant is proposing to plant seven trees on the property as indicated on the landscape plan. The seven trees will secure the goal of fifteen percent canopy coverage for new residential construction projects, pursuant to CMC Section 12.12.190(C).

CEQA

Section 15303(a) of the CEQA Guidelines exempts one single single-family residence, or a second dwelling unit in a residential zone. No adverse environmental impacts were discovered during review of the proposed project

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project application #19-0665.

CONDITIONS OF APPROVAL

1. The project approval consists of the demolition of an existing one-story, single family residence construction of a 3,392-square-foot single-family residence that includes a 499-square-foot attached accessory dwelling unit. The maximum Floor Area Ratio for the 5,663 square foot property is 60% (3,398 square feet). The total FAR of the project is 59.9% with a total of 3,392 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 5, 2020, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0665 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, the applicant shall demonstrate compliance with the tree planting requirement to meet the goal of 15% tree canopy coverage. Trees shall not be of fruit-bearing variety and shall be 15-gallon or larger in size.
17. 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.
18. 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.
19. 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.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. 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.
22. Before obtaining a building permit for a secondary dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The accessory dwelling unit may not be used for vacation rentals (30 days or less); and
 - b. The secondary dwelling unit shall not be sold separately from the primary dwelling.

23. Prior to issuance of a building permit, the applicant shall complete a revocable encroachment agreement, in a form provided by the Public Works Department, for all approved privately installed improvements within the unutilized street right-of-way.

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 two-story single-family residence with a 499-square-foot attached accessory dwelling unit complies with the development standards of the R-1 (Single-Family Residential) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the two-story single-family residence with a 499-square-foot attached accessory dwelling unit. The design of the home, with board and batten siding, hipped roof, and composition shingles, will fit nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15303(a) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15303(a) of the CEQA Guidelines exempts one single family residence, or a second dwelling unit in a residential zone. This project involves a single-family residence with an attached accessory dwelling unit within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required.

- 1. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:

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

- a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project’s effects upon existing public access and recreation opportunities. Analysis of the project’s cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project’s cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 1530 49th Avenue. 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 1530 49th Avenue. No portion of the project is located along the shoreline or beach.

- c. **Historic Public Use.** Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.
- d. **Physical Obstructions.** Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on 1530 49th Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. **Other Adverse Impacts on Access and Recreation.** Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**
- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.

- 4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a 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 a 3,392-square-foot residence, which includes a 499-square-foot attached accessory dwelling unit, 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 a 3,392-square-foot residence, which includes a 499-square-foot accessory dwelling unit, 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 a 3,392-square-foot residence, which includes a 499-square-foot attached accessory dwelling unit, 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 a 3,392-square-foot residence, which includes a 499-square-foot attached accessory dwelling unit. 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 0.5 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 involves a 3,392-square-foot residence, which includes a 499-square-foot attached accessory dwelling unit, on a residential lot of record. 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.

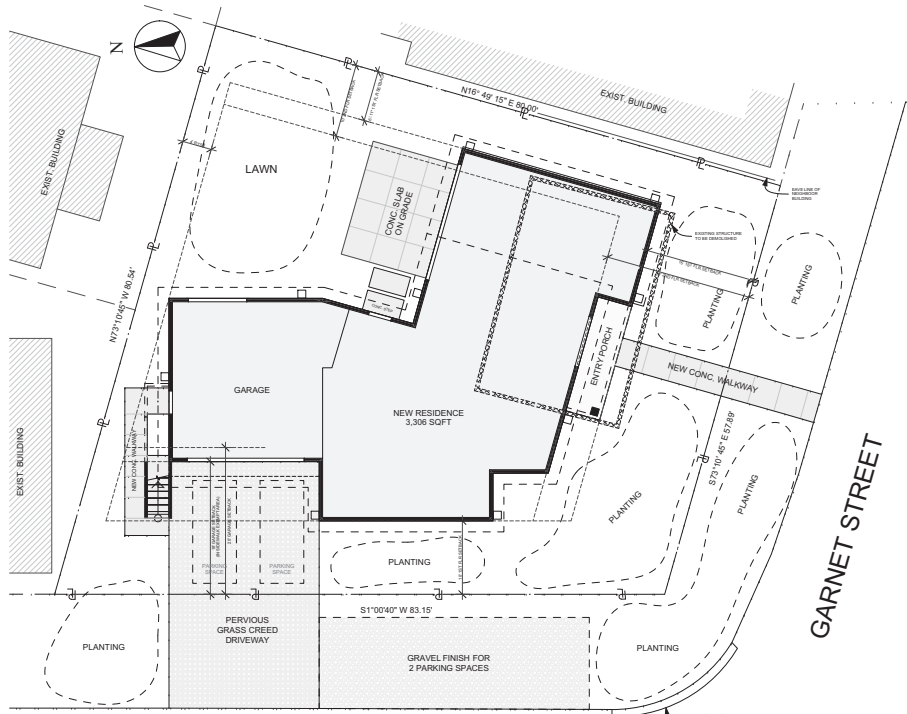
23. Project complies with the Capitola parking permit program as follows:

- 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. 1530 49th Avenue - Plan Set

Prepared By: Sean Sesanto



49TH AVENUE

Site Plan

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



GENERAL NOTES

- COPYRIGHTS:** THESE DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND REMAIN THE PROPERTY OF CAMARGO & ASSOCIATES ARCHITECTS. NO REVISIONS, REPRODUCTIONS OR USE OF THESE DOCUMENTS IN ANY WAY SHALL BE MADE WITHOUT THE CONSENT OF MAURICE CAMARGO AIA, PROJECT ARCHITECT. COPYRIGHT (2017) BY CAMARGO & ASSOCIATES ARCHITECTS IN SAN JOSE, CA. 95136.
- CODES:** ALL WORK SHALL CONFORM TO THE 2016 CALIFORNIA BUILDING CODE, 2016 CALIFORNIA GREEN BUILDING CODE, 2016 CALIFORNIA RESIDENTIAL CODE, 2016 CALIFORNIA PLUMBING CODE, 2016 CALIFORNIA MECHANICAL CODE, 2016 CALIFORNIA ELECTRICAL CODE, 2016 CALIFORNIA FIRE CODE, CURRENT CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS (TITLE 24) AND CURRENT COUNTY OF SANTA CLARA BUILDING ORDINANCES, ADOPTIONS & AMENDMENTS.
- SCOPE OF PLANS:** THESE PLANS ILLUSTRATE THE NATURE AND SCOPE OF WORK TO BE PERFORMED BY THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS. ALL WORK SPECIFIED AND/OR IMPLIED IN THESE PLANS, ALL ADDENDA, CHANGE AND FIELD ORDERS, SHOP DRAWINGS, ETC. SHALL BE A PART OF THE CONTRACTOR'S AGREEMENT. SUBSTITUTIONS PROPOSED FOR THE MATERIALS AND METHODS ILLUSTRATED IN THESE PLANS SHALL BE APPROVED BY THE PROJECT ARCHITECT AND THE BUILDING DEPARTMENT PRIOR TO THE INSTALLATION OF SUCH MATERIALS OR THE PERFORMANCE OF SUCH WORK.
- DISCREPANCIES:** DISCREPANCIES BETWEEN DRAWINGS AND/OR SPEC'S SHALL BE REFERRED TO THE PROJECT ARCHITECT FOR CLARIFICATION BEFORE STARTING THE AFFECTED WORK.
- DIMENSIONS:** PORTIONS OF THE PLANS ARE NOT DRAWN TO EXACT SCALE AND PRINTS ARE NOT EXACT REPRODUCTIONS OF DRAWINGS. DIMENSIONS MARKED "N.T.S." (NOT TO SCALE) ARE SUBSTANTIALLY DIFFERENT FROM THE SCALE OF THE DRAWING. **DO NOT SCALE OFF OF THE DRAWINGS!** USE DIMENSIONS SHOWN. ALL WINDOW, DOOR AND CABINET SIZES SHOWN ARE NOMINAL. CHECK WITH MANUFACTURER FOR EXACT GLAZING AND ROUGH OPENING SIZES OF DOORS AND WINDOWS.
- ARCHITECT OBSERVATIONS:** SITE VISITS AND OBSERVATIONS OF CONSTRUCTION SHALL BE CONDUCTED BY THE ARCHITECT AT TIMES INDICATED BELOW PRIOR TO PROCEEDING WITH SUBSEQUENT CONSTRUCTION. THE ARCHITECT SHALL BE NOTIFIED AT LEAST (2) WORKING DAYS PRIOR TO EACH INSPECTION.
 - FOUND EXCAVATION, FORMS & REINFG. JUST BEFORE PLACEMENT OF CONC.
 - FLOOR FRAMING AT ALL LEVELS BEFORE INSTALLATION OF FLOOR SHEATHING.
 - ROOF FRAMING AND SHEATHING NAILING BEFORE INSTALLATION OF ROOFING.
 - FLOOR & WALL FRAMING & SHEATHING BEFORE FINAL FRAMING INSPECTION BY COUNTY.
- TITLE 24 INSTALLATION CERTIFICATES:** CONTRACTOR AND/OR INSTALLER OF HVAC SYSTEMS, WATER HEATER SYSTEMS, WINDOWS, BUILDING ENVELOPE SEALANTS AND INSULATION SHALL PROVIDE INSTALLATION CERTIFICATES PER TITLE 24 OF 68 (PAGES 1-7 AND K-1). ALL SHEETS MUST BE FILLED OUT, SIGNED BY THE INSTALLER AND SUBMITTED TO THE BUILDING DEPARTMENT AT THE TIME OF INSPECTION.

PROJECT DATA

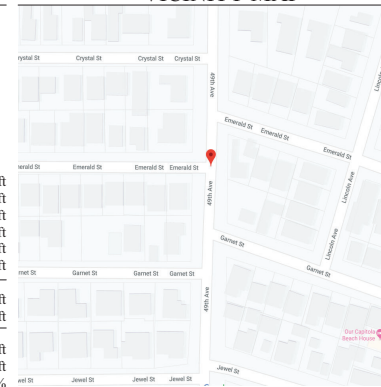
SITE DATA
 PROJECT ADDRESS: 1530 49th Avenue, Capitola, CA. 95010
 APN: 034-042-07
 OCCUPANCY GROUP: R-3
 TYPE OF CONSTRUCTION: V-B
 ZONING: R-1
 GROSS LOT AREA: 0.127 ACRE / 5,537 sqft

FAR CALCULATIONS:
 MAIN FLOOR: 1,401 sqft
 SECOND FLOOR: 925 sqft
 GARAGE: 479 sqft
 AUXILIARY DWELLING UNIT: 499 sqft
 EXTERIOR STAIRS: 54 sqft
 COVERED PORCHES / DECK: 179 sqft

SUBTOTAL: 3,537 sqft
 DECK / PORCHES ALLOWANCE: -150 sqft

TOTAL FAR: 3,387 sqft
 MAX ALLOWED: 3,398 sqft
 TOTAL NET: 59.07 %

VICINITY MAP



SHEET INDEX

G-001	Cover Sheet
C-001	Topographic Survey Map
A-101	Existing Plans / Elevations
A-102	First Floor Plan
A-103	Second Floor Plan
A-104	Roof Plan
A-201	Exterior Elevations
	3D VIEWS
L-1	Irrigation Plan
L-2	Landscaping Plan

PROJECT DIRECTORY

PROJECT OWNER: Rodger Shaheen
PROJECT ADDRESS: 1530 49th Avenue, Capitola, CA. 95010
ARCHITECT: MAURICE CAMARGO, A.I.A. CAMARGO & ASSOCIATES 3953 YOLO DRIVE SAN JOSE, CA. 95136
GOVERNMENT: CITY OF CAPITOLA 420 CAPITOLA AVENUE, CAPITOLA, CA. 95010

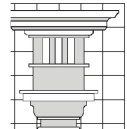
SCOPE OF WORK

DEMOLITION OF EXISTING 644 SQFT DWELLING AND CONSTRUCT A SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE AND SECOND FLOOR AUXILIARY DWELLING UNIT WITH EXTERIOR STAIR ACCESS.

Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)

SHAHEN RESIDENCE -
 49th Avenue • Capitola • California

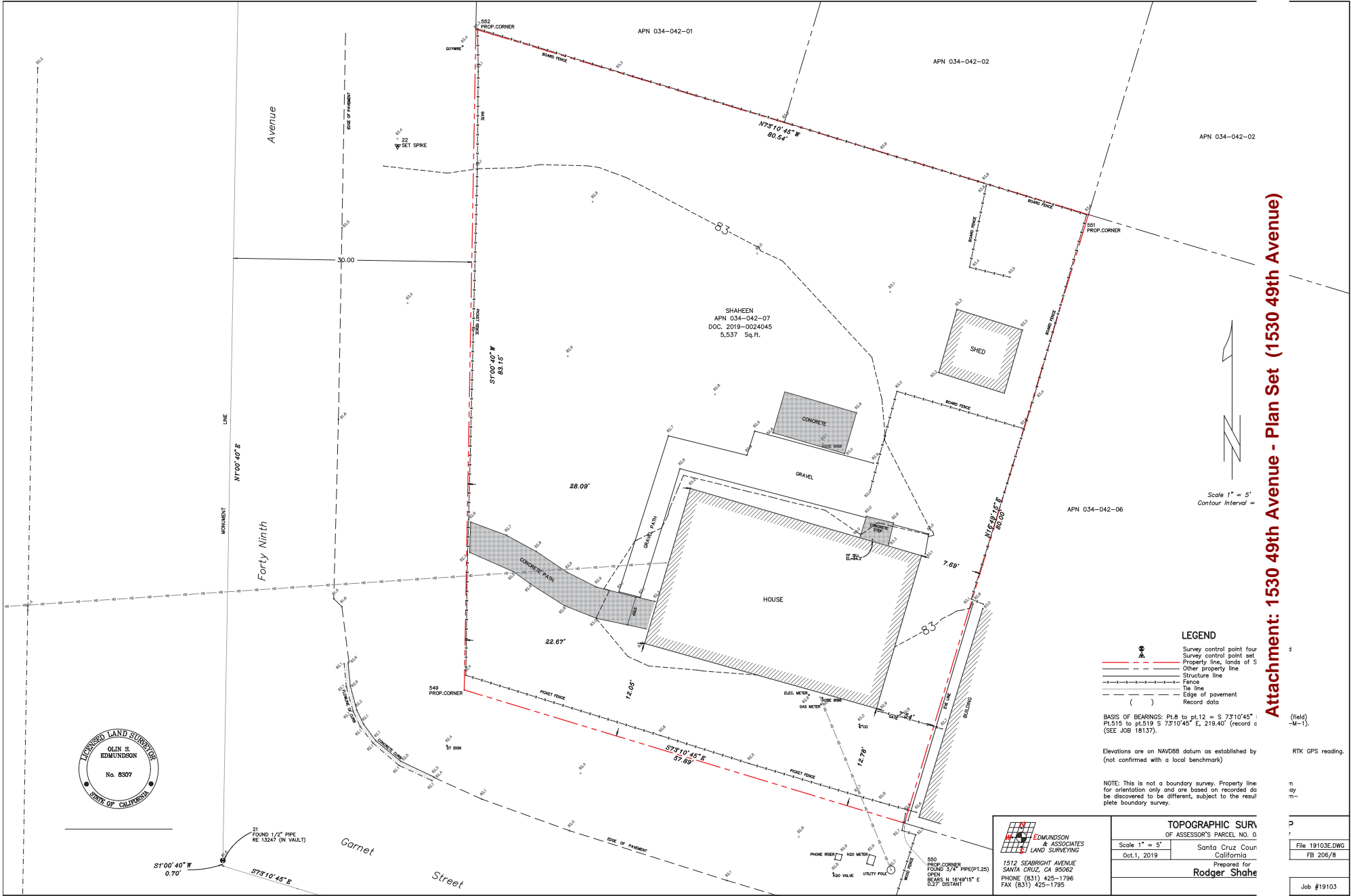
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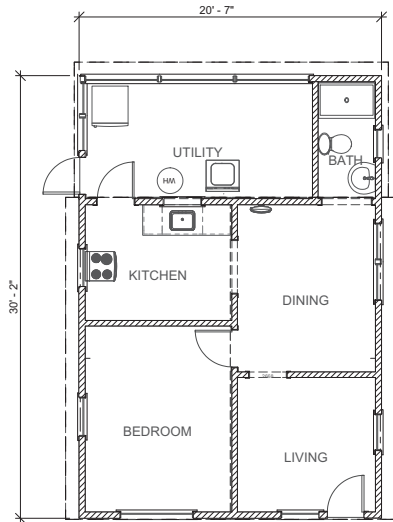
DATE:	2/12/2020
SET NO.:	20/9-06
BY:	FRANCISCO TORRES
SHEET:	
	G-001



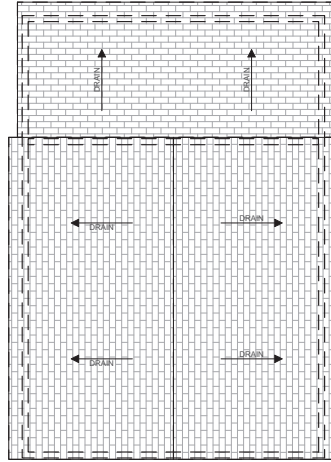
Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)



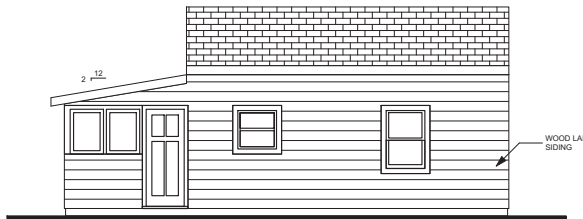
TOPOGRAPHIC SURV OF ASSESSOR'S PARCEL NO. 0	
Scale 1" = 5'	Santa Cruz Coun California
Oct. 1, 2019	Prepared for Rodger Shahe



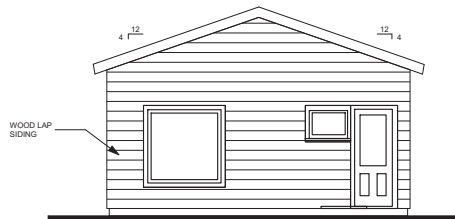
EXISTING FLOOR PLAN



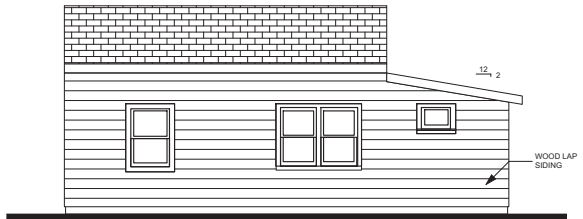
EXISTING ROOF PLAN



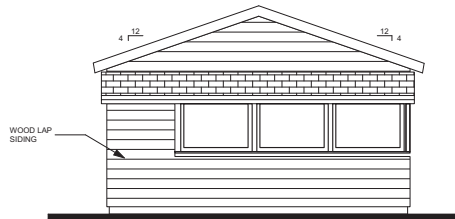
Elevation 1



Elevation 3



Elevation 2



Elevation 4

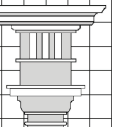
Existing Plans / Elevations

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

Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)

- SHAHEEN RESIDENCE -
49th Avenue • Capitola • California

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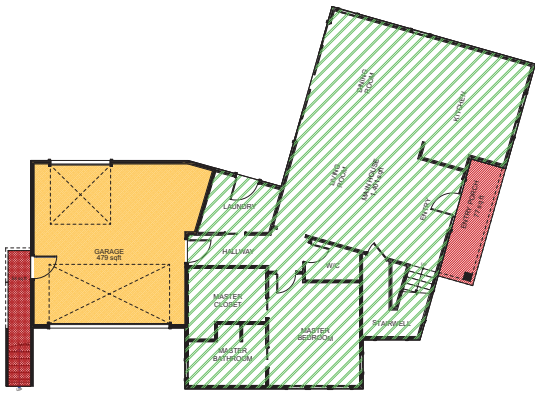


