



AGENDA
CAPITOLA PLANNING COMMISSION
THURSDAY, MAY 3, 2012
7:00 P.M. – CITY HALL COUNCIL CHAMBERS

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ed Newman, Gayle Ortiz, Mick Routh, Linda Smith and
Chairperson Ron Graves
Staff: Interim Community Development Director Susan Westman
Senior Planner Ryan Bane
Minute Clerk Danielle Uharriet

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 19, 2012 Regular Planning Commission Meeting

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. 1565 LINCOLN AVENUE

#12-040

APN: 034-041-12

Design Permit for a second floor addition to an existing two-story single-family residence in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: John Gianopoulos, filed 3/20/12

B. 209 CAPITOLA AVENUE

#12-049

APN: 035-231-08

Sign Permit for a projecting sign in the CV (Central Village) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Carin Hanna, filed 4/9/12

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. 115 SAN JOSE AVENUE #12-036 APN: 035-221-17, 18

Design Permit to enclose a vestibule for an existing commercial building (Mercantile) in the CV (Central Village) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares, owner/filed: 3/15/12

Representative: Thacher & Thompson

B. 712 CAPITOLA AVENUE #12-039 APN: 036-062-14

Design Permit for a two-car garage addition to an existing one-story single-family residence in the CN (Neighborhood Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Terry Evan David, filed 3/20/12

Representative: Dennis Norton

C. AMEND SIGN ORDINANCE 17.57 #12-017

Consideration of an amendment to the Capitola of Capitola Sign Ordinance Section 17.57 to allow for freestanding sidewalk signs on the public sidewalks in the Central Village Zoning District.

Public Hearing Item #5.C to be continued indefinitely.

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourn to a Regular Meeting of the Planning Commission to be held on Thursday, June 7, 2012 at 7:00 p.m., in the Capitola Community Center, 4400 Jade Street, 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



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, APRIL 19, 2012
7:00 P.M. – CITY HALL COUNCIL CHAMBERS**

Chairperson Graves called the Regular Meeting of the Capitola Planning Commission to order at 7:00 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ed Newman (arrived at 7:36 p.m.), Gayle Ortiz, Linda Smith and Chairperson Ron Graves

Absent: Mick Routh

Staff: Public Works Director Steven Jesberg
Senior Planner Ryan Bane
Minute Clerk Danielle Uharriet

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Public Hearing Item 5.A was moved to the end of the Agenda.

B. Public Comments - NONE

C. Commission Comments

Chairperson Graves requested staff provide the status of tree replanting as required by the ordinance for tree permits. He inquired on the status of the property at 410 Bay Avenue.

Senior Planner Bane stated that the new property owners of 410 Bay Avenue have recently made an application for a subdivision and the Building Division has issued a demolition permit for the shed and the house.

D. Staff Comments - NONE

3. APPROVAL OF MINUTES

A. April 5, 2012 Regular Planning Commission Meeting

Commissioner Smith clarified: Page 8, Condition #7 and Condition #8:

7. The hours of operation are: 8:00 a.m.–9:00 a.m. set-up, 9:00 a.m –1:00 p.m market, 1:00 p.m.–2:00 p.m. take-down. **The market will be held weekly on Thursday.**

8. The number of vendors shall not exceed 50, including **at least one** non-profit organization.

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER SMITH TO APPROVE THE APRIL 5, 2012 MEETING MINUTES, WITH CHANGES.

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

4. CONSENT CALENDAR

NONE.

5. PUBLIC HEARINGS

Item 5.A was moved to the end of the agenda.

B. 700 ESCALONA AVENUE

#12-019

APN: 036-141-05, 20

Coastal Permit and Design Permit to demolish an existing one-story single-family residence located on two legal lots of record, and construct two new two-story single-family residences in the R-1 (Single-Family Residence) Zoning District. A variance for a second floor setback and reduction in landscaping is requested for the house located on APN 036-141-20. This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Lori Perpich & Alberto Munoz, filed 2/14/12

Representative: Derek Van Alstine

Senior Planner Bane presented the staff report.

Derek Van Alstine, designer and representative, spoke in support of the application.

Chairperson Graves inquired if the applicant had considered creating two lots of equal size.

Derek Van Alstine responded that the original application included a lot line adjustment that created two lots, more equal proportion. However, the Interim Planning Director was unable to support the proposal due to non-compliance with the Subdivision Map Act

Commissioner Ortiz requested staff clarification regarding the Planning Director's determination, and if the applicant had verified the second floor access, for the smaller home, with the fire department.

Public Works Director Steven Jesberg stated that staff could not support the lot line adjustment proposal because it would create a new non-conforming lot, and not in compliance with the Subdivision Map Act.

Derek Van Alstine stated that the home has been designed to the current building code requirements and access has been addressed in compliance with the building code.

The public hearing was opened.

Cathlin Atchison, spoke in opposition to the home requiring the variance. She stated many neighbors have applied for different variances and did not receive approval. This application would set a precedent.

Stan Ketner, spoke in opposition to the home requiring the variance. The smaller lot could support a granny unit or a guest cottage, but not a two story home without a garage.

Willow Miller, spoke in opposition to the home requiring the variance. The proposed home is a large building on a small lot.

Tracy Arminino, spoke in opposition to the home requiring the variance. She spoke with concerns about the lack of covered parking.

The public hearing was closed.

Senior Planer Bane stated that the parking ordinance does not require covered parking for homes less than 1,500 sq. ft., but two uncovered spaces in driveway are permitted.

Chairperson Graves stated that the front yard is all parking and lacks landscaping.

Commissioner Ortiz was not supportive of the variance. The new residence should be designed to meet the requirements without the need for a variance. There was a very careful and detailed effort made when the city drafted the floor area ratio portion of the ordinance. Although the smaller home may meet the floor area ratio, the intent of the ordinance is to design new buildings to meet all the current standards without exceptions or variances.

Commissioner Smith stated the size of the lot justifies a hardship for the 1½ inches on each side yard. She also supported the on-site parking as proposed. She commented that the lot is extremely small and 18 feet in width is difficult to build on, but the design meets the floor area ration with the exception of the 1½ " variance on each side.

Chairperson Graves stated that the floor area ratio has allowed a large building on the small lot. He could not support the residence on the small lot, but could support residence on the larger lot. He suggested combining the lots and designing a larger home with a secondary dwelling unit. He questioned why the project was processed as one with two separate legal lots of record, two separate application numbers, and two homes.

Senior Planner Bane stated that the application for the two homes was made as a package and therefore processed as one project.

Commissioner Newman suggested that the item be continued to the next meeting to allow all the Commissioners to hear all of the public testimony and participate in the discussion.

Derek Van Alstine requested the Commission support the larger home and deny the smaller home.

Chairperson Graves recognized a member of the public to address the Commission regarding the larger home.

Cathlin Atchison, spoke in support of the larger home.

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER SMITH TO APPROVE PROJECT APPLICATION #12-019 (APN: 036-141-05) WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of demolition of an 882 square foot single-family residence currently located on two legal lots of record, and construction of ~~two~~ one new two-story single-family residences, ~~one on each~~ lot at 700 Escalona Drive (APN: 036-141-05).

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.
4. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
5. An encroachment permit shall be acquired for any work performed in the right-of-way.
6. The project shall implement Low Impact Development BMP's outlined in the *Slow it. Spread it. Sink it. Homeowner's Guide to Greening Stormwater Runoff* by the Resource Conservation District of Santa Cruz County. The applicant shall provide details on the bmp's implemented and with a goal of not allowing more than 25% of total impervious area from discharging directly from the site.
7. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
8. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
9. 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 generally 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. The variance to the side setback and landscape reduction will better serve the intent of the Zoning Ordinance than will the literal enforcement of the requirements of the Ordinance.

The extremely narrow width and small size of the parcel are special circumstances that exist, which makes it difficult to develop and provide the required landscaping and setbacks. This strict application of the Zoning Ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The granting of a variance

would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity.

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

This project involves construction of two new single-family residences in the R-1 (single family residence) Zoning District. Section 15303 of the CEQA Guidelines exempts the construction of up to three single-family residences in an urbanized area.

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

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY CHAIRPERSON GRAVES TO DENY PROJECT APPLICATION #12-019 (APN: 036-141-20).

Under discussion, Chairperson Graves stated that he could not support the variance, and as proposed the front yard is all parking and no landscaping.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS ORTIZ AND CHAIRPERSON GRAVES. NOES: SMITH. ABSENT: ROUTH. ABSTAIN: NEWMAN.

C. 220 OAKLAND AVENUE #12- 034 & 044 APN: 036-124-20

Fence Permit and a Major Revocable Encroachment Permit to construct a wall within the city right-of-way as part of a single-family residential use in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Christann A Bohnet, filed 3/29/12

Representative: John Draga

Senior Planner Bane presented the staff report.

Commissioner Newman recused himself as he has worked for the project applicant in the past.

Commissioner Smith clarified that the fence design is not a main consideration in this application for meeting or tying into the historic standards. She stated that the mission style fence proposed does not maintain the historic style as the residence. She stated that staff could approve the portion of fencing along the Oakland Avenue frontage, but not the fencing along the Escalona Avenue frontage.

Senior Planner Bane stated that the historic standards are a consideration for denial, but not main basis for recommending denial. The fencing along Oakland Avenue meets the ordinance requirements, but staff has concerns about the fence design.

Chairperson Graves clarified the location of the proposed fence.

The public hearing was opened.

Jerry Clarke, spoke in support of the application.

John Draga, project representative and builder, stated that the Secretary of Interior standards should not apply in this case as the requirements call for a design that would create an entirely separate design from the historic nature of the residence and site. The fence design took into consideration the community aspect of the property, the change of use from a church to a private residence, and the need for privacy for the residences.

Christann Bohnet, property owner, spoke in support of the application. The design was to create an outdoor area with privacy, and to provide view of the property to maintain the historic value to the community. The wall is higher by the door and will create a buffer from traffic, but the lower wall will allow a view of the residence building from the street. The wall design addresses privacy, aesthetics and function.

Commissioner Ortiz inquired if the project architectural historian had been consulted prior to the fence application.

John Draga responded that the architectural historian had reviewed the plans, but was not asked to provide any written response.

Commissioner Smith stated that the church/residence is a more English style design than the mission style wall proposed. She suggested a rock wall design to tie more closely with the building and site design.

Stewart Greeninger spoke in support of the application.

