



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, May 2, 2013 – 7:00 PM

Chairperson Mick Routh
Commissioners Ron Graves
 Gayle Ortiz
 Linda Smith
 TJ Welch

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. April 4, 2013 Regular Meeting Minutes

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. 120 MONTEREY AVENUE #13-032 APN: 035-261-08

Design Permit to construct an interpretive three-panel kiosk in Esplanade Park and integrated design concept to rehabilitate existing interpretive signs along Soquel Creek.
Environmental Determination: Categorical Exemption
Owner: City of Capitola, filed: 3/12/13

B. 4980 CAPITOLA ROAD #13-045 APN: 034-041-07

Design Permit to convert an existing office use into a duplex in the CR (Commercial/Residential) Zoning District.
Environmental Determination: Categorical Exemption
Owner: Mark Murphy
Applicant: Thomas Branagan, filed: 4/5/13

C. 100 OAKLAND AVENUE #13-036 APN: 036-133-09

Coastal Permit and Design Permit to remodel an existing single family dwelling unit on a multi-unit property in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

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

Owner: James Castellanos, filed: 3/19/13

Representative: Dennis Norton

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. 3555 CLARES STREET #PP & #R #13-044 APN: 034-261-59

Conditional Use Permit to expand an existing coffee house and establish a wine bar with the sale and dispensing of alcohol in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Owner: Brown Ranch Marketplace

Applicant: Aaron Anderson, filed: 4/2/13

B. 305 FANMAR WAY #13-026 APN: 035-161-14

Coastal Permit and Design Permit to remodel an existing multi-story single-family house, including a first and second story addition in the RM-LM (Multi-Family Residence - Low Medium) Zoning District.

Environmental Determination: Categorical Exemption

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

Owner: Peter Wilk, filed: 2/19/13

Representative: Derek Van Alstine

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourn to the next Planning Commission on Thursday, June 6, 2013 at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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

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

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

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

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

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

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings can also be viewed from the City's website: www.ci.capitola.ca.us

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**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, APRIL 4, 2013
7 P.M. – CITY HALL COUNCIL CHAMBERS**

Chairperson Routh called the Regular Meeting of the Capitola Planning Commission to order at 7 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ron Graves, Gayle Ortiz, Linda Smith, TJ Welch and
Chairperson Mick Routh

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda -- None
- B. Public Comments -- None
- C. Commission Comments

Commissioner Smith noted that the new exhibit of the Capitola Historical Museum called "Picture This – Capitola-by-the-Sea" will open Saturday, April 13, with a reception at 11 a.m. and grand opening at noon. All are invited.

- D. Staff Comments -- None

3. APPROVAL OF MINUTES

- A. March 7, 2013, Regular Planning Commission Meeting

Commissioner Graves noted a change in tense under 4.A to reflect that he no longer serves on the County Sanitation Board.

A motion to approve the March 7, 2013, meeting minutes as amended was made by Commissioner Ortiz and seconded by Commissioner Welch.

The motion carried by the following vote: Aye: Commissioners Graves, Ortiz, Smith, and Welch and Chairperson Routh. No: None. Abstain: None.

4. CONSENT CALENDAR

- A. **105 STOCKTON AVENUE #13-034 APN: 035-171-21**

Conditional Use Permit and Sign Permit to allow a deli/sandwich shop in an existing building in the CV (Central Village) Zoning District.
Environment Determination: Categorical Exemption
Owner: Ashley Hubback
Applicant: Bill Bennett, filed: 3/14/13

A motion to approve project application #13-034 with the following conditions and findings was made by Commissioner Ortiz and seconded by Commissioner Smith.

CONDITIONS

1. The project approval is for a Conditional Use Permit and Sign Permit to allow a 550-square-foot deli/sandwich shop at 105 Stockton Avenue.
2. There shall be no cooking or baking on site. The business is a take-out use only.
3. The business hours are 9 a.m. to 9 p.m., seven days a week.
4. Sandwich board type signage shall be prohibited.
5. Any significant change to the use or the site must be approved by the Planning Commission.
6. 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 Staff and the Planning Commission have reviewed the project and determined that the proposed use is permitted in the CV (Central Village) Zoning District with a Conditional Use Permit. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

Community Development staff and the Planning Commission have reviewed the project and determined that the proposed take-out deli/sandwich shop and sign will not have a negative impact on the character and integrity of the commercial area. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

- 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 a use permit and sign permit to allow a take-out deli/restaurant use in an existing building. No adverse environmental impacts were discovered during project review by either the Community Development staff or the Planning Commission.

The motion carried by the following vote: Aye: Commissioners Graves, Ortiz, Smith, and Welch and Chairperson Routh. No: None. Abstain: None.

5. PUBLIC HEARINGS**A. 116 GRAND AVENUE #13-015 APN: 036-112-11**

Coastal Permit, Design Permit and Revocable Encroachment Permit to remodel an existing single-story single-family house and construct a new detached garage with a setback variance and Tree Removal Permit in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

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

Owner: John & Berna Bruzzone, filed: 1/28/13

Applicant: Dennis Norton

Interim Senior Planner Danielle Uharriet presented the staff report. She noted the lot is nonconforming legal, and the proposed renovation would convert a one-car garage to a bedroom and build a new garage at the rear. The new garage requires a variance for the backup area off of Central Avenue. Given that the lot configuration is unique in the Depot Hill neighborhood, staff supports the variance. She also noted that the home is a historic structure and reuse of the garage doors reflects the historic nature. The project is also asking for a revocable encroachment permit for landscape improvements in the front. Several similar encroachments permits have been issued along Grand Avenue. Finally the project is seeking to remove a pine tree growing into a telephone pole within the public right way, which staff supports. The applicant will only be required to replant two trees for the whole project because the lot has adequate canopy coverage.

Commissioner Welch confirmed that Public Works is requiring the applicant to keep the gravel turnaround on Grand Avenue. Interim Senior Planner Uharriet said she understands that is due to the deterioration of the street.

Chairman Routh opened the public hearing. He asked how the garage doors were being incorporated in the new design. Applicant Berna Bruzzone explained that they would be used similar to shutters on the new bedroom window to maintain the integrity of the current appearance.

Commissioners Ortiz and Smith supported the effort to keep the garage doors and the historical appearance.

Chairperson Routh expressed support for the variance given the odd-shaped lot.

Commissioner Ortiz suggested that the findings reflect that the reasons for supporting the variance are the irregular lot shape and it involves only a part of the driveway. Her fellow commissioners agreed.

There was no public comment during the public hearing, and Chairperson Routh closed the hearing.

A motion to approve project application #13-015 with the following conditions and findings was made by Commissioner Graves and seconded by Commissioner Ortiz.

CONDITIONS

1. The project approval consists of a Coastal Permit and Design Permit to remodel an existing single-story single-family house with an 84-square-foot addition, and construct a new 420-square-foot detached garage with a variance to the parking setback, and Revocable Encroachment Permit for improvements at 116 Grand Avenue.

2. Any significant modifications to the size or exterior appearance of the structures must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9 p.m., and Saturday 9 a.m. – 4 p.m., per city ordinance.
4. An encroachment permit shall be acquired for any work performed in the right-of-way.
5. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director.
6. During all grading and subsurface excavations (including utility-line trenching), construction will be halted if significant unexpected, archaeological resources are discovered. For the purpose of this permit, significant archaeological resources shall include the remains of previous Native American living areas or human burials. In the instance of Native American living areas, these objects shall be recorded and mapped by an archaeologist approved by the Community Development Director prior to further excavation on that portion of the site. In the event human burials are discovered during excavation, work shall be halted and the County Coroner, the Northwest Indian Cemetery Protective Association (NICPA) and other appropriate authorities shall be notified. Mitigation measures developed by the applicant and authorized archaeologists as a result of such unanticipated discovery shall be subject to the approval of the Community Development Director.
7. Prior to building permit issuance, the applicant shall contact the Public Works Department to complete the revocable encroachment permit process. A revocable encroachment permit shall be required to be recorded.
8. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized, and two 15-gallon replacement trees. Landscaping shall be installed prior to final building occupancy.
9. A tree permit application shall be submitted for any tree proposed for removal.
10. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

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

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development

standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

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

This project involves remodel of an existing single-family residence and the construction of a new two-car garage in the R-1 (Single Family Residence) Zoning District. Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone.

d. Variance:

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.

The lot is an irregular shape and the variance to the driveway depth involves only a part of the driveway.

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 granting of the variance would not constitute the granting of a special privilege as other standard lots in the vicinity can accommodate off-street parking perpendicular to the street.

The motion carried by the following vote: Aye: Commissioners Graves, Ortiz, Smith, and Welch and Chairperson Routh. No: None. Abstain: None.

B. 305 FANMAR WAY #13-019 APN: 035-161-14

Coastal Permit and Design Permit to remodel an existing multi-story single-family house, including a first and second story addition in the RM-LM (Multi-Family Residence – Low Medium) Zoning District.

Environmental Determination: Categorical Exemption

This project requires a Coastal Permit which is not appealable to the California Coastal Commission.

Owner: Peter Wilk, filed: 2/19/13

Applicant: Derek Van Alstine

Interim Senior Planner Uharriet presented the staff report. The application includes an interior remodel addition of a small living room and a second-story master bedroom suite. Plans would increase the roofline from 17 feet to 27 feet. The home currently has an illegal second kitchen in the basement area, and the owners have agreed to remove it and enter a deed restriction against such a use. The additions will not increase existing setbacks. The commission is allowed to grant permission up to 27 feet in height. This is not a variance. The proposed design uses traditional elements as called for to support the height increase.

Architect Derek Van Alstine offered to answer questions about the project. Commissioner Smith asked how the 27-foot height was determined since different plans appeared to have different

numbers. Mr. Van Alstine explained that the 27 feet is from the assumed grade while the new illustration reflects the view from Fanmar. He noted the house on this parcel sits further back from Cherry than its neighbors, all of which are a full three stories. The height will appear the same from the street, but higher from grade line. He stated it is designed to have no change in appearance of mass from Fanmar, and from Cherry the appearance of mass will be less than neighboring homes because it is set further back.

Commissioner Ortiz commended the completeness of the plans.

Chairman Routh opened the public hearing.

Neighbor Sue Gray shared concerns about the project, saying she would be most affected by the roof elevation and feared she would lose much of the view for which she bought her home. She acknowledged that she may only have impact on two feet, since 25 feet in height is permitted. Commission members located Ms. Gray's home in relation to the project home on the plans. Ms. Gray said it would have been helpful to have the orange netting placed that indicates the new height.

Commissioner Welch said he had visited Fanmar and tried to envision the impact and height. His impression was the impact would be minimal.

Ms. Gray also questioned city construction hours that allow work until 9 p.m., which she said were too late. Commissioner Ortiz noted later hours were created to benefit owner builders but could perhaps be limited. The other commissioners expressed support for shortening hours as a permit condition.

Tom Needham of Soquel also addressed the Commission and expressed concern that the house will appear larger. He also said that parking along the alley at that location can make access difficult for large vehicles such as fire trucks and noted there are parking restrictions in the vicinity.

Commission members and Mr. Van Alstine engaged in a lengthy discussion trying to determine the height and changes from various vantage points. They confirmed the new height will be 4'6" higher than it currently stands.

Chairman Routh closed the public hearing.

Commissioner Ortiz recalled participating in the discussion when the ordinance allowing the extra height was created, saying the intent was to give people who are remodeling older homes some leeway to get more room in smaller homes as long as they keep the integrity of the lines. She acknowledged the resulting code is ambiguous, but she felt it applies to homes with some claim to historic style and was uncertain how to make findings that define why this project is eligible.

Commissioner Smith expressed concern about the overall mass of the home.

Commissioner Welch said that after visiting the neighborhood and speaking with residents he did not have much concern about the mass. He said the project would be a great addition the neighborhood and enhance the area.

Commissioner Graves said he while he has concerns about the height, locations back from the coast are always in jeopardy of losing their views. He expressed a desire that the height increase could perhaps be relocated. He supported reducing construction hours to 6 p.m. on weekdays. He also confirmed with staff that the applicant had addressed all the comments and concerns raised by the Architecture and Site Committee.

Commissioner Welch said he would also support the reduced hours.

Chairman Routh noted he wants to assure this property owner has the right to improve and enjoy his property in the same manner the neighbors have.

Commissioner Ortiz noted the commission has a good precedent to ask this project to be netted. She suggested perhaps the application could be continued, which would also give staff time to review height data. She asked fellow commissioners and Mr. Van Alstine how he interpreted the ordinance allowing the extra height and applied it to this project.

Mr. Van Alstine replied that in his view the ordinance encourages good architectural practice for an overall improved, congruous result. He agreed the historic design elements portion could be read to mean those of the specific home or more general historic styles found in Capitola.

Commissioner Welch said he interprets the ordinance to allow a remodel to build upon the historical design of the house, and that the allowance for extra height is not simply to allow more room for living space, but to permit a roofline with character. He said the application in his opinion meets those criteria.

Commissioner Smith said the application is in keeping with the previous appearance and style of home, but she is not certain that is sufficient to allow the additional height. The fact that the house is on a slope and the 27 feet is measured not from street level also plays into her deliberations.

Commissioner Ortiz said she is inclined to continue the application and ask for the netting to better gauge the impact on height and mass. Commissioner Smith concurred.

Commissioner Welch said he felt he could support the application as it is.

Commissioners Graves also supported asking for netting.

Chairman Routh called the question.

A motion to continue project application #13-019 and request the applicant to install netting to the proposed size and height was made by Commissioner Ortiz and seconded by Commissioner Graves.

Commissioner Ortiz also asked for a staff determination of the official height before the application returned to the commission. Commissioner Graves said he and perhaps other commission members would take advantage of Ms. Gray's offer to view the applicant property from her deck.

The motion carried by the following vote: Aye: Commissioners Graves, Ortiz, Smith, and Chairperson Routh. No: Commissioner Welch. Abstain: None.

6. STAFF REPORT

Interim Senior Planner Uharriet said that new Community Development Director Richard Grunow would be starting on April 22. Recruitment has begun for a new planner and those applications are due April 29.

7. COMMISSION COMMUNICATIONS

Commissioner Graves said that he had attended the March 14 City Council meeting that included a report and discussion on the General Plan Land Use Element. He expressed displeasure with the consultants' use of new names for neighborhoods and confusion of Capitola Avenue and Capitola Road, which made the presentation more difficult to follow. He also encouraged the Commission to take advantage of this opportunity to revise and clarify codes. In addition to addressing the requirements for the 27-foot allowance, he would also like to improve requirements for second story setbacks. Both he and Chairperson Routh said they have heard complaints about the visual impact of new homes on 48th Avenue that meet requirements at the front, but are not attractive from the side.