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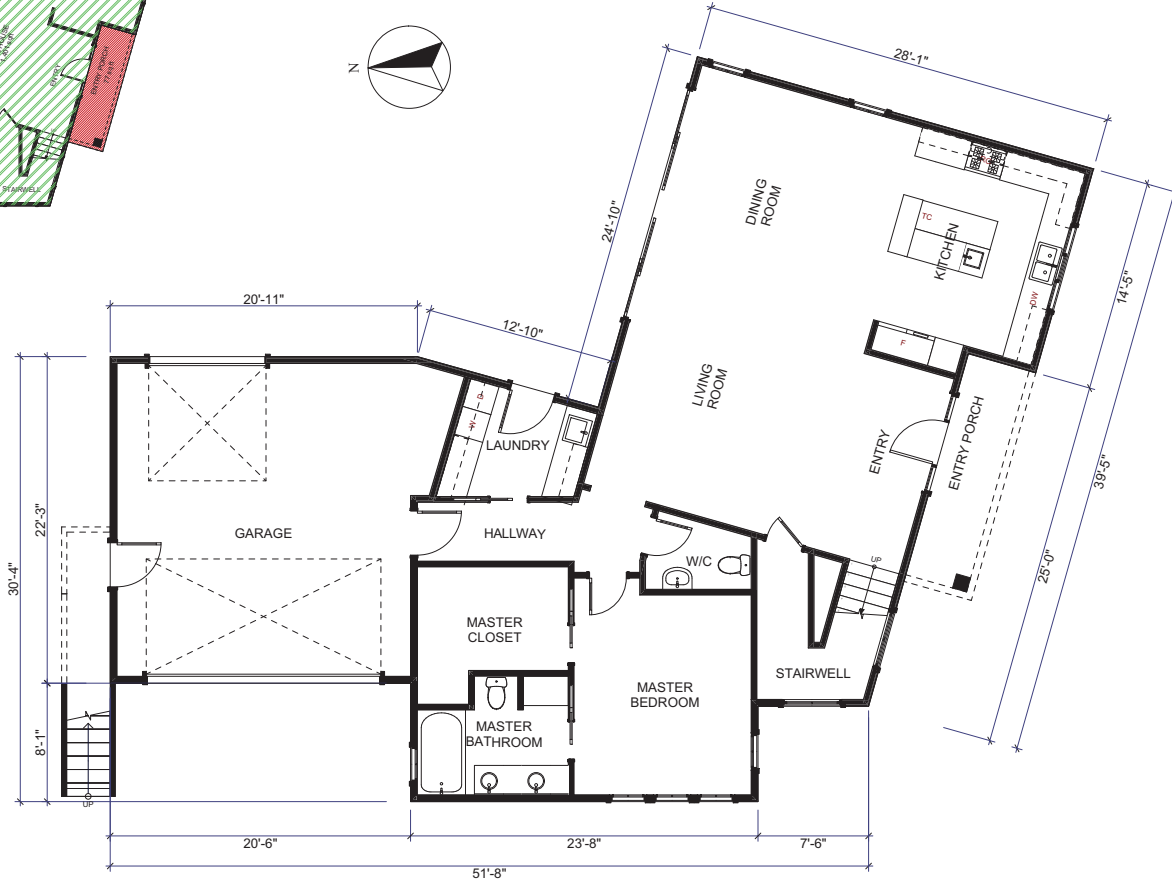
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DATE	2/12/2020
SET NO.	2019-06
BY	FRANCISCO TORRES
SHEET	

A-101



AREA ZONES



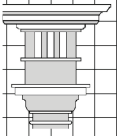
First Floor Plan

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

Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)

- SHAHEEN RESIDENCE -
49th Avenue • Capitola • California

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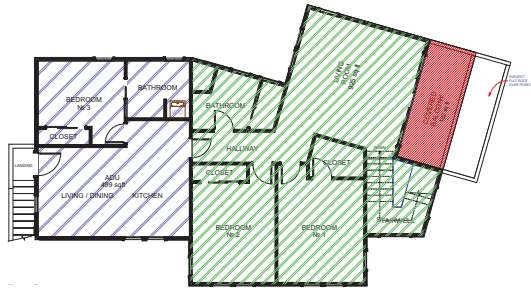


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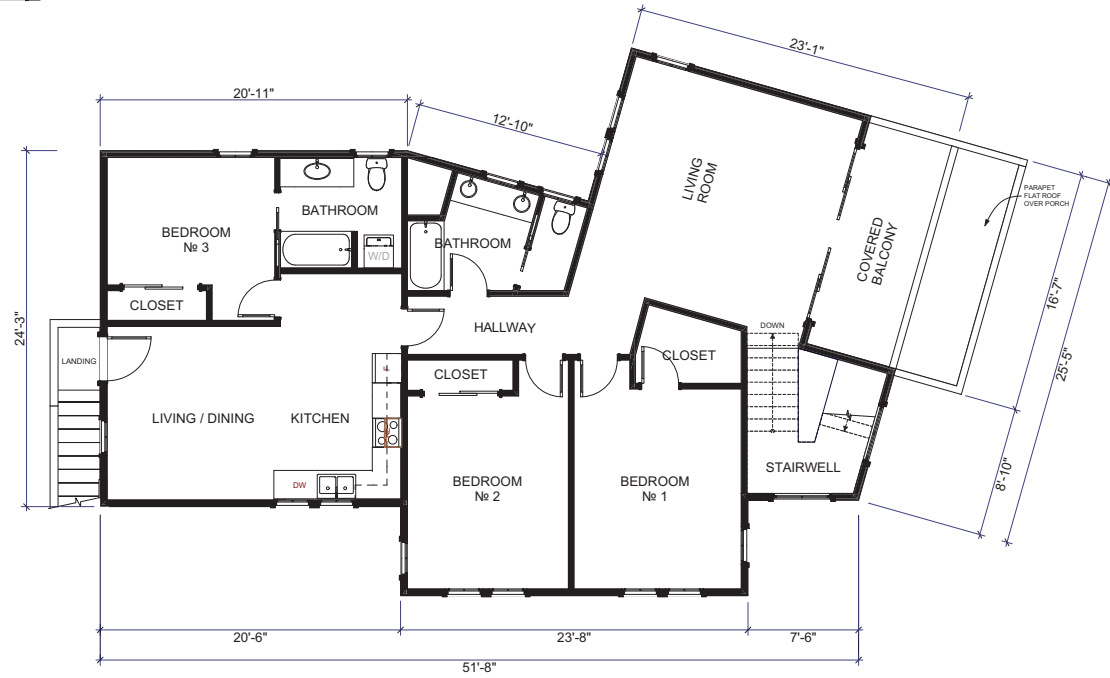
DATE	2/12/2020
REV	2019-06
BY	FRANCISCO TORRES
TITLE	Sheet

A-102



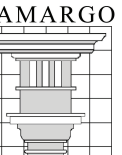
AREA ZONES

FLOOR PLAN NOTES:
 1. WALL AND DOOR ASSEMBLY SEPARATING ADU TO THE REST OF THE RESIDENCE SHALL BE 1HR FRR



Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)

- SHAHEEN RESIDENCE -
 49th Avenue • Capitola • California



**ASSOCIATES
 ARCHITECTS**

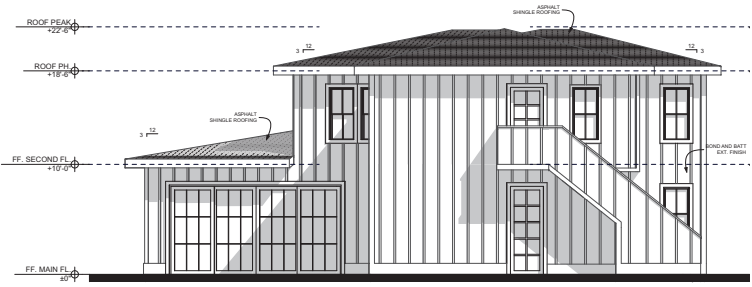
3953 Yolo Drive
 San Jose, CA. 95136
 (408) 266-3442
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DATE	2/12/2020
DESIGNER	2019-06
CLIENT	FRANCISCO TORRES
SHEET	

A-103

Second Floor Plan

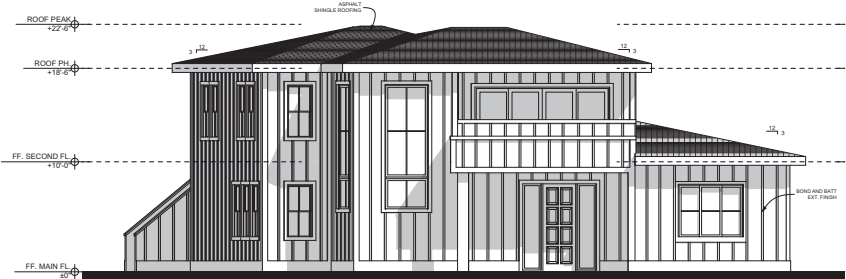
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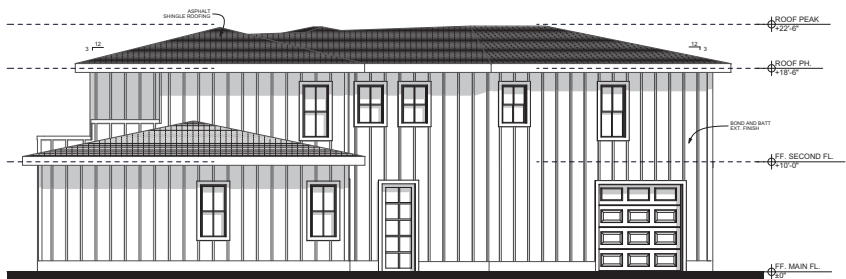
1 North Elevation
SCALE: 3/16" = 1'-0"



2 West Elevation
SCALE: 3/16" = 1'-0"



3 South Elevation
SCALE: 3/16" = 1'-0"



4 East Elevation
SCALE: 3/16" = 1'-0"

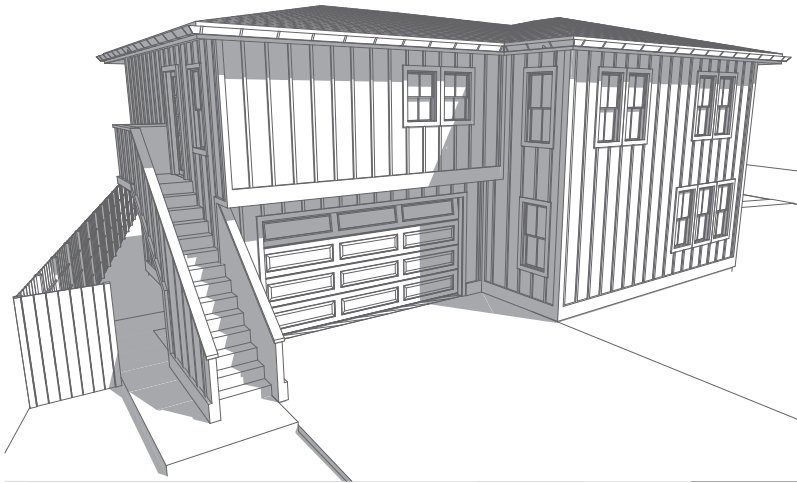
Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)

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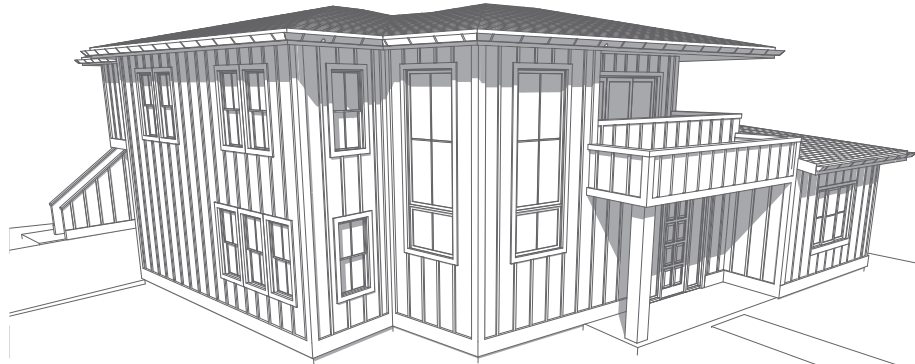
DATE	2/12/2020
SET NO.	20/9-06
BY	FRANCISCO TORRES
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A-201	

Exterior Elevations



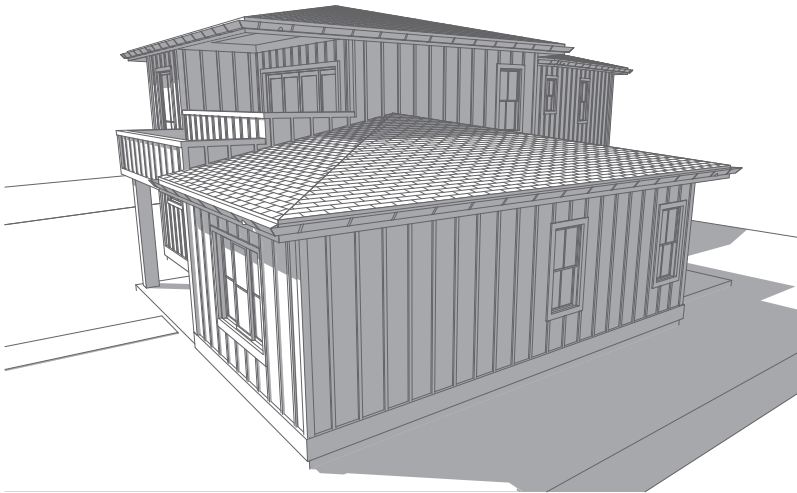
NW BIRDS EYE 3D

NOT TO SCALE



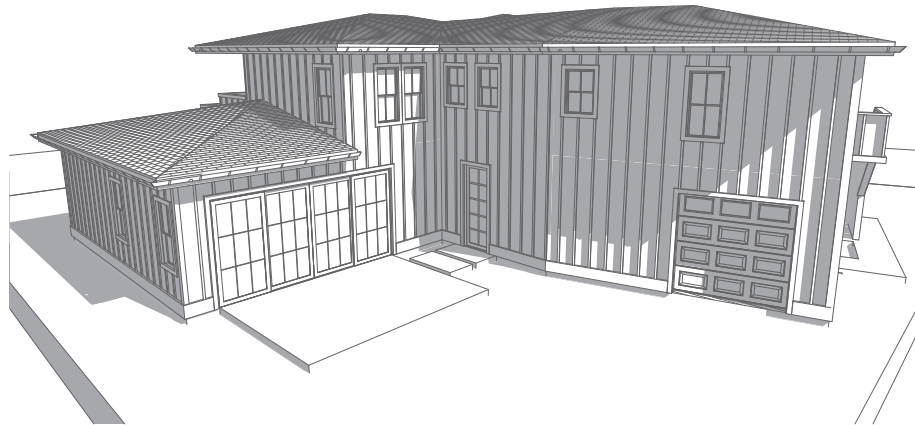
SW BIRDS EYE 3D

NOT TO SCALE



SE BIRDS EYE 3D

NOT TO SCALE



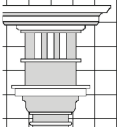
NE BIRDS EYE 3D

NOT TO SCALE

Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)

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Date: 2/12/2020

Set No: 2019-06

By: FRANCISCO TORRES

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KAREN AITKEN & ASSOCIATES
LANDSCAPE ARCHITECTS
8262 Rancho Real Gilroy Ca. 95020
Calif. Reg.# 2239 (408) 842-0245
projects@kaa.design

SHAAHEEN RESIDENCE
Garnet & 49th Streets, Capitola, CA.
IRRIGATION PLAN



DATE 01-09-2021
SCALE 1/8"=1'-0"
DRAWN SL & AD
JOB SHAHEEN

MAWA EPPT and ETWU Calculations

Project Name: Shaheen Residence
Project Location: Garnet & 49th Streets, Capitola, CA
Total Landscape Area: 3,762.0 sq. ft.
Date: 1/9/21

MAWA CALCULATION
MAWA = (Eto) (C2) (0.55LA) + (1-ETAF) x SLA

MAWA = Maximum Applied Water Allowance (gallons per year)
Eto = Reference Evapotranspiration (inches per year)
C2 = Conversion Factor (to gallons)
0.55 = E Adjustment Factor (ETAF)
LA = Landscape Area including SLA (square feet)
0.55 = Additional Water Allowance for SLA
SLA = Special Landscape Area (square feet)

Eto =	36.8
Conversion	0.62
ETAF =	0.55
LA =	3,762
SLA =	0
MAWA =	48,902.0 gallons per year
	8,777.0 cubic feet per year

MAWA with EPPT
MAWA = (Eto-EPPT) (C2) (0.55LA) + (1-ETAF) x SLA

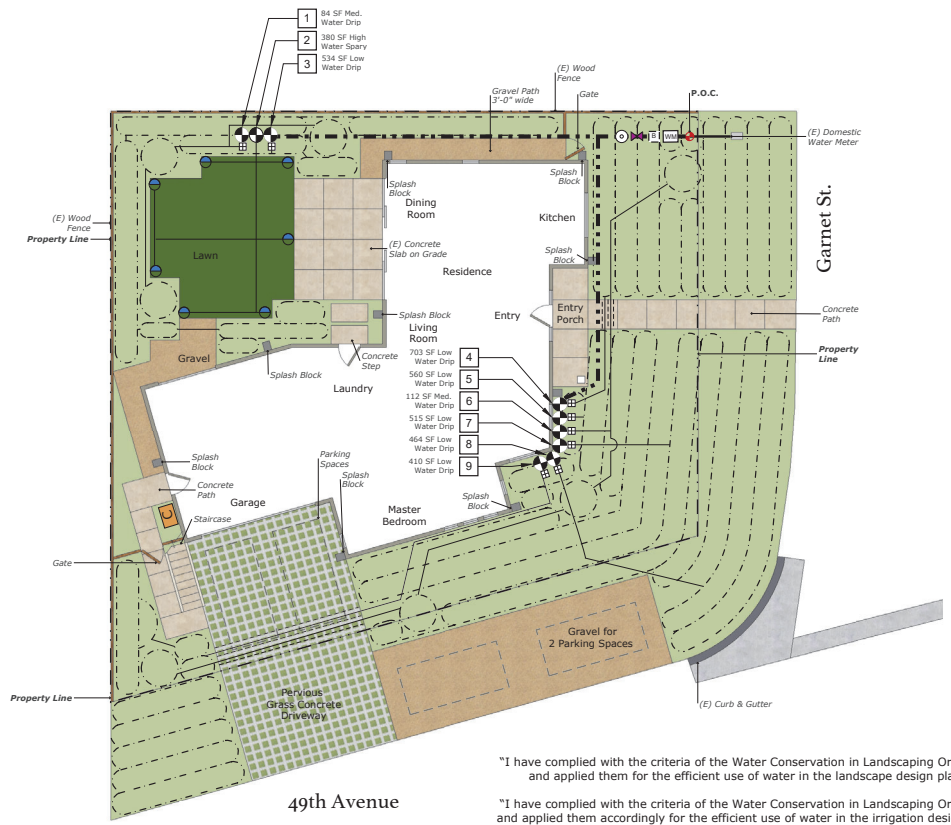
EPPT 20% of Annual Precipitation
Eto = 36.8
EPPT = 3.77
ETAF = 0.55
LA = 3,762
SLA = 0
MAWA w/ EPPT = 34,191.1 gallons per year
5,833.7 cubic feet

ETWU CALCULATION
ETWU = (Eto) (C2) (0.55LA)

