



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, April 4, 2019 – 7:00 PM

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

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

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. Planning Commission - Special Meeting - Feb 21, 2019 6:00 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. 105 Sacramento Avenue #19-0079 APN: 036-144-05

Request for a one-year extension for a Design Permit to demolish an existing residence and secondary dwelling unit and construct a new two-story residence and attached secondary dwelling unit with Variance requests for garage setbacks and driveway landscaping, located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Lani Holdener

Representative: Lani Holdener, Filed: 02.20.2019

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. 700 A Bay Avenue #19-0048 APN: 036-051-35**
Conditional Use Permit for off sale alcohol at 700 A Bay Avenue located in the CN (Neighborhood Commercial) Zoning District.
This project is in the Coastal Zone but does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Ernie Gotti & Chris Splees
Representative: Mike & Sharon Hadley, Filed: 02.05.2019
- B. 401 Capitola Avenue #19-0031 APN: 035-121-11**
Conditional Use Permit and Design Permit for a take-out restaurant with a new patio and trellis located within the CN (Neighborhood Commercial) zoning district.
This project is in the Coastal Zone and does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Amy Cheng
Representative: Amy Cheng, Filed: 01.23.2019
- C. 322 Capitola Avenue #18-0628 APN: 035-181-16**
Design Permit and Coastal Development Permit for a new two-story single-family residence located within the CV (Central Village) zoning district with a Variance request for the required offsite parking spaces.
This project 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
Owner: Unsophisticated Builders
Representative: Dennis Norton, Filed: 12.11.2018
- D. 329 Cherry Avenue #18-0629 APN: 035-181-01**
Design Permit and Coastal Development Permit for new two-story single-family home located within the Residential Overlay of the CV (Central Village) zoning district.
This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Environmental Determination: Categorical Exemption
Property Owner: Unsophisticated Builders
Representative: Dennis Norton, Filed: 12.11.2018

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 SPECIAL MEETING
THURSDAY, FEBRUARY 21, 2019
6 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE
2. ORAL COMMUNICATIONS
 - A. Additions and Deletions to Agenda – none
 - B. Public Comments
 - C. Commission Comments – none
 - D. Staff Comments – none

3. PUBLIC HEARINGS

Peter Shamshoian, a jewel-box home owner, presented to the Planning Commission ideas on how to update City Code to accommodate larger garages in Capitola, with the intention that homeowners will park cars inside rather than along City streets.

Commissioner Newman agreed with the presentation but clarified that Mr. Shamshoian's arguments better support increased FAR calculations rather than allowances for garages. Commissioner Newman also told Staff that there could be a more dramatic increase in allowable FAR for smaller lots.

The Planning Commission requested that staff research the origin of the garage exception and return with a recommendation on how to address the issue.

A. Update to Zoning Ordinance/ LCP Implementation Plan

Comprehensive Update to the City of Capitola Zoning Code/Local Coastal Plan Implementation Plan and updated Zoning Map and subsequent maps relative to the Zoning Code.

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: Katie Herlihy, Community Development Director, City of Capitola

First, Director Herlihy introduced the Coastal Commission's central coast district supervisor Kevin Khan, who was present at the meeting to address Planning Commission questions.

At the request of Chair Welch, Mr. Khan explained that the Coastal Commission's authority stems from the 1976 California Coastal Act, which was a direct result of California's 1972 Proposition 20 that defined the coastal zone in California.

Director Herlihy clarified that the Geological Hazard and Non-Conforming chapters of the Capitola Municipal Code require in depth discussion and additional public outreach. Director Herlihy asked for Planning Commission direction on next steps. The options include 1) hold off on submission to Coastal Commission, work on GH and Non-Conforming Chapters, and submit code in its entirety; or 2) submit the sections that are currently ready (90%) and adopt the remaining two chapters when ready.

Commissioners Wilk and Christiansen communicated willingness to utilize the Coastal Commission’s representative and adopt the parts of the code available now, rather than waiting for all chapters to be ready for review at once.

Chair Welch stated that the Geological Hazards and Nonconforming chapters will likely prompt community input and discussion and asked if the public would be noticed prior to hearings related to those chapters. Director Herlihy agreed that noticing and other outreach would take place.

Susan Westman urged the Planning Commission to wait, tackle the tough chapters, and adopt the entire code at once. She stated that having multiple codes would cause too much confusion for the public and said that it is dangerous to save the two most complicated sections to be adopted last.

After several questions regarding the timing of adoption, Mr. Khan responded that the Coastal Commission would support holding off on the review of both Geological Hazard and Nonconforming chapters, due to their complicated content, and agreed that it would be faster to adopt what has already been reviewed first before turning focus to those two chapters. Though he could not provide a guaranteed timeline, he stated confidence that Summer 2019 would be a reasonable anticipated adoption timeframe.

Jesse Bristow from Swensen Builders spoke in support of the two-step adoption process, as it will speed up projects that are currently waiting for the new code to be implemented.

Commissioner Christiansen asked how likely it would be for the Coastal Commission to deny support for the remaining two chapters, after adopting the rest of the code. Mr. Khan acknowledged this as a possibility, though stressed the desire for collaboration and belief that the Coastal Commission would do its professional best to compromise and thus support Capitola’s code.

The Planning Commission directed Staff to pursue the two-step adoption process.

Director Herlihy presented one topic at a time and discussed specific Coastal Commission edits. The following direction was received:

17.28.020.A Table 17.28-1	Page 28-4	Add "allowed in conjunction with Vacation Rental"
17.88.050.A and B	Page 88-3	Keep original language of hotel height. Specify the cliff drive location as the southern parking lot along the bluff of Cliff Drive
17.88.070.C	Page 88-4	Theater Site Storey Poles. Prior to City action on a proposed hotel on the former Capitola Theater site the applicant <u>may be required by the Planning Commission or City Council to</u> install poles and flagging on the site to demonstrate the height and mass f the proposed project.
17.88.080.B.4	Page 88-5	Parking for the hotel is provided in a way that minimizes vehicle traffic in the Village, strengthens the Village as a pedestrian-oriented destination, and protects and enhances public parking options.
17.48.030.F	Page 48-5	Add "This provision does not include temporary encroachment permits, which are handled administratively through the Public Works Department"

Minutes Acceptance: Minutes of Feb 21, 2019 6:00 PM (Approval of Minutes)

17.60.030.G	Page 60-3	Coastal Access and Public Views to the Coast. Fences and/or walls shall not prevent or obstruct public access to the coast or shoreline. Fences and/or walls also shall not block, obscure, or otherwise adversely impact significant public views of the shoreline, as identified within the LCP Land Use Plan.
ESHA MAP	MAP	Remove beach area from map. Not habitat area.
17.64.030.E	Page 24-2	Decrease setback to 25 feet to match LCP Land Use Plan
17.64.030.H	Page 64-4	17.64.030 .H Waiver of Biological Study. The Community Development Director may waive the requirement of a biological study on a developed lot if a project is proposed in a previously developed area of the lot and the project will not degrade the ESHA and/or its habitat value.
17.76.090.B.4	Page 76-22	<u>Simplify sentence as follows: The City shall evaluate the potential impact on public coastal access when considering a Coastal Development Permit application for any development that could reduce or degrade public parking opportunities near beach access points, shoreline trails, or parklands, including any changes in parking fees, timing and availability. The City shall ensure existing levels of public access are at least maintained and if possible enhanced, including by providing alternative access opportunities such as bicycle lanes and bicycle parking, pedestrian trails, and relocated vehicular parking spaces, so as to fully mitigate any potential negative impacts and to maximize access opportunities.</u>
17.80.030	Page 80-3	C. City-Installed Signs. City-installed signs in all zoning districts do not require a permit. D. <u>Other Government-Installed Signs. Governmental agency-installed signs to carry out its responsibility to protect the public health, safety, and general welfare in all zoning districts do not require a permit.</u>

4. DIRECTOR'S REPORT

Director Herlihy announced that Merlone Geier Partners have been invited to and will likely attend the next Planning Commission meeting to discuss plans for the Capitola Mall.

Mr. Khan thanked the Planning Commission and expressed a desire to continue collaborating with Staff and Commissioners.

5. COMMISSION COMMUNICATIONS

6. ADJOURNMENT

The meeting was adjourned to the next regular meeting of the planning commission on March 7, 2019. 2019.

Approved by the Planning Commission at the April 4, 2019 regular meeting.

Chloé Woodmansee, Clerk to the Commission



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: APRIL 4, 2019
 SUBJECT: **105 Sacramento Avenue #19-0079 APN: 036-144-05**

Request for a one-year extension for a Design Permit to demolish an existing residence and secondary dwelling unit and construct a new two-story residence and attached secondary dwelling unit with Variance requests for garage setbacks and driveway landscaping, located within the R-1 (Single-Family Residential) zoning district. This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City. Environmental Determination: Categorical Exemption
 Property Owner: Lani Holdener
 Representative: Lani Holdener, Filed: 02.20.2019

APPLICANT PROPOSAL

The applicant is requesting a one-year extension of a previously approved coastal development permit, design permit to demolish an existing residence and secondary dwelling unit and construct a new two-story residence with attached secondary dwelling unit, and variance for garage setbacks and driveway landscape strip. The property is located at 105 Sacramento Avenue in the R-1 (Single-Family) zoning district and the GH (Geologic Hazards) district.

BACKGROUND

On November 3, 2016, the Planning Commission approved an application for a design permit for the 3,673 square foot single-family residence with a variance to setbacks for maximum allowed building height of the primary residence, setbacks for the detached garage, and required driveway landscape strip, and denied a request for a variance to second-story side yard setbacks. On November 16, 2016, the Community Development Department received an appeal of the Planning Commission's approval at 105 Sacramento Avenue. The applicant subsequently withdrew the application and submitted a revised proposal.

On April 6, 2017, the Planning Commission approved a modified application for a 3,357 square foot primary structure, reducing the project size by more than 300 square feet and including an attached secondary dwelling unit. The primary structure complied with all development standards of the code including height and setback requirements. The applicant requested the previously approved variance requests for garage setbacks and the required landscape strip for the driveway.

DISCUSSION

Pursuant to the Capitola Municipal Code Section 17.63.130, design permit approvals of the Planning Commission are valid for two years and require an extension to remain valid. A building permit has not been issued, therefore the applicant is requesting a one-year extension of the permit.

Since the Planning Commission originally approved the design permit, they have the authority to grant, "one or more extensions, each of which shall be for one year." Both Section 17.81.160 (Extension of Permit) and Section 17.46.120.B.2 (Coastal Zone Expiration of Permits) state that a request for an extension may be granted upon a finding that no relevant substantial change of circumstances, regulations or planning policies has occurred and that such extension would not be detrimental to the purpose of the certified local coastal program and zoning ordinance. Neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit.

It should be noted that while the Planning Commission has the power to approve or deny extensions, it has no power to exact conditions unless codes and circumstances have changed. Conditions can be added, but only if agreed upon by the applicant.

CEQA

Section 15303(a) of the CEQA Guidelines exempts the construction of one single-family residence or secondary dwelling unit in a residential zone. This project involves the construction of a two-story single-family residence and attached secondary dwelling unit in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission approve a one-year extension of the previously approved coastal development permit (#16-113), design permit, and variance based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval is for the construction of a new, two-story single-family home at 105 Sacramento Avenue. The project consists of construction of a 2,582 square foot two-story residence, with a 524 square foot attached secondary dwelling unit on the first floor, and a 251 square foot detached garage. The maximum Floor Area Ratio for the 7,653 square foot property is 60% (4,592 square feet) since a secondary dwelling unit is included. The total FAR of the project is 43% with a total of 3,357 square feet of floor area, compliant with the maximum FAR within the zone. The project includes approval of a variance to detached garage setbacks and to the two-foot landscape strip requirement next to the driveway within the front setback. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 6th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. On April 4, 2019, a one-year extension of permit #16-133 for a design permit and variance was granted. The design permit and variance will remain valid through April 4, 2020.
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 the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
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 final landscape plan and tree preservation plan prepared by a certified arborist 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, if proposed. Native and/or drought tolerant species are recommended.
8. Prior to issuance of building permit, all Planning fees associated with permit #16-133 shall be paid in full.
9. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
10. 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.
11. A certified arborist must be present on-site during any tree trimming or removal work done on the cypress trees. The arborist shall also be present during any root mapping for the new foundation.
12. 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.
13. 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.
14. 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).
15. 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.

16. 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.
17. 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
18. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
19. 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.
20. This permit shall expire 12 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.
21. 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.
22. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.
23. The floor area for secondary dwelling units shall not exceed 524 square feet as approved by the Planning Commission.
24. At time of submittal for building permit review, a water letter for the second dwelling unit must be submitted.
25. 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 secondary dwelling unit shall not be sold separately;
 - B. The unit is restricted to the approved size;
 - C. The secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;
 - D. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or

revoking the administrative review or the architecture and site review permit, whichever applies;

E. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

FINDINGS

A. There has been no relevant substantial change of circumstances, regulations or planning policies.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission finds that there have been no relevant substantial changes of circumstances, regulations, or planning policies since the approval of the permit on April 6, 2017.

B. The application, 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 project, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for a new two-story residence. The new home, with the conditions imposed, will maintain the character and integrity of the neighborhood.

D. This project is categorically exempt under Section 15303 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 the construction of one single-family residence or secondary dwelling unit in a residential zone. This project involves the construction of a new, two-story single-family residence and attached secondary dwelling unit on a property in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

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

The special circumstances applicable to the property is that the subject property is a flag-lot, is within the GH (Geologic Hazard) overlay zone which requires expanded setbacks from coastal bluffs and has large cypress trees which the owner would like to preserve. Due to the location of the existing trees, the applicant proposed the garage and parking spaces within the access portion of the flag-lot. Most the access way is located within the required front yard setback. Due to the special circumstances associated with the flag-lot configuration, geologic setbacks, and trees, there is no alternative location for the garage and parking while also meeting setback requirements. The property cannot fit two feet of landscaping in between the neighboring property lines and access way. Most properties in the neighborhood are not located on a flag-lot and thus have more room to accommodate landscape strips. A variance has been granted to reduce setbacks associated with a detached garage and to waive the two-foot landscape strip requirement for parking within the front setback.

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

The subject property does not front along the street and is limited to a 20-foot-wide access area to connect the property to Sacramento Avenue. Most properties within the area have roughly 40 feet of street frontage, and thus have much more room to locate required landscape strips. In addition, the municipal code does not list zoning standards specific to flag-lots. Using current R-1 (Single-Family Residential) zoning standards, most of the flag-lot portion of the property is within the required front-yard setback. The grant of a variance to detached garage setbacks and the two-foot landscape strip requirement would not constitute the grant of a special privilege since most properties in the area are not flag-lots and thus have more flexibility when designing.

COASTAL FINDINGS

No substantial change of circumstances has occurred and that such extension would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.

The Planning Commission finds that there have been no relevant substantial changes of circumstances that would be detrimental to the purpose of the certified local coastal program and zoning ordinance since approval of the permit on April 6, 2017.

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:

- 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:

(D) (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.

(D) (2) (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 build-out. 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 105 Sacramento 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.

(D) (2) (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 Sacramento Avenue. The subject property is located adjacent to the bluff. The applicant will maintain the 50-year bluff recession setback from the cliff. The project will not affect public access to the shoreline or tidelands.

(D) (2) (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 history of public use on the subject lot.

(D) (2) (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 Sacramento 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.

(D) (2) (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 to the sea. 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. The applicant will maintain a 50-year bluff recession setback from the cliff.

(D) (3) (a – c) 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 access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

(D) (4) (a – f) 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 on a residential lot.

b. Topographic constraints of the development site;

- The project is located on a relatively flat lot. The subject property is located adjacent to the bluff. The applicant will maintain the 50-year bluff recession setback from the bluff. In addition, the applicant is proposing to preserve two large cypress trees on site.

c. Recreational needs of the public;

- The project does not impact 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.

(D) (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.

(D) (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 single family home and attached secondary 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 single family home and attached secondary 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 single family home and attached secondary dwelling unit on a residential lot of record.

(D) (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 single family home and attached secondary dwelling unit on a residential lot of record. The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

(D) (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. A variance has been approved for the location of the detached garage and the driveway landscaping requirement due to the property being a flag lot.

(D) (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.

(D) (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.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project is for a single family home and attached secondary 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.

(D) (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.

(D) (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.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (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.

(D) (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.

(D) (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.

(D) (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.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (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 a principally permitted use consistent with the Single-Family zoning

district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures. A variance has been approved for the location of the detached garage and the driveway landscaping requirement due to the property being a flag lot.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project site is located within the area Depot Hill parking permit program; however, the project complies with on-site parking standards.

ATTACHMENTS:

1. 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments
2. 105 Sacramento Final Local Action Notice 04.21.17

Prepared By: Sean Sesanto



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: APRIL 6, 2017

SUBJECT: **105 Sacramento Avenue #16-133 036-144-05**

Design Permit to demolish an existing residence and secondary dwelling unit and construction of a new two-story residence and attached secondary dwelling unit with variance requests for garage setbacks and driveway landscaping, located in the R-1 (Single-Family Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Lani and Tim Holdener

Representative: Derek Van Alstine, filed: 6/28/16

APPLICANT PROPOSAL

The applicant requests a design permit to demolish the existing single-family residence and secondary dwelling unit at 105 Sacramento Avenue, and construct a new two-story single-family residence with an attached secondary dwelling unit and detached garage. The applicant is requesting variances to setbacks of the garage and required driveway landscaping strip. The existing property is considered a "flag lot" due to the L-shaped lot with 20 feet of street frontage along Sacramento Avenue. The subject property is located adjacent to the bluff within the R-1 (Single-Family Residential) zoning district and the GH (Geologic Hazards) district.

BACKGROUND

On June 28th, 2016, the applicant applied for a design permit to build a new, two-story residence and detached garage at 105 Sacramento Avenue. The original proposal was for a 3,673 square foot single-family residence with variance requests for maximum allowed building height of the primary residence, second story setbacks for the primary residence, setbacks for the detached garage, and required driveway landscape strip.

On November 3rd, 2016, the Planning Commission conditionally approved the application. The Planning Commission approved of the variances for detached garage setbacks, the two-foot landscape strip requirement for parking within the front setback, and height of the main residence, but denied the variance request for second story side yard setbacks of the main residence. The commission made findings for the variances based on the property being a flag-lot, the required coastal bluff setback, and the preservation of the large cypress trees with shallow root systems.

On November 16th, 2016, the Planning Department received an appeal of the Planning Commission's approval at 105 Sacramento Avenue. The appellants cited concerns with the variance findings to height, the size and mass of the proposal, neighborhood privacy, maintenance of the cypress trees, asbestos exposure, coastal setbacks, tandem driveway parking, and conflict of interest in the Planning Commission decision.

On January 24th, 2017, the property owner of 105 Sacramento Avenue withdrew their previous application with the intent to resubmit a smaller, revised design at a future date that addressed the neighbor's concerns.

On March 8th, 2017, the applicant submitted the current application with a new design for a single-family home with an attached secondary dwelling unit at 105 Sacramento Avenue (Attachment 1). The proposed residence and attached secondary dwelling unit would be 3,357 square feet, which is over 300 square feet smaller than the previous proposal. The primary structure complies will all development standards of the code including height and second story setbacks. The applicant is requesting a variance for garage setbacks and the required landscape strip for the driveway.

ZONING SUMMARY

The following table outlines the zoning code requirements for development in the R-1(Single Family Residential) Zoning District relative to the application.

R-1 (Single Family Residential) Zoning District

Coastal			
Is project within Coastal Zone?		Yes	
Use			
Existing Use		Single-Family + Second Unit	
Proposed Use		Single-Family + Second Unit	
Principal Permitted or CUP?		Principally Permitted	
Development Standards – Main Home			
	R-1 Regulation		Proposed
Building Height	25 ft.		25 ft.
Floor Area Ratio (FAR)			
Lot Size		7,653 sq. ft.	
Maximum Floor Area Ratio		60% (Max 4,592 sq. ft.)	
First Story Floor Area		1,132 sq. ft.	
Second Story Floor Area		1,188 sq. ft.	
2 nd Story Deck + Covered Porch (150 sq. ft. allowance) (199 sq. ft.) + (213 sq. ft.) = 412 sq. ft.		262 sq. ft. (412 sq. ft. – 150 sq. ft.)	
Detached Garage Floor Area		251 sq. ft.	
Secondary Dwelling Unit Floor Area		524 sq. ft.	
TOTAL FAR		3,357 sq. ft.	
Yards (setbacks are measured from the edge of the public right-of-way)			
	R-1 Regulation		Proposed
Front Yard 1st Story	15 feet		28 ft. from property line – North
Front Yard 2nd Story	20 feet		28 ft. from property line - North
Side Yard 1st Story	10% lot width	Lot width 50 5 ft. min.	5 ft. from property line – East 5 ft. from property line – West
Side Yard 2nd Story	15% of	Lot width 50	7.5 ft. from property line – East

	width	7.5 ft. min	7.5 ft. from property line – West
Rear Yard 1 st and 2 nd Story	50-year bluff	Roughly 50 ft.	55 ft. from property line - South
Detached Garage	40' minimum front yard		5 ft. from property line – North VARIANCE
	8' minimum rear yard		118 ft. to property line - South
	3' minimum side yard		36 ft. from property line – East 43 ft. from property line – West
Encroachments (list all)	Chimney legally extends 2 ft. beyond the maximum 25 ft. height limit (§17.81.070).		
	20% of the second-story side wall (9 ft. on the east and 4 ft. on the west) legally encroaches 2.5 ft. into side yard setback.		
Development Standards – Secondary Dwelling Unit			
Allowed Secondary Dwelling Unit Size			
Maximum Unit Size (lots between 7,501 – 10,000 sq. ft.)			640 sq. ft.
Proposed Unit Size			524 sq. ft.
Parking			
	Required		Proposed
Residential (from 2,601 up to 4,000 sq. ft.)	4 spaces total 1 covered 3 uncovered		4 spaces total 1 covered 3 uncovered
Garage and Accessory Bldg.	Complies with Standards?		List non-compliance
Garage	No		Does not meet setbacks - VARIANCE
Underground Utilities: required with 25% increase in floor area			Required (Condition of Approval #9)

DISCUSSION

The subject property is a flag-lot with a 20-foot wide access way fronting Sacramento Avenue. The property is bordered by neighboring homes to the north, west, and east, and the bluff to the south. Properties adjacent to the bluff are in the GH overlay district and are required to maintain a 50-year bluff erosion setback from the cliff. Haro, Kasunich and Associates engineering conducted a geologic study on the property based on the historical bluff recession rates and identified the 50-year bluff setback to be roughly 55 feet from the edge of the bluff (Attachment 2). Therefore, roughly one-third of the property cannot be developed due to bluff-top setback requirements. In addition, there are three large cypress trees in the north-west corner of the property, two of which the owner would like to preserve. Preservation of the two, mature cypress trees requires roughly a 25-foot setback to the northern property line, further limiting the buildable area of the property. The proposed two-story residence would be centrally located on the property, with 28 feet of separation to the north and 55 feet from the bluff to the south.

The applicant is proposing the detached garage and required on-site parking within the access way portion of the flag-lot property. The garage and parking would occupy most the access way, which would prevent vehicular access to the interior of the property. Behind the proposed garage and parking area are the large cypress trees that the applicant would like to preserve. The main residence would be located south of the garage, with the cypress trees in between.

Design Permit

The architectural style of the proposed new home includes Carmel fairytale design elements, with asymmetrical gable ends, wooden decorative trusses, and a mix of stone and stucco

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

finishes. The front of the home, facing north, would have a covered porch leading to a Dutch door main entrance. The secondary dwelling unit would be built into the proposed residence, with similar architectural features to appear harmonious with the residence. The first story would be a mix of stone veneer and stucco siding, and the second story vertical batt and board. Composition shingles are proposed for the roof. The rear of the home would have a second-story deck, overlooking the bluff.

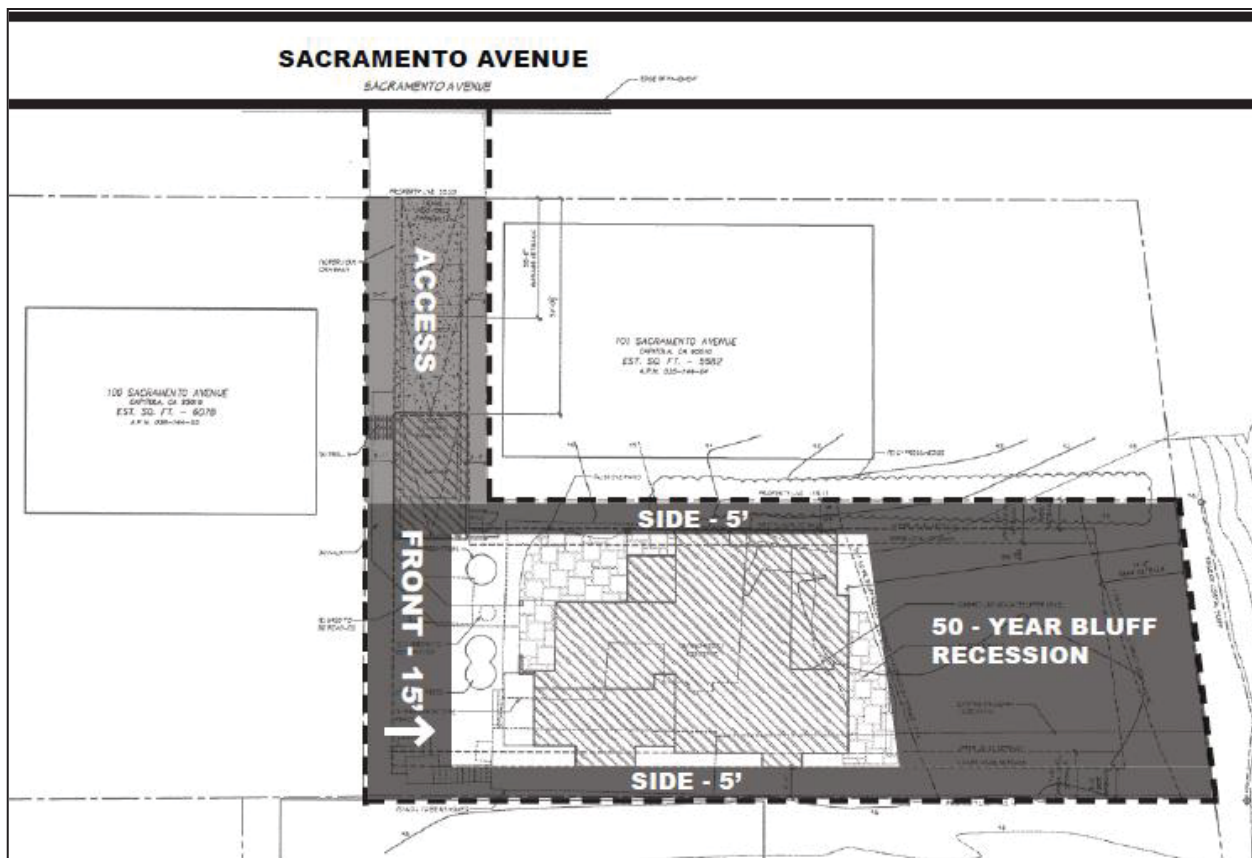
Floor Area Ratio

The lot is 7,653 square feet in size. Lots greater than 5,000 square feet in the R-1 zoning district are allowed a maximum floor area ratio of 48% and up to 60% if the lot contains a secondary dwelling unit. The proposed development includes a secondary unit but does not utilize the additional allowance of extra floor area. The proposed 3,357 square foot home has a 44% floor area ratio.

VARIANCE

The applicant is requesting a variance to the setbacks of the detached garage and driveway landscape requirements. Pursuant to section 17.66.090 of the municipal code, the Planning Commission, based on the evidence submitted at the hearing, may grant a variance permit when it finds a special circumstance applicable to the subject property and where strict application of the code would deprive the property owner of privileges enjoyed by others in the vicinity.

Setbacks are unique within a flag lot. The following diagram shows the location of front, rear, and side yard setbacks as applied to the property at 105 Sacramento Avenue:



Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

Detached Garage Setbacks:

The applicant requests variances to setback standards of the detached garage since the municipal code does not contain specific setback regulations for flag-lots. Generally, the access portion of the flag-lot is used for a driveway into the property. However, due to the location of the cypress trees, the applicant is proposing to construct the covered parking within the access portion of the flag lot.

The access portion of the lot is located almost entirely within the required 15-foot front yard setback (see diagram above). The detached garage would be setback five-feet from the front (northern) property line when the required front-yard setback for a detached garage is 40 feet. The garage is proposed to be located 36 feet back from the property line along Sacramento Avenue and over 40 feet from the street due to the unimproved edge of right-of-way. The garage will have separation along the sides with five feet of clearance from the property to the north and three feet of clearance to the south. The proposed garage is ten feet wide.

The applicant is requesting a variance to setbacks for the detached garage. The applicant is required one covered parking space and three uncovered spaces on-site for the proposed residence. The code does not contain specific setback requirements for structures within the access portion of a flag-lot. Due to the owner's desire to preserve the large cypress trees, there is no location for the garage which would meet setback requirements without placing a driveway over the tree roots. The applicant pushed the proposed garage as far away from the street as possible. Special circumstance findings can be made due to the lot being flag shaped, which is dissimilar to most surrounding properties, and the limited buildable area of the property due to the presence of the mature cypress trees and 50-year bluff setback.

Driveway Landscaping:

The proposed 3,357 square foot two-story residence and attached secondary dwelling unit requires four on-site parking spaces, one of which must be covered. The applicant is proposing one covered space within a detached garage, and three uncovered spaces in front of the proposed garage. Two of the uncovered spaces would be side-by-side fronting Sacramento Avenue, with the third uncovered space in tandem behind the garage.

The code requires two feet of landscaping in between uncovered parking within the front yard and the side property line (§17.51.130). The access way off Sacramento Avenue is only 20 feet wide, and uncovered parking spaces are required to be ten feet wide. Two side-by-side parking spaces would cover the entire 20-foot wide access area. The applicant is requesting a variance to waive the two-foot landscape strip requirement. Special circumstance findings can be made due to the lot being flag shaped, which is an unusual lot configuration. The subject property only has 20-feet of frontage along a public street, while most properties in the surrounding area have a minimum of 40 feet of street frontage.

Coastal Commission Concerns

On March 30, 2017, California Coastal Commission (CCC) staff sent a letter (Attachment 3) outlining their concerns with the geologic hazards (bluff retreat) of the proposed project and recommended adding conditions of approval related to potential geologic hazards.

In their letter, CCC staff requested that the City add conditions of approval requiring the applicant to assume all risks associated with injury and damage resulting from receding bluffs, prohibit the applicant and future property owners from seeking shoreline protection devices (seawalls), and require the property owner to remove all improvements and restore the site to natural conditions as the bluff recedes. These requested conditions have not been added to the

permit because 1) City staff and the City Attorney do not believe the City or the CCC would be liable if improvements on the property are undermined by receding bluffs in the future; 2) the City cannot prevent a property owner from submitting an application for a seawall, although neither the City nor the CCC would be obligated to approve such application; and 3) the City has existing legal authority to require a property owner to remove improvements if they pose a threat to human health and safety.

CEQA

Section 15303(a) of the CEQA Guidelines exempts the construction of one single-family residence or secondary dwelling unit in a residential zone. This project involves the construction of a two-story single-family residence and attached secondary dwelling unit in the R-1 (Single-Family Residential) Zoning District. 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 #16-133, based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval is for the construction of a new, two-story single-family home at 105 Sacramento Avenue. The project consists of construction of a 2,582 square foot two-story residence, with a 524 square foot attached secondary dwelling unit on the first floor, and a 251 square foot detached garage. The maximum Floor Area Ratio for the 7,653 square foot property is 60% (4,592 square feet) since a secondary dwelling unit is included. The total FAR of the project is 43% with a total of 3,357 square feet of floor area, compliant with the maximum FAR within the zone. The project includes approval of a variance to detached garage setbacks and to the two-foot landscape strip requirement next to the driveway within the front setback. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 6th, 2017, 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 the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
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 and tree preservation plan prepared by a certified arborist 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, if proposed. Native and/or drought tolerant species are recommended.

7. Prior to issuance of building permit, all Planning fees associated with permit #16-133 shall be paid in full.
8. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
9. 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.
10. A certified arborist must be present on-site during any tree trimming or removal work done on the cypress trees. The arborist shall also be present during any root mapping for the new foundation.
11. 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.
12. 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.
13. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
14. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
15. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
16. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
17. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
18. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development

Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

19. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
20. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.
22. The floor area for secondary dwelling units shall not exceed 524 square feet as approved by the Planning Commission.
23. At time of submittal for building permit review, a water letter for the second dwelling unit must be submitted.
24. 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 secondary dwelling unit shall not be sold separately;
 - B. The unit is restricted to the approved size;
 - C. The secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;
 - D. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies;
 - E. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

FINDINGS

- A. **The application, 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 project, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for a new two-story residence. The new home, with the conditions imposed, will maintain the character and integrity of the neighborhood.

- C. **This project is categorically exempt under Section 15303 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 the construction of one single-family residence or secondary dwelling unit in a residential zone. This project involves the construction of a new, two-story single-family residence and attached secondary dwelling unit on a property in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

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

The special circumstances applicable to the property is that the subject property is a flag-lot, is within the GH (Geologic Hazard) overlay zone which requires expanded setbacks from coastal bluffs, and has large cypress trees which the owner would like to preserve. Due to the location of the existing trees, the applicant proposed the garage and parking spaces within the access portion of the flag-lot. Most the access way is located within the required front yard setback. Due to the special circumstances associated with the flag-lot configuration, geologic setbacks, and trees, there is no alternative location for the garage and parking while also meeting setback requirements. The property cannot fit two feet of landscaping in between the neighboring property lines and access way. Most properties in the neighborhood are not located on a flag-lot and thus have more room to accommodate landscape strips. A variance has been granted to reduce setbacks associated with a detached garage and to waive the two-foot landscape strip requirement for parking within the front setback.

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

The subject property does not front along the street and is limited to a 20-foot-wide access area to connect the property to Sacramento Avenue. Most properties within the area have roughly 40 feet of street frontage, and thus have much more room to locate required landscape strips. In addition, the municipal code does not list zoning standards specific to flag-lots. Using current R-1 (Single-Family Residential) zoning standards, most of the flag-lot portion of the property is within the required front-yard setback. The grant of a variance to detached garage setbacks and the two-foot landscape strip requirement would not constitute the grant of a special privilege since most properties in the area are not flag-lots and thus have more flexibility when designing.

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:

- 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:

(D) (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.

(D) (2) (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 build-out. 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 105 Sacramento 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.

(D) (2) (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 Sacramento Avenue. The subject property is

located adjacent to the bluff. The applicant will maintain the 50-year bluff recession setback from the cliff. The project will not affect public access to the shoreline or tidelands.

(D) (2) (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 history of public use on the subject lot.

(D) (2) (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 Sacramento 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.

(D) (2) (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 to the sea. 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. The applicant will maintain a 50-year bluff recession setback from the cliff.

(D) (3) (a – c) 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 access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

(D) (4) (a – f) 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 on a residential lot.

b. Topographic constraints of the development site;

- The project is located on a relatively flat lot. The subject property is located adjacent to the bluff. The applicant will maintain the 50-year bluff recession setback from the bluff. In addition, the applicant is proposing to preserve two large cypress trees on site.

c. Recreational needs of the public;

- The project does not impact 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.

(D) (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.

(D) (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 single family home and attached secondary 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 single family home and attached secondary 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 single family home and attached secondary dwelling unit on a residential lot of record.

(D) (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 single family home and attached secondary dwelling unit on a residential lot of record. The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

(D) (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. A variance has been approved for the location of the detached garage and the driveway landscaping requirement due to the property being a flag lot.

(D) (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.

(D) (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.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project is for a single family home and attached secondary 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.

(D) (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.

(D) (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.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (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.

(D) (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.

(D) (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.

(D) (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.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (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 a principally permitted use consistent with the Single-Family zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures. A variance has been approved for the location of the detached garage and the driveway landscaping requirement due to the property being a flag lot.

(D) (23) Project complies with the Capitola parking permit program as follows:

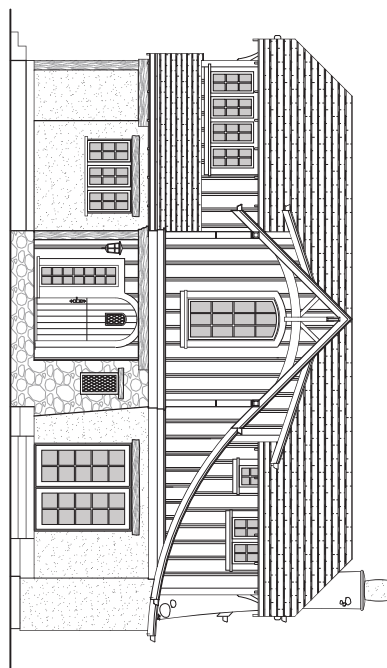
- The project site is located within the area Depot Hill parking permit program; however, the project complies with on-site parking standards.

ATTACHMENTS:

1. Project Plans
2. Geological Report
3. Coastal Commission Letter 3/30/17

Prepared By: Ryan Safty
Assistant Planner

HOLDENER RESIDENCE



VICINITY MAP



PARCEL MAP



STRUCTURAL DATA

SETTINGS	REQUIRED	PROPOSED
FRONT YARD	GARAGE	20' 0"
	1 1/2 STORY	38.0' 0"
	2ND STORY	15' 0"
REAR YARD	1 1/2 STORY	58.9' 0"
	1 1/2 STORY - MAIN HOUSE	3' 0" TO 4' 0"
	2ND STORY - MAIN HOUSE	7' 0" TO 8' 0"
	1 1/2 STORY - GARAGE	3' 0" TO 8' 0"
HEIGHT	27' 0"	24' 10"

FLOOR AREA RATIO	LOT SIZE	MAX (GDR)	PROPOSED (H.S.R)
1 1/2 STORY	7,423 sq. ft.	4,392 sq. ft.	3,977 sq. ft.
2ND STORY	2,192 sq. ft.	1,292 sq. ft.	1,292 sq. ft.
TOTAL	9,615 sq. ft.	5,684 sq. ft.	5,269 sq. ft.

PARKING	REQUIRED	PROPOSED
4 SPACES, ONE OF WHICH MUST BE COVERED	4 SPACES	4 SPACES

BUILDING INFORMATION

PROJECT DESCRIPTION: 1 1/2 SINGLE FAMILY RESIDENCE, 400 sq. ft. A.D.U., 3018 AND CARPORT (PARTIALLY COVERED) WITH 251 sq. ft. GARAGE AND 524 sq. ft. A.D.U.
PROJECT ADDRESS: 105 SACRAMENTO AVE., CAPITOLA, CA 95010
PARCEL NUMBER: 092-14-408
ZONING DESIGNATION: R3
OCCUPANCY CLASSIFICATION: RESIDENTIAL
CONSTRUCTION TYPE: TYPE V-B
CODE NOTE: THESE PLANS COMPLY TO THE 2014 CALIFORNIA INTERNATIONAL BUILDING CONVENTION, INCLUDING SUPPLEMENTAL CALIFORNIA BUILDING CODES AND CALIFORNIA BUILDING CODE, AS ADOPTED BY THE STATE OF CALIFORNIA.

CONTACTS

OWNER: HOLDENER, 7099 LAJO PEBBLE RD., 40453, SANTA CRUZ, CA 95062
PROJECT DESIGNER: DEREK VAN ALSTINE RESIDENTIAL DESIGN, INC., 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA 95062
DATE: 03/14/2017
DRAWN BY: GILBERT, 11631 1725A 1725A, SAN JOSE, CALIFORNIA 95031
CONTACT: 408-558-5800
PHONE: 408-558-5800
FAX: 408-558-5800
EMAIL: info@dvad.com
WEBSITE: www.dvad.com

DRAWING INDEX


A1	TITLE SHEET
A2	BLUFF ACCESSION SETBACK MAP
A3	CONTRIBUTORY SETBACK SECTION
A4	PROPERTY LOT PLAN
A5	LOWER LEVEL FLOOR PLAN
A6	UPPER LEVEL FLOOR PLAN
A7	FOUNDATION AND FOOTING - MAIN HOUSE
A8	FOUNDATION AND FOOTING - MAIN HOUSE
A9	FOUNDATION AND FOOTING - GARAGE
A10	FOUNDATION AND FOOTING - GARAGE

DVARD
 DEREK VAN ALSTINE RESIDENTIAL DESIGN, INC.
 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA 95062
 (831)426-8400 PHONE (831)426-5146 FAX

HOLDENER RESIDENCE
 105 SACRAMENTO AVE.
 CAPITOLA, CA 95010

T1	TITLE SHEET
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3/14/2017 11:26 AM

NOT TO SCALE	DRAWN BY	CHECKED BY	DATE	REVISION
	DAVID W. BRYAN	DAVID W. BRYAN	08/07/17	
			STORMWATER PREVENTION AND PROTECTION	
PROJECT: 105 SACRAMENTO AVENUE, CITRUS, CALIFORNIA			DRAWING NO.: BRP-17-01A	

Stormwater Pollution Prevention and Protection for Construction Projects


In the City of Citrus, water is treated, pumped, and storm drains from drains to local creeks and ultimately flow into the Sacramento River. The City of Citrus has a long history of providing clean water and protecting the Sacramento River. The City of Citrus is committed to providing clean water and protecting the Sacramento River. The City of Citrus is committed to providing clean water and protecting the Sacramento River.

General Provisions:

- 1. The purpose of this ordinance is to prevent and control stormwater runoff from construction projects.
- 2. The City of Citrus shall enforce this ordinance through the Citrus Planning and Development Department.
- 3. The City of Citrus shall enforce this ordinance through the Citrus Planning and Development Department.

Definitions:

- Construction:** Any activity that involves the construction, reconstruction, or alteration of any structure, including but not limited to buildings, bridges, roads, and other infrastructure.
- Stormwater:** Rainwater or snowmelt that flows over impervious surfaces and is collected in a storm drain or other conveyance system.
- Best Management Practices (BMPs):** Practices that are designed to prevent or reduce stormwater runoff from construction projects.

NOT TO SCALE	DRAWN BY	CHECKED BY	DATE	REVISION
	DAVID W. BRYAN	DAVID W. BRYAN	08/07/17	
			STORMWATER PREVENTION AND PROTECTION	
PROJECT: 105 SACRAMENTO AVENUE, CITRUS, CALIFORNIA			DRAWING NO.: BRP-17-01A	


Stormwater Pollution Prevention and Protection for Construction Projects

Best Management Practices (BMPs):

- 1. Erosion control measures shall be implemented to prevent soil erosion and sedimentation.
- 2. Sediment control measures shall be implemented to prevent sediment from entering storm drains.
- 3. Stormwater capture and treatment measures shall be implemented to reduce stormwater runoff.

Construction Site Management:

- 1. Construction sites shall be stabilized to prevent erosion.
- 2. Construction sites shall be protected from sediment runoff.
- 3. Construction sites shall be protected from sediment runoff.