TJ Welch spoke in support of the application.

Lou Bermingham, property owner, spoke in support of the application.

The public hearing was closed.

Commissioner Ortiz complimented the property owner and contractor for maintaining and creating an asset to the community with construction work that is pristine, and has been done with integrity to the historic property. The historic standards specify that new construction be different than the historic building, but should be an asset to the building. She supported the wall concept to create privacy and a buffer from the street, but did not support the wall design. She suggested using stonework, similar to the residence and plant material to soften the wall along the street frontage. She suggested the applicant return to the Commission with a redesign that the architectural historian had reviewed and supported.

Commissioner Smith concurred with Commissioner Ortiz and suggested a vine plant material to cover the wall.

Chairperson Graves supported the fence concept, but could not support the materials proposed. The new construction needs to look different than the historic building and site amenities. He supported the use of rockwork similar to the material on the home, and vine material to soften the affect of the wall.

John Draga stated that the design intended to incorporate climbing vines to cover the material of the wall. He was amenable to the use of rock instead of brick. He suggested an on-site mock up of the wall prior to final installation, but encouraged the Commission to approve the overall concept.

Commissioner Ortiz stated the Commission should review the final plan before voting. She supported a stone wall that is more consistent with the architecture of the residence, but could not support a proposal without seeing the final design.

Commissioner Smith supported the overall wall concept and redesigning the wall to incorporate a rock material rather than stucco and brick. She did not support bringing the item back to the Planning Commission for review.

Chairperson Graves suggested approving the concept of the wall and the height, but allow the final design to be reviewed and approved by staff.

Commissioner Ortiz suggested that the applicant consult the architectural historian to review the final plan and submit a letter to staff prior to final approval.

Chairperson Graves proposed a motion to approve the wall in the proposed location, change the detail material from brick to stonework similar to the residence, incorporate a vine material to cover the stucco wall and submit a letter from the architectural historian prior to final approval by staff.

A MOTION WAS MADE BY CHAIRPERSON GRAVES AND SECONDED BY COMMISSIONER SMITH TO APPROVE PROJECT APPLICATION #12-034 & 044 BASED ON THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of the construction of two portions of wall structure within the city right-of-way at 220 Oakland Avenue. The approval includes both a fence permit and Major Revocable Encroachment Permit.
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.
4. Prior to building permit issuance, the applicant shall contact the Public Works Department to complete the encroachment permit process. A revocable encroachment permit will be required to be recorded.
5. The detail material for the wall shall be changed from brick to stonework similar to the residence.
6. A vine material shall be planted and incorporated to cover the stucco portions of the wall.
7. The applicant shall submit a letter from an architectural historian determining that the wall is consistent with the Secretary of the Interior's Standards and Guidelines prior to building permit issuance.
8. A Building Permit for the construction of the wall shall be obtained from the City of Capitola Building Department.
9. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Both Planning Department Staff and the Planning Commission have reviewed the project and find that the project is consistent with the Zoning Ordinance and General Plan. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

This application involves the construction of a wall not to exceed 6-feet in height. No adverse environmental impacts were discovered during review of the project.

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

D. 216 SAN JOSE AVENUE #12-011 APN: 035-185-15

Coastal Permit, Design Permit and Tentative Map to construct a three-story two-unit residential condo in the CV (Central Village) Zoning District. This project requires a Coastal Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Marte Formico, filed 1/30/12

Representative: Dennis Norton

Senior Planner Bane presented the staff report.

The public hearing was opened.

Marte Formico, property owner, spoke in support of the application.

Chuck Oliver, spoke in support of the application.

The public hearing was closed.

Commissioner Ortiz suggested an amended condition to require irrigation and landscaping to cover the stucco wall and lattice.

Commissioner Newman acknowledged the Commission received a letter from a neighbor with concerns about the blank wall on San Jose Avenue, parking for the residence and construction parking. He suggested amended conditions that would add requirements in the CC&Rs to keep the garages available for parking at all times, and not for storage or living area; and to requiring automatic garage doors and openers. He also suggested that the contractors park on-site during construction to avoid taking up all the street parking with construction vehicles.

Commissioner Smith suggested an amended condition requiring construction work be limited to Monday through Friday and prohibited on Saturday and Sunday.

Chairperson Graves spoke with concerns about eliminating the parking on Park Place, but supported the overall building design.

A MOTION WAS MADE BY COMMISSIONER SMITH AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE PROJECT APPLICATION #12-011 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of construction of a new three-story structure containing two condo units at 216 San Jose Avenue.
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.~~
4. If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Disturbance shall not resume until the significance of the archaeological resources is determined and appropriate mitigations to preserve the resource on the site are established. If human remains are encountered during construction or any other phase of development, work in the area of discovery must be halted, the Santa Cruz County coroner notified, and the provisions of Public Resources Code 5097.98-99, Health and Safety Code 7050.5 carried out. If the remains are determined to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours as required by Public Resources Code 5097. The NAHC will notify designated “Most Likely Descendants” who will provide recommendations for the treatment of the remains within 48 hours of being granted access to the site. The NAHC will mediate any disputes regarding treatment of remains and the Planning Director and the Santa Cruz County coroner would be notified.
5. Compliance with FEMA regulations for construction within the flood district shall be demonstrated to the satisfaction of the Building Official.
6. An erosion control plan shall be approved and in place prior to grading and construction on site.
7. A Homeowner’s Association CC&R document shall be prepared by the developer and subject to the approval of the Community Development Director, Public Works Director, and City Attorney. The CC&Rs shall be prepared and approved prior to recordation of the Parcel Map and all costs associated with the creation of the documents will be the responsibility of the applicant.
8. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
9. An encroachment permit shall be acquired for any work performed in the right-of-way.
10. The project shall implement Low Impact Development BMP’s outlined in the *Slow it. Spread it. Sink it. Homeowner’s Guide to Greening Stormwater Runoff* by the Resource Conservation District of Santa Cruz County. The applicant shall provide details on the bmp’s implemented and with a goal of not allowing more than 25% of total impervious area from discharging directly from the site.

11. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
12. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
13. The subdivider shall comply with all of the provisions of the approved Tentative Parcel Map and all pertinent provisions of the Municipal Code.
14. 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.
15. The applicant shall install irrigation and landscaping that will cover the trellis, shown in the design plans, along the San Jose Avenue elevation.
16. The CC&Rs shall include a provision that requires the garage areas be maintained for vehicle parking only.
17. The CC&Rs shall require automatic garage doors and openers.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project and determined that the project, subject to the conditions, is consistent with the development standards of the CV-Central Village Zoning District, Cherry Avenue Residential Overlay, as well as the Parking and Subdivision Ordinances. Conditions of approval have been included to carry out the objectives of the Subdivision and Zoning Ordinance, as well as the General Plan.

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project and determined that the proposed project will maintain the character and integrity of the neighborhood as demonstrated by the streetscape illustration for comparative height and mass, because the proposed structure uses building and trim elements and materials which blend with the style of surrounding wood-frame structures, and a massing which is not substantially greater than other multi-family buildings in the immediate neighborhood.

C. This project is categorically exempt under Section 15315 and 15332 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 construction of two residential condo units. Section 15315 and 15332 of the CEQA Guidelines exempts minor land divisions and urban infill projects in an urbanized area.

D. Findings for Approval of the Tentative Parcel Map

1. The proposed map, including its design and improvements, is consistent with the general plan and the specific plan for the project area, the Capitola Village Design Guidelines, and the Local Coastal Program for the area.
2. The site is physically suitable for the type and density of development proposed, since it is generally flat and there are no biological resources to be affected by the proposed project.
3. The design of the subdivision and its improvements is not likely to cause substantial environmental damage or serious public health problems, based on its size, location, and proximity to existing infrastructure. An archaeologist will be on site during all soil disturbing activities to ensure that historic resources are not damaged. The design of the subdivision will not conflict with any easements which serve the public, and will eliminate only two on-street parking space in return for providing four spaces on the site.

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

A. AMEND FLOODPLAIN ORDINANCE 17.50**#12-022**

Consideration of an amendment to the Capitola Municipal Code Chapter 17 to modify the floodplain district (17.50) to incorporate revised FEMA management regulations and an amendment to the City's certified Local Coastal Plan to be reviewed and certified by the California Coastal Commission.

Chairperson Graves invoked the Rule of Necessity. Commissioners Newman, Ortiz and Chairperson Graves drew straws. Commissioners Newman and Ortiz drew the long straws. Chairperson Graves recused and left the Council Chambers. Commissioner Ortiz chaired this item.

Public Works Director Steven Jesberg presented the staff report.

Commissioner Newman noted that this amendment is time sensitive.

Commissioner Smith clarified that the definition for alluvial fan should be separated from the accessory use definition.

Commissioner Ortiz clarified that Exhibit 1 of the resolution is the draft ordinance.

The public hearing was opened and closed.

A MOTION WAS MADE BY COMMISSIONER SMITH AND SECONDED BY COMMISSIONER ORTIZ TO RECOMMEND TO THE CITY COUNCIL AMENDING CHAPTER 17.50 FLOODPLAIN DISTRICT AND DIRECT THE CITY MANAGER TO SUBMIT THIS LOCAL COASTAL PLAN AMENDMENT TO THE CALIFORNIA COASTAL COMMISSION FOR REVIEW AND CERTIFICATION.

1. Find the proposed amendment is exempt from CEQA pursuant to Section 15308.
2. Adopt the proposed resolution recommending that the City Council approve amending Chapter 17.50 Floodplain District in the Capitola Municipal Code as required by the Federal Emergency Management Agency (FEMA) for the community to participate in the National Flood Insurance

Program (NFIP), and direct the City Manager to submit this Local Coastal Plan amendment to the California Coastal Commission for review and certification.