ETWU = Estimated Total Water Use Per Year (gallons)
Eto = Reference Evapotranspiration
C2 = Conversion Factor from WUCOLS (Region 2, Water Use H 0.7, 0.9, M 0.4, 0.6, L 0.1, 0.3, Vt = 0.1, All Turf 0.8)
LA = Landscape Area (High, Medium, and low water use areas) (square feet)
SLA = Special Landscape Area
C2 = Conversion Factor
E = Irrigation Efficiency (Drip spray and bubblers .81, sub surface .81, spray sprinklers .75)
ET Adjustment Factor (ETAF) .55 for Residential and .45 for Non Residential

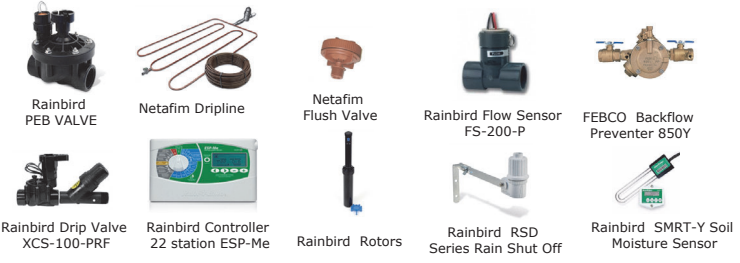
Reference Evapotranspiration (Eto)	36.8	Capitola, CA					
REGULAR LANDSCAPE AREAS							
Hydrozone # Plant Description	Irrigation Method	Plant Factor	Irrigation Efficiency (E)	ETAF (EPPT)	Landscape Area (sq. ft.)	ETAF x Area	ETWU
1.1 Med Water User Trees	Drip	0.4	0.81	0.49262716	84.3	41.5	941.3
2.1 Med Water Sprng Lanes	Drip	0.9	0.75	0.99999999	337.0	45.3	8,137.2
3.1 Low Water User Shrubs	Drip	0.3	0.81	0.37037027	534.9	39.8	4,488.8
4.1 Low Water User Shrubs	Drip	0.3	0.81	0.37037027	703.0	30.4	5,908.3
5.1 Low Water User Shrubs	Drip	0.3	0.81	0.37037027	290.0	30.4	4,205.2
6.1 Med Water User Trees	Drip	0.4	0.81	0.49262716	112.0	55.3	1,255.1
7.1 Low Water User Shrubs	Drip	0.3	0.81	0.37037027	515.0	30.2	5,305.8
8.1 Low Water User Shrubs	Drip	0.3	0.81	0.37037027	484.0	31.9	4,444.0
9.1 Low Water User Shrubs	Drip	0.3	0.81	0.37037027	410.0	30.5	3,449.0
		Total of #		Totals		Totals	
		3,762.0		1,482.1		34,271.1	
SPECIAL LANDSCAPE AREAS							
Hydrozone # Plant Description	Irrigation Method	Plant Factor	Irrigation	ETAF (EPPT)	Landscape	ETAF x Area	ETWU
				1	0	0	0.0
		Totals		Totals		Totals	
		0		0		0.0	
		ETWU TOTAL		MAWA		48,902.0	
ETAF CALCULATIONS							
Regular Landscape Areas							
Total ETAF x Areas	1,682.1						
Total Area	3,762.0						
Average ETAF	0.45						
Special Landscape Areas							
Total ETAF x Areas	1,682.1						
Total Area	3,762.0						
Average ETAF	0.4						

Average ETAF for Regular Landscape Areas must be .55 or below for residential areas, and .45 or below for non residential areas.



"I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them for the efficient use of water in the landscape design plan."
"I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them accordingly for the efficient use of water in the irrigation design plan."

Karen Aitken



IRRIGATION KEY

--- Main Line	SCH 40 2"	○	Rainbird Flow Sensor FS-200-P
- - - Sleeves	SCH 40 4" or contractor to locate and use existing if possible	○	Note: Provide a clear, unobstructed distance of at least 10x the pipe's diameter upstream of the sensor and at least 5x the pipe's diameter downstream of the sensor.
--- Lateral Line	Sch 40 1"	⊠	FEBCO Backflow Preventer 1" 825Y
--- Drip Line: Netafim Techline CV LITE with 18" Emitter spacing and 24" lateral spacing. Provide flush valves at the end of each circuit and air relief valve at the high point of each circuit.		⊠	Rainbird Controller 4 to 22- station ESP-Me
⊠	Rainbird Drip Valve XCS-100-PRF	⊠	New Irrigation 1" Water Meter
⊠	Rainbird 1800 series 6" Heads	⊠	Rainbird RSD Series Rain Shut Off
⊠	Rainbird Valves PEB or PEBS	⊠	Rainbird SMRT-Y Soil Moisture Sensor
⊠	Master Shut Off Valve behind meter		



PLANT LEGEND						
Botanical	Common	Tree	Quantity	Size	Water	Remarks
<i>Acer palmatum</i>	Japanese Maple	Tree	1	24" Box	Medium	
<i>Arctostaphylos</i> 'Marina'	Marina Strawberry Tree	Tree	1	24" Box	Low	
<i>Cercis occidentalis</i>	Western Redbud	Tree	1	24" Box	Very Low	
<i>Citrus X</i> 'Dwarf Meyer'	Dwarf Meyer Lemon	Tree	1	15 Gallon	Low, Medium	
<i>Eriobotrya deflexa</i>	Bronze Loquat	Tree	1	24" Box	Medium	
<i>Lophostemon confertus</i>	Brisbane Box	Tree	1	24" Box	Very Low, Low	
<i>Triadica sebifera</i>	Chinese Tallow Tree	Tree	1	24" Box	Very Low, Low, Medium	
Shrub						
<i>Alyogyne huegelii</i> 'Santa Cruz'	Santa Cruz Blue Hibiscus	Shrub	1	5 Gallon	Low	
<i>Arctostaphylos</i> 'hooianii'	Monterey Carpet	Shrub	6	1 Gallon	Very Low, Low	
<i>Callistemon X</i> 'viminalis Little John'	Bottebrush Little John	Shrub	3	5 Gallon	Medium	
<i>Ceanothus</i> 'Dark Star'	Dark Star Ceanothus	Shrub	1	5 Gallon	Low	
<i>Chondropetalum lectum</i>	Cape Rush	Shrub	6	5 Gallon	Low	
<i>Dodonaea viscosa</i> 'Purpurea'	Purple Hop Bush	Shrub	4	5 Gallon	Very Low	
<i>Limonium perzi</i>	Sea Lavender	Shrub	9	1 Gallon	Low	
<i>Nandina domestica</i>	Nandina, Heavenly Bamboo	Shrub	3	1 Gallon	Low	
<i>Phormium</i> 'Maori Queen'	Maori Queen Flax	Shrub	3	5 Gallon	Low, Medium	
<i>Prunus caroliniana</i>	Carolina Laurel Cherry	Shrub	8	5 Gallon	Low	'Bright n Tight'
<i>Prunus</i> 'scitola ssp. scitola'	Hollyleaf Cherry	Shrub	6	5 Gallon	Low	
<i>Streptocarpus</i> 'reginae'	Bird of Paradise	Shrub	1	5 Gallon	Low, Medium	
<i>Tibouchina univleinea</i>	Princess Flower	Shrub	1	5 Gallon	Medium	
<i>Verbenia</i> 'Homesbad Purple'	Homesbad Purple Verbenia	Shrub	8	1 Gallon	Very Low, Low	
Ground Cover						
<i>Dymondia</i> 'margaritae'	Dymondia, Rock Dilly	Ground Cover	27	1 Gallon	Low	
<i>Gazania</i> 'Sunrise'	Sunrise Yellow Gazania	Ground Cover	20	1 Gallon	Very Low, Low	
<i>Rosa</i> 'Flower Carpet Pink'	Pink Carpet Rose	Ground Cover	1	Medium		
<i>Sedum anglicum</i>	English Stonecrop	Ground Cover	3	1 Gallon	Low	
<i>Sedum spectabile</i> 'Britannia'	Rose Red Stone Crop	Ground Cover	5	1 Gallon	Low	
Grass						
<i>Calamagrostis X</i> 'acut. 'Karl Foerster'	Karl Foerster Feather Reed Grass	Grass	12	1 Gallon	Medium	
<i>Festuca glauca</i>	Blue Fescue, Blue Fescue Grass	Grass	42	1 Gallon	Very Low	
<i>Muhlenbergia</i> 'White Cloud'	White Arm Muri	Grass	8	1 Gallon	Very Low	
Succulent						
<i>Aeonium</i> 'hawaiiense' 'Sunburst'	Sunburst Pineapple	Succulent	3	1 Gallon	Very Low, Low	
<i>Agave attenuata</i>	Fox Tail Agave	Succulent	2	5 Gallon	Low	
<i>Crassula argentea</i> 'Sunset'	Sunset Jade	Succulent	3	1 Gallon	Low	
<i>Echeveria</i> 'Imbricata'	Hens and Chicks	Succulent	3	1 Gallon	Very Low, Low	
<i>Leucadendron</i> 'Wilson's Wonder'	Wilson's Wonder Conebush	Succulent	6	5 Gallon	Low	

EROSION CONTROL NOTES:

1. EROSION CONTROL MEASURES SHALL CONFORM WITH THE: CALIFORNIA STORM WATER QUALITY ASSOCIATION BEST MANAGEMENT PRACTICES HANDBOOK, REGIONAL WATER QUALITY CONTROL BOARD EROSION AND SEDIMENT CONTROL FIEL MANUAL AND THE COUNTRY OF SANTA CLARA REQUIREMENTS INCLUDING.

a. STABILIZE ALL DENUDED AREAS AND MAINTAIN EROSION CONTROL MEASURES CONTINUOUSLY BETWEEN OCTOBER 15TH AND APRIL 15TH. STABILIZATION SHALL INCLUDE THE PLACEMENT OF JUTE MESH FABRIC ON EXPOSED SLOPES IN INSTALLED CONFORMANCE WITH DETAIL EC-7 OF THE CALIFORNIA STORM WATER QUALITY ASSOCIATION BEST MANAGEMENT PRACTICES HANDBOOK.

b. REMOVE SPOILS PROMPTLY AND AVOID STOCKPILING OF FILL MATERIALS WHEN RAIN IS FORECAST. IF RAIN THREATENS, STOCKPILES SOILS AND OTHER MATERIALS SHALL BE COVERED WITH A TARP OF OTHER WATERPROOF MATERIAL.

c. STORE, HANDLE, AND DISPOSE OF CONSTRUCTION MATERIALS AND WASTES IN A MANNER WHICH AVOIDS THEIR ENTRY.

d. AVOID CLEANING, FUELING, OR MAINTAINING VEICLES ON-SITE.

e. IMPLEMENT THE APPROVED STORMWATER MANAGEMENT PLAN PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

2. ALL MATERIALS FOR THE APPROVED EROSION CONTROL PLAN PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

3. EROSION CONTROL SYSTEMS SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE RAINY SEASON, OR FROM OCTOBER 15TH THROUGH APRIL 15TH, WHICHEVER IS LONGER.

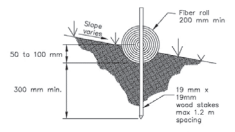
4. IN THE EVENT OF RAIN, ALL GRADING WORK IS TO CEASE IMMEDIATELY AND THE SITE IS TO BE SEALED IN ACCORDANCE WITH THE APPROVED EROSION CONTROL MEASURES.

5. THE AREAS OF DISTURBED SOIL SHALL BE SEEDED OR REPLANTED TO THE SATISFACTION OF THE MUNICIPAL INSPECTOR PRIOR TO OCTOBER 15TH, OR FINAL INSPECTION, WHICHEVER IS SOONER.

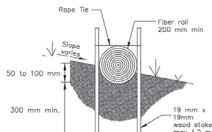
7. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AS DETERMINED BY THE MUNICIPAL ENGINEERING DEPARTMENT OR BUILDING OFFICIALS.

8. PROJECT SHALL PREVENT THE DEPOSIT OF DIRT, MUD, SAND, ROCKS, GRAVEL OR DEBRIS ON THE SURFACE OF ANY T STREET, ALLEY OR PUBLIC PLACE OR IN PUBLIC STORM DRAIN SYSTEM. ANY ACCUMULATED MATERIALS SHALL BE REMOVED IMMEDIATELY BY MEANS OF DRY SHOVELING AND/OR SWEEPING.

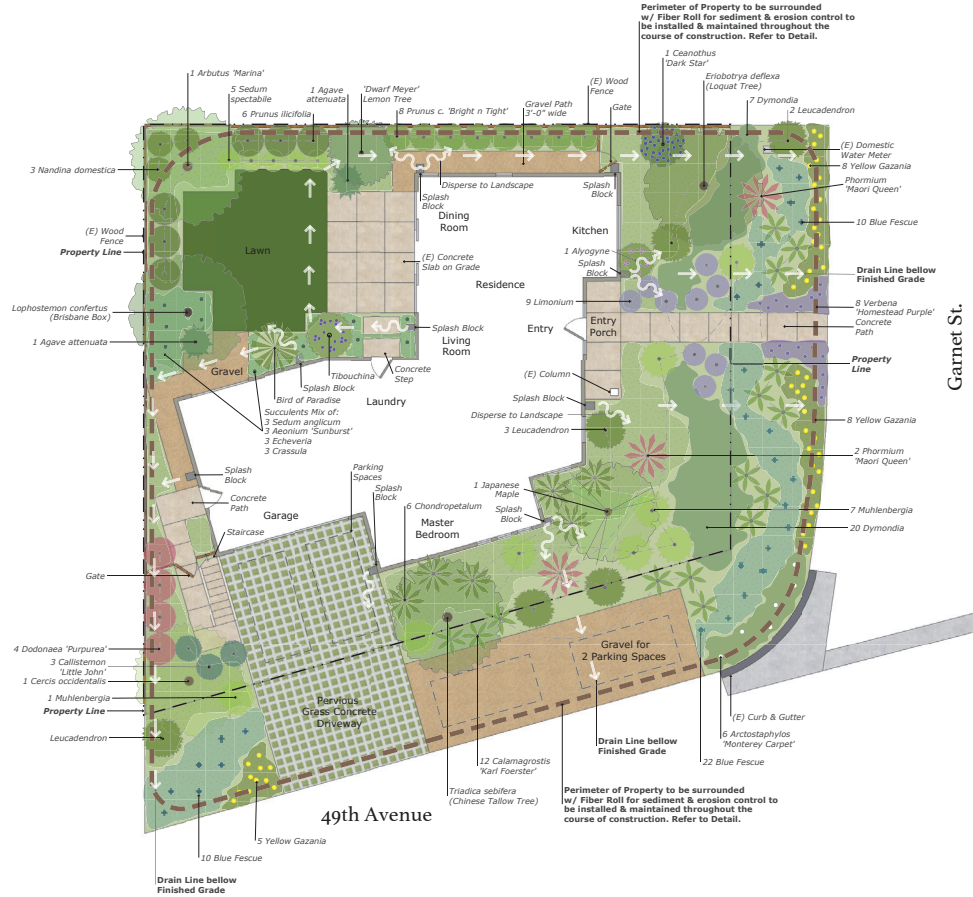
9. TREE PROTECTION SHALL BE IN PLACE PRIOR TO THE ISSUANCE OF THE GRADING PERMIT.



ENTRENCHMENT DETAIL



OPTIONAL ENTRENCHMENT DETAIL



49th Avenue

Garnet St.

A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas.



Attachment: 1530 49th Avenue - Plan Set (1530 49th Avenue)

**KAREN AITKEN & ASSOCIATES
LANDSCAPE ARCHITECTS**
8262 Rancho Real Gilroy Ca. 95020
Calif. Reg.# 2239 (408) 842-0245
projects@kaa.design

**SHAHEEN RESIDENCE
Garnet & 49th Streets, Capitola, CA.**
LANDSCAPE PLAN



DATE 01-09-2021
SCALE 1/8"=1'-0"
DRAWN SL & AD
JOB SHAHEEN

L-2



STAFF REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT
DATE: MARCH 5, 2020
SUBJECT: **115 San Jose Avenue #19-0186 APN: 035-221-17&18**

REQUEST TO CONTINUE Master Use Permit including designated shared seating areas with onsite consumption of beer and wine for the Capitola Mercantile located within the C-V (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares

Representative: Dennis Norton, Filed: 04.19.2019

RECOMMENDATION

Staff recommends the Planning Commission continue application #19-0186 to the April 2, 2020, Planning Commission meeting.

Prepared By: Matt Orbach
Associate Planner



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 5, 2020

SUBJECT: **2163 Francesco Circle** **#19-0661** **APN: 034-541-15**

Tree Removal Permit to remove three healthy palm trees and plant six trees within the PD (Planned Development) zoning district.
 This project is outside the Coastal Zone.
 Environmental Determination: Categorical Exemption
 Property Owner: Satu Larson
 Representative: Satu Larson, Filed: 11.25.19

APPLICANT PROPOSAL

The applicant is proposing to remove three palm trees and plant six new trees on a single-family lot in the PD (Planned Development) zoning district.

BACKGROUND

The applicant submitted a preliminary review for the removal of three palm trees located at 2163 Francesco Circle. The applicant is proposing a major landscape renovation to remove existing hardscape within the rear yard, remove the three palms, and plant trees more complimentary to the region. The Planning Commission has the ability to approve removal of trees in conjunction with a new construction or major remodels.

DISCUSSION

The property is in the northeastern corner of the Francesco Circle neighborhood and borders a mobile home park to the north and the Capitola Library to the east. The application is for the removal and replacement of three queen palm trees. One palm is adjacent to the front of the residence and the other two palms are situated along the rear property line. Each palm is estimated to be in excess of 25 feet in height with irregular canopy widths ranging from 15 to 20 feet. The property also has a California palm and a mature coast live oak, neither of which are proposed for removal.

The application includes six replacement trees, including one white crape myrtle, one double-pink flowering plum, one Oklahoma redbud, two lavender crape myrtles, and one desert museum palo verde. Replacement trees are reviewed by staff based on a number of classifications which include trees of native origin, drought resistance, and suitability to site. City staff also uses an illustrated guide, *Tree Species That Perform Well in the Capitola Area*, which was prepared by a local arborist, to make recommendations to the public. All of the proposed trees are considered drought tolerant. Crape myrtles are additionally recommended by the local guidebook.

Community Tree and Forest Management Ordinance

Section 12.12.190.C. outlines the process for the Community Development Director or Planning Commission to permit the removal of trees in conjunction with a new construction or major remodels. The standard requires that the project is conditioned to require planting or replacement of all or part of the trees necessary to meet the city goal of 15 percent canopy coverage per discretion of the Planning Commission as applicable. Although the home is not being remodeled, the property owner is proposing extensive work to the landscaping including the removal of existing hardscape within the rear yard, removal of the three palms, and the establishment of six new trees more complimentary to the region. These types of major landscape renovations are typically reviewed by the Planning Commission in conjunction with a design permit application. This project is unique in that no modifications to the home are proposed.

The proposal satisfies numerous goals outlined within the Section 12.12.020(A) through (E) of the goals and policies of the Community Tree and Forest Management chapter of the Capitola Municipal Code:

- A. It is the policy of the city to protect the locally significant, scenic and mature trees as listed in the heritage tree list to be adopted pursuant to this chapter, in order to protect the character of Capitola.

Staff Analysis: The proposal would remove three trees, but would preserve the coast live oak, which is a mature and locally significant tree.

- B. The overall goals of this chapter are to protect and increase the level of tree cover on public and private lands within the city, maintain trees in a healthy and non-hazardous condition, and promote planting of additional trees to increase tree cover (hereby referred to as canopy coverage) throughout the city.

Staff Analysis: The proposal would increase the level of tree cover on private lands within the city.

- C. It is the policy of the city to encourage new tree planting on public and private property and to cultivate a flourishing community forest.

Staff Analysis: The proposal would remove three trees and add six new trees, for a total of eight on-site trees.