NOT TO SCALE	DRAWN BY	CHECKED BY	DATE	REVISION
	DAVID W. BRYAN	DAVID W. BRYAN	08/07/17	
			STORMWATER PREVENTION AND PROTECTION	
PROJECT: 105 SACRAMENTO AVENUE, CITRUS, CALIFORNIA			DRAWING NO.: BRP-17-01A	


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	STORMWATER PREVENTION AND PROTECTION	PROJECT: 105 SACRAMENTO AVENUE, CITRUS, CALIFORNIA DRAWING NO.: BRP-17-01A
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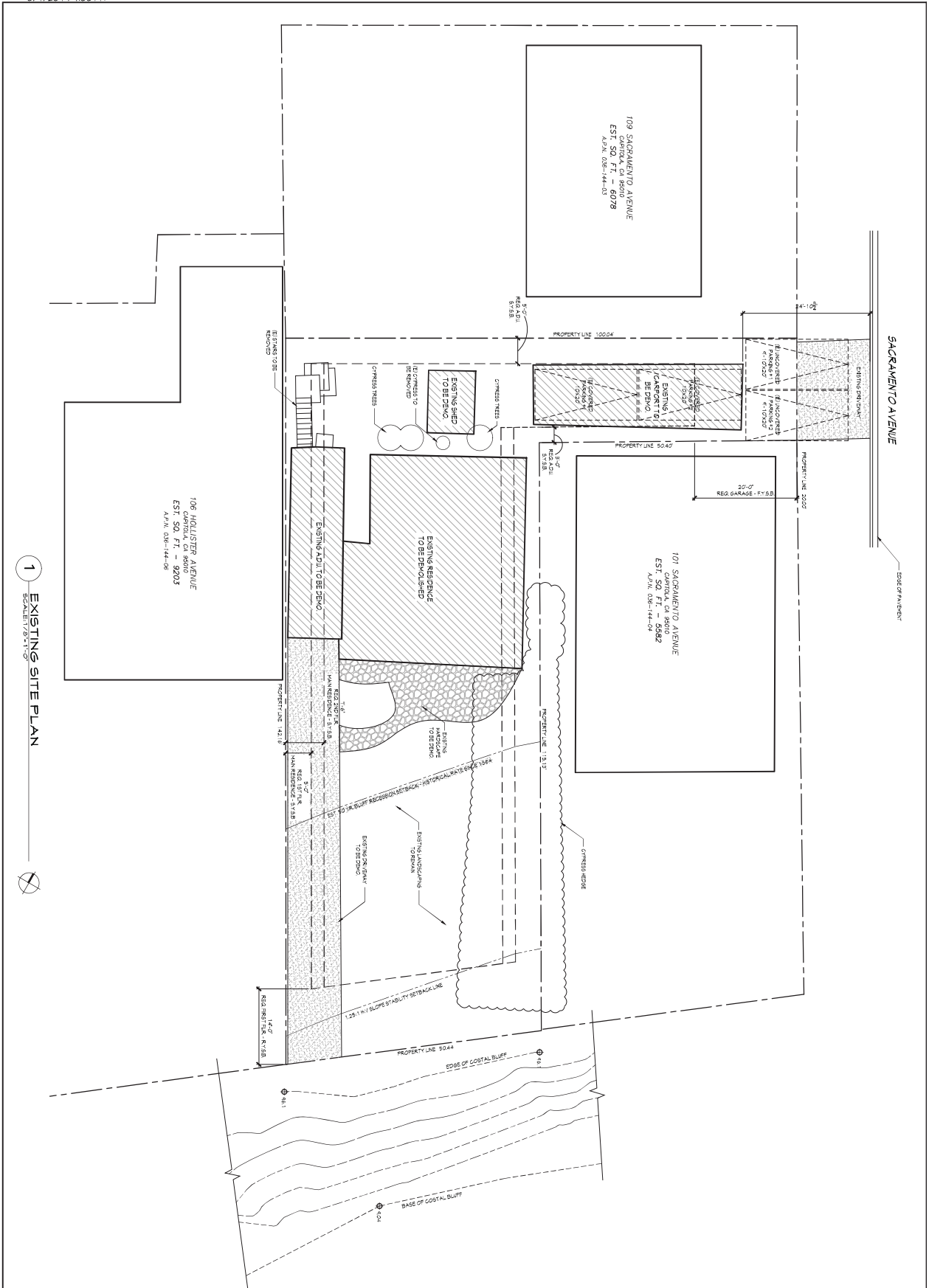
DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1535 SEARIGHT AVENUE, SUITE 100, SANTA CRUZ, CALIFORNIA
(531)112-8100 PHONE (531)126-9446 FAX

DVRD
ARCHITECTS
2017 CALIFORNIA
105 SACRAMENTO AVENUE, CITRUS, CALIFORNIA

HOLDENER RESIDENCE
105 SACRAMENTO AVE.
CAPITOLA, CA 95010

T2

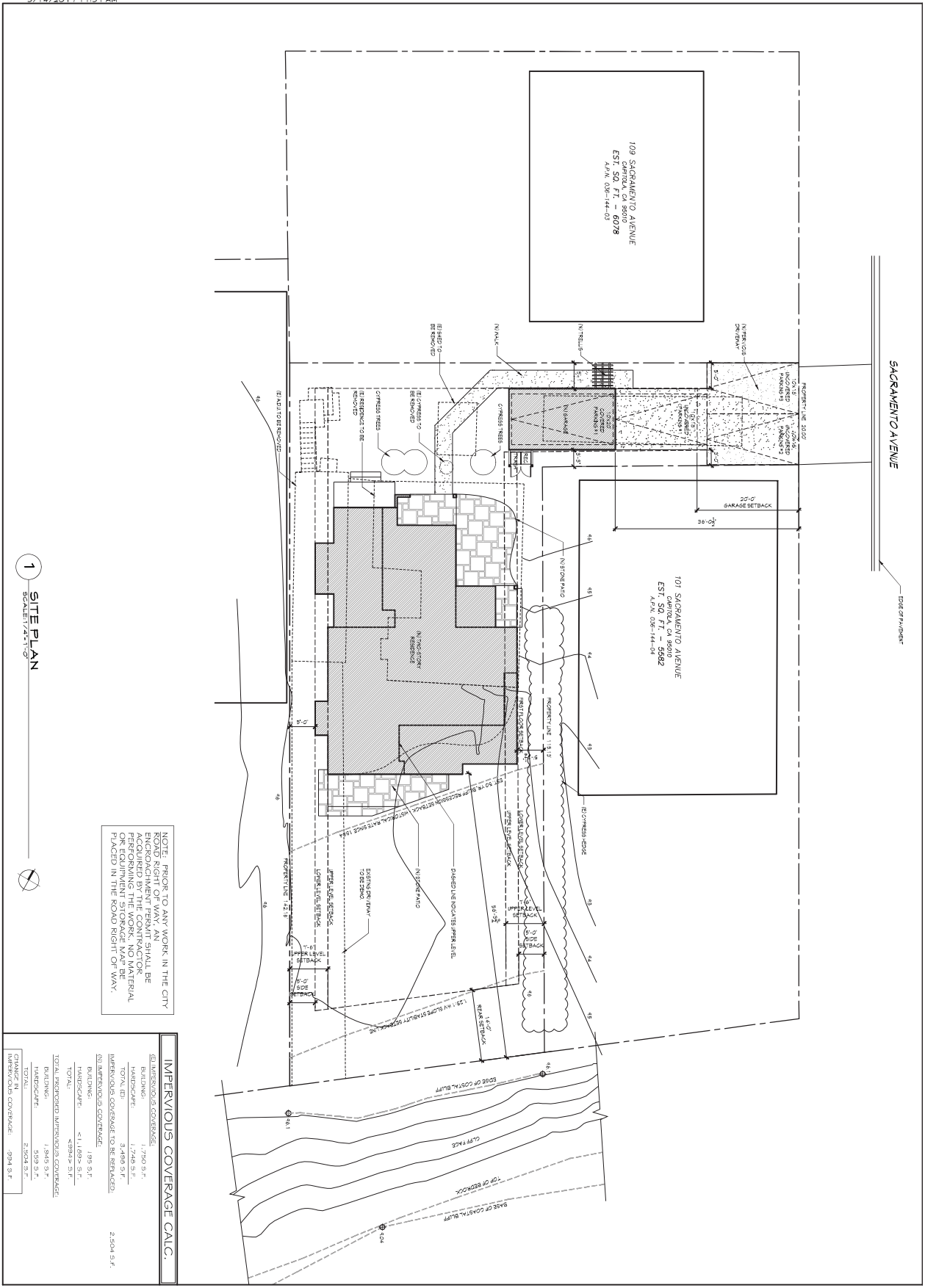
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1 EXISTING SITE PLAN
 SCALE: 1/8" = 1'-0"

A1	EXISTING SITE PLAN	DATE: 09.14.2017	PROJECT DESCRIPTION: HOLDENER RESIDENCE	SITE LOCATION: 105 SACRAMENTO AVENUE, CAPITOLA, CA 95010	DRAWN BY: D.V.A.	CHECKED BY: D.V.A.	DATE: 09.14.2017	PROJECT: HOLDENER RESIDENCE	1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA (831) 426-8400 PHONE (831) 426-5166 FAX

3/14/2017 11:31 AM



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

NOTE: PRIOR TO ANY WORK IN THE CITY OF SACRAMENTO, THE CONTRACTOR SHALL OBTAIN A PERMITS FROM THE CITY ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY ENGINEER. NO MATERIAL SHALL BE PLACED IN THE ROAD RIGHT OF WAY.

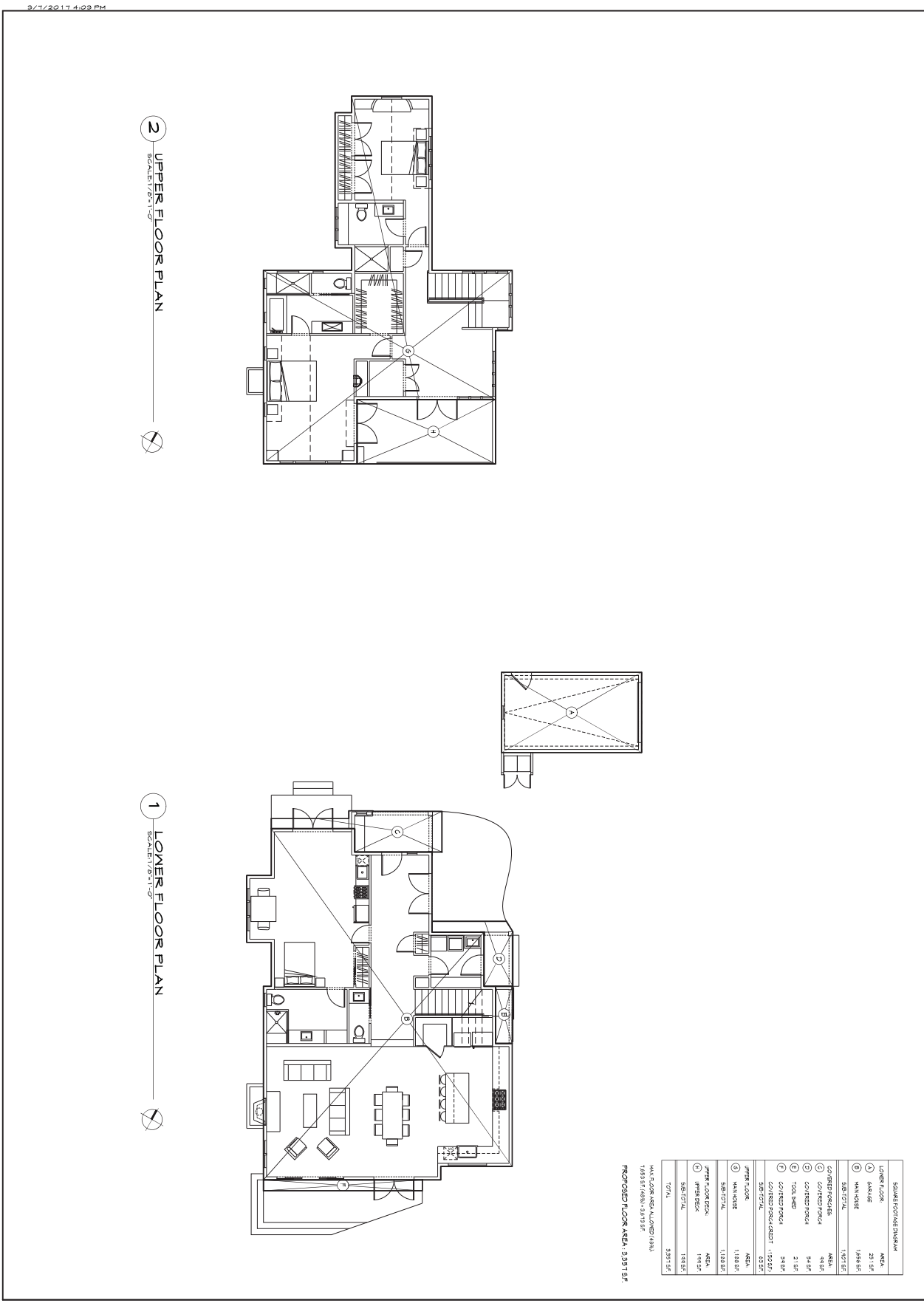
IMPERVIOUS COVERAGE CALC.	
GROSS IMPERVIOUS COVERAGE:	
BUILDING:	1,790 S.F.
PAVING:	3,746 S.F.
DRIVEWAY:	1,445 S.F.
TOTAL:	7,000 S.F.
NET IMPERVIOUS COVERAGE TO BE RETAINED:	
BUILDING:	145 S.F.
PAVING:	4,119 S.F.
DRIVEWAY:	1,345 S.F.
TOTAL:	5,609 S.F.
NET IMPERVIOUS COVERAGE:	1,391 S.F.

A1.1

NO.	DATE	ISSUE DESCRIPTION
01	03-14-2017	ISSUE FOR PERMITS
02	03-14-2017	ISSUE FOR PERMITS
03	03-14-2017	ISSUE FOR PERMITS
04	03-14-2017	ISSUE FOR PERMITS
05	03-14-2017	ISSUE FOR PERMITS
06	03-14-2017	ISSUE FOR PERMITS
07	03-14-2017	ISSUE FOR PERMITS
08	03-14-2017	ISSUE FOR PERMITS
09	03-14-2017	ISSUE FOR PERMITS
10	03-14-2017	ISSUE FOR PERMITS

HOLDENER RESIDENCE
105 SACRAMENTO AVE.
CAPITOLA, CA 95010

DVRD
Derek Van Alstine Residential Design Inc.
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
(831)426-8400 PHONE (831)426-5446 FAX



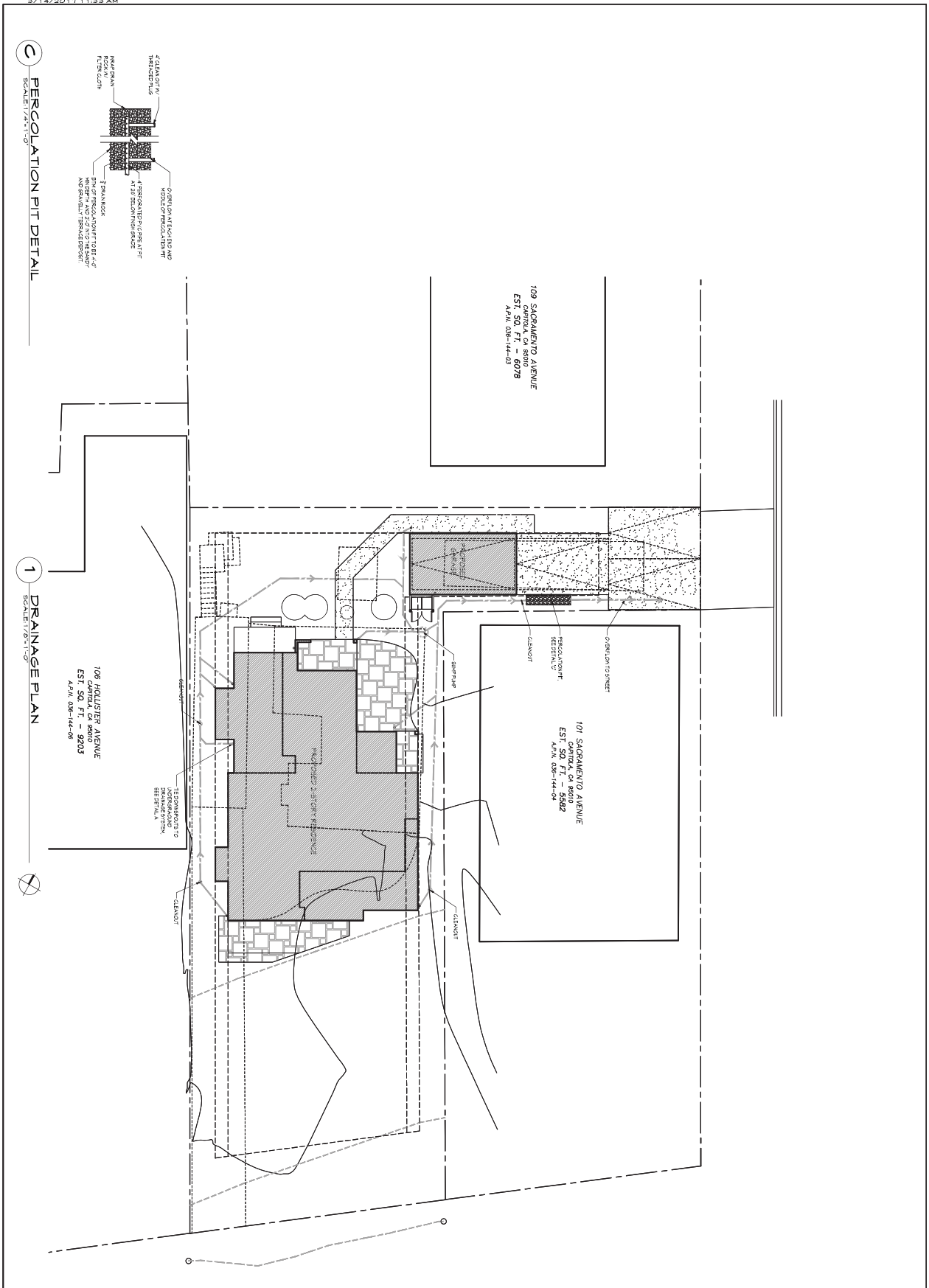
Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

DATE: 04-14-2017
PROJECT: HOLDENER RESIDENCE
CLIENT: HOLDENER RESIDENCE
DESIGNER: HOLDENER RESIDENCE
ARCHITECT: HOLDENER RESIDENCE
DATE: 04-14-2017
PROJECT: HOLDENER RESIDENCE
CLIENT: HOLDENER RESIDENCE
DESIGNER: HOLDENER RESIDENCE
ARCHITECT: HOLDENER RESIDENCE

HOLDENER RESIDENCE
 105 SACRAMENTO AVE.
 CAPITOLA, CA 95010

DVRD
 ARCHITECTURE &
 INTERIOR DESIGN

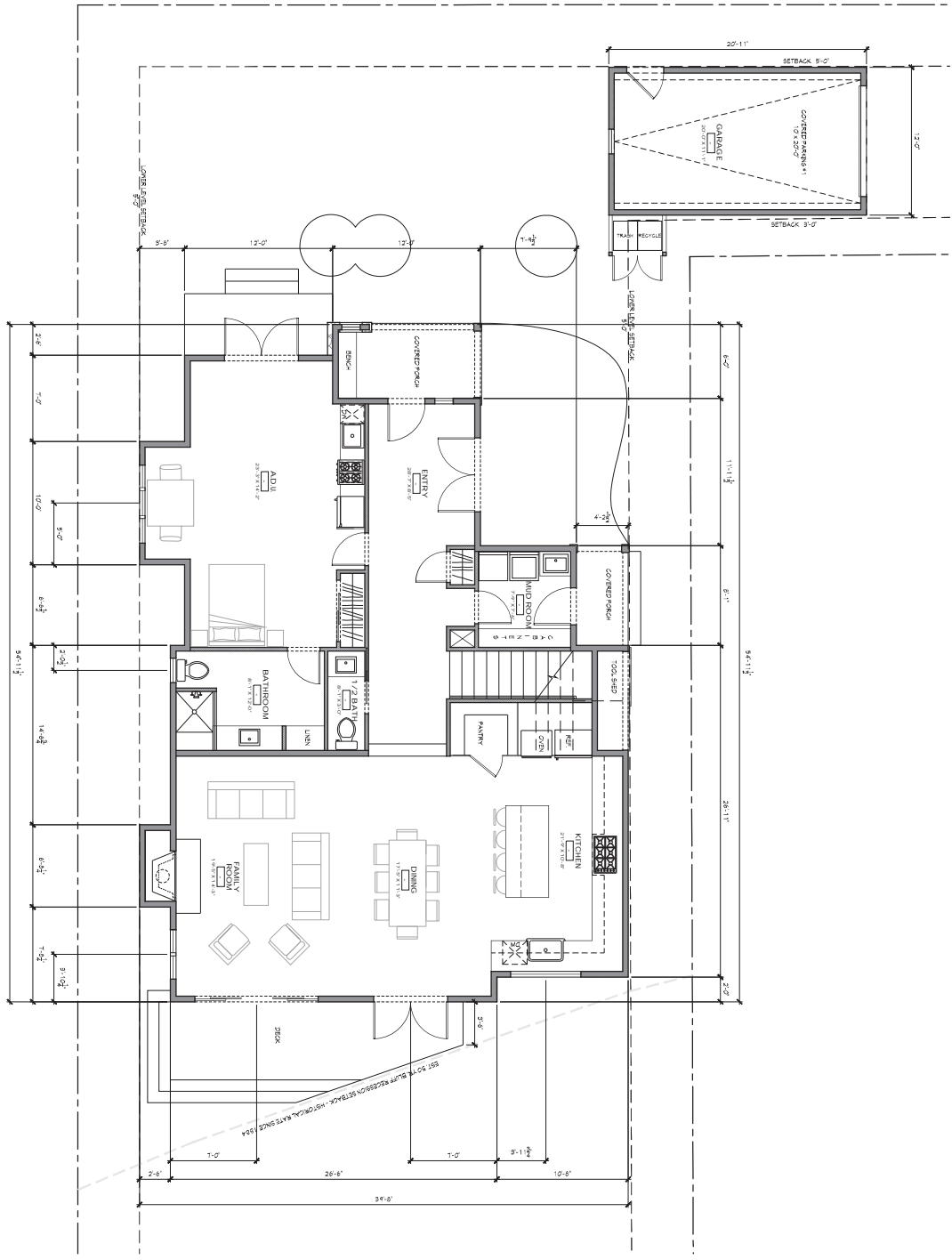
DEREK VAN ALSTINE
 RESIDENTIAL DESIGN INC.
 1533 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
 (831)426-8400 PHONE (831)426-5446 FAX



D.V.R.D. COUNTY OF SANTA CRUZ PLANNING DEPARTMENT 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA (831) 426-8400 PHONE (831) 426-8446 FAX	DEREK VAN ALSTINE RESIDENTIAL DESIGN INC. 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA (831) 426-8400 PHONE (831) 426-8446 FAX
	HOLDENER RESIDENCE 105 SACRAMENTO AVE. CAPITOLA, CA 95010
	DATE: 03/14/2017 SHEET DESCRIPTION: INITIAL DESIGN/PERMITS SUBMITTALS PER: 03/2017 DESIGN/DEVELOPMENT
	DRAWING NUMBER: 1802-105 SACRAMENTO AVE TITLE: PERMITS/DESIGN/INITIAL DESIGN/PERMITS WORKSHEET

DRAINAGE PLAN
A1.3

9/7/2017 4:03 PM



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

WALL LEGEND

(Symbol)	NEW 2x4 STUD WALL
(Symbol)	NEW 2x6 STUD WALL

A2

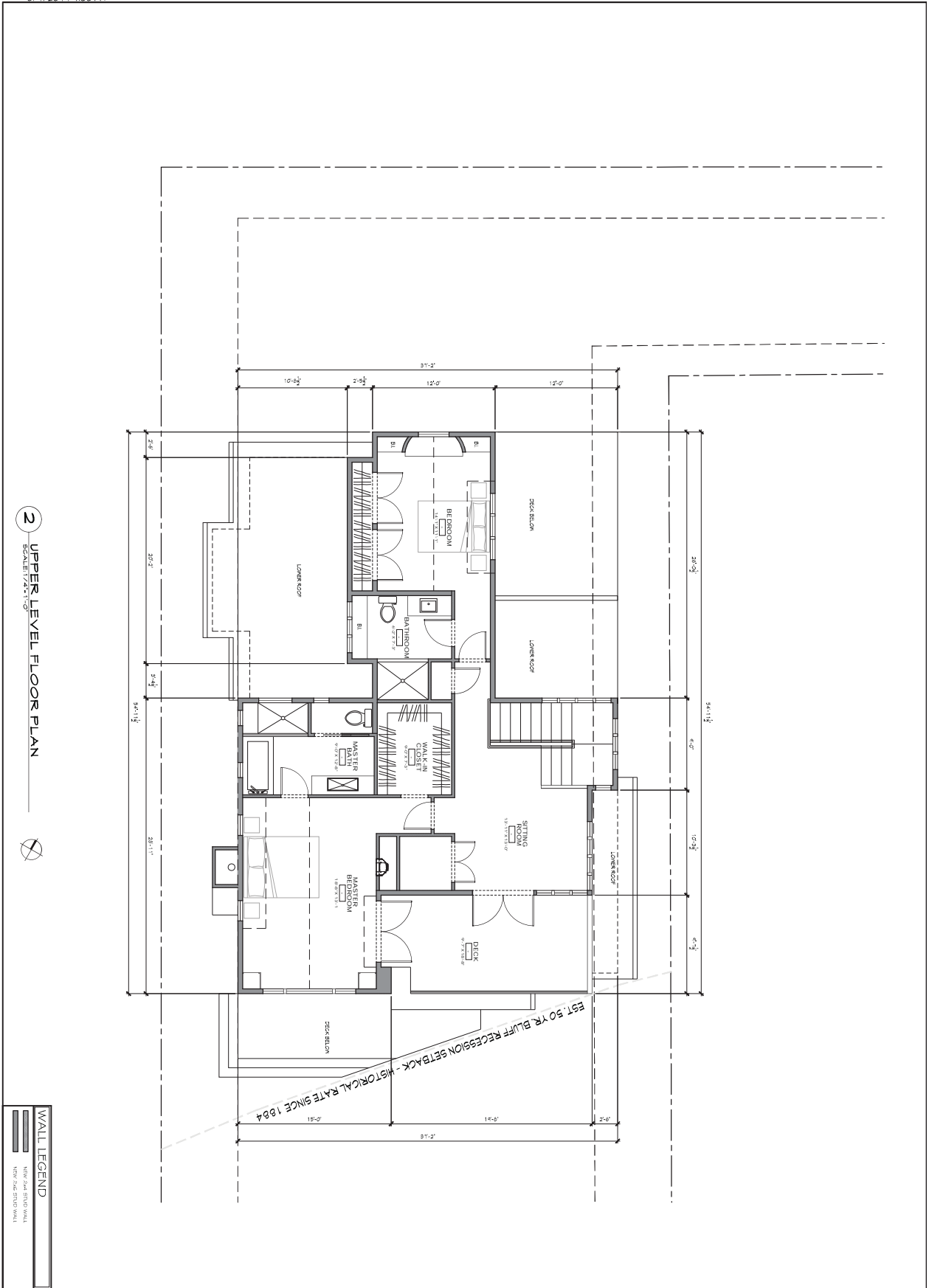
DATE	09-14-2017
ISSUE DESCRIPTION	
DESIGNED BY	DVARD
CHECKED BY	
DATE	
PROJECT NAME	105 SACRAMENTO AVENUE
DATE	
PROJECT LOCATION	CAPITOLA, CA 95010
DATE	
PROJECT OWNER	105 SACRAMENTO AVENUE
DATE	
PROJECT ARCHITECT	DEREK VAN ALSTINE RESIDENTIAL DESIGN INC.
DATE	
PROJECT ADDRESS	105 SACRAMENTO AVENUE
DATE	
PROJECT CITY	CAPITOLA, CA 95010
DATE	
PROJECT STATE	CA
DATE	
PROJECT ZIP	95010
DATE	
PROJECT PHONE	(831) 426-8400
DATE	
PROJECT FAX	(831) 426-5466
DATE	
PROJECT EMAIL	DEREK@DVARD.COM
DATE	
PROJECT WEBSITE	WWW.DVARD.COM
DATE	

HOLDENER RESIDENCE
105 SACRAMENTO AVE.
CAPITOLA, CA 95010

DVARD
DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.

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1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
(831) 426-8400 PHONE (831) 426-5466 FAX

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



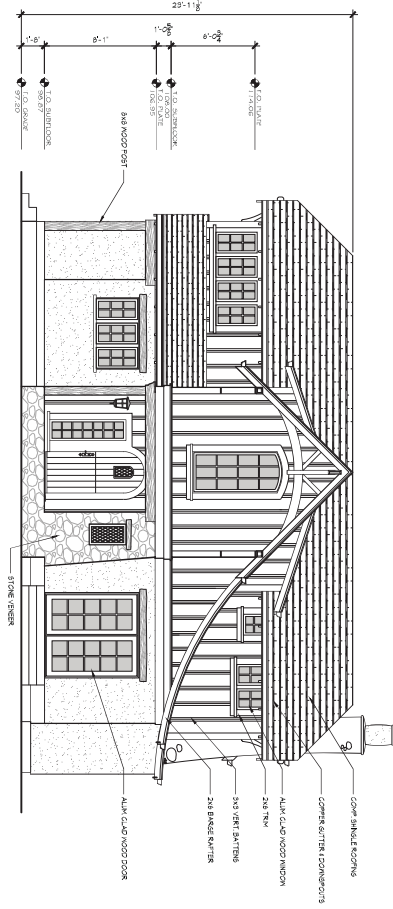
WALL LEGEND

- NEW 2x4 STUD WALL
- NEW 2x6 STUD WALL

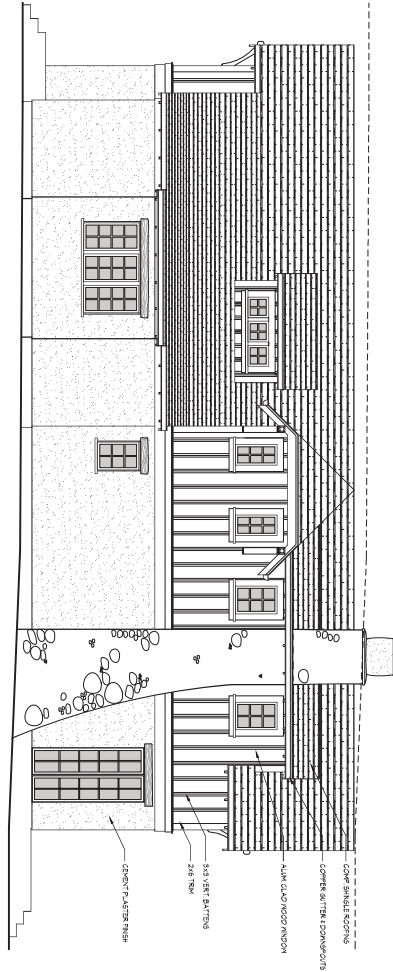
A3		<p>HOLDENER RESIDENCE 105 SACRAMENTO AVE. CAPITOLA, CA 95010</p>	<p>DVRD DEREK VAN ALSTINE RESIDENTIAL DESIGN INC.</p> <p>1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA (831) 426-8400 PHONE (831) 426-5446 FAX</p>	
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3/7/2017 4:03 PM

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



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



AS	REVISIONS
	BUILDING PERMIT
	MARCH 16, 2017
	DATE
	PROJECT
	DESCRIPTION
	DATE
	PROJECT
	DESCRIPTION
	DATE

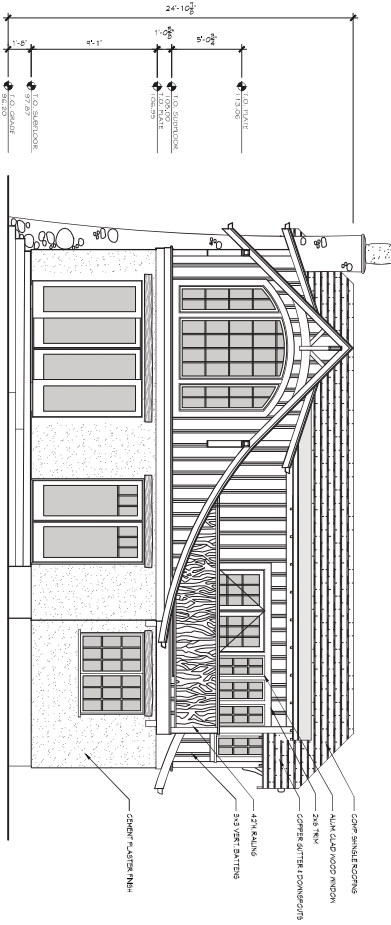
HOLDENER RESIDENCE
 105 SACRAMENTO AVE.
 CAPITOLA, CA 95010

DVRD
 DEREK VAN ALSTINE
 RESIDENTIAL DESIGN INC.

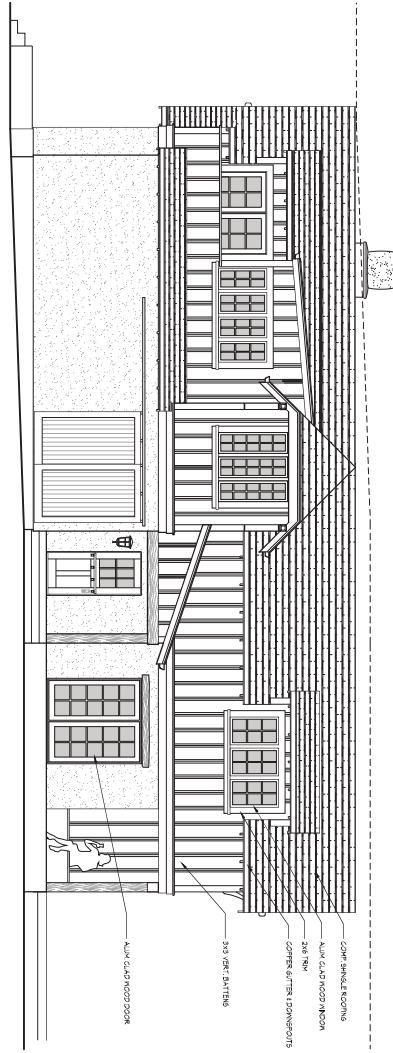
DEREK VAN ALSTINE
 RESIDENTIAL DESIGN INC.
 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
 (831) 426-8400 PHONE (831) 426-5466 FAX

3/17/2017 4:03 PM

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



2 SIDE
SCALE 1/4" = 1'-0"



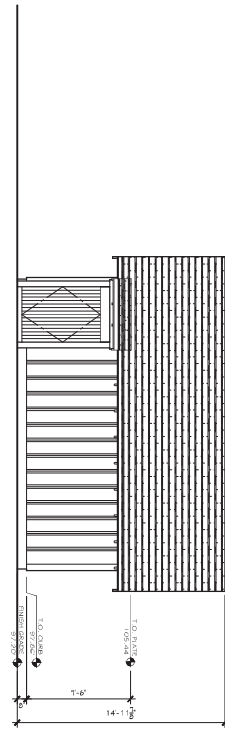
A6	EXTENSION ELEVATIONS

DEREK VAN ALSTINE
 RESIDENTIAL DESIGN INC.
 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
 (831) 426-8400 PHONE (831) 426-5446 FAX

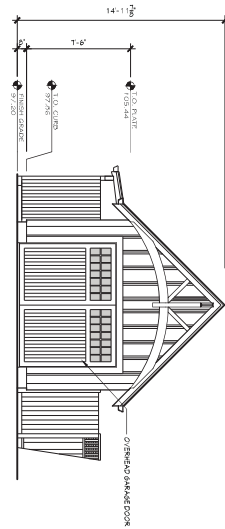
DVRD
 DESIGN
 ARCHITECTURE
 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
 (831) 426-8400 PHONE (831) 426-5446 FAX

DEREK VAN ALSTINE
 RESIDENTIAL DESIGN INC.
 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
 (831) 426-8400 PHONE (831) 426-5446 FAX

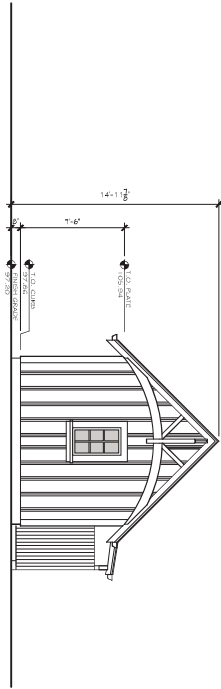
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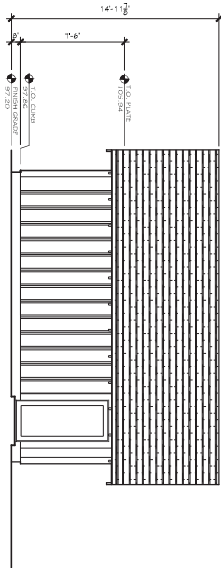
2 NORTH ELEVATION - GARAGE
SCALE: 1/4" = 1'-0"



1 EAST ELEVATION - GARAGE
SCALE: 1/4" = 1'-0"



4 SOUTH ELEVATION - GARAGE
SCALE: 1/4" = 1'-0"



3 WEST ELEVATION - GARAGE
SCALE: 1/4" = 1'-0"

DEREK VAN ALSTINE RESIDENTIAL DESIGN INC. 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA (831) 426-8400 PHONE (831) 426-5446 FAX	DVRD 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA 95061 (831) 426-8400	HOLDENER RESIDENCE 105 SACRAMENTO AVE. CAPITOLA, CA 95010	SHEET NO. 14-408 TITLE: ELEVATIONS	
	DATE: 03/16/17 DRAWN BY: DVA CHECKED BY: DVA	PROJECT NO. 1802 CLIENT: JAMES HOLDENER	ARCHITECT: DEREK VAN ALSTINE RESIDENTIAL DESIGN INC. 1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA 95061 (831) 426-8400	SCALE: 1/4" = 1'-0"
	14-408-01 14-408-02 14-408-03 14-408-04 14-408-05 14-408-06 14-408-07 14-408-08 14-408-09 14-408-10 14-408-11 14-408-12 14-408-13 14-408-14	14-408-15 14-408-16 14-408-17 14-408-18 14-408-19 14-408-20 14-408-21 14-408-22 14-408-23 14-408-24 14-408-25 14-408-26 14-408-27 14-408-28 14-408-29 14-408-30	14-408-31 14-408-32 14-408-33 14-408-34 14-408-35 14-408-36 14-408-37 14-408-38 14-408-39 14-408-40 14-408-41 14-408-42 14-408-43 14-408-44 14-408-45 14-408-46 14-408-47 14-408-48 14-408-49 14-408-50	14-408-51 14-408-52 14-408-53 14-408-54 14-408-55 14-408-56 14-408-57 14-408-58 14-408-59 14-408-60 14-408-61 14-408-62 14-408-63 14-408-64 14-408-65 14-408-66 14-408-67 14-408-68 14-408-69 14-408-70
	14-408-71 14-408-72 14-408-73 14-408-74 14-408-75 14-408-76 14-408-77 14-408-78 14-408-79 14-408-80 14-408-81 14-408-82 14-408-83 14-408-84 14-408-85 14-408-86 14-408-87 14-408-88 14-408-89 14-408-90	14-408-91 14-408-92 14-408-93 14-408-94 14-408-95 14-408-96 14-408-97 14-408-98 14-408-99 14-408-100	14-408-101 14-408-102 14-408-103 14-408-104 14-408-105 14-408-106 14-408-107 14-408-108 14-408-109 14-408-110 14-408-111 14-408-112 14-408-113 14-408-114 14-408-115 14-408-116 14-408-117 14-408-118 14-408-119 14-408-120	14-408-121 14-408-122 14-408-123 14-408-124 14-408-125 14-408-126 14-408-127 14-408-128 14-408-129 14-408-130 14-408-131 14-408-132 14-408-133 14-408-134 14-408-135 14-408-136 14-408-137 14-408-138 14-408-139 14-408-140

HARO, KASUNICH AND ASSOCIATES, INC.

CONSULTING GEOTECHNICAL & COASTAL ENGINEERS

Project SC11043
3 October 2016

Timothy and Lani Holdener
C/O Derek Van Alstine Residential Design
1535 Seabright Ave., Suite 200
Santa Cruz, CA 95062

Subject: Coastal Bluff Recession Study and Geological Report

Reference: 105 Sacramento Avenue
Capitola, California
Santa Cruz County APN 036-144-05

Dear Mr. and Mrs. Holdener:

Below is our Geologic Report including a Coastal Bluff Recession Study that we have completed at your request, for the property known as 105 Sacramento Avenue in Capitola, California. We understand that you want to remodel the existing home or construct a new home on the property to replace the current home.

Summary:

We have evaluated the historical coastal bluff recession rates at 105 Sacramento Avenue in Capitola, California. We also quantitatively evaluated the slope stability of the coastal bluff, including the influence of an earthquake that could cause recession.

We obtained and reviewed historical vertical aerial photographs and satellite imagery from 1966 through 2016. We also reviewed several sets of oblique angle aerial photographs from 1972 through 2015. In addition we obtained a survey of the property from 1884. We visited the site and prepared a geologic cross section and made measurements from the seaward edge of the existing home out to the top edge of the coastal bluff. From comparison of good quality aerial photography from June 1966 and January 1967 with a 2015 survey and Google Earth imagery from April 2016 it appears that the coastal bluff has receded toward the home approximately 42 feet in the last 50 years, which is a long term historical bluff recession rate of about 0.84 feet per year. From our comparison of the surveyed bluff edge position in 1884 compared to the current bluff edge position, it appears that the coastal bluff has receded toward the home approximately 106 feet since 1884, which is a long term historical bluff recession rate of about 0.81 feet per year. Accelerating future sea level rise rates may

Mr. and Mrs. Holdener
Project No. SC11043
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result in possible increased future recession rates (compared to average historical recession rates).

In our opinion, the best way to predict future bluff recession and evaluate coastal recession risk is to use long term historical average annual erosion rates as a minimum. That would suggest that a minimum of 40.5 feet of bluff recession will occur at the subject property in the next 50 years.

Based on the analysis we have completed to date, we are unable to accurately predict how much future bluff recession rates will increase due to sea level rise. In order to allow for the possibility that future accelerating sea level rise will increase the long term average annual rate of recession, we recommend that the average annual historical recession rate be increased by 25 percent, in order to estimate an average annual future recession rate during the next 50 years. That would suggest that 50.5 feet of recession will occur at the subject property in the next 100 years. Because of the shape of the accelerating curve, an average annual rate of approximately 1.2 feet per year is roughly estimated to occur in the 50th year; an approximately 50% faster rate than occurs today.

At the subject property the home is about 89 feet from the bluff edge at the upcoast corner and is 78 feet from the bluff edge at the downcoast corner. The downcoast corner of the home is at greater risk than the upcoast corner because of its lesser setback from the coastal bluff.

In order to evaluate bluff stability, we performed additional work, including subsurface exploration, laboratory testing, and quantitative slope stability analysis. That analysis indicated that at this property, a 1.25 to 1.0 (H to V) gradient in the upper terrace deposits should be stable. The upper portion of the bluff face (which is the upper 25 feet of the bluff) that has formed in the terrace deposits is presently standing at a 1 to 1 (H:V) gradient, which is statically stable.

We have prepared drawings that show an Estimated 100 Year Future Coastal Bluff Recession Setback (two 11 by 17 sheets dated 12/7/2015 revised 9-26-2016) that depict the setback in plan view and on three cross sections. The Setback was developed based on where a projected failure of the bluff face to a 1.25 to 1.0 (H to V) stable gradient would come to, then an additional 40.5 feet of recession to account for 100 years of future coastal erosion at the historical rate that recession has occurred at since 1884, plus an additional 10 feet of recession to account for accelerating bluff recession resulting from accelerating sea level rise. That 10 feet represents an average 25% acceleration in the historical recession rate at this site, and reflects an average annual recession rate in the 50th year that is approximately 50% faster than the present rate of recession.

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The selection of a "50 YEAR" timeframe is based on our understanding of the current minimum setback requirements in the City of Capitola Local Coastal Plan for permitting new development. We recommend the proposed development work is setback landward of the Estimated 50 Year Future Coastal Bluff Recession Setback (as shown on two 11 by 17 sheets dated 12/7/2015 revised 9-26-2016), which we believe is the distance necessary to provide a stable building site over a 50-year lifetime of the proposed structure.

Analysis:

We completed the following tasks in our scope of services:

- 1) Obtained and reviewed selected vertical time sequential historical aerial photography and satellite imagery.
- 2) Obtained and reviewed time sequential oblique aerial photography from online sources.
- 3) Obtained and reviewed a 1884 survey map that included the referenced property.
- 4) Prepared a sketch map of the current bluff-top conditions based on survey work by Hogan Land Services.
- 5) Prepared a geologic cross section from the existing home to the beach, using a topographic profile prepared by Hogan Land Services.
- 6) Observed coastal bluff geology and recent erosion and slope instability.
- 7) Prepared this report with accompanying graphics that gives the results of our Study.

Historical Bluff Recession

We obtained aerial photography of the site from 1966, 1967, 1976, 1978 and 2003; and Google Earth satellite imagery from 2016. We scanned and enlarged each historical aerial photograph and then compared the position of the top edge of the coastal bluff on each historical aerial photo and the centerline of each nearby street as well as reference points on nearby homes in the vicinity of the subject property. We then enlarged each photograph to be the same scale.

We overlaid and made measurements from the historical vertical aerial photograph images and satellite imagery; in order to look at the historical changes in the bluff edge. The 1966 vertical aerial photograph and the 2016 Google Earth image, which are included in Appendix A, appeared to be most useful for evaluation of historical bluff recession, and were relatively free of distortion and tree shadow coverage. From comparison of the vertical aerial

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photography taken in 1966 and Google Earth imagery taken in 2016 it appears that about 42 feet of bluff recession occurred in that time period which is a long term historical bluff recession rate of about 0.84 feet per year.

We also obtained a subdivision map of "Camp Capitola", that is dated 1884 and a partial copy is included in Appendix A. This subdivision map shows the Capitola Depot Hill area, and most importantly for our purposes shows the top edge of the coastal bluff where it existed in 1884. By field measurements at the site and comparison with the 2015 topographic survey by Hogan Land Services, we compared the position of the top edge of the coastal bluff in 2015 relative to the position shown on the 1884 survey map. From our comparison of the surveyed bluff edge position in 1884 compared to the current bluff edge position, it appears that the coastal bluff has receded toward the home approximately 106 feet since 1884, which is a long term historical bluff recession rate of about 0.81 feet per year.

There is good correlation between the bluff recession rates measured from 1966 to 2016 and 1884 to 2016. We give more weight to the longer term measurement since it covers a greater period of time including more El Nino episodes and seismic events.

Measured at the worst case location at the site, the closest part of the existing house foundation is 79 feet from the top edge of the coastal bluff.

If historical long term average annual erosion rates from 1884 to 2015 were to continue into the future for 50 years at 0.81 feet per year, the top of the coastal bluff in 2066 would be 40.5 feet inland from where it is now. It is important to note that coastal bluff recession occurs episodically and not at a constant rate. It is more likely that 2 or 3 or 5 or even 10 feet of recession will happen at one time any given point on the coastal bluff, than a few inches per year each and every year will occur.

Sea Level has risen and the rate at which it is rising is accelerating. In general, sea level rise tends to make future coastal bluff recession rates faster than measured historical coastal bluff recession rates.

Future Sea Level Rise

The State of California, through the California Ocean Protection Council agency, has adopted the following sea level rise projections using the year 2000 as a base line:

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Sea Level Rise Amounts Adopted by the State of California (2011)		
Year	Average of Models	Range of Models
2030	7 in (0.6 Feet)	5 to 8 inches
2050	14 in (1.2 Feet)	10 to 17 inches
2070	Low 23 inches	17 to 27 inches
	Medium 24 inches (2.0 Feet)	18 to 29 inches
	High 27 inches	20 to 32 inches
2100	Low 40 inches	31 to 50 inches
	Medium 47 inches (4.0 Feet)	37 to 60 inches
	High 55 inches	43 to 69 inches

The data adopted by the State of California indicates 40 to 55 inches of sea level rise should be planned for by 2100. This equates to between 3.4 to 5.5 feet of sea level increase by 2100.

The National Research Council prepared a 2012 report entitled Sea Level Rise for the Coasts of California, Oregon and Washington: Past, Present and Future. This report stated the following sea level rise projections for areas South of Cape Mendocino using the year 2000 as a base line:

Sea Level Rise Amounts from the National Research Council (2012)	
Year	Sea Level Rise
2050	Lower Range 5 inches
	Higher Range 24 inches
2100	Lower Range 16 inches
	Higher Range 66 inches

Sea level rise will cause faster rates of bluff recession than have occurred historically. The degree to which sea level rise will cause coastal bluff rates to increase is not agreed upon by all geologists.

Future bluff recession may occur at faster rates because the rate at which sea level is rising is accelerating. Based on the analysis we have completed to date, we are unable to accurately predict how much future bluff recession rates will increase due to sea level rise. Nobody really knows. We modeled an acceleration in erosion rates below, with corresponding predictions of future cumulative recession.

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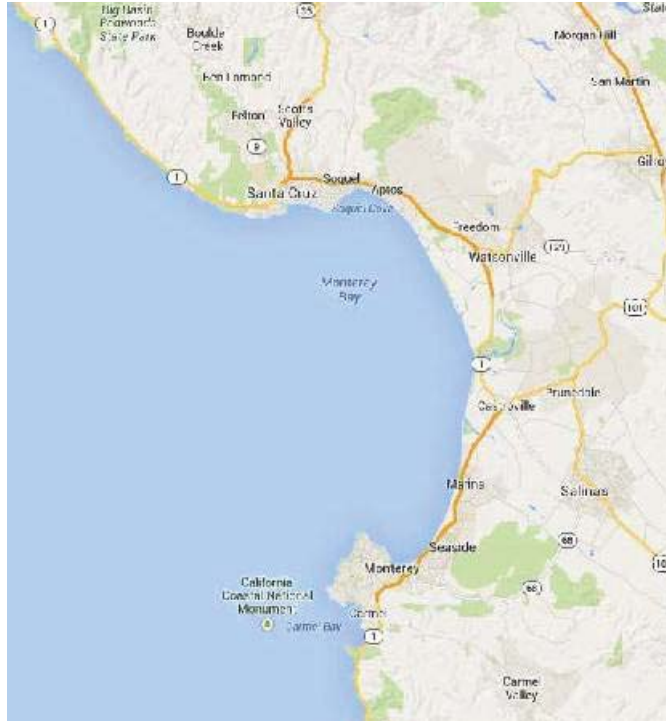
Period Recession During Period	Average Annual Rate of Recession (FT/YR)	Period Length (YRS)	Recession During Period (FT)	Cumulative Recession at End of Period (FT)	When (Calendar Year)
Historical	0.81	131	106	NA	Until Now
2016 thru 2026	0.85	10	8.5	8.5	2026
2027 thru 2036	0.9	10	9	17.5	2036
2037 thru 2046	1.0	10	10	27.5	2046
2047 thru 2056	1.1	10	11	38.5	2056
2057 thru 2066	1.2	10	12	50.5	2066

We cannot predict if the degree of recession rate acceleration in the table above is what will actually occur in the future. Assuming the stated recession rate acceleration actually occurs, then 50.5 feet of recession will occur in the next 50 years.