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

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 9:15 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, May 3, 2012 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on May 3, 2012

Danielle Uharriet, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 3, 2012

SUBJECT: **1565 LINCOLN AVENUE #12-040 APN: 034-041-12**
 Design Permit for a second floor addition to an existing two-story single-family residence in the R-1 (Single-Family Residence) Zoning District.
 Environmental Determination: Categorical Exemption
 Property Owner: John Gianopoulos, filed 3/20/12

APPLICANT'S PROPOSAL

The applicant is proposing to construct a 235 square foot second floor addition to an existing two-story single-family residence at 1565 Lincoln Avenue in the R-1 (Single Family Residence) zoning district. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

<u>STRUCTURAL DATA</u>					
<u>SETBACKS</u>		Required	Existing	Proposed	
Front Yard					
	Driveway	20'	16'	16'	
	1 st Story	15'	16'	16'	
	2 nd Story	20'	38'-6"	28'-6"	
Rear Yard					
	1 st Story	16'	10'	10'	
	2 nd Story	16'	10'	10'	
Side Yard					
	1 st Story	4' (l) & (r)	4' (l) & 11' (r)	4' (l) & 11' (r)	
	2 nd Story	6' (l) & (r)	4' (l) & 11' (r)	4' (l) & 11' (r)	
<u>HEIGHT</u>		25'	23'	23'	
<u>FLOOR AREA RATIO</u>		Lot Size	MAX (57%)	Existing (79%)	Proposed (79%)
		3,200 sq. ft	1,824 sq. ft.	2,526 sq. ft	2,526 sq. ft.
		Habitable Space	Second Floor Deck	Garage	Total
Existing First Story		772 sq. ft.	n/a	410 sq. ft.	1,182 sq. ft.
Existing Second Story		804 sq. ft.	540 sq. ft.	n/a	1,344 sq. ft.
Existing TOTAL		1,576 sq. ft.	540 sq. ft.	410 sq. ft.	2,526 sq. ft.

	Habitable Space	Second Floor Deck	Garage	Total
Proposed First Story	772 sq. ft.	n/a	410 sq. ft.	1,182 sq. ft.
Proposed Second Story	1,039 sq. ft.	305 sq. ft.	n/a	1,344 sq. ft.
Proposed TOTAL	1,811. ft.	305 sq. ft.	410 sq. ft.	2,526 sq. ft.
<u>PARKING</u>				
	Required	Existing	Proposed	
	3 spaces, one of which must be covered	1 covered space 2 uncovered	1 covered space 2 uncovered	
Total	3 spaces	3 spaces	3 spaces	

ARCHITECTURAL AND SITE REVIEW

The Architectural and Site Review Committee considered this project on April 11, 2012.

- Senior Planner Bane noted that the floor plans should accurately represent the existing conditions, including the conversion of one of the garage spaces into living space. A construction breakdown to determine that the nonconforming structure is consistent with the nonconforming ordinance was also requested.

DISCUSSION

The subject project began as an attempt by the property owner to replace wood rot around the awning, deck and stair landing. It expanded to the point where the City Building Official red tagged the construction, and the applicant has cooperated with city staff to bring forward this application. The scope of work consists of the following:

- Replacing the stair and landing to the second floor; and
- Enclosing the second floor deck area that currently is covered by an awning with sliding doors and windows.

Per Zoning Code Section 17.15.035(B)(2), the Planning Commission is authorized to approve design permit applications for upper floor additions. The upper floor addition in this case will be the enclosure of the covered 235 square feet that opens on to the existing second floor deck. While the home currently exceeds the allowed FAR, the enclosure of the covered area does not increase the FAR, as the second floor deck already counts toward the overall FAR calculation.

Parking

The existing house is currently nonconforming to parking, providing one garage space, with the driveway being too shallow to meet the standard parking space dimensions of 9’x18’. Per Zoning Code Section 17.51.135(B), “If the (residential) structure is enlarged by more than ten percent of the existing gross floor area, parking requirements must be met”. With the proposed addition being greater than ten percent, the Zoning Code requires that single-family residential units between 2,000 and 2,600 square feet provide a minimum of three parking spaces, one of which must be covered. While the useable driveway is 27’ in length, only 16’ is technically on private property, with 11’ being part of the city right-of-way.

Section 17.51.180(B) states that “Parking spaces of less dimensions may be allowed if specifically authorized by the planning commission in an architectural and site approval. The smaller spaces shall be designed to accommodate compact automobiles.” A compact space

has a dimension of 8'x16'; therefore the two spaces between the property line and garage can accommodate compact automobiles. Staff can support this, as the combined 27' length and single garage space adequately provide enough space to meet the parking requirements.

Nonconforming

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

RECOMMENDATION

Staff recommends the Planning Commission **approve** application #12-040, subject to the following conditions and findings:

CONDITIONS

1. The project approval consists of the construction of a 235 square foot second floor addition to an existing two-story single-family residence at 1565 Lincoln Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Construction hours shall be limited to Monday through Friday 7:30am to 9pm., Saturday 9:00am to 4:00pm, and prohibited on Sundays.
5. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

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

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

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

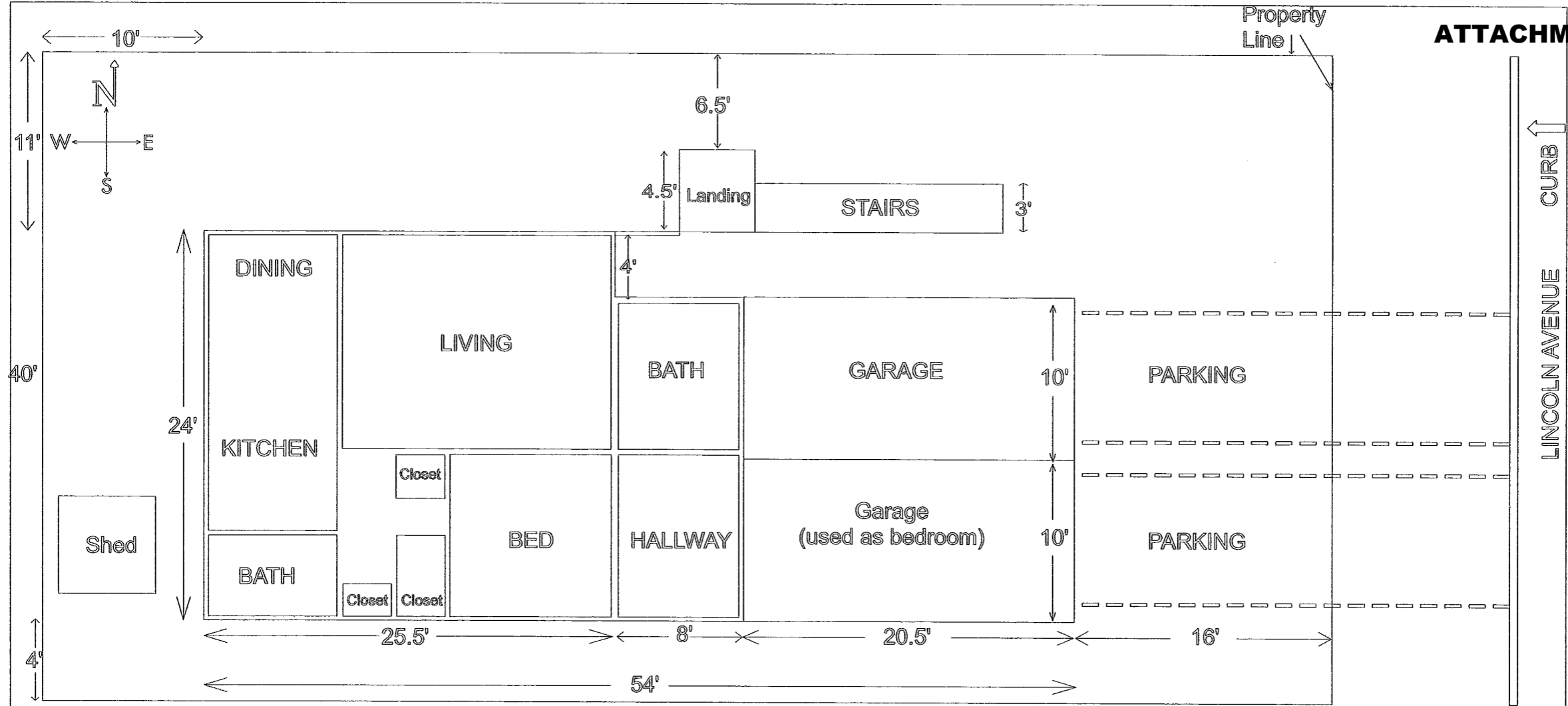
development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