- D. It is the goal of the city to maintain and enhance the tree canopy coverage existing at the time of adoption of the ordinance codified in this chapter (as determined through aerial photography taken within twelve months from adoption of the ordinance codified in this chapter), and to increase flowering tree canopy to help identify and beautify city streets and neighborhoods.

Staff Analysis: The proposal would maintain the long-term tree canopy coverage and increase flowering tree canopy which helps identify and beautify city streets and neighborhoods.

- E. On individual lots, it is the goal of the city to maintain fifteen percent coverage of tree canopy, consisting of flowering, deciduous, and evergreen trees, to be enforced on an on-going basis via the design review process.

Staff Analysis: The proposal would exceed the city goal of fifteen percent coverage of tree canopy for individual lots and consist of flowering and evergreen trees.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #19-0661 based on the Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of the removal of three queen palm trees. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on March 5, 2020, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 3 palm trees to be removed from the property. Replacement trees shall be planted at a 2:1 ratio. Required replacement trees shall be of the same size, species and planted on the site as shown on the approved plans.

FINDINGS

- A. The application, subject to the conditions imposed, will secure the purposes of the Community Tree and Forest Management Ordinance including the city goal of 15 percent canopy coverage.**

Community Development Department Staff and the Planning Commission have both reviewed the major landscape renovation project. Although the home is not being remodeled, the property is doing extensive work to the landscaping including the removal of existing hardscape within the rear yard, removal of the three palms, and the establishment of six new trees more complimentary to the region. The major landscape renovation could be considered as a major remodel in the discretionary review by the Planning Commission. The application, subject to the conditions imposed, will secure the purposes of the Community Tree and Forest management Ordinance to meet the city goal of 15 percent canopy coverage

- B. This project is categorically exempt under Section 15332 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15332 of the CEQA Guidelines exempts projects characterized as in-fill development. Specifically, 15332 exempts projects if: 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; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The project satisfies all of these criteria, and no adverse environmental impacts were discovered during review of the proposed project.

- C. The project secures the policy of the city to protect the locally significant, scenic and mature trees as listed in the heritage tree list to be adopted pursuant to this chapter, in order to protect the character of Capitola.**

The proposal would remove three trees, but would preserve the coast live oak, which is a mature and locally significant tree.

- D. The project secures the overall goals of the Community Tree and Forest Management Ordinance to protect and increase the level of tree cover on public and private lands within the city, maintain trees in a healthy and non-hazardous condition, and promote planting of additional trees to increase tree cover (hereby referred to as canopy coverage) throughout the city.**

The proposal would increase the level of tree cover on private lands within the city.

- E. The project secures the policy of the city to encourage new tree planting on public and private property and to cultivate a flourishing community forest.**

The proposal would remove three trees and add six new trees, for a total of eight on-site trees.

- F. The project secures the goal of the city to maintain and enhance the tree canopy coverage existing at the time of adoption of the ordinance codified in this chapter (as determined through aerial photography taken within twelve months from adoption of the ordinance codified in this chapter), and to increase flowering tree canopy to help identify and beautify city streets and neighborhoods.**

The proposal would maintain the long-term tree canopy coverage and increase flowering tree canopy which helps identify and beautify city streets and neighborhoods.

- G. The project secures the goal of the city to maintain fifteen percent coverage of tree canopy on individual lots, consisting of flowering, deciduous, and evergreen trees, to be enforced on an on-going basis via the design review process.**

The proposal would exceed the city goal of fifteen percent coverage of tree canopy for individual lots and consist of flowering and evergreen trees.

ATTACHMENTS:

1. 2163 Francesco Circle - Plan Set

Prepared By: Sean Sesanto

95.9"

CAPITOLA LIBRARY PARKING LOT

● East Live Oak

Cement patio

pool ~ length 32'

74.02'

Jacuzzi
circ. 9'

pool pump shed

● Queen palm

gate

house 1540 sq. ft.

Cement patio

● Queen palm ● California palm

56.41'

Site Plan
Assessor Parcel No. 034-571-15
Address 2163 Francisco Cir.
Scale 1" = 10 feet



Prepared by Satu Larson (property owner)

01/26/2020

3x3
Cement
pavers

STEP
Cement

Cement
patch

Cement driveway

41.6'

gate

Cement walkway

FRANCISCO CIRCLE

95.9'

CAPITOLA LIBRARY PARKING LOT

Coast Live Oak

Cement patio by pool

pool ~ length 32'

71.02'

Jacuzzi

pool pump shed

18'

Landscape Plan

Assessor Parcel No. 034-541-15

Address 2163 Francisco Cir.

Scale 1" = 10 feet



Prepared by Satu Larson (property owner)

01/26/2020

replace with oklahoma redbud

remove queen palm replace with crape myrtle lavender

remove queen palm replace with desert museum palo verde

remove queen palm California palm replace with flowering double-pink plum

remove cement patio behind house replace with native plants

house 1540 sq. ft.

6' gate
remove queen palm
replace with crape myrtle white
Cement pavers
Cement
Cement

replace with crape myrtle lavender
Cement patio
steps
steps
Cement

Cement driveway

56.41'
Cement walkway

gate

41.6'

FRANCISCO CIRCLE



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MARCH 5, 2020
 SUBJECT: **1115 41st Avenue #19-0534 APN: 034-163-02**

Amendment to a Master Sign Program for O'Neill Surf Shop located within the CC (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: O'Neill Surf Shop

Representative: Mike Terron, Filed: 10.15.19

APPLICANT PROPOSAL

The applicant is proposing to amend an existing Master Sign Program (MSP) for a commercial structure at 1115 41st Avenue in the CC (Community Commercial) Zoning District. The modification would allow an increase in sign area and design flexibility for future signs.

BACKGROUND

On December 5, 1996, the Planning Commission approved permit #96-98 for a Conditional Use Permit for O'Neill Surf Shop which included an MSP for two wall signs (Attachment 1).

In 2019, the applicant requested alterations to the signs that did not comply with the requirements of the MSP, and subsequently applied for an amendment to the MSP (Attachment 2).

DISCUSSION

O'Neill Surf Shop is located on the corner of 41st Avenue and Melton Street, across from In-Shape Health Clubs and Verutti Liquors. The site is located within Capitola's 41st Avenue commercial corridor and on the border of the city limit adjacent to residential uses within the unincorporated area of Santa Cruz County.

O'Neill Surf Shop recently redesigned the company's logo. The new logo maintains the current layout and lettering but alters the font and spacing between lettering and logos. The new design does not fit within the existing MSP due to the specific lettering height for small and large letters.

Within section 17.57.070(B)(1) of the sign code, each business is limited to one wall sign, with an exception for additional wall signs allowed under an MSP. Pursuant to section 17.57.080 of the Capitola Municipal Code, MSPs may establish material, letter style, height, color, and illumination of signs for shopping centers, office complexes, and other multi-tenant buildings.

Original Master Sign Program

Currently, there are two existing wall signs allowed within the MSP. The first sign is located on the northeast corner of the O'Neill building, facing Melton Street and 41st Avenue, and the second sign is located on the southeast corner of the building, facing 41st Avenue and the train tracks. The sign area for each existing sign is 38.3 square feet.

The original MSP conditions are as follows:

1. The application shall be reviewed upon receipt of written complaint.
2. The sign program shall permit the following signs:
 - a. Two (2) wall signs shall be permitted with the large letter height not to exceed eleven (11) inches and the smaller letter height not to exceed 6.75 inches.
 - b. Two (2) logo signs shall be permitted with a maximum height of thirty- one (31) inches.
3. The applicant shall obtain a business license prior to operating the business.

The original MSP only specified standards for lettering height and lacked details typically contained within an MSP of establishing location, materials, sign area, dimensions, and illumination. Under the original MSP, the proposed design would exceed the specified small and large letter height.

Proposed Modifications

The applicant proposes to replace the two existing wall signs with two new wall signs in the same locations. The proposed signs feature a two-foot, two-inch tall by six-foot wide logo with two lines of text underneath. The lettering area for the two lines of text has a height of two-feet, four-inches and width of eleven-feet, nine-inches. The sign area for each proposed sign is 47.8 square feet. The new signs increase the sign area from 38.3 square feet to 47.8 square feet.

Within the municipal code Section §17.57.070(B)(2), wall signs are limited to one square foot of sign per linear foot of business frontage. The corner property combined business frontage along Melton Street and 41st Avenue is 150 linear feet. The two proposed wall signs have an area of 95.6 square feet which complies with the maximum area standard.

The updated MSP for 1115 41st Avenue incorporates all the typical standards of an MSP while providing some flexibility for future modification to logos and overall design. The updated MSP is as follows:

The Master Sign Program permits two (2) wall signs at 1115 41st Avenue. Signs may be replaced subject to the Master Sign Program administrative permit requirements subject to full compliance with the following standards:

- a. Location:
 - i. One sign is permitted on the northeast corner of the building, facing Melton Street and 41st Avenue.
 - ii. Second sign is permitted on the southeast corner of the building, facing 41st Avenue and the train tracks.
 - iii. Sign shall be located between the first and second story as shown in exhibit A.
- b. Lettering style and sign color is subject to Community Development Director's approval.
- c. Maximum Sign Area:
 - i. Maximum sign area for each wall sign is 48 square feet.
 - ii. Sign area is measured as defined in Capitola Municipal Code.

- d. Sign Dimensions: The maximum sign dimensions provide design flexibility, but a sign cannot exceed the maximum sign area established above.
 - i. Maximum sign height: 5'- 0"
 - ii. Maximum sign width: 11'- 9"
- e. Lettering: 2 lines of copy permitted – maximum 30 inches combined height.
- f. Illumination: The signs may either be:
 - i. Internally illuminated with sign returns with a minimum of 5 inches in depth and black or dark in color.
 - ii. Externally illuminated. Letters and logo shall be raised, routed into the sign face or designed to give the sign variety and depth.

The updated MSP would allow both the existing and proposed designs. The modified standards allow for a wider range of logo and lettering configurations but establish new maximum standards that are intended to limit location, overall sign area, dimensions, and sign type which were lacking in the original MSP.

CEQA

Section 15301 of the CEQA Guidelines exempts the minor alterations of existing public or private structures involving negligible or no expansion of existing or former use. This project involves the removal of two existing signs and the construction of two similar wall signs within the CC (Community Commercial) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #19-0534 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval amends the Master Sign Program for O'Neill Surf Shop at 1115 41st Avenue. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on March 5, 2020, except as modified through conditions imposed by the Planning Commission during the meeting.
2. The Master Sign Program shall consist of the following:
 - a. Location:
 - i. One sign is permitted on the northeast corner of the building, facing Melton Street and 41st Avenue.
 - ii. Second sign is permitted on the southeast corner of the building, facing 41st Avenue and the train tracks.
 - iii. Sign shall be located between the first and second story as shown in exhibit A.
 - b. Lettering style and sign color is subject to Community Development Director's approval.
 - c. Maximum Sign Area:
 - i. Maximum sign area for each wall sign is 48 square feet.
 - ii. Sign area is measured as defined in Capitola Municipal Code.
 - d. Sign Dimensions: The maximum sign dimensions provide design flexibility, but a sign cannot exceed the maximum sign area established above.
 - i. Maximum sign height: 5'- 0"
 - ii. Maximum sign width: 11'- 9"

- e. Lettering: 2 lines of copy permitted – maximum 30 inches combined height.
 - f. Illumination: The signs may either be:
 - i. Internally illuminated with sign returns with a minimum of 5 inches in depth and black or dark in color.
 - ii. Externally illuminated. Letters and logo shall be raised, routed into the sign face or designed to give the sign variety and depth.
3. Individual sign permits may be issued by the Community Development Director or their designee with an administrative sign permit and building permit.
 4. The projecting sign may not expose any direct lighting or electrical. All electrical shall be concealed. The lettering on the projecting sign will be backlit. The letters shall be routed out and remain open.
 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 #19-0534 shall be paid in full.
 7. 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.
 8. 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
 9. 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.
 10. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff and the Planning Commission have reviewed the project. The proposed master sign program amendment complies with the development

standards of the CC (Community Commercial) Zoning District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan

B. Maintain the character and aesthetic integrity of the subject property and surrounding area.

Community Development Staff and the Planning Commission have reviewed the application for the master sign program amendment. The proposed amendments to the MSP allows signs of similar size and nature to the existing signage. The project will maintain the character and integrity of the neighborhood.

C. Reasonably prevent and reduce the sort of visual blight which results when signs are designed without due regard to effects on their surroundings. Reasonable conditions may be imposed in approving applications which would otherwise be disapproved.

Community Development Staff and the Planning Commission have reviewed the application for the master sign program amendment. The proposed amendments to the MSP have been designed to limit light impacts to nearby properties and will reasonably prevent and visual blight.

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

Section 15301 of the CEQA Guidelines exempts minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This project involves amendments to an existing master sign program within the CC (Community Commercial) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 1115 41st Avenue - #96-98 - PC Staff Report
2. 1115 41st Avenue - Full Plan Set

Prepared By: Sean Sesanto

CITY OF CAPITOLA

STAFF REPORT

TO: PLANNING COMMISSION

FROM: PLANNING DEPARTMENT

DATE: NOVEMBER 25, 1996 (AGENDA: DECEMBER 5, 1996)

SUBJECT: **APPLICATION #AS/CUP/96-98- ARCHITECTURAL AND SITE REVIEW FOR SIGNAGE AND CONDITIONAL USE PERMIT FOR O'NEALL'S SURF SHOP AND OFFICES TO BE LOCATED AT 1115 41ST AVENUE IN THE CC (COMMUNITY COMMERCIAL) ZONING DISTRICT. CALIFORNIA ONAX, APPLICANT. APN 34-163-01. CATEGORICALLY EXEMPT. FILED 11/21/96.**

APPLICANT'S PROPOSAL

The applicant requests a Conditional Use Permit to operate O'Neall's Surf Shop and business offices and Architectural and Site Review for signage for the business to be located at 1115 41st Avenue in the CC (Community Commercial) zoning district. The use is consistent with the General Plan and Zoning Ordinance with the issuing of a Use Permit.

ANALYSIS

The applicant propose to relocate the existing O'Neall's Surf Shop to the proposed location, and incorporate the administrative offices for the business at the new location. The office complex is being constructed at this time, with the applicant proposing to occupy the entire building encompassing 8,741 square feet. The business will be staffed by ten (10) employees, with business hours 9:00AM to 9:00PM daily. A detailed letter describing the business activity has been attached. Staff has no concerns with the proposed business.

The applicant proposes two (2) wall signs, with logos for the business. Each sign is to be a maximum of twenty-four (24) square feet, with a large letter height of eleven (11) inches and a small letter height of 6.75 inches. The logo is to be a maximum height of thirty-one (31) inches and has not been included in the sign area. The sign ordinance allows businesses located on corner lots to have two (2) signs along each frontage. Additional wall signage can be approved by the Planning Commission with a sign program. Staff considers the proposed signage for the building to be a sign program, therefore, the additional logo sign can be approved as part of the sign program. Staff has no concerns with the proposed signage. A color sample of the sign will be available for review at the Planning Commission meeting.

STAFF RECOMMENDATION

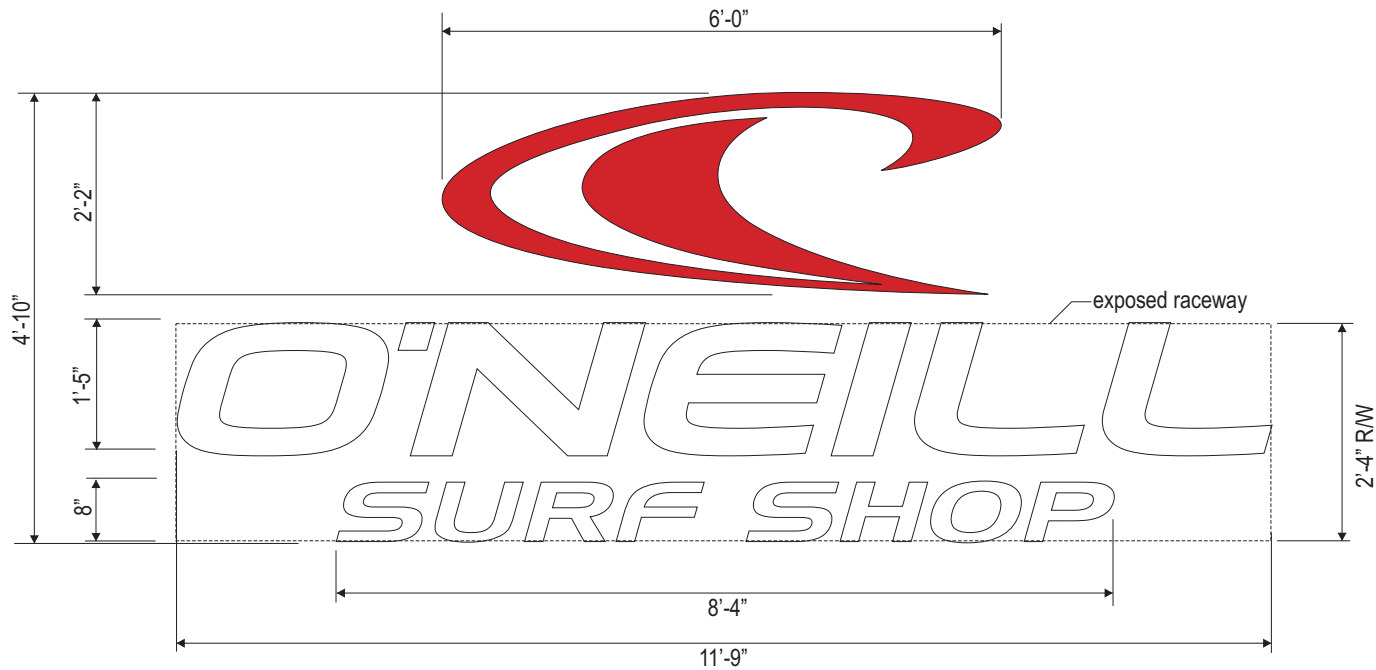
Staff recommends that Application #CUP/96-98 be approved with the following conditions and findings:

CONDITIONS

1. The application shall be reviewed upon receipt of written complaint.
2. The sign program shall permit the following signs:
 - a) Two (2) wall signs shall be permitted with the large letter height not to exceed eleven (11) inches and the smaller letter height not to exceed 6.75 inches.
 - b) Two (2) logo signs shall be permitted with a maximum height of thirty-one (31) inches.
3. The applicant shall obtain a business license prior to operating the business.

FINDINGS

- A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and the General Plan.
- B. This project is categorically exempt under the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code Regulations.