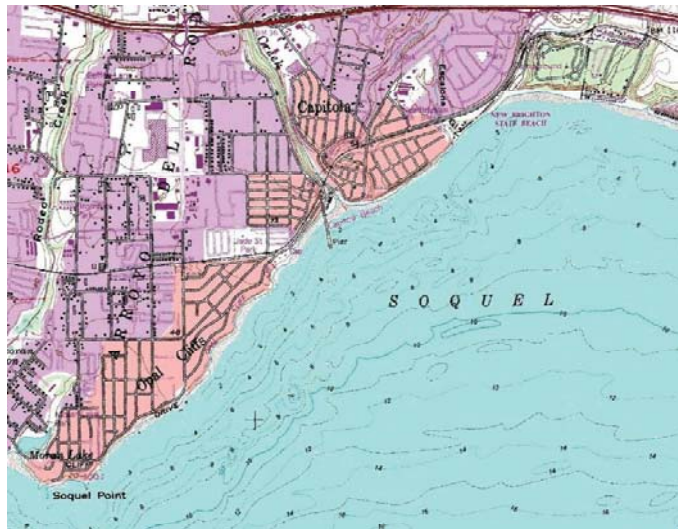
Bluff Geology and Future Bluff Recession Discussion

The referenced property is situated just downcoast from the City of Capitola, in northern Monterey Bay.

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Vicinity Map of 105 Sacramento Avenue



Topographic Map of 105 Sacramento Avenue

Photographs of the bluff face at the property are shown below:

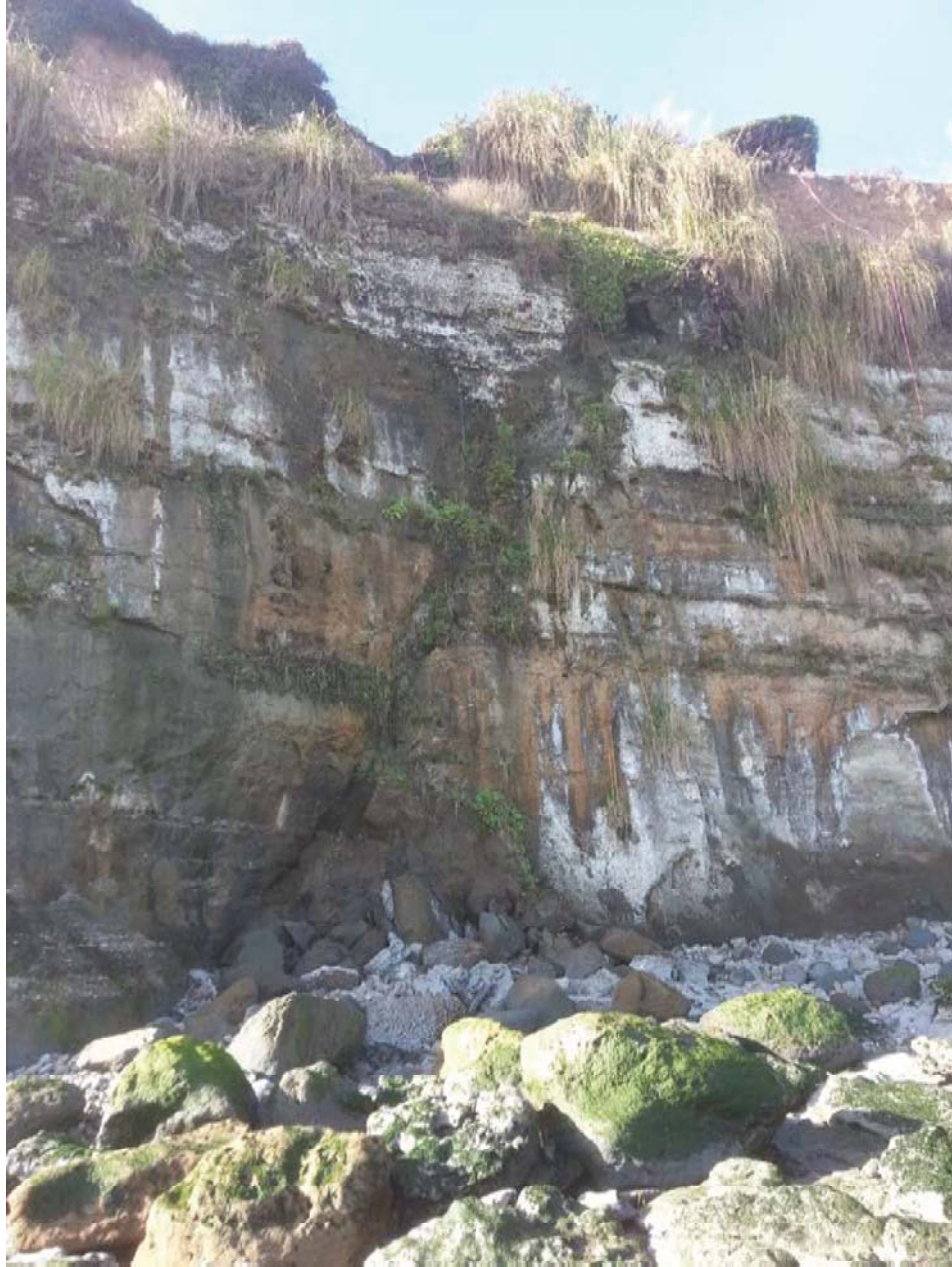
Mr. and Mrs. Holdener
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2013 Oblique Aerial Photograph
The Property has the Single Story Home that is Left of the Center of the Photo
(photo courtesy of www.californiacoastline.org)

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

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Bluff Face Overview
Property is in Right Half of Photo

A pile of bedrock boulders derived from bluff erosion consisting of a rockfall exists just upcoast (toward Santa Cruz) from the property. Numerous other bedrock boulders are scattered across the beach, evidence of recent bluff erosion.

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**Bluff Face Looking Downcoast
Showing Rockfall at Left (Not on Property)**

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**Close Up View of Rockfall
 Also Shows Bedrock Outcrop at Base of Bluff Just Upcoast**

We note that there is a bedrock outcrop at the base of the bluff just upcoast of the property line that provides some protection from wave impact. The property is sheltered compared to properties that are more directly exposed to waves from all directions in Monterey Bay. Because the coastal bluff at the property faces southeast, the bluff is somewhat protected from the largest and most powerful ocean waves that come from the northwest in the wintertime.

We prepared a geologic cross section from the ocean to the building site which depict the earth materials and topography on a topographic profile prepared by Hogan Land Services. Basically it shows a level blufftop area, seaward to a bluff face about 25 feet high inclined downward at about 45 degrees then nearly vertically about 55 feet to a cobbly beach surface 20 feet wide sloping at about a 25% gradient, then a sandy beach surface 60 feet wide sloping at 5 to 10%

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gradient, then an exposed bedrock platform. The beach width varies significantly based on tidal conditions and ocean wave runup. The beach serves to protect the base of the bluff from ocean wave runup impact because the lower bluff is covered by beach sand. Based on other observations of this coastline we have made in the past when beach sand elevations were naturally lower, we believe that the beach sand deposit might now be about 6 feet thick at the base of the coastal bluff, as depicted on the attached geologic cross sections. Our geologic profile shows that the beach extends up to 6 feet above sea level (9 feet above the NAVD 88 vertical survey datum), where it meets the base of the coastal bluff face.

No seacaves were observed at the base of the bluff. Wave cut notches were not visible along the bluff fronting the property, but could be present and covered by beach sand. Talus from recent bluff erosion was observed just upcoast of the property. A slump occurred a few years ago in the terrace deposits on the property just downcoast.

Historical bluff recession at the property likely include one or more episodes of localized bluff failure resulting from coastal erosion that formed small caves or wave cut notches at the base of the bluff, which subsequently collapsed and caused landward recession of the bluff.

The property is sheltered within Monterey Bay compared to properties that are more directly exposed to the Pacific Ocean. Because the coastal bluff at the property faces south, the bluff is somewhat protected from the largest and most powerful ocean waves that come from the northwest in the wintertime.

One form of bluff recession is caused by rainfall or wave splash or spray that erodes the bluff face. Slope instability (landsliding) along the coastal bluff face is another form of the coastal erosion processes that results in landward recession of the top edge of the coastal bluff. Coastal bluff landslides are caused either by undermining of the base of the bluff or from saturation of the bluff edge or bluff face. Because the upper part of the bluff is composed primarily of relatively weak sedimentary deposits (terrace deposits), the failure mechanism from landsliding is typically tabular or consists of very shallow, large radius, circular arc type failure. Field observations of the geology and geomorphology of the bluff suggest that terrace deposits in the bluff face are generally stable at a 1:1 (H:V) gradient under seismic conditions. A major earthquake occurred with the epicenter near the property in 1989. From comparison of oblique aerial photography of the bluff face prior to that earthquake compared to present day conditions, it does not appear that there was any significant instability caused by that earthquake's seismic shaking. Under expected future seismic conditions, quantitative

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evaluation suggests the terrace deposits are probably stable at a 1.25:1 (H:V) gradient. If a major earthquake occurred this year and caused the terrace deposits to fail to that gradient, the failure plane would reach about 18 feet landward of the existing bluff edge.

In our opinion, the best way to predict future bluff recession and evaluate coastal recession risk is to use long term historical average annual erosion rates as a minimum. That would suggest that a minimum of 40.5 feet of recession will occur at the subject property in the next 100 years. In addition to those minimums, we recommend that the influence of rising sea level be considered, which would accelerate those rates.

In order to allow for the possibility that future accelerating sea level rise will increase the long term average annual, rate of recession, we recommend that the average annual historical recession rate be increased by 25 percent, in order to estimate an average annual future recession rate during the next 100 years. That would suggest that 50.5 feet of recession will occur at the subject property in the next 100 years. Because of the shape of the accelerating curve, an average annual rate of approximately 1.2 feet per year is estimated to occur in the 50th year.

We note that our analysis considers the influence of both slope instability and coastal recession. It accounts for 50 years of recession that causes the bluff face to recede landward uniformly, then an episode of slope instability in the 50th year that flattens the bluff face to a 1.25 to 1 (H:V) gradient. It is statistically unlikely that an episode of slope instability will occur exactly in the 50th year; this makes the analysis conservative. The historical recession rates we calculated include the influence of both slope instability and coastal erosion. This adds a degree of conservatism to the setback line we have presented, since it considers the influence of slope instability and coastal erosion in an additive manner.

We have prepared drawings that show an Estimated 100 Year Future Coastal Bluff Recession Setback (two 11 by 17 sheets dated 12/7/2015 revised 9-26-2016) that depict the setback in plan view and on three cross sections. The Setback was developed based on where a projected failure of the bluff face to a 1.25 to 1.0 (H to V) stable gradient would come to, then an additional 40.5 feet of recession to account for 50 years of future coastal erosion at the historical rate that recession has occurred at since 1884, plus an additional 10 feet of recession to account for accelerating bluff recession resulting from accelerating sea level rise. That 10 feet represents a 25% acceleration in the long term historical recession rate at this site, and reflects an average annual recession rate in the 50th year that is approximately 50% faster than the present rate of recession.

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We recommend the proposed new home be setback landward of the Estimated 50 Year Future Coastal Bluff Recession Setback (as shown on two 11 by 17 sheets dated 12/7/2015 revised 9-26-2016), which we believe is the distance necessary to provide a stable building site over a 50-year lifetime of the proposed structure.

We recommend that this report be reviewed in conjunction with the geotechnical report prepared by our firm for this property, and that the recommendations contained in that report also be complied with.

We also recommend that mitigating measures (i.e., landscaping and drainage control) be used and maintained to avoid increased erosion at the property.

Limitations

Because of uncertainties that are inherent in the analysis and are beyond the control of HKA, no guarantee or warranty is possible that future recession will occur at the rate predicted. Greater or lesser erosion and recession may occur. In any case, damage to any improvements should be expected at some point in the future. This study should not be used in lieu of appropriate insurance coverage. The owners and occupants of the coastal improvements shall accept the risk of that damage, and HKA recommends that they should purchase appropriate insurance to mitigate the inherent risk.

The selection of a "50 YEAR" timeframe is based on our understanding of the May 2016 minimum setback requirements in the City of Capitola Local Coastal Plan for permitting new development. Other Regulatory Agencies may desire or require greater setbacks now or in the future. Any user of this map should verify that 50 years is an adequate timeframe for evaluating bluff setbacks for whatever purpose they need to evaluate or consider setbacks for.

Mr. and Mrs. Holdener
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Closing

If you have any questions or concerns, please call us at (831) 722-4175 Ext. 0, and we will be happy to discuss them.

Respectfully submitted,

HARO, KASUNICH AND ASSOCIATES, INC.



Mark Foxx
CEG 1493

MF/sr

Attachments:

- A: 1884 Camp Capitola Subdivision Map
- B. 2015 Google Earth Image
- C. 1966 Vertical Aerial Photo
- D. 1972 Oblique Aerial Photo
- E. 1979 Oblique Aerial Photo
- F. 2002 Oblique Aerial Photo
- G. 2015 Oblique Aerial Photo
- H. Estimated 50 Year Future Coastal Bluff Recession Setback drawings
(two 11 by 17 sheets dated 12/7/2015, revised 9/26/2016)

Copies: 4 to addressee
1 to file

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APPENDIX A

**Portion of 1884 Survey Map of "Camp Capitola"
008M35
Also Map Book 2 Page 35**



Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

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APPENDIX B



**2016 Google Earth Image
April 5, 2016**

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

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APPENDIX C



June 14, 1966 Aerial Photograph

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

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APPENDIX D

**1972 Oblique Aerial Photo
(courtesy of californiacoastline.org)**



Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

Mr. and Mrs. Holdener
Project No. SC11043
105 Sacramento Avenue
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APPENDIX E

**1979 Oblique Aerial Photo
(courtesy of californiacoastline.org)**



Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

Mr. and Mrs. Holdener
Project No. SC11043
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APPENDIX F

**2002 Oblique Aerial Photo
(courtesy of californiacoastline.org)
March 16, 2002**



Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

Mr. and Mrs. Holdener
Project No. SC11043
105 Sacramento Avenue
3 October 2016
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APPENDIX G

**2015 Oblique Aerial Photo
(courtesy of californiacoastline.org)
September 11, 2015**



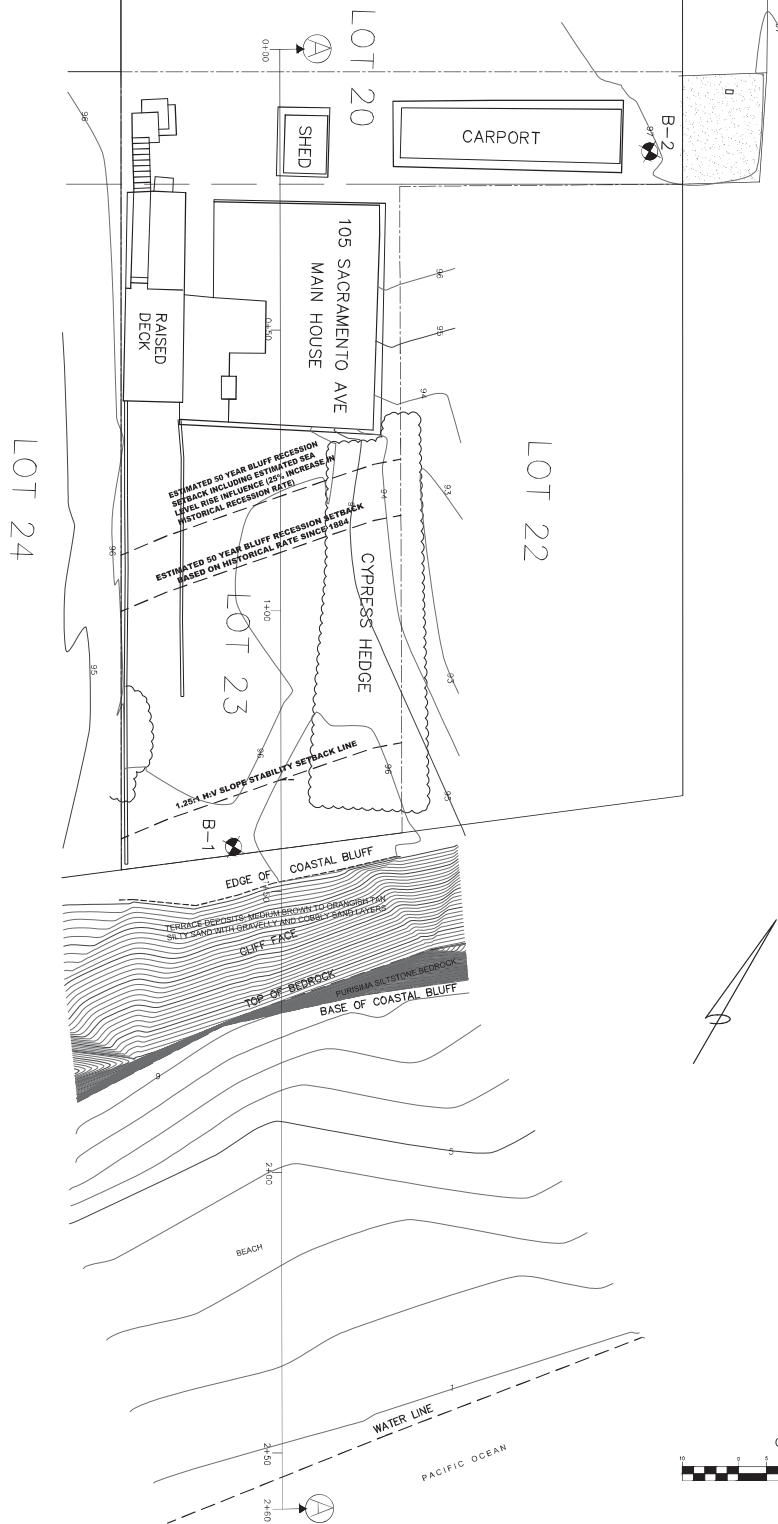
Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

Mr. and Mrs. Holdener
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105 Sacramento Avenue
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APPENDIX H

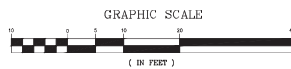
**Estimated 50 Year Future Coastal Bluff Recession Setback drawings
(two 11 by 17 sheets dated 12/7/2015, revised 9-26-2016)**

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)



General Notes:

- A. Topographic Base Map dated 11/08/2015 prepared by Michael R. Hogan, PLS 7362, Hogan Land Services Job Number H0099.
- B. Vertical Elevation Datum is NAVD88.
- C. Topography at beach level may not accurately reflect actual terrain.
- D. ESTIMATED 50 YEAR FUTURE COASTAL BLUFF RECESSION SETBACKS are for planning purposes. The selection of a "50 YEAR" timeframe is based on our understanding of the December 2015 minimum setback requirements in the City of Capitola Local Coastal Plan for permitting new development. Other Regulatory Agencies may desire or require greater setbacks now or in the future. Any user of this map should verify that 50 years is an adequate timeframe for evaluating bluff setbacks for whatever purpose they need to evaluate or consider setbacks for.
- E. LIMITATIONS: Because of uncertainties that are inherent in the analysis and are beyond the control of HKA, no guarantee or warranty is possible that future recession will occur at the rate predicted. Greater or lesser erosion and recession may occur. In any case, damage to improvements should be expected at some point in the far future. This study should not be used in lieu of appropriate insurance coverage. The owners and occupants of the coastal improvements shall accept the risk of that damage, and HKA recommends that they should purchase appropriate insurance to mitigate the inherent risk.

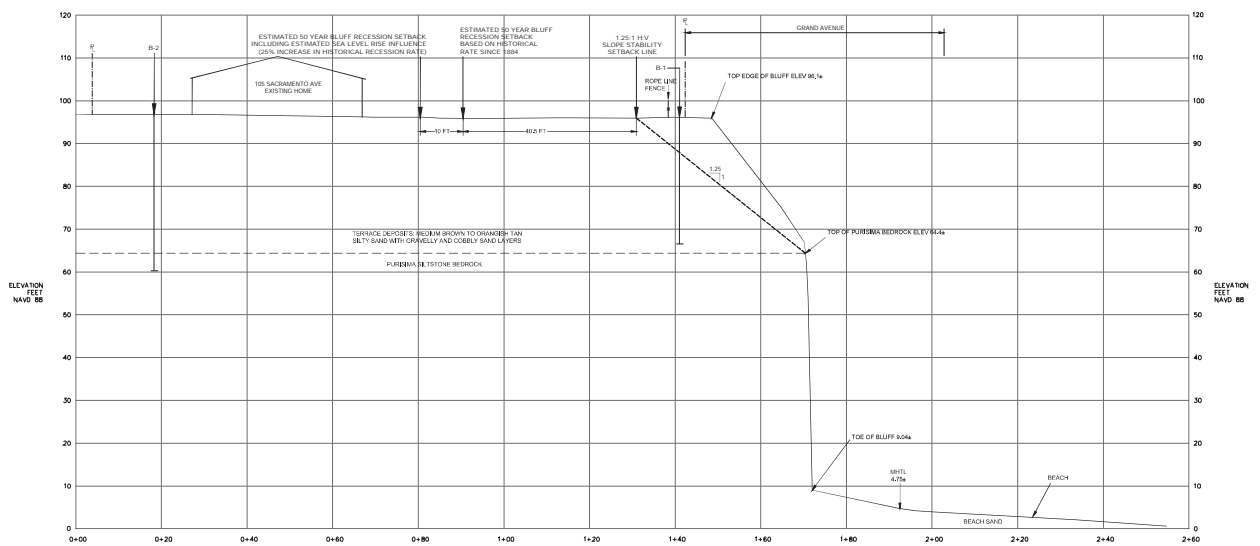


SHEET 1:
ESTIMATED 50 YEAR
FUTURE COASTAL BLUFF
RECESSION SETBACK MAP

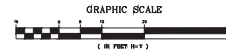
105 Sacramento Avenue, Capitola, CA
Santa Cruz County APN 036-144-05

12/7/2015
Revised 9-26-2016

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 722-4175



SECTION A-A
SCALE: 1" = 10' H & V



General Notes:

- A. Topographic Base Map dated 11/08/2015 prepared by Michael R. Hogan, PLS 7362, Hogan Land Services Job Number H0099.
- B. Vertical Elevation Datum is NAVD88.
- C. Topography at beach level may not accurately reflect actual terrain.
- D. ESTIMATED 50 YEAR FUTURE COASTAL BLUFF RECESSION SETBACKS are for planning purposes. The selection of a "50 YEAR" timeframe is based on our understanding of the December 2015 minimum setback requirements in the City of Capitola Local Coastal Plan for permitting new development. Other Regulatory Agencies may desire or require greater setbacks now or in the future. Any user of this map should verify that 50 years is an adequate timeframe for evaluating bluff setbacks for whatever purpose they need to evaluate or consider setbacks for.
- E. LIMITATIONS: Because of uncertainties that are inherent in the analysis and are beyond the control of HKA, no guarantee or warranty is possible that future recession will occur at the rate predicted. Greater or lesser erosion and recession may occur. In any case, damage to improvements should be expected at some point in the far future. This study should not be used in lieu of appropriate insurance coverage. The owners and occupants of the coastal improvements shall accept the risk of that damage, and HKA recommends that they should purchase appropriate insurance to mitigate the inherent risk.

SHEET 2:
ESTIMATED 50 YEAR
FUTURE COASTAL BLUFF
CROSS SECTION
105 Sacramento Avenue, Capitola, CA
Santa Cruz County APN 036-144-05
12/7/2015
Revised 9-26-2016

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 722-4175

Safty, Ryan (rsafty@ci.capitola.ca.us)

From: foxxmark@aol.com
Sent: Monday, January 09, 2017 11:28 AM
To: Safty, Ryan (rsafty@ci.capitola.ca.us)
Subject: 105 Sacramento Ave.Project # 16-133

Hello Ryan,

We performed a bluff recession analysis report for 105 Sacramento Avenue (our Project # SC11043) that analyzed coastal bluff recession for a fifty (50) year time period. The results of that analysis are depicted on the drawings attached to our report. It has come to our attention that inadvertently reference was made in the report text to a 100 year coastal bluff recession timeframe due to a typographical error.

The purpose of this email is to clarify that our analysis of coastal bluff recession was for a fifty (50) year time period (and to apologize for the typographical error).

Best Regards

Mark Foxx
CEG 1493
Haro Kasunich and Associates Inc.
831-234-7001

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
 725 FRONT STREET, SUITE 300
 SANTA CRUZ, CA 95060
 PHONE: (831) 427-4863
 FAX: (831) 427-4877
 WEB: WWW.COASTAL.CA.GOV



March 30, 2017

Capitola Planning Commission
 c/o Ryan Safty, Project Planner
 420 Capitola Avenue
 Capitola, CA 95010

Subject: 105 Sacramento Avenue Appeal; City Application No. 16-133

Dear Planning Commissioners:

We understand that the above-referenced project will be heard by the Planning Commission on April 6, 2017. Because the proposed project includes the demolition of an existing residence and construction of a new residence in a highly geologically hazardous area, Commission staff has been involved in this project throughout the local process, including reviewing relevant geologic reports and submitting a comments to the City Council (see attached) prior to the last Council hearing. Per discussions with planning staff, we understand that the revised project will conform to the LCP's height requirements and the required front, side, and rear yard setbacks. However, the project still proposes to push the development envelope closer to the bluff edge in an area highly susceptible to massive erosion events. To this point, numerous properties along Depot Hill and in close proximity to the subject property suffered episodic erosion events this past winter whereby the bluff receded upwards of 5 to 10 feet, greatly reducing rear yards/ rear setbacks and closing a portion of the Coastal Path (see attached photos).

It is therefore imperative that new development such as the proposed residence here, is conditioned such that the applicant and all future owners understand and assume the risks associated with developing the site including: 1) that the site is not eligible for future shoreline armoring because the LCP and the Coastal Act include provisions ensuring that shoreline protection structures can only be approved to protect *existing* structures (whereas the proposed structure is considered "*new*;" and 2) that the site will need to be restored once the bluff erodes to the point that the proposed structure is no longer safe to occupy. Therefore, we once again recommend that the conditions in the attached letter to the City Council are included as conditions of the coastal development permit.

Thank you for your consideration.

Sincerely,

Rainey Graeven
 Coastal Planner
 Central Coast District Office

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

Capitola City Council
105 Sacramento Avenue
January 10, 2017
Page 2

Cc: Applicant

Attachment

Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
 725 FRONT STREET, SUITE 300
 SANTA CRUZ, CA 95060
 PHONE: (831) 427-4863
 FAX: (831) 427-4877
 WEB: WWW.COASTAL.CA.GOV



January 11, 2017

Capitola City Council
 c/o Ryan Safty, Project Planner
 420 Capitola Avenue
 Capitola, CA 95010

Subject: 105 Sacramento Avenue Appeal; City Application No. 16-133

Dear City Council Members:

We understand that the above-referenced project has been appealed to the City Council. Because the project raises numerous complex issues centering on geologic hazards, significant tree protection, and community character, and there is potential for the project to be appealed to the Coastal Commission, we would like to offer our observations on these important coastal resources issues.

With respect to the geologically hazardous site, the LCP requires that new development is adequately set back to ensure stability for the economic life of the structure, and minimize risks to life and property. In addition, both the Coastal Act and the LCP include provisions to ensure that shoreline protection devices are only used to protect *existing structures* in danger of erosion. It is therefore imperative that the Applicant understands that they are electing to develop in a highly geologically hazardous area, and that they are not entitled to future shoreline armoring (because the Coastal Act and the LCP include provisions to ensure that shoreline protection devices are only used to protect *existing structures* in danger of erosion). In order to ensure this happens, the project should be conditioned to prohibit future shoreline armoring and require eventual restoration and removal of the structure as the bluff naturally recedes. The Commission staff therefore recommends that the City impose conditions of approval to reflect these requirements. Attachment A includes sample condition language (used by both the Commission and Santa Cruz County) to achieve these purposes.

The Planning Commission approval also includes variances that appear unwarranted and the partial removal of several prominent trees. The justification for the variances and the partial removal of the trees appears to be because of the required 50-year bluff setback. However, given the substantial size of the proposed development and the lot (3,673 square feet and 7,653 square feet, respectively), the it appears entirely feasible and appropriate to redesign the project to avoid any impacts to the trees (consistent with IP Section 12.12.020(A) and 12.12.180) and to comply with applicable zoning standards in order to maintain the neighborhood's unique community character. Furthermore, we do not believe that the findings necessary to grant a variance can be made, particularly because this would constitute the grant of a special privilege to this applicant, which would be inconsistent with the limitation on surrounding properties. (IP Section 17.66.090). Rather, we agree with City staff's original recommendation to the Planning Commission that a more appropriate solution would be to simply redesign the residence (via a small size reduction) in order to meet the zoning standards without the need for a variance.

Capitola City Council
105 Sacramento Avenue
January 11, 2017
Page 2

Thank you for your consideration. We look forward to working with the City and Applicant on this project as it continues through the local permitting process.

Sincerely,



Rainey Graeven
Coastal Planner
Central Coast District Office

Cc: Applicant

Attachments

Attachment A:

Sample hazard condition:

XX. Coastal Hazards Risk. By acceptance of the CDP, the Applicant acknowledges and agrees, on behalf of itself and all successors and assigns, to the following:

- (a) **Coastal Hazards.** That the site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, coastal flooding, liquefaction and the interaction of same;
- (b) **Assume Risks.** To assume the risks to the Applicant and the properties that are the subject of this CDP of injury and damage from such coastal hazards in connection with the permitted development;
- (c) **Waive Liability.** To unconditionally waive any claim of damage or liability against the [City], its officers, agents, and employees for injury or damage from such coastal hazards;
- (d) **Indemnification.** To indemnify and hold harmless the [City], its officers, agents, and employees with respect to the [City's] approval of the development against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such coastal hazards; and
- (e) **Property Owner Responsible.** That any adverse effects to property caused by the permitted development shall be fully the responsibility of the property owner.

XX. Coastal Hazards Response. By acceptance of the CDP, the Applicant acknowledges and agrees, on behalf of itself and all successors and assigns, that:

- (a) **Intent of CDP.** The intent of this CDP is to allow for the approved development to be constructed and used consistent with the terms and conditions of the CDP for only as long as the approved development remains safe for occupancy and use without additional measures beyond ordinary repair and/or maintenance to protect it from coastal hazards. The intent is also to ensure that development is removed and the affected area restored under certain circumstances (including as further described and required in this condition), including that endangered development is required to be removed as described in this condition.
- (b) **Shoreline Protective Structures Prohibited.** Shoreline protective structures that protect the approved development (including but not limited to seawalls, revetments, retaining walls, tie backs, caissons, piers, groins, etc.) shall be prohibited.
- (c) **Section 30235 and LCP Waiver.** Any rights to construct such shoreline protective structures, including rights that may exist under Public Resources Code Section 30235, the Santa Cruz County Local Coastal Program, or any other applicable law are waived.

(d) **Reporting Requirement/Ten-foot Trigger.** In the event the blufftop edge recedes to within ten feet of residential development, but no government agency has yet ordered that the residence not be occupied, the Applicant shall retain a licensed geologist or civil engineer with experience in coastal processes and hazard response to prepare a geotechnical investigation that addresses whether any portions of the residence and related development are threatened by coastal hazards. The report shall identify all those immediate or potential future ordinary repair and/or maintenance measures that could be applied to address the threat without shoreline protective structures, including but not limited to removal or relocation of threatened development. The investigation shall be submitted to the Executive Director of the Coastal Commission and City Planning Director for review and approval. If the approved geotechnical investigation concludes that the residence or any portion of the residence is unsafe for occupancy, the Applicant shall submit a Removal and Restoration Plan (see subsection (XX) below).

XX. Removal and Restoration. If an appropriate government agency or the above-referenced approved geotechnical investigation determines that any portion of the approved development is not to be occupied or used due to any coastal hazards, and such safety concerns cannot be abated by ordinary repair and/or maintenance, the Applicant shall remove such development or portions of such development. Prior to removal, the Applicant shall submit two copies of a Removal and Restoration Plan to the [Planning] Director for review and approval. If the Director determines that an amendment to the CDP or a separate CDP is legally required, the Applicant shall immediately submit the required application, including all necessary supporting information to ensure it is complete. The Removal and Restoration Plan shall clearly describe the manner in which such development is to be removed and the affected area restored so as to best protect coastal resources, and shall be implemented immediately upon Director approval, or County approval of the CDP or CDP amendment application, if necessary.

Recent Failure between Oakland and Hollister Avenues (directly upcoast from Sacramento Avenue)



Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

Recent Failure at the end of Livermore Avenue (directly downcoast from Sacramento Avenue)



Attachment: 105 Sacramento Ave PC 04.06.2017 Staff Report and Attachments (105 Sacramento Avenue)

FINAL LOCAL ACTION NOTICE AND ZONING PERMIT

April 21, 2017

Lani Holdener
7099 E. Peltier Rd
Acampo, CA 95220

RE: **Notice of Final Action on Project Application #16-133**

105 Sacramento Avenue #16-133 APN: 036-144-05

Design Permit to demolish an existing residence and secondary dwelling unit and construction of a new two-story residence and attached secondary dwelling unit with variance requests for garage setbacks and driveway landscaping, located in the R-1 (Single-Family Residential) Zoning District. This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission after all possible appeals are exhausted through the city. Environmental Determination: Categorical Exemption
Property Owner: Lani and Tim Holdener
Representative: Derek Van Alstine, filed: 6/28/16

The above matter was presented to the Planning Commission on April 6, 2017, and was **approved**, with the following findings and conditions. Any modifications to the staff report are indicated below in strikeout and underline notation. *Please note that this project includes a Coastal Development Permit, which is appealable to the Coastal Commission pursuant to Coastal Act Section 30603 and City Zoning Ordinance Section 17.46.110. **The Coastal Development Permit will not be effective until after the Coastal Commission's 10 working day appeal period has expired and no appeal has been filed.** The Coastal Commission's appeal period begins the first working day after receipt by the Coastal Commission of adequate notice of this final City action. Any such appeal must be made directly to the California Coastal Commission's Central Coast District Office in Santa Cruz; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact Susan Craig at (831) 427-4863.

CONDITIONS OF APPROVAL

1. The project approval is for the construction of a new, two-story single-family home at 105 Sacramento Avenue. The project consists of construction of a 2,582 square foot two-story residence, with a 524 square foot attached secondary dwelling unit on the first floor, and a 251 square foot detached garage. The maximum Floor Area Ratio for the 7,653 square foot property is 60% (4,592 square feet) since a secondary dwelling unit is included. The total FAR of the project is 43% with a total of 3,357 square feet of floor area, compliant with the maximum FAR within the zone. The project includes approval of a variance to detached garage setbacks and to the two-foot landscape strip requirement next to the driveway within the front setback. The proposed project is

approved as indicated on the final plans reviewed and approved by the Planning Commission on April 6th, 2017, 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 the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
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 and tree preservation plan prepared by a certified arborist 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, if proposed. Native and/or drought tolerant species are recommended.
7. Prior to issuance of building permit, all Planning fees associated with permit #16-133 shall be paid in full.
8. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
9. 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.
10. A certified arborist must be present on-site during any tree trimming or removal work done on the cypress trees. The arborist shall also be present during any root mapping for the new foundation.
11. 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.
12. 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.
13. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).

14. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
15. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
16. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
17. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
18. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
19. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
20. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.
22. The floor area for secondary dwelling units shall not exceed 524 square feet as approved by the Planning Commission.
23. At time of submittal for building permit review, a water letter for the second dwelling unit must be submitted.
24. 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 secondary dwelling unit shall not be sold separately;
 - B. The unit is restricted to the approved size;
 - C. The secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;

- D. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies;
- E. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

FINDINGS

- A. **The application, 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 project, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**
 Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for a new two-story residence. The new home, with the conditions imposed, will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15303 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 the construction of one single-family residence or secondary dwelling unit in a residential zone. This project involves the construction of a new, two-story single-family residence and attached secondary dwelling unit on a property in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.
- D. **Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**
 The special circumstances applicable to the property is that the subject property is a flag-lot, is within the GH (Geologic Hazard) overlay zone which requires expanded setbacks from coastal bluffs, and has large cypress trees which the owner would like to preserve. Due to the location of the existing trees, the applicant proposed the garage and parking spaces within the access portion of the flag-lot. Most the access way is located within the required front yard setback. Due to the special circumstances associated with the flag-lot configuration, geologic setbacks, and trees, there is no alternative location for the garage and parking while also meeting setback requirements. The property cannot fit two feet of landscaping in between the neighboring property lines and access way. Most properties in the neighborhood are not located on a flag-lot and thus have more room to accommodate landscape strips. A variance has been granted to reduce setbacks associated with a detached garage and to waive the two-foot landscape strip requirement for parking within the front setback.
- E. **The grant of a variance would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.**
 The subject property does not front along the street and is limited to a 20-foot-wide access area to connect the property to Sacramento Avenue. Most properties within the area have roughly 40 feet of street frontage, and thus have much more room to locate required landscape strips. In addition, the municipal code does not list zoning standards specific to flag-lots. Using current R-1 (Single-Family Residential) zoning standards, most of the flag-lot

portion of the property is within the required front-yard setback. The grant of a variance to detached garage setbacks and the two-foot landscape strip requirement would not constitute the grant of a special privilege since most properties in the area are not flag-lots and thus have more flexibility when designing.

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:

- 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:

(D) (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.

(D) (2) (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 build-out. 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 105 Sacramento 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.

(D) (2) (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 Sacramento Avenue. The subject property is located adjacent to the bluff. The applicant will maintain the 50-year bluff recession setback from the cliff. The project will not affect public access to the shoreline or tidelands.

(D) (2) (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 history of public use on the subject lot.

(D) (2) (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 Sacramento 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.

(D) (2) (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 to the sea. 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. The applicant will maintain a 50-year bluff recession setback from the cliff.

(D) (3) (a – c) 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 access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

(D) (4) (a – f) 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 on a residential lot.

b. Topographic constraints of the development site;

- The project is located on a relatively flat lot. The subject property is located adjacent to the bluff. The applicant will maintain the 50-year bluff recession setback from the bluff. In addition, the applicant is proposing to preserve two large cypress trees on site.

c. Recreational needs of the public;

- The project does not impact 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.

(D) (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.

(D) (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 single family home and attached secondary 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 single family home and attached secondary 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 single family home and attached secondary dwelling unit on a residential lot of record.

(D) (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 single family home and attached secondary dwelling unit on a residential lot of record. The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

(D) (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. A variance has been approved for the location of the detached garage and the driveway landscaping requirement due to the property being a flag lot.

(D) (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.

(D) (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.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project is for a single family home and attached secondary 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.

(D) (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.

(D) (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.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (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.

(D) (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.

(D) (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.

(D) (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.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (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 a principally permitted use consistent with the Single-Family zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures. A variance has been approved for the location of the detached garage and the driveway landscaping requirement due to the property being a flag lot.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project site is located within the area Depot Hill parking permit program; however, the project complies with on-site parking standards.

This permit is issued to the owner of the property. In executing this permit, owner agrees to comply with all terms of permit, including conditions of approval, if any. Permit must be exercised within 24 months of date of issuance (April 6, 2019) unless otherwise indicated in conditions of approval. Should you have any questions on this matter, do not hesitate to call.

Respectfully,

Katie Herlihy, AICP
 Senior Planner

cc: Derek Van Alstine
 Coastal Commission



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: APRIL 4, 2019
 SUBJECT: **700 A Bay Avenue #19-0048 APN: 036-051-35**

Conditional Use Permit for off sale alcohol at 700 A Bay Avenue located in the CN (Neighborhood Commercial) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Ernie Gotti & Chris Splees

Representative: Mike & Sharon Hadley, Filed: 02.05.2019

APPLICANT PROPOSAL

The applicant is requesting a Conditional Use Permit (CUP) for off sale beer and wine sales at the existing Capitola Produce market at 700 A Bay Avenue in the CN (Neighborhood Commercial) zoning district. The proposed use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

BACKGROUND

Capitola Produce is located at the intersection of Bay Avenue and Capitola Avenue, across the street from Union Bank and The Cook House restaurant. The property is currently occupied by a single-family home and a commercial building housing Capitola Produce.

DISCUSSION

In the CN zoning district, small retail businesses conducted entirely within enclosed buildings, such as neighborhood grocery stores, are a principal permitted use. The application includes interior modifications to the existing neighborhood grocery store to add a seafood counter for The Fish Lady and a refrigerated case for beer and wine. The building will not be expanded, therefore architectural and site review is not required. There are 22 parking spaces in the parking lot. With no increase in the size of the structure and no intensification of use, no additional parking is required.

The applicant is requesting approval of a CUP to permit off sale beer and wine sales at the existing grocery store on the site. The applicants currently have a Type 20 "Off Sale Beer & Wine" license from the Department of Alcoholic Beverage Control (ABC) for their existing location at 2510 South Main Street in Soquel, but the applicant must have an approved CUP from the City of Capitola before ABC will allow the Type 20 license to be used at 700 A Bay Avenue.

The Type 20 Off Sale Beer & Wine license “authorizes the sale of beer and wine for consumption off the premises where sold,” and “minors are allowed on the premises.” The Fish Lady plans to offer wine and beer in a refrigerated case next to the fish counter. Customers will make their selection from the case, pay at the check-out stand, and carry their purchases out. There will be no on-site consumption of beer or wine. The applicant submitted a floor plan illustrating the location of the refrigerated case in relation to the fish counter. The proposed plans are consistent with the requirements of the Type 20 Off Sale Beer & Wine license.

Chief of Police, Terry McManus, has reviewed the application, conducted a site visit, and made findings that support the approval of the conditional use permit for a Type 20 license at 700 A Bay Avenue. Chief McManus also provided a ‘letter of necessity and convenience’ for the project, which is required by the ABC if the application is for a location in a high crime area and/or a census tract with an over-concentration of “off-sale” alcohol outlets (Attachment 3).

CEQA

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves the sale of alcohol within an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission approve application #19-0048, based upon the following findings and conditions of approval:

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit for off sale beer and wine sales at the existing market at 700 A Bay Avenue. No modifications to the size of the operation or the exterior of the structure are proposed within the application. The use will remain a neighborhood grocery as permitted within the Neighborhood Commercial zone. No intensification of use is proposed. Any significant modifications to the use or the size or exterior appearance of the existing structure will require approval of a Design Permit by the Planning Commission and are not included in this permit.
2. A copy of the approved Department of Alcoholic Beverage Control Permit must be filed with the Community Development Department prior to initiating beer and wine sales.
3. The applicant shall receive permission from ABC prior to April 4, 2021. The conditional use permit will expire in the case where the conditional use permit has not been used within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall not result in the termination of such right or privilege. A permit shall be deemed to have been “used” when actual substantial, continuous activity has taken place upon the land pursuant to the permit.
4. 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.

FINDINGS

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

Community Development Department Staff and the Planning Commission have reviewed the application and determined that the applicant may be granted a Conditional Use Permit for the sale of alcohol within the CN Zoning District. The use meets the intent and purpose of the Neighborhood Commercial Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

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

Community Development Department Staff and the Planning Commission have reviewed the proposed use and determined that the use complies with the applicable provisions of the Zoning Ordinance and maintain the character and integrity of this area of the City. Conditions of approval have been included to carry out these objectives.

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

The proposed project involves an existing commercial space with the additional use of off sale beer and wine sales. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

D. The use is consistent with the General Plan and will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the neighborhood and the city.

The applicant is not proposing an increase in size or an expansion of the use of the existing market. The use will remain as a market with the addition of alcohol sales to enhance the experience and meet the needs of their customers. The addition of off sale beer and wine sales within an existing market will not be detrimental to the surrounding neighborhood or the City.

ATTACHMENTS:

1. 700 A Bay Avenue - Full Plan Set
2. ABC License Type List
3. 700 A Bay Avenue - Fish Lady - Letter of Necessity and Convenience
4. 700 A Bay Avenue - Fish Lady - Alcohol Management Plan

Prepared By: Matt Orbach
Assistant Planner

PROJECT DESCRIPTION

PROJECT IS A TENANT IMPROVEMENT IN AN EXISTING TYPE V-B, UNSPRINKLED 1 STORY BUILDING OF 2240 S.F. TO INCLUDE DEMO OF 18' OF NON-BEARING PARTITIONS, CONSTRUCTION OF 20' OF NON-BEARING PARTITIONS, PLUMBING UPGRADES, MINOR ELECT UPGRADES, REMOVE & REPLACE (1) REFRIGERATED DISPLAY CASE.

SITE IS LEVEL, NO GRADING REQUIRED, NO CHANGES TO LANDSCAPING.

THE FISH LADY SELLS FISH, MEAT, POULTRY, AND WINE.