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

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

Report Prepared By: Ryan Bane
Senior Planner

Attachment A - Project Plans
Attachment B – Construction Cost Breakdown



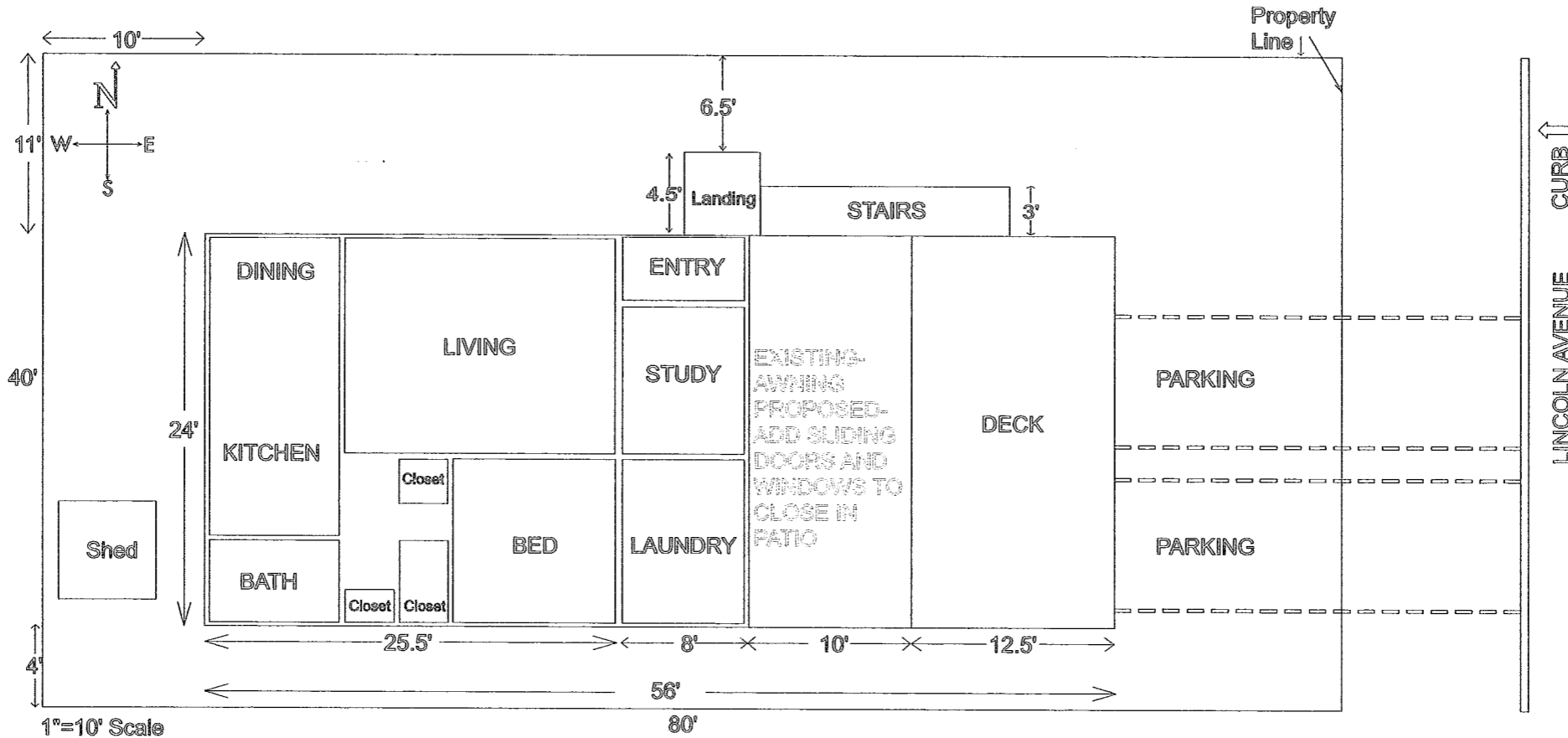
1"=10' Scale

Lot Size	40'x80'	3,200 sq. ft.			
			Habitable Space	2nd Floor Deck	Garage
Existing 1st Floor			977 sq. ft.	n/a	205 sq. ft.
Existing 2nd Floor			804 sq. ft.	540 sq. ft.	n/a
Total Existing			1,781 sq. ft.	540 sq. ft.	205 sq. ft.
Proposed 1st Floor			977 sq. ft.	n/a	205 sq. ft.
Proposed 2nd Floor			1,044 sq. ft.	300 sq. ft.	n/a
Total Proposed			2,021 sq. ft.	300 sq. ft.	205 sq. ft.
Change			240 sq. ft.	-240 sq. ft.	0 sq. ft.

Site Map 1st & 2nd Floors 03-05-2012.CTS

SITE PLAN 1st FLOOR

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue

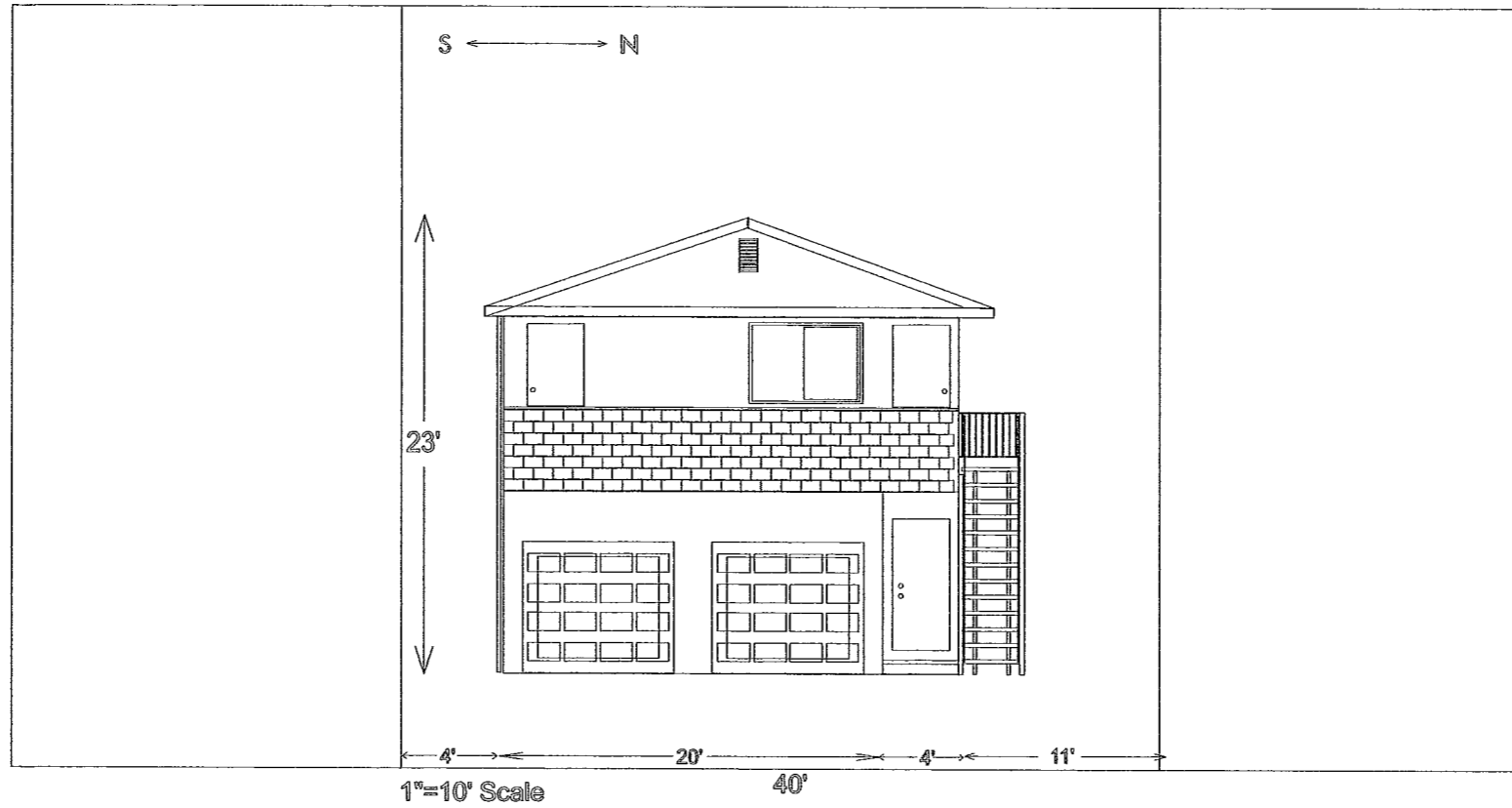


Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----	772 sq. ft.
Existing 2nd Floor	-----	804 sq. ft.
Total Existing	-----	1,576 sq. ft.
Proposed 1st Floor	-----	772 sq. ft.
Proposed 2nd Floor	-----	1,039 sq. ft.
(Proposed Awning Close-in 235 sq. ft.)		
Total Proposed	-----	1,811 sq. ft.

Site Map 1st & 2nd Floors 03-05-2012.CTS

SITE PLAN 2nd FLOOR

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue

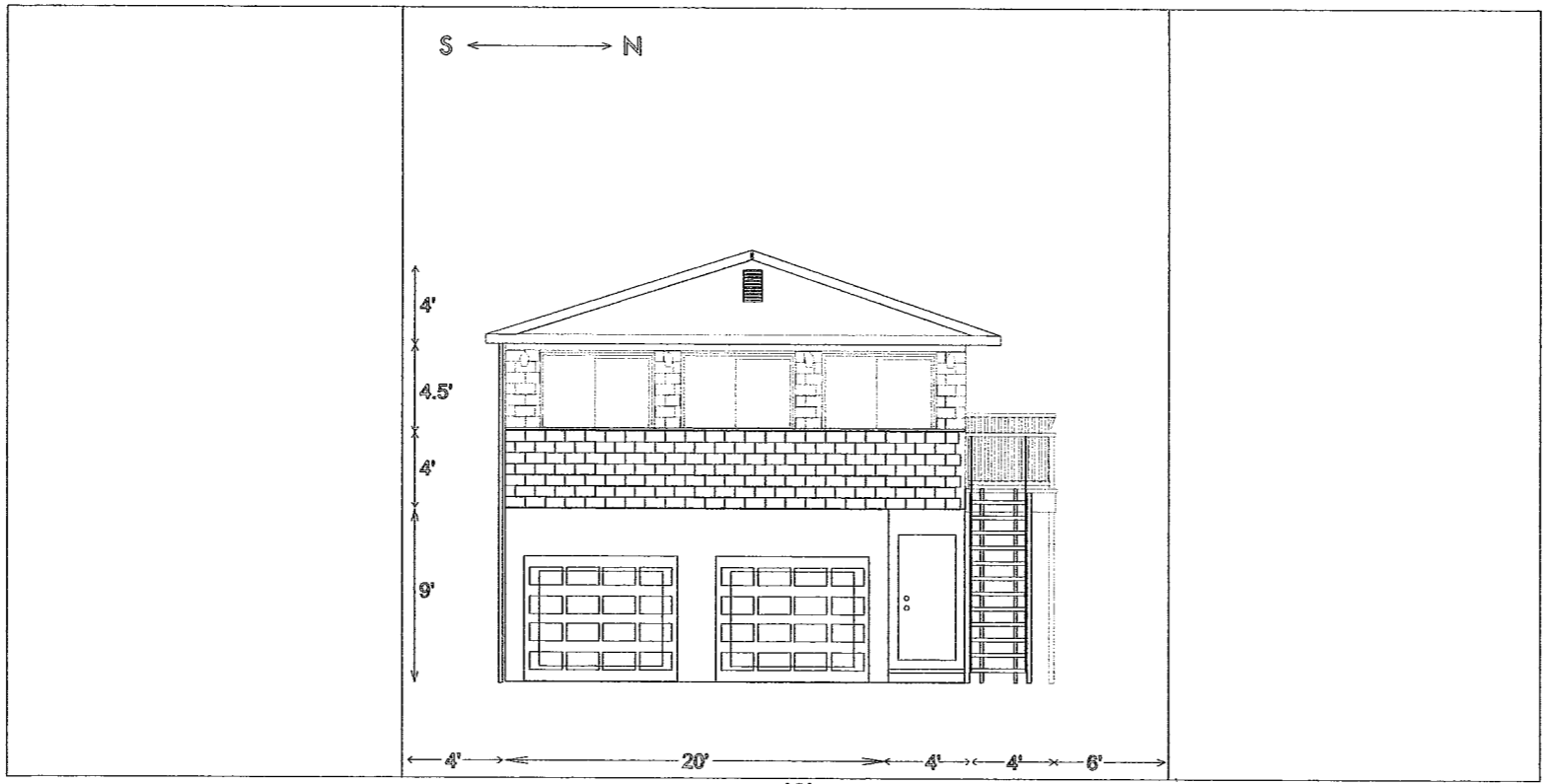


Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----	772 sq. ft.
Existing 2nd Floor	-----	804 sq. ft.
Total Existing	-----	1,576 sq. ft.
Proposed 1st Floor	-----	772 sq. ft.
Proposed 2nd Floor	-----	1,039 sq. ft.
(Proposed Awning Close-in		235 sq. ft.)
Total Proposed	-----	1,811 sq. ft.