Sign Elevation scale: 3/4"=1'-0"

Scope of work: Manufacture and Install two sets of internally illuminated channel letters and logos.
 Letters have translucent white acrylic plastic faces.
 Logos have translucent acrylic plastic faces with 3M 230-33 Red vinyl overlay.
 Black returns and black trim cap on all
 Letters will be installed onto exposed raceway, raceway painted to match brick wall. Raceway to match curved wall.
 Logos are installed directly onto wall pegged off 1-1/2"

Attachment: 1115 41st Avenue - Full Plan Set (1115 41st Avenue)



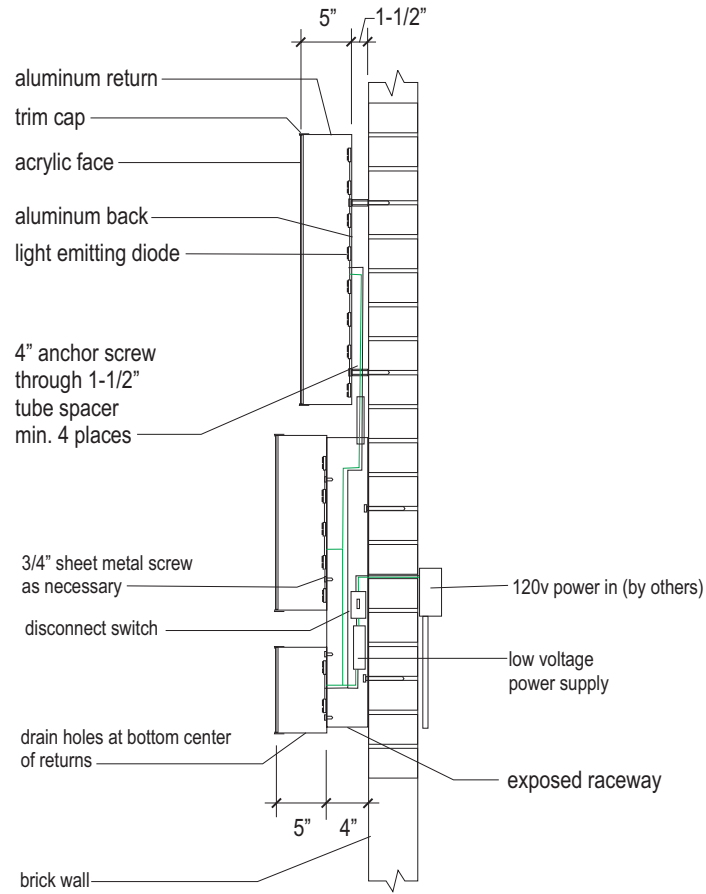
120 Encinal Street
 Santa Cruz, CA 95060-2111
 Phone: 831.469.8208
 Fax: 831.469.8172
 Email: mike@northwestsigns.com
 Web: www.northwestsigns.com

Project: **O'Neill Surf Shop**
 Address: 1115 41st Avenue
 Capitola, Ca. 95010

Dates / Revisions:
 09-18-2019

Approvals:
 Client: _____
 Architect: _____
 Landlord: _____
 Project Manager: _____
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Drawing Number: **16.19**
 Page Number: _____
 Salesman: erron
 Drawn By: nson
 Scale: _____



Sign section view scale: 1"=1'-0"

Attachment: 1115 41st Avenue - Full Plan Set (1115 41st Avenue)



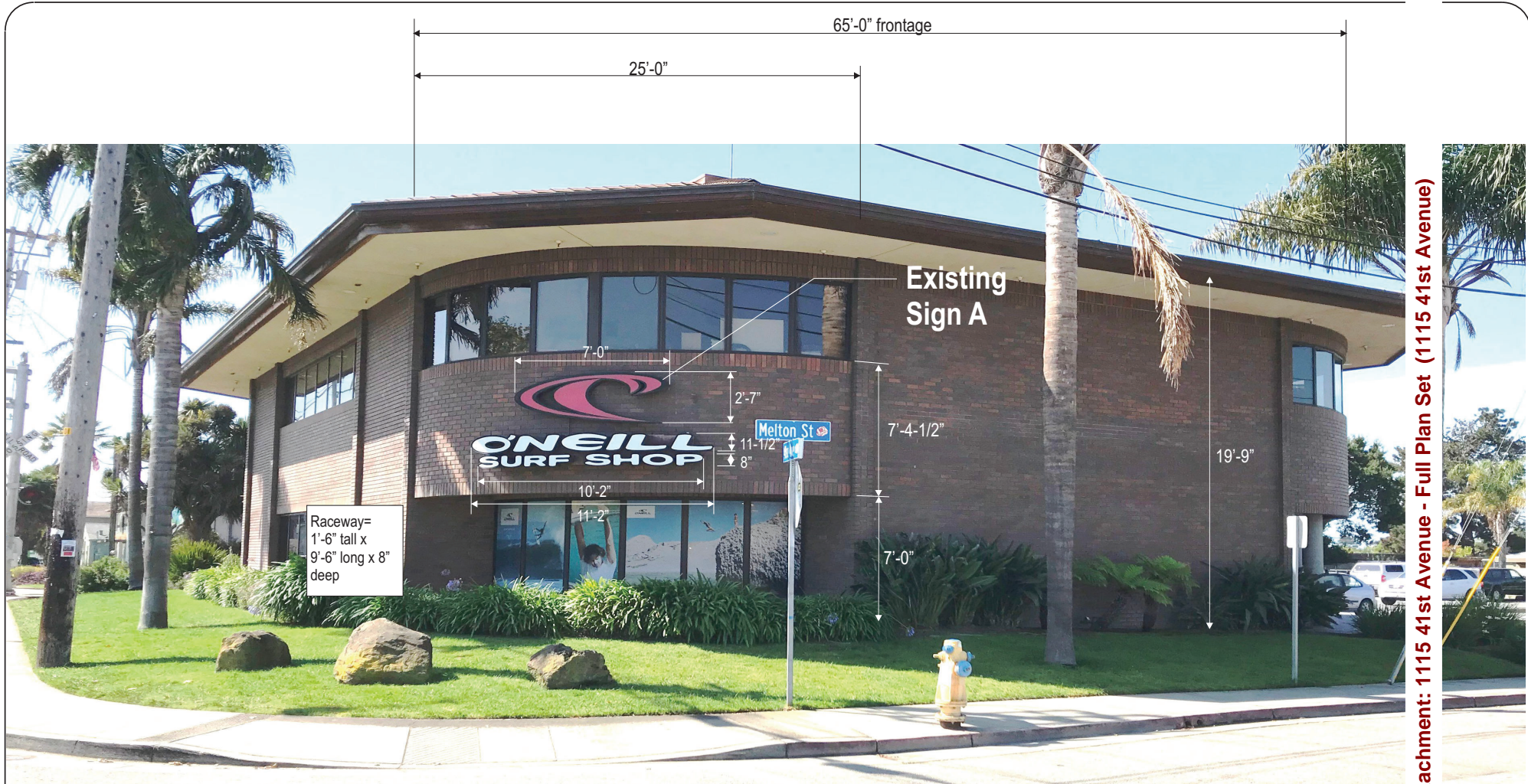
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Drawing Number: **16.19**
 Page Number: _____
 Salesman: _____
 Drawn By: _____
 Scale: _____



North Elevation at Melton Street and 41st avenue 3/16"=1'-0"

Attachment: 1115 41st Avenue - Full Plan Set (1115 41st Avenue)



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 Address: 1115 41st Avenue
 Capitola, Ca. 95010

Dates / Revisions:
 02-21-2020

Approvals:
 Client: _____
 Architect: _____
 Landlord: _____
 Project Manager: _____
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Drawing Number:
 Page Number:
 Salesman:
 Drawn By:
 Scale:

21.20



Attachment: 1115 41st Avenue - Full Plan Set (1115 41st Avenue)

South Elevation at railroad track and 41st avenue 3/16"=1'-0"



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 Email: mike@northwestsigns.com
 Web: www.northwestsigns.com

Project: **O'Neill Surf Shop**
 Address: 1115 41st Avenue
 Capitola, Ca. 95010

Dates / Revisions:
 02-21-2020

Approvals:
 Client: _____
 Architect: _____
 Landlord: _____
 Project Manager: _____
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Drawing Number: **21.20**
 Page Number: _____
 Salesman: _____
 Drawn By: _____
 Scale: _____



Attachment: 1115 41st Avenue - Full Plan Set (1115 41st Avenue)

North Elevation at Melton Street and 41st avenue 3/16"=1'-0"



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Project: **O'Neill Surf Shop**
 Address: 1115 41st Avenue
 Capitola, Ca. 95010

Dates / Revisions:
 09-18-2019
 10-04-2019
 10-16-2019
 10-28-2019

Approvals:
 Client: _____
 Architect: _____
 Landlord: _____
 Project Manager: _____
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Drawing Number:
 Page Number:
 Salesman:
 Drawn By:
 Scale:

16.19



Attachment: 1115 41st Avenue - Full Plan Set (1115 41st Avenue)

South Elevation at railroad track and 41st avenue 3/16"=1'-0"



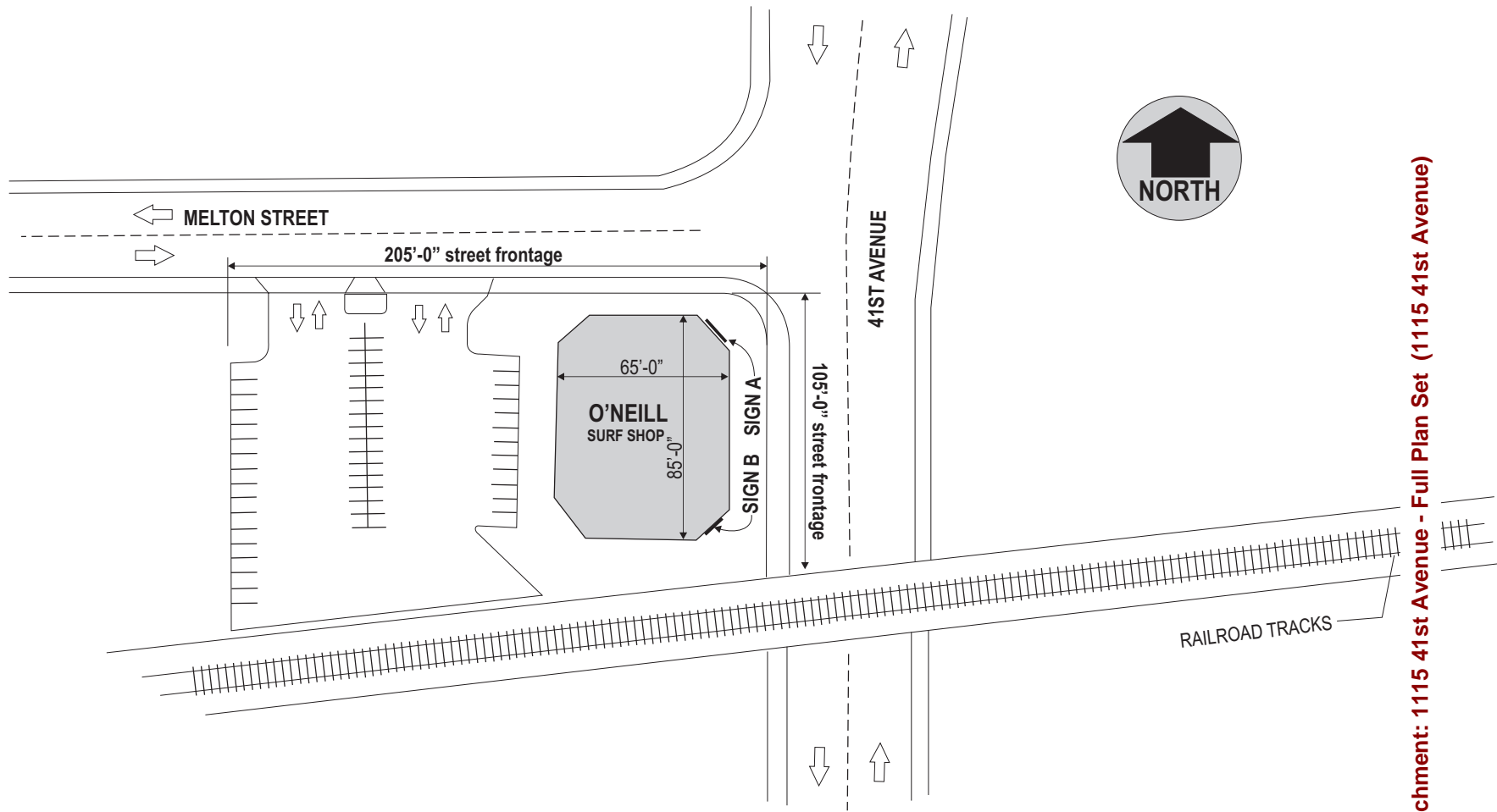
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Project: O'Neill Surf Shop
 Address: 1115 41st Avenue
 Capitola, Ca. 95010

Dates / Revisions:
 09-18-2019
 10-04-2019
 10-16-2019
 10-28-2019

Approvals:
 Client:
 Architect:
 Landlord:
 Project Manager:
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Drawing Number: 16.19
 Page Number:
 Salesman: erron
 Drawn By: nson
 Scale: tted



Attachment: 1115 41st Avenue - Full Plan Set (1115 41st Avenue)

Site Plan scale: 1"=40'-0"



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 Santa Cruz, CA 95060-2111
 Phone: 831.469.8208
 Fax: 831.469.8172
 Email: mike@northwestsigns.com
 Web: www.northwestsigns.com

Project: **O'Neill Surf Shop**
 Address: 1115 41st Avenue
 Capitola, Ca. 95010

Dates / Revisions:
 02-21-2020

Approvals:
 Client: _____
 Architect: _____
 Landlord: _____
 Project Manager: _____
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Drawing Number: **21.20**
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 Salesman: _____
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STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MARCH 5, 2020
 SUBJECT: **201 Capitola Avenue #19-0375 APN: 035-231-09**

Design Permit and Conditional Use Permit for modifications to an historic structure introducing new windows and doors along the San Jose Avenue façade and converting a second story office to a residential unit 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: WRR CA Properties LLC

Representative: Dennis Norton, Filed: 08.12.2019

APPLICANT PROPOSAL

The applicant is proposing an interior remodel of a 4,958-square-foot historic structure that includes a new recessed entryway along San Jose Avenue and the conversion of existing second-story commercial space into a new residential unit in the C-V (Central Village) zoning district.

BACKGROUND

The Architectural and Site Review Committee reviewed the application on January 8, 2020, and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: requested that the applicant show the location of downspouts and where the drainage from downspouts goes on the site plan. Mr. Mozumder also requested that the applicant use clouding or larger delta symbols to indicate plan revisions.

Building Official, Robin Woodman: informed the applicant that the owner needed to have a site inspection from the Building Department to confirm the removal of the rooftop deck and staircase that were red-tagged prior to submission of this project application. Ms. Woodman also informed the applicant that additional light and ventilation would be required in the new upstairs residential unit.

Local Architect, Frank Phanton: inquired about possibly installing operable windows in the location of the second-story height window along San Jose Avenue to provide additional ventilation for the commercial space and pointed out that egress doors with panic hardware had to be outward swinging.

Local Historian, Carolyn Swift: gave a brief overview of the history of the buildings on the block and stated that she agreed with the findings of architectural historian Leslie Dill and could support the project as long as the clarifications and recommendations in the *Secretary of the Interior's Standards* review were included.

Associate Planner, Matt Orbach: directed the applicant to remove the proposed signs on the elevations without a sign permit application and to correct the area of the apartment in the proposed building square footage calculation. Mr. Orbach also requested that the applicant remove the 'Outdoor Area' from the building square footage calculation on Sheet 1 and informed the applicant that a project approval may require replacement of the existing awnings due to their existing condition and that fact that they were recently painted over.

Following the Architecture and Site Review Committee meeting, the applicant submitted revised plans reflecting the changes requested by the Committee (Attachment 1). In addition, the Building Official performed a site inspection and confirmed the removal of the rooftop deck and staircase that were installed without permits.

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 two suites, previously occupied by the Village Mouse and a Thomas Kincaid gallery. Capitola Avenue contains one- and two-story structures with retail uses on the first story. The project requires a Design Permit and a Conditional Use Permit.

Design Permit

The applicant is proposing an interior remodel that will create one additional commercial tenant suite (three total) and one new residential unit on the second floor. All proposed changes are within the commercial space previously occupied by the Village Mouse. The structure that was previously occupied by the Thomas Kincaide gallery will not be altered. 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 window in the middle segment of the five wall sections.

The majority of the architectural modification are proposed on the building façade adjacent to San Jose Avenue. The changes include a recessed entryway with doorways to the two new suites, a new window with an awning, a new single-pane window replacing the existing three pane second-story window, and a new awning over the existing door that will become the entrance to the second-story apartment. 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, with the incorporation of several clarifications and other minor recommendations noted within her report, the proposed rehabilitation project could be found to meet the *Secretary of the Interior’s Standards for Rehabilitation* (Attachment 2). The suggested clarifications and recommendations (listed below) are included as conditions of approval.

- It is recommended that language on the cover sheet should refer to the property as a potential 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 be included (Standard 6).
- It is recommended that the language as presented via email, and analyzed in this document, be clarified as noted and incorporated on the drawing set as follows (Standard 9).

- Confirm that the proposed new commercial display window, transom window, and entrance door will be anodized aluminum frames
- Confirm that the proposed commercial display window and transom window be sized so that they have bullnose stucco on both sides as well as at the top
- Confirm the detail for the exterior display-window sill and apron are traditional forms of wood or of anodized aluminum, or that the stucco bullnose wraps the base of the window frame
- Confirm that the note for windows to “match existing” apply only to the upstairs windows, not to the display windows
- Confirm the material of the apartment door to be differentiated from the historic building (e.g., by matching the materials of the storefront at 121 San Jose Avenue)
- Confirm that the new awning above the apartment door 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)

New Residential Unit

The plan set indicates that there is an existing residential unit on the second floor inside the commercial space at 201 Capitola Avenue that can only be accessed via a stairway and the mezzanine inside the commercial suite. However, a review of building permit occupancy codes and Santa Cruz County Assessor use codes indicate that the space has never had a legal residential component. Therefore, the review includes approval of a new residential unit.

Residential uses on the first or second floor are principally permitted in the Central Village zoning district. The residential unit would also be converted from existing commercial floor area, so no additional floor area is proposed. The project reduces the total floor area of the structure by 162 square feet.

Parking

With the parking general provisions section 17.51.015.C., any existing use of property which is nonconforming only as to off-street parking facilities may be continued in the same manner, except at the time of expansion or change in use, parking shall be provided for the expansion or as required for the new use. A change in use for parking is a change to a use which has a higher parking requirement. There is no intensification of use, because the retail use floor area being converted requires two parking spaces and a 451-square-foot residential unit also requires two parking spaces. No additional parking is required.

The building currently provides no on-site parking. The previous retail use was eligible for Beach and Village Parking Lot Permits, which are only valid in the parking lots behind City Hall. Under the Village Parking Permit Program, a new residential space would be allowed either one transferable hang-tag for a part-time resident or vacation rental or up to two stickers for full-time residents. Therefore, a new residential unit will increase demand on village parking spaces.

Coastal Development Permit

No Coastal Development Permit is required because the project does not include an intensification of use.

Master Sign Program

A Master Sign Program (MSP) for 201 Capitola Avenue was approved under permit #03-056 in 2003 (Attachment 4). The current application does not include a request for new signage or a modification to the MSP, but the MSP is still active, so future tenants may utilize it to install awning and/or window signs. The Master Sign Program included the following conditions:

1. The approved signage is as follows:
 - a. Capitola Avenue frontage: "Option 2" for the Capitola frontage, consisting of awning signs over both windows (one with T. Kincaid identification and the other with Village Mouse identification) and window signs for both windows, with no T. Kincaid logo in the window signage, and with no "handcrafted gifts" in the Village Mouse window sign.
 - b. Corner of building at San Jose Avenue: Awning sign with Village Mouse identification, and window directional sign for T. Kincaid, but with logo removed from T. Kincaid window signage. Removal of all T. Kincaid identification and directional finger from wall near corner of building.
 - c. San Jose Avenue frontage: Awning sign with T. Kincaid identification, and existing T. Kincaid painted wall signage.
2. If minor modifications to the signs are desired by the applicant (i.e. lettering, materials, colors, illumination, etc.), the changes may be approved by the Community Development Department. Any significant changes shall require Planning Commission approval.
3. All awnings shall be maintained, and replaced when deterioration has occurred to the extent that the aesthetics of the awnings are not in keeping with the village character.

In the November 12, 2003, staff report, "Option 2" also specified that awning signage "would be limited to the 5" white lettering," and that the total sign area would be limited to 5.5 square feet (Attachment 3).

However, due to the deteriorated nature of the existing awnings, with the previous awning signs painted over but still visible through the grey paint, Staff has included Condition #26, which requires the awnings to be replaced prior to a Planning final.

CEQA

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

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project application #19-0375.