SCHEDULE OF SHEETS

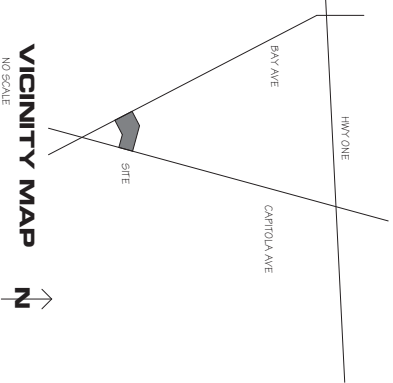
- A-1 COVER, SITE PLAN, VICINITY, NOTES
 - A-2 DEMO PLAN, PROPOSED PLAN
- DETAILS, EXITING PLAN**

CODES

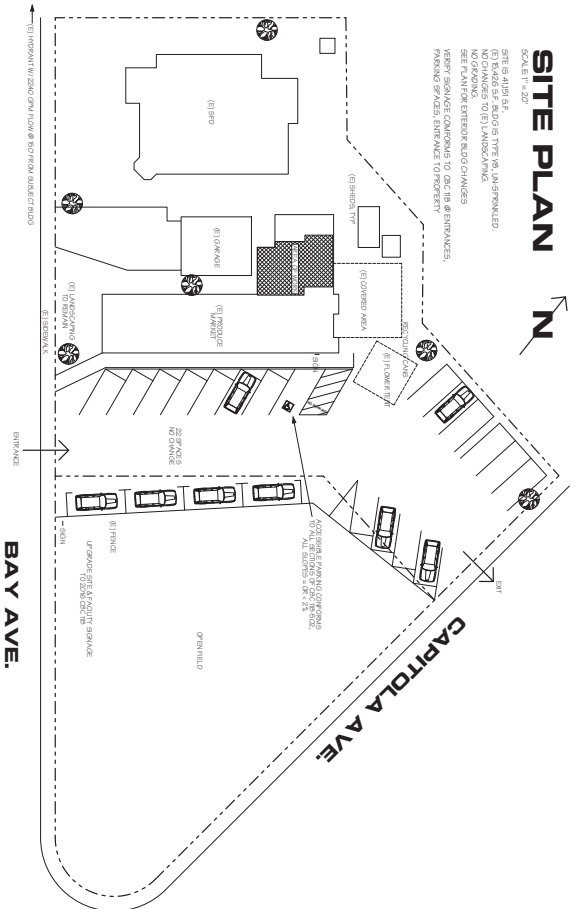
PLANS CONFORM TO CBC 2016, CFC 2016, CFC 2016, CMC 2016, CEC 2016, CEMC 2016, CGBC 2016

FIRE NOTES

PLANS ARE IN COMPLIANCE WITH CBC & CFC (2016)
 BUILDING TYPE V-B, UNSPRINKLED.
 OCCUPANCY IS B, OCC LOAD 12, MAX EXIT DISTANCE 49'
 VERIFY SMOKE DETECTORS/ALARM SYSTEM CONFORMS TO DISTRICT REQS



**THE FISH LADY
700 BAY AVE.**



COMMON ABC LICENSE TYPES AND THEIR BASIC PRIVILEGES

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



LICENSE TYPE	DESCRIPTION
51	CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. No off-sale privileges. Food service is not required. Minors are allowed on the premises.
52	VETERAN'S CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guest only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
57	SPECIAL ON SALE GENERAL - Generally issued to certain organizations who cannot qualify for club licenses. Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guests only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
59	ON SALE BEER AND WINE – SEASONAL - Authorizes the same privileges as a Type 41. Issued for a specific season. Inclusive dates of operation are listed on the license certificate.
60	ON SALE BEER – SEASONAL - Authorizes the sale of beer only for consumption on or off the premises where sold. Issued for a specific season. Inclusive dates of operation are listed on the license certificate. Wine or distilled spirits may not be on the premises. Minors are allowed on the premises.
61	ON SALE BEER – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer only for consumption on or off the licensed premises. Wine or distilled spirits may not be on the premises. Minors are not allowed to enter and remain (warning signs required). Food service is not required.
67	BED AND BREAKFAST INN - Authorizes the sale of wine purchased from a licensed winegrower or wine wholesaler only to registered guests of the establishment for consumption on the premises. No beer or distilled spirits may be on the premises. Wine shall not be given away to guests, but the price of the wine shall be included in the price of the overnight transient occupancy accommodation. Removal of wine from the grounds is not permitted. Minors are allowed on the premises.
70	ON SALE GENERAL – RESTRICTIVE SERVICE - Authorizes the sale or furnishing of beer, wine and distilled spirits for consumption on the premises to the establishment's overnight transient occupancy guests or their invitees. This license is normally issued to "suite-type" hotels and motels, which exercise the license privileges for guests' "complimentary" happy hour. Minors are allowed on the premises.
75	ON SALE GENERAL – BREWPUB - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer. This license does not authorize the sale of alcoholic beverages for consumption off the premises where sold. Minors are allowed on the premises.
80	BED AND BREAKFAST INN – GENERAL - Authorizes the sale of beer, wine and distilled spirits purchased from a licensed wholesaler or winegrower only to registered guests of the establishment for consumption on the premises. Alcoholic beverages shall not be given away to guests, but the price of the alcoholic beverage shall be included in the price of the overnight transient occupancy accommodation. Removal of alcoholic beverages from the grounds is not permitted. Minors are allowed on the premises.
86	INSTRUCTIONAL TASTING LICENSE —Issued to the holder of and premises of a Type 20 or Type 21 licensee, authorizes the tasting of alcoholic beverages as authorized to be sold from the off-sale premises, on a limited basis. Requires physical separation from the off-sale premises while tasting is taking place and generally requires the participation of a specifically-authorized manufacturer or wholesaler licensee.



SPECIAL EVENTS

The Department also issues licenses and authorizations for the retail sale of beer, wine and distilled spirits on a temporary basis for special events. The most common are listed below. Other less common ones are found in Business and Professions Code Section 24045.2, et seq.

SPECIAL DAILY BEER AND/OR WINE LICENSE - (Form ABC-221) Authorizes the sale of beer and/or wine for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to non-profit organizations. (Rule 59, California Code of Regulations)

DAILY ON SALE GENERAL LICENSE - (Form ABC-221) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to political parties or affiliates supporting a candidate for public office or a ballot measure or charitable, civic, fraternal or religious organizations. (Section 24045.1 and Rule 59.5 California Code of Regulations)

CATERING AUTHORIZATION - (Form ABC-218) Authorizes Type 47, 48, 51, 52, 57, 75 and 78 licensees (and catering businesses that qualify under Section 24045.12) to sell beer, wine and distilled spirits for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events. Type 47, 48 and 57 licensees may cater alcoholic beverages at any ABC-approved location in the State. Type 51 and 52 licensees may only cater alcoholic beverages at their licensed premises. All licensees wishing to cater alcoholic beverages must obtain prior written authorization from the Department for each event. At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises and violation of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399 and Rule 60.5 California Code of Regulations)

EVENT AUTHORIZATION - (Form ABC-218) Authorizes Type 41, 42, 47, 48, 49, 57, 75 and 78 licensees to sell beer, wine and distilled spirits for consumption on property adjacent to the licensed premises and owned or under the control of the licensee. This property shall be secured and controlled by the licensee and not visible to the general public. *The licensee shall obtain prior approval of the local law enforcement agency.* At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises (including any license conditions) and violations of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399)

WINE SALES EVENT PERMIT - (Form ABC-239) Authorizes Type 02 licensees to sell bottled wine produced by the winegrower for consumption off the premises where sold and only at fairs, festivals or cultural events sponsored by designated tax exempt organizations. The licensee must notify the city and/or county where the event is being held and obtain approval from ABC for each event (Form ABC-222). The licensee must also comply with all restrictions listed in Business and Professions Code Section 23399.6.

Note:

1. "Minor" means any person under 21 years of age.
2. Consult Section 25663(b) regarding age of employees in off-sale premises; consult Sections 25663(a) and 25663.5 regarding age of employees in on-sale premises.
3. In certain situations, ABC may place reasonable conditions upon a license, such as restrictions as to hours of sale, employment of designated persons, display of signs, restrictions on entertainment or dancing, etc. If a license has been conditioned, it will be endorsed as such on the face of the license. (Conditional licenses, Sections 23800-23805.)

4. Licensees whose license allows minors on the premises may have a “house policy” restricting minors from entering certain areas of the premises or prohibiting minors in the premises during certain hours.
5. This handout contains only abbreviated information. Contact your local ABC office for full information before doing anything which may jeopardize your license. Also available from the ABC: Quick Summary of Selected ABC Laws (form ABC-608); Alcoholic Beverage Control Act (complete laws); Rules & Regulations; and P-90 (describes privileges of non-retail licenses).



TERRY MCMANUS
CHIEF OF POLICE

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

March 13, 2019

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

Reference: The Fish Lady
700 Bay Avenue Ste A, Capitola, CA 95010 (Proposed location)
Off Sale - Beer and Wine

Dear Administrator:

The applicant, The Fish Lady, applied to the City of Capitola on February 5, 2019, for a use permit to conduct business at 700 Bay Avenue Ste A, Capitola, California. Their letter indicates the Fish Lady will be offering beer and wine for sale, under a Type 20 alcohol beverage license.

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

The Local Governing Body has determined, pursuant to §23958.4 of the Business and Professions Code, that the applicant serves the public convenience (§23958.4 b(2) B & P) and California Department of Alcoholic Beverage Control (A.B.C.) should approve an alcohol license Type 20, Off Sale Beer & Wine (package store) to the above captioned applicant.

This letter is being issued with the understanding that conditions placed by the City of Capitola on the businesses' special use permit, be incorporated in the Off Sale - Beer & Wine license issued by ABC.

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

Attachment: 700 A Bay Avenue - Fish Lady - Letter of Necessity and Convenience (700 A Bay Avenue)

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

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

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

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

1. The business has operated successfully within the adjacent City of Soquel without any police related issues.
2. The company participates in an employee training program, with curriculum that includes not only business-related activities but also a section on ABC Laws. The business is committed to training people and has agreed to take part in future ABC LEADS (Licensee Education on Alcohol and Drugs) workshops.
3. The Capitola Police Department has conducted a site visit of the company's current location and the proposed new location and found it to be a professional looking, clean, well-run business, which fits with the types of businesses the City supports in our community.

In summary, The Fish Lady has been an existing and successful business in the neighboring City of Soquel, and I believe they will continue their success in the City of Capitola and provide positive economic vitality with very few public safety concerns.

Sincerely,



Terry McManus
Chief of Police

cc: Matt Orbach, Assistant Planner, Community Development Department

TM/twm

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

Michael & Sharon Hadley

2. PREMISES ADDRESS (Street number and name, city, zip code)

700 Bay Ave., A, Capitola, CA 95010

3. LICENSE TYPE

20

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |
| <input checked="" type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

276,864

6. TOTAL NUMBER OF LICENSES IN COUNTY

232

On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1:1,168'

On-Sale Off-Sale

8. CENSUS TRACT NUMBER

1218.'

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

6

On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- Yes, the number of existing licenses exceeds the number allowed
- No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

V. Moore (ABC)

ABC-245 (12/03)

Attachment: 700 A Bay Avenue - Fish Lady - Letter of Necessity and Convenience (700 A Bay Avenue)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in

Lined area for providing reasons for license issuance.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e. an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

Lined area for additional comments.

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

Attachment: 700 A Bay Avenue - Fish Lady - Letter of Necessity and Convenience (700 A Bay Avenue)

LEIF RIDEOUT ARCHITECT

552 BEAN CREEK RD #35 SCOTTS VALLEY, CA 95066 831-345-7262

March 12, 2019

The Fish Lady, retail beer & wine sales

The Fish Lady will have one refrigerated case for beer & wine sales. As in any other food market, customers will make their selection from the case, pay at the check-out stand, and carry out their purchases. There will be no onsite consumption of beer and/or wine.

Thank you, Leif Rideout, architect



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: APRIL 4, 2019
 SUBJECT: **401 Capitola Avenue#19-0031 APN: 035-121-11**

Conditional Use Permit and Design Permit for a take-out restaurant with a new patio and trellis located within the CN (Neighborhood Commercial) zoning district. This project is in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption
 Property Owner: Amy Cheng
 Representative: Amy Cheng, Filed: 01.23.2019

APPLICANT PROPOSAL

The applicant is applying for a conditional use permit to convert an existing commercial retail building into a takeout restaurant with six seats or less and a design permit to add a new patio and trellis at 401 Capitola Avenue located within the C-N (Neighborhood Commercial) zoning district.

BACKGROUND

On June 5, 2014, the existing commercial building was approved by the Planning Commission under permit #13-082, replacing a duplex that was located on the site. The approval included a design permit, coastal development permit, and variances for the front and rear yard setback and on-site parking requirement.

The Architectural and Site Review Committee reviewed the application on March 13, 2019, and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: informed the applicant that a completed Storm Water Permit Project Application is required prior to review by Planning Commission. He also stated that the applicant should make sure that Santa Cruz County Environmental Health approves of the garbage area and clarified the Public Works Department would support the use of pavers as an alternative to a concrete slab.

Building Department Representative, Robin Woodman: informed the applicant that the path of travel to the patio and trash enclosure is required to comply with accessibility requirements including width. Mrs. Woodman also informed the applicant that the restroom strike side clearance is not currently met on the push side of the door due to the counter and that the hand wash sink in the service area needs to be ADA accessible.

Local Architect, Frank Phanton: was not present, but provided comment via email. His only concern was the proximity of the patio to the residence to the west of the property and making sure that the area did not create a noise nuisance at night.

Assistant Planner, Matt Orbach: recommended that both ends of the trellis include lattice and landscaping to screen the garbage due to the proximity of the adjacent residential home and the location of its windows. Mr. Orbach also informed the applicant that Public Works Director Steve Jesberg verified that the site line 'no parking' area for the Fire Department ends at the white line painted on the street, which is located just before the utility pole in front of 401 Capitola Avenue. The Public Works Department would not have an issue with a section of the curb between the white line and the trestle being converted into a yellow curb 'loading zone' space.

Following the meeting, the applicant submitted updated plans and a complete storm water permit application. The plans incorporated all the modifications requested by the architectural and site review committee. City staff also spoke with Fire Marshall Mike Demars about the proposed loading zone and confirmed that Central Fire Protection District could support changing a section of the no parking zone between the crosswalk and the trestle to a loading zone parking space.

The applicant also provided staff with a grant deed for the property at 401 Capitola Avenue showing that she took ownership of the property on March 23, 2019. The grant deed was filed with the Santa Cruz County Recorder on March 27, 2019. Staff has updated the staff report and files to show Amy Cheng as the current owner.

DISCUSSION

The 1,115-square-foot commercial space was previously occupied by a home décor and gift shop. The proposal is for a to-go restaurant that will sell beverages, salads, rice bowls, and ice desserts. The proposed floor plan includes a small 208-square-foot shop in the front space, a kitchen in the back, and a storage area on the second floor (Attachment 1). The to-go restaurant use will be limited to six seats.

The applicant is also proposing a new patio and trellis structure on the south side of the building, which requires a design permit. The proposed 142-square-foot patio will provide an area for storage of garbage containers. The proposed five foot by 13-foot six-inch trellis will be located adjacent to the south side of the building and will be ten feet seven inches tall. The proposed trellis has lattice on the east and west ends to screen the view of the garbage area from the street and from the adjacent property to the west. The area could potentially be used for a small amount of seating, but the applicant stated at the Architecture & Site Review Committee meeting that it is mainly to be used for garbage, with the six seats located at tables on the covered porch and/or inside the building.

The applicant provided a management plan for the proposed use (Attachment 2). The applicant plans to operate a to-go restaurant primarily designed for off-site consumption of food and drink with six seats or less. The proposed business hours are 8:00 a.m. to 8:00 p.m., seven days a week during the months of March through October and 10:00 a.m. to 7:00 p.m. seven days a week during the months of November through February. Supplier drop-offs are to be scheduled once a week between the hours of 6 a.m. and 8 a.m. The proposed use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

Conditional Use Permit

The applicant is requesting approval of a CUP for a to-go restaurant. Pursuant to 17.60.030, in considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures. The conditional use permit chapter also lists additional requirements and review criteria for some specific uses requiring a CUP, but there are no additional requirements for to-go restaurants. In issuing a CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be deemed reasonable and necessary for the protection of the adjacent properties and in the public interest, and to preserve the integrity and character of the district.

Parking

The existing structure was granted a variance to parking in 2015 and is a legal, non-conforming structure. Pursuant to the nonconforming parking requirements of §17.51.135(A), in the case of nonresidential structures in any district, which are changed in occupancy to a more intensive use category, such off-street parking facilities need to be provided only for that portion of the structure constituting an increase in capacity. The previous retail use required one parking space per 240 square feet of floor area. A take-out food establishment with six or fewer seats has the same parking requirement as retail. The new occupancy is limited to a maximum of six seats and will not be more intensive in terms of parking, therefore no additional parking is required.

Off-Street Loading Facilities

Within the parking and loading requirements of the code, §17.51.120 requires that “off-street loading facilities required for the uses mentioned in this chapter, and for similar uses, shall in all cases be on the same or immediately adjacent lot or parcel of land as the structure they are intended to serve.” Section §17.51.140 further states that off-street loading is required for uses with a floor area of 10,000 square feet or more. In this case, the building is 1,115 square feet, well under the 10,000 square-foot threshold for required off-street loading facilities. Due to the constraints of the built environment, off-street loading facilities cannot be provided on-site or on the adjacent parcels (the trestle to the south and the Central Fire Protection District to the north).

As previously stated, the curb from the trestle to the fire station is currently a no parking zone (red curb) which could be modified to a loading zone (yellow curb). Under Capitola Municipal Code §10.36.170, yellow curbs mean that “from eight a.m. to one p.m. or during such hours as determined by the superintendent of streets, all days of the week including holidays, no stopping, standing or parking at any time, except that commercial vehicles loading or unloading freight, or passenger vehicles loading or unloading passengers, may park therein for twenty minutes, or for a period not to exceed the time necessary for the loading or unloading, whichever is less,” and “between hours during which loading and unloading restrictions are not applicable, parking meter and/or posted time restrictions shall apply.”

The Planning Commission can impose requirements and conditions with respect to loading locations and timing on the conditional use permit. If the Planning Commission recommends the addition of a loading zone parking space on the west side of Capitola Avenue in front of the proposed to-go restaurant, both the Public Works Department and the Central Fire Protection District can support changing a section of the no parking zone (red curb) into a loading zone parking space (yellow curb). Changing the curb from red to yellow would also require City Council approval (CMC §10.36.170). If the Planning Commission added a condition that the curb be changed from red to yellow, the Commission should clarify if the conditional use permit is contingent upon the approval of the curb change from City Council.

Also of consideration are the current on- and off-street parking options and public parking lots in the area. The building is located approximately 150 feet from the one-hour free public parking across the street in front of Capitola City Hall, 0.1 miles from the Beach and Village Public Parking lots behind the Capitola City Hall, and on-street metered parking is available starting at 409 Capitola Avenue. There is also a crosswalk directly in front of the building at 401 Capitola Avenue that leads to the public parking areas around Capitola City Hall.

Water

Soquel Creek Water District will require water demand offsets to change the use from retail to a to-go restaurant. At the time of CUP application submittal, the applicant had not obtained the required approval from the water district. The applicant must provide documentation of plan approval by Soquel Creek Water District prior to building permit submittal (Condition of Approval #14).

CEQA

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves a restaurant use occupying an existing commercial space. No adverse environmental impacts were discovered during project review by Planning Staff.

RECOMMENDATION

Staff recommends the Planning Commission approve application #19-0031, subject to the following conditions and based upon the following findings:

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit for a take-out restaurant with a maximum of 6 seats and a Design Permit for construction of a 142-square-foot patio with a trellis. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 4, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
3. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
4. All exterior furniture shall be stored inside the main building when the restaurant is closed.
5. The garbage area shall be maintained to prevent odors and provide screening from the street and screening from adjacent neighbors.
6. Any outside lighting on the building shall be turned off within half an hour of the closing time of the business.
7. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.

8. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
9. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
10. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
11. Prior to issuance of building permit, 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.
12. Prior to issuance of building permit, all Planning fees associated with permit #19-0031 shall be paid in full.
13. 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.
14. 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.
15. 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).
16. 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.
17. 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.
18. 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
19. 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.

20. 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.
21. 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.
22. 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.
23. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
24. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

FINDINGS

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

Community Development Department Staff and the Planning Commission have reviewed the application and determined that the business owner may be granted a conditional use permit for a to-go restaurant within the CN Zoning District. The use meets the intent and purpose of the Neighborhood Commercial Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

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

Community Development Department Staff and the Planning Commission have reviewed the proposed use and determined that the use complies with the applicable provisions of the Zoning Ordinance and maintain the character and integrity of this area of the City. This area of the City is a mix of commercial and residential uses. Conditions of approval have been included to carry out these objectives.

C. 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 the conversion of an existing commercial space into a to-go restaurant. No adverse environmental impacts were discovered during project review by either the Community Development Department Staff or the Planning Commission.

ATTACHMENTS:

1. 401 Capitola Avenue - Full Plan Set - 03.22.2019
2. TeaTalk Deli Business Management Plan - 03.07.2019
3. Public Comment - Michael Lavigne - 02.27.2019
4. Public Comment - Ed Newman - 02.27.2019

Prepared By: Matt Orbach
Assistant Planner

TEATALK - CAPITOLA

TENANT IMPROVEMENT 401 CAPITOLA AVE. CAPITOLA, CA 95051

PROJECT TEAM

DRAWING INDEX

CLIENT
MR. AMY CHEUNG
401 CAPITOLA AVE.
CAPITOLA, CA 95010
(510) 701-8383
IBIZINFUN@GMAIL.COM

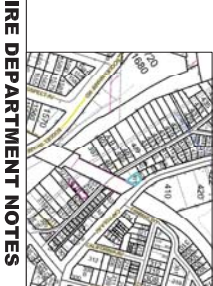
- A-0 TITLE SHEET
- A-1.0 FLOOR SCHEDULE
- A-2.0 FLOOR PLAN, OCCUPANCY
- A-2.1 FLOOR PLAN, NOTE DOTT PLAN, SCHEDULE, OCCUPANCY
- A-2.2 EQUIPMENT SCHEDULE AND PLAN, ELEVATIONS
- A-2.3 ARCHITECTURE DETAILS
- A-3.0 ELECTRICAL POWER PLAN & LIGHTING PLAN
- E-1.0 PLUMBING PLAN, GAS ISOMETRICS, FLOOR SCHEDULE, WATER HEATER, CO. WATER SUPPLY, DRAINAGE SCHEDULE
- P-2 WATER SUPPLY, DRAINAGE SCHEDULE
- TITLE 24

ARCHITECT
IDA, INC.
JOHN BA, AIA
510 LAWRENCE EXP. #105
SUNNYVALE, CA 94086
TEL: (408) 245-0991
FAX: (408) 245-0711

ABBREVIATION

&	Arch.	Architect	Architect	Architect
o	Asst. Arch.	Asst. Architect	Asst. Architect	Asst. Architect
o	Asst. Eng.	Asst. Engineer	Asst. Engineer	Asst. Engineer
o	Asst. Plan.	Asst. Planner	Asst. Planner	Asst. Planner
o	Asst. Supt.	Asst. Superintendent	Asst. Superintendent	Asst. Superintendent
o	Asst. Transp.	Asst. Transporter	Asst. Transporter	Asst. Transporter
o	Asst. V.I.	Asst. Visual Inspector	Asst. Visual Inspector	Asst. Visual Inspector
o	Asst. Wt.	Asst. Weigher	Asst. Weigher	Asst. Weigher
o	Asst. X-Ray	Asst. X-Ray Technician	Asst. X-Ray Technician	Asst. X-Ray Technician
o	Asst. Zoning	Asst. Zoning Officer	Asst. Zoning Officer	Asst. Zoning Officer
o	Asst. Zoning	Asst. Zoning Officer	Asst. Zoning Officer	Asst. Zoning Officer
o	Asst. Zoning	Asst. Zoning Officer	Asst. Zoning Officer	Asst. Zoning Officer
o	Asst. Zoning	Asst. Zoning Officer	Asst. Zoning Officer	Asst. Zoning Officer

PARCEL MAP



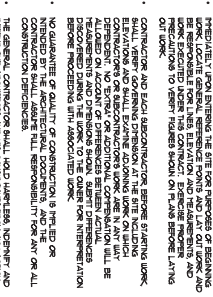
FIRE DEPARTMENT NOTES

- 1. FIRE DEPARTMENT NOTES.
- 2. FIRE DEPARTMENT STATION SHALL BE SUBMITTED AS A DISCRETE SUBMITTAL.
- 3. THE EXISTING FIRE DEPARTMENT STATION SHALL BE REMOVED AND RECONSTRUCTED TO MEET THE FOLLOWING REQUIREMENTS:
- 4. THE EXISTING FIRE DEPARTMENT STATION SHALL BE REMOVED AND RECONSTRUCTED TO MEET THE FOLLOWING REQUIREMENTS:
- 5. THE EXISTING FIRE DEPARTMENT STATION SHALL BE REMOVED AND RECONSTRUCTED TO MEET THE FOLLOWING REQUIREMENTS:
- 6. THE EXISTING FIRE DEPARTMENT STATION SHALL BE REMOVED AND RECONSTRUCTED TO MEET THE FOLLOWING REQUIREMENTS:

GENERAL NOTES

- BY EXISTING CONTRACTOR, CONTRACTOR AND SUBCONTRACTORS...
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC) AND ALL APPLICABLE LOCAL ORDINANCES.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC) AND ALL APPLICABLE LOCAL ORDINANCES.
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- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC) AND ALL APPLICABLE LOCAL ORDINANCES.

VICINITY MAP



PROJECT DESCRIPTION

THIS PROJECT IS TO PROVIDE A TEA HOUSE AT EXISTING VACANT TO AND PARTITION WALLS, NEW PREPARATION, WASH AREA, STORAGE AREA.

PREPARED BY JOHN BA, AIA

DATE: 06/15/11

SHEET NO. 01

OF 01 SHEETS



Innovative Design Architecture, Inc.

JOHN BA, AIA
 510 LAWRENCE EXP.,
 SUNNYVALE, CA 94086
 TEL: (408) 245-0991
 TEL: (408) 245-0711

OWNER:
 MS AMY CHEUNG
 401 CAPITOLA AVE.
 CAPITOLA, CA 95051

TEATALK - CAPITOLA
TENANT IMPROVEMENT
 401 CAPITOLA AVE.
 CAPITOLA, CA 95051

GENERAL NOTES

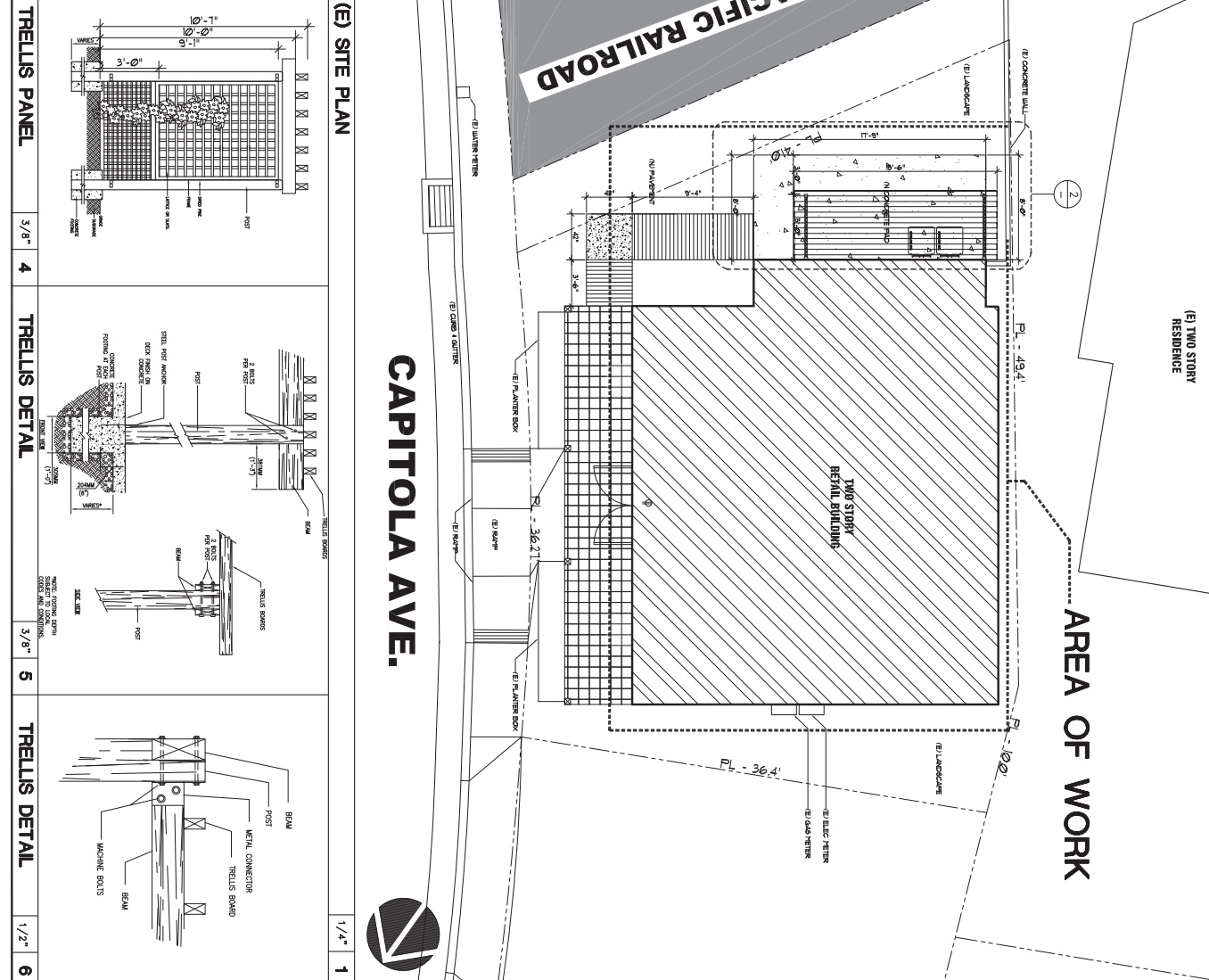
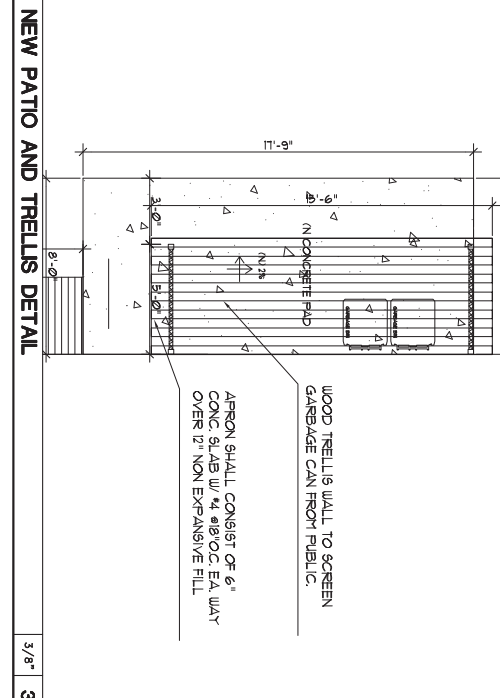
1. All work shall be performed in accordance with National, State and Local regulations. Secure required permits. Arrange with appropriate governmental agencies for utility location and coordination with existing structures.
2. All bidders submitting proposals for this work shall examine the site (prelims) and all such conditions as may affect the work and shall provide for the same. The contractor shall be responsible for providing the utility location information to be required to complete the work without additional cost to the owner.
3. Work to be performed under this contract shall include demolition, site work, building construction, and improvements to the property. Designated "fill" construction documents in lieu of the construction contract is to provide a detailed list of work to be completed. All work performed in quality control manner shall be subject to a final quality control check for occupancy when construction is complete.
4. Every existing site and building condition with compliance of ADA regulations and upgrade as required per codes. The contractor shall be responsible for providing all necessary details and specifications for the work to be performed. The specifications shall be in accordance with the applicable codes and regulations. The contractor shall not be liable to the owner or the architect for any and all conditions, omissions, deviations or errors.
5. Contractor shall remove from the job site all crates, packing debris, etc. from skid-steer equipment. The skid-steer shall be removed from the job site at the end of the work. The contractor shall be responsible for the safe storage of the skid-steer. The contractor shall be responsible for the safe storage of the skid-steer. The contractor shall be responsible for the safe storage of the skid-steer.
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SIDWALK NOTES:

1. WALKWAYS AND SIDEWALKS ALONG ACCESSIBLE ROUTE OF TRAVEL SHALL BE CONTINUOUSLY ACCESSIBLE.
2. THE CLEAR WIDTH FOR SIDEWALKS AND WALKWAYS SHALL NOT BE LESS THAN 48 INCHES MINIMUM. EXCEPTION 3.
3. THE CLEAR WIDTH FOR SIDEWALKS AND WALKWAYS SHALL NOT BE STEEPER THAN 1:20 (5%). THE CROSS SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:48 (2%).

GENERAL NOTES

1. N/A
2. N/A
3. N/A
4. N/A
5. N/A
6. N/A
7. N/A
8. N/A
9. N/A
10. N/A
11. N/A
12. N/A
13. N/A
14. N/A
15. N/A
16. N/A
17. N/A
18. N/A
19. N/A
20. N/A



TEATALK - CAPITOLA TENANT IMPROVEMENT
 401 CAPITOLA AVE.
 CAPITOLA, CA 95051

TIDA Innovative Design Architecture, Inc.
JOHN BA, AIA
 510 LAWRENCE EXPWY.,
 SUNNYVALE, CA 94085
 TEL: (408) 245-0891
 TEL: (408) 245-0711

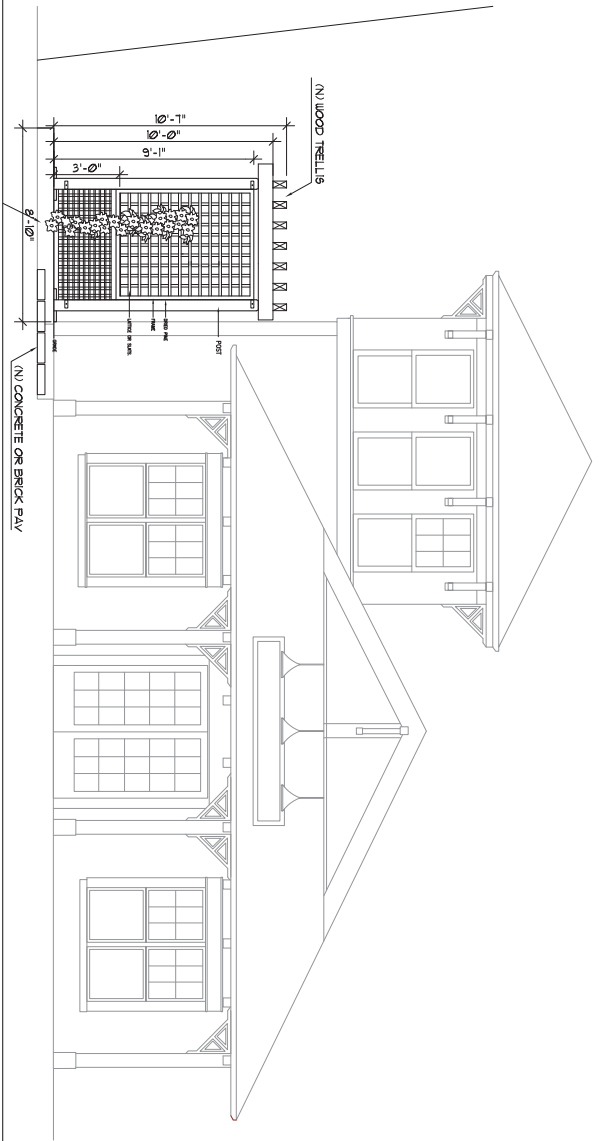
OWNER:
 MS AMY CHEUNG
 401 CAPITOLA AVE
 CAPITOLA, CA 95051

DATE: 2/20/21
SCALE: AS SHOWN
PROJECT NO.: 19-46-93
DESIGN: JAH/TAJ
SHEET: A-10
 OF SHEETS

REVISIONS:

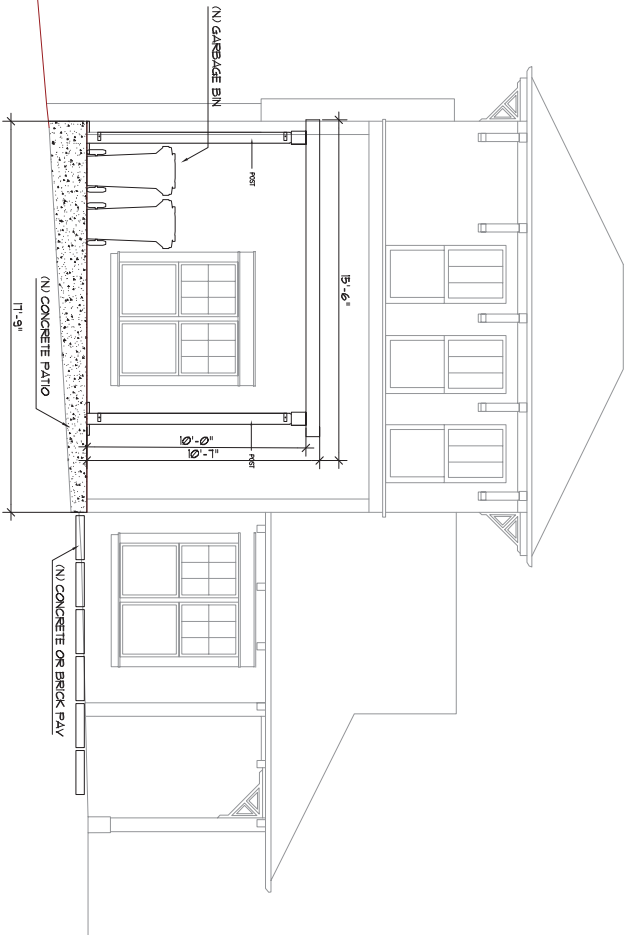
SHEET TITLE:
 (E) SITE PLAN

DATE: 2/20/21
SCALE: AS SHOWN
PROJECT NO.: 19-46-93
DESIGN: JAH/TAJ
SHEET: A-10



FRONT ELEVATION

3/8" 2



SIDE ELEVATION

3/8" 1

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**TEATALK - CAPITOLA
 TENANT IMPROVEMENT**
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 CAPITOLA, CA 95051

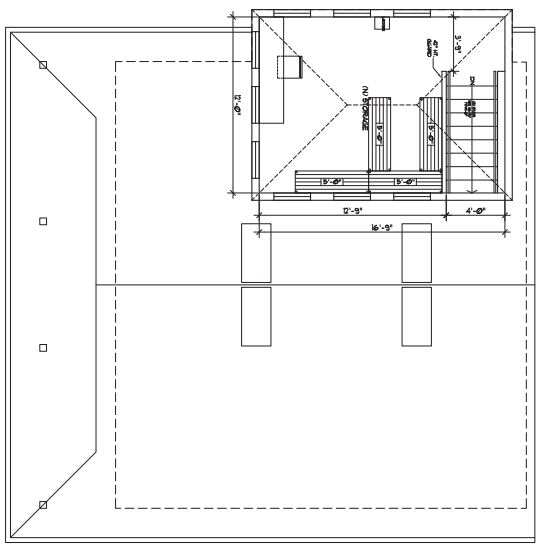
REVISIONS

SHEET TITLE:
 ELEVATION

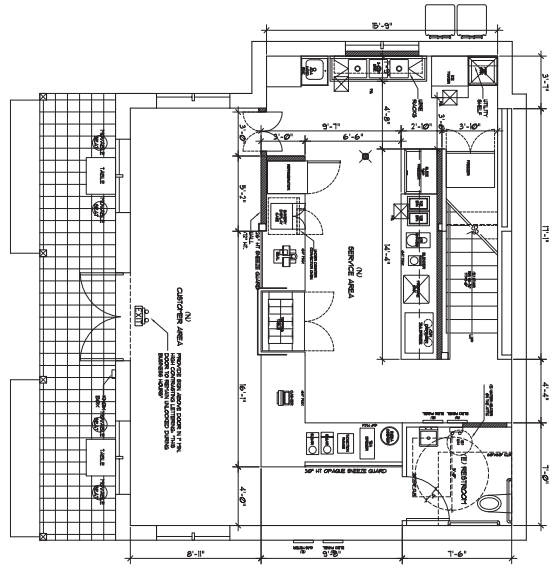
DATE: 2/29/09-09-27
 SCALE: AS SHOWN
 SHEET: A-11

PROJECT NO.: 09-16-03
 DRAWN: JHATHAVU

OF SHEETS



SECOND FLOOR



FIRST FLOOR

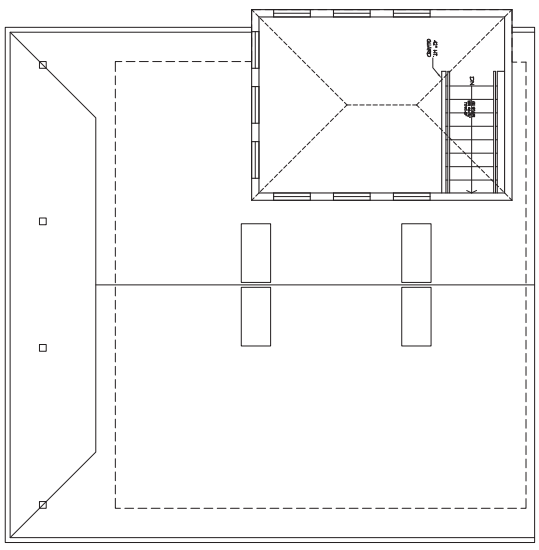
- LEGEND**
- DASHED WALLS TO BE DEMOLISHED AND RECONSTRUCTED TO 2" MINIMUM CONCRETE WALL (SEE TYPICAL SECTION FOR 2" MINIMUM CONCRETE WALL INDICATED HEREIN)
 - EXISTING 1 1/2" HEAVY WALL
 - EXISTING WINDOW
 - EXISTING THICK GLASS PARTITION
 - 2X4 EXISTING PARTITION
 - 2X6 EXISTING PARTITION
 - 4" FLOOR OUTLET
 - 2" DIAMETER ANCHOR
 - 3" DIAMETER ANCHOR
 - 5" DIAMETER ANCHOR
 - 6" DIAMETER ANCHOR
 - NEW CONSTRUCTION (BY CONTRACTOR) TO BE SHOWN WITH THE TYPICAL SECTION. THE MINIMUM WALL THICKNESS TO BE SHOWN SHALL BE 2 1/2" TO 4" FOR ALL NEW CONSTRUCTION.



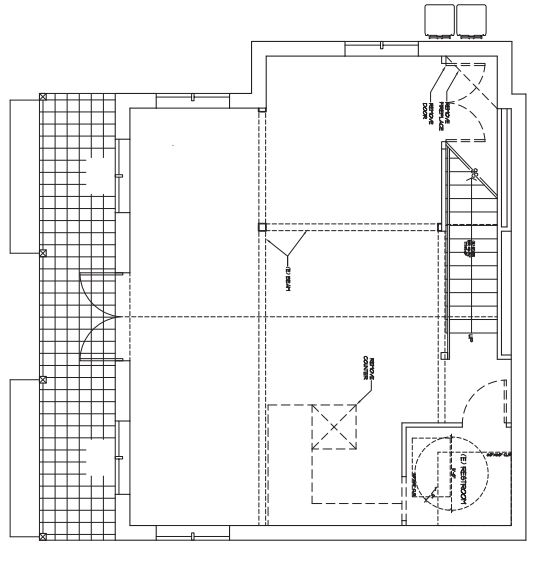
PROPOSED FLOOR PLAN

1/4" = 1'

2



SECOND FLOOR



FIRST FLOOR

- LEGEND**
- DASHED WALLS TO BE DEMOLISHED AND RECONSTRUCTED TO 2" MINIMUM CONCRETE WALL (SEE TYPICAL SECTION FOR 2" MINIMUM CONCRETE WALL INDICATED HEREIN)
 - EXISTING 1 1/2" HEAVY WALL
 - EXISTING WINDOW
 - EXISTING THICK GLASS PARTITION
 - 2X4 EXISTING PARTITION
 - 2X6 EXISTING PARTITION
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 - 2" DIAMETER ANCHOR
 - 3" DIAMETER ANCHOR
 - 5" DIAMETER ANCHOR
 - 6" DIAMETER ANCHOR
 - NEW CONSTRUCTION (BY CONTRACTOR) TO BE SHOWN WITH THE TYPICAL SECTION. THE MINIMUM WALL THICKNESS TO BE SHOWN SHALL BE 2 1/2" TO 4" FOR ALL NEW CONSTRUCTION.



(E) FLOOR PLANS + DEMO PLAN

1/4" = 1'

1

A-2.0

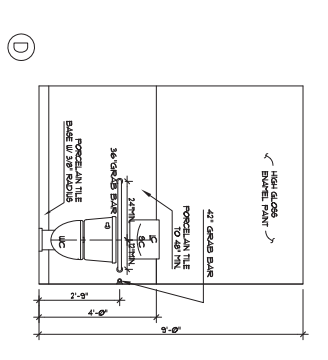
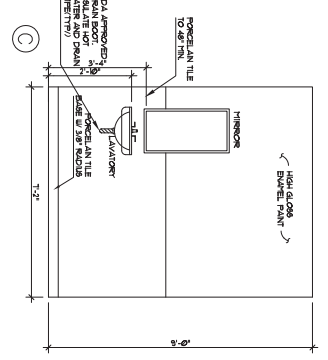
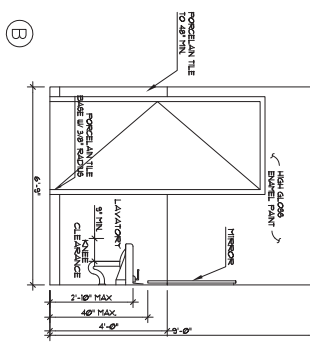
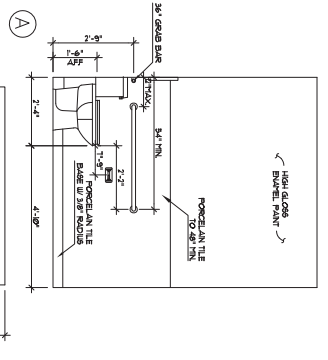
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 CAPITOLA, CA 95051

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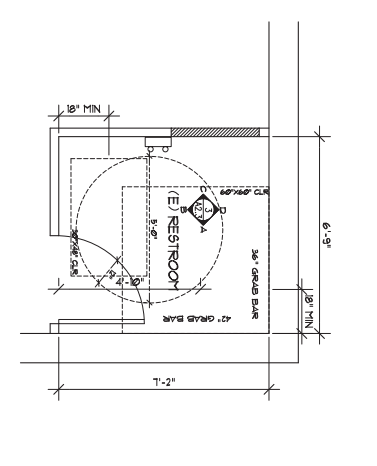
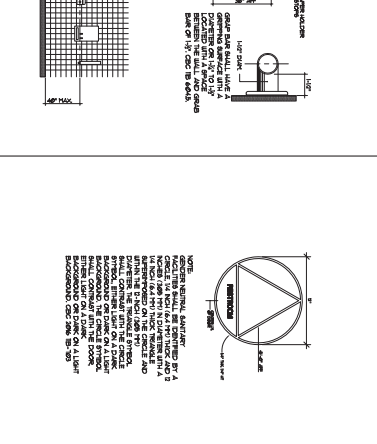
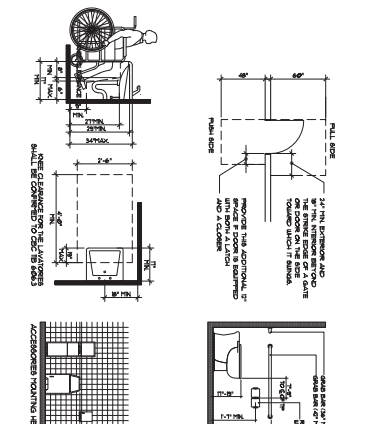
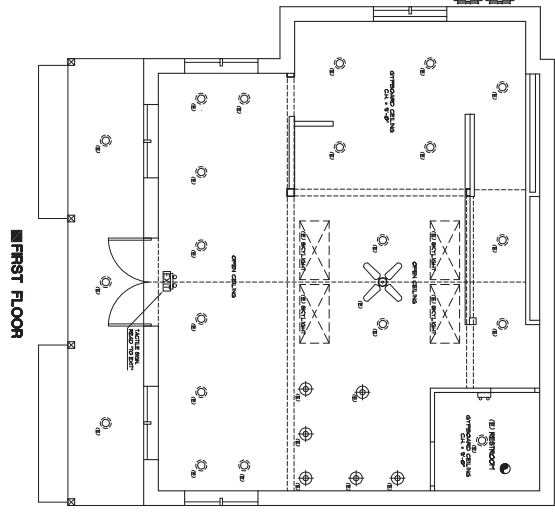
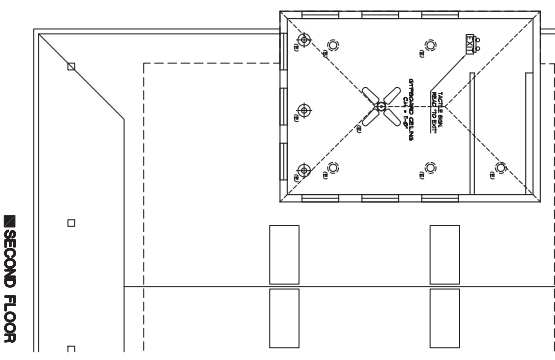
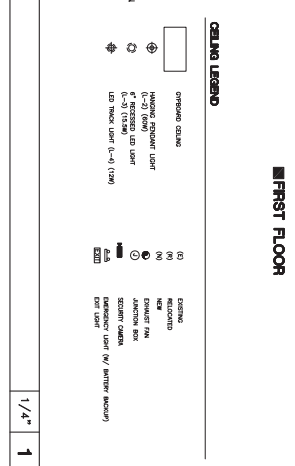
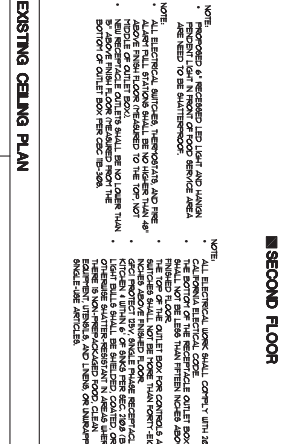
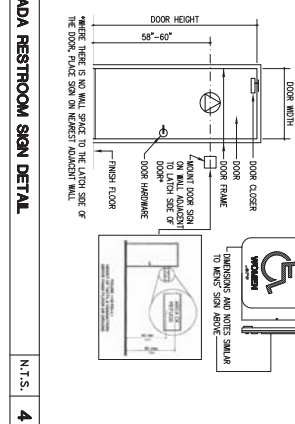
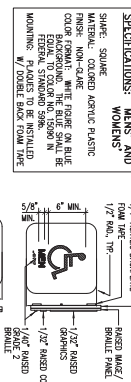
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- ACCESSIBLE NOTES**
1. ALL ACCESSIBLE ELEMENTS SHALL BE CONFORMANT WITH THE 2010 INTERNATIONAL BUILDING CODE (IBC) AND THE 2010 INTERNATIONAL ACCESSIBILITY CODE (IAC) AS AMENDED BY THE 2015 IBC AND IAC. ALL ACCESSIBLE ELEMENTS SHALL BE CONFORMANT WITH THE 2010 INTERNATIONAL BUILDING CODE (IBC) AND THE 2010 INTERNATIONAL ACCESSIBILITY CODE (IAC) AS AMENDED BY THE 2015 IBC AND IAC.
 2. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
 3. ALL ACCESSIBLE ELEMENTS SHALL BE CONFORMANT WITH THE 2010 INTERNATIONAL BUILDING CODE (IBC) AND THE 2010 INTERNATIONAL ACCESSIBILITY CODE (IAC) AS AMENDED BY THE 2015 IBC AND IAC.
 4. ALL ACCESSIBLE ELEMENTS SHALL BE CONFORMANT WITH THE 2010 INTERNATIONAL BUILDING CODE (IBC) AND THE 2010 INTERNATIONAL ACCESSIBILITY CODE (IAC) AS AMENDED BY THE 2015 IBC AND IAC.
 5. ALL ACCESSIBLE ELEMENTS SHALL BE CONFORMANT WITH THE 2010 INTERNATIONAL BUILDING CODE (IBC) AND THE 2010 INTERNATIONAL ACCESSIBILITY CODE (IAC) AS AMENDED BY THE 2015 IBC AND IAC.