Commissioner Ortiz agreed and requested a study session exclusively for review of zoning ordinance changes as part of the General Plan Revision approval process. She also noted that she has a long-standing obligation and will not be able to attend the June General Plan meeting as the Commission's designated representative, and asked if the Commission can name a voting alternate. Commissioner Smith offered to serve in that capacity. Staff was asked to look into that possibility.

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:04 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, April 2, 2013, at 7 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on May 2, 2013.

Linda Fridy, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 2, 2013

SUBJECT: **120 MONTEREY AVENUE # 13-032 APN: 035-261-08**
Design Permit to construct an interpretive three-panel kiosk in Esplanade Park and integrated design concept to rehabilitate existing interpretive signs along Soquel Creek.
Environmental Determination: Categorical Exemption
Owner: City of Capitola, filed: 3/12/13

APPLICANT'S PROPOSAL

The applicant is proposing to install a three-panel informational kiosk in Esplanade Park in the CV (Central Village) Zoning District. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

BACKGROUND

In 2004 the City Council approved a Public Arts Fee. The purpose of the fee is to ensure that 2% of the cost of eligible projects with a total building permit valuation of \$250,000 or more is set aside for the acquisition of works of art to be displayed in public places within the City. The fee for private development is an in-lieu option to contribute 1% of the budget to the Public Art Program. This fund is restricted and may only be used for its designated purposes. This project qualifies for Public Art funding.

DISCUSSION

The Art & Cultural Commission members believe an artist-designed kiosk on the Esplanade would be an excellent tool to help promote events in the City, provide information from the City Council, Capitola Village, Wharf Business Improvement Area, Capitola-Soquel Chamber of Commerce, and display an informative map of Capitola. The Commission envisioned a three-sided, free standing kiosk located across the sidewalk at the end of Esplanade Park (Attachment A). The Commission also believes the materials and design used in the kiosk easily can be incorporated into a replacement frame for the signs along the Soquel Creek walkway, bringing consistency to design elements in the Village. A call to artists was sent out in November 2012 for the design and fabrication of a kiosk. An illustration of the design is attached (Attachment B). In January 2013 the Art and Cultural Commission selected an artist.

The kiosk is a monument-type sign requiring a Design Permit. The dimensions of the kiosk are: 32" wide at the top, 42" at the base, ~88" high, including an otter sculpture. The overall height is less than the eight-foot maximum height limit for a monument sign. The display area will be approximately 18 square feet, about 6 square feet per side. The allowable signage area is 35 square feet. The materials of the kiosk are a pre-manufactured stainless steel weatherproof frame base with a bronze otter sculpture at the top (Attachment C).

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 120 Monterey Avenue

CEQA REVIEW

Section 15303(e) of the CEQA Guidelines exempts the construction of new small accessory structures. This project is for the construction of a new informational kiosk in Esplanade Park in the CV (Central Village) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #13-032 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project is to construct an informational kiosk in Esplanade Park.
2. Any significant modifications to the size or exterior appearance of the kiosk must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
4. Prior to granting of final inspection, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Planning Department Staff and the Planning Commission have all reviewed the project. The project conforms to the signage development standards of the CV (Central Village) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Planning Department Staff and the Planning Commission have all reviewed the project. The project conforms to the development standards of the CV (Central Village) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

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

This project is to construct an informational kiosk in the CV (Central Village) Zoning District. Section 15303(e) of the CEQA Guidelines exempts the construction of new small accessory structures.

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 120 Monterey Avenue

ATTACHMENTS

- A. Site Map
- B. Sample kiosk
- C. Design plans

**Report Prepared By: Danielle Uharriet
Interim Senior Planner**

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Village Kiosk Project



Proposed kiosk location

1 inch = 40 feet

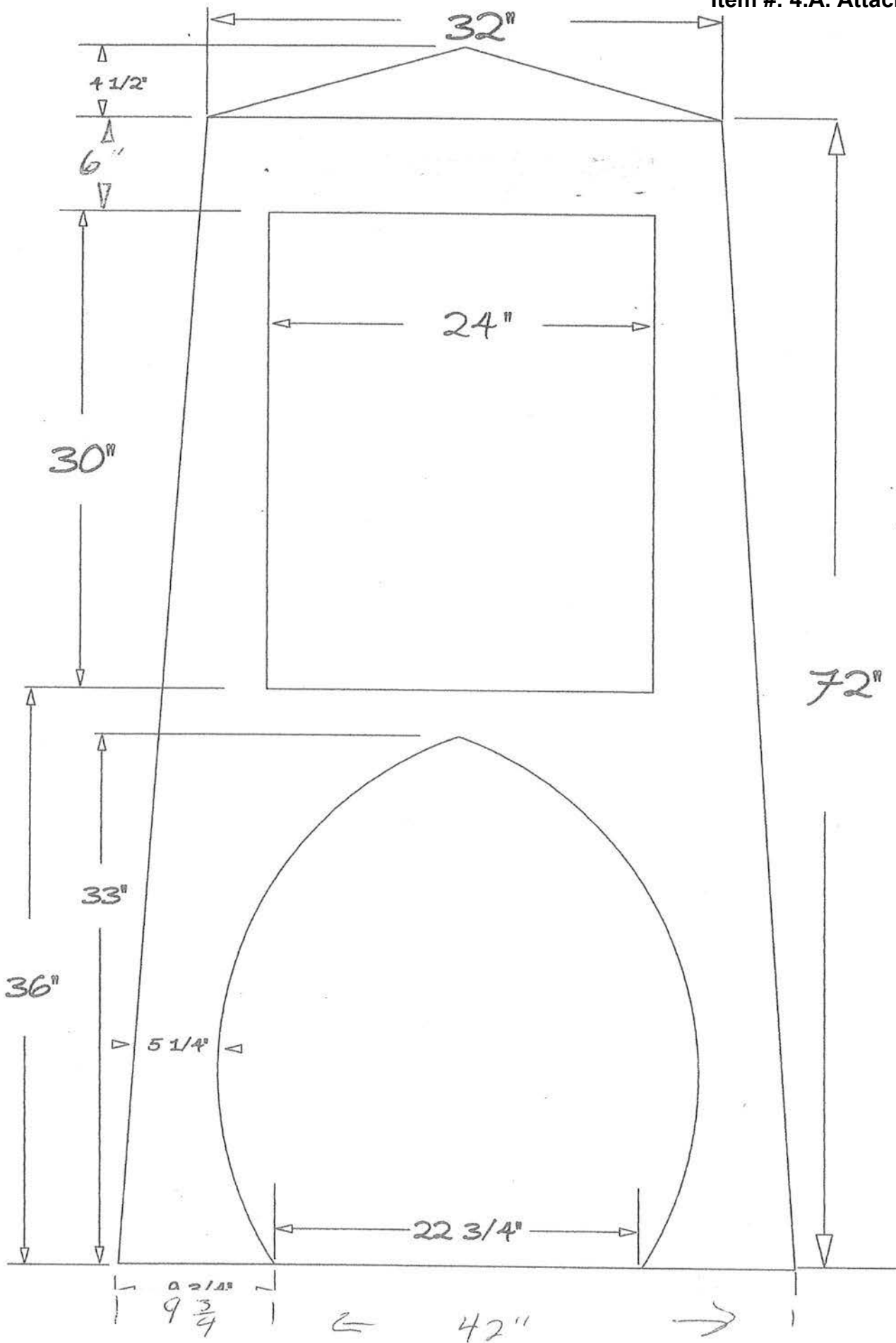


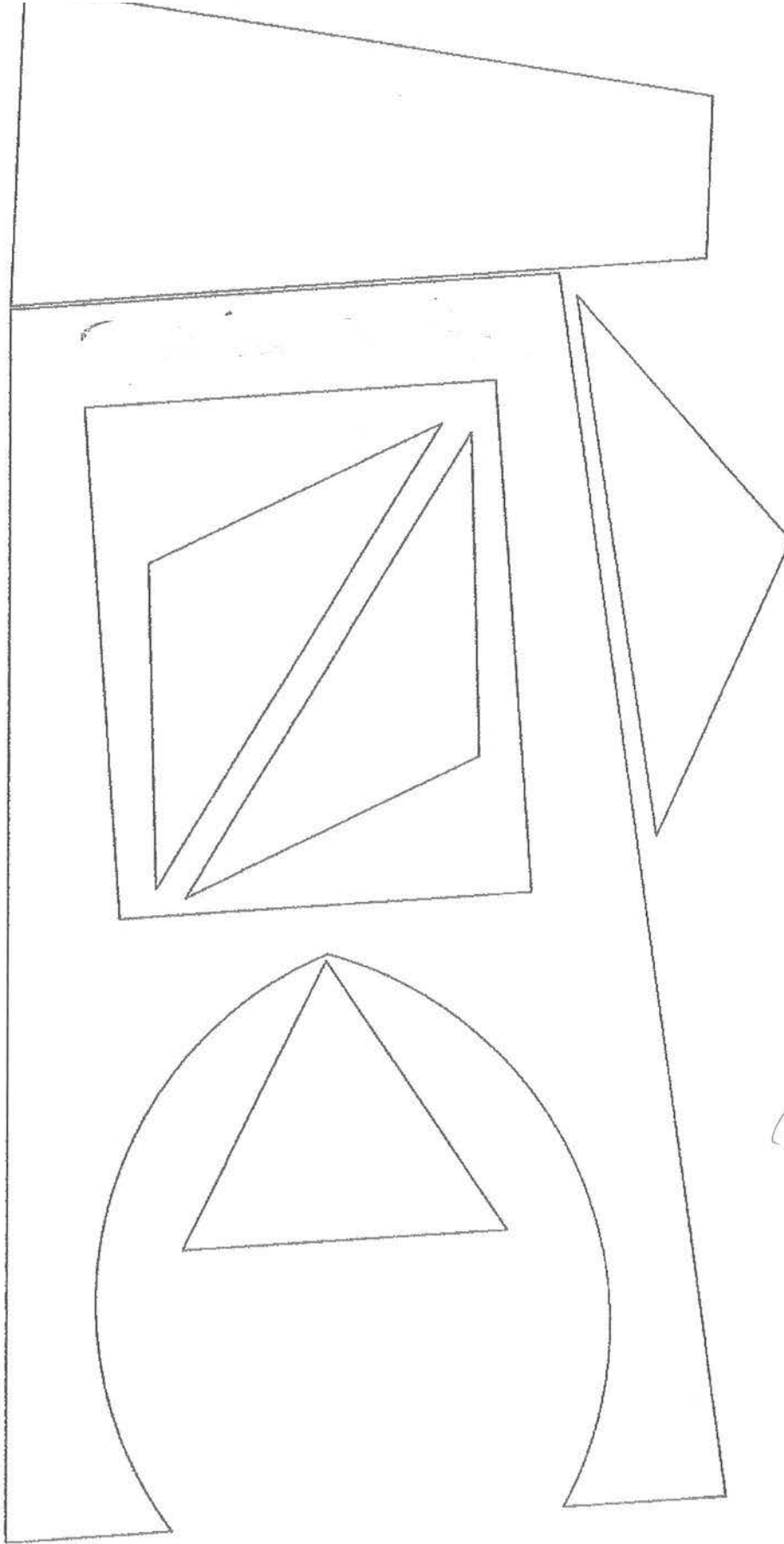
Site Map

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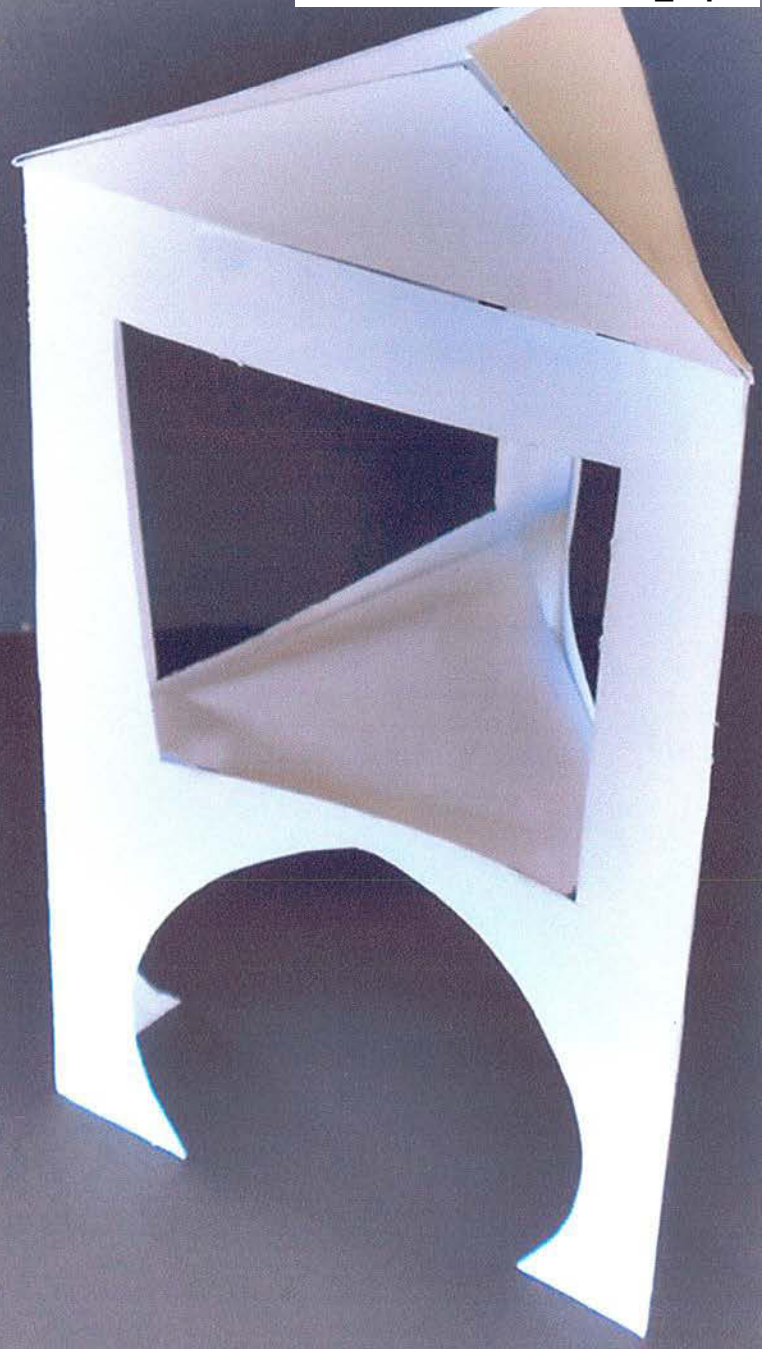
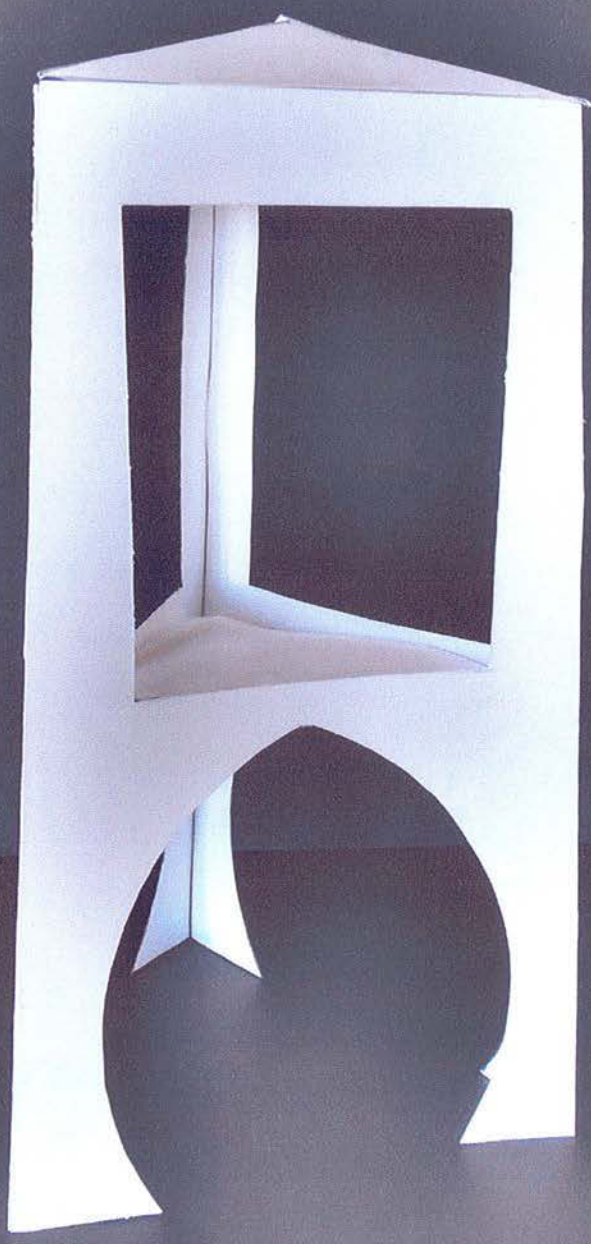