Site Elevation Map All Current 03-05-2012.CTS

FRONT ELEVATION CURRENT

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



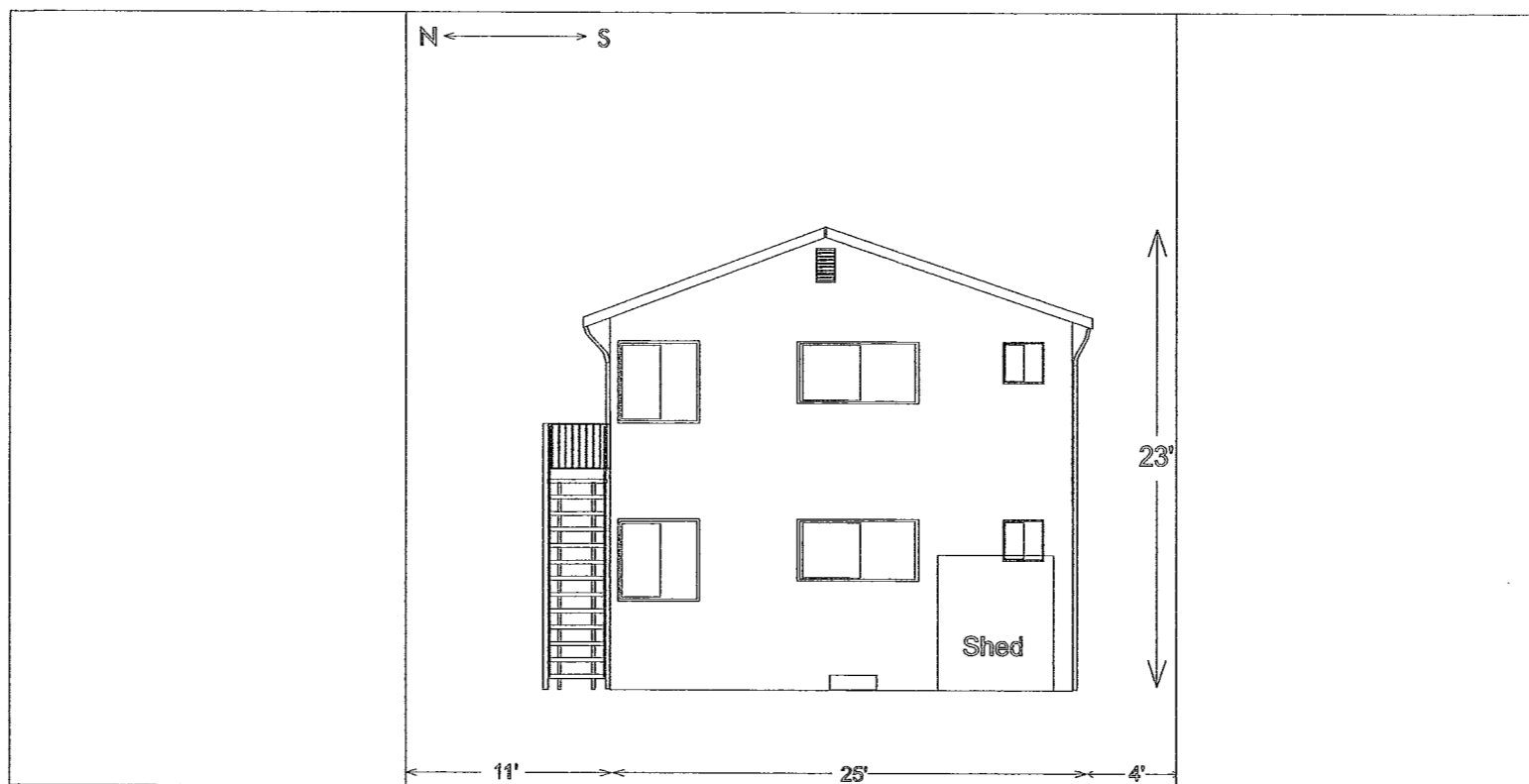
1"=10' Scale 40'

Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----	772 sq. ft.
Existing 2nd Floor	-----	804 sq. ft.
Total Existing	-----	1,576 sq. ft.
Proposed 1st Floor	-----	772 sq. ft.
Proposed 2nd Floor	-----	1,039 sq. ft.
(Proposed Awning Close-in 235 sq. ft.)		
Total Proposed	-----	1,811 sq. ft.

Site Elevation Map All Current 03-05-2012.CTS

FRONT ELEVATION PROPOSED

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



1"=10' Scale

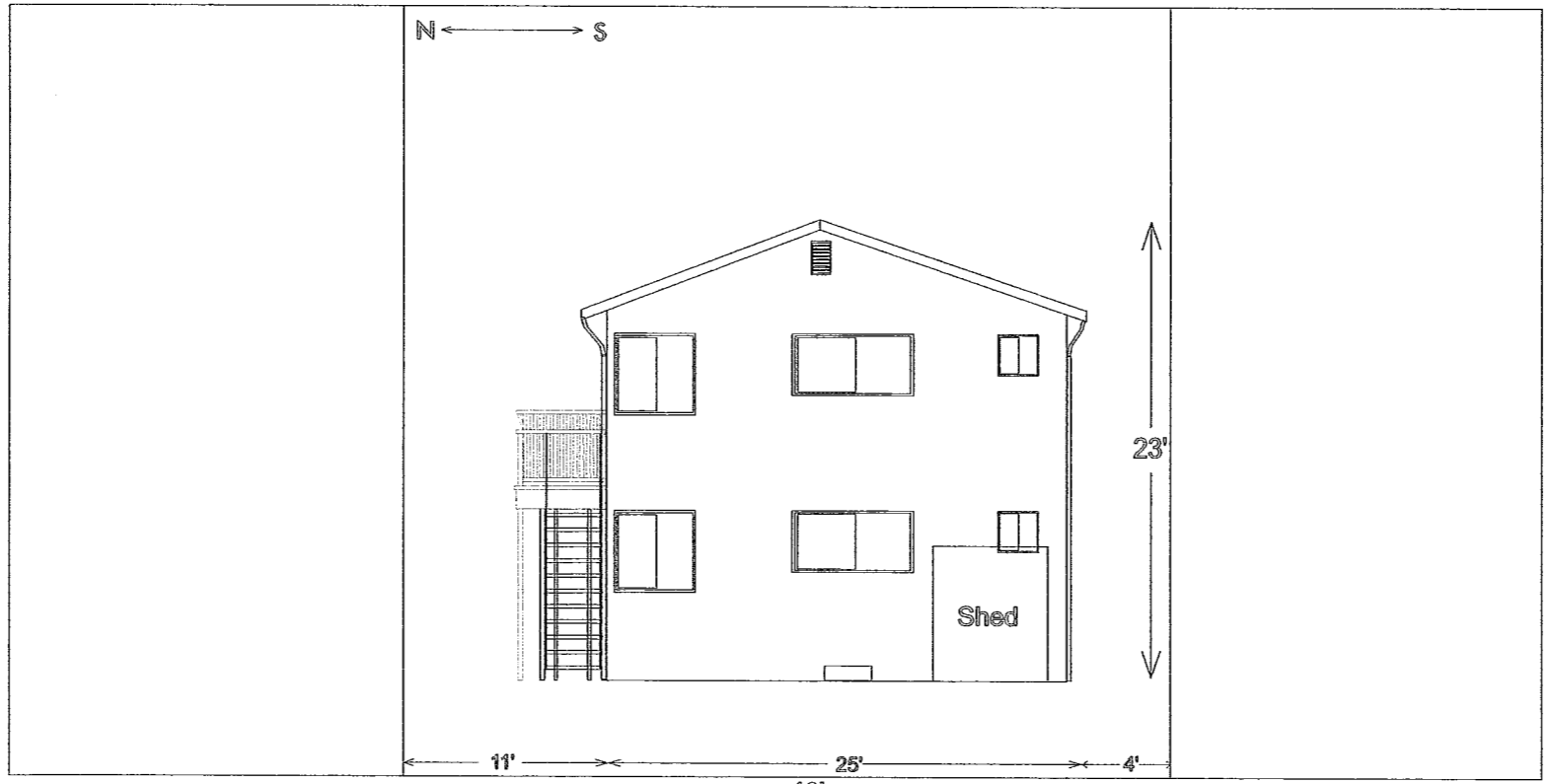
40'

Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----	772 sq. ft.
Existing 2nd Floor	-----	804 sq. ft.
Total Existing	-----	1,576 sq. ft.
Proposed 1st Floor	-----	772 sq. ft.
Proposed 2nd Floor	-----	1,039 sq. ft.
(Proposed Awning Close-in		235 sq. ft.)
Total Proposed	-----	1,811 sq. ft.