ACCESSIBLE NOTE

N.T.S. 5



ACCESSIBILITY NOTES	N.T.S.	6	ADA RESTROOM DETAILS	N.T.S.	7	GENDER NEUTRAL SIGN	N.T.S.	3	ENLARGED (E) RESTROOM PLAN	1/4"	2
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Innovative Design Architecture, Inc.

IDA

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TEL: (408) 245-0711

DATE: 2/20/2017
SCALE: AS SHOWN
SHEET: A-22

PROJECT NO.: 19-469
DRAWN: JHATJAJ

TEATALK - CAPITOLA
TENANT IMPROVEMENT

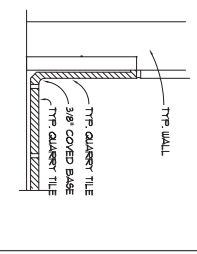
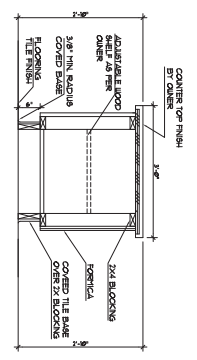
401 CAPITOLA AVE.
CAPITOLA, CA 95051

REVISIONS:

SHEET TITLE:
EXISTING CEILING PLAN
ACCESSIBILITY PLAN

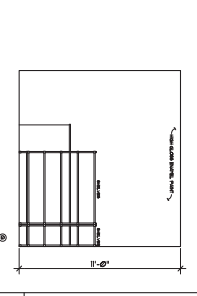
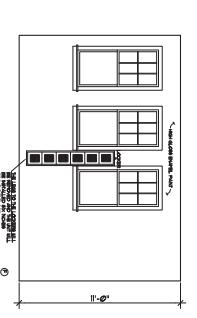
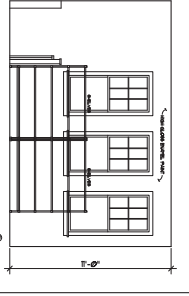
DATE: 2/20/2017
SCALE: AS SHOWN
SHEET: A-22

PROJECT NO.: 19-469
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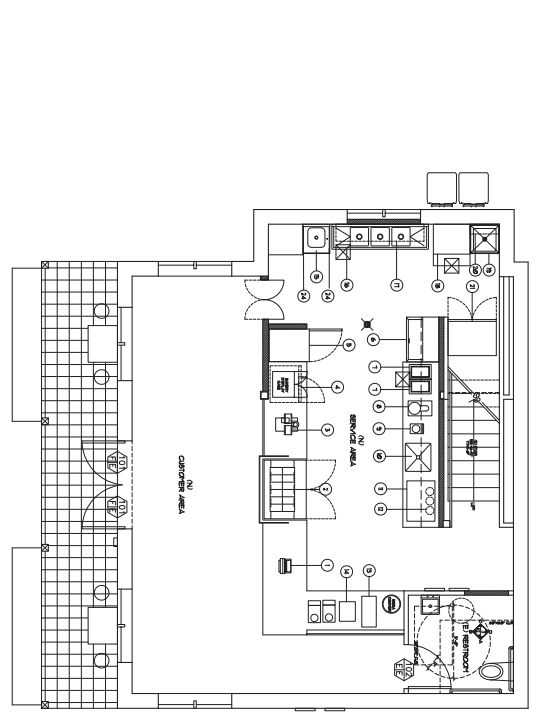
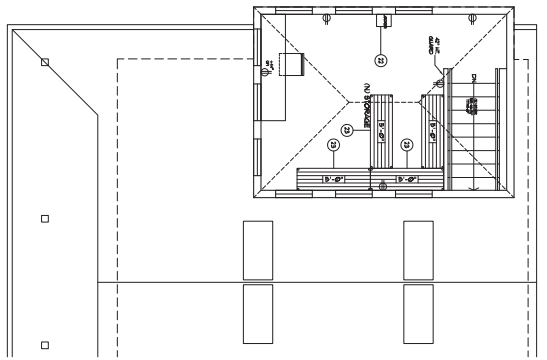
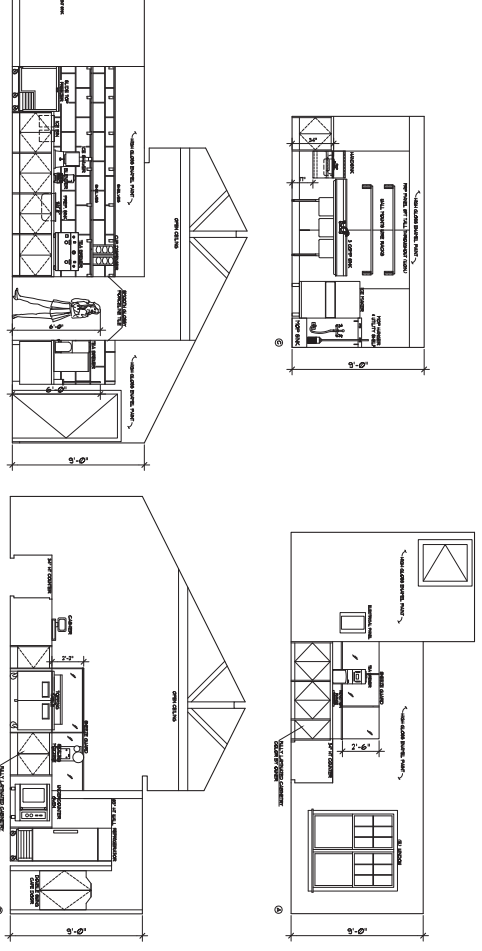


FRONT COUNTER DETAIL N.T.S. **5** **COVE BASE @ WALL** N.T.S. **4**

STORAGE AREA CALCULATION
 (4) 5'-0" LONG STORAGE BLOCS W/ 5 TIERS = 100 FT.
 TOTAL LINEAR FEET = 100 FT
 DEPTH OF SHELVING = 15 FT
 100FT LINEAR FEET x 15 FT DEPTH OF SHELVING = 1500 SQ FT
 FOOD PROCESSING AREA: 57' 6" FT x 41' 9" FT = 2395 SQ FT
 1500 SQ FT - 2395 SQ FT = 1105 SQ FT → OK



EQUIPMENT PLAN



NO.	QTY	EQUIPMENT	DIMS (WxDxH)	MANUFACTURER	MODEL NUMBER	REMARKS
01	1	CASHER	BY OWNER			
02	1	TOPPING TABLE	60.576"x34.287"x40.376"	TRISE MANUFACTURING	TRSD-60-24M-D-9T	LL NSF
03	1	SEALING MACHINE	67.87"x28.5"	SEALMAX	CTS-626	NSF/ETL
04	1	CONNECTION OVEN	32.287"x30.733"x30.857"	A.L.T.O.-SHALAM	ASC-2E	ANSI/NFPA
05	1	REFRIGERATOR	28.767"x32.779"x32.767"	ARTIC AIR	TRC-36SD	NSF
06	1	SLIDING TOP FREEZER	39.729"x33.5"	TURBO	TRC-36SD	NSF
07	2	DROP-IN ICE BIN	27"x18"	REGENCY	600MB182	
08	1	ICE SHAVER	27"x18"x12"	GLOBAL BEAR	FOOD-M	
09	1	BLENDER	8.67"x10.17"x8.5"	VITA-MIX	WH400C	
10	1	1-COMPARTMENT SINK	23.743"x17"	ADVANCE TABCO	DA-1-2012	
11	1	TEA BREWERS	33.743"x17"	ADVANCE TABCO	ALBELLA 1 2	
12	3	COFFIN DISPENSER	4.187"x23.5"	INDOVA	CS90013600	
13	1	TEA BREWERS	30.743"x17"	SAN JAMAR	TR-301	
14	1	HAND SINK	47.87"x18"	WARRING	WH400C	
15	1	INDUCTION RANGE	30.743"x18"	ADVANCE TABCO	FRS-30M-PTD	ADA COMPLIANCE
16	1	STOVE SINK	78.725"x38"	RESALE GROUP	WB24S & 1728	
17	1	STOVE SINK	30.743"x18.5"	RESALE GROUP	WB24S & 1728	
18	1	ICE MAKER	24"x24"	ZLINE	TR900-24	
19	1	LITILITY SHELF	39.67"x29.67"x18.37"	ADVANCE TABCO	K-2416	LL NSF
20	1	LOCKER	60.743"x18"	WH-HOLT	WL-66	LL NSF
21	1	LOCKER	60.743"x18"	WH-HOLT	WL-66	LL NSF
22	4	SHELVING (6'-0")	CUSTOM	CUSTOM	56-74-880	NSF
23	2	SPLASH GUARD	CUSTOM	CUSTOM		

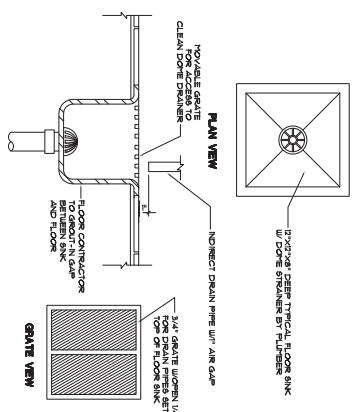
ELEVATIONS + STORAGE AREA CALCULATION 1/4" **3** **EQUIPMENT SCHEDULE** 1/4" **2**

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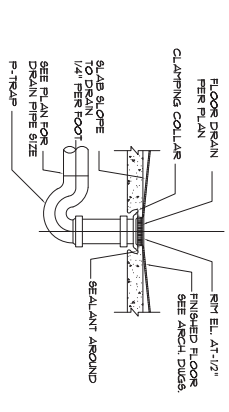
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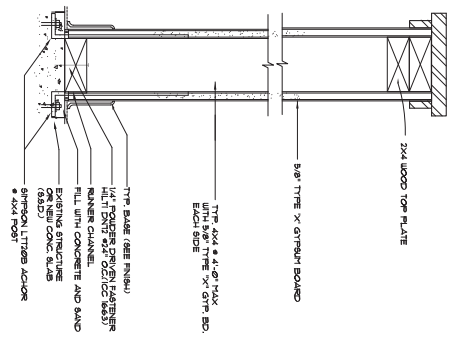
FLOOR SINK DETAIL

NTS 1



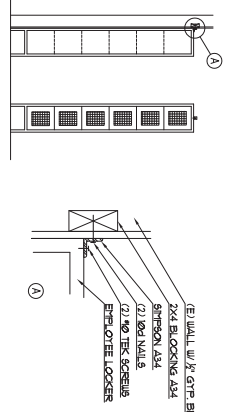
FLOOR DRAIN DETAIL

NTS 2



PONY WALL DETAIL

3\"/>



EMPLOYEE LOCKER ANCHOR DETAIL

NTS 3

Innovative Design Architecture, Inc.

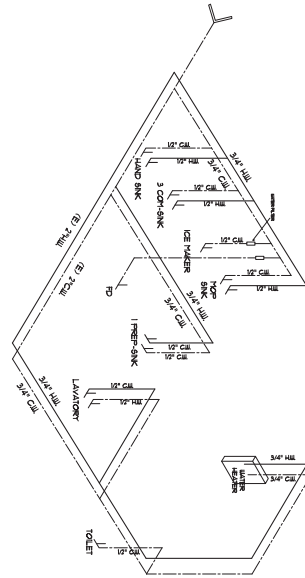


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 CAPITOLA, CA 95051

REVISIONS
 SHEET TITLE:
 ARCHITECTURAL DETAILS
 DATE: 2009-09-27
 SCALE: AS SHOWN
 PROJECT NO.: 09-06-03
 DRAWN: JAV/THJ
 SHEET: A-30

• HIGHLIGHT HOT WATER LINES
 --- HOT WATER SUPPLY
 --- COLD WATER SUPPLY



FINISH	TYPE OF SUPPLY CONTROL	LICO VALUES	NUMBER FINISH	UNITS (DUU)	* SQ UNITS
KITCHEN SINK	FAUCET	3.0	3.0	4.0	3
HAND SINK	FAUCET	2.5	2.5	3.0	3
PREP SINK	FAUCET	2.5	2.5	3.0	1
ICE MAKER	FLUSH VALVE	1.0	1.0	1.0	1
WATER CLOSET	FAUCET	1.0	1.0	1.0	1
LAVATORY	FAUCET	1.0	1.0	1.0	1
ICE MAKER	FAUCET	1.0	1.0	1.0	1
TOTAL				27.0 DUU	

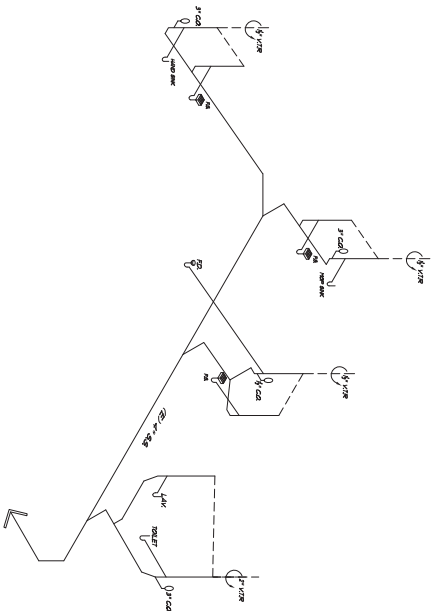
1. ALL PIPING WORK AND MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF SAN JOSE PLUMBING CODE AND ALL APPLICABLE REGULATIONS. THE CONTRACTOR SHALL OBTAIN ALL APPROVALS REQUIRED BY THE CITY OF SAN JOSE BEFORE STARTING WORK. RESUBMISSION OF THE PLUMBING WORK TO THE LOCAL DEPARTMENT OF PUBLIC WORKS FOR REVIEW IS REQUIRED BY THE BUILDING DEPARTMENT.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL DEPARTMENT OF PUBLIC WORKS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL DEPARTMENT OF PUBLIC WORKS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL DEPARTMENT OF PUBLIC WORKS.
5. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE EXISTING LOCATION AND DEPTH OF ALL EXISTING PIPING LINES AND TO CORRECT ANY DEFICIENCIES BEFORE INSTALLATION OF PIPING WORK WITH ALL OTHER TRADES SO AS TO AVOID UNNECESSARY DELAY OR GENERAL CONTRACTOR.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL DEPARTMENT OF PUBLIC WORKS.

WATER SUPPLY:

WATER SUPPLY	2.5 UNITS EA.	2.5 W.S.F.U.
WATER CLOSET	1 UNIT EA.	1 W.S.F.U.
3-COMP. SINK	3 UNITS EA.	3 W.S.F.U.
1-PREP. SINK	1 UNIT EA.	1 W.S.F.U.
HAND SINKS	1 UNIT EA.	1 W.S.F.U.
ICE MAKER	0.5 UNITS EA.	0.5 W.S.F.U.
TOTAL		18 W.S.F.U.

WATER SUPPLY ISOMETRIC

NOTE: WATER SUPPLY COMPENSATION SHALL BE COMPAK NOT LISA
 FINISHES: C-17, N-10, OR A-13



SEWER LINE:

FLOOR DRAINS	6 D.F.U.	6 D.F.U.
LAVATORY	1 UNITS EA.	1 D.F.U.
FLOOR SINKS	2 UNITS EA.	6 D.F.U.
HAND SINKS	1 UNITS EA.	1 D.F.U.
3-COMP. SINK	3 UNITS EA.	3 D.F.U.
1-PREP. SINK	1 UNITS EA.	3 D.F.U.
WATER CLOSET	4 UNITS EA.	4 D.F.U.
TOTAL		27 D.F.U.

DRAINAGE ISOMETRIC

NTS 1

NTS 2

TEATALK - CAPITOLA
TENANT IMPROVEMENT
 401 CAPITOLA AVE.
 CAPITOLA, CA 95051

JOHN EA. MA
 510 LAWRENCE EXHWY.
 SUITE 100
 SUNNYVALE, CA 94085
 TEL: (408) 245-0931
 TEL: (408) 245-0711

Innovative Design Architecture, Inc.



DATE: 2009-05-27
 SCALE: AS SHOWN
 SHEET: 48
 PROJECT NO.: 09-06-03
 DRAWN: JHATHU
 OF SHEETS: 2

Management Plan

The company:

TeaTalk Deli Capitola by the Sea

401 Capitola Ave, Capitola, CA 95010

Introduction:

TeaTalk Deli To-Go Restaurant is offering trending boba tea with variety of delicious toppings, variety flavors of snow ice desserts, hot and cold coffee, organic salad or rice bowl with organic high quality meat toppings.

Opening Hours:

TeaTalk Deli Opening Hours:

Monday to Sunday (March to October) 8am to 8pm; (Nov to Feb) 10am to 7pm

Capacity:

To-Go Restaurant is limited seating capacity of 6 seats

Entertainment:

No onsite entertainment

Alcohol License:

There is no plan to sell alcohol

Recycling – Waste Management:

Trash and Recycling Cans are on the side of the building. Pickup date and time will be determined by Green Waste.

Suppliers Drop Off:

Once a week between 6am to 8am.

From: Michael Lavigne <mike@finemontereybayhomes.com>
Sent: Wednesday, February 27, 2019 2:14 PM
To: Herlihy, Katie (<kherlihy@ci.capitola.ca.us> <kherlihy@ci.capitola.ca.us>
Subject: 401 Capitola Ave, Conditional Use Permit, opposition

Katie Herlihy, Community Development Department
 City of Capitola

Ms Herlihy:

As an adjacent Capitola Village business owner, I oppose the request for a Conditional Use Permit for a change-in-use of the retail/professional office designation at 401 Capitola Ave to a take-out restaurant.

A take-out restaurant permit for this location is not practical; there is no adjacent street parking (and no onsite parking whatsoever) for either potential patrons of a take-out restaurant, or for the frequent commercial truck deliveries of food and supplies that will be required for a restaurant.

As can be plainly seen from the attached photos, the entire stretch of curb in front of the building is a red curb no parking zone. Also, 401 Capitola Ave is directly adjacent to the fire department, which for obvious reasons is also a red curb no parking zone.

The only quick and convenient parking nearby this location is either across the street at the Police Station and City Hall at 420 Capitola Ave, or the private parking lot at 331 Capitola Ave, which is adjacent to and expressly for the use of businesses located within the Trestle Building at 331 Capitola Ave.

The private parking lot at the Trestle Building/331 Capitola Ave is frequently overfull, just from the authorized use of it by business tenants and clients who visit the Trestle Building.

Approval of a change-in-use for a take-out restaurant at 401 Capitola Ave will inevitably lead to unauthorized use of the private parking lot reserved for the Trestle Building businesses at 331 Capitola Ave, and will also put additional pressure on the already limited number of short-term visitor parking spaces available at City Hall and the Police Department.

People who utilize take-out restaurants prefer quick and convenient parking---this location offers neither. A conditional use permit for a restaurant is therefore inappropriate.

I urge both Community Development and Planning Staff and the Planning Commission to deny the request for a change-in-use to a take out restaurant at 401 Capitola Avenue and to instead keep the CN zoning and the retail/office designation in place at this location.

It is the least logical place in Capitola Village for a take out restaurant to be considered, given the complete lack of onsite parking, the lack of adjacent street parking, and the location of the building itself.

Michael Lavigne
Broker/Realtor
331 Capitola Ave Ste B

Attachment: Public Comment - Michael Lavigne - 02.27.2019 (401 Capitola Avenue)

Capitola, CA 95010
DRE License 01782392



Attachment: Public Comment - Michael Lavigne - 02.27.2019 (401 Capitola Avenue)

From: Edward Newman <edward@capitolalawfirm.com>
Sent: Wednesday, February 27, 2019 8:03 AM
To: Herlihy, Katie (kherlihy@ci.capitola.ca.us) <kherlihy@ci.capitola.ca.us>
Subject: 401 Capitola Avenue - Conditional Use Permit Application #190031

Dear Ms. Herlihy,

This is to address the pending application referenced above for a take-out restaurant use at 401 Capitola Avenue. We are writing in the interest of the eight business owners with offices at 331 Capitola Avenue, whose parking is to the immediate south of the building in question. The concern is that 411 Capitola Avenue has no onsite parking and no offsite parking nearby for both deliveries and customer pick-ups. The proposed use is probably the worst possible use for a site with absolutely no parking. The occupants at 331 Capitola Avenue have no excess parking available and need to be able to come and go throughout the day. They do not want to be engaged in an endless parking war with delivery trucks and customers of an adjacent take-out restaurant. A similar issue not long ago resulted in denial of an application for a convenience store at 118 Stockton Avenue, due in part to the potential use by customers of the parking lot belonging to Quality Market across the street.

The staff and the Planning Commission might also note the potential impacts on the adjacent fire station if delivery trucks or customers make temporary stops in front of the building.

Edward W. Newman
331 Capitola Ave., Suite K
Capitola, CA 95010
831-476-6622 – voice
831-476-1422 – fax
Edward@capitolalawfirm.com



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: APRIL 4, 2019
 SUBJECT: **322 Capitola Avenue#18-0628** **APN: 035-181-16**

Design Permit and Coastal Development Permit for a new two-story single-family residence located within the CV (Central Village) zoning district with a Variance request for the required offsite parking spaces.

This project 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

Owner: Unsophisticated Builders

Representative: Dennis Norton, Filed: 12.11.2018

APPLICANT PROPOSAL

The applicant is proposing a 1,999-square-foot, two-story, single-family residence at 322 Capitola Avenue in the C-V (Central Village) zoning district. The applicant is requesting a variance to the required off-site parking requirements.

BACKGROUND

On February 13, 2019, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: informed the applicant that drainage and erosion control methods must be shown on the landscape plan. Mr. Mozumder told the applicant they will be required to install silt fencing along Capitola Avenue and straw wattles on the remaining sides of the property during construction to control erosion. The applicant asked about the possibility of removing the parking meters in front of 322 Capitola Avenue during construction to allow for access, Mr. Mozumder said he would speak with the Police Department and let the applicant know what is required to remove the meters temporarily.

Building Department Representative, Nelson Membreno: informed the applicant that the window openings on the east elevation are within three feet of the property line which does not comply with the building code and suggested using skylights to bring light in on that side of the house instead.

Local Architect, Frank Phanton: liked the design. He suggested putting an east facing dormer in to bring more sunlight into the dining room.

Assistant Planner, Sascha Landry: had no comments.

Following the Architectural and Site Review hearing, the building department determined that the window openings on the east elevation do not need to be removed as long as they are properly fire-rated and do not open.

DEVELOPMENT STANDARDS

CV (Central Village) Zoning District

Development Standards			
Architectural and Site Review			
<p>Central Village Design Guidelines apply to all development in the CV district and specific guidelines are included for each overlay district. <i>Does the application comply with the specific guidelines for the area in which the project is located? List regulations specified in Guidelines.</i></p>			
List Applicable Guidelines		Compliance	
The front yard area is to be landscaped and should create a sense of entry to the unit and/or units.		Applicant is proposing 216 sq. ft. of landscaped open space in the front yard.	
Flat roofs are discouraged because of the perception of bulk created in the structure.		Plans show a gabled roof.	
New construction, major reconstruction and second story additions shall require that a streetscape plan be provided.		Streetscape plan has been submitted. (Attachment 2)	
The front yard setback is 15 feet		The setback from the property line to the first-story deck is five and a half feet, the setback from the property line to the home is 15 feet.	
Building Height			
CV Regulation		Existing	Proposed
27'-0"		N/A	27'-0"
Lot Coverage			
Sufficient space for required parking		Not applicable. Parking is required off-site.	
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 or 216 sq. ft	Existing Open Space: 100% of lot or 2,016 sq. ft.
		Proposed Open Space: 10 % of lot or 216 sq. ft.	
Floor Area		Existing	Proposed
First Story Floor Area		-	1,065 sq. ft.
Second Story Floor Area		-	927 sq. ft.
Second Story Deck – 150 sq. ft. exception		-	7 sq. ft (157-150)
Total Floor Area			1,999 sq. ft.
Parking			
	Required	Existing	Proposed

Residential (from 1,501 up to 2,000 sq. ft.)	2 spaces total 1 covered 1 uncovered	- - -	0 spaces total 0 covered 0 uncovered
Underground Utilities – required with 25% increase area		Yes, required	

DISCUSSION

Currently, 322 Capitola Avenue is a vacant lot, one of only two in the Central Village neighborhood. The other vacant lot is located at 329 Cherry Avenue and is also under review of a separate permit for a new single-family home. There are several other parking lots in the village that do not have structures, including as the Capitola Theater site on Monterey Avenue.

The Village is one of Capitola’s original settlement areas. Capitola Avenue is a primary thoroughfare for the Village with a high level of pedestrian and vehicle traffic. The properties in the vicinity are a mix of residential, commercial, and public facilities. The Capitola General Plan and the Central Village zoning district purpose statement each identify the area as a residential/commercial mix that contributes to the uniqueness of the village.

The applicant is proposing to construct a new two-story, single-family home with a reverse floorplan. The first story contains two bedrooms, two bathrooms, and a laundry room. The second story contains a bedroom, bathroom, kitchen, living, and dining room.

The exterior design of the proposed single-family residence features stucco siding on the first floor and board and batten siding on the second story. A second-story deck overlooks Capitola Avenue and extends over the entryway creating a partially covered porch. The deck railing has tempered glass and metal guardrails.

Parking

The property is subject to special Central Village parking requirements of §17.21.120(C), as follows:

C. Required parking for new users shall be provided at sites outside the village area, but within walking distance or at remote sites served by a shuttle system; exceptions to permit onsite parking may be made for:

- 1. Non-historic structures in residential areas bounding the central commercial district of the village.*

This parking standard originated in Capitola’s Local Coastal Program LCP from Policy I-1 Implementation B (Attachment 5). The LCP includes a map identifying the properties in the central commercial district, which includes 322 Capitola Avenue (Attachment 6). Because 322 Capitola Avenue is in the central commercial district and not in the residential area bounding the district, the development is required to provide parking at a site outside the village area, but within walking distance or a remote site served by a shuttle system.

This unique parking standard was created within LCP Policy I-1 to maintain and enhance access to Capitola beach, village, and wharf. Onsite parking at 322 Capitola Avenue would have negative impacts on the pedestrian experience and on-street parking. A new curb cut to create onsite parking for the development would result in the loss of up to two on-street parking spaces. Also, the site is located on a heavily utilized pedestrian sidewalk that connects the village parking lots to the village, beach, and wharf. Introducing a new curb cut to the site will create a safety hazard for pedestrians. Allowing the incremental introduction of curb cuts in the village will have a negative impact on village character and the visitor experience.

Prior to submitting an application, staff met with the developer and designer and raised concerns for onsite parking. Staff recommended that the applicant provide parking for 322 Capitola Avenue off-site. In this recommendation, staff also advised the applicant to limit to the intensity of the development on 322 Capitola Avenue due to the existing parking challenges in the village. The developer followed the recommendation to limit the intensity of the use. The development of a 1,999-square-foot home is the maximum size single-family home that can be developed on the site without triggering a third parking space.

The 1,999-square-foot single-family home is required to provide two parking spaces, one covered and one uncovered. To comply with §17.21.120(C), the developer is required to provide the two parking spaces off-site. The applicant is requesting a variance for parking, with no parking proposed either on-site or off-site.

If the Planning Commission grants the variance to parking (Option 1), the residents will be eligible for the Village Parking Program. Homes with no parking that are occupied by full-time residents are eligible for two village parking permits. Vacation homes are eligible for one village parking permit.

Variance

The applicant is seeking approval of a variance to the required offsite parking. Pursuant to Capitola Municipal Code Section §17.51.130(A)(2) the minimum parking requirement for a single-family residential unit between 1,501 and 2,000 square feet is two parking spaces, one of which must be covered. Section 17.21.120(C) of Capitola Code requires new parking uses in the Central Village zoning district to be located outside of the village area, but within walking distance or at remote sites served by a shuttle system.

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

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

The property at 322 Capitola Avenue is located in the Central Village neighborhood, an area with a history of deficient parking capacity and limited development allowances as a result. The applicant is required to provide off-site parking in an area outside the village within walking distance. The special circumstance applicable to the subject property is the unique location and surroundings, within the central commercial core of the village, an area of high pedestrian use and limited curb cuts. The special circumstances, however, support the requirement for off-site parking, as required.

The grant of a variance to not require any parking for the development would constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. Staff surveyed the residential uses within the commercial core of the village and found residential developments have been built with parking, typically onsite. For instance, two projects were completed in 2007 at 207 Monterey Avenue

(three residential units and one commercial unit) and 112 Capitola Avenue (2 residential units and one commercial) that share an alleyway with ingress and egress easements to onsite parking. It should be noted that existing structures are subject to different standards and may build up to a 10 percent addition without required parking.

The Planning Commission has several options in considering the variance.

Option 1. Grant the variance to the off-site parking requirement and allowed the single-family home to be built within no parking.

Option 2. Deny the variance and require the applicant to provide off-site parking. Within this option, the applicant would be required to provide parking for 322 Capitola Avenue off-site.

Option 3. Grant a variance to allow on-site parking and required the applicant to provide parking on-site. Within this option, up to two on-street parking spaces would be removed and a new curb-cut would be introduced along a heavily traveled sidewalk.

Option 4. Continue the application and recommend City Council consider allowing new residential development to participate in the in-lieu parking fee program. An in-lieu parking program exists but is limited to hotel development. (Attachment 4)

Staff recommends Option 2, to deny the application and require the developer to provide parking off-site for the new single-family home. Parking in the village is a challenge and development should not be permitted that does not provide any parking.

The Planning Commission cannot require the applicant to provide parking at 329 Cherry Avenue because the ordinance specifies required parking must be provided *outside the village*. However, if the applicant preferred to provide off-site parking at the Cherry Avenue location, the Planning Commission could consider a variance to the requirement that off-site parking be located *outside the village*.

If the applicant chose to provide the required parking for 322 Capitola Avenue on the lot at 329 Cherry Avenue, the Planning Commission could make a finding that the strict application of the title deprives the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The code specifies that the applicant is required to provide parking *outside the village*. Other developments within the central commercial core have been developed with parking *within the village*.

CEQA

Section 15303(a) of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone. This project involves construction of a new single-family residence subject to the C-V (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project

RECOMMENDATION

Staff recommends the Planning Commission **deny** project application #18-0628 and direct the applicant to provide off-site parking for the development at 322 Capitola Avenue.

In the event the Planning Commission supports the application, Findings and Conditions for Approval are included as Attachment 7, with placeholders for the Planning Commission to make specific findings supporting the variance.

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. Without a variance for the required offsite parking, the proposed single-family residence does not comply with the development standards of the CV (Central Village) District. Therefore, the project does not secure 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 construction of a new single-family residence. The design of the home, with board and batten second-story siding, doorway overhangs, gable roof, and a scaled relationship between neighboring buildings, 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 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 in a residential zone on a legal parcel. This project involves the construction of a new single-family residence within the CV (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

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

There are no special circumstances applicable to the subject property that would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

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

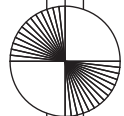
The grant of this variance would constitute a special privilege because other parcels in the vicinity and zone in which the subject property is situated are required to provide off-site parking.

ATTACHMENTS:

1. 322 Capitola Avenue - Full Plan Set - 03.29.2019
2. 322 Capitola Avenue - Streetscape - 03.28.2019
3. Central Village Design Guidelines
4. I-33 In-Lieu Parking Fee Program
5. Village On-site Residential Parking - 02.07.19 Memo
6. LCP Exhibit B Village Residential Overlay Zones
7. 322 Capitola Avenue - Conditions of Approval - Findings - Coastal Findings

Prepared By: Sean Sesanto

BARBIC RESIDENCE



GENERAL INFORMATION:	
SITE AREA	ZONE
2,460 SQ. FT.	CV
BUILDING	
RECEIVED	1,824 SQ. FT.
2ND FLOOR	867 SQ. FT.
SUB-TOTAL	1,992 SQ. FT.
TRUCK DRIVE	2,148 SQ. FT.
1ST FLOOR DECK	188 SQ. FT.

CODE ANALYSIS:
 THE DESIGNER HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THE BUILDING MEETS THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE (CBC) AND THE CALIFORNIA FIRE MARSHAL'S BUREAU (CFM) BUILDING CLASSIFICATION TYPE: 1-A
 FIRE RATING: STRUCTURED

THE DESIGNER MUST BE NOTICED OF ANY DISCREPANCIES IN THIS DOCUMENT AND/OR ERRORS FROM THESE DOCUMENTS. THE DESIGNER IS NOT RESPONSIBLE FOR ANY DISCREPANCIES OR ERRORS RESULTING FROM THEIR UNAUTHORIZED USE OF THESE DOCUMENTS WITHOUT THE WRITTEN CONSENT OF DENNIS NORTON PROJECT PLANNING.

PAGE	TITLE
1	COVER SHEET, PROJECT INFO
2	SITE PLAN
3	FLOOR PLAN
4	FLOOR PLAN
5	ROOF PLAN
6	SECTION

REVISIONS

DRW: DENNIS NORTON
 1280 41ST AVE STE 9
 CAPITOLA, CA 95010
 TEL: 438-5252

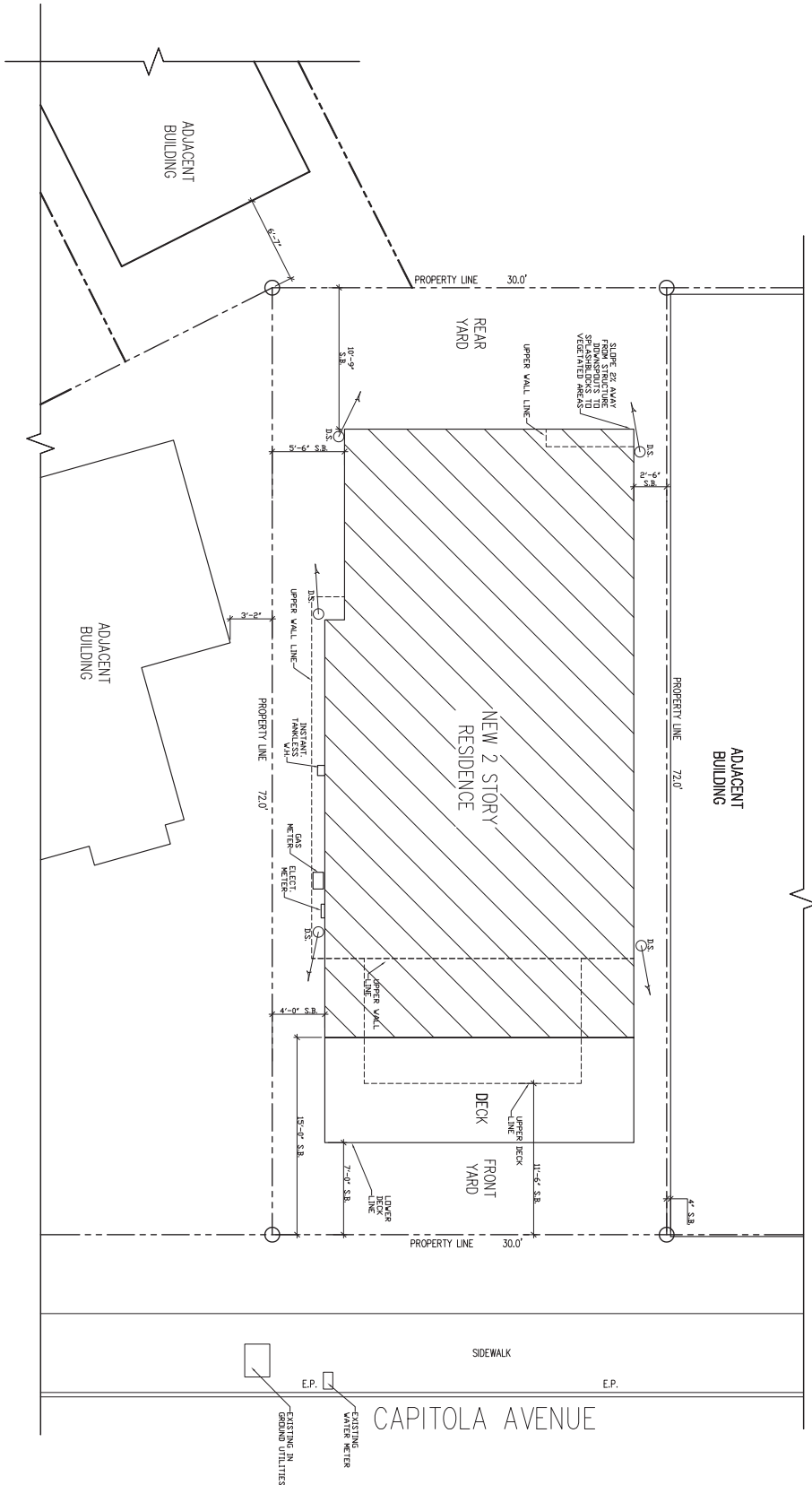
BARBIC RESIDENCE
 322 CAPITOLA AVE.
 CAPITOLA, CA 95010
 APN 035-181-16

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

COVER SHEET
 LEGEND OF SHEETS

DATE: 01/07/19
 JOB NO: CAP 322
 DRAWN: CG

1
 SHEET
 OF 4
 SHEETS



NOTE:
FEMA FLOOD
ELEVATION 18.5

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



DATE	03/28/19
JOB NO.	322 CAP
SCALE	1/4"=1'-0"
DRWN	GG

SITE PLAN	
2	SHEETS

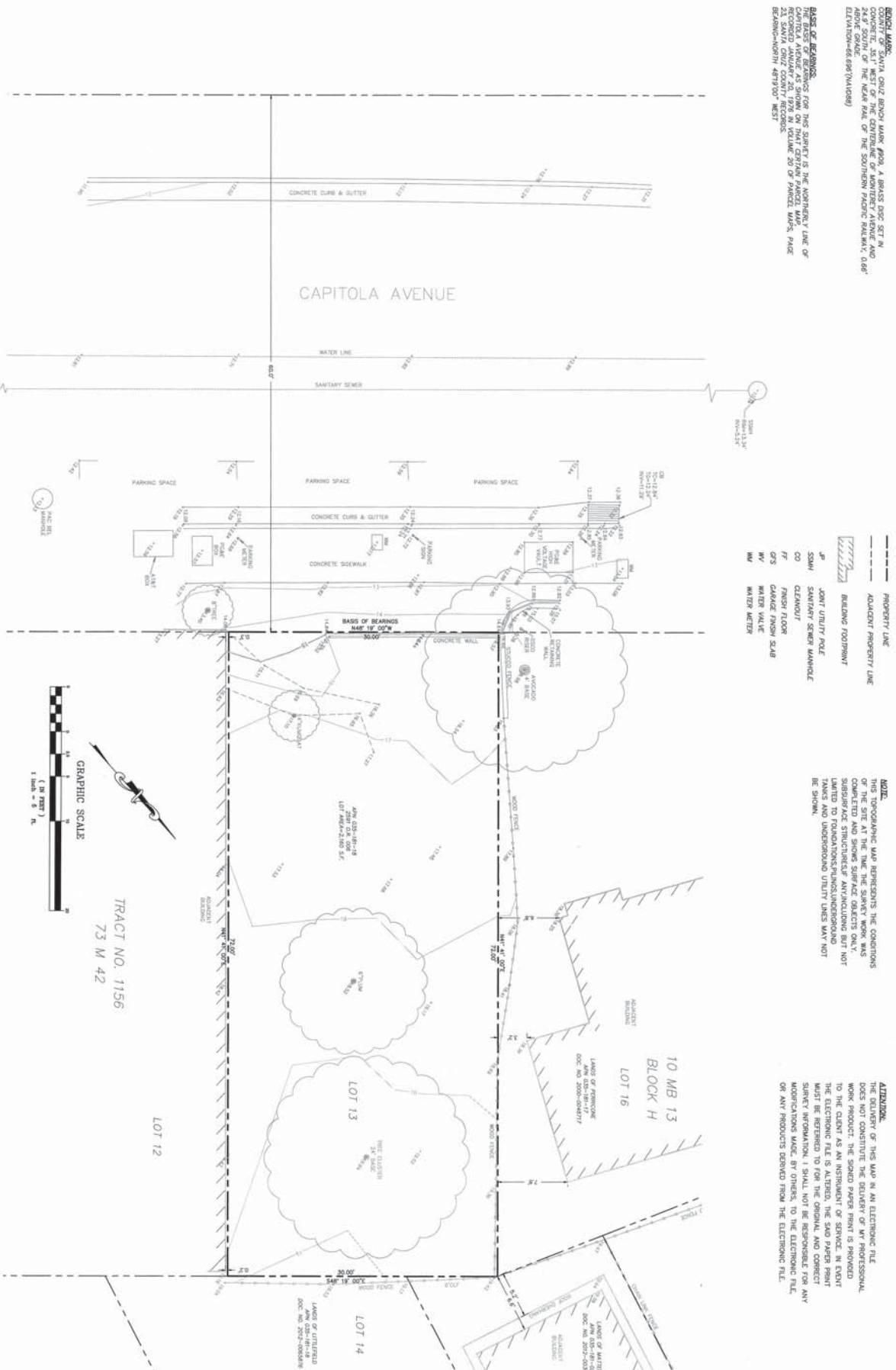
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

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

BARBIC RESIDENCE
322 CAPITOLA AVE.
CAPITOLA, CA 95010
APN 035-181-16

PERM. NO.	1280 457 AVE SITE 0
DATE	03/28/19
APN	035-181-16
PROJECT	BARBIC RESIDENCE

REVISIONS	BY



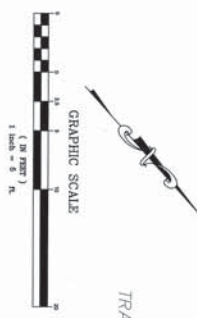
BENCH MARK:
 COUNTY OF SANTA CRUZ BENCH MARK #2008, A BRASS DISC SET IN CONCRETE, 3.51' WEST OF THE CENTRAL LINE OF MONTEZUMA AVENUE AND 4.00' ABOVE GRADE. THE NORTH END OF THE SURVEYING PEGS, BURNING, 0.66' ELEVATION=66.696' (NAD83)

BASE OF BEARINGS:
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH-SOUTH LINE OF CAPITOLA AVENUE AS SHOWN ON THE CERRITOS PARCEL MAP AND THE NORTH-SOUTH LINE OF THE SOUTHWEST CORNER OF PARCEL MAPS, PAGE 23 SANTA CRUZ COUNTY RECORDS, BEARING-NORTH 48°39'00" WEST

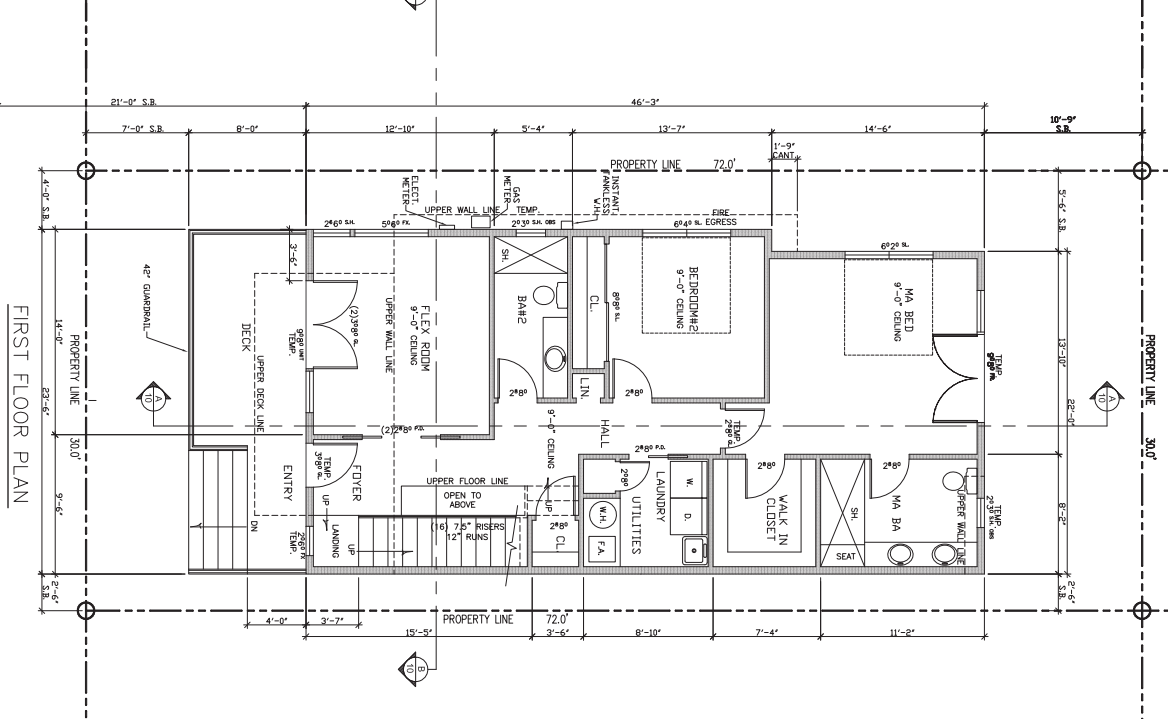
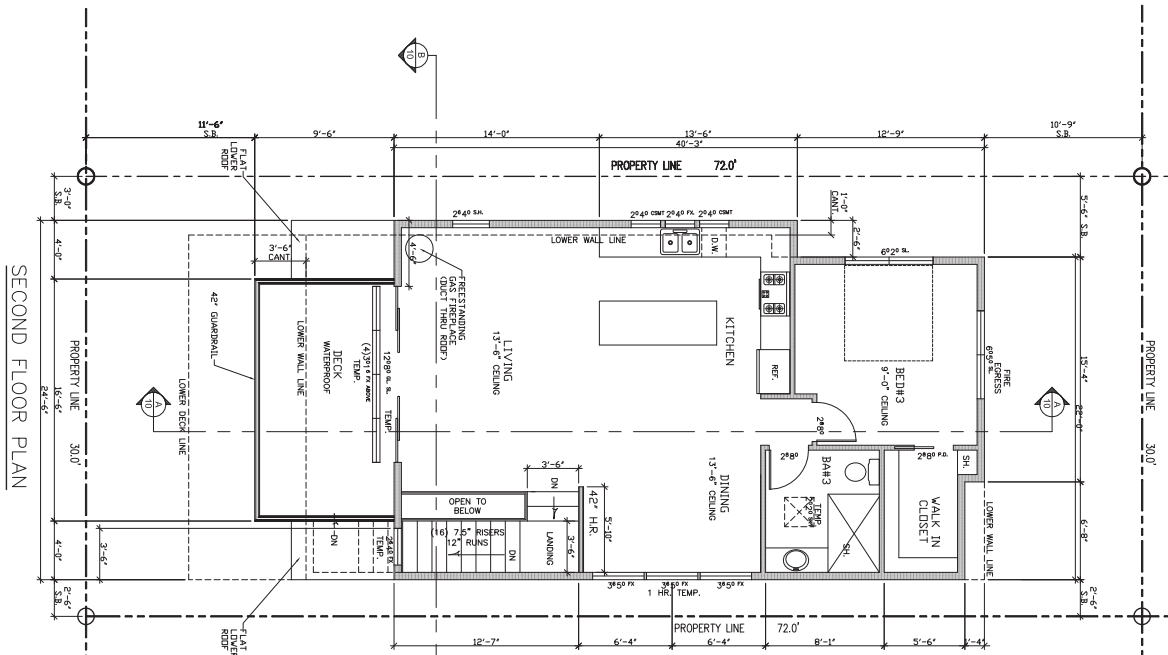
- LEGEND:**
- PROPERTY LINE
 - - - ADJACENT PROPERTY LINE
 - ▨ BUILDING FOOTPRINT
 - ▧ JOINT UTILITY POLE
 - SMW SANITARY SEWER MAINWALK
 - CO CLEANWALK
 - FF FINISH FLOOR
 - GFS GARAGE FINISH SLAB
 - WV WATER WALK
 - WM WATER METER

NOTE:
 THIS TOPOGRAPHIC MAP REPRESENTS THE CONDITIONS COMPLETED AND SHOWN SURFACE OBJECTS ONLY. SUBSURFACE STRUCTURES, ANY UNDERGROUND TANKS AND UNDERGROUND UTILITY LINES MAY NOT BE SHOWN.