CONDITIONS OF APPROVAL

1. The project approval consists of a major interior remodel of a 4,958-square-foot historic structure that includes a new recessed entryway along San Jose Avenue and the conversion of existing second-story commercial space into a new residential unit. 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 5, 2020, 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 #19-0375 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 window, transom window, and entrance door shall have anodized aluminum frames.
21. New commercial display window and transom window shall be sized so that they have bullnose stucco on both sides as well as at the top.
22. Exterior display-window sill and apron shall be traditional forms of wood or of anodized aluminum, or the stucco bullnose shall wrap the base of the window frame.
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.

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 major interior remodel of a 4,958-square-foot historic structure that includes a new recessed entryway along San Jose Avenue and the conversion of existing second-story commercial space into a new residential unit complies 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 the major interior remodel of a 4,958-square-foot historic structure that includes a new recessed entryway along San Jose Avenue and the conversion of existing second-story commercial space into a new residential unit. The remodel, which retains the historic integrity of the building and adds 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.

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

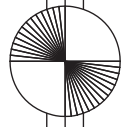
Section 15332 of the CEQA Guidelines exempts project characterized as in-fill development when: the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. This project involves a major interior remodel of a 4,958-square-foot historic structure that includes a new recessed entryway along San Jose Avenue and the conversion of existing second-story commercial space into a new residential unit within the C-V (Central Village) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 201 Capitola Avenue - Full Plan Set - 01.27.2020
2. 201 Capitola Avenue - Historic Review
3. 201 Capitola Avenue - MSP Staff Report - Project #03-056 - 11.12.2003
4. 201 Capitola Avenue - MSP - #03-056 - Final Local Action Notice

Prepared By: Matt Orbach
Associate Planner

COMMERCIAL BUILDING



SERIAL INFORMATION	
SITE AREA	ZONE
5146 SQ. FT.	CV
BUILDING	
EXISTING	3,013 SQ. FT.
SUITE #1A2	1,844 SQ. FT.
APARTMENT	1,844 SQ. FT.
TOTAL	4,781 SQ. FT.
PROPOSED	
SUITE #1	964 SQ. FT.
SUITE #2	1,190 SQ. FT.
APARTMENT	964 SQ. FT.
TOTAL	4,781 SQ. FT.

DESIGNER: DENNIS NORTON HOME DESIGN AND PROJECT PLANNING
 DATE: 08/07/19
 PROJECT NO.: CAP 201
 BUILDING CONSTRUCTION TYPE: M
 FIRE RATING: NON-FIRE/RATED

THE DESIGNER MUST BE NOTICED OF ANY DISCREPANCIES IN THE EXISTING RECORDS AND/OR SURVEY DATA. THE DESIGNER IS NOT RESPONSIBLE FOR ANY DISCREPANCIES IN THE EXISTING RECORDS AND/OR SURVEY DATA. THE DESIGNER IS NOT RESPONSIBLE FOR ANY DISCREPANCIES IN THE EXISTING RECORDS AND/OR SURVEY DATA. THE DESIGNER IS NOT RESPONSIBLE FOR ANY DISCREPANCIES IN THE EXISTING RECORDS AND/OR SURVEY DATA.

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 CALIFORNIA STATE HISTORICAL BUILDING CODE IS REFERENCED IN THE ARCHITECTURAL NOTES.
 THE PROPERTY IS AN "HISTORIC RESOURCE," REQUIRING REVIEW OF ALL DESIGN REVISIONS, AND THAT 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 EXISTING PLANS, INCLUDING BUT NOT LIMITED TO, CHANGES TO THE EXISTING STRUCTURE, 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 BUILDING AND MAKE REPLACEMENTS AND REPAIRS TO THE HISTORIC STRUCTURE TO MAINTAIN THE HISTORIC CHARACTER OF THE BUILDING. ANY SIGNIFICANT CHANGES TO THE EXISTING PLANS, INCLUDING BUT NOT LIMITED TO, CHANGES TO THE EXISTING STRUCTURE, 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 BUILDING AND MAKE REPLACEMENTS AND REPAIRS TO THE HISTORIC STRUCTURE TO MAINTAIN THE HISTORIC CHARACTER OF THE BUILDING. ANY SIGNIFICANT CHANGES TO THE EXISTING PLANS, INCLUDING BUT NOT LIMITED TO, CHANGES TO THE EXISTING STRUCTURE, APPROVAL AND POTENTIALLY A REVIEW BY THE HISTORIC ARCHITECT FOR CONTINUED CONFORMANCE WITH THE SECRETARY OF INTERIOR STANDARDS.

LEGEND OF SHEETS	
1	COVER SHEET, PROJECT INFO
2	EXISTING LIGHT FLOOR PLAN
3	EXISTING LIGHT FLOOR PLAN
4	PROPOSED LIGHT FLOOR PLAN
5	PROPOSED ELEVATIONS
6	PROPOSED ELEVATIONS
7	SURVEY

THE LOW REQUIREMENTS FOR SUBJECT PROPERTY ARE A MINIMUM 1:00 SLOPE FOR ANY PART OF THE LOT, AND ANY PART LOCATED WITHIN 250 FEET OF THE LOT BOUNDARIES.

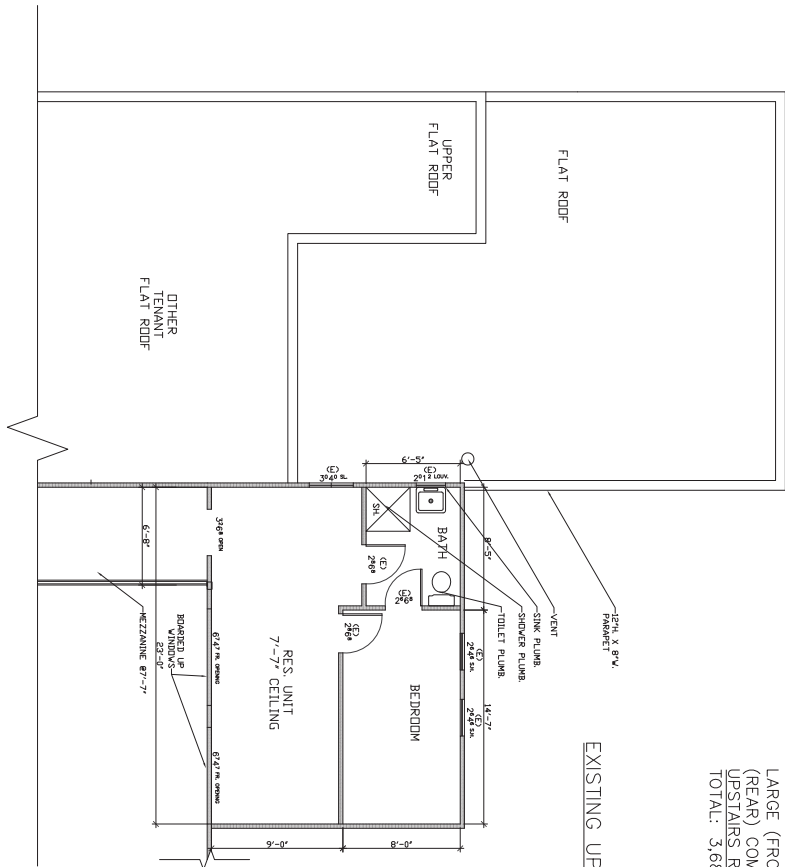
1. THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2019)
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA BUILDING AND FIRE CODES (2019)
3. THE EXISTING AND PROPOSED RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE INSTALLED ACCORDING TO CALIFORNIA BUILDING CODE
4. ALL EXISTING AND PROPOSED ELECTRICAL SHALL BE INSTALLED ACCORDING TO THE 2017 CALIFORNIA ELECTRICAL CODE
5. ALL EXISTING AND PROPOSED MECHANICAL SHALL BE INSTALLED ACCORDING TO THE 2019 INTERNATIONAL MECHANICAL CODE
6. ALL EXISTING AND PROPOSED PLUMBING SHALL BE INSTALLED ACCORDING TO THE 2019 INTERNATIONAL PLUMBING CODE
7. ALL EXISTING AND PROPOSED STRUCTURAL SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA STRUCTURAL CODE
8. THE EXISTING AND PROPOSED FOUNDATION SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA FOUNDATION CODE
9. THE EXISTING AND PROPOSED ROOFING SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA ROOFING CODE
10. THE EXISTING AND PROPOSED EXTERIOR FINISHES SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA EXTERIOR FINISHES CODE
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12. THE EXISTING AND PROPOSED PAINT SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA PAINT CODE
13. THE EXISTING AND PROPOSED GLAZING SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA GLAZING CODE
14. THE EXISTING AND PROPOSED MASONRY SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA MASONRY CODE
15. THE EXISTING AND PROPOSED CONCRETE SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA CONCRETE CODE
16. THE EXISTING AND PROPOSED METAL SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA METAL CODE
17. THE EXISTING AND PROPOSED WOOD SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA WOOD CODE
18. THE EXISTING AND PROPOSED GROUND COVER SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA GROUND COVER CODE
19. THE EXISTING AND PROPOSED LANDSCAPE SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA LANDSCAPE CODE
20. THE EXISTING AND PROPOSED SIGNAGE SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA SIGNAGE CODE
21. THE EXISTING AND PROPOSED SECURITY SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA SECURITY CODE
22. THE EXISTING AND PROPOSED ACCESSIBILITY SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA ACCESSIBILITY CODE
23. THE EXISTING AND PROPOSED ENERGY EFFICIENCY SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA ENERGY EFFICIENCY CODE
24. THE EXISTING AND PROPOSED SUSTAINABILITY SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA SUSTAINABILITY CODE
25. THE EXISTING AND PROPOSED WELLNESS SHALL BE INSTALLED ACCORDING TO THE 2019 CALIFORNIA WELLNESS CODE

COVER SHEET
 LEGEND OF SHEETS

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831 476 2616 FAX: 831 476 2616
 WEBSITE: www.dennisnorton.com

COMMERCIAL BLDG
 201 CAPITOLA AVE.
 CAPITOLA, CA 95010
 APN 035-231-09

PROJECT NO.: CAP 201
 DATE: 08/07/19
 SHEET: 1 OF 4



LARGE (FRONT) COMMERCIAL SPACE: 2,094 SQ. FT.
 (REAR) COMMERCIAL SPACE: 1,180 SQ. FT.
 UPSTAIRS RESIDENTIAL SPACE: 413 SQ. FT.
 TOTAL: 3,687 SQ. FT.

EXISTING UPPER FLOOR PLAN

SCALE:

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

REVISIONS:	BY:	DATE:

OWNER:

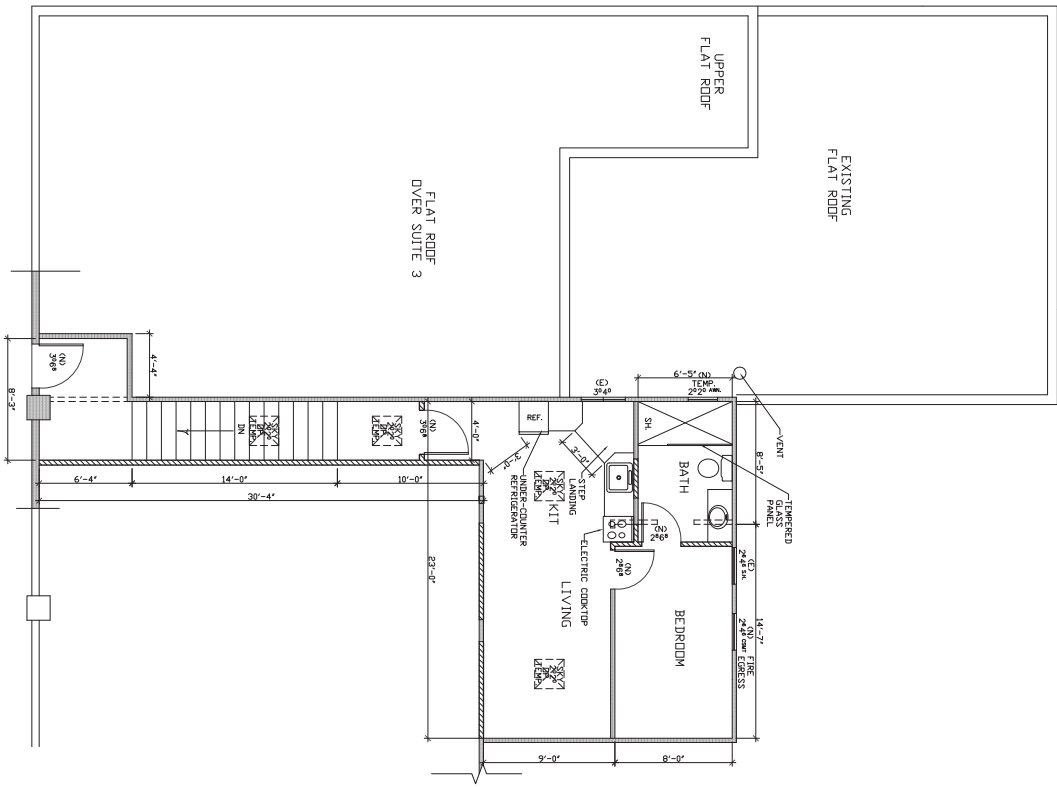
THE VILLAGE MOUSE
 201 CAPITOLA AVE.
 CAPITOLA, CA 95010
 APN

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831 476 2616 FAX: 831 476 2616
 WEBSITE: www.dennisonortondesign.com

EXISTING UPPER
 FLOOR PLAN

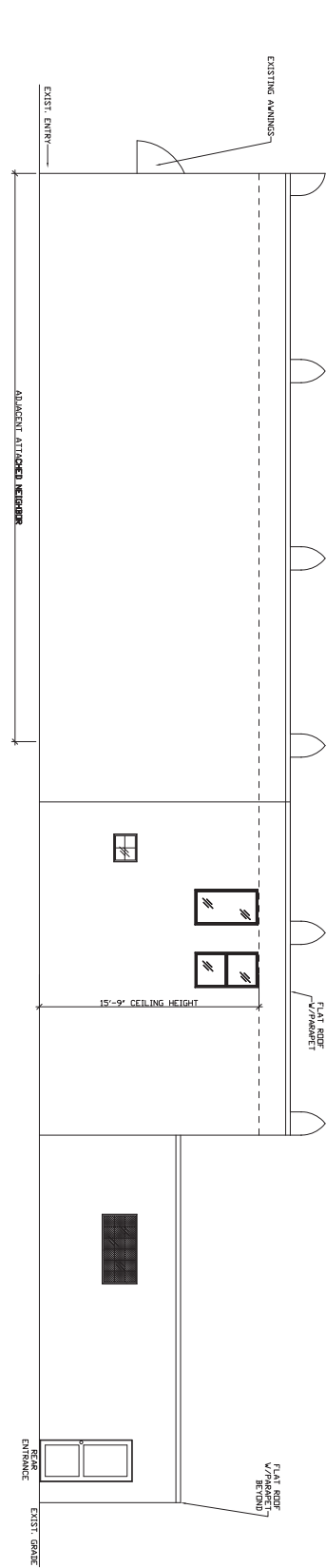
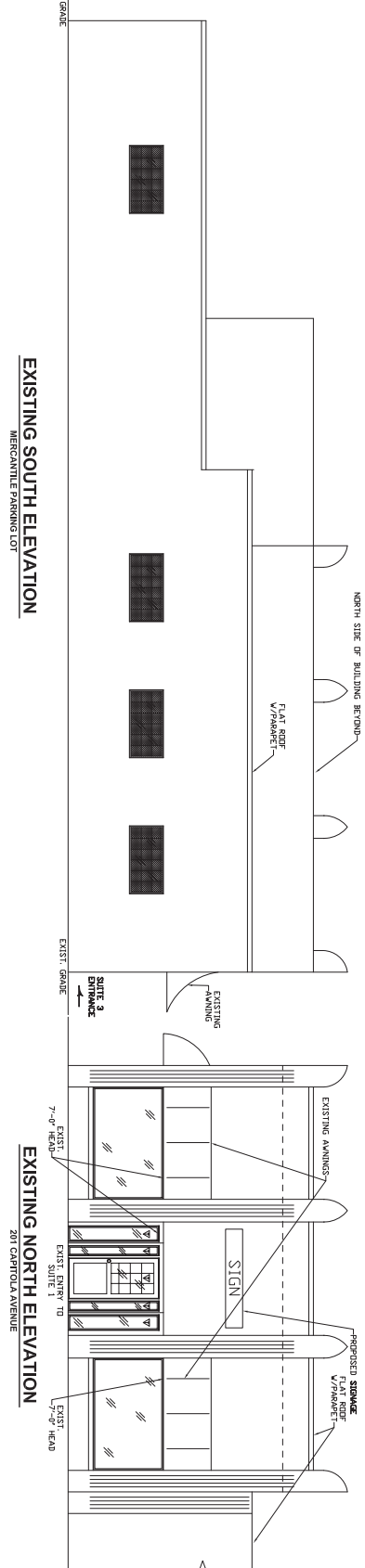
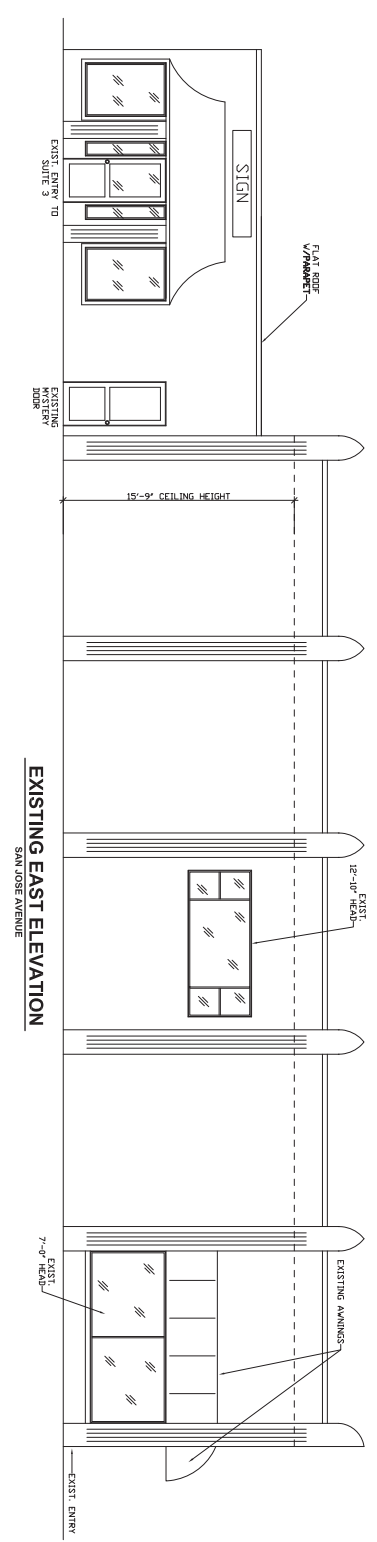
DRAWN: 1/4"=1'-0"
 SCALE:
 JOB NO. MOUSE
 DATE: 07/24/19

SHEET
 4
 OF 4
 SHEETS



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

<p>6 OF 9 SHEETS</p>	<p>PROPOSED UPPER FLOORPLAN</p>	<p>DENNIS NORTON HOME DESIGN AND PROJECT PLANNING</p> <p>712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010 PHONE: (831) 476-2616 FAX: (831) 476-2616 WEBSITE: www.dennisonortondesign.com</p>	<p>COMMERCIAL BLDG 201 CAPITOLA AVE. CAPITOLA, CA 95010 APN 035-231-09</p>	<p>MRG PROJECTS LLC 201 CAPITOLA AVE CAPITOLA, CA 95010 (831) 476-2616</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REVISIONS</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>AV/AN/201</td> <td>02</td> </tr> <tr> <td>2</td> <td>AV/AN/201</td> <td>02</td> </tr> </tbody> </table>	REVISIONS	BY	DATE	1	AV/AN/201	02	2	AV/AN/201	02
REVISIONS	BY	DATE												
1	AV/AN/201	02												
2	AV/AN/201	02												