Site Elevation Map All Current 03-05-2012.CTW

REAR ELEVATION CURRENT

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



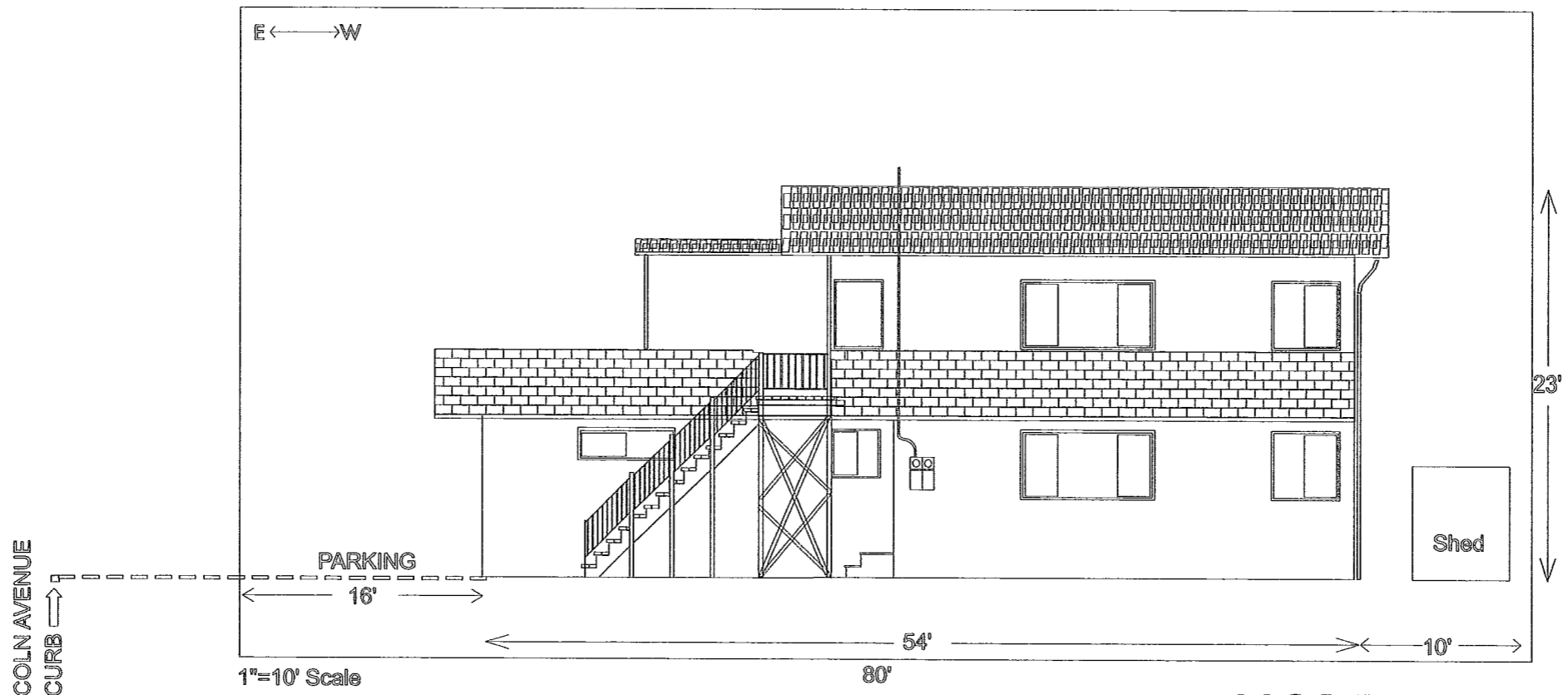
1"=10' Scale

Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----	772 sq. ft.
Existing 2nd Floor	-----	804 sq. ft.
Total Existing	-----	1,576 sq. ft.
Proposed 1st Floor	-----	772 sq. ft.
Proposed 2nd Floor	-----	1,039 sq. ft.
(Proposed Awning Close-in 235 sq. ft.)		
Total Proposed	-----	1,811 sq. ft.

Site Elevation Map All Current 03-05-2012. CTS

REAR ELEVATION PROPOSED

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



LINCOLN AVENUE
CURB

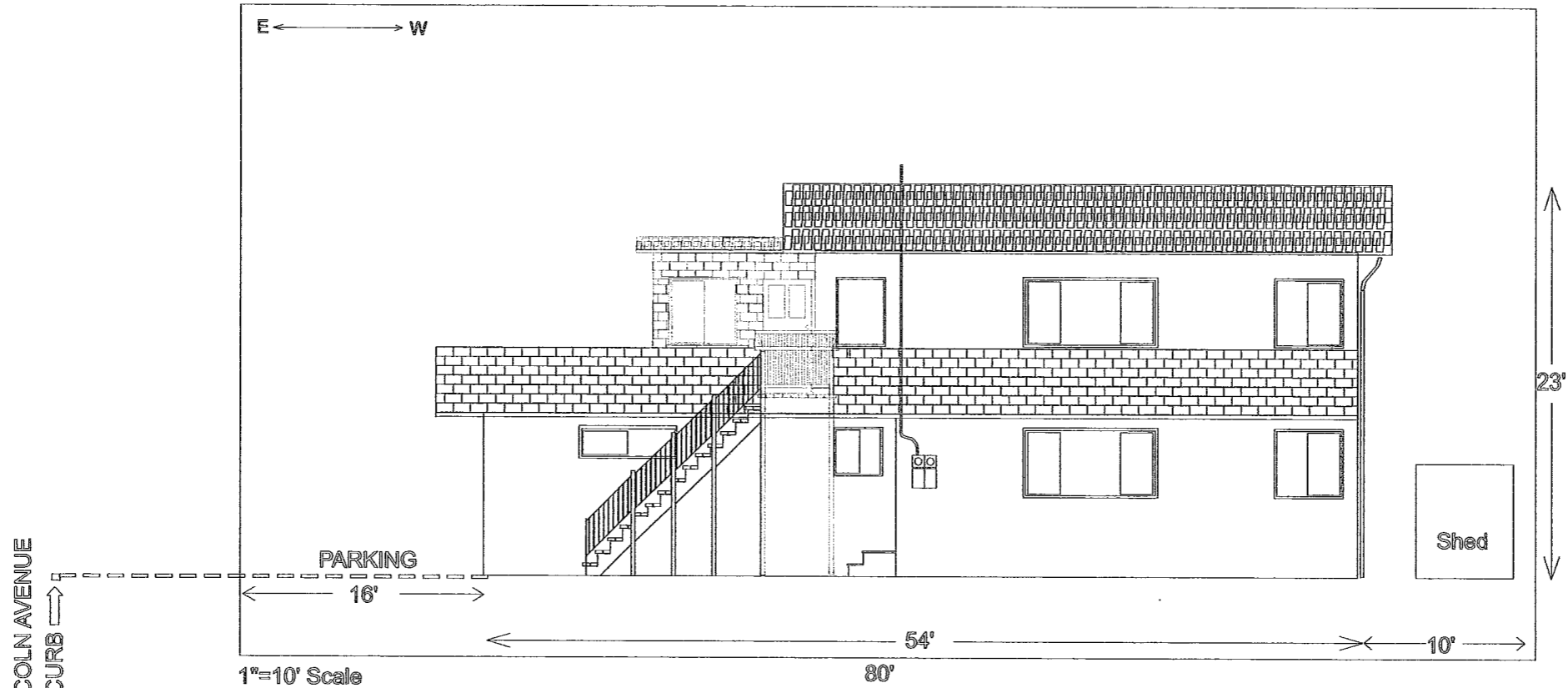
1"=10' Scale

Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----772 sq. ft.	
Existing 2nd Floor	-----804 sq. ft.	
Total Existing	-----1,576 sq. ft.	
Proposed 1st Floor	-----772 sq. ft.	
Proposed 2nd Floor	-----1,039 sq. ft.	
(Proposed Awning Close-in	235 sq. ft.)	
Total Proposed	-----1,811 sq. ft.	

Site Elevation Map All Current 03-05-2012 CTS

NORTH ELEVATION CURRENT

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue

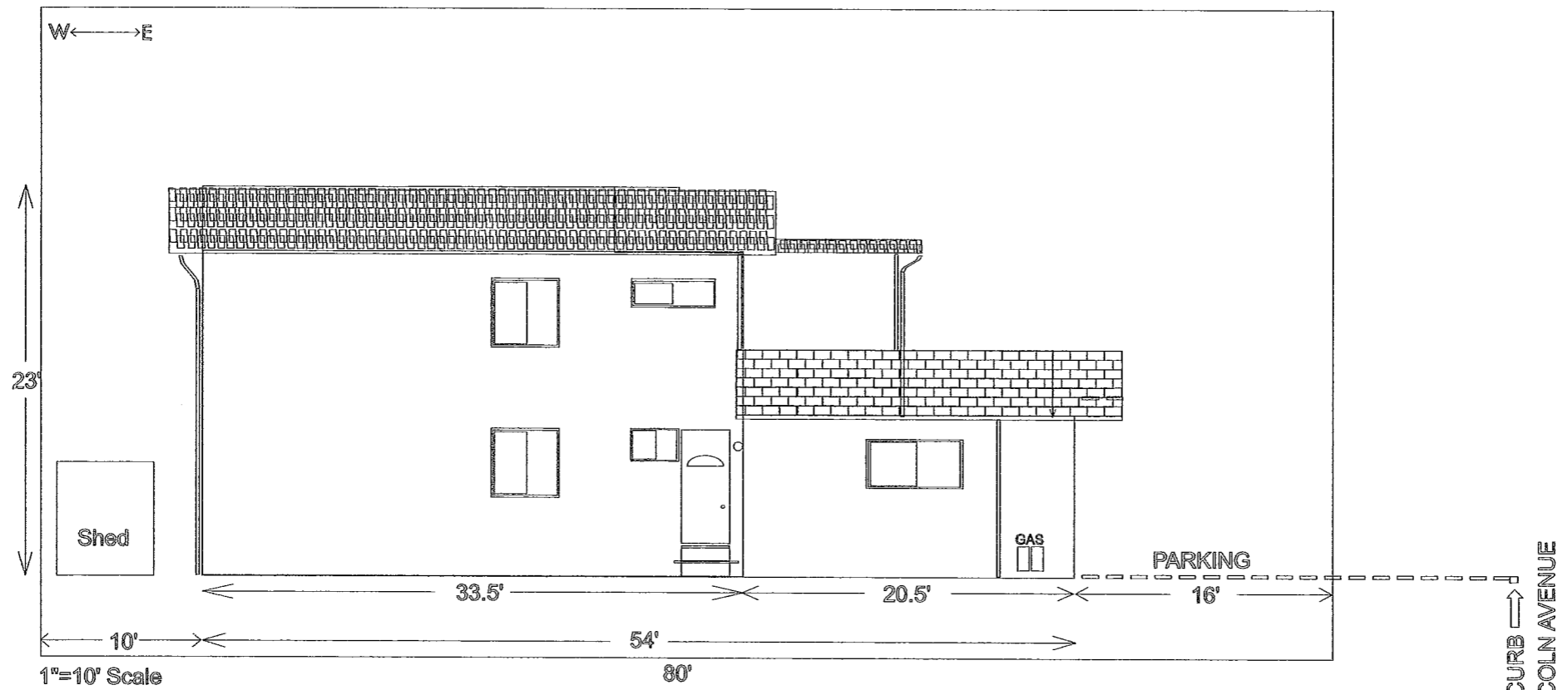


Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----	772 sq. ft.
Existing 2nd Floor	-----	804 sq. ft.
Total Existing	-----	1,576 sq. ft.
Proposed 1st Floor	-----	772 sq. ft.
Proposed 2nd Floor	-----	1,039 sq. ft.
(Proposed Awning Close-in 235 sq. ft.)		
Total Proposed	-----	1,811 sq. ft.