ATTENTION:
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SHEET 1	OF 1 DATE JUNE 2018 K18025	BOUNDARY & TOPOGRAPHIC SURVEY FOR: JEFF PUTNEY 322 CAPITOLA AVENUE, CAPITOLA, CA 95010 APN 035-181-18	KEVIN SMITH LAND SURVEYING 	KEVIN SMITH LAND SURVEYING 111 DELLVIEW AVENUE SANTA CRUZ, CA 95062 (831) 588-0154	8-31-18 DATE KEVIN M. SMITH, P.L.S. 9237	
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CAPITOLA AVENUE

FLOOR PLAN

PROPOSED FLOOR PLAN

4

DATE: 03/28/19

JOB NO. 322 CAP

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

DATE: 03/28/19

PROPOSED FLOOR PLAN

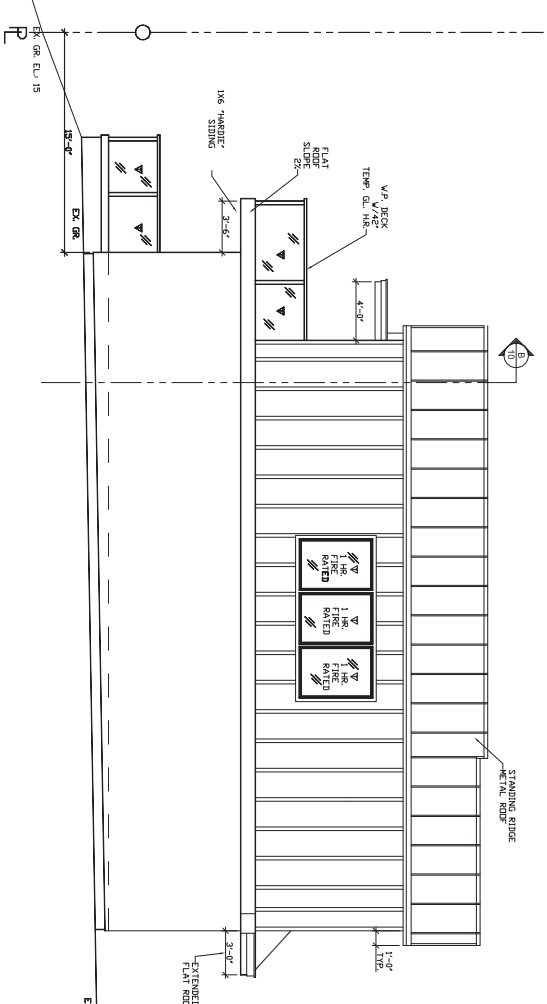
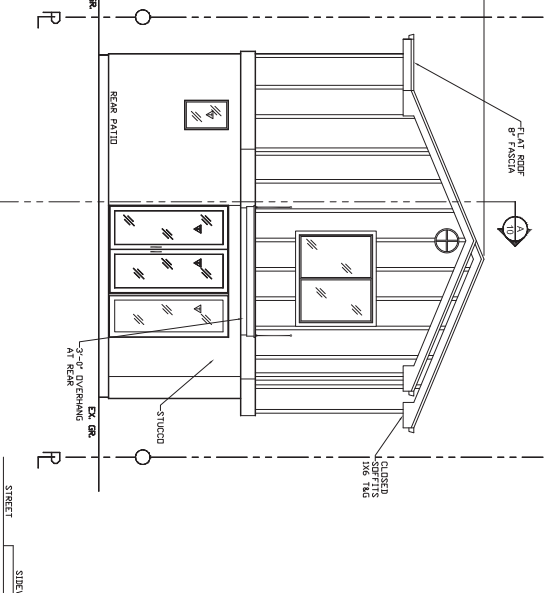
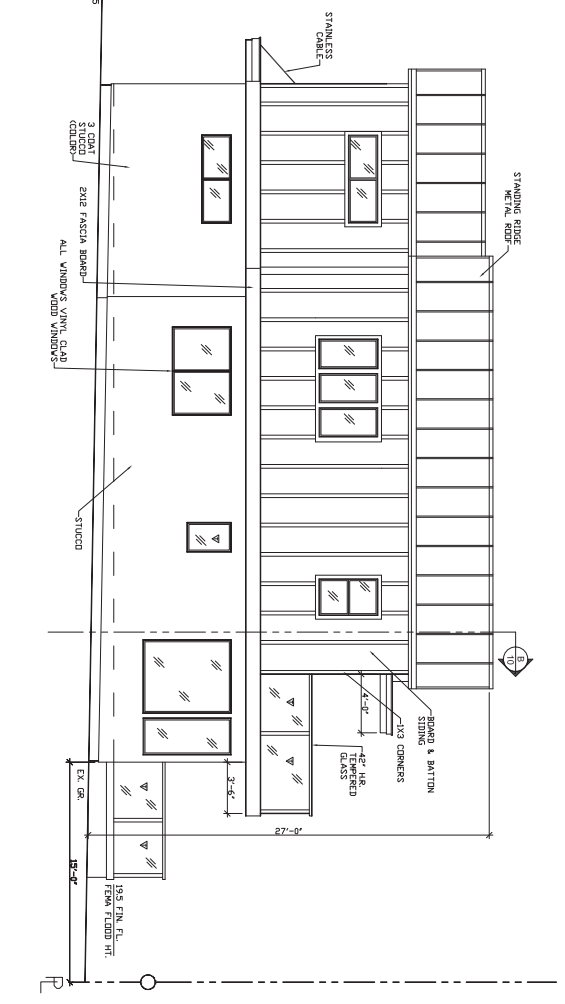
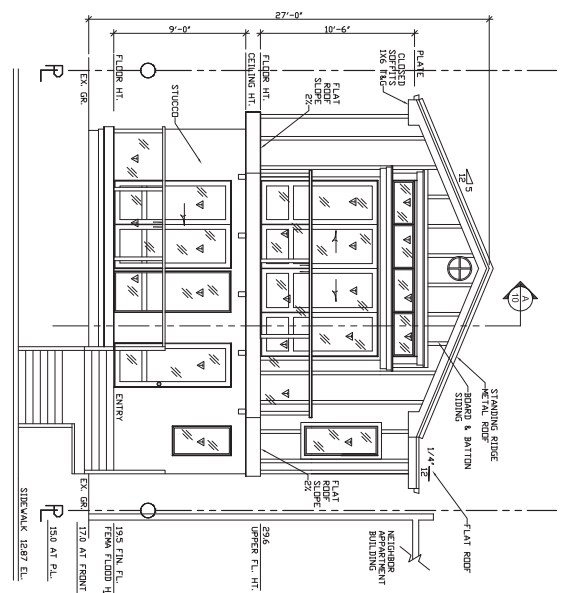
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

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

BARBIC RESIDENCE
322 CAPITOLA AVE.
CAPITOLA, CA 95010
APN 035-181-16

PER BARBIC RESIDENCE
1280 45TH AVE STE 0
CAPITOLA, CA 95010
CITY OF CAPITOLA
03/28/2019

REVISIONS	BY	DATE



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

5
SHEETS

ELEVATIONS

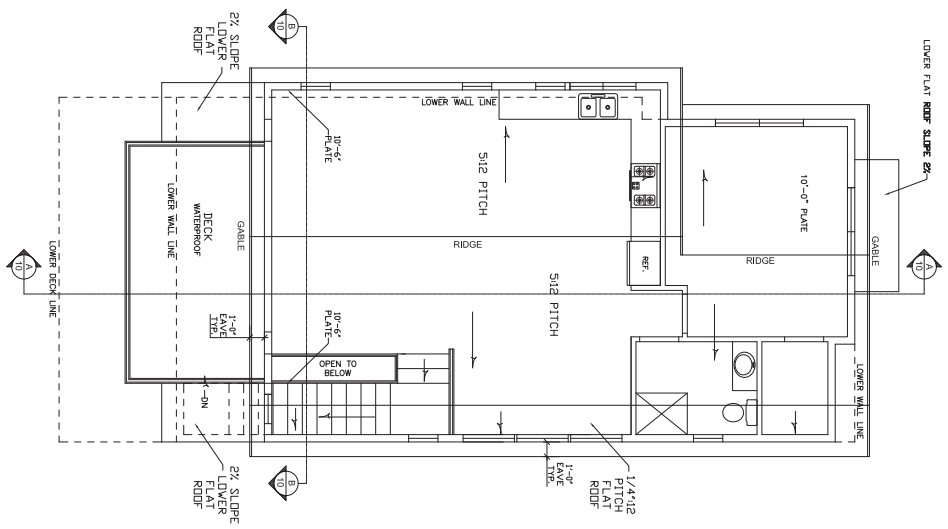
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

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

BARBIC RESIDENCE
322 CAPITOLA AVE.
CAPITOLA, CA 95010
APN 035-181-16

PERMITS/REVISIONS
1280 41ST AVE STE 9
CAPITOLA, CA 95010
831 476 2616

REVISIONS



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

DATE	01/09/19
JOB NO.	322 CAP
SCALE	1/4"=1'-0"
DRAWN	CG

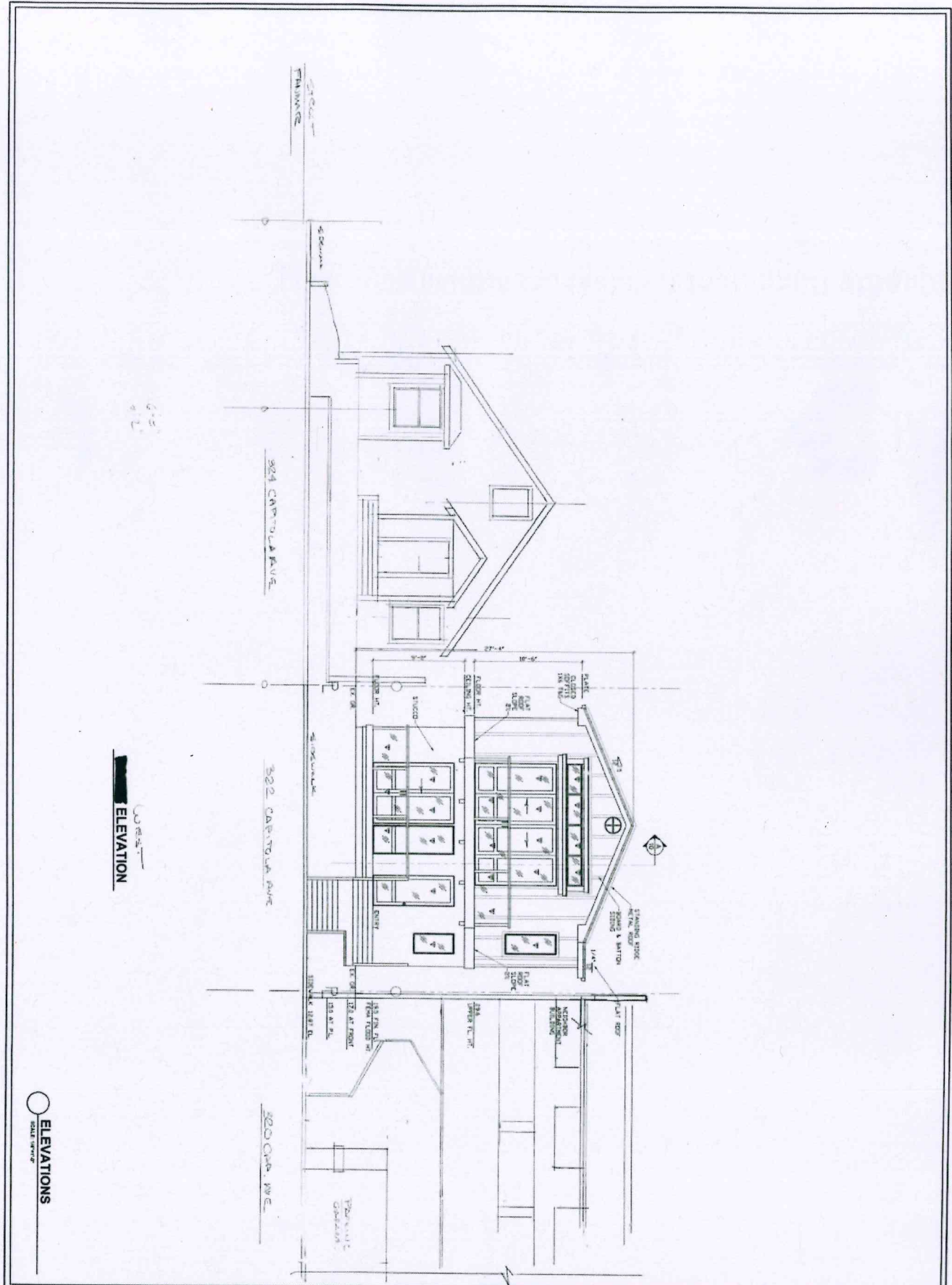
ROOF PLAN

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

BARBIC RESIDENCE
322 CAPITOLA AVE.
CAPITOLA, CA 95010
APN 035-181-16

REVISIONS	
NO.	DESCRIPTION

PER BARBIC RESIDENCE
1280 41ST AVE STE 9
CAPITOLA, CA 95010
322 CAPITOLA AVE
CAPITOLA, CA 95010

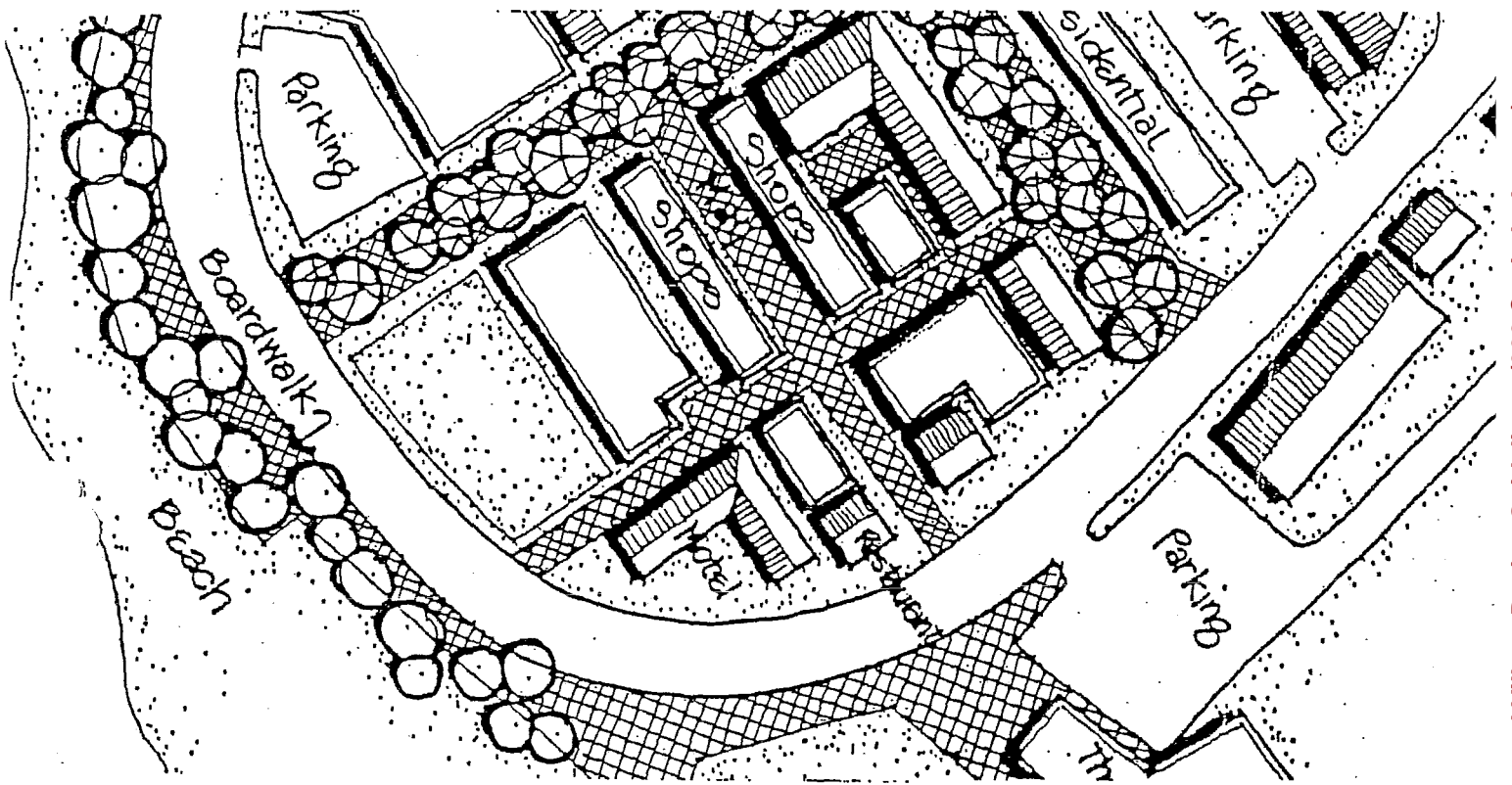


ELEVATION

ELEVATIONS

5	ELEVATIONS	DENNIS NORTON HOME DESIGN AND PROJECT PLANNING <small>210 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010 PHONE: 831.475.2616 FAX: 831.475.2618 WEBSITE: www.dennisonortondesign.com</small>	BARBIC RESIDENCE 322 CAPITOLA AVE. CAPITOLA, CA 95010 APN 035-181-16	<small>DATE: 01/28/13 SCALE: 1/4"=1'-0" DRAWN BY: DENNIS NORTON CHECKED BY: DENNIS NORTON</small>
	<small>DATE: 01/28/13 SCALE: 1/4"=1'-0" DRAWN BY: DENNIS NORTON CHECKED BY: DENNIS NORTON</small>			<small>DATE: 01/28/13 SCALE: 1/4"=1'-0" DRAWN BY: DENNIS NORTON CHECKED BY: DENNIS NORTON</small>

CENTRAL VILLAGE DISTRICT



Design Guidelines & Development Processing

Attachment: Central Village Design Guidelines (322 Capitola Avenue)

CAPITOLA VILLAGE

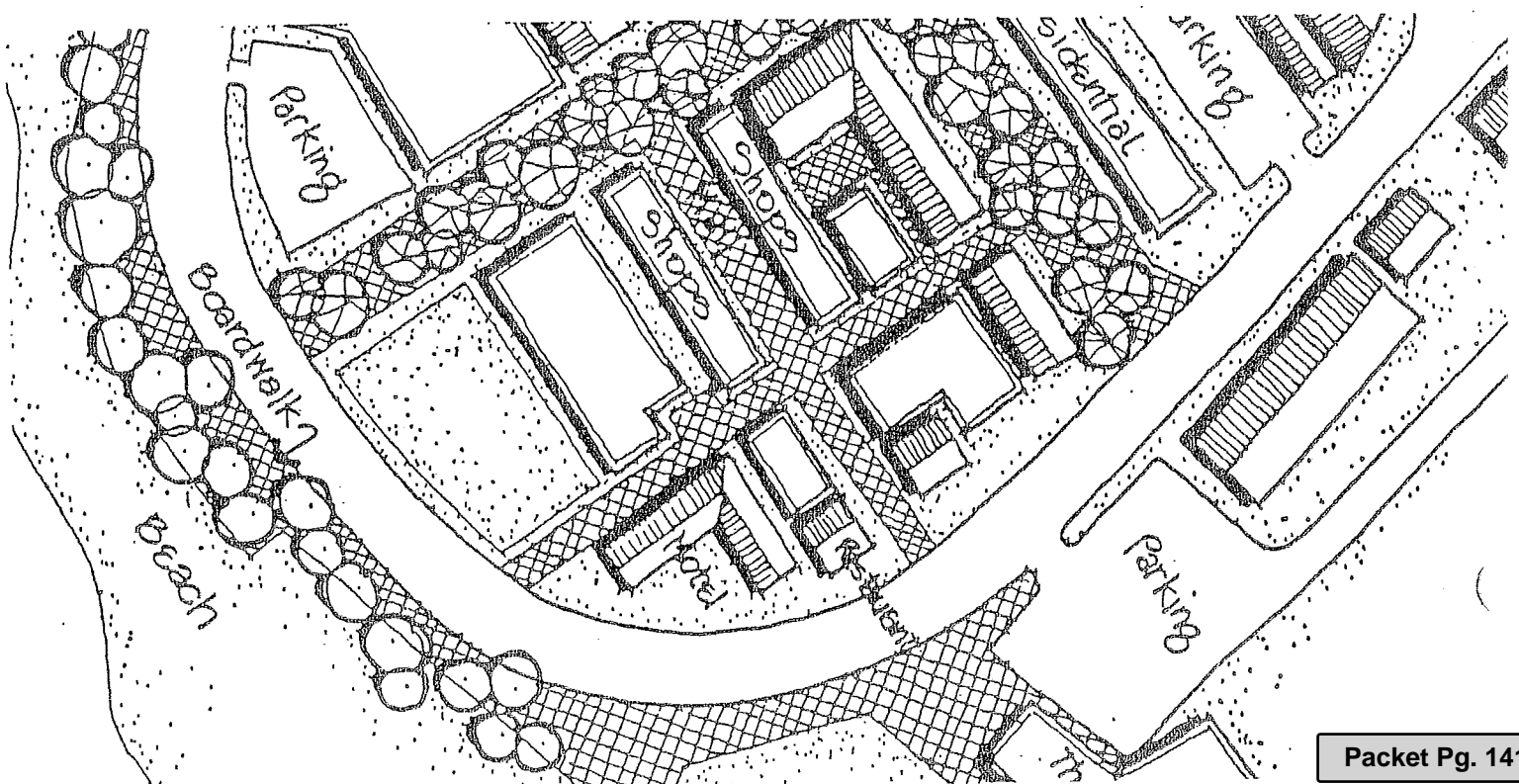
Development Design Guidelines

Central Village Zoning District

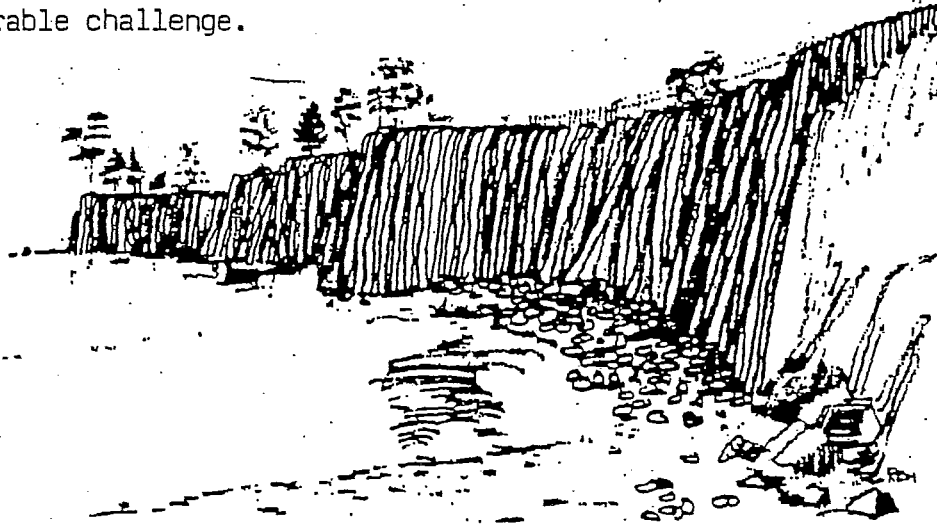
INTRODUCTION

Capitola Village is a special community. One of the oldest seaside resorts in California, the Village has retained its charming, small, intimate and human scale. The visual and aesthetic appeal of the Village lies in the combination of its distinctive natural setting and the scale, variety, and interest of its buildings and landmarks. The Village functions as a resort area during the summer and community for Capitola during the winter. Upper floors of commercial buildings are often in residential use. This mixture of commercial and residential uses in the small compact Village is an important element of the character of the Village.

It is easy to take the charm of the Village for granted, but the impact of each new increment must be evaluated regarding its effect on the overall character of the Village. For example, the natural setting of the Village, the bluffs, beach, and river that are community landmarks and integral elements of its appearance. This resource will be lost if it is visually obscured or encroached upon by new development. Cultural landmarks such as unique or historical structures or public open spaces will, if not protected, be changed in time with a resulting loss to the aesthetic character of the Village.



While the community is largely built-out, its appearance remains in transition as business evolves and changes with the economy of the village. These fluctuations often are accompanied by modifications to commercial structures, and sometimes result in major renovations. Over time, the impact of these modifications can be significant to the appearance of the Village and illustrate the need for design controls. In addition, some new construction can be expected on remaining vacant parcels and catastrophies such as floods, fires, or earth quakes could result in major new structures. Finally, there are existing structures in the Village that detract from the overall appearance. Opportunities to remove, replace, or remodel these structures will enhance the aesthetic enjoyment of the community. In short, responding to these issues and guiding changes to the physical design of the Village in a way that maintains and enhances its visual and aesthetic qualities is a considerable challenge.



The City, in recognition of this need, has established and actively applies, a design review process through the Architectural and Site Review Committee, an advisory body to the Planning Commission made up of professionals in the design field. The committee reviews all proposals in the Village and other parts of the City, and works with applicants to improve proposed design and site plans. The guidelines that follow, have been developed cooperatively by the City of Capitola and the California Coastal Commission in order to supplement and support the existing design review process and to provide more specific guidance to design objectives in the Village. They are intended to apply equally to private and public construction of all kinds and also address the protection and enhancement of recognized community landmarks and natural features.



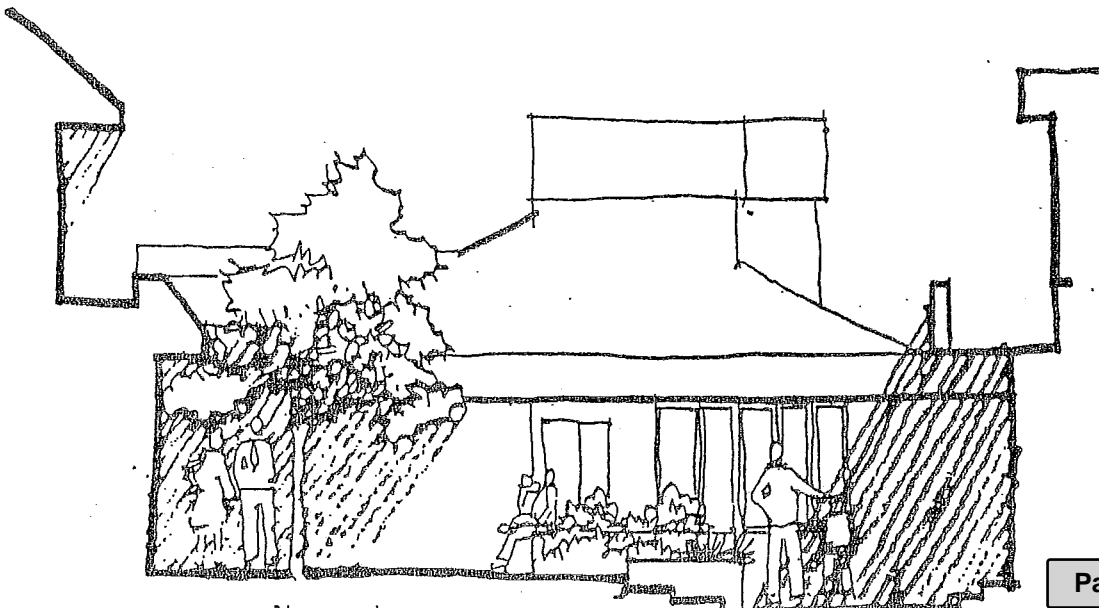
GUIDELINES

The following guidelines have been prepared by the CITY OF CAPITOLA to evaluate proposed projects in the Village area. The purpose of these guidelines is to promote excellence of development and maintain the unique character of Capitola Village (Section 17.63 of the Zoning Ordinance). The Committee will use this as a check list in reviewing public and private projects. Applicants should use the guidelines in designing and reviewing their own proposals. Certain design factors may have to be balanced with others in order to reach an optimal design. The Committee recommends the use of a design professional from the beginning of the process. The Committee seeks to be of assistance and will take a cooperative approach with all applicants; likewise, applicants are encouraged to proceed in this manner.

SITE PLANNING

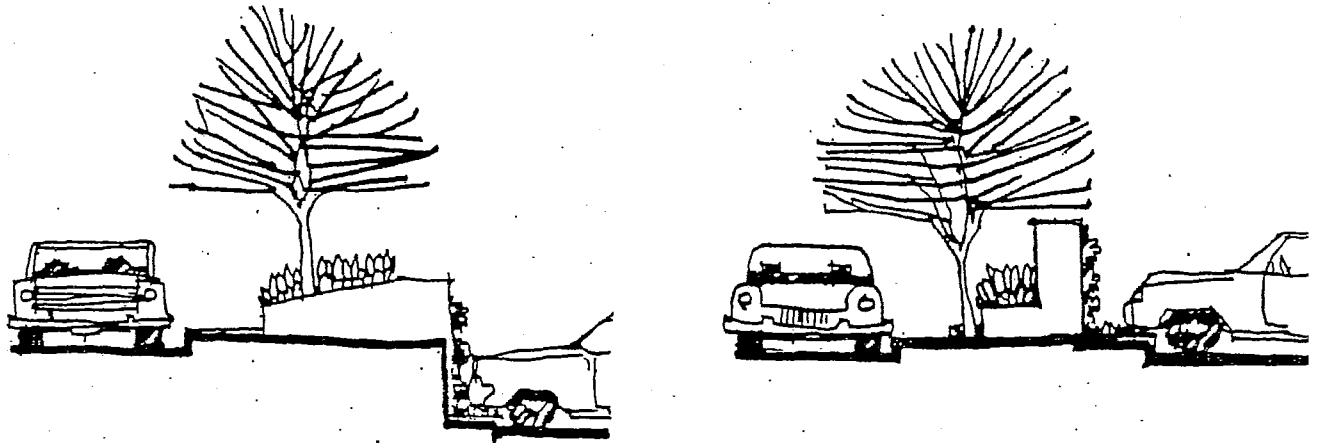
A. General Guidelines

1. Illustrate a design compatibility with the existing and planned character of the surrounding area and adjacent building. (Street-scape is important).
2. Create a development which is pleasant in character, human in scale, and facilitates easy circulation. Pedestrian orientation is important in the Village area.
3. Recognize views, climate, and nature of outside activities in the design of exterior spaces. Proportions are important aspects of design.
4. Insure in each step of a phased project that the design is complete in its functional, traffic, visual, drainage, and landscaping aspects wherever possible. Modifications of buildings require all materials, windows, etc., to be consistent.
5. Public and private historic landmarks, i.e. Venetian Court, Palm Tree, Stockton Avenue Bridge, shall be preserved.

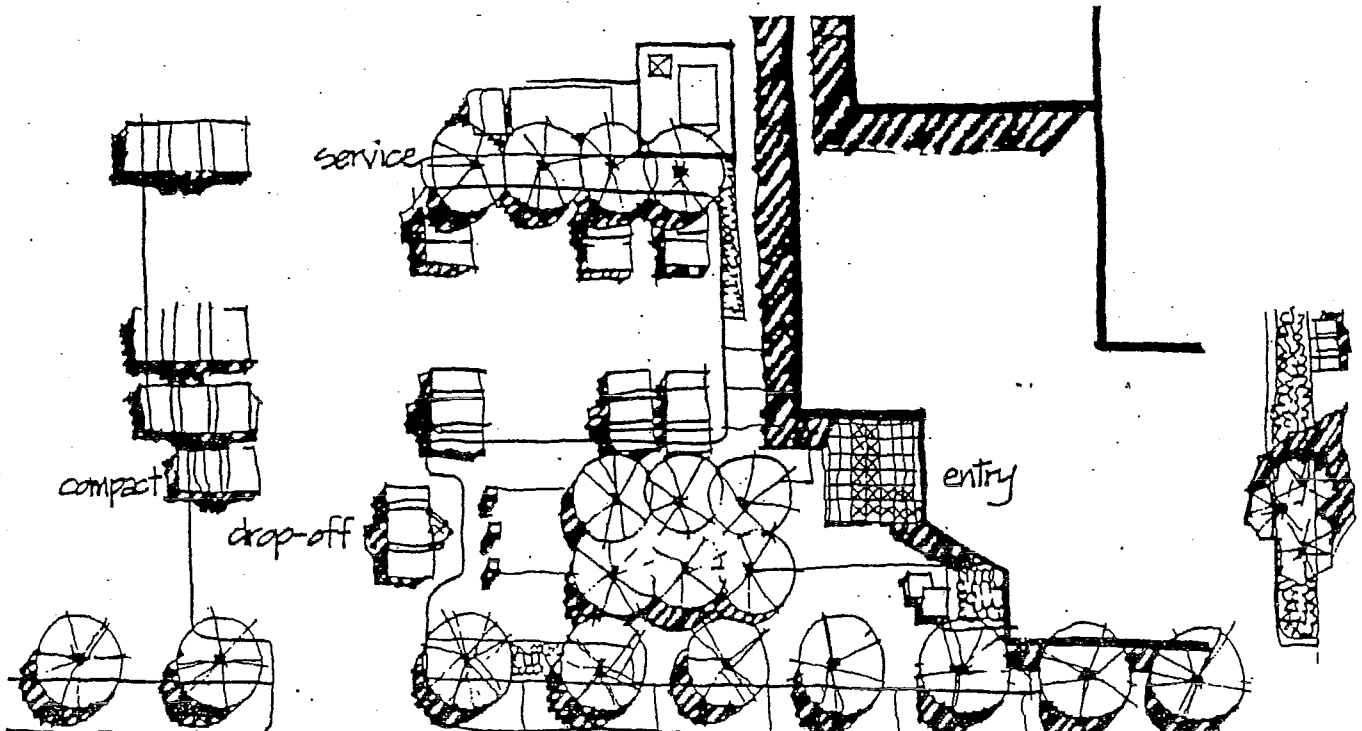


B. Buffering

1. Screen exterior trash and storage areas, service yards, loading docks, and electrical utility boxes, etc., from view of all nearby streets and adjacent structures in a manner that is compatible with building site design. Screen all roof equipment from public view.
2. Minimize the visual impact and presence of vehicles by generally siting parking areas to the rear or side of property rather than along the street frontages, utilizing underground parking and screening parking areas from views, both interior and exterior, to the site.
3. Minimize noise created by the proposed project (traffic use, etc.) that may negatively impact the surrounding area or residential uses.



Changes in grade, screens, and berms screen view of cars



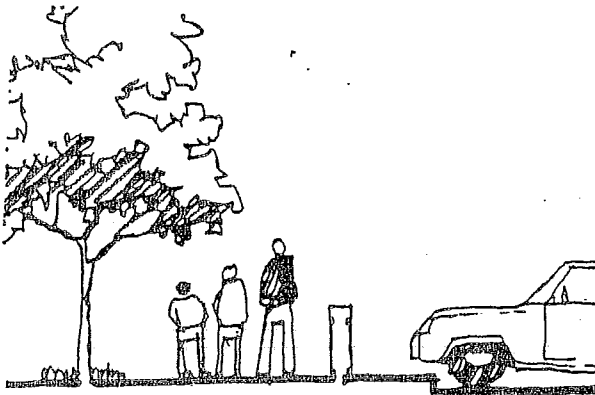
All site uses working without conflict and presenting a good image to the street

C. Grading

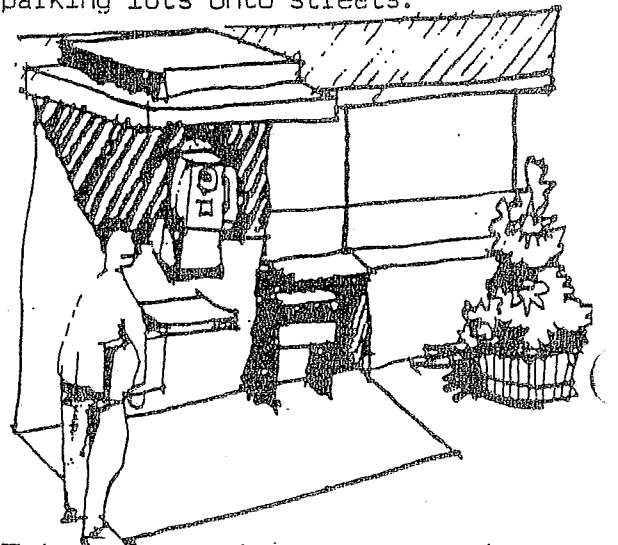
1. Insure that all on-site drainage patterns will occur on or through areas designed to serve this function. Avoid surface drainage over walkways.
2. Design drainage to be compatible with FLOOD CONTROL DISTRICT facilities.

D. Circulation

1. Create traffic patterns which minimize impacts on surrounding streets and property and accommodate emergency and delivery vehicles. Bicycle parking shall be provided.
2. Insure that the proposed project accommodates individuals with physical disabilities, via the provision of handicap parking stalls and ramps which meet state requirements.
3. Vehicles should not back out of parking lots onto streets.



Bollards can be used to delineate the separation of auto and pedestrian



Telephones and newspaper racks should be integrated with the architecture

E. Exterior Fixtures

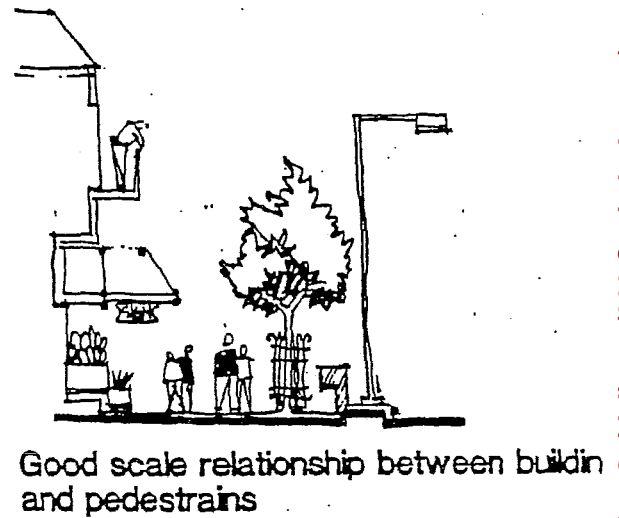
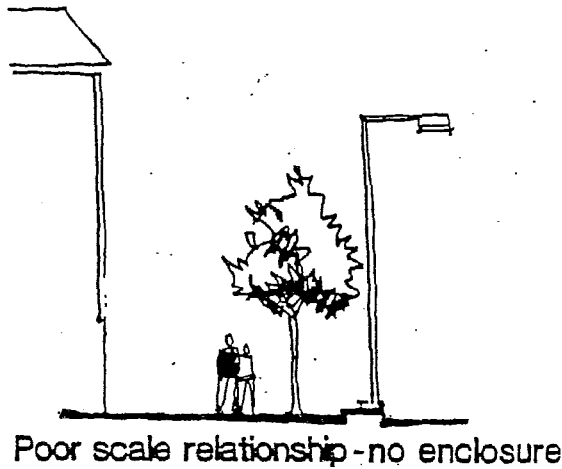
1. Exterior fixtures and other details (light fixtures, benches, railings, etc.) should be consistent with the overall design of the Village area and should be coordinated with the Public Works Director.
2. The use of surfaces for walkways, entrances, and patios should be a design feature of the building using other than plain concrete. Asphalt is not allowed for these uses.



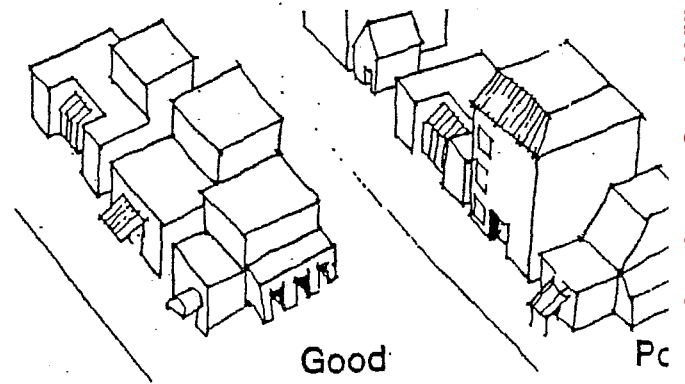
Site furnishings add life to the street

A. General

1. Create a design for small scale finely detailed pedestrian-oriented uses.
2. Coordinate exterior building design on all elevations with regard to color, materials, architectural form and detailing to achieve design harmony and continuity.
3. Promote building security and public safety. Buildings adjacent to public areas should create design elements which provide a pedestrian feeling, i.e. insets, cutouts, bay windows.



Examples of scale relationships between buildings

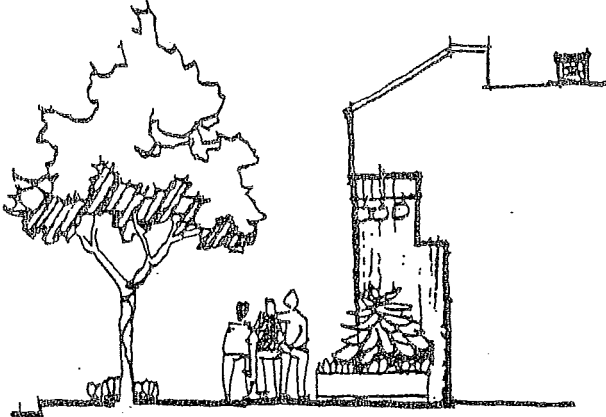


B. Building - Site Plan Relationships

1. Site buildings so as to avoid crowding and to allow for a functional use of the space between buildings. It may be desirable to exceed the ordinance setbacks for part of the building to create a pedestrian area.
2. Site buildings so as to consider shadows, changing climatic conditions, noise impacts, safety and privacy on adjacent outdoor spaces.
3. Building front widths should not exceed height of the building unless addressed in other design characteristics

C. Roof Design

1. Coordinate roof shape, color and texture with the treatment of the perimeter walls, if required.
2. Minimize roof penetration by grouping all plumbing vents and ducts together.
3. Solar collectors must be screened or incorporated into design features of the building.



Screening must be provided for all mechanical and electrical equipment, including roof units, as an integral part of building design to minimize impact on adjacent property users as well as on site development.