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Preserve our Beach
Capitals by the Sea -



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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 2, 2013

SUBJECT: **4980 CAPITOLA ROAD #13-045 APN: 034-041-07**
 Design Permit to convert an existing office use into a duplex in the CR (Commercial/Residential) Zoning District.
 Environmental Determination: Categorical Exemption
 Owner: Mark Murphy
 Applicant: Thomas Branagan, filed 4/5/13

APPLICANT’S PROPOSAL

The applicant is proposing a convert an existing office use into a duplex at 4980 Capitola Road in the CR (Commercial/Residential) Zoning District. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

<u>STRUCTURAL DATA</u>				
<u>SETBACKS</u>		Required	Existing	Proposed
Front Yard	1 st Story	n/a	~43'-0"	~43'-0"
Rear Yard	1 st Story	10'-0"	2'-0"	2'-0"
Side Yard	1 st Story	n/a	11'-0" (east) & 5'-0" (west)	11'-0" (east) & 5'-0" (west)
<u>MAX HEIGHT</u>		27'	17'-0"	17'-0"

<u>FLOOR AREA RATIO</u> – n/a			
<u>PARKING</u>	Required	Existing	Proposed
	2 spaces per unit, one of which must be covered.	4 uncovered	2 covered 4 uncovered
Total	4 spaces	4 spaces	6 spaces

BACKGROUND AND DISCUSSION

The subject property is a 4,000-square-foot lot with an existing 864-square-foot office building and three uncovered parking spaces along the Capitola Road frontage. This building has been a commercial use since the early 1970's. The building was remodeled in 1995 and the use changed from a retail shop to an office use. The applicant is proposing to convert the office into two residential units: a 661-square-foot, two-bedroom unit with access from the front of the building, and a 203-square-foot studio unit with access from the side yard along the east side of the building.

The exterior modifications involve the removal of the existing French doors and replacement of one slider for the studio unit; and the removal, relocation and replacement of windows throughout the building. The existing site landscaping will not be modified except the area where the new carports are proposed.

Any existing use of property which is nonconforming only as to the number of off-street parking facilities may keep its existing parking count except when a change of use has a higher parking requirement. In this case, the new use requires covered parking. The previous office use required four parking spaces. The proposed use requires four parking spaces, two of which must be covered, one for each unit. The existing four parking spaces are located along the property frontage. To meet the covered parking requirement, the applicant is proposing two simple metal frame carports with roofing material to match the main building roof. The carports are behind the front setback, in front of the residential units. Some existing landscaping will be removed to accommodate the new carports. The entire existing parking area is paved with pervious paving material and that will be maintained.

The proposed modifications to the structure meet the current CR (Commercial/Residential) district development standards.

CEQA REVIEW

Section 15303(a) of the CEQA Guidelines exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This project involves conversion and remodel of an existing office building into two residential units in the CR (Commercial/Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #13-045 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval is to convert an existing 864 square foot office into two residential units: 203 square foot studio unit and 661 square foot two-bedroom unit at 4980 Capitola Road.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 4980 Capitola Road

4. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Planning Department Staff and the Planning Commission have all reviewed the project. The project generally conforms to the development standards of the CR (Commercial/Residential) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Planning Department Staff and the Planning Commission have all reviewed the project. The project conforms to the development standards of the CR (Commercial/Residential) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

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

This project involves conversion and remodel of an existing office into two residential units in the CR (Commercial/Residential) Zoning District. Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone.

ATTACHMENTS

- A. Project Plans

**Report Prepared By: Danielle Uharriet
Interim Senior Planner**

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NOTE:
(E) Siding, Roof, Trim and paint to remain as is.
Any deficiencies in wood trim, replacements to be repaired in-kind and shall match (E)

Front (North) Elevation Scale: 1/8" = 1'-0"

Right (West) Elevation Scale: 1/8" = 1'-0"

Back (South) Elevation Scale: 1/8" = 1'-0"

Left (East) Elevation Scale: 1/8" = 1'-0"

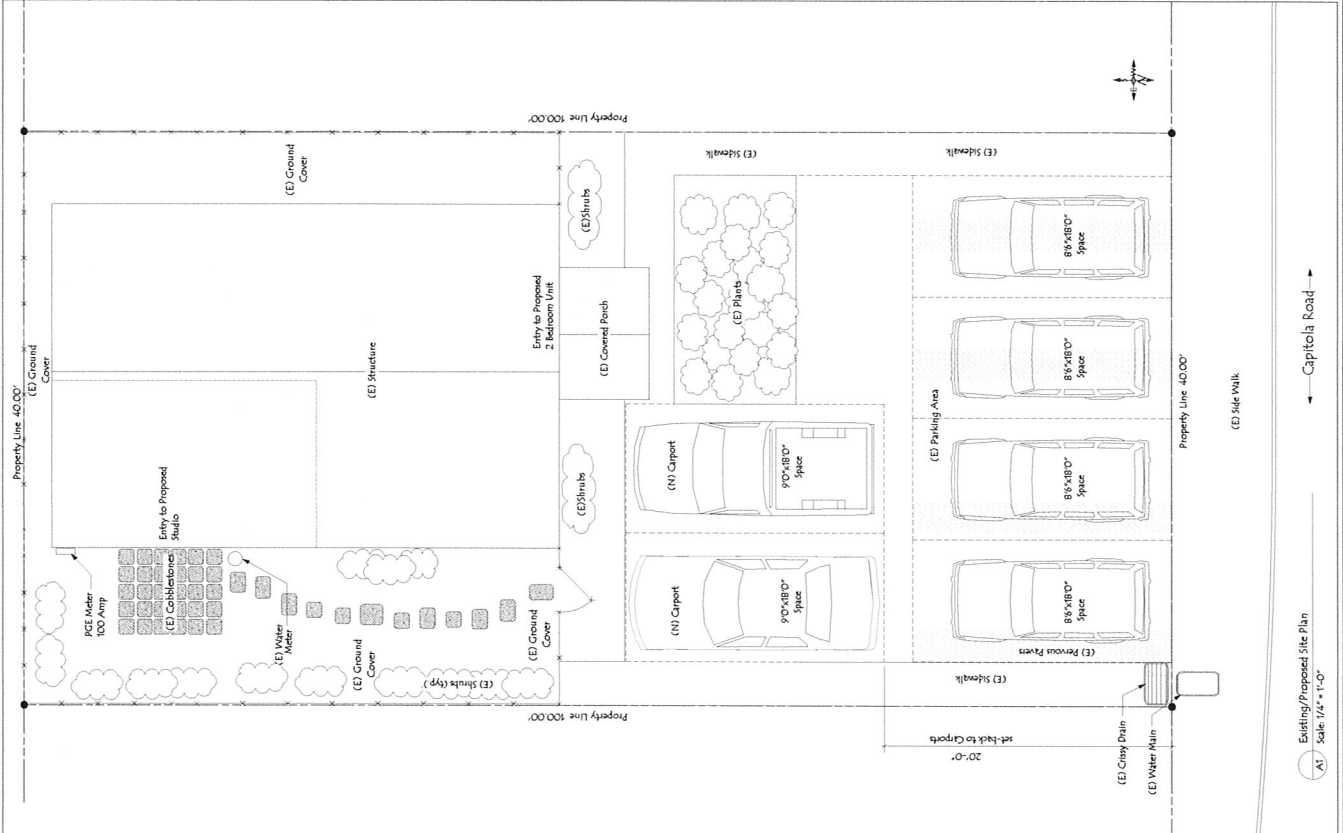
Occupancy: R-3
 Const. Type: Wood-framed,
 Type: 1b, Non-sprinklered

PROJECT DESCRIPTION:
 Remodel (E) Office Space to:
 - (N) One Bedroom Studio w/
 Kitchen and bath, plus
 - (N) Two bedroom Unit w/ Kitchen,
 Bath and Living Room.

Plans are in compliance w/the following:
 2010 California Residential Code
 2010 California Mech. Code
 2010 California Elec. Code
 2010 California Energy Code
 2010 California Plumbing Code

- SHEET INDEX**
- A1 Site Plan, Vicinity Map & Elevations
 - A2 Original/Existing & Proposed Floor Plans

APN: 034-041-07



Existing/Proposed Site Plan
 Scale: 1/4" = 1'-0"



CBC 607.1.1:
Handrail assemblies shall be able to resist a single concentrated load of 200 lbs. applied perpendicular to the handrail at any point. The attachment device & supporting structure to transfer this load to appropriate structural elements.

CBC 632.2:
Handrails adjacent to a wall shall have a space of not less than 1.5' between wall and handrail.

CBC 632.3:
Handrails with a circular cross section shall have an outside diameter of at least 1.25' & not greater than 2' or shall provide the equivalent strength. Handrails shall have a perimeter fins of at least 4' & not greater than 6.25'. A max. cross section dimension of 2.25'. Edges shall have a min. radius of 0.001'.

CBC 632.3:
Handrails on open side of walking surface shall have an intermediate railing spaced such that a person cannot enter path through.

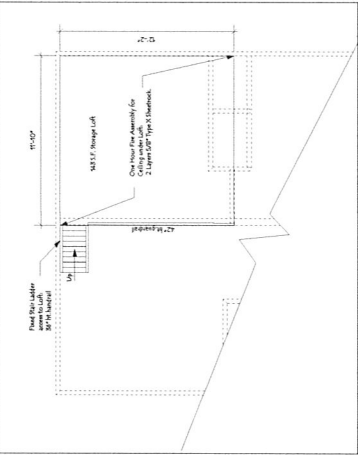
CBC 637.1:
Handrails not less than 34" or more than 38" above the nosing of tread.

2. Gaitrail / Handrail Details
Scale 1/4" = 1'-0"

NOTES:
All New Glazing to be 6th Panel, Low E, Vinyl

NEW GLAZING SCHEDULE		NEW INTERIOR DOOR SCHEDULE	
Item	Size	Item	Size
(A)	150x210"	(E)	24"x36"
(B)	150x210"	(F)	24"x36"
(C)	150x210"	(G)	150x210"
(D)	150x210"	(H)	150x210"

NEW GLAZING SCHEDULE		NEW INTERIOR DOOR SCHEDULE	
Item	Size	Item	Size
(A)	150x210"	(E)	24"x36"
(B)	150x210"	(F)	24"x36"
(C)	150x210"	(G)	150x210"
(D)	150x210"	(H)	150x210"



Loft Floor Plan
Scale 1/4" = 1'-0"

TITLE 24 LEGEND

MS/PH: Motion Sensor/Photo Controllable
LED Light Fixtures
Exhaust fan
Overhead light fixtures
Pendul light fixture
Under Cabinet Fluorescent lighting
Dimmer switch
3 way switch
Smoke detector w/ 100V battery back-up
Carbon Monoxide detectors
NOTE: Follow manuf. directions for installation.
AK: AIC Built Tamper-Proof Receptacles

100000: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

100001: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

100002: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

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100004: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

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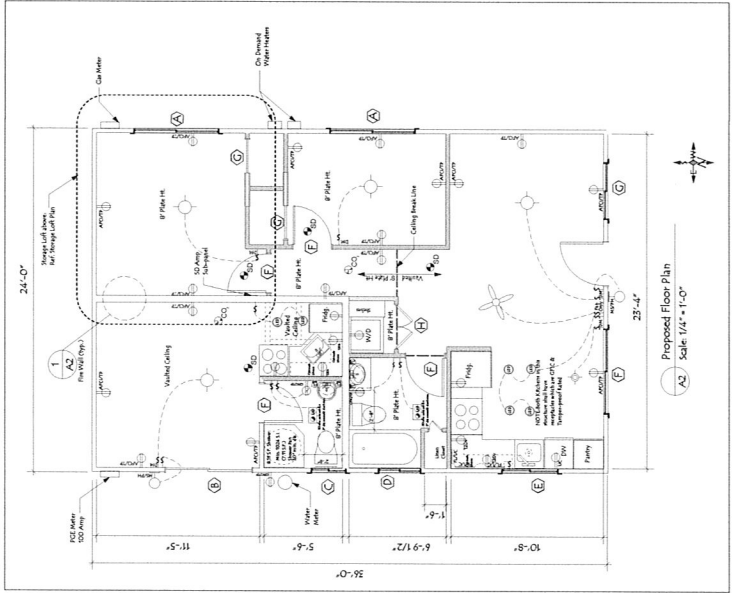
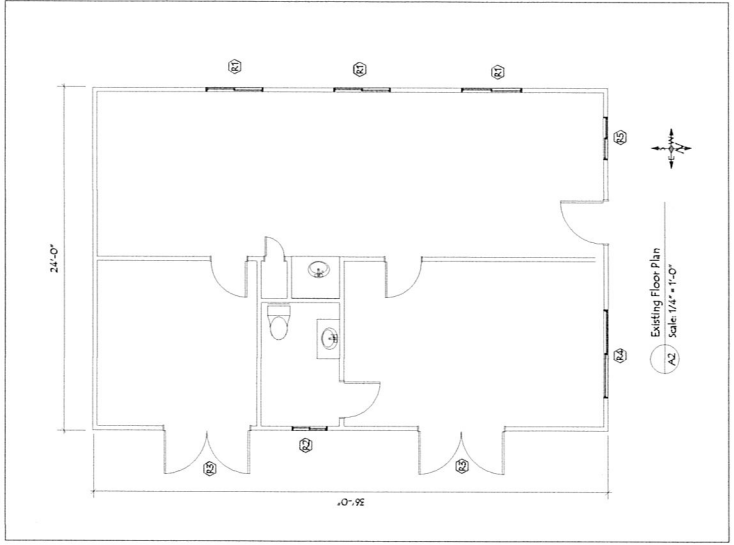
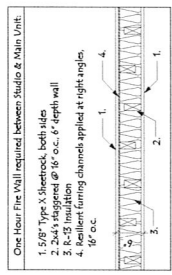
100006: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

100007: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

100008: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

100009: All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards. All work shall be in accordance with the 2009 California Building Code (CBC) and all applicable codes and standards.