NOTE: = TEMPERED GLASS

ELEVATIONS

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

DATE	09/26/19
JOB NO.	CAP 201
SCALE	1/4"=1'-0"
DRWING	CG
DATE	09/26/19
SCALE	1/4"=1'-0"
JOB NO.	CAP 201
DRWING	CG

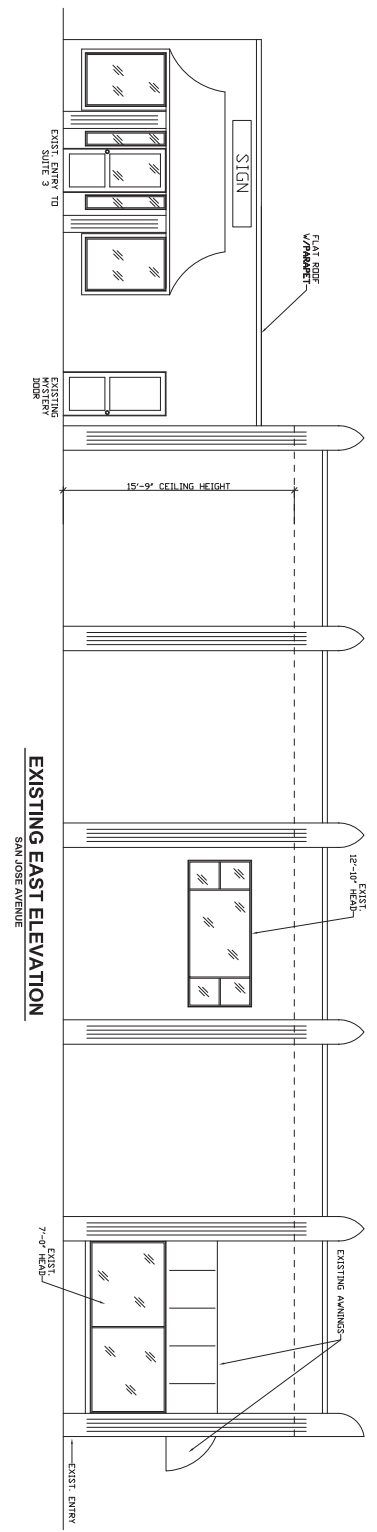
COMMERCIAL BLDG
201 CAPITOLA AVE.
CAPITOLA, CA 95010
APN 035-231-09

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

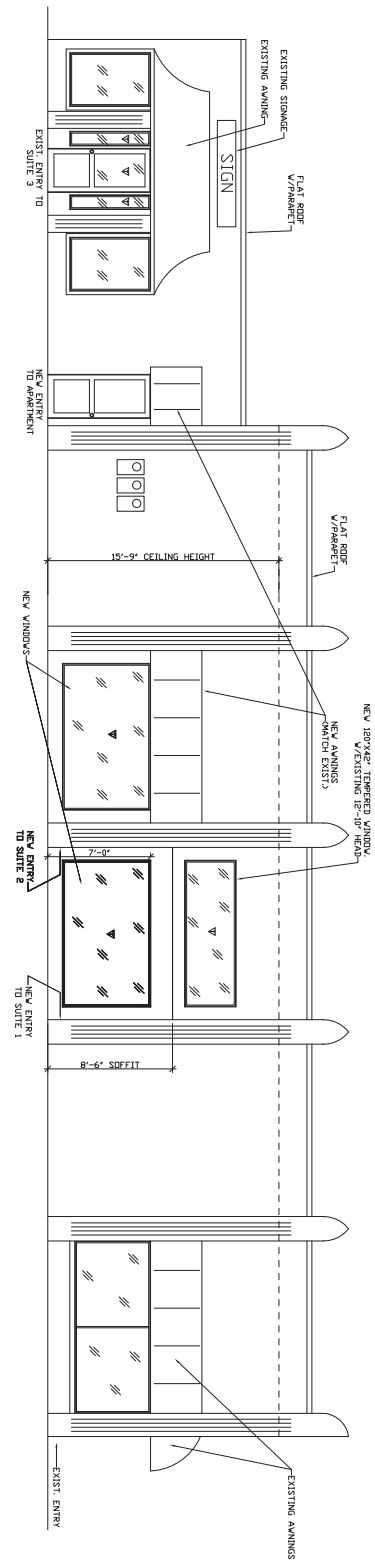
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831-476-2616 FAX: 831-476-2616
WEBSITE: www.dennisonortondesign.com

EXISTING ELEVATIONS

SHEET	7
OF	4
SHEETS	



EXISTING EAST ELEVATION
SAN JOSE AVENUE



PROPOSED EAST ELEVATION
SAN JOSE AVENUE

△ ENISH NOTES:
 - THE PROPOSED COMMERCIAL DISPLAY WINDOW, TRANSOM WINDOW, AND ENTRANCE SHALL BE TEMPERED GLASS.
 - THE PROPOSED COMMERCIAL DISPLAY WINDOW AND TRANSOM WINDOW BE SIZED SO THAT THERE IS BALANCE STUDIO ON BOTH SIDES AS WINDOWS FROM THE PERIOD.
 - THE EXISTING AWNING SHALL BE MAINTAINED AND MATCH EXISTING AWNING.
 - THE NOTE FOR WINDOWS TO "MATCH EXISTING" APPLY ONLY TO THE UPSTAIRS WINDOWS, NOT TO THE DISPLAY WINDOWS.

NOTE: △ = TEMPERED GLASS

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

NO.	DATE	BY	CHKD.
1	02/17/20	DN	DN
2	02/17/20	DN	DN
3	02/17/20	DN	DN
4	02/17/20	DN	DN
5	02/17/20	DN	DN
6	02/17/20	DN	DN
7	02/17/20	DN	DN
8	02/17/20	DN	DN
9	02/17/20	DN	DN
10	02/17/20	DN	DN

MPH PROJECTS LLC
 201 CAPITOLA AVE
 CAPITOLA, CA 95010
 (916) 472-3939

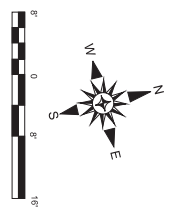
COMMERCIAL BLDG
 201 CAPITOLA AVE.
 CAPITOLA, CA 95010
 APN 035-231-09

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831 476 2616 FAX: 831 476 2616
 WEBSITE: www.dennishomeprojectplanning.com

PROPOSED ELEVATION

DATE: 09/26/19
 JOB NO.: CAB 201
 SCALE: 1/4"=1'-0"
 DRAWN: CG
 SHEET: 8 OF 8
 SHEETS

- LEGEND**
- = PROPERTY LINES
 - = ADJOINING PROPERTY LINES
 - (N XX°XX'XX" W) = RECORD DATA
 - = FOUND MONUMENT AS NOTED
 - PB = ELEC. PULLBOX



THIS IS NOT A BOUNDARY SURVEY. THE PROPERTY LINES SHOWN ARE DRAWN FROM RECORD DATA AND MAY BE FOUND TO BE DIFFERENT PENDING THE RESULTS OF A FULL BOUNDARY SURVEY.

NOTE

- REFERENCES**
- DOC. #2019-0005240
 - 18 N 36
 - 11 N 28
 - 80 PM 39
 - DOC. #2016-002851
 - DOC. #2001-0013995
 - DOC. #2008-0023188

- VERTICAL DATUM**
- BENCH MARK
 - BM # 902
 - PID G12289
 - NAVD 88

SCALE 1" = 8'

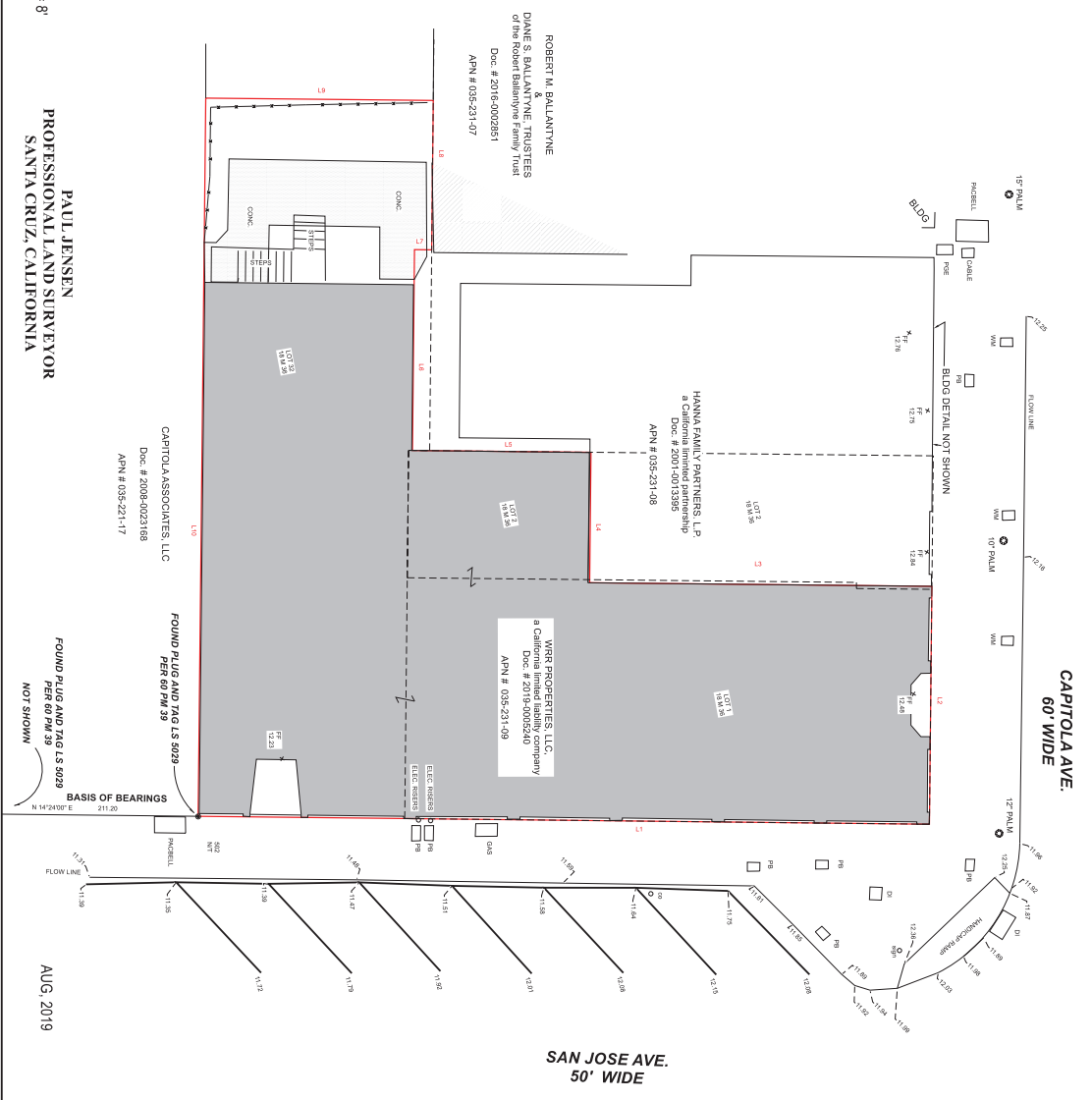
PAUL JENSEN
PROFESSIONAL LAND SURVEYOR
SANTA CRUZ, CALIFORNIA

FOUND PILE AND TAG LS 5029
PER 60 PM 39
NOT SHOWN

FOUND PILE AND TAG LS 5029
PER 60 PM 39
NOT SHOWN

AUG, 2019

SITE MAP
of the Lands of
WWR PROPERTIES, LLC
a California limited liability company
201 Capitola Ave.
Capitola, CA, 95010



Line Table

LINE	BEARING	HORIZ DIST
L1	N14°24'00"E	95.91'
L2	N75°37'00"W	31.20'
L3	S14°23'00"W	44.89'
L4	N14°23'00"W	23.10'
L5	S14°23'00"W	23.10'
L6	N75°37'00"W	26.33'
L7	N4°23'00"E	2.25'
L8	N75°37'00"W	18.56'
L9	S14°23'00"W	29.83'
L10	S75°36'00"E	94.18'



ARCHIVES
ARCHITECTURE

SECRETARY OF THE INTERIOR'S STANDARDS REVIEW

PROPOSED REHABILITATION PROJECT

at a

COMMERCIAL BUILDING

with

SECOND-FLOOR RESIDENTIAL UNIT

201 Capitola Avenue
(Parcel Number 035-231-09)
Capitola, Santa Cruz County, California

For:

Attn: Matthew Orbach, Associate Planner
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

Prepared by:

ARCHIVES & ARCHITECTURE LLC
PO Box 1332
San Jose, CA 95109
408.369.5683 Vox
408.228.0762 Fax
www.archivesandarchitecture.com

Leslie A. G. Dill, Partner and Historic Architect

September 30, 2019

INTRODUCTION

Executive Summary

The design presented is substantially compatible with the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards* (Standards); however, information was presented in an email that has not yet been incorporated into the drawing set, and there are some minor recommendations for consistency. When that information is included, potentially in the format of conditions for planning approval, the project can be found consistent with the Standards. Recommendations are presented here, and the analysis is described more fully in the report that follows:

- It is recommended that language on the cover sheet should refer to the property as a potential 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 be included (Standard 6).
- It is recommended that the language as presented via email, and analyzed in this document, be clarified as noted and incorporated on the drawing set as follows (Standard 9).
 - confirm that the proposed new commercial display window, transom window, and entrance door will be anodized aluminum frames
 - confirm that the proposed commercial display window and transom window be sized so that they have bullnose stucco on both sides as well as at the top
 - confirm the detail for the exterior display-window sill and apron are traditional forms of wood or of anodized aluminum, or that the stucco bullnose wraps the base of the window frame
 - confirm that the note for windows to “match existing” apply only to the upstairs windows, not to the display windows
 - confirm the material of the apartment door to be differentiated from the historic building (e.g., by matching the materials of the storefront at 121 San Jose Avenue)
 - confirm that the new awning above the apartment door 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)

Report Intent

Archives & Architecture LLC was retained by the City of Capitola to conduct a Secretary of the Interior's Standards Review of the proposed alterations to the exterior of the historic one-story commercial building with a second-story residential unit at 201 Capitola Ave., California. Archives & Architecture was asked to review the exterior elevations, plans, and site plan of the project to determine if the proposed design is compatible with the *Secretary of the Interior's Standards for Rehabilitation* (Standards). The Standards are a common set of guidelines for the review of historic buildings and are used by many communities during the environmental review process to determine the potential impact of a project on an identified resource. A project that meets the Standards can be considered to have been mitigated to a “less than significant” impact under the California Environmental Quality Act.

Qualifications

Leslie A. G. Dill, Partner of the firm Archives & Architecture, has a Master of Architecture with a certificate in Historic Preservation from the University of Virginia. She is licensed in California as an architect. Ms. Dill is listed with the California Office of Historic Preservation as meeting the requirements to perform identification, evaluation, registration, and treatment activities within the professions of Historic Architect and Architectural Historian in compliance with state and federal

environmental laws. The state utilizes the criteria of the National Park Service as outlined in 36 CFR Part 61.

Review Methodology

In August, a set of proposed plans were forwarded for review. Archives & Architecture requested additional information about the proposed project materials, and it was provided in the form of an email dated August 23, 2019. The design of the rear deck guardrails was also requested and received on a revised full set of drawings, dated 09/26/19.

For this report, Leslie Dill referred to the historic survey listing of the residence in the Capitola Architectural Survey and reviewed the 2004 *Historic Context Statement For the City of Capitola* by Carolyn Swift. Photographs of the property were taken of the properties involved, and a list of character-defining features was prepared.

For this report, Archives & Architecture evaluated, according to the Standards, the revised set of nine sheets (Sheets 1-8 and S) prepared by Dennis Norton, Home Design and Project Planning, as well as the email list of materials noted above and included in this report below.

Disclaimers

This report addresses the project plans in terms of historically compatible design of the exterior of the residence and its setting. The consultant has not undertaken and will not undertake an evaluation or report on the structural conditions or other related safety hazards that might or might not exist at the site and building, and the consultant will not review the proposed project for structural soundness or other safety concerns. The consultant has not undertaken analysis of the site to evaluate the potential for subsurface resources.

RESOURCE AND PROJECT DESCRIPTION:

Character of the Existing Resource

The building was originally a Red & White independent grocery, built in 1935. The property is listed on the City of Capitola 2005 Historic Structures List. The *Historic Context Statement For the City of Capitola* identified the property as an example of a significant Property Type as follows: "Properties associated with the context of tourism and real estate management (1933-1949) include single-family homes, multiple-unit residences, vacation cottages and bungalows, stores, hotels, motels, theaters, amusement concessions, restaurants, garages, gas stations, and community buildings."

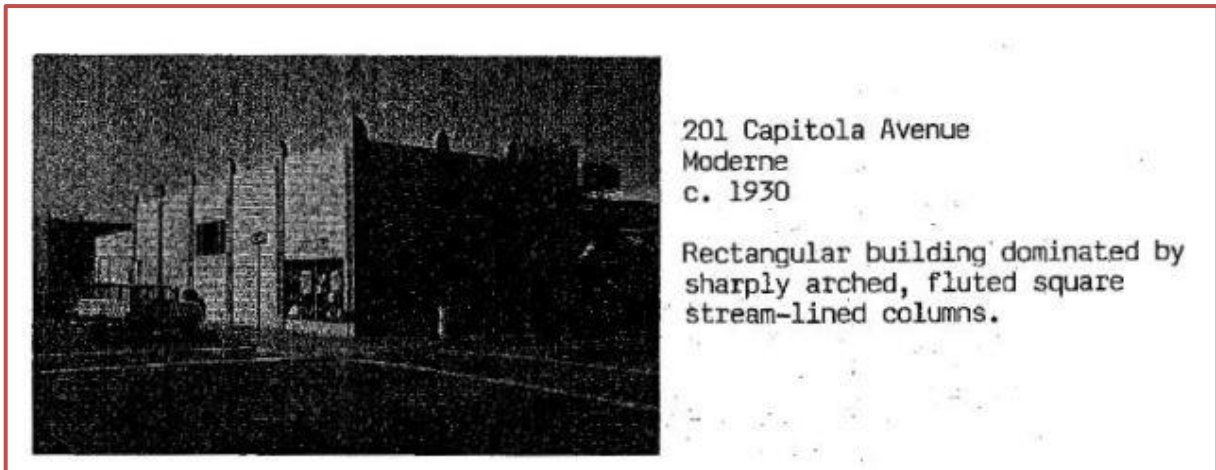
Per the historic survey and updated in the Appendix to the Context Statement, the original building was of note for its Moderne design, described as a "Rectangular building dominated by sharply arched, fluted square streamlined columns."

To review the design of the proposed alterations and addition project in more depth, Archives & Architecture, LLC created an initial in-house list of character-defining features. The list of features includes, but may not be limited to: the tall one-story flat-roofed structure set at the sidewalk; the regularly spaced fluted pilasters that terminate in sharp, rounded pinnacles; the full-width (pilaster-to-pilaster) fixed display windows symmetrically placed on the north (Capitola Avenue) façade; the divided, full-width fixed display window at the northern bay on the east (San Jose Avenue) side; the deep exterior sills and bullnose header stucco. The design of the historic building is minimal; each of these historical elements has a disproportionate significance because there are so few.