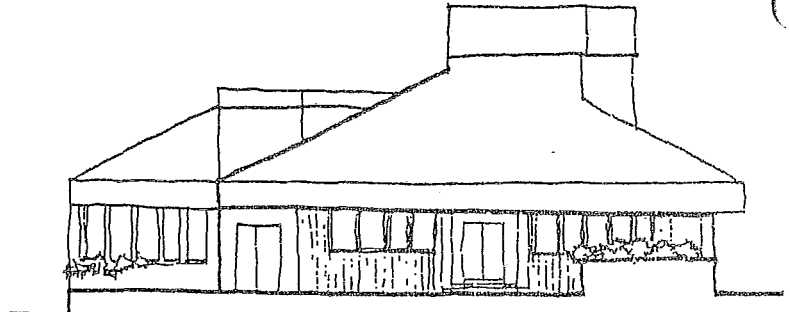
Compatible profiles with subtle variations in vernacular



Incompatible rooflines



Awnings shade building



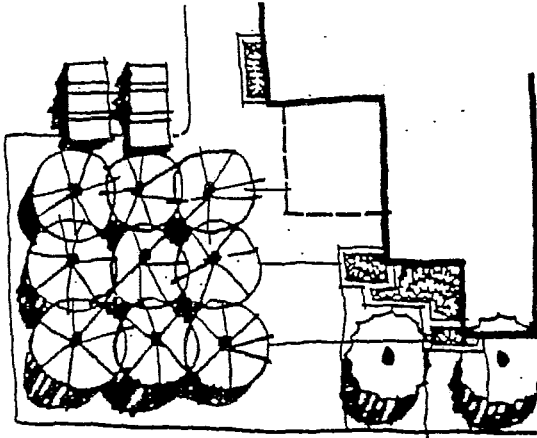
The roofline should be designed in conjunction with the sculptural form of the building

D. Window Design

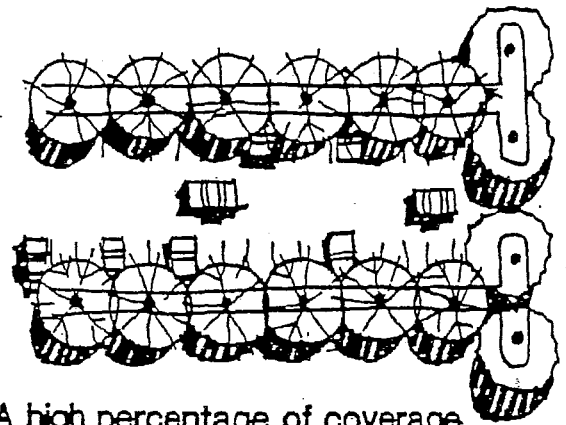
1. There is no specific limitation for windows, but they must be incorporated into the design feature of the building without dominating the building. The use of plain aluminum windows is discouraged as are large areas of mirrored or tinted glass.
2. Awnings - Awnings add color and shade to a building's facade. Cloth awnings are vulnerable to the elements and a condition of approval will be their replacement when they have shown wear. Awning must have an 8' clearance and obtain encroachment permits if they extend over sidewalk areas.

LANDSCAPINGA. General

1. Design landscaping is an integral part of the project to create a pleasing appearance from both within and off the site. Landscaping requirements in the Village are unique because of the special ocean climate and size of spaces.
2. Size all landscaping so that a mature appearance will be attained within three years of planting.
3. Use landscaping to soften hard edges where parking lots meet walls.

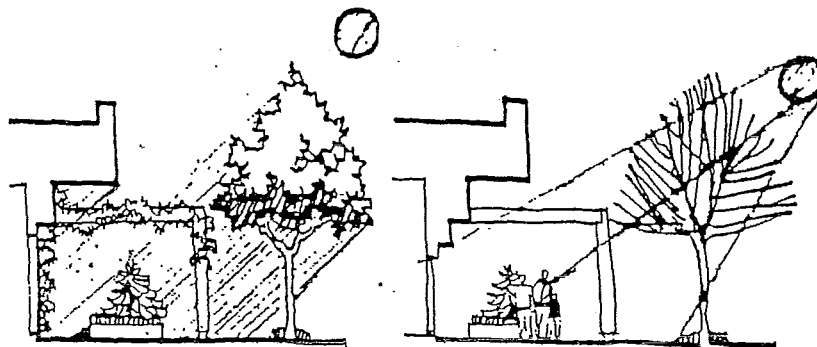


Massing of plant materials responds to architecture



A high percentage of coverage to reduce heat gain in parking areas

4. Provide landscaping adjacent to and within parking areas in order to screen vehicles from view and minimize the expansive appearance of parking areas.
5. In parking lots provide at least one 24 inch tree for each 4 parking spaces.
6. Provide an irrigation system for full coverage of the landscaping including planter boxes.
7. Plant landscaping in the ground as much as possible. Avoid planter boxes where possible.
8. Provide for long term maintenance of the landscaping. Agreement with the City will be required.

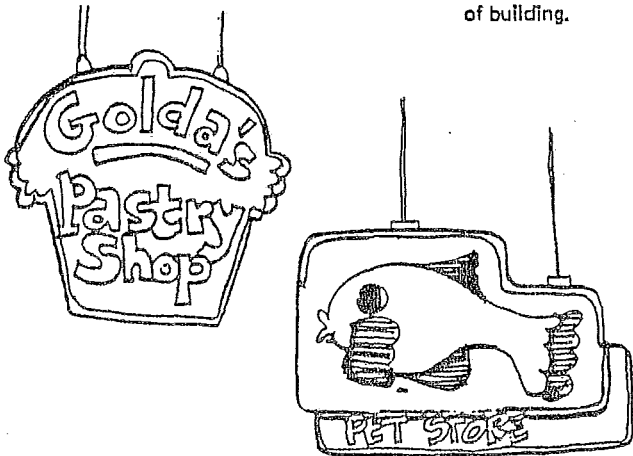


Deciduous tree and vine, arbor, and building overhang screen high summer, yet allow winter access

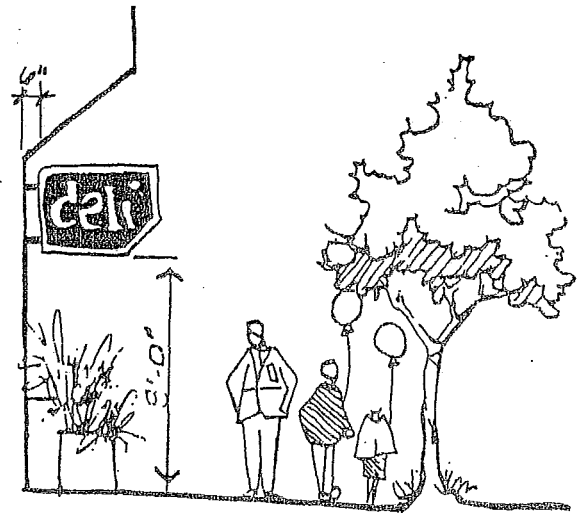
SIGNING

1. Relate all signs to their surroundings in terms of size, shape, color, texture, and lighting so that they are complimentary to the overall design of the building and are not in visual competition with other conforming signs in the area. Signs should be an integral part of the building and site design.
2. Arrange any external spot or flood sign lighting so that the light source is screened from direct view, and so that the light is directed against the sign and does not shine into adjacent property or distract motorists or pedestrians.
3. Sign programs will be developed for buildings which house more than one business. Signs need not match but should be compatible for the building and each other.
4. One menu box with a maximum of 2 square feet shall be allowed for each restaurant. The board design and materials shall be consistent with the materials and design of the building face.
5. If banners and flags are placed on a building they must be included and reviewed as part of the sign program.

Projecting signs should clear sidewalks by 8' - 0", and if attached to a wall should be mounted 6" minimum from face of building.



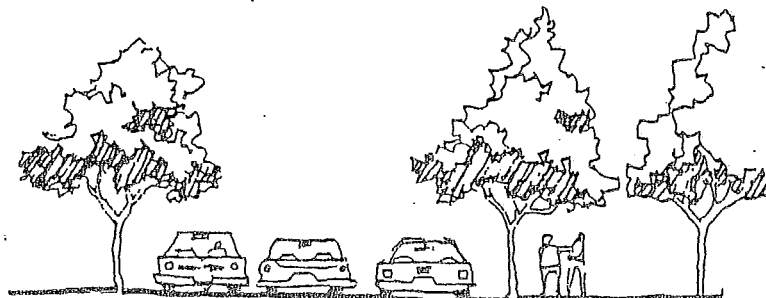
Character of sign offers information



Projecting sign

PARKING

1. Parking shall be provided for all new development or intensification of use.



Canopy trees shade parking reducing glare and heat gain

SPECIAL AREAS

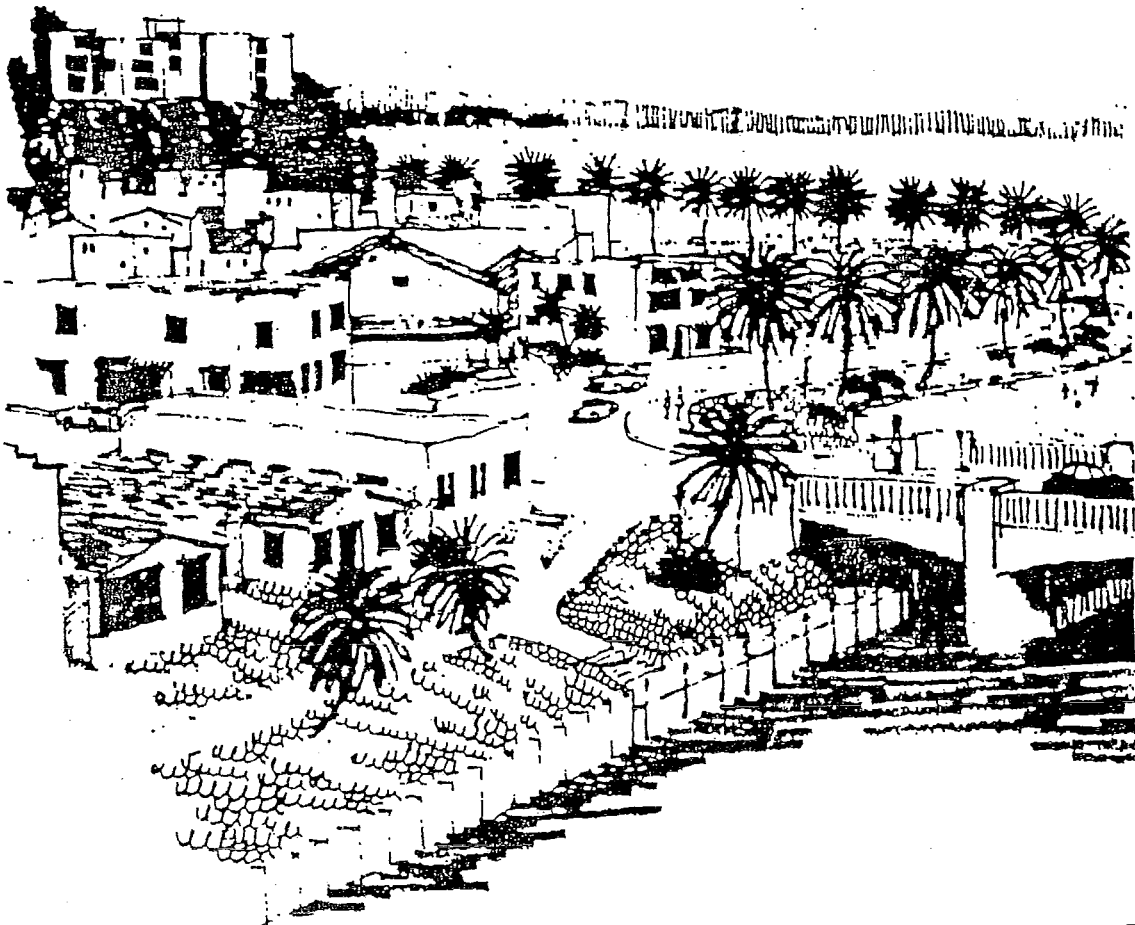
Capitola Village derives much of its character and charm from a combination of natural and cultural features that have distinct identity.

The bluffs that surround the Village and extend along the shoreline contribute to the definition of the Village in its strong natural setting. All new development should be planned and designed to be subservient to this natural setting -- to contribute to its preservation as a visual amenity.

A number of cultural areas, including specific structures, are located in the Village and serve as widely recognized landmarks. These should be protected as far as reasonably possible.

A. Esplanade

1. Coastal views between and from buildings shall be maintained and enhanced. New buildings shall be attractive from the beach as from the street. No signs shall be placed on the beach face of Esplanade structures. All roof mechanical equipment shall be screened or enclosed. Dish antennas will not be allowed. All trash areas shall be enclosed within the building or enclosed to avoid detracting from the area's aesthetic qualities and obstruction of pedestrian access.
2. The maximum height of Esplanade buildings shall be one-story or 20 feet. Second-story additions to existing buildings shall not be permitted.



RESIDENTIAL OVERLAY DISTRICTA. Six Sisters Houses

1. The Six Sisters are Capitola landmarks. The structures and site shall be maintained in their existing architectural and open appearance and residential use. Existing setbacks shall be maintained to preserve the uniform appearance of the structures.
2. The front yard areas on the Esplanade shall be maintained as open lawn areas. No more than 25 percent of the front yard area shall be paved or have an artificial surface. Any fences shall maintain the open appearance and shall not exceed a maximum of 42 inches in height.
3. No additional habitable living space shall be allowed.

B. Venetian Court

1. The units shall be used for residential use only.
2. Maintain existing exterior "fan" pattern stucco wall treatment and tile.
3. Maintain existing plaster urns and original rosette wall detail.
4. New and replacement windows shall be wood or bronze anodized aluminum with wood trim.
5. No roof decks shall be permitted.
6. Deck projections shall be a minimum of 7.5 feet above ground level.
7. Preferred materials are stucco, terra-cotta tile, wrought iron and glazed tile.
8. No additions to habitable living space shall be allowed.
9. Public right-of-way shall be maintained and there shall be no permits granted for structural encroachments.

C. Lawn Way

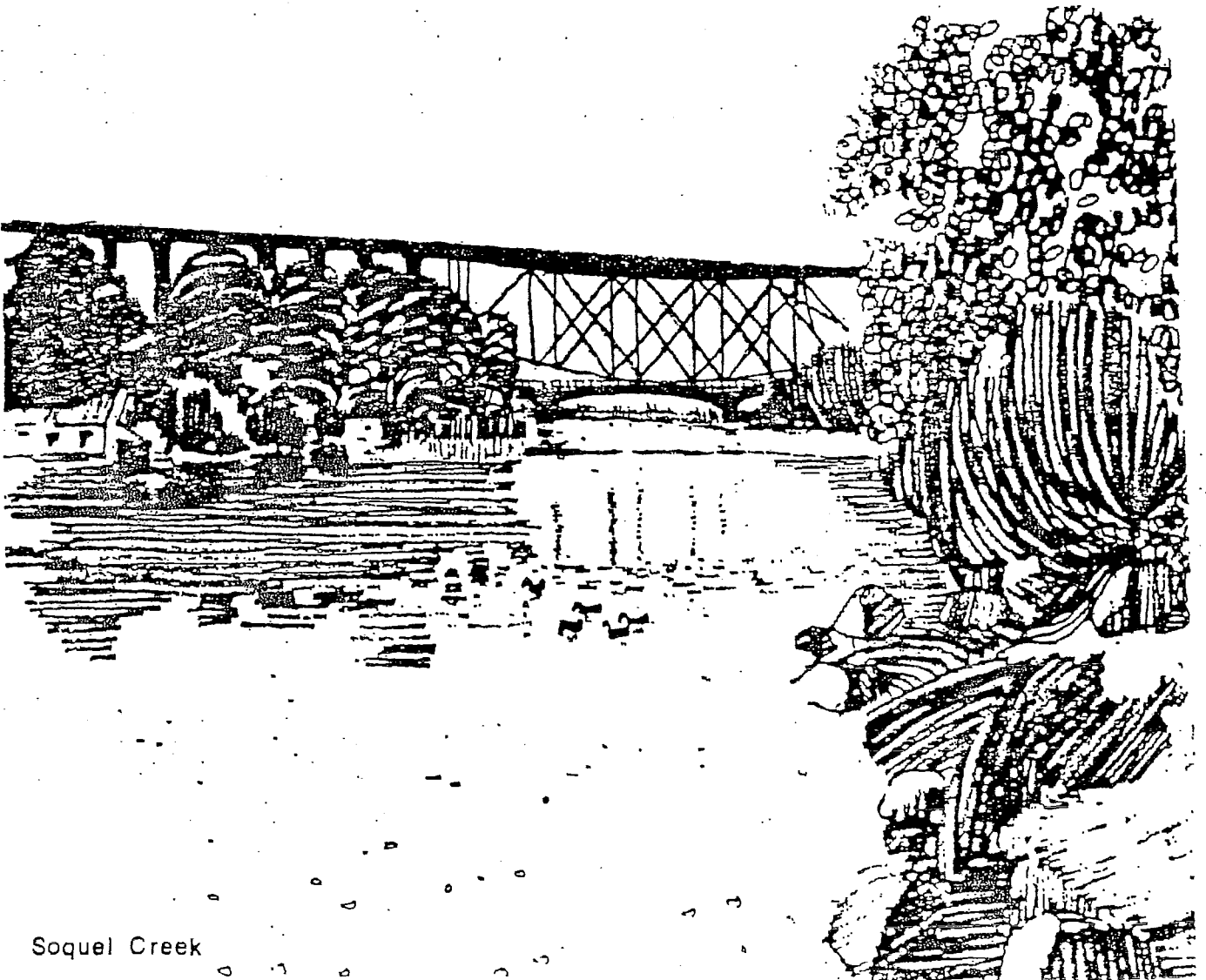
1. The residential use and character of the area shall be maintained. There shall be no conversion from residential to commercial for any structure which faces onto Lawn Way.
2. No structure shall increase the habitable area of the existing unit. The height of the structure shall not be increased to add additional stories to the structure.
3. The public sidewalk right-of-way shall be maintained in its present configuration.
4. Garbage cans, utilities and other outside storage areas to the rear of the Lawn Way structures shall be enclosed and screened from public view.

D. Capitola Theatre and Parking Lot

1. New construction shall provide replacement parking.
2. New construction shall be stepped back from street to cliff and be well articulated with exterior decks and landscaping.
3. Maximum height limits shall be applied to new construction that provide for retaining views of the bluff too above the buildings. The natural topographic features of the site should not be obscured by new structures.

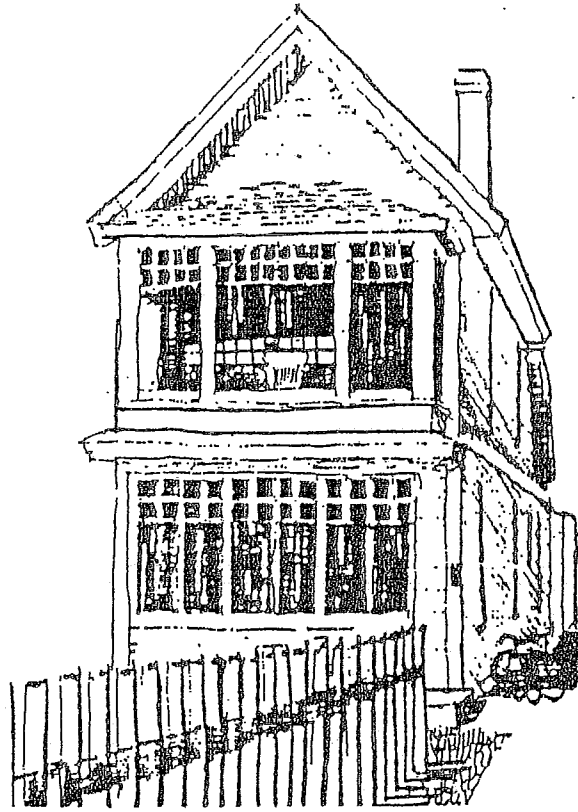
E. Soquel Creek Side of Riverview Avenue

1. Structures shall be limited to one story.
2. All residential units which are reconstructed or substantially altered, shall meet the parking requirements.
3. The number of units shall be the net square footage of the property between the pathway and Riverview Avenue. Frontage owned on the river side of the pathway will not be included. All development will be 35 feet from the creek bank as a minimum.



Soquel Creek

VILLAGE RESIDENTIAL



Design Guidelines & Development Processing

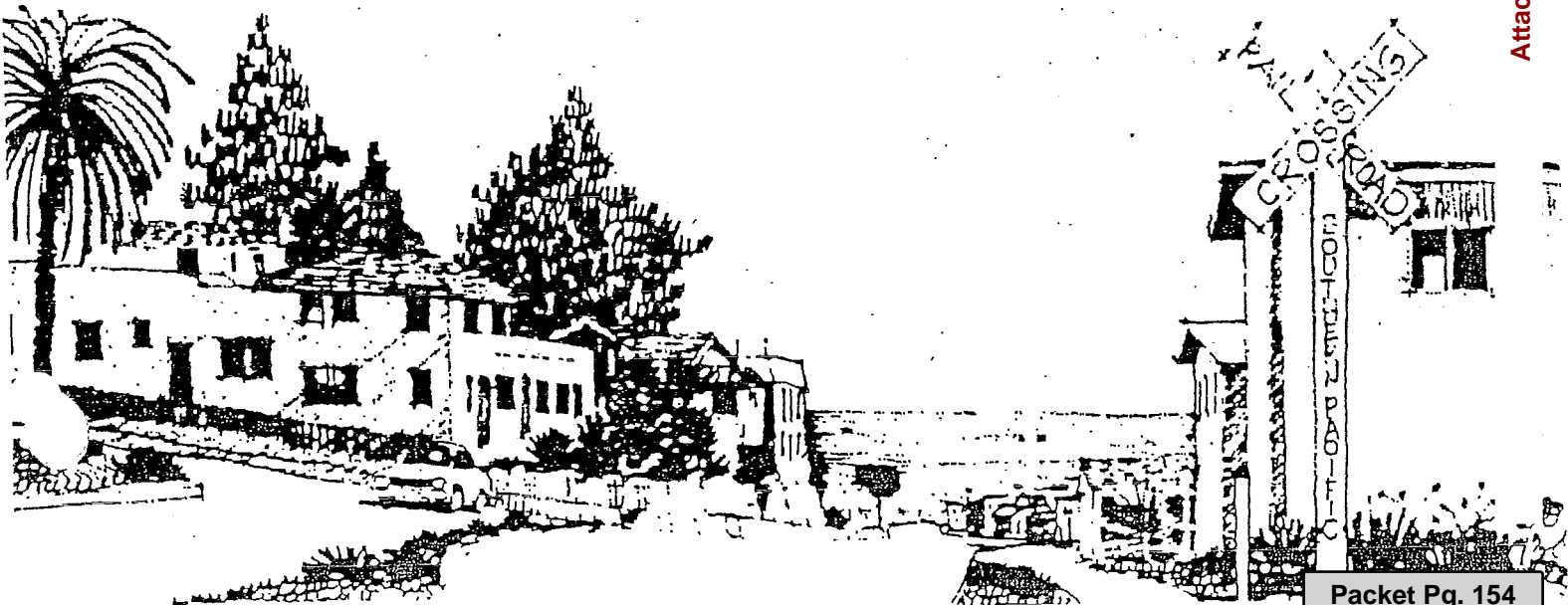
Attachment: Central Village Design Guidelines (322 Capitola Avenue)

VILLAGE RESIDENTIAL

Attached is information to assist you in making an application to the City of Capitola to remodel, rebuild or construct a residence in the Village Residential Zoning District.

1. Village Residential Design Guidelines are provided to give information on the areas of design which are unique to this zoning district. Please read the guidelines carefully and if you have any questions, please contact the Planning Department.
2. Village Residential Zoning District is the section of the Zoning Ordinance which deals with the R-CV zone. There are other areas of the Zoning Ordinance which may apply to your project. (Complete Zoning Ordinances may be purchased for approximately \$12.00 at City Hall.) If you have any questions, please contact the Planning Department.
3. Architectural and Site Review Process
4. Planning Application

The Residential Central Village Zoning District is in the coastal zone. You must contact the California Coastal Commission (408-426-7390) to determine if a permit is required from them for your project.





Design Guidelines for Village Residential

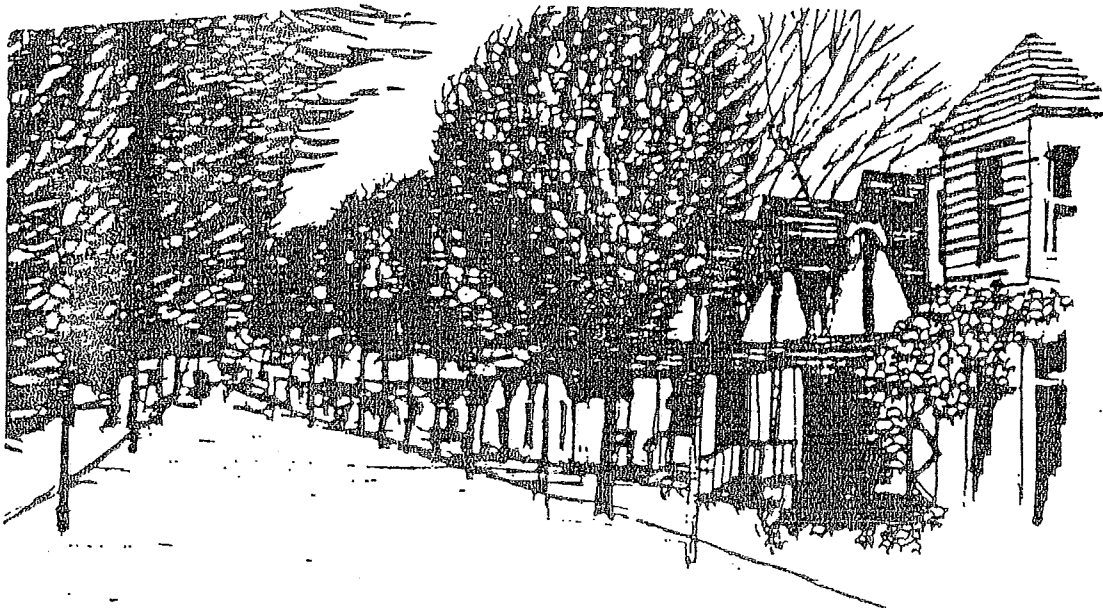
The purpose of these guidelines is to provide assistance for the development, remodel, and reconstruction of lots in the Village Residential Zone. The guidelines include standards which preserve the residential quality of the neighborhood, while dealing with the pressures for parking and intensification.

The main use in this district is residential and density is determined by lot size and ability to provide adequate parking.

ARCHITECTURAL COMPATIBILITY

The height, bulk and scale of the projects must be considered. The use of indentations, bays, porticos, porches, courtyards and other wall features is encouraged to introduce depth and secondary scale to the units. New construction, major reconstruction and second story additions shall require that a streetscape plan be provided.

Light, air and solar access should be considered in the orientation of the building. Sideyard setbacks are designed to allow maximum flexibility while protecting adjacent residential units.



SIDE YARD
SETBACK

The side yard setback is designed to provide maximum flexibility and to give the designer the opportunity to select placement of the structure, while providing protection for the adjacent residential structures in the zone. New structures may not be closer than three feet to an existing residential unit which has an opening on that face of the building. Otherwise, there may be a setback of zero on one side if six feet are provided on the opposite side, as long as the total required side yard open space is provided.

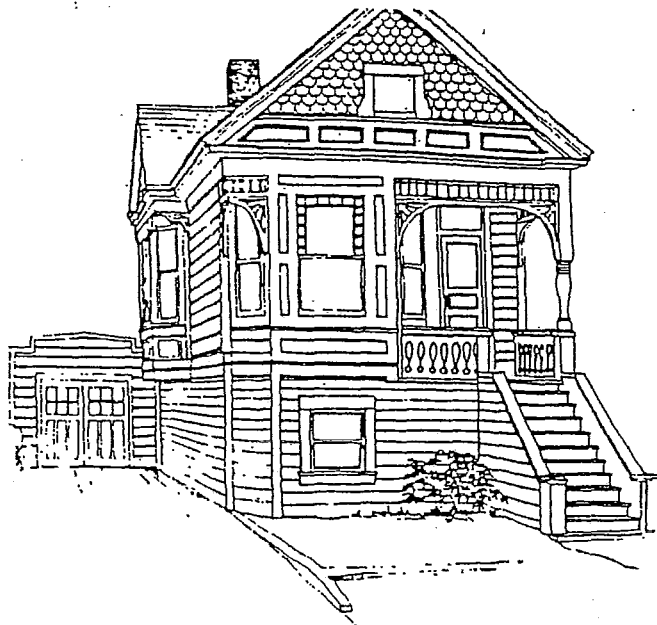
REAR YARD
SETBACK

The rear yard setback is 10 feet, but one-story elements or structural architectural features are allowed to encroach 5 feet.

PARKING

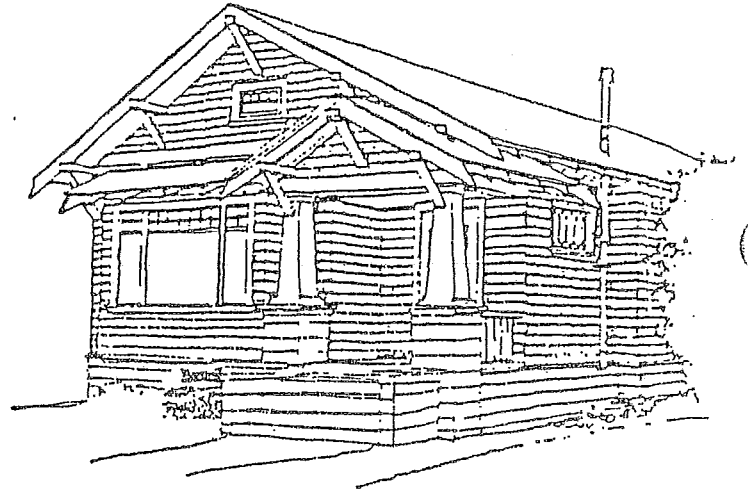
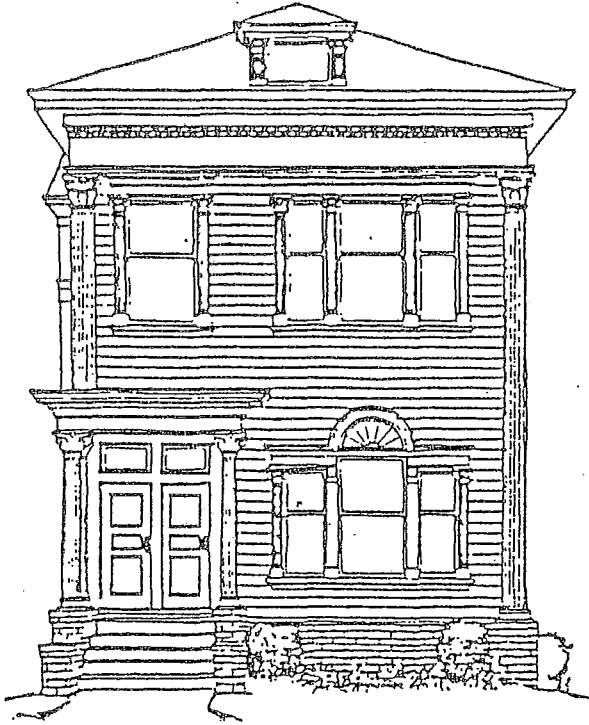
Parking must be provided on site and should be architecturally screened. This does not eliminate the use of garages, but they are not required if parking can be incorporated as a feature of the design.

Screening can include fences, trellises, gates, etc. Tandem parking may extend to the front property line if screened, and parking for the particular unit does not use more than 10' of the required front open space.



HEIGHT

The height includes roof decks, parapet walls and all other roof structure, with the exception of chimneys. Flat roofs are discouraged because of the perception of bulk created in the structure. Roof decks are only allowed if compatible with the overall structural design.

FRONT
SETBACK

The front yard setback is 15 feet. All structures are encouraged to pay particular attention to entry design. Porches, entry areas and courtyards are allowed to encroach 5 feet into the required setback area. This design should incorporate the architectural screening of parking and the garage should not distract from the human scale and design of the structure. Special design treatments which can be used to deal with garage doors include recessed arcades, tiled floors, walls, fencing or other details. Roll-up garage doors are encouraged and garage door openers are required.

The front yard area is to be landscaped and should create a sense of entry to the unit and/or units. The landscaping should incorporate the use of street trees. Through the use of tiles, brick, paving stones or other appropriate materials, the driveway should enhance the landscaped area.



ADMINISTRATIVE POLICY

Number: I-33
 Issued: October 10, 2013
 Revised: September 22, 2016
 Jurisdiction: City Council

IN-LIEU PARKING FEE PROGRAM

I. PURPOSE

The purpose of this policy is to establish an In-Lieu Parking Fee Program (Program) for new hotel uses in the Village. The Program allows eligible development projects to purchase off-site parking spaces from the City in-lieu of providing on-site parking.

II. POLICY

New large hotels, as defined by Municipal Code section 17.03.320 which provide a valet service, proposed in the Central Village zoning district may request to participate in the Program by submitting an application to the Community Development Department. An applicant for a large hotel project may request to purchase any or all of the allotted 56 parking spaces designated for the Program. Up to ten of the 56 spaces shall be available to smaller hotel projects. Applications shall include an economic analysis showing both direct, and indirect economic impacts of the proposed project.

Applications shall be considered by the City Council, and may be approved if the following findings can be made:

1. The proposed project is consistent with the City's Local Coastal Plan and the Coastal Act
2. Offsite parking for the proposed project would reduce traffic impacts and provide a design more consistent with the historic character of the village.
3. The proposed project will help to facilitate the City's economic development goals.

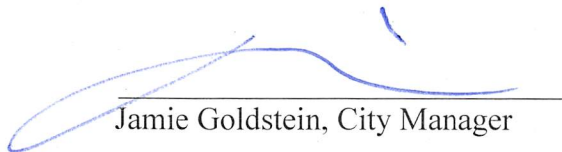
If approved, the applicant shall be required to submit payment prior to issuance of a grading or building permit, whichever comes first. The in-lieu fee rate shall be determined by the City Council based on the cost of constructing a parking structure at the time the application is submitted. The applicant may propose the establishment of an annual assessment rather than an up-front payment of fees. Such annual assessment proposal may be approved or denied by the City Council.

Parking spaces designated for the Program shall be located in the upper Pacific Cove parking lot. The designated parking area shall be conspicuously marked and shall be for the exclusive use by employees and guests of Program participants. Prior to issuance of a building permit, applicants shall be required to submit a plan to secure, monitor, and enforce the use of purchased parking spaces to the satisfaction of City staff. The parking area shall be secured to the City's satisfaction prior to issuance of a certificate of occupancy.

The Community Development Department shall maintain a record of all properties that have fulfilled their parking requirements through payment of in-lieu fees. In the event that a property or use is sold to another party, the purchased parking spaces shall transfer to the new owner(s). Parking spaces may not be sold, transferred, or shared with other parties to meet parking requirements of other uses not authorized by the original permit. In-lieu fees paid to meet parking requirements shall be non-refundable.

Revenue collected from the Program shall be deposited into an interest bearing account established for the sole purpose of contributing to the financing of a future parking facilities, such as a multi-level parking structure located on the upper Pacific Cove property.

This policy is approved and authorized by:



Jamie Goldstein, City Manager

Attachment: I-33 In-Lieu Parking Fee Program (322 Capitola Avenue)



COMMUNITY DEVELOPMENT DEPARTMENT

Memo

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

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

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

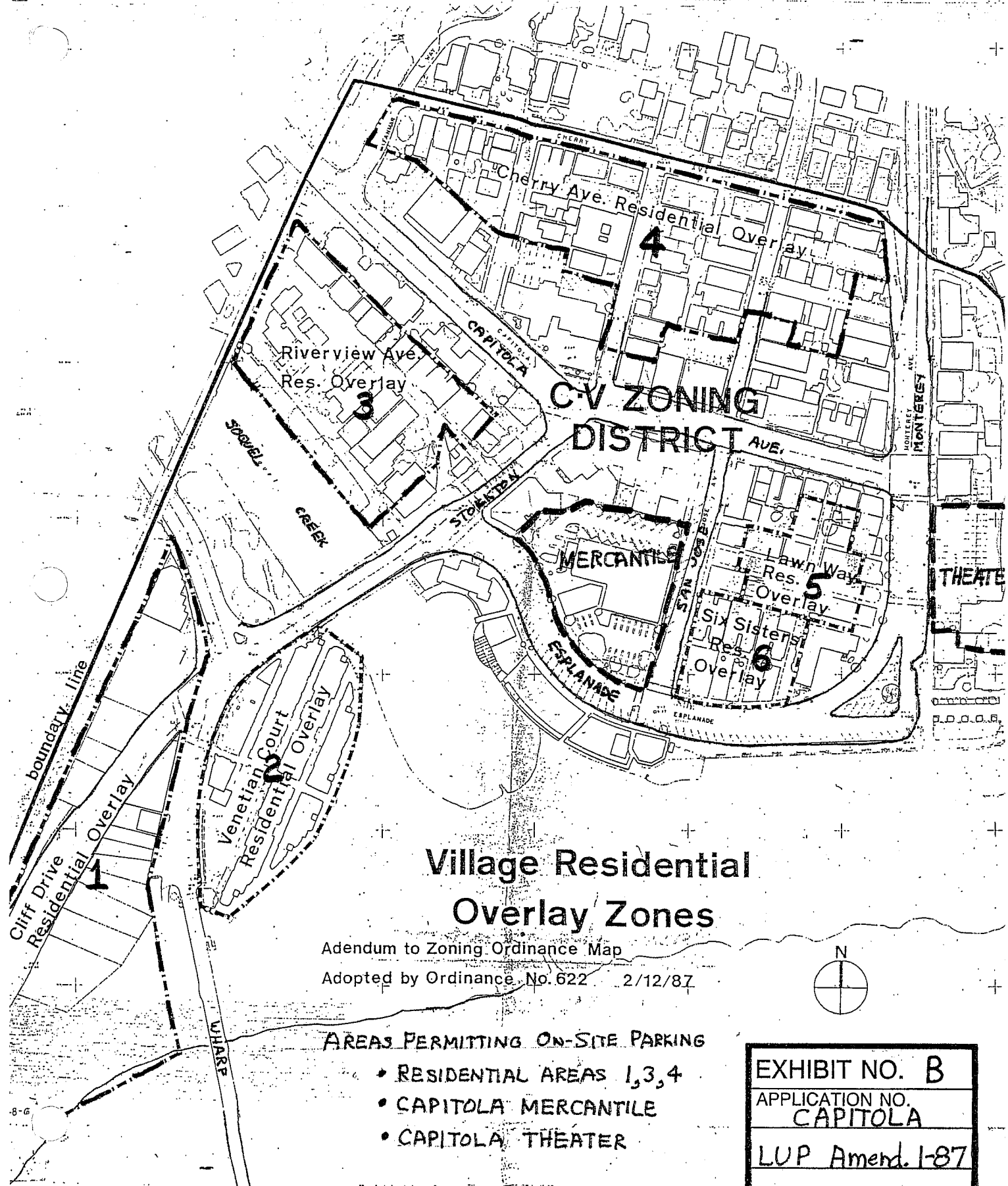
Section 17.21.120(C) of the Capitola Municipal Code (CMC) includes the same language from LUP Policy I-1(b):

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

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

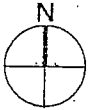
Additional Materials: Item 6A
Village Residential Overlay Zone Map

Attachment: Village On-site Residential Parking - 02.07.19 Memo (322 Capitola Avenue)



Village Residential Overlay Zones

Adendum to Zoning Ordinance Map
Adopted by Ordinance No. 622 2/12/87

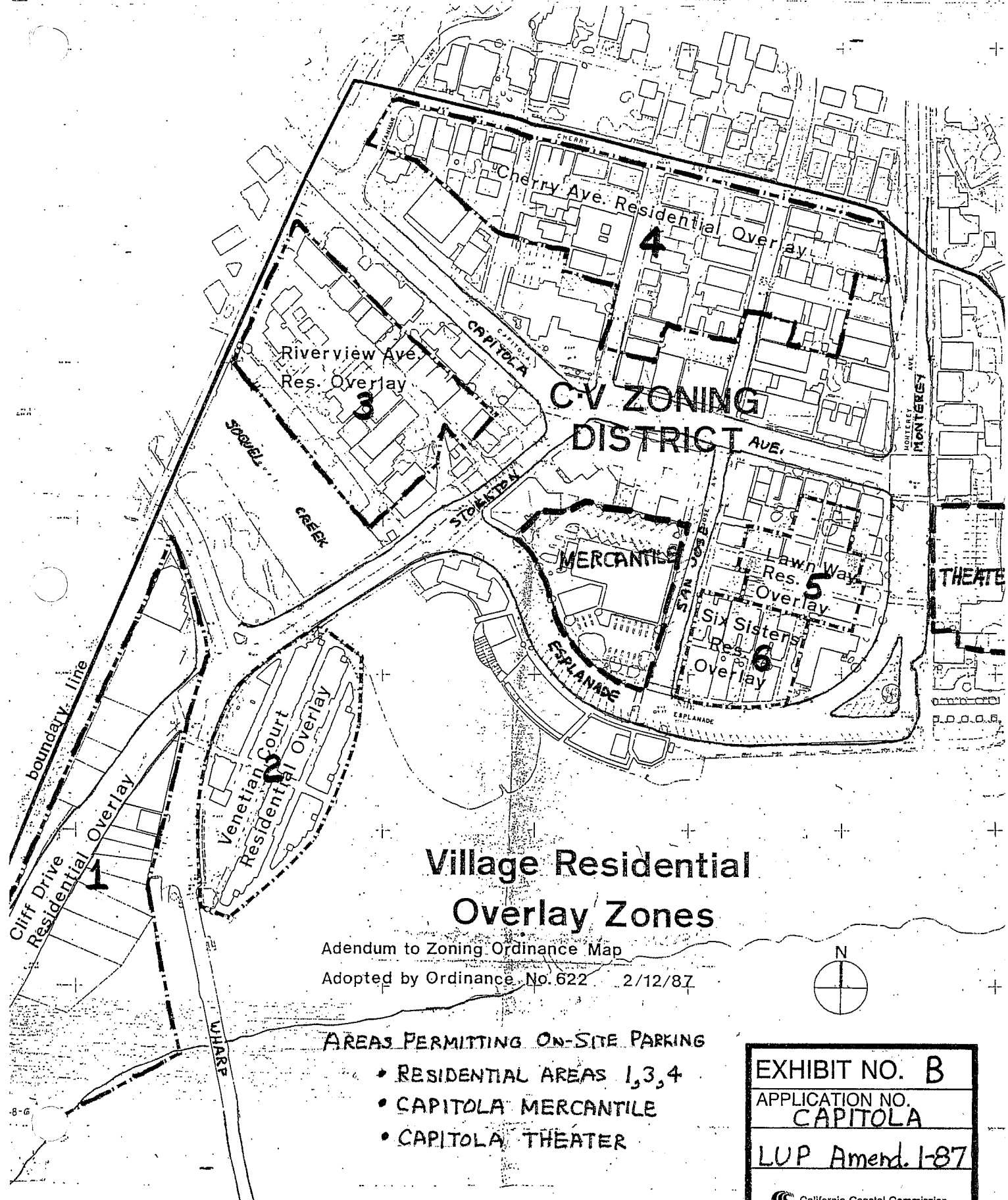


AREAS PERMITTING ON-SITE PARKING

- RESIDENTIAL AREAS 1,3,4
- CAPITOLA MERCANTILE
- CAPITOLA THEATER

EXHIBIT NO. B
APPLICATION NO. CAPITOLA
LUP Amend. 1-87
California Coastal Commission

Attachment: Village On-site Residential Parking - 02.07.19 Memo (322 Capitola Avenue)



Village Residential Overlay Zones

Adendum to Zoning Ordinance Map
 Adopted by Ordinance No. 622 2/12/87

AREAS PERMITTING ON-SITE PARKING

- RESIDENTIAL AREAS 1,3,4
- CAPITOLA MERCANTILE
- CAPITOLA THEATER

EXHIBIT NO. B
APPLICATION NO. CAPITOLA
LUP Amend. 1-87
California Coastal Commission

Attachment: LCP Exhibit B Village Residential Overlay Zones (322 Capitola Avenue)

Conditions of Approval, Findings, & Coastal Findings
322 Capitola Avenue

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a 1,999 square-foot single-family residence. The Floor Area Ratio for the proposed design is 97.6%. There is no specific maximum lot coverage in the C-V zone, provided the project meets all other lot requirements. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 4, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a 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 #18-0628 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, the applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 3 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.
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.

FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. With a variance for the required offsite parking, the proposed single-family residence complies with the development standards of the CV (Central Village) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the construction of a new single-family residence. The design of the home, with board and batten second-story siding, doorway overhangs, gable roof, and a scaled relationship between neighboring buildings, 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 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 in a residential zone on a legal parcel. This project involves the construction of a new single-family residence within the CV (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

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

The special circumstances applicable to the subject property are the location and topography. (Planning Commission to add details of finding.)

Attachment: 322 Capitola Avenue - Conditions of Approval - Findings - Coastal Findings (322 Capitola Avenue)

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

The grant of this variance would not constitute a special privilege because (Planning Commission to add details of finding).

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 conditions 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 322 Capitola 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 Capitola 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 Capitola 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 mostly flat lot four and a half feet above sidewalk grade.

- 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 single-family home 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 single-family home 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 single-family home on a residential lot of record.
7. **Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**
- The project involves the construction of 1,999-square-foot single-family home which requires two off-site parking spaces. The project received a variance for the off-site parking requirement.
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 less than two hundred feet from the Central Fire Protection District Capitola Station. Water is available at the location.
- 12. Project complies with water and energy conservation standards;**
- The project is for a single-family home. 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;**
- 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 CV (Central Village) 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 received a variance for the required off-site parking requirement of two spaces. The site is located within the area of the Capitola parking permit program. If the residence is a vacation home, it would be eligible to receive one parking pass. If the residence is a primary home, it would be eligible to receive two parking passes. Currently, the city is well under the maximum distribution limit of 350 passes within the village area preferential parking program.



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: APRIL 4, 2019
 SUBJECT: **329 Cherry Avenue #18-0629 APN: 035-181-01**

Design Permit and Coastal Development Permit for new two-story single-family home located within the Residential Overlay of the CV (Central Village) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
 Environmental Determination: Categorical Exemption
 Property Owner: Unsophisticated Builders
 Representative: Dennis Norton, Filed: 12.11.2018

APPLICANT PROPOSAL

The applicant is proposing to construct a 2,004-square-foot single-family residence on a vacant parcel located at 329 Cherry Avenue in the Residential Overlay district of the CV (Central Village) zoning district. The application complies with all development standards of the CV zone. Development in the Central Village Residential Overlay is subject to the Central Village Design Guidelines (Attachment 3).

BACKGROUND

The Architectural and Site Review Committee reviewed the application on February 13, 2019, and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: informed the applicant that more detail on the location, length, width, and orientation of the driveway is required, as well as clarity on how the ADA path of travel will be maintained. He also informed the applicant that drainage and erosion control methods must be shown on the landscape plan prior to issuance of a building permit.

Building Department Representative, Nelson Membreno: reminded the applicant they will need to provide a will serve letter from Soquel Creek Water District prior to building permit. Mr. Membreno informed the applicant that the east elevation upper floor overhang is six inches from the property line and requires one-hour protection on the underside and that the window openings in the upper story wall on the east side of the structure are within six inches of the property line which is not allowed. Mr. Membreno suggested skylights as an alternative means of bringing light into the building.

Local Architect, Frank Phanton: liked the design of the house.

Assistant Planner, Matt Orbach: discussed the driveway approach and suggested the applicant remove four square feet from the structure so that the third on-site parking space would not be required. Mr. Orbach pointed out that the floor area of the single-car garage, which is already open to the two-car garage, could remain as garage storage space.

Following the Architectural and Site review meeting, the applicant submitted revised plans with driveway and sidewalk details including an ADA compliant path of travel. The Building Department also determined that the windows on the east elevation could remain as long as they are fixed windows with a 1-hour fire rating.

DEVELOPMENT STANDARDS TABLE

The following table outlines the zoning code requirements for development in the CV Zoning District. The new single-family residence complies with all development standards of the CV zone.