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 2, 2013

SUBJECT: **100 OAKLAND AVENUE #13-036 APN: 036-133-09**
 Coastal Permit and Design Permit to remodel an existing single-family dwelling unit on a multi-unit property in the R-1 (Single-Family Residence) Zoning District.
 Environmental Determination: Categorical Exemption
 This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
 Owner: James Castellanos, filed: 3/19/13
 Representative: Dennis Norton

APPLICANT'S PROPOSAL

The applicant is proposing a remodel of an existing two-story single-family dwelling unit on a multi-unit property at 100 Oakland Avenue (formerly 402 Grand Avenue) in the R-1 (Single Family Residence) zoning district. No changes are proposed to Units 2-4. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

STRUCTURAL DATA				
SETBACKS		Required	Existing	Proposed
Front Yard	First Floor	15'	Varies 14'-0" – 18'-3"	Varies 14'-0" – 18'-3"
	Second Floor	20'	Varies 12'-2" – 16'-2" Deck 11'-12'-6"	Varies 14'-10" – 17'-0" Deck ~8'-0"-9'-0"
Rear Yard	First Floor	20'	18'-0"	18'-0"
	Second Floor	20'	18'-0"	18'-0"
Side Yard	First Floor	5'-0" interior 10'-0" street	8'-0" interior 10'-0" street	8'-0" interior 10'-0" street
	Second Floor	5'-9" interior 11'-6" street	7'-0" interior 8'-6" street	7'-0" interior 8'-6" street
MAX HEIGHT		25'	~22'-0"	24'-10"
PARKING		2 spaces/unit one covered	6 covered 6 uncovered	6 covered 6 uncovered

<u>FLOOR AREA RATIO</u>		
Lot Size		6,262 sq. ft
Maximum Allowable	48%	3,006 sq. ft.
Existing	79%	4,944 sq.ft.
Proposed	78%	4,872 sq.ft.

Building 1 – 1 unit Habitable Space	Existing Square Footage	Proposed
First Floor	777	777
Garage/Carport	393	393
Second Floor	813	876
Decks	498	363
TOTAL	2,481	2,409

Building 2 – 1 unit Habitable Space	Existing Square Footage	Proposed
First Floor	0	0
Garage/Carport	440	440
Second Floor	473	473
Decks	54	54
Building 2 TOTAL	967	967

Building 3 – 2 units Habitable Space	Existing Square Footage	Proposed
First Floor	264	264
Garage/Carport	484	484
Second Floor	748	748
Decks	0	0
Building 3 TOTAL	1,496	1,496

BACKGROUND

On April 10, 2013, the Architectural and Site Review Committee reviewed the application.

- City Architect Derek Van Alstine suggested the exterior staircase turn at the landing onto a pathway leading to the street instead of straight onto the driveway. He recommended that the flat stucco wall on the west elevation be articulated with different color, texture or shadowing.
- Building Official Mark Wheeler clarified that the fireplaces will be gas not wood burning.
- City Landscape Architect Susan Suddjian suggested a trellis with vines to soften the stucco wall on the west elevation.
- Interim Senior Planner Danielle Uharriet required documentation be provided showing that structural alterations to nonconforming structures are limited to 80% of the present fair market value of the structure; and submittal of a preliminary landscape plan and color and materials board.

DISCUSSION

The subject property is located on a 6,262-square-foot lot in the Depot Hill single-family neighborhood. The original address of the front residence was 402 Grand Avenue and units 2-4

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 100 Oakland Avenue

were addressed as 100 Oakland Avenue. There is no longer vehicle or fire access from Grand Avenue to the front residence, and therefore the address has been changed to 100 Oakland Avenue.

The property is legal nonconforming due to the four legal units with decks, garages and carports, and the existing floor-area ratio is greater than allowed in the R-1 zoning district. Per Section 17.72.070, structural alterations to nonconforming structures are limited to 80% of the present fair market value of the structure. The applicant has provided a construction cost breakdown (Attachment A) that demonstrates how the proposed project will not exceed 80% of the present fair market value of the structure. The Building Official has reviewed the calculations and determined them to be accurate.

The existing front residence is a two-bedroom, 2,481-square-foot unit with an attached two-car carport and second-story deck. The applicant is proposing to remodel the residence with the following modifications: changing the front entry of the home from Grand Avenue to the Oakland Avenue frontage via a new staircase, reconfiguring the floor plan, relocating the fireplace, changing the roof design from a mansard roof to a pitched roof, new window configuration, rebuild the front deck, and changing exterior materials and finishes.

The existing entry to the home is situated facing Grand Avenue. The proposed entry will be on the second floor of the residence with access from a new staircase along Oakland Avenue. The staircase and landing encroach into the street side setback 3'-6" with the landing ending 3'0" from the property boundary. The code allows for the staircase and landing encroachment into the required side yard setback, one-half the width of the setback, but no closer than three feet on the side property boundary.

The reconfiguration of the floor plan maintains a reverse floor plan with the main living area on the second floor. A 6'-0" x 10'-0" portion of the second floor rear deck will be enclosed to expand an interior room. The 60-square-foot addition does not increase floor area ratio (FAR), since the existing deck is included in the FAR. The fireplace is proposed to be moved to the rear deck area with an interior and exterior fireplace. The existing mansard roof at 22'-0" will be modified to a pitched roof at 24'-0". The window configuration throughout the residence will be modified to reflect the new floor plan. The ocean-facing second floor deck will remain in the same location and square footage as the existing deck. (Attachment B). Finally, the exterior materials will be stucco siding, cooper belly band, copper gutters and downspouts, and a lifetime roof (Attachment C).

The proposed landscape plan maintains the existing lawn, hedge and some site landscape. The single palm tree is proposed to be removed and replaced with a 24" box Bloodgood Japanese Maple. New landscaping in the driveway area will lessen the impact of paving along the Oakland Avenue frontage.

The proposed modifications to the structure meet the current R-1 district development standards, including height, setbacks, parking and floor area ratio.

CEQA REVIEW

Section 15303(b) of the CEQA Guidelines exempts the construction or conversion of multi-family residences in a residential zone. This project involves the remodel of an existing single-family dwelling unit on a multi-unit property in the R-1 (Single-Family Residence) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 100 Oakland Avenue

RECOMMENDATION

Staff recommends that the Planning Commission approve application #13-036, subject to the following conditions and based upon the following findings:

CONDITIONS

1. The approval is for a Coastal Permit and Design Permit to remodel (new exterior staircase, reconfigured floor plan, including 60-square-foot of existing rear deck area converted to interior square-footage, relocated fireplace, modified roof design, changes to window configuration, rebuilding front deck, changes to the exterior building materials) an existing single-family dwelling unit on a multi-unit property at 100 Oakland Avenue (formerly 402 Grand Avenue).
2. Any significant modifications to the size or exterior appearance of the structures must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday, 9:00 a.m. – 4:00 p.m., per city ordinance.
4. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director.
5. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and size, as well as the irrigation system to be utilized. Landscaping shall be installed prior to final building occupancy.
6. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.

FINDINGS

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

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

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

Community Development staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the project and determined that the proposed remodel will not have a negative impact on the character and integrity of the surrounding neighborhood. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

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

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 100 Oakland Avenue

The proposed project involves the remodel of an existing single-family dwelling unit on a multi-unit property in the R-1 (Single-Family Residence) Zoning District. Section 15303(b) exempts the construction or conversion of multi-family residences in a residential zone.

ATTACHMENTS

- A. Construction Cost Breakdown
- B. Project Plans
- C. Colors/Materials

**Report Prepared By: Danielle Uharriet
Interim Senior Planner**

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100 DAKAND AVE, CAP.
 20% RULE CALCULATIONS.

TOTAL STRUCTURE = 4,824 sq ft
 $4,824 \times 100^{\text{sq ft}} = \$482,400^{\text{sq}}$
 TOTAL REBUILD & ADDITION = 876 sq ft
 TOTAL REMODEL = 1050 sq ft

REBUILD & ADDITION

$$876 \times 150^{\text{sq}} = 131,400$$

$$\text{REMODEL } 1050 \times 100^{\text{sq}} = 105,000$$

$$\text{TOTAL COST} = \$236,400^{\text{sq}}$$

$$\$236,400^{\text{sq}} \div \$482,400^{\text{sq}} = 49\%$$

REBUILD TO EXISTING COST PERCENT.

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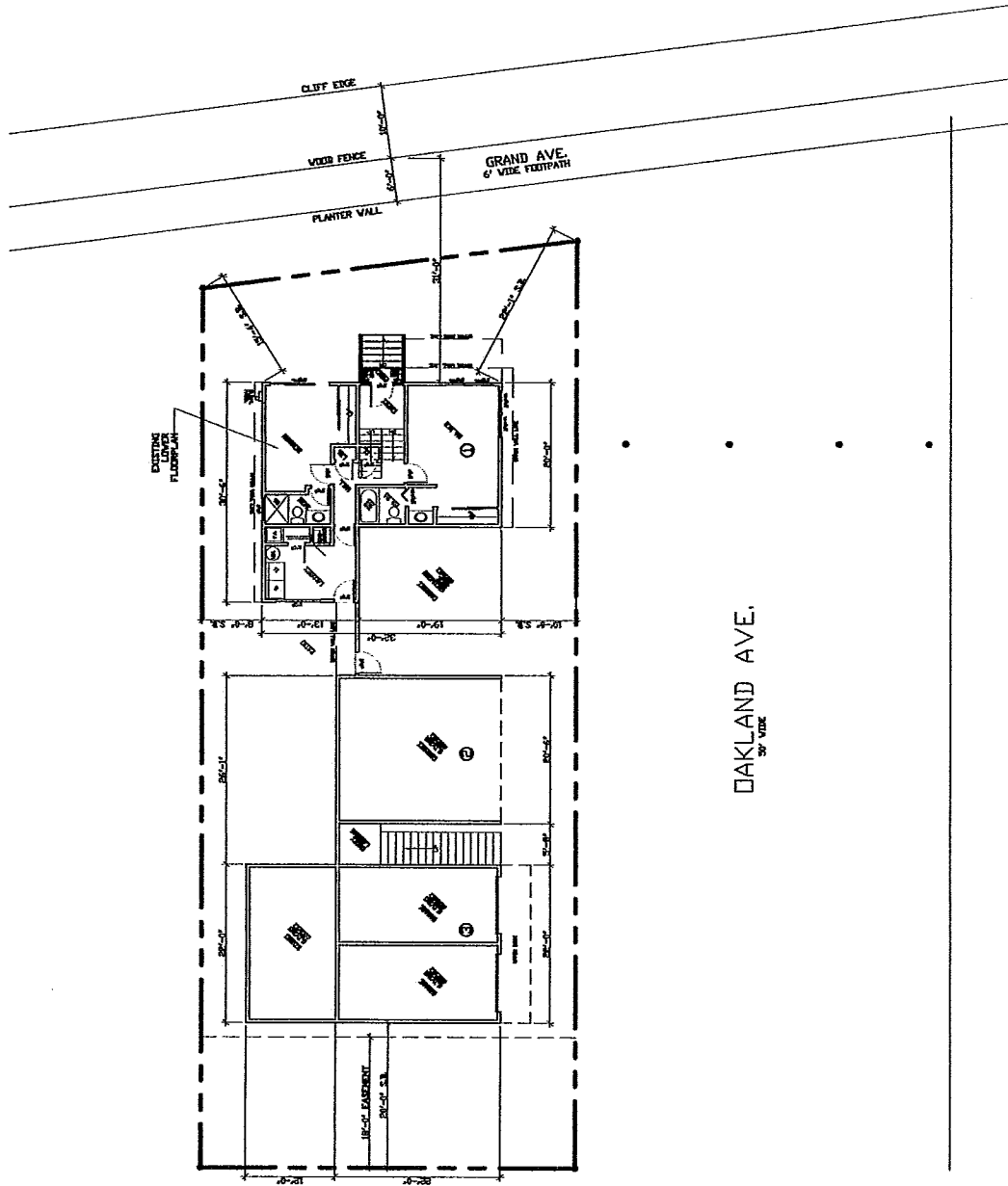
CASTELLANOS RESIDENCE
100 OAKLAND AVE.
OAKLAND, CA 94612

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING

EXISTING SITE
F N

CG
1/8"=1'-0"
OAKLAND
03/06/13

2



SITE PLAN

PROPOSED SITE
DATE: 01/21

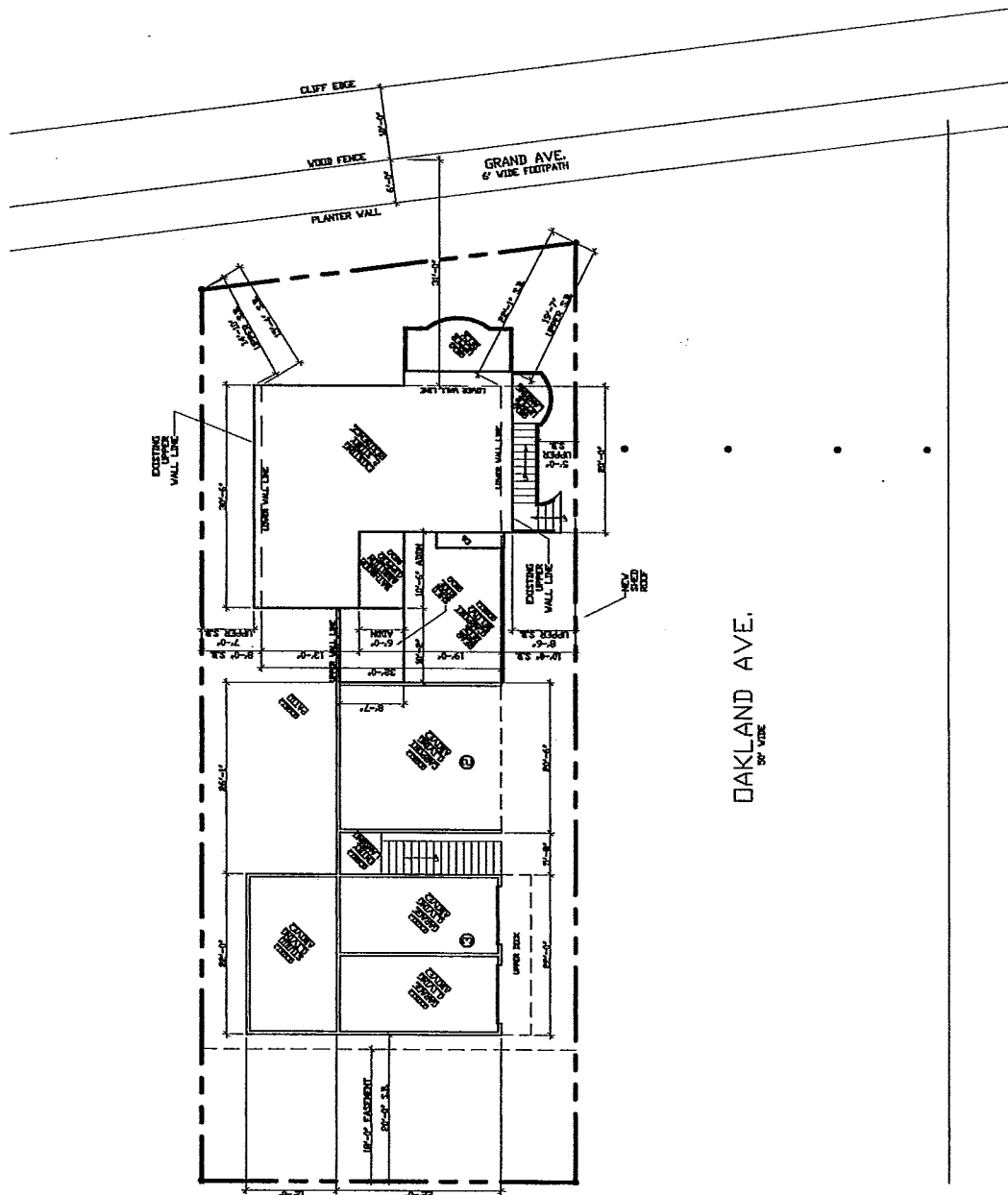
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DATE: 01/21

2A

DENNIS NORTON
ARCHITECT
PROJECT PLANNING

715 O STREET, SUITE 200, OAKLAND, CA 94612
415.778.8888

CASTELLANOS RESIDENCE
100 OAKLAND AVE.
CAPITOLA, CA 95010
APN: 036-133-09



SITE PLAN
DATE: 01/21

OAKLAND AVE.
6' WIDE

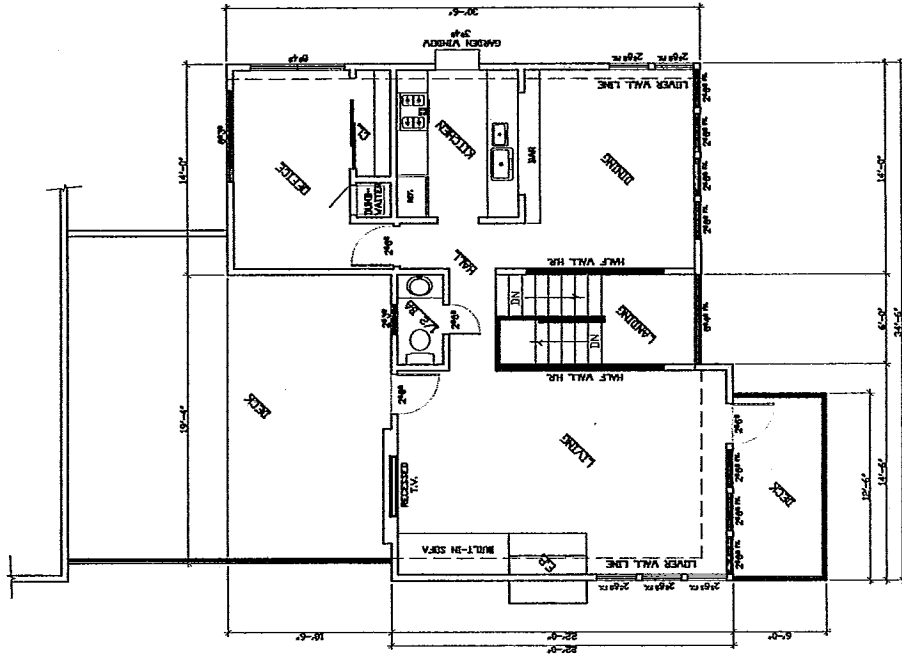
CASTELLANOS RESIDENCE
100 OAKLAND AVE.
CAPITOLA, CA 95010

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING
1200 S. GARDEN ST. - SUITE 100 - SAN JOSE, CA 95128

EXISTING
FLOOR PLAN

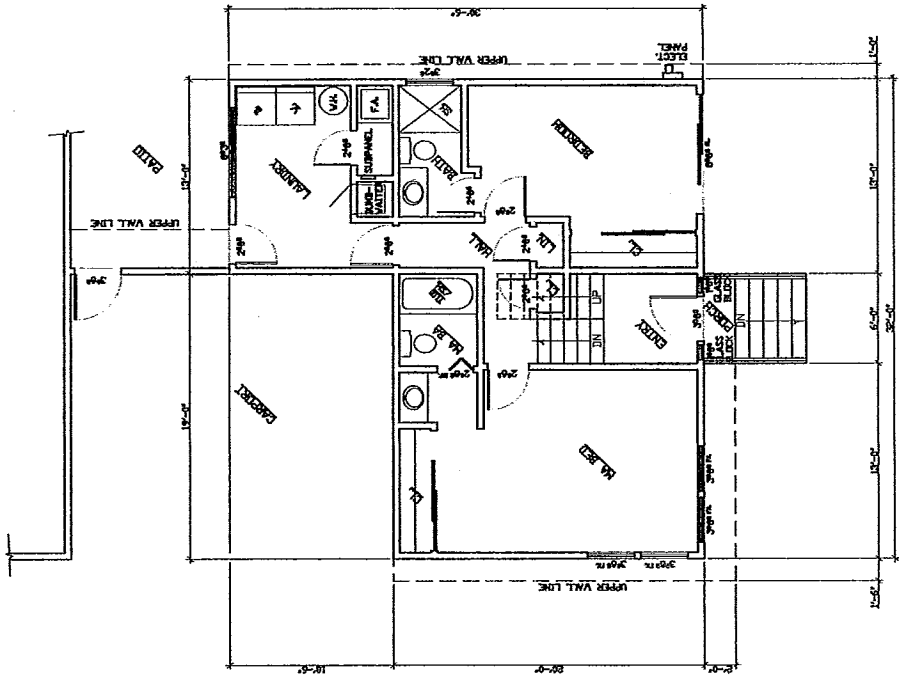
GG
1/4"=1'-0"
OAKLAND
01/29/13

5



SECOND FLOOR
1,311 SQ. FT.

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



FIRST FLOOR
1,169 SQ. FT.

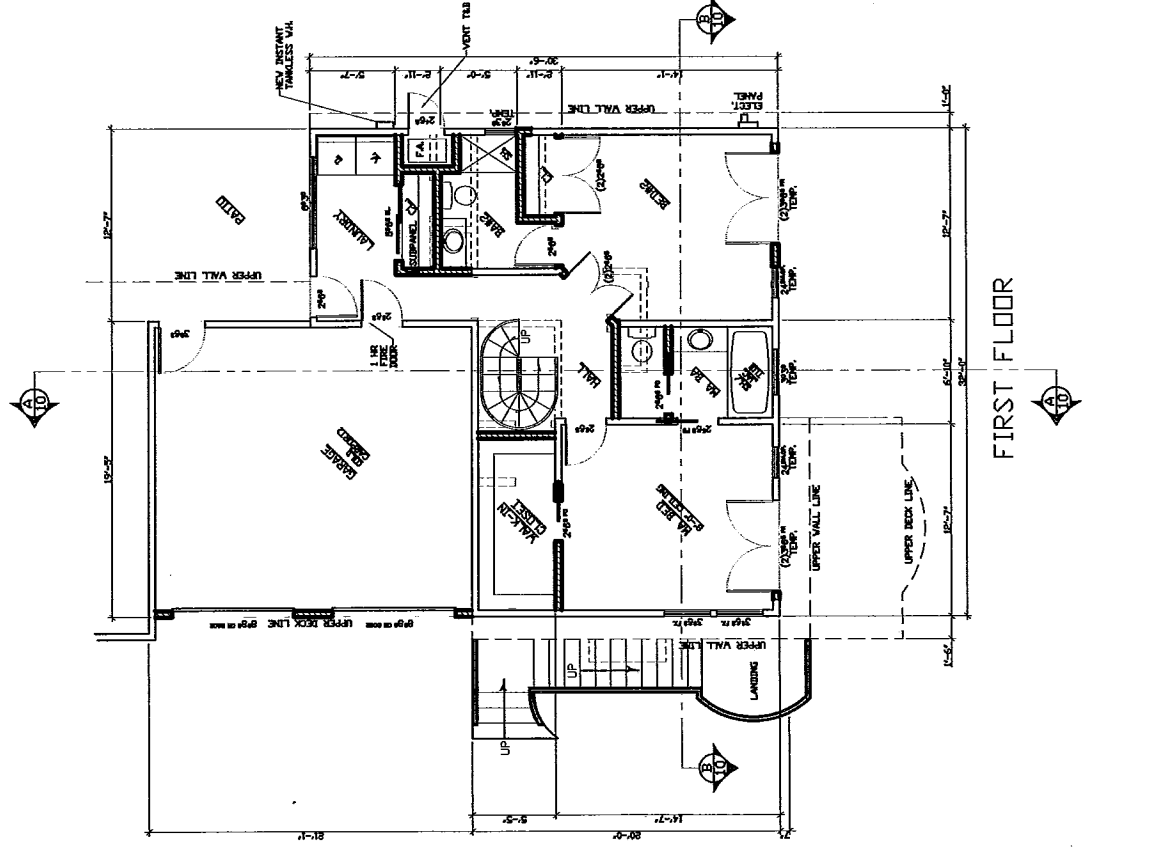
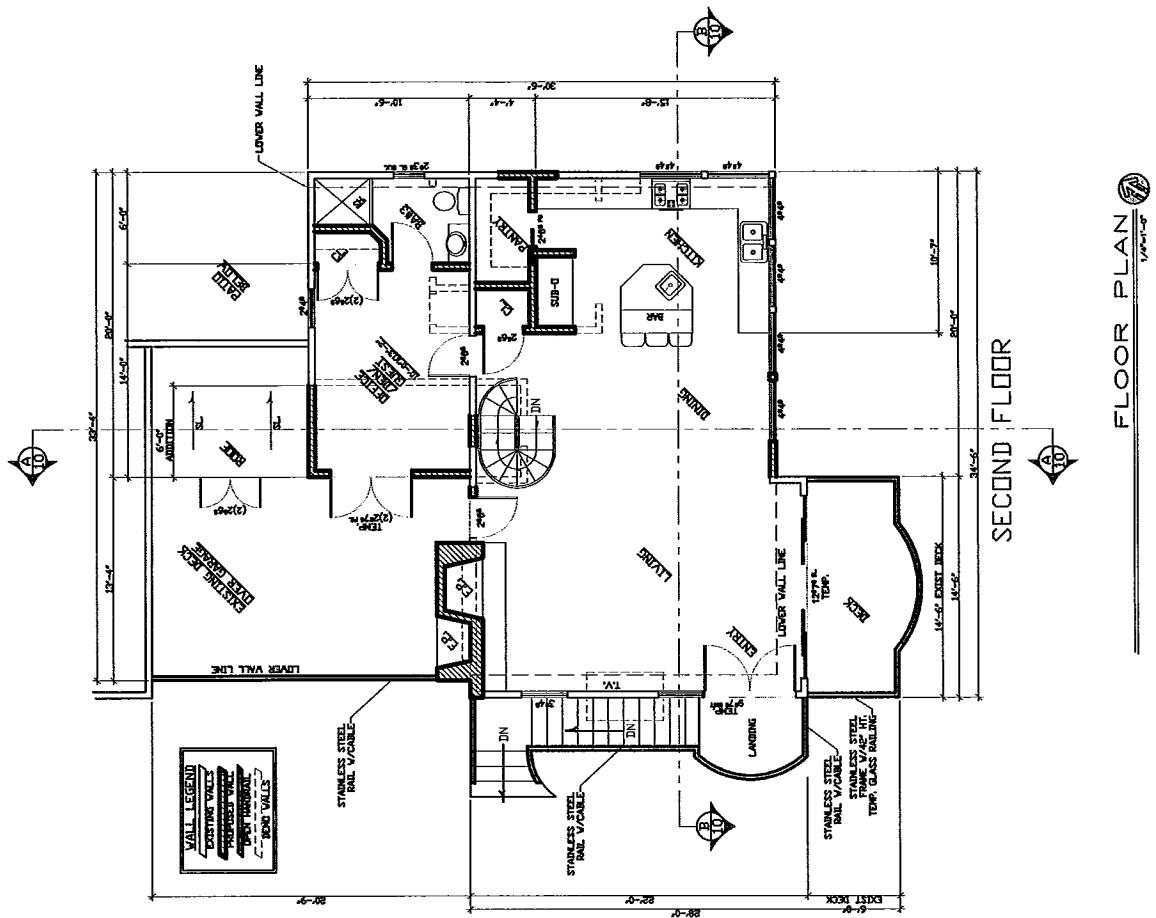
PROPOSED
FLOOR PLAN

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING

GASTELLANOS RESIDENCE
100 OAKLAND AVE.
CAPITOLA, CA 95010
APN: 036-133-09

JRC TRUST
200 S. ELSTON AVE.
SAN JOSE, CA 95128

1/4"	0/4"	4
1/8"	0/8"	
1/16"	0/16"	