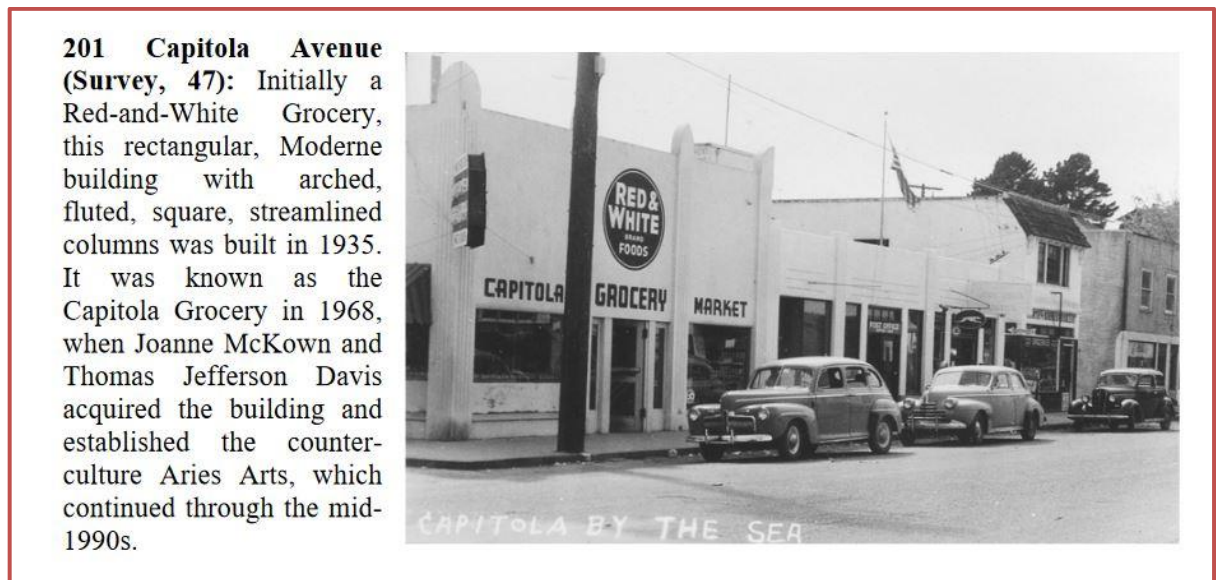
Attachment: 201 Capitola Avenue - Historic Review (201 Capitola Avenue)

The front (north) entrance was altered and is now an angled recessed design, with new sidelights and door. The east side (San Jose Avenue) elevation has stucco texturing that indicates that there were display windows or other features that have been filled in. The age of the high window in the center of the east façade could not be determined. Even if it is original, its location and materials do not contribute to the building's Moderne composition. The windows in the residential second-floor unit are not visible from the street, so they are not considered character-defining features.

Note: On the property is a portion of the building designated as "Suite #3" and addressed as 121 San Jose Avenue. This area is an addition to the Moderne historic grocery store building. The features within that portion of the plans and elevations are reviewed as a part of the property for their effect on the historic significance of the property; however, the façades are considered separate compositions and reviewed as such.



Detail from the 1986 City of Capitola Architectural Survey



*Detail from 2004 Historic Context Statement For the City of Capitola
Examples of Property Types*

Red and White Grocery
201 Capitola Avenue
 (Survey, 47):

Architectural style:

Moderne

Construction date: 1935

Theme: Economic
 Development



Detail from Appendix I "Examples of Property Types" from the 2004 Historic Context Statement For the City of Capitola

Summary of the Proposed Project

The proposed design project represents the division of the main retail space internally into two retail shops, creating three ground-floor commercial spaces. The interior changes require the alteration of the exterior to include a second commercial entrance, proposed as a recessed doorway facing San Jose Avenue, and the inclusion of a new display window and fixed awning. The high window on this same façade is proposed to be replaced with a slightly differently sized transom. The character-defining stucco siding design and Moderne trim are proposed to be substantially preserved.

The relocation of the apartment access will require the rehabilitation of the doorway on the added wing (adjacent to the storefront of Suite #3), including an awning, as well as the construction of a roof deck and rear staircase, and alterations of upstairs windows. These areas are part of the design composition of the property, but not within the historic original building wing. The residential door at the front façade is illustrated in the plans, but confirmation of its material is needed. Four of the upstairs windows are proposed for alteration, including three that will be larger replacement units and one that will be replaced by a door. The deck materials are identified, but no elevation or detail view has been included.

List of Proposed Materials

The designer sent the following information via email for review. There is some discrepancy in the notes; refer to the review section (below) for clarifications.:

- All windows and doors to be Anodized Aluminum frame, Dual Glazed, Tempered
- Stucco to wrap to frame as in the existing building...
- Stucco texture to match
- All new windows and finishes will match existing windows [assumed: upper-level windows]
- New Doors as drawn with Anodized Aluminum Frame

SECRETARY'S STANDARD'S REVIEW:

The *Secretary of the Interior's Standards for Rehabilitation* (Standards), originally published in 1977 and revised in 1990, include ten standards that present a recommended approach to repair, while preserving those portions or features that convey a resource's historical, cultural, or architectural values. Accordingly, Standards states that, "Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values." Following is a summary of the review with a list of the Standards and associated analysis for this project:

1. **"A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships."**

Analysis: There is no effective change of use proposed for this mixed-use property. The proposed use will require some alterations, but minimal changes to all other distinctive features and materials.

2. **"The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided."**

Analysis: No historic massing or character-defining features of the building are proposed for removal; the forms, footprints, and significant historic elements of the building are proposed to be preserved. Some stucco will be removed; however, this is a repetitive feature, and the loss of the amount shown would not diminish the overall composition and design of the historic materials and proportions.

The removal of the east-side tripartite window is not reviewed as a loss because its placement, materials, and design do not contribute to the greater understanding of the historic Moderne design or its original use as a market. The upper-level windows are also considered for this review to be non-character-defining, so the proposed replacement of four of them can be considered consistent with this Standard.

3. **"Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other historic properties, will not be undertaken."**

Analysis: The emailed notes indicate that "all windows and doors to be Anodized Aluminum frame, Dual Glazed, Tempered" and also that "all new windows and finishes will match existing windows." Therefore, assumptions are presented here that would indicate how the project would meet this Standard.

Because the front display windows are character-defining features, matching them would potentially create a false sense of historical development. Instead, it is recommended that the proposed display windows be differentiated from the original windows. It is understood from the email, but needs to be incorporated into the building permit drawings, that the new display windows will be anodized aluminum and sized to be differentiated from the historic design (see also Standard 9).

It is further assumed that the note “match existing” applies to the upstairs residential windows. Because they are not character-defining features, and the upstairs unit is not generally visible from the street, the replacement of these windows in a material that matches the existing upstairs windows would not affect the appearance of the historic building or present a false sense of historical development in a way that would impact the significance of the historic building. The sizes of the proposed windows are compatible with the current sizes.

4. “Changes to a property that have acquired historic significance in their own right will be retained and preserved.”

Analysis: It is understood that no existing changes to the building(s) have acquired historic significance in their own right, so this Standard is not applicable. Suite 3 is an addition, and analyzed in the design as such; however, it is not identified as a significant building element.

5. “Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.”

Analysis: Distinctive features and finishes that identify the building are generally shown as preserved on the proposed drawings. Specifically, these include: the tall-one-story flat-roof form, substantial amounts of the stucco siding, the fluted pilasters, their pinnacles, and their spacing, as well as other character-defining materials and detailing.

The replacement of the high, east-side window would not alter a character-defining feature. (See Standard 2). The apartment door is also not identified as a character-defining feature, as it is set within the adjacent façade.

6. “Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.”

Analysis: The current physical condition of the building appears visually to be very good, and the significant features are shown as substantially preserved in the project drawings.

It is recommended that general notes be added to the final building permit documents, that would note the historic significance of the property, that would indicate that all changes to the project plans must be reviewed, and that would note how the existing historic elements are to be protected during construction.

7. “Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.”

Analysis: No chemical or physical treatments are shown as proposed or expected in this project other than preparation for painting. It is recommended that all planned construction techniques be identified during the building permit submittal phase.

8. **“Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.”**

Analysis: Archeological resources are not evaluated in this report.

9. **“New additions, exterior alterations or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.”**

Analysis: The proposed alterations are generally compatible with the historic characteristics and compositions of the building and differentiated by their detailing and form. Some clarification will be required on the plans.

The proposed single-lite glazing, size, and proportions of the new east-side display window, transom window, and the new recessed entrance elements will maintain and be compatible with the scale of the historic windows and original entrance. The two large proposed windows are shown to be differentiated from the original windows by being set in from the pilasters, and, therefore, including side bullnose stucco where the original windows span from pilaster to pilaster. The sills are also shown as differentiated by being narrower than the width of the wall segment (although the sill detail is not specifically indicated). The emailed notes indicate that the windows and entrance framing will be anodized aluminum, differentiating these elements from the wood and frameless existing structures. The repeated design of the quarter-round awning is appropriate as a material and designed in scale with the building as a whole. Although it needs clarification on the plans, this assumed design would be in keeping with Standard 9

The material of the proposed replacement door for the upstairs apartment is not clear. Because it is not a character-defining feature or set within the façade of the historic original building, its materials should be chosen for design consistency with the elements of the addition’s façade. It is recommended that the awning design also not be carried across identically from the historic building onto this portion of façade; one easily confirmed alternative could be that the awning could be the quarter-round form and match the dark green color of the adjacent storefront awning, or the proposed door awning could be concave to match the adjacent awning.

The upstairs residential windows are not character-defining features, and the upstairs unit is not generally visible from the street, so the replacement of these windows in a material and size that substantially matches the existing windows would not affect the understanding of the historic significance of the building.

The plans indicate that the base of the proposed roof deck addition will start at the height of the parapet walls and the guardrails will be visible above the parapet walls. The materials of the guardrail are indicated as wood and shown as featuring horizontal railings. The alignment of the top of the guardrail and the adjacent roofline provides consistency, and the horizontal orientation is in keeping with the horizontal windows of the addition. The staircase also consists of unpainted wood elements in an open design. The staircase is in scale with the historic property as a whole, and it is differentiated by its materials. The addition of these elements would be compatible with the historic significance of the property.

10. **“New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”**

Analysis: The proposed design would preserve the essential form and integrity of the historic property. The critical character-defining features of the exterior of the building would be unimpaired in this project.

CONCLUSION

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..."



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 12, 2003 (AGENDA: NOVEMBER 20, 2003)

SUBJECT: **201 CAPITOLA AVENUE** – PROJECT APPLICATION #03-056
 REQUEST FOR A SIGN PERMIT FOR A MASTER SIGN PROGRAM FOR A
 COMMERCIAL BUILDING IN THE CV (CENTRAL VILLAGE) ZONING
 DISTRICT. (APN 035-231-09) CATEGORICALLY EXEMPT, COASTAL
 PERMIT EXEMPT. FILED 6/30/03.
 PROPERTY OWNER/APPLICANT: BOBETTE MOORE

APPLICANT'S PROPOSAL

The applicant is requesting approval for a master sign program for the building located at 201 Capitola Avenue in the CV (Central Village) zoning district. The retail building currently contains the “The Village Mouse” and “Thomas Kinkade Gallery”.

BACKGROUND

This item was last heard by the Planning Commission on September 4, 2003. The applicant originally had requested four separate wall signs for both the “Village Mouse” and “Thomas Kinkade Gallery” and was advised by the Commission to come back with a proposal for an overall master sign program for the building. Issues raised at the meeting included the number of signs and the location of the signs in relationship to the businesses.

DISCUSSION

Taking the Planning Commission's previous comments into consideration, the applicant has come forward with a master sign program for the entire building. The building consists of two tenant spaces that are technically separate, but have an opening connecting them to allow customers to go from one store to the other.

Thomas Kinkade San Jose Avenue Frontage

The “Thomas Kinkade” tenant space fronts on to San Jose Avenue. The San Jose Avenue frontage is 26' in width, permitting a total of 26 square feet of sign area. The existing non-permitted sign is 3'x 4'-4” for a total of 13 square feet in area. The sign is dark blue lettering painted onto a light gray stucco background. The proposed 5” white lettering for the awning

would be approximately 11’ in length for a total of 4.5 square feet of sign area. Total sign area for the “Thomas Kinkade” frontage would be 17.5 square feet, well within the 26 square feet permitted by the Zoning Code.

Village Mouse San Jose Avenue Frontage

The corner “Village Mouse” tenant space fronts on to Capitola Avenue, but also has a side along San Jose Avenue. The San Jose Avenue frontage is 71’ in length, permitting 71 square feet of wall sign area. For the San Jose Avenue frontage, the applicant is proposing that the existing non-permitted “Thomas Kinkade Capitola Gallery” sign with the lamp post graphic remain, but the “pointing finger” be removed. This sign is approximately 6 square feet and is dark blue lettering painted onto a light gray stucco background. Also, a new awning to match the existing “Thomas Kinkade” awning is proposed over the existing window. “The Village Mouse” in white 5” lettering is proposed along the edge of the awning. The lettering along the awning will be approximately 7’ in length for a total of 3 square feet of sign area. The two signs add up to approximately 9 square feet of sign area, well within the 71 square feet permitted by the Zoning Ordinance.

Village Mouse Capitola Frontage

The Capitola Avenue frontage is 30’ in width, permitting a total of 30 square feet of wall sign area. This frontage was of primary debate at the previous Planning Commission meeting due to the “Thomas Kinkade Gallery” sign being located on the “Village Mouse” frontage. Due to the sign not being located on the actual “Thomas Kinkade” frontage, staff could not support the sign. The applicant feels that because the businesses are connected internally that they should be able to share signage space. The Commission discussed the issue and different ideas were presented on the subject. From the discussion, the applicant has come up with three options for the Capitola Avenue frontage. They are as follows:

Option 1

Option 1 would permit a “Thomas Kinkade Gallery” and a “The Village Mouse Hand Crafted Gifts” wall sign in addition to new awnings over each window. The awnings would match the awnings proposed on the San Jose Avenue frontage and would each have “Thomas Kinkade Gallery” and “The Village Mouse” printed on them in 5” white lettering. The following table summarizes the option 1 signs:

<u>Sign</u>	<u>Location</u>	<u>Approx. Sign Area</u>	<u>Material</u>
Thomas Kinkade Gallery	Wall left of door	9.5 square feet	Wood/Plastic sign board material
The Village Mouse Hand Crafted Gifts	Wall right of door	8 square feet	Wood/Plastic sign board material
Thomas Kinkade Gallery	Awning left of door	3 square feet	5” white lettering on edge of awning
The Village Mouse	Awning right of door	2.5 square feet	5” white lettering on edge of awning
	Total Sign Area	23 square feet	

The window signs are not regulated and are therefore not included in the table.

Option 2

Option 2 is the same as Option 1 without the two wall signs. Signage would be limited to the 5" white lettering on the new awnings. Total sign area would be approximately 5.5 square feet.

Option 3

Option 3 would allow for a "Thomas Kinkade Gallery" and a "The Village Mouse Hand Crafted Gifts" wall sign only. Each sign would not exceed 15 square feet in sign area and would be made of a ½ inch thick wood and/or plastic sign board material. The sign would stand off the wall approximately ½ inch.

RECOMMENDATION

Staff recommends that the Planning Commission carefully consider the application and the options provided by the applicant. If the Commission finds merit with the proposal, they should **approve** application #03-056 based on the following Conditions and Findings for Approval. If the Commission does not find merit with the proposal, they should **deny** the application based on the Findings for Denial.

CONDITIONS

1. If minor modifications to the signs are desired by the applicant (i.e. lettering, materials, colors, illumination, etc.), the changes may be approved by the Community Development Department. Any significant changes shall require Planning Commission approval.
2. This permit approval shall be for one year after the date of granting thereof per Code Section 17.63.130. The applicant shall have approved building plans and construction underway before this date, or the applicant shall submit a letter requesting a one-year extension.

FINDINGS OF APPROVAL

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

The Planning Commission finds that the proposed signs comply with the Sign Ordinance regulations and Central Village Design Guidelines in terms of size, design and color.

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

The Planning Commission finds that the project, as conditioned, complies with the Sign Ordinance and Central Village Design Guidelines which were developed to ensure projects maintain the character and integrity of this area of the City.

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

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

FINDINGS FOR DENIAL

- A. **The application, subject to the conditions imposed, will not secure the purposes of the Zoning Ordinance and General Plan.**

The Planning Commission finds that the proposed signs do not comply with the Sign Ordinance regulations and Central Village Design Guidelines as the signs are not located on the frontage of the business that they are meant to represent.

- B. **The application will not maintain the character and integrity of the neighborhood.**

The Planning Commission finds that the number of proposed signs will clutter the subject property and surrounding area, and therefore will not maintain the character and integrity of the Village.

Report Prepared By: Ryan Bane
Associate Planner

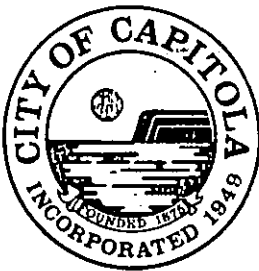
Approved by: _____
Kathleen Molloy, Community Development Director

Attachment "A" – Sign Plans

Attachment "B" – Planning Commission minutes for the September 4, 2003 meeting

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Attachment: 201 Capitola Avenue - MSP Staff Report - Project #03-056 - 11.12.2003 (201 Capitola Avenue)



420 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA 95010
TELEPHONE (831) 475-7300
FAX (831) 479-8879

NOTICE OF APPROVAL OF PERMIT APPLICATION

December 9, 2003

Bobette Moore
201 Capitola Ave
Capitola, CA 95010

RE: Notice of Final City Action of Approval on Application #03-056:

201 CAPITOLA AVENUE - REQUEST FOR A SIGN PERMIT FOR A MASTER SIGN PROGRAM FOR A COMMERCIAL BUILDING IN THE CV (CENTRAL VILLAGE) ZONING DISTRICT. (APN 035-231-09) CATEGORICALLY EXEMPT, COASTAL PERMIT EXEMPT. FILED 6/30/03.

The above matter was presented to the Planning Commission on November 20, 2003, and was **approved**, with the following conditions and findings. Any modifications to the staff report (dated November 12, 2003 previously distributed) are indicated below in strikeout and underline notation.

CONDITIONS

1. The approved signage is as follows:
 - a. Capitola Avenue frontage: "Option 2" for the Capitola Avenue frontage, consisting of awning signs over both windows (one with T. Kincaid identification and the other with Village Mouse identification) and window signs for both windows, with no T. Kincaid logo in the window signage, and with no "handcrafted gifts" in the Village Mouse window sign.
 - b. Corner of building at San Jose Avenue: Awning sign with Village Mouse identification, and window directional sign for T. Kincaid, but with logo removed from T. Kincaid window signage. Removal of all T. Kincaid identification and directional finger from wall near corner of building.
 - c. San Jose Avenue frontage: Awning sign with T. Kincaid identification, and existing T. Kincaid painted wall signage.

2. If minor modifications to the signs are desired by the applicant (i.e. lettering, materials, colors, illumination, etc.), the changes may be approved by the Community Development Department. Any significant changes shall require Planning Commission approval.

3. All awnings shall be maintained, and replaced when deterioration has occurred to the extent that the aesthetics of the awnings are not in keeping with village character.

Attachment: 201 Capitola Avenue - MSP - #03-056 - Final Local Action Notice (201 Capitola Avenue)

4. This permit approval shall be for one year after the date of granting thereof per Code Section 17.63.130. The applicant shall have approved building plans and construction underway before this date, or the applicant shall submit a letter requesting a one-year extension.

FINDINGS

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

The Planning Commission finds that the proposed signs comply with the Sign Ordinance regulations and Central Village Design Guidelines in terms of size, design and color.

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

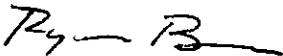
The Planning Commission finds that the project, as conditioned, complies with the Sign Ordinance and Central Village Design Guidelines which were developed to ensure projects maintain the character and integrity of this area of the City.

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

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

This approval is based on the above conditions, and must be signed and returned to the Community Development Department prior to issuance of building permits. Without subsequent action on this project this permit shall expire in one year; December 9, 2004. Should you have any questions on this matter, do not hesitate to call.

Sincerely,



Ryan Bane
Associate Planner