CV (Central Village) Zoning District

Development Standards		
Building Height		
CV Regulation	Existing	Proposed
27 ft.-0 in.	N/A	23 ft.- 6 in.
Architectural and Site Review		
Central Village Design Guidelines apply to all development in the CV district and specific guidelines are included for each overlay district.		
Applicable Guidelines		Compliance
Parking must be provided on site and should be architecturally screened.		Applicant is proposing two garages which will provide three covered parking spaces. They are accessed from Fanmar Avenue.
The front yard area is to be landscaped and should create a sense of entry to the unit and/or units.		Applicant is proposing 164 sq. ft. of landscaped open space in the front yard.
Flat roofs are discouraged because of the perception of bulk created in the structure.		Proposed residence has a gabled roof.
New construction, major reconstruction and second story additions shall require that a streetscape plan be provided.		Applicant submitted a streetscape, which is included as Attachment 4.
Lot Coverage		
Sufficient space for required parking	Yes	
In the Cherry Avenue residential overlay area: Lots of less than 1,000 square feet shall be allowed 90% lot coverage. Lots between 1,001 and 2,000 square feet shall be allowed 80% lot coverage. Lots over two thousand square feet shall be allowed 75% lot coverage.	Allowable Lot Coverage: 1,587 sq. ft. lot 80% of lot or 1,270 sq. ft.	Proposed Lot Coverage: 61% of lot or 968 sq. ft.
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 or 158 sq. ft.	Proposed Open Space: 10 % of lot or 164 sq. ft.	
Floor Area	Existing	Proposed	
First Story Floor Area	-	251 sq. ft.	
Second Story Floor Area	-	1,071 sq. ft.	
Second Story Decks - 150 sq. ft. exception	-	0 sq. ft (118-150)	
Garage #1	-	435 sq. ft.	
Garage#2	-	247 sq. ft.	
Total Floor Area	0 – Vacant	2,004 sq. ft.	
Parking			
	Required	Existing	Proposed
Residential (from 2001 up to 2600 sq. ft.)	3 spaces total 1 covered 2 uncovered	0 spaces total 0 spaces covered 0 spaces uncovered	3 spaces total 3 spaces covered 0 spaces uncovered
Garage	Complies with Standards?		Yes
Driveway Width	Maximum Allowed: 22 ft. 10 in.		Proposed Width: 22 ft. 10 in.
Underground Utilities – required with 25% increase area	Yes, required		

DISCUSSION

The property at 329 Cherry Avenue is a vacant lot located in the Central Village neighborhood and within the Cherry Avenue Residential Overlay District. The Cherry Avenue Residential Overlay District was the first subdivision area to sell residential parcels during the 1880s. Originally, the area was dominated by beach cottages and single-family homes. Today there are a mix of beach cottages, single-family homes, and multi-family dwellings that may be rented nightly by visitors. The parcel sits on the corner of Cherry Avenue and Fanmar Way.

The applicant is proposing to construct a new two-story, single-family residence. The first story contains a bedroom, half bath, two-car garage, and a one-car garage. The second story includes a living area, kitchen, two additional bedrooms, and two bathrooms. There are two decks on the second story, one overlooking Cherry Avenue and one overlooking Fanmar Way. The deck overlooking Fanmar Way partially wraps around the rear of the property. Parking is provided by one two-car garage and one single-car garage.

The proposed design utilizes horizontal fiber cement siding on both the first and second stories. A decorative beam and post frame the entryway on Cherry Avenue and the second-story deck directly above the front door creates a covered porch. The composition roof is gabled and includes shingle details. Both decks are enclosed with a wood picket guardrail. The garages each have wood sectional doors oriented toward Fanmar Way. The design echoes that of the adjacent homes along Cherry Avenue, which also have horizontal siding, first story covered porches, decorative posts, and in the case of 318 Cherry Avenue, a second-story deck above the entry.

CEQA

Section 15303(a) of the CEQA Guidelines exempts one 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 #18-0629.

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a new 2,004-square-foot single-family residence. The maximum Floor Area Ratio in the General Plan for the 1,587 square foot property is 2.0 (3,174 square feet). The total FAR of the project is 1.26 with a total of 2,004 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 April 4, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a 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 #18-0629 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. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.

FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed single-family residence complies with the development standards of the CV (Central Village) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the new single-family residence. The design of the home with horizontal siding, decorative beam and post at the front entry way, and gabled 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 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 in a residential zone. This project involves new single-family residence within the CV (Central Village) 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 329 Cherry 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 on Cherry 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 Cherry 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 new single-family home 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 new single-family home 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 new single-family home on a residential lot of record.

7. **Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**

- The project involves the construction of a new single-family home. 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 354 feet from the Central Fire Protection District Capitola Station. Water is available at the location.
- 12. Project complies with water and energy conservation standards;**
- The project is for a new single-family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.
- 13. Provision of park dedication, school impact, and other fees as may be required;**
- The project will be required to pay appropriate fees prior to building permit issuance.
- 14. Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;**
- The project does not involve a condo conversion or mobile homes.
- 15. Project complies with natural resource, habitat, and archaeological protection policies;**
- Conditions of approval have been included to ensure compliance with established policies.
- 16. Project complies with Monarch butterfly habitat protection policies;**

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.
- 17. Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
- Conditions of approval have been included to ensure compliance with applicable erosion control measures.
- 18. Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;**
- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
- 19. All other geological, flood and fire hazards are accounted for and mitigated in the project design;**
- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.
- 20. Project complies with shoreline structure policies;**
- The proposed project is not located along a shoreline.
- 21. The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
- This use is an allowed use consistent with the C-V (Central Village) 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.

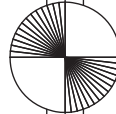
- d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, 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 complies with the Capitola parking permit program by providing three on-site parking spaces.

ATTACHMENTS:

1. 329 Cherry Avenue - Revised Plan Set - 03.14.2019
2. 329 Cherry Avenue - Plant Palette
3. 329 Cherry Avenue - Streetscape

Prepared By: Matt Orbach
Assistant Planner

BARBIC RESIDENCE



GENERAL INFORMATION:	
SITE AREA:	1,547 SQ. FT.
ZONE:	CV
BUILDING:	
RECEIVED:	201 SQ. FT.
2ND FLOOR:	1,021 SQ. FT.
3RD FLOOR:	1,322 SQ. FT.
OVERALL:	2,472 SQ. FT.
OFFICE #2:	247 SQ. FT.
OFFICE #3A:	118 SQ. FT.

2008 ANALYSE:
 ALL PLANNING PERMITS
 HAVE BEEN PREPARED IN COMPLIANCE
 WITH THE CALIFORNIA BUILDING AND FIRE
 CODES (2007) AND THE CALIFORNIA
 OCCUPANCY CLASSIFICATION: R-3.1J
 BUILDING CONSTRUCTION TYPE: V-A
 FIRE RATING: STRUCTURED

THE DESIGNER MUST BE NOTICED OF ANY DISCREPANCIES IN
 THIS DOCUMENT AND/OR ERRORS FROM THESE DOCUMENTS.
 THIS DOCUMENT IS THE PROPERTY OF THE DESIGNER AND
 IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY
 IDENTIFIED. ANY REUSE OR MODIFICATION OF THIS DOCUMENT
 WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER IS
 PROHIBITED. THE DESIGNER ASSUMES NO LIABILITY FOR
 ANY ERRORS OR OMISSIONS IN THIS DOCUMENT OR FOR
 THE CONSTRUCTION OCCUPANCY.

PAGE	TITLE
1	COVER SHEET, PROJECT INFO
2	GENERAL NOTES
3	SITE PLAN
4	FLOOR PLAN
5	FLOOR PLAN
6	FLOOR PLAN
7	FLOOR PLAN
8	FLOOR PLAN
9	FLOOR PLAN
10	FLOOR PLAN
11	FLOOR PLAN
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50	FLOOR PLAN

LEGEND OF SHEETS

REVISIONS

NO.	DATE	DESCRIPTION

1
 SHEET
 OF 4
 SHEETS

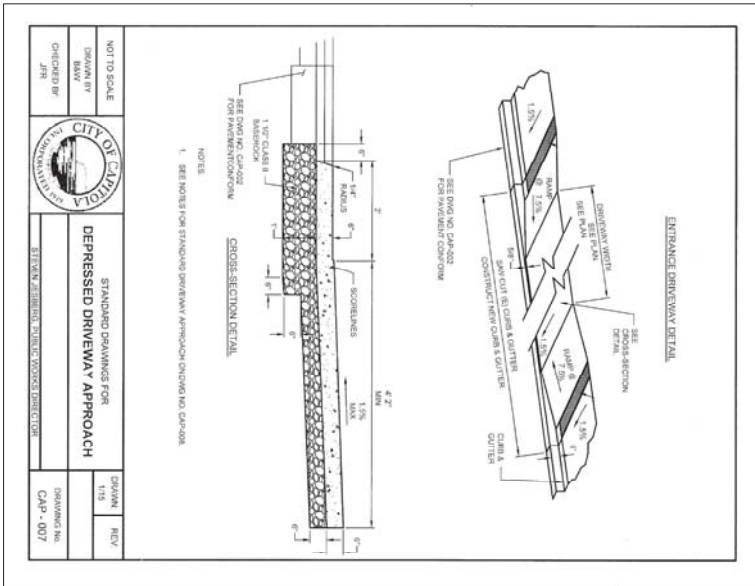
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 JOB NO.: CHERRY
 DESIGNER: CG

COVER SHEET
 LEGEND OF SHEETS

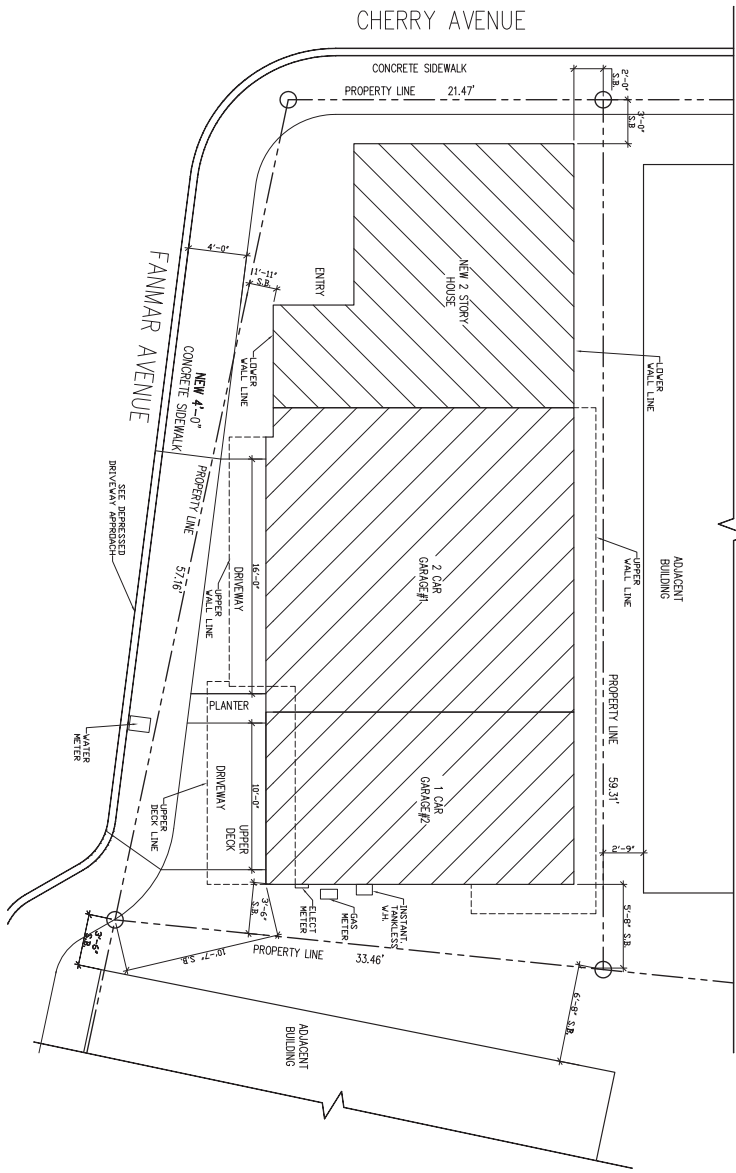
DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831-476-2616 FAX: 831-476-2616
 WEBSITE: www.dennisonortondesign.com

BARBIC RESIDENCE
 329 CHERRY AVE.
 CAPITOLA, CA 95010
 APN 035-181-01

PER BARBIC ARCHITECTS
 1280 41ST AVE STE 9
 CAPITOLA, CA 95010
 831-476-2616



NOT TO SCALE	STANDARD DRAWINGS FOR	DRAWN	REV
DESIGNED BY	DEPRESSED DRIVEWAY APPROACH	1/15	
CHECKED BY			
CITY OF CAPITOLA		DRAWING NO.	
ALLEN M. HERRON, REGISTERED ENGINEER		CAP-1007	



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

DATE	01/08/19
JOB NO.	CHERRY
SCALE	1/4"=1'-0"
DRAWN	GG

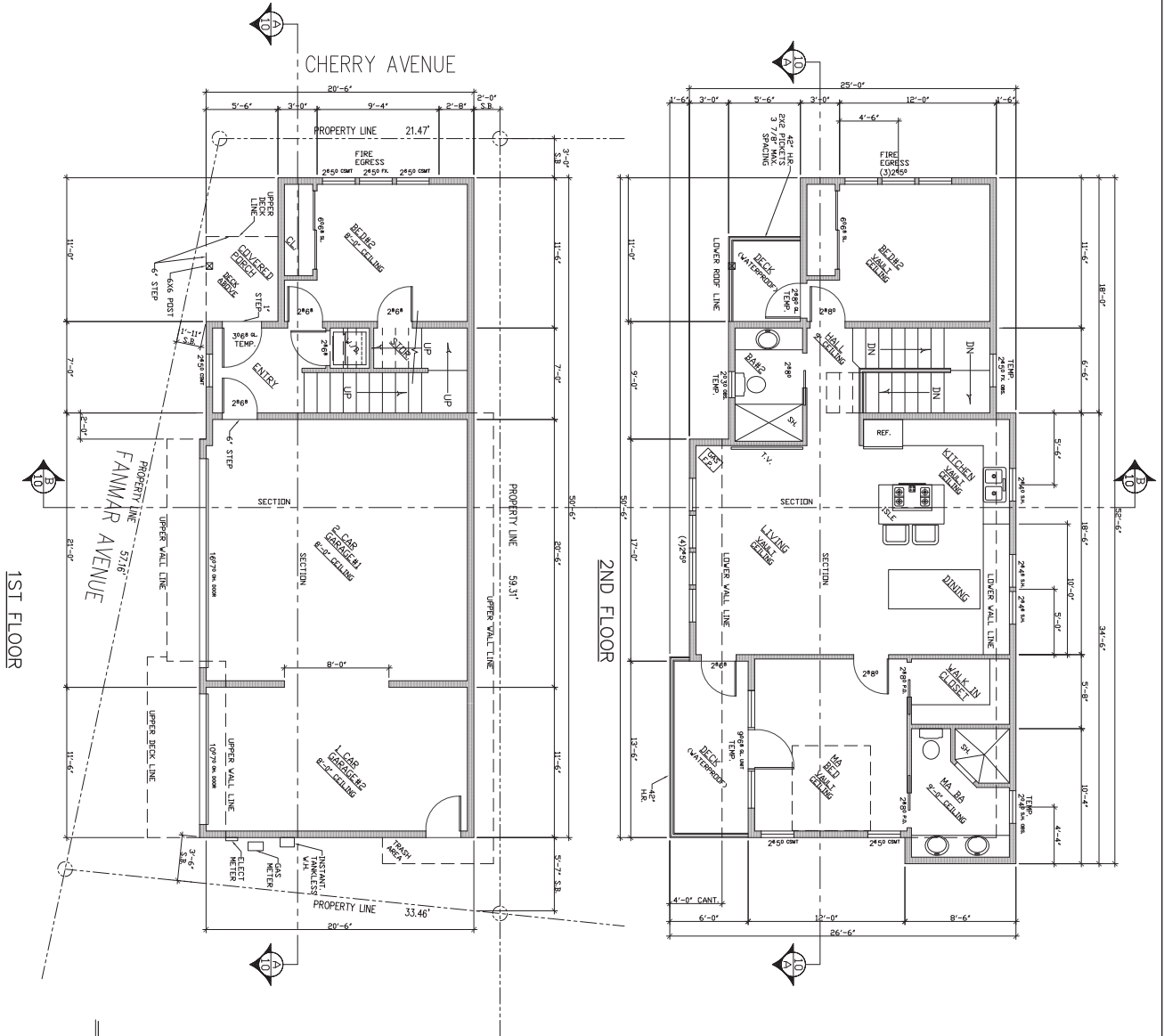
SITE PLAN

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (831) 476-2616 FAX: (831) 476-2616
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BARBIC RESIDENCE
329 CHERRY AVE.
CAPITOLA, CA 95010
APN 035-181-01

REVISIONS:	DATE	BY



FLOORPLAN
1/4" = 1'-0"

4
SHEETS

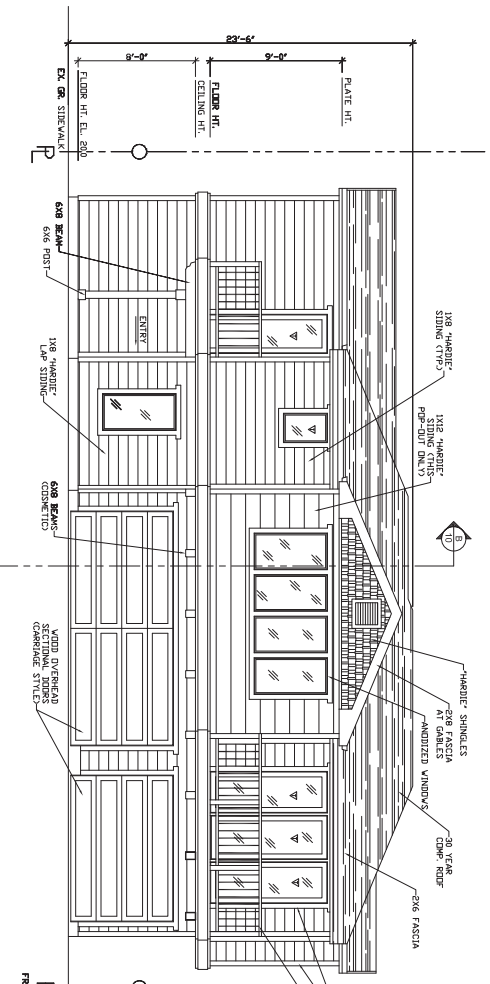
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JOB NO: CHERRY
SCALE: 1/4" = 1'-0"

PROPOSED FLOORPLAN

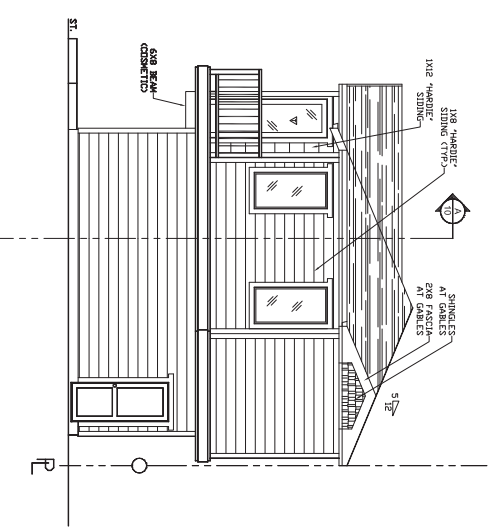
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HOME DESIGN AND PROJECT PLANNING
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BARBIC RESIDENCE
329 CHERRY AVE.
CAPITOLA, CA 95010
APN 035-181-01

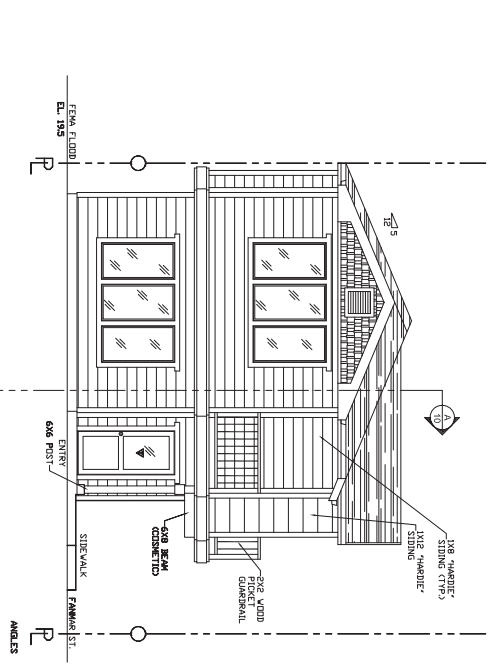
NO.	REVISIONS



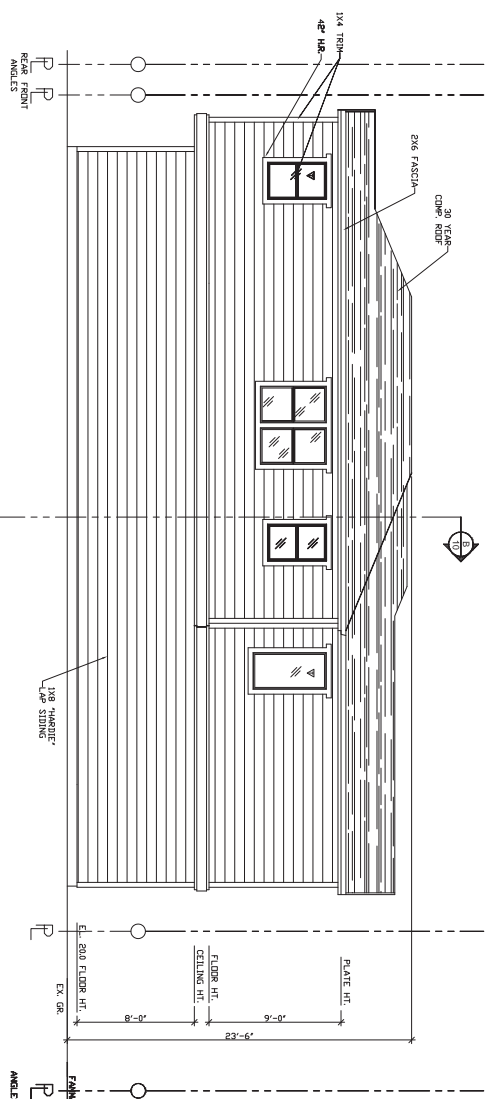
WEST ELEVATION
FANNAR STREET



SOUTH ELEVATION



NORTH ELEVATION
CHERRY STREET



EAST ELEVATION

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

DATE	01/09/18
JOB NO.	CHERRY
SCALE	1/4" = 1'-0"
DRWING	OG

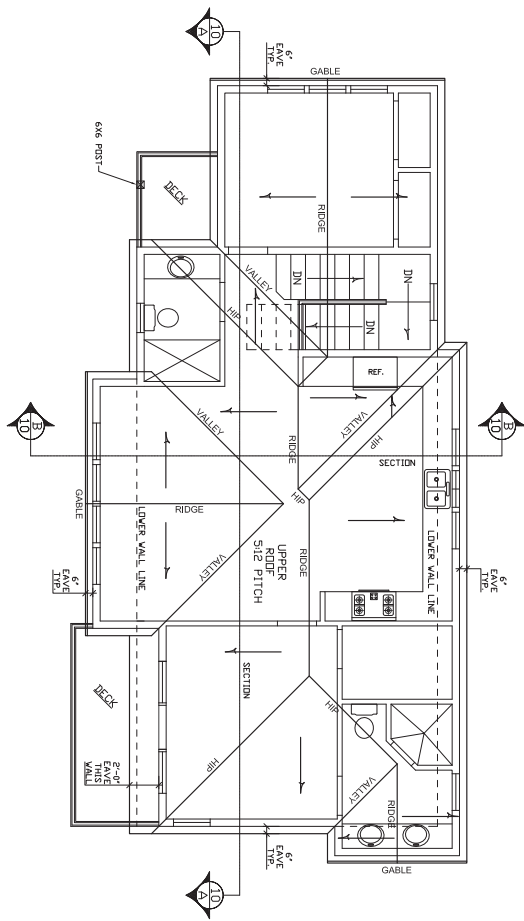
ELEVATIONS

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HOME DESIGN AND PROJECT PLANNING
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PHONE: 831 476 2616 FAX: 831 476 2616
WEBSITE: www.dennisnortondesign.com

BARBIC RESIDENCE
329 CHERRY AVE.
CAPITOLA, CA 95010
APN 035-181-01

REVISIONS	
NO.	DESCRIPTION

PERMITS/ENGINEERS
1280 41ST AVE STE 9
CAPITOLA, CA 95010
314-424-5253




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

SHEET
 OF 4
 SHEETS

DRAWN: CG
 SCALE: 1/4"=1'-0"
 JOB NO: CHERRY
 DATE: 10/03/18

ROOF PLAN

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

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 329 CHERRY AVE.
 CAPITOLA, CA 95010
 APN 035-181-01

PER BARBIC RESIDENCE
 1280 41ST AVE STE 9
 CAPITOLA, CA 95010
 831 476 2616

REVISIONS

BOUNDARY MARK:
 BOUNDARY MARKS FOR THIS SURVEY IS BETWEEN MONUMENTS
 CORNER OF SANTA CRUZ COUNTY MARK 9999, A BARRIS DOTT SET IN
 24.6' SOUTH OF THE NEAR PAL OF THE SOUTHERN PACIFIC RAILWAY, 666'
 ABOVE CORNER
 EASING: 06:096(1/4)089

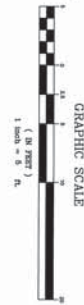
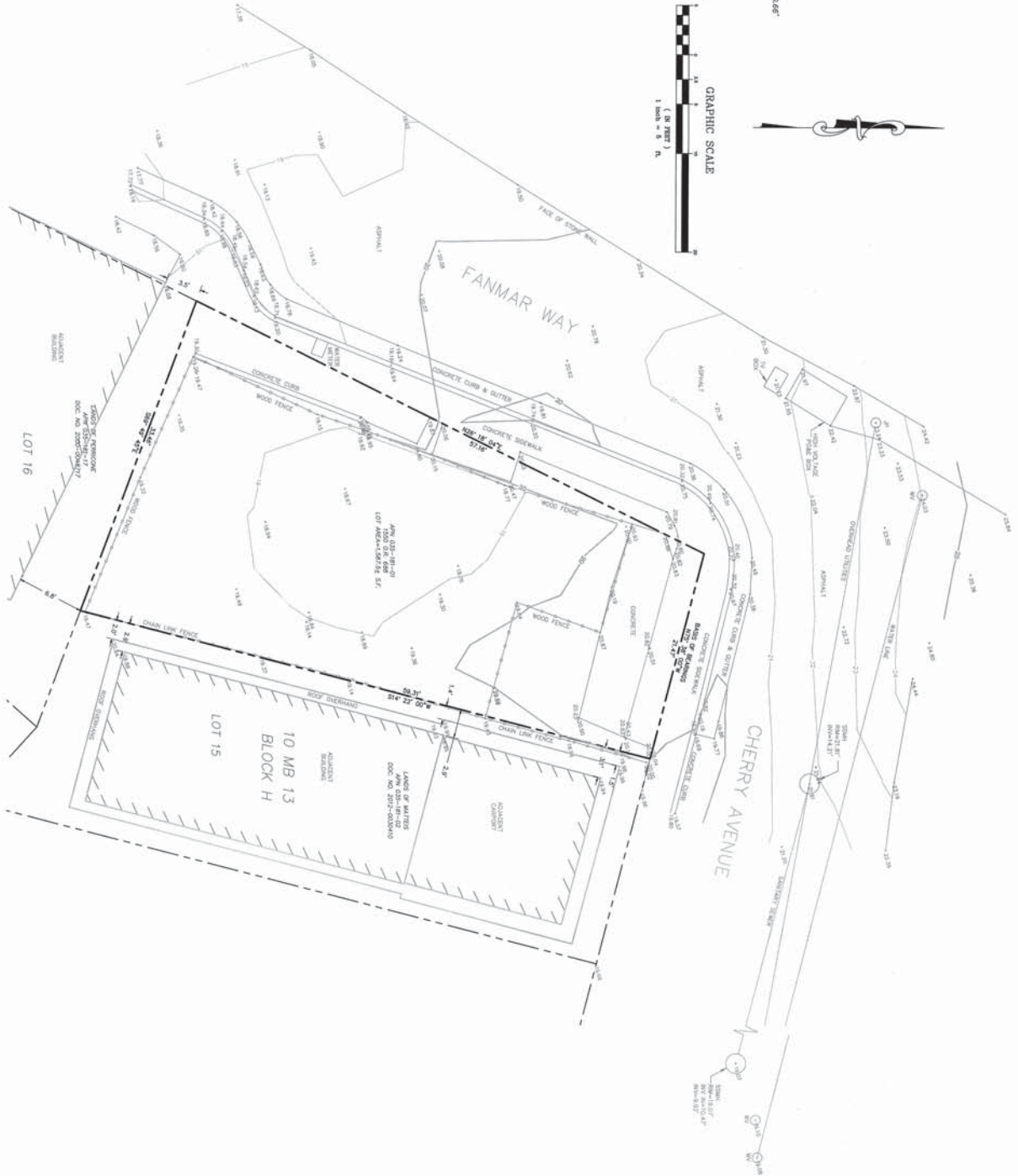
BASE OF RECORDS:
 THE BASE OF RECORDS FOR THIS SURVEY IS BETWEEN MONUMENTS
 CORNER OF SANTA CRUZ COUNTY MARK 9999, A BARRIS DOTT SET IN
 24.6' SOUTH OF THE NEAR PAL OF THE SOUTHERN PACIFIC RAILWAY, 666'
 ABOVE CORNER
 CERTAIN PARCELS WERE RECORDED UNDER A 1977 AS SCHEDULE 54 OF
 PARCEL MAPS PAGE 82, SANTA CRUZ COUNTY RECORDS
 RECORD-NUMBER 192809, 192810, 192811

LEGEND

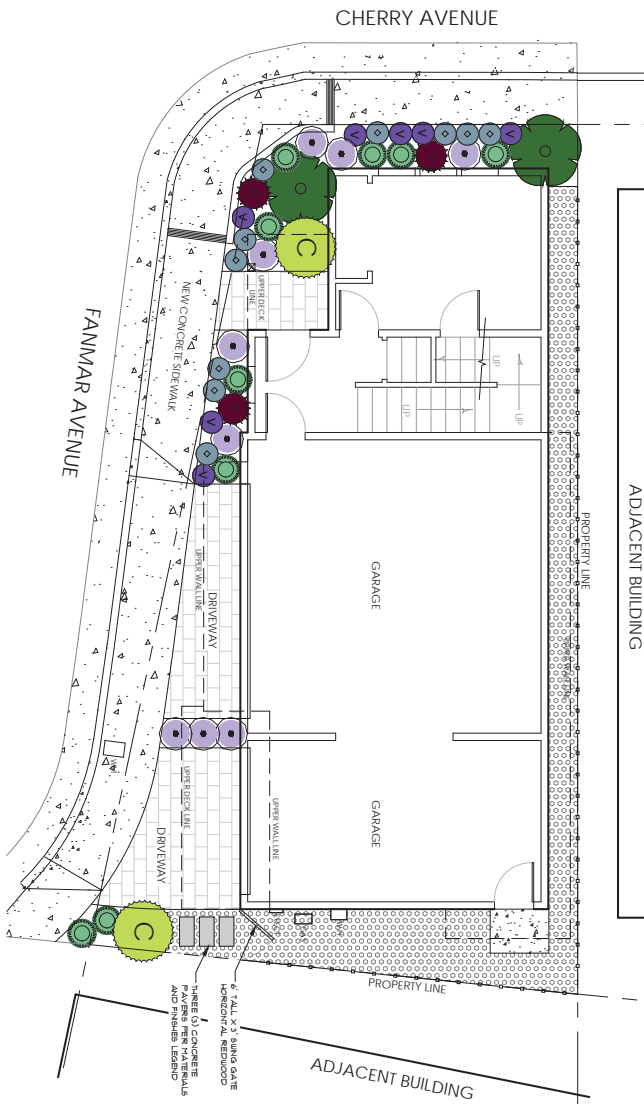
- PROPERTY LINE
- - - ADJACENT PROPERTY LINE
- ||||| BUILDING FOOTPRINT
- o JOINT UTILITY POLE
- SSW SANITARY SEWER MANHOLE
- CO CLEANOUT
- FF FINISH FLOOR
- OS GARAGE FINISH SLAB
- WV WATER VALVE

NOTE:
 THIS TOPOGRAPHIC MAP REPRESENTS THE CONDITIONS
 OF THE SITE AT THE TIME THE SURVEY WORK WAS
 CONDUCTED. THE SURVEYOR HAS CONDUCTED VISUAL
 INSPECTIONS OF THE SITE AND HAS NOTED ANY
 SUBSIDIARY STRUCTURES, INCLUDING BUT NOT
 LIMITED TO FOUNDATIONS, PILES, UNDERGROUND
 TANKS AND UNDERGROUND UTILITY LINES MAY NOT
 BE SHOWN.

ALERT:
 THIS MAP IS AN ELECTRONIC FILE
 DOES NOT CONSTITUTE THE DELIVERY OF ANY PROFESSIONAL
 WORK PRODUCT. THE SIGNED PAPER PRINT IS PROVIDED
 TO THE CLIENT AS AN INSTRUMENT OF SERVICE. IN EVENT
 THE ELECTRONIC FILE IS ALTERED, THE SIGNED PAPER PRINT
 MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT
 SURVEY INFORMATION. I SHALL NOT BE RESPONSIBLE FOR ANY
 MODIFICATIONS MADE, BY OTHERS, TO THE ELECTRONIC FILE,
 OR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE.



<p>DATE: JUNE 2018 SHEET NO: K19025</p>	<p>BOUNDARY & TOPOGRAPHIC SURVEY FOR: JEFF PUTNEY 329 CHERRY AVENUE, CAPITOLA, CA 95010 APN 035-181-01</p>	<p>KEVIN SMITH LAND SURVEYING</p>	<p>KEVIN SMITH LAND SURVEYING 111 DELLVIEW AVENUE SANTA CRUZ, CA 95062 (831) 588-0154</p>	<p>DATE: 6-30-18 KEVIN M. SMITH, P.L.S. 8237</p>	<p>SEAL OF THE LAND SURVEYOR KEVIN M. SMITH No. 8237 Exp. 12-31-19 STATE OF CALIFORNIA</p>
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PLANNING SCHEDULE

PLANTING AND MATERIALS	QUANTITY	SIZE	SPACING	WATER USE
BOZALNKA NINE / COPSON NINE	1 GAL. 2	3' X 3'	9' O.C.	M
COLORED MULCH / WHITE GOLD / GOLDEN BENTHLY OF HEAVEN	1 GAL. 9	7' X 7'	3' O.C.	L
LAVANDULA 'PROVIDENCE' / PROVIDENCE LAVENDER	1 GAL. 2	4' X 3'	PER PLAN	L
ELICADRON WILSON'S BORDER / ELICADRON	1 GAL. 11	10' X 10'	10' O.C.	L
STACHYS BYZANTINA / LAVA'S FACE	1 GAL. 6	1' X 1'	7' O.C.	L
VERBERNA PERUVIANA BALENDRAKLE' / VERBERNA	1 GAL. 9	3' X 30"	30" O.C.	L
FRONDOZANTE DARK PINKIE VERBERNA	1 GAL. 3	7' X 7'	7' O.C.	L
BOZALNKA NINE / COPSON NINE	1 GAL. 3	7' X 7'	7' O.C.	L
VERBERNA CALIFORNICA / CALIFORNIA VERBERNA	1 GAL. 3	7' X 7'	7' O.C.	L
GRASSES	1 GAL. 3	7' X 7'	7' O.C.	L
PHORNIUM 'PLATT'S BLACK' / PLATT'S BLACK FLAX	1 GAL. 3	7' X 7'	7' O.C.	L

WUCOLS WATER USE CLASSIFICATION

- H - HIGH WATER USE
- M - MEDIUM WATER USE
- L - LOW WATER USE
- VL - VERY LOW WATER USE

PLANNING NOTES

- TOTAL LANDSCAPE AREA = 168 SF
- SITE WATERED WITH PRIVATE WATER FROM WATER MAIN
- PERMANENT ABOVE GROUND SWS TO BE PERMITTED
- NEEDED IRRIGATION NEEDED ALL EXISTING PLANT MATERIAL TO BE REPLACED
- FRONT TO PLANTING OF ANY MATERIALS CONTRACTOR SHALL BE TRANSPORTED INTO A PAVED CONDITION SOIL SHALL BE REPAIRED FOR PLANTING AND INCORPORATING THE TOP 6" OF EXISTING WITH CREOSOTE MATERIAL AS RECOMMENDED BY SOIL LABORATORY REPORT
- ALL NEW LANDSCAPE AREAS TO BE IRRIGATED WITH 3" THICK CONCRETE OR BONE CHINA EQUAL TO PERIODIC THE PERIODIC IRRIGATION SYSTEM SHALL BE ADJUSTED TO REFLECT VARIATIONS IN WATER DEMAND OF VARIOUS PLANT MATERIALS
- THE INSTALLED LANDSCAPE SHALL BE MAINTAINED FREE OF INVASIVE PLANTS AND WEEDS

IRRIGATION EQUIPMENT

EXISTING IRRIGATION SYSTEMS, ALL PLANTING EXCEPT NEEDED TO BE IRRIGATED BY PERMITTED ABOVE GROUND SWS WITH DRAINAGE CAP AND STAKE COMPLETION EACH 1 GAL. PLANT TO RECEIVE THREE (3) 16 GPH BATTERIES

EXISTING VALVE KIT EQUAL TO EXISTING SIZES OR NEW 3/4" LOW FLOW AIR-TIGHT-TIGHT LOCATED 1' ABOVE EXISTING ONE BATTERY

NEW VALVE KIT EQUAL TO EXISTING SIZES OR NEW 3/4" LOW FLOW AIR-TIGHT-TIGHT LOCATED 1' ABOVE EXISTING ONE BATTERY

PERMITS REGULATOR (IF NECESSARY) EQUAL TO EXISTING PERMITS OR NEW 3/4" PERMITS REGULATOR FOR LOW FLOW USED

REGULATOR CONTROL EQUAL TO EXISTING PERMITS, MONITORED TO INTERIOR OF EXISTING PERMITS WITHIN EXISTING PERMITS

IRRIGATION NOTES

- UPON INSTALLATION THE PROJECT MUST MEET THE OUTDOOR WATER USE EFFICIENT CALCULATOR THE LANDSCAPE WATER CONSUMPTION AS REQUIRED BY THE LOCAL ORDER WATER DIVISION
- THE NETWORK OF THE IRRIGATION SYSTEM IS TO REMOVE THE MINIMUM AMOUNT OF WATER TO MEET THE IRRIGATION REQUIREMENTS
- LOCAL TERRAIN NUMBERING PLANTING MATERIALS AS FEASIBLE AND INDICATE EXACT LOCATION ON RECORD DRAWINGS
- ALL PLANTING ON SITE CAN BE IN ONE (1) HYDROZONE AND REQUIRES ONLY ONE (1) DEEP VALVE KIT
- CONTRACTOR SHALL USE EXISTING GATE UNLESS IT IS NECESSARY TO REMOVE EXISTING TREES, EXCAVATION IN AREAS EXHIBITING ROOTS 2" AND LARGER SHALL BE DONE BY HAND ROOTS 1" OR LARGER IN DIAMETER RADIUS CONDITION THESE ROOTS SHALL BE COVERED WITH LEFT BUILDUP SHALL BE EXPOSED
- THE IRRIGATION SYSTEM SHALL BE INSPECTED REGULARLY FOR LEAKS, REPAIRS AND ADJUSTMENTS SHALL BE ADJUSTED TO REFLECT VARIATIONS IN WATER DEMAND OF VARIOUS PLANT MATERIALS

MATERIAL AND FINISHES LEGEND

- 3" x 6" LAYER OF GRAVEL OR DECOMPOSED GRANITE USED BARRIER TO BE APPLIED BENEATH LAYER
- PERMEABLE CURB/PAVED PAVEMENT PRODUCT TO BE DETERMINED
- CONCRETE PAVEMENT 1 1/2" x 4" TO BE EQUAL TO CALANG
- CONCRETE PAVEMENT 1 1/2" x 4" TO BE EQUAL TO CALANG
- 6" TALL PERIMETER FENCE HORIZONTAL REDWOOD BOARDS

WATER BUDGET

ANNUAL WATER BUDGET: 114,482.2 GALS. OR 4.36 ACRE INCHES

LANDSCAPE AREA IN SQUARE FEET: (61,400) X

WATER BUDGET CALCULATION FORMULA AS REQUIRED BY LOCAL ORDER WATER DIVISION: 1.48 X 36.6 PERMITS X 95 ONE PERCENT (1.48 X 36.6 X 0.95) X 36.6 (CONVERSION FACTOR FROM INCHES TO GALLONS)

BARBER REFERENCE
329 CHERRY AVENUE
CAROLINA, CA 95010
APR. 035.181.01

MEGAN BISHOP
LICENSED LANDSCAPE ARCHITECT
NO. 5156
L.A. 7/20
WWW.MBLA.LANDSCAPE.COM

MBLA
MEGAN BISHOP
LANDSCAPE ARCHITECTURE
PO BOX 338 SLOAN, CA 95050
WWW.MBLA.LANDSCAPE.COM

THIS SHEET TO BE PRINTED AT 24" X 36"

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

PLAN REVISIONS

SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
L1.0

Barbic Residence Avenue Planting Palette

329 Cherry Avenue
03/08/2019 mbLA

PLANT TYPE

S = Shrub
P = Perennial
SU = Succulent
G = Ornamental Grass
V = Vine
T = Tree

WUCOLS

(Water Use Classification of Landscape Species)

H = High water use
M = Medium water use
L = Low water use
VL = Very low water use

Coleonema pulchellum 'Sunset Gold'
Sunset Breath of Heaven

Size (ht x width): 3' x 5'

S

More info: <https://www.monrovia.com/plant-catalog/plants/3494/sunset-gold-breath-of-heaven/>

WUCOLS = M



Festuca californica
California Fescue

Size (ht x width): 2' x 2'

G

More info: <https://www.anniesannuals.com/plants/view/?id=419>

WUCOLS = L



Lavandula x intermedia 'Provence'
Provence Lavender

Size (ht x width): 2' x 2'

P

More info: <https://www.monrovia.com/plant-catalog/plants/940/provence-french-lavender/>

WUCOLS = L



Attachment: 329 Cherry Avenue - Plant Palette (329 Cherry Avenue)

Leucadendron 'Wilson's Wonder'
Leucadendron

Size (ht x width): 4' x 5'

S

More info: http://www.suncrestnurseries.com/pfts_show.php?id=leucawilw

WUCOLS = L



Phormium 'Platt's Black'
Platt's Black Flax

Size (ht x width): 2' x 2'

G

More info: <http://www.monrovia.com/plant-catalog/plants/495/platts-black-new-zealand-flax/>

WUCOLS = M



Stachys byzantina
Lamb's Ears

Size (ht x width): 10" x 18"

P

More info: <http://www.monrovia.com/plant-catalog/plants/2807/big-ears-lambs-ear/>

WUCOLS = L



Verbena x hybrida 'Balendakle'
EnduraScape™ Dark Purple Verbena

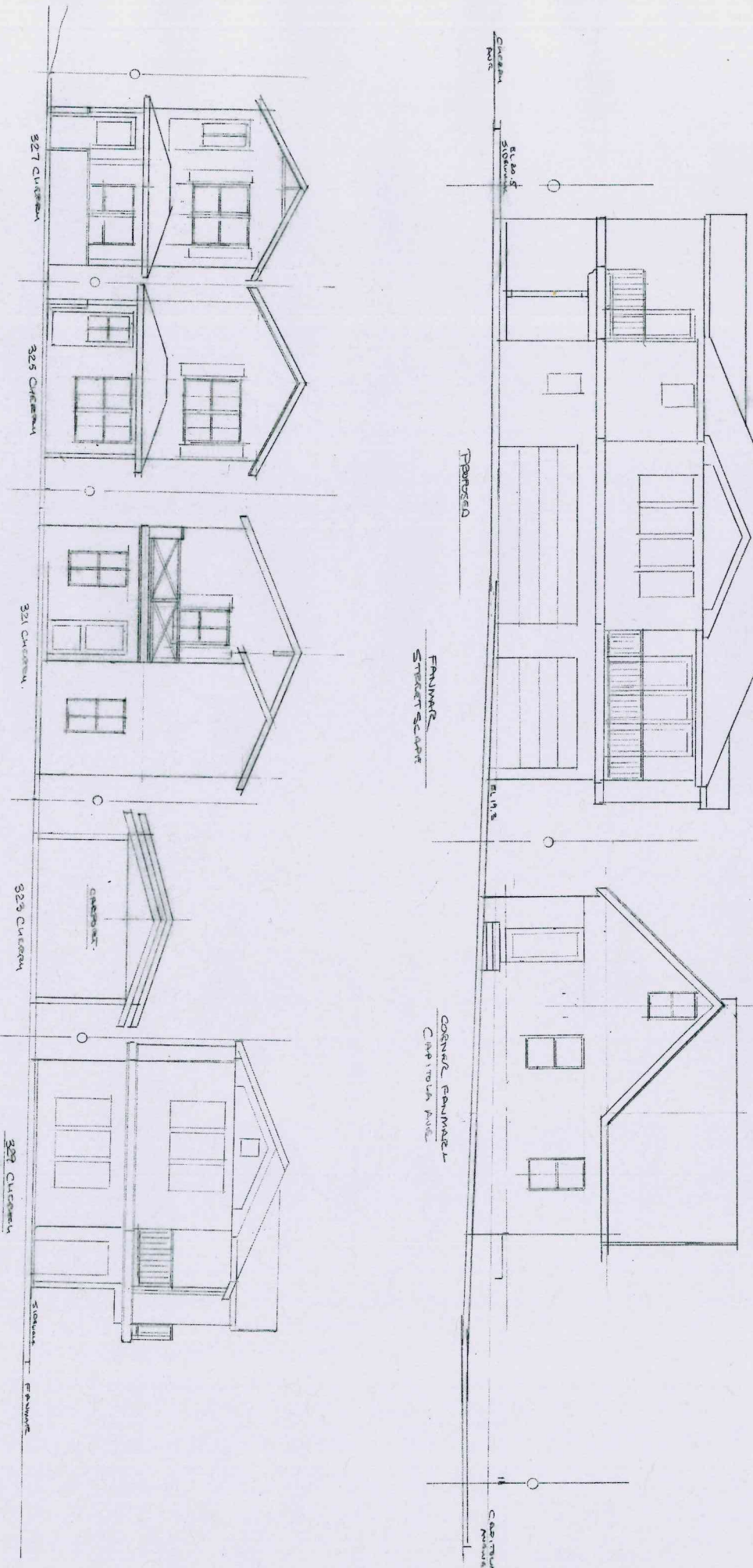
Size (ht x width): 1' x 2'

P

More info: <https://www.monrovia.com/plant-catalog/plants/5359/endurascape-dark-purple-verbena/>

WUCOLS = L





Cherry
STREET SCAPE
SCALE = 1/8" = 1'-0"

7