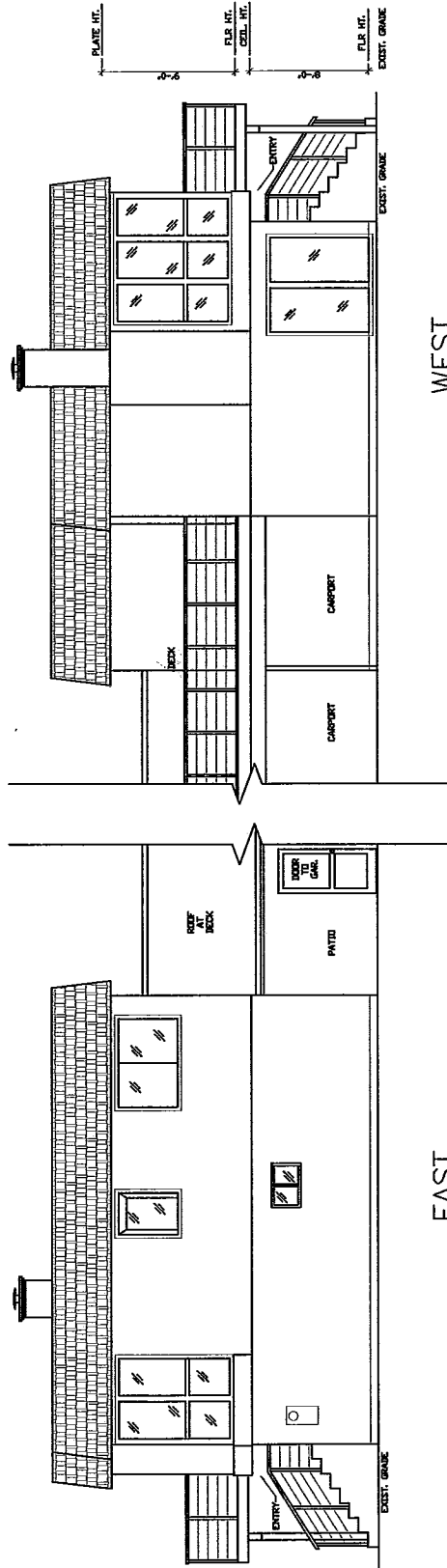
CASTELLANOS RESIDENCE
 100 OAKLAND AVE.
 CAPITOL A. CA 95010

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 713 S ORANGE ST. ORANGE, CA 92668 - 949-488-4848
 2ND FL. 2ND FLOOR

EXISTING
 ELEVATIONS

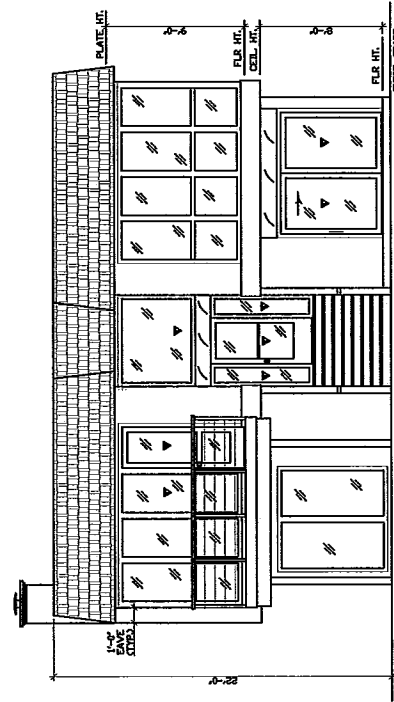
06
 1/8"=1'-0"
 OAKLAND
 04/08/13

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WEST

EAST



SOUTH

ELEVATIONS
 1/8"=1'-0"
 NOTE: ▽ = TEMPERED GLASS

ELEVATIONS

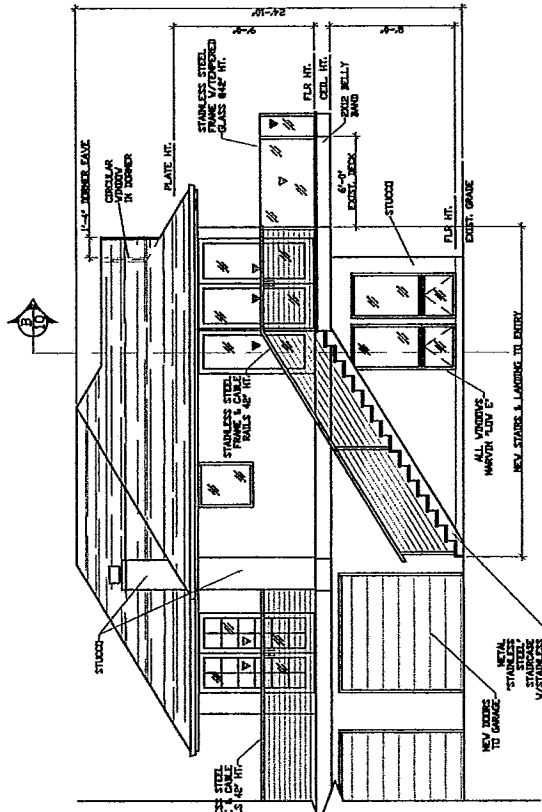
CASTELLANOS RESIDENCE

100 OAKLAND AVE
CAPITOLA, CA 95010
APN: 036-133-09

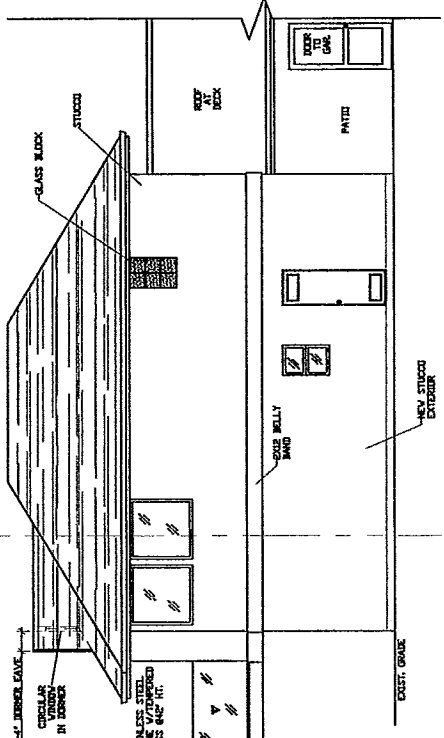
DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING

1/4" = 1'
OAKLA
03/16

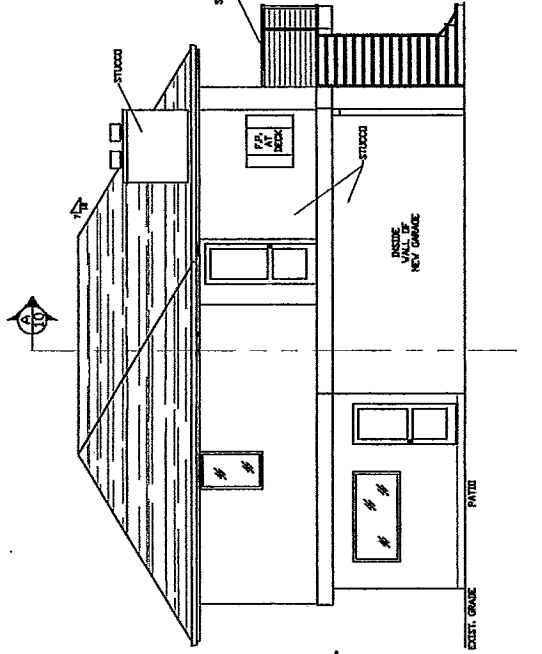
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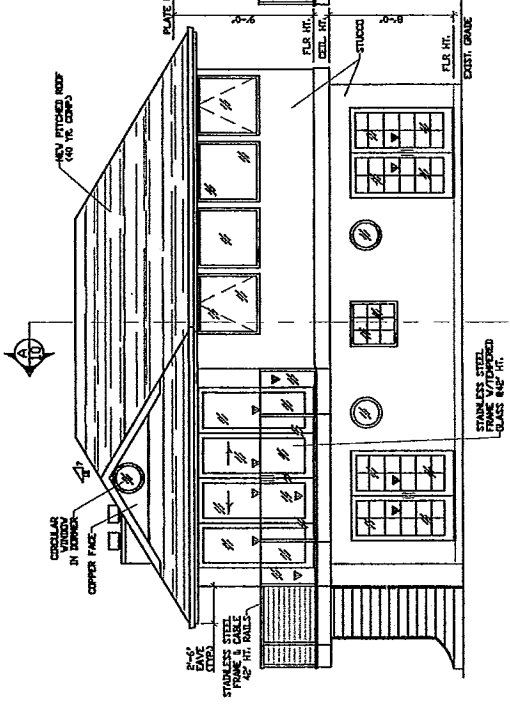
WEST



EAST



NORTH



SOUTH

ELEVATIONS
NOTE: ▽ = TEMPERED GLASS

CASTELLANOS RESIDENCE
100 OAKLAND AVE.
CAPITOL A. CA 95010

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING
715 O GERRA N. OAKLAND, CA 94609-4892
PHONE 510 438 2828

ROOF
F N

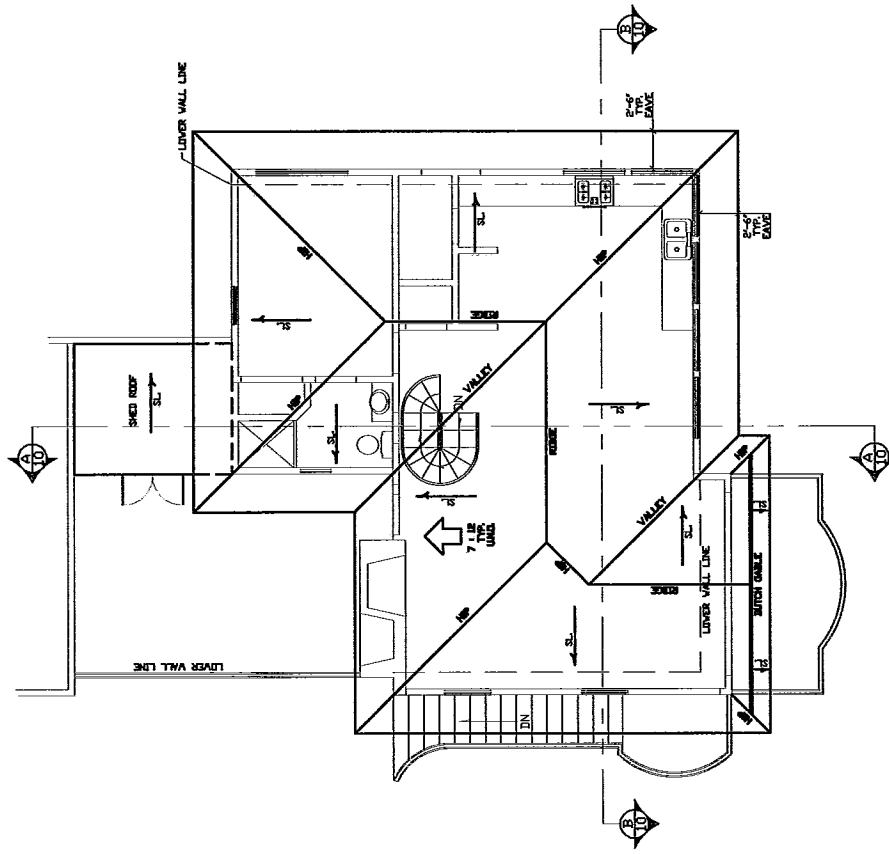
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1/4"=1'-0"

OAKLAND

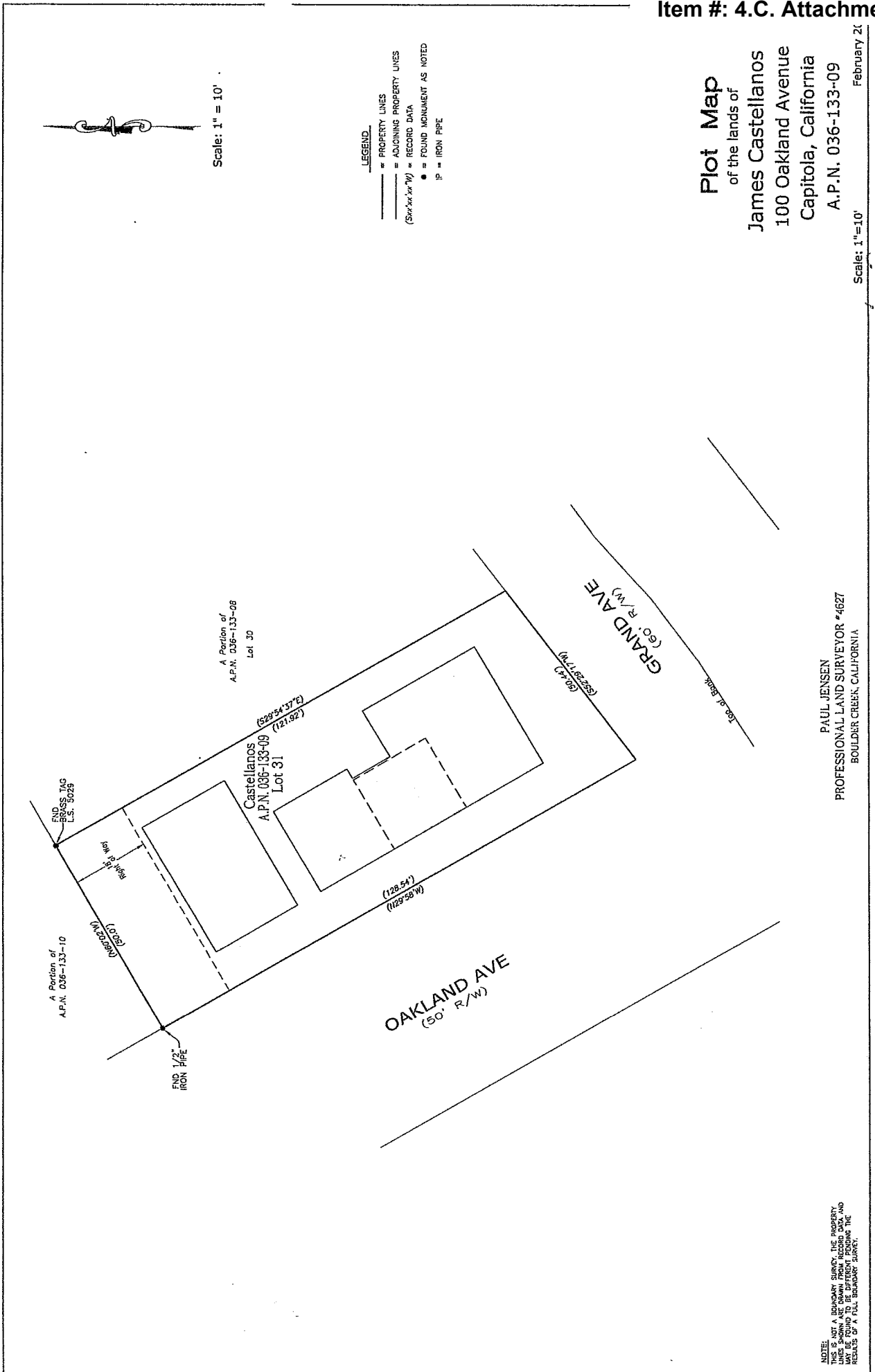
03/11/13

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SECOND FLOOR

ROOF PLAN
1/4"=1'-0"
OAKLAND
03/11/13



Scale: 1" = 10'

- LEGEND.**
- = PROPERTY LINES
 - = ADJOINING PROPERTY LINES
 - (Sxx°xx'xx"Y) = RECORD DATA
 - = FOUND MONUMENT AS NOTED
 - IP = IRON PIPE

Plot Map
of the lands of
James Castellanos
100 Oakland Avenue
Capitola, California
A.P.N. 036-133-09

Scale: 1"=10'
February 20

PAUL JENSEN
PROFESSIONAL LAND SURVEYOR #4627
BOULDER CREEK, CALIFORNIA

NOTE:
THIS IS NOT A BOUNDARY SURVEY. THE PROPERTY LINES SHOWN ARE BASED ON RECORD DATA AND FIELD MEASUREMENTS. THE RESULTS OF THIS SURVEY ARE NOT TO BE CONSIDERED AS THE RESULTS OF A FULL BOUNDARY SURVEY.