Site Elevation Map All Current 03-05-2012.CTS

NORTH ELEVATION PROPOSED

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



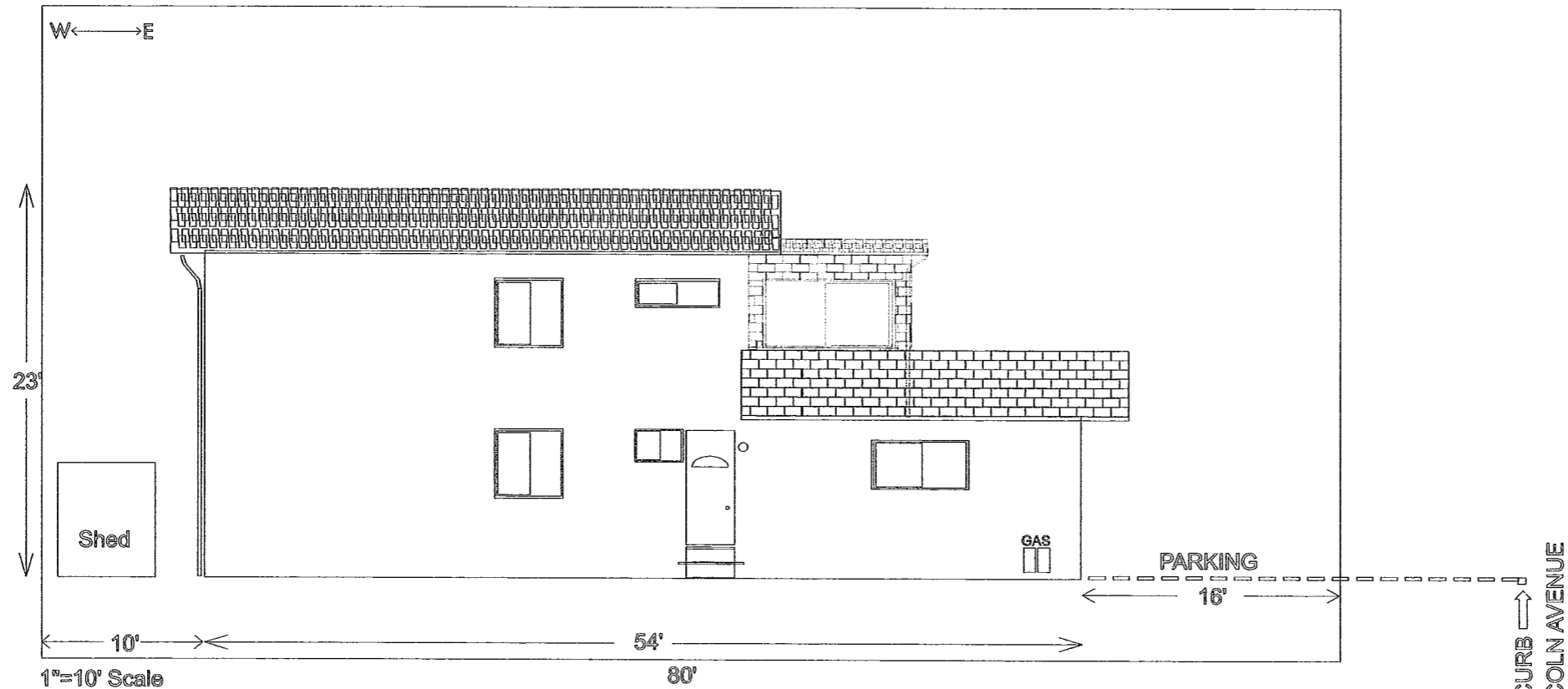
1"=10' Scale

Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----	772 sq. ft.
Existing 2nd Floor	-----	804 sq. ft.
Total Existing	-----	1,576 sq. ft.
Proposed 1st Floor	-----	772 sq. ft.
Proposed 2nd Floor	-----	1,039 sq. ft.
(Proposed Awning Close-in		235 sq. ft.)
Total Proposed	-----	1,811 sq. ft.

Site Elevation Map All Current 03-05-2012.CTS

SOUTH ELEVATION CURRENT

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



1"=10' Scale

Lot Size	40'x80'	3,200 sq. ft.
Existing 1st Floor	-----772 sq. ft.	
Existing 2nd Floor	-----804 sq. ft.	
Total Existing	-----1,576 sq. ft.	
Proposed 1st Floor	-----772 sq. ft.	
Proposed 2nd Floor	-----1,039 sq. ft.	
(Proposed Awning Close-in	235 sq. ft.)	
Total Proposed	-----1,811 sq. ft.	

Site Elevation Map All Current 03-05-2012.CFB

SOUTH ELEVATION PROPOSED

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue

1565 Lincoln Avenue

Existing Residence	1,576 square feet	
	@ \$150.00 per square foot =	\$ 236,400.00
Existing Garage	410 square feet	
	@ \$90.00 per square foot	\$36,900.00
Existing Deck	540 square feet	
	@ \$25.00 per square foot	<u>\$13,500.00</u>
	Total Fair Market Value	\$286,800.00
	*80 % of Existing Value	\$ 229,440.00
Proposed Upper Floor Addition	235 square feet	
	@ \$ 200.00 a Square Foot	\$ 47,000.00
New stairs and landing		<u>\$ 5,000.00</u>
Total Cost of improvements		\$52,000.00



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 3, 2012

SUBJECT: **209 CAPITOLA AVENUE #12-049 APN: 035-231-08**
Sign Permit for a projecting sign in the CV (Central Village) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Carin Hanna, filed 4/9/12

PROJECT SUMMARY

The applicant is requesting a sign permit for a new projecting sign for *The Craft Gallery* retail store located at 209 Capitola Avenue, in the CV (Central Village) zoning district.

DISCUSSION

The proposed sign will be attached perpendicular to the face of the building (See Attachment B). The Sign Ordinance requires that the size of a projecting sign be no greater than 16 square feet. With dimensions being 9" x 60", the 3.75 square foot sign falls within the Sign Ordinance requirements. The wood sign will have a background the same color as the building, brown trim, and cream colored lettering (Attachment A). Per the ordinance, the sign will not project more than 2' over the public sidewalk, will maintain an overhead clearance of at least 8', and an encroachment permit will be required.

The sign meets the requirements of the Sign Ordinance and the Central Village District Design Guidelines. The letter height, color and material are appropriate for the location.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** project application #12-049, subject to the following conditions and based on the following findings:

CONDITIONS

1. The project approval consists of a sign permit for a new projecting sign for *The Craft Gallery* retail store located at 209 Capitola Avenue.
2. The projecting sign must maintain an overhead clearance of at least eight (8) feet.
3. The applicant must obtain an encroachment permit from the Public Works Department for the sign prior to installation, since it projects over the public sidewalk.

4. If minor modifications to the signs are desired by the applicant (i.e. lettering, materials, colors, illumination, etc.), the changes may be approved by the Community Development Department. Any significant changes shall require Planning Commission approval.
5. The applicant shall obtain a building permit for the sign prior to installation.
6. Prior to building permit sign off, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

The Planning Commission finds that the proposed sign complies with the Sign Ordinance regulations and the Central Village Design Guidelines in terms of size, shape, color, texture, lighting and design.

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

The Planning Commission finds that the project, as conditioned, complies with the Sign Ordinance and the Central Village Design Guidelines, which were developed to ensure projects maintain the character and integrity of this area of the City. The sign is complimentary to the overall design of the building and is not in visual competition with other conforming signs in the area.

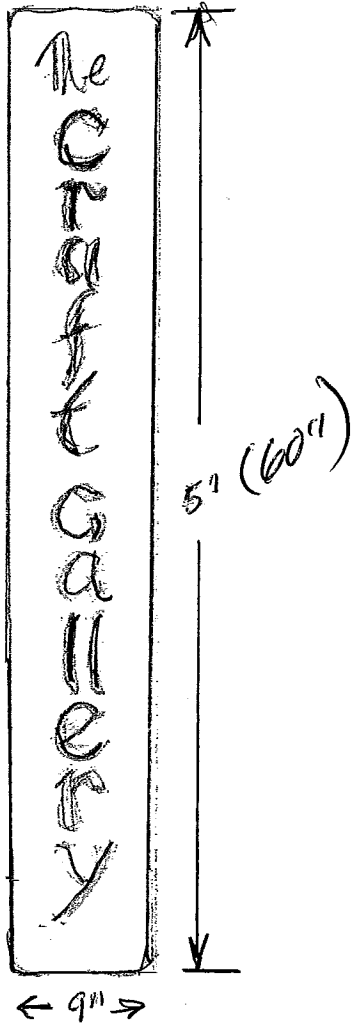
- C. This project is categorically exempt under Section 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

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

Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Sign Plans
Attachment B – Sign Elevation

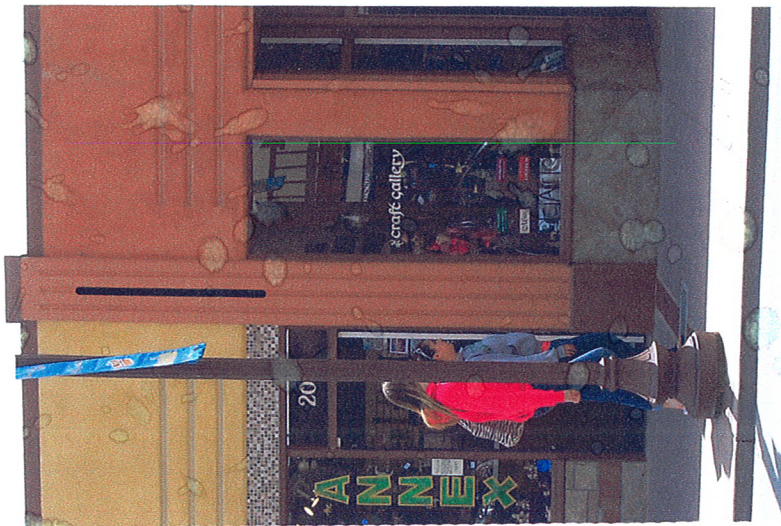
PROPOSED CRAFT GALLERY SIGN



material - wood -
~~marine plywood.~~

Painted - background
the same as bldg ~~trim~~
trim (brown)
Lettering cream

Secured to bottom
iron bracket



Proposed Signage 209 Capitola Avenue



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 3, 2012

SUBJECT: **115 SAN JOSE AVENUE #12-136 APN: 035-221-17, 18**
Design Permit to enclose a vestibule for an existing commercial building (Mercantile) in the CV (Central Village) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Peter Dwares, owner/filed: 3/15/12
Representative: Thacher & Thompson

APPLICANT'S PROPOSAL

The applicant is requesting a Design Permit to enclose a vestibule at an existing covered entry for the Mercantile Building at 115-Q San Jose Avenue in the CV (Central Village) Zoning District.