CASTELLANOS RESIDENCE
 100 OAKLAND AVENUE
 CAPITOLA, CALIFORNIA



DATE	PURPOSE	BY
4.25.13	first issue review	MAA

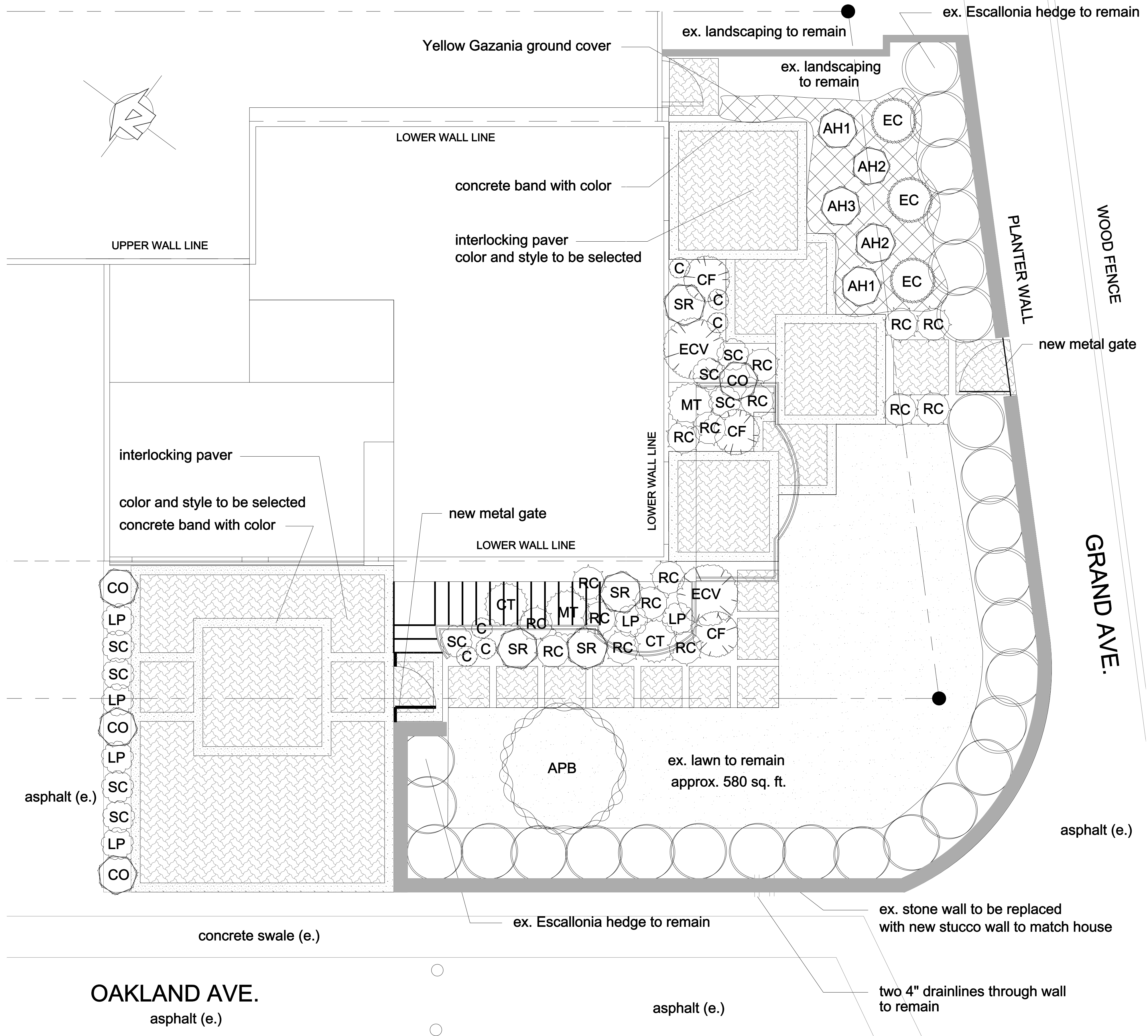
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 landscape

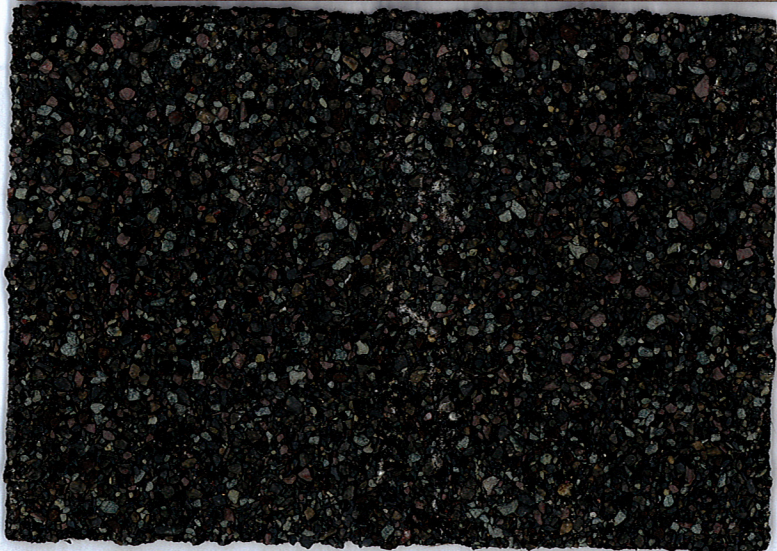
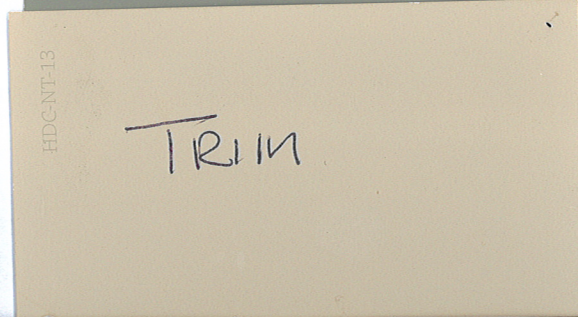
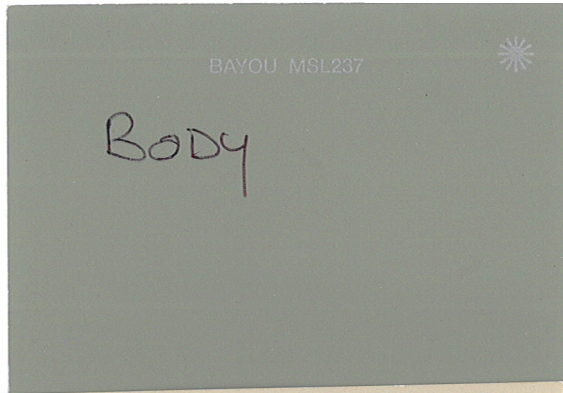
sheet number:
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 of one

CASTELLANOS PLANT LEGEND

Alias	Scientific Name	Common Name	Planting Size	Quantity
APB	Acer palmatum 'Bloodgood'	Bloodgood Japanese Maple	24"-Box	1
AH2	Anigozanthus 'Tequila Sunrise'	Orange Kangaroo Paws	5-Gal	2
AH3	Anigozanthus hybrids 'Big Red'	Red Kangaroo Paws	5-Gal	1
AH1	Anigozanthus hybrids 'Harmony'	Yellow Kangaroo Paws	5-Gal	2
CT	Chondropetalum tectorum	Cape Rush	5-Gal	2
CF	Chrysanthemum frutescens	Marguerite Daisy	5-Gal	3
C	Coleonema 'Sunset Gold'	Gold Sunset Coleonema	1-Gal	6
CO	Coreopsis 'Early Sunrise'	Coreopsis	5-Gal	4
ECV	Echium candicans 'Variegata'	Variegated Pride of Madiera	5-Gal	2
EC	Euphorbia characias	Mediterranean Spurge	5-Gal	3
LP	Limonium perezii	Sea Lavender	5-Gal	6
MT	Miscanthus transmorrisonensis	Evergreen Miscanthus	5-Gal	2
RC	Rosa 'White Flower Carpet'	White Ground Cover Rose	5-Gal	16
SC	Salvia chamaedryoides	Germander Sage	5-Gal	8
SR	Strelitzia reginae	Bird of Paradise	Existing	4
	Gazania Yellow	Yellow Clumping Gazania	flats	16" o.c.
	Pratia pedunculata	Blue Star Creeper	flats	8" o.c.



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46-
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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 2, 2013

SUBJECT: **3555 CLARES STREET #PP & #R #13-044 APN: 034-261-59**
Conditional Use Permit to expand an existing coffee house and establish a wine bar with the sale and dispensing of alcohol in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Owner: Brown Ranch Marketplace
Applicant: Aaron Anderson, filed 4/2/13

APPLICANT'S PROPOSAL

The applicant, *Zizzo's Coffee*, is requesting a Conditional Use Permit to expand into the adjacent commercial space and incorporate a wine bar at 3555 Clares Street #PP & #R in the CC (Community Commercial) Zoning District. The use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

BACKGROUND AND DISCUSSION

The existing coffee house is 890 square feet, and the proposed wine bar is 1,200 square feet, located in the adjacent vacant commercial space. The floor plan incorporates small café tables, lounge seating and bar seating. There is a 96-square-foot private meeting room that may be reserved for special events, functions, and meetings. A small corner stage will accommodate live acoustic music on Fridays, Saturdays, and Sundays. The proposed hybrid coffee house/wine bar will offer coffee house drinks, baked goods, small-plate menu, and beer and wine service.

The current coffee house hours are 6:00 a.m. to 6:00 p.m. Monday through Saturday, and 7:00 a.m. to 5:00 p.m. Sunday. The proposed hours of operation are 6:00 a.m. to 9:00 p.m., Monday through Thursday, 6:00 a.m. to 10:00 p.m. Friday and Saturday, and 7:00 a.m. to 9:00 p.m. on Sunday. The wine bar service will begin at 4:00 p.m. Monday through Friday and 12 noon on Saturday and Sunday.

A Conditional Use Permit is required in the CC (Community Commercial) zoning district for business establishments that sell or dispense alcoholic beverages. The applicant is proposing a Type 41 liquor license that authorizes the sale of beer and wine for consumption on or off the premises where sold.

Tenant improvements to the space include new interior finishes, a wine storage area, retail display area, tasting bar, and seating area along the front window. There are no proposed exterior changes to the building.

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 3555 Clares Street #PP & #R

There are 450 parking spaces serving Brown Ranch Marketplace businesses in addition to shared parking facilities with Bay Federal Credit Union, Satellite Dialysis and Pier One Imports. The previous retail use required one space for every 240 square feet of gross floor area; five parking spaces. The existing coffee house requires one space for every 60 square feet of gross floor area; 15 spaces, and the proposed expansion for the hybrid coffee house/wine bar requires a total of 35 spaces, of which 17 spaces may be compact. There is sufficient parking throughout the Brown Ranch Marketplace and adjacent shared parking facilities to accommodate the new hybrid coffee house/wine bar use.

CEQA REVIEW

Section 15303(c) of the CEQA Guidelines exempts the conversion of existing small structures from one use to another. This project involves expansion of an existing coffee house into an adjacent commercial space to allow a hybrid coffee house/wine bar in the CC (Community Commercial) Zoning District. No adverse environmental impacts were discovered during review of the proposed project

RECOMMENDATION

Staff recommends that the Planning Commission approve application #13-044, subject to the following conditions and based upon the following findings:

CONDITIONS

1. The Conditional Use Permit is to allow a 2090-square-foot coffee house and wine bar at 3555 Clares Street #PP & #R.
2. The business hours are 6:00 a.m. to 9:00 p.m., Monday through Thursday, 6:00 a.m. to 10:00 p.m. Friday and Saturday, and 7:00 a.m. to 9:00 p.m. on Sunday. The wine bar service will begin at 4:00 p.m. Monday through Friday and 12 noon on Saturday and Sunday.
3. Acoustic entertainment is allowed on Friday, Saturday, and Sunday.
4. No sound shall be audible outside the business.
5. No dancing is allowed on the premises.
6. Private events of the entire premises are prohibited. The 96-square-foot private meeting room may be reserved for special events, functions, and meetings.
7. The applicant is required to complete and follow the Responsible Beverage Service (RBS) practices and procedures. Employees who serve alcoholic beverages are required to attend and complete L.E.A.D.S. training offered by the Capitola Police Department.
8. The establishment must maintain a valid license from the Alcohol Beverage Control.
9. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
10. The applicant shall obtain a Sign Permit consistent with the Brown Ranch Marketplace approved master sign program.

PLANNING COMMISSION AGENDA REPORT: May 2, 2013 3555 Clares Street #PP & #R

11. Outdoor displays, sandwich-board-type signage, and other movable freestanding signs are prohibited.
12. A six-month review of the conditions of approval shall be conducted by the Community Development Director.
13. Any significant changes to the use or the site shall be approved by the Planning Commission.
14. 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 Staff and the Planning Commission have reviewed the project and determined that the proposed use is permitted in the CC (Community Commercial) Zoning District with a Conditional Use Permit. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

Community Development staff and the Planning Commission have reviewed the project and determined that the proposed hybrid coffee house/wine bar will not have a negative impact on the character and integrity of the commercial area. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

- 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 a conditional use permit to allow a use in an existing building. No adverse environmental impacts were discovered during project review by either the Community Development staff or the Planning Commission.

ATTACHMENTS

- A. Letter from applicant
- B. Plans

**Report Prepared By: Danielle Uharriet
Interim Senior Planner**

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SHELTER ENTERPRISES, INC.
DBA/ZIZZO'S COFFEE

Planning Commission
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

April 2, 2013

3555 Clares Street - Suite PP
Capitola, CA 95010
T 831-477-0680
F 831-721-1648
aaron@zizzoscoffee.com
www.zizzoscoffee.com

Dear Planning Commission Members,

Following is our Master Application and accompanying documentation for a Conditional Use Permit for On Sale Beer and Wine (Type 41) for our coffeehouse.

Zizzo's Coffee is currently operating in Suite PP (890 square feet) in the Brown Ranch Marketplace. We have an opportunity to expand into the adjacent Suite R (1200 square feet, for a total business square footage of 2090 square feet) which will allow us sufficient space to operate as a hybrid coffeehouse / wine bar. The hybrid concept is new to the coffeehouse industry and is proving very popular with upscale customers in San Francisco and Seattle, and is especially suited to the clientele we are currently serving here in Capitola.

We will present a small-plate food menu in an intimate environment to accompany our offerings of local Santa Cruz and West Coast varietal wines and beer. Our food menu will focus on sustainable, organic, small production foods sourced locally from neighboring farms and farmer's markets. We will feature a meeting room that can be reserved for special events, functions, and meetings, along with quiet, live acoustic music on Fridays, Saturdays, and Sundays.

To serve our local clientele, we will be expanding our current hours. Currently, we are open Monday through Saturday 6:00am to 6:00pm and Sundays 7:00am to 5:00pm. Our hours will expand to 6:00am to 9:00pm Monday through Thursday, 6:00am to 10:00pm Friday and Saturday, and 7:00am to 9:00pm on Sundays. Our wine bar service will begin at 4:00pm during the week and at Noon on Saturday and Sunday.

Thanks you so much for your time your consideration of this Conditional Use Permit. Please contact me should you have any questions or require any additional information.

All the best,

Aaron Anderson
President, Shelter Enterprises, Inc.
dba/Zizzo's Coffee

RECEIVED

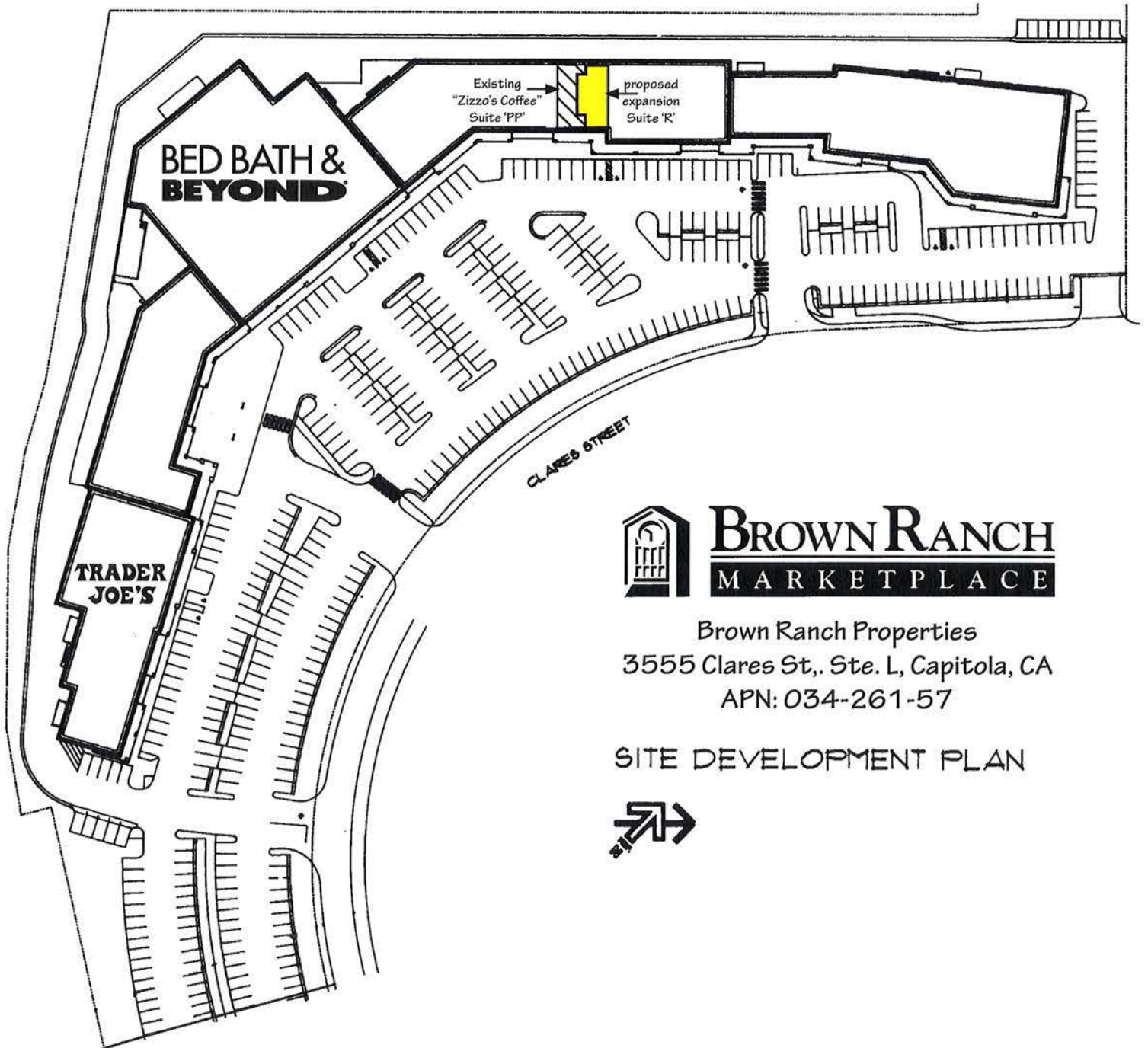
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CITY OF CAPITOLA

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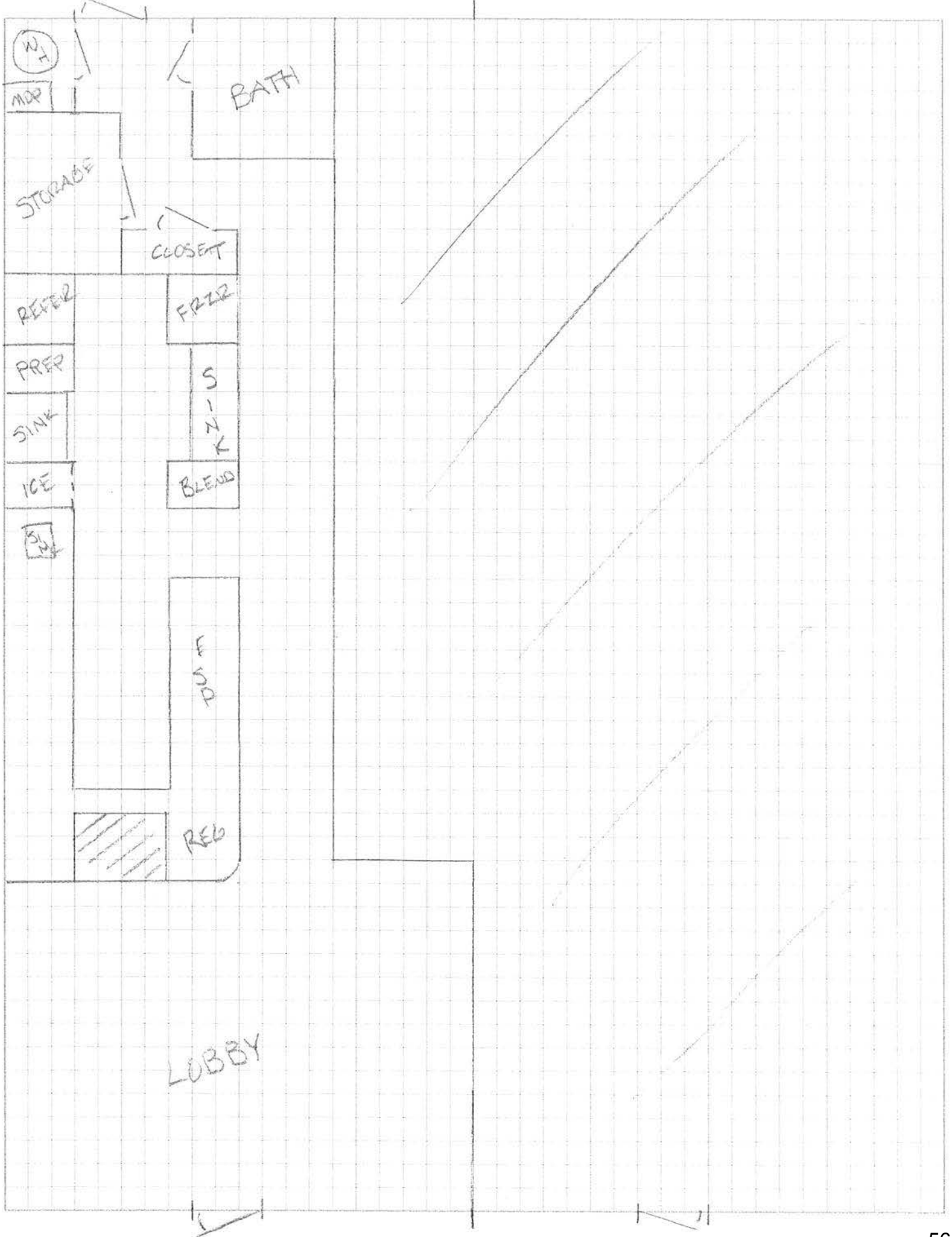


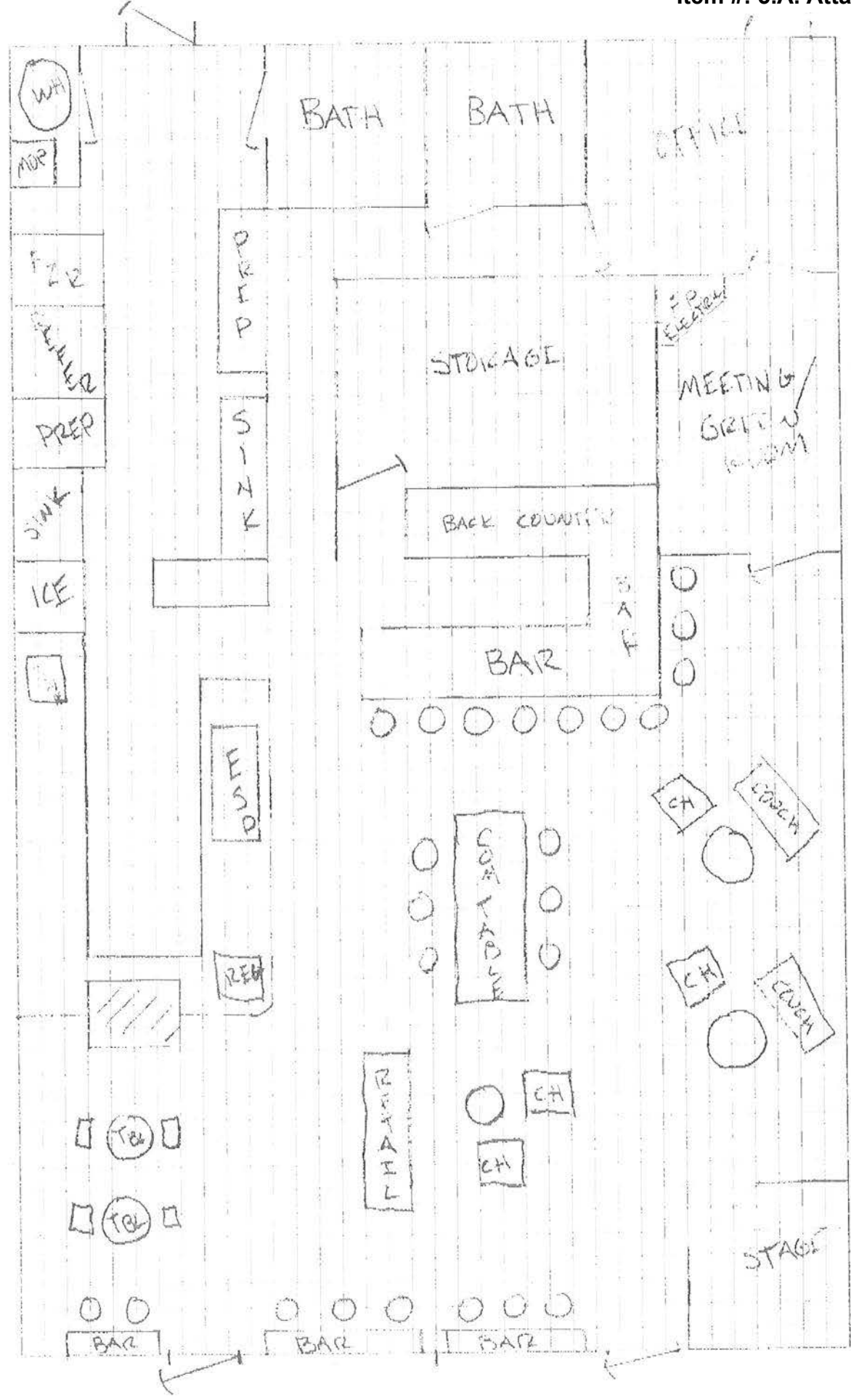
Brown Ranch Properties
3555 Clares St., Ste. L, Capitola, CA
APN: 034-261-57

SITE DEVELOPMENT PLAN



NT





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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 2, 2013

SUBJECT: **305 FANMAR WAY # 13-026 APN: 035-161-14**
Coastal Permit and Design Permit to remodel an existing multi-story single-family house, including a first and second story addition in the RM-LM (Multi-Family Residence – Low Medium) Zoning District.
Environmental Determination: Categorical Exemption
This project requires a Coastal Permit which is not appealable to the California Coastal Commission.
Owner: Peter Wilk, filed: 2/19/13
Representative: Derek VanAlstine

DISCUSSION

The applicant has requested to continue project application #13-026 until the June 6, 2013 Planning Commission meeting.

ATTACHMENTS

A. Letter from applicant

**Report Prepared By: Danielle Uharriet
Interim Senior Planner**

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From: dvr33@gmail.com on behalf of Derek Van Alstine [derek@vanalstine.com]
Sent: Tuesday, April 23, 2013 11:08 AM
To: Uharriet, Danielle

Dear Mrs. Uharriet, Please continue the Planning Commission hearing for Mr. Wilk's residence on Fanmar way for one meeting. Thank you, Derek Van Alstine

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