DISCUSSION

The existing entry in the southwest corner of the building faces the Esplanade across a parking lot. This entry point has not served the building well, as it is setback from the street and the entry doors are in a dark area that is not easily visible from the Esplanade. The applicant is attempting to visually connect this building entrance to the Esplanade.

The propose vestibule will add a new window facing the street on the west. This 8' high and 9' long window will allow the public to seen into the tenant space. In addition to the large window, a pair of 8' high entry doors will face the street to the south. The existing canvas awning will be extended along the new west window to shelter it and to make the existing awning shape more coherent. New paint and landscaping are also included as part of the project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** application #12-136, subject to the following conditions and findings:

CONDITIONS

1. The project approval consists of a Design Permit to enclose a vestibule at an existing covered entry for the Mercantile Building at 115-Q San Jose Avenue.

2. If any upgrades or modifications to the design are desired by the applicant (i.e., materials, colors, etc.), the changes may be approved by the Community Development Department. Any significant changes may require Planning Commission approval.
3. The awnings shall be replaced when they show signs of deterioration, as determined by the Community Development Department.
4. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
5. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee and the Planning Commission have reviewed the application, which consists of the enclosure of a vestibule. The project is consistent with the development standards in the CV (Central Village) Zoning District and compliant with the Central Village Design Guidelines. 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 Department Staff, the Architectural and Site Review Committee and the Planning Commission have all reviewed the project and determined that the project complies with the Central Village Design Guidelines, which were developed to ensure projects maintain the character and integrity of this area of the City.

C. This project is categorically exempt under Section 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 enclosure of a vestibule for an existing commercial use with no significant expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Community Development Department Staff or the Planning Commission.

Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Photo of Existing Vestibule
Attachment B – Project Plans

Existing Vestibule





STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MAY 3, 2012

SUBJECT: **712 CAPITOLA AVENUE #12-039 APN: 036-062-14**
 Design Permit for a two-car garage addition to an existing one-story single-family residence in the CN (Neighborhood Commercial) Zoning District.
 Environmental Determination: Categorical Exemption
 Property Owner: Terry Evan David, filed 3/20/12
 Representative: Dennis Norton

APPLICANT’S PROPOSAL

The applicant is proposing to construct a 583 square foot attached garage to a single-story single-family residence at 712 Capitola Avenue in the CN (Neighborhood Commercial) 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		15'	65'	65'
Rear Yard	1 st Story	24'-9"	15'	15'
Side Yard	1 st Story	9'-9" (l) & (r)	32'-6" (l) & 26' (r)	11'-5" (l) & 26' (r)
<u>HEIGHT</u>		27'	15'	15'
<u>LOT COVERAGE</u>		Lot Size	Existing (19%)	Proposed (23%)
		12,034 sq. ft	2,233 sq. ft	2,816 sq. ft.
<u>Single-Family House</u>	Habitable Space	Second Floor Deck	Garage	Total
First Story	1,059 sq. ft.	n/a	583 sq. ft.	1,642 sq. ft.
<u>Commercial</u>	Habitable Space	Second Floor Deck	Garage	Total
First Story	1,174 sq. ft.	n/a	n/a	1,174 sq. ft.
TOTAL	2,233 sq. ft.	0 sq. ft.	583 sq. ft.	2,816 sq. ft.

<u>PARKING</u>	Required	Existing	Proposed
	Residential – 2 uncovered spaces	Residential – 4 uncovered spaces	Residential – 2 uncovered spaces 2 covered spaces
	Commercial – 5 spaces	Commercial – 5 spaces	Commercial – 5 spaces
Total	7 spaces	7 spaces	9 spaces

ARCHITECTURAL AND SITE REVIEW

The Architectural and Site Review Committee considered this project on April 11, 2012.

- City Landscape Architect Susan Suddjian questioned if the wood fence fronting Plum St. would be removed as part of the project. She suggested that landscaping the area between the sidewalk and the side of the garage would soften the street frontage. The applicant indicated that the property owner wished to keep the fence as it is.
- Senior Planner Bane noted that utilities would need to be undergrounded and requested a construction breakdown to determine that the nonconforming structure is consistent with the nonconforming ordinance.

DISCUSSION

The mixed-use site contains both a single-family house and a commercial building. The project involves the residential home, consisting of the addition of a two-car garage to the front of the structure. The proposed garage will open to the east and be accessed from the existing driveway. The garage meets the minimum interior dimensions (20'x20') for a two-car garage, as well as providing the minimum backup space of 24'. All CN development standards are being met, including setbacks, parking, lot coverage and height.

Nonconforming

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

RECOMMENDATION

Staff recommends the Planning Commission **approve** application #12-039, subject to the following conditions and findings:

CONDITIONS

1. The project approval consists of the construction of a 583 square foot attached garage to a single-story single-family residence at 712 Capitola Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.

3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Hours of construction shall be Monday to Friday 7:30AM – 9:00PM, and Saturday 9:00AM – 4:00PM, per city ordinance.
5. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
6. An encroachment permit shall be acquired for any work performed in the right-of-way.
7. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the project. The project conforms to the development standards of the CN (Neighborhood Commercial) Zoning District, and 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 Department Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the project. The project conforms to the development standards of the CN (Neighborhood Commercial) Zoning District, and will not have a negative impact on the character and integrity of the neighborhood.

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

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

Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Project Plans
Attachment B – Construction Cost Breakdown

NO.	
REV.	
DATE	
BY	
CHECKED	
DATE	

507 PLUM ST
CAPITOLA, CA 95010

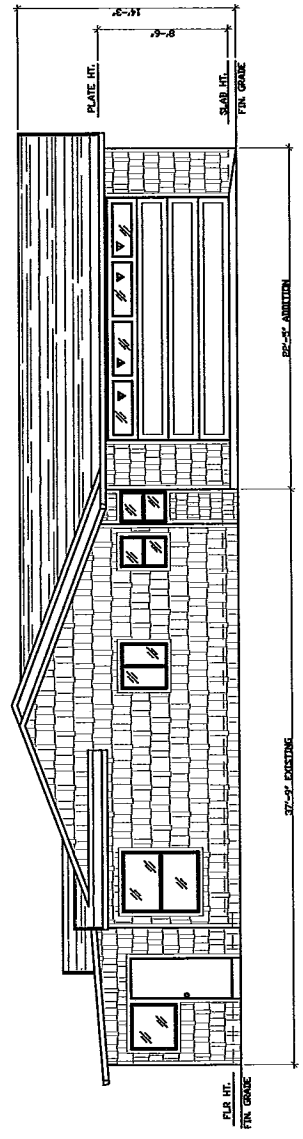
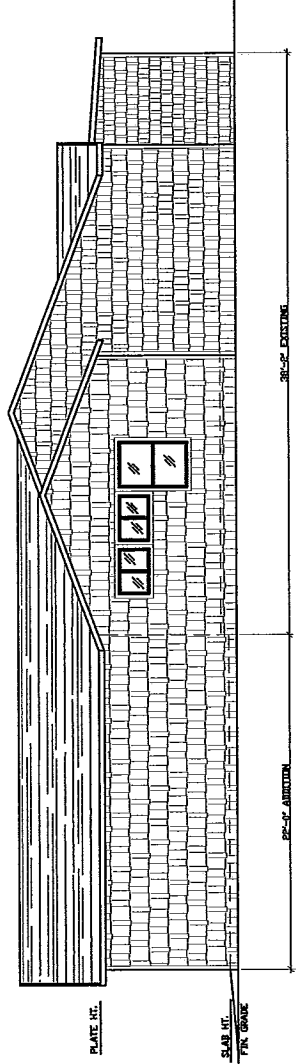
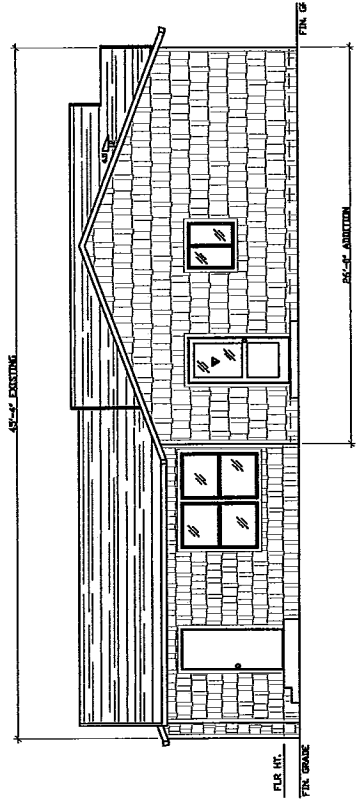
RESIDENCE
507 PLUM ST.
CAPITOLA, CA 95010
APN 036-062-14

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING
713 O GERRIA M. CERRITA, CA 95001 - 919 428 2886
REV. 03/14/12

GARAGE ADDITION ELEVATIONS

06
1/4" = 1'-0"
CAPITOLA
03/14/12

5



ELEVATIONS
1/4" = 1'-0"
NOTE: ▽ = TEMPERED GLASS

Dennis Norton Design

712 #C Capitola Avenue, Capitola, Ca 95010

831-476-2616

4-19-2012

Planning Department

City of Capitola

Re: Construction Cost Breakdown

507 Plum Street, Capitola

(712 Capitola Avenue)

Apn # 036-062-14

Existing Residence 1,059 Square foot

@ \$150.00 a Square Foot = \$ 158,850.00

*80 % of Existing Value \$ 127,080.00

Proposed Garage Addition 583 Square foot

@ \$ 100.00 a Square Foot \$ 58,300.00

New Windows and Siding to Existing \$ 12,000.00

Total Cost of improvements \$70,